JOSH GREEN, M.D. GOVERNOR KE KIA'ĀINA



### **STATE OF HAWAII** KA MOKU'ĀINA O HAWAI'I

### **DEPARTMENT OF HUMAN SERVICES**

KA 'OIHANA MĀLAMA LAWELAWE KANAKA
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February 11, 2025

RYAN I. YAMANE DIRECTOR KA LUNA HOʻOKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

The Honorable Ronald D. Kouchi, President and Members of the Senate Thirty-Third State Legislature State Capitol, Room 409 Honolulu, Hawaii 96813 The Honorable Nadine K. Nakamura, Speaker and Members of the House of Representatives Thirty-Third State Legislature State Capitol, Room 431 Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Nakamura, and Members of the Legislature:

Enclosed is the inaugural Annual Report of the Lesbian, Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission submitted in accordance with section 369-5(8), Hawai'i Revised Statutes (HRS).

Per section 93-16, HRS, this report will be available to review electronically at the Department's website, at <a href="https://humanservices.hawaii.gov/reports/legislative-reports/">https://humanservices.hawaii.gov/reports/legislative-reports/</a>. For questions regarding this report, contact Michael Golojuch, Jr., Vice-Chair of the Hawaii State LGBTQ+ Commission, at <a href="mgolojuchjr@gmail.com">mgolojuchjr@gmail.com</a>.

Sincerely,

Ryan I. Yamane Director

**Enclosure** 

c: Governor's Office

Lieutenant Governor's Office

Department of Budget and Finance

Legislative Auditor

Legislative Reference Bureau Library (1 hard copy)

Hawaii State Public Library, System State Publications Distribution Center (2 hard copies, one electronic copy)

Hamilton Library, Serials Department, University of Hawaii (1 hard copy)

# REPORT TO THE THIRTY-THIRD HAWAII STATE LEGISLATURE 2025

# IN ACCORDANCE WITH THE PROVISIONS OF SECTION 369-5(8), HAWAII REVISED STATUTES, ON THE HAWAI'I STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER PLUS COMMISSION

DEPARTMENT OF HUMAN SERVICES

Hawaii State Hawai'i State

Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission

December 2024<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> DHS apologizes for the delayed submission.



# Inaugural Report December 2024 Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission (HI LGBTQ+ Commission)

Prepared by: HI LGBTQ+ Commission Vice-Chair Michael Golojuch, Jr.

Submitted to: Governor Josh Green, Lt. Governor Sylvia Luke, and the Hawai'i State Legislature

### 1. Introduction

The Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission (HI LGBTQ+ Commission) was established by the 2022 Hawai'i State Legislature via Senate Bill 2670, SLH 2022 – Act 41 with the following guiding purpose:

"...to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government." (HRS 369)

The HI LGBTQ+ Commission is composed of fourteen (14) members:

Eight (8) voting commissioners: four (4) representing the City and County of Honolulu, one (1) each representing the counties of Kaua'i, Maui, and Hawai'i, and one (1) representing the Hawai'i Sexual & Gender Minority (SGM) Working Group of the State of Hawai'i's Department of Health. Six (6) ex-officio (non-voting) members representing the University of Hawai'i System and Hawai'i State's Departments of Education, Labor and Industrial Relations, Human Resources Development, Human Services, and Health.

Governor Josh Green appointed all eight (8) voting commissioners in 2024, and the State Senate approved their appointments by May 1, 2024. Lt. Governor Sylvia Luke performed their swearing-in ceremony on June 28, 2024, the 55<sup>th</sup> Anniversary of the Stonewall Uprising. The Stonewall Uprising gave birth to the modern fight for justice and equal rights for the lesbian, gay, bisexual, bigender, transgender, queer, questioning, intersex, asexual, agender, gender-queer, gender non-conforming, and more (LGBTQIA+) community.

## The Officers and Commissioners are:

- Kathleen O'Dell, PhD (she/her) Chair (C&C Honolulu)
- Michael Golojuch, Jr. (he/him) Vice Chair (C&C Honolulu)
- Philip Steinbacher (he/him) Secretary (Kaua'i County)
- Shanda Brack (she/her) Finance Director (SGM Working Group)
- Sandy Harjo-Livingston, PhD (he/him/they/them) Member (C&C Honolulu)
- Joe Tolbe (he/him) Member (Maui County)
- Richard Velasquez (he/him) Member (C&C Honolulu)
- Joseph "Rocco" Vick (he/him) Member (Hawai'i County)

### Ex-officio Members are:

- Superintendent of Education designee Beth Schimmelfennig, Director of the Department of Education, Civil Rights Compliance Office
- President of the University of Hawai'i System designee Camaron Miyamoto, PhD.,
   Director, Lesbian, Gay, Bisexual, Transgender & Queer+ Center, UH Mānoa (he/him)
- Director of Labor and Industrial Relations designee David Rodriguez
- Director of Human Resources Development designee Signe Nakamura-Dureza
- Director of Human Services (DHS) designee Kristen Takushi, Cross-Enrollment Coordinator
- Director of Health designee Thaddeus Pham (he/him), MPH, Viral Hepatitis Prevention Coordinator, Harm Reduction Services Branch

The Commissioners would like to extend their deepest gratitude to everyone at DHS for their support in helping to get the HI LGBTQ+ Commission up and running. From Director Ryan Yamane to Malia Taum-Deenik, Shaun Joaquin, Amanda Stevens, and especially Kristen Takushi. The HI LGBTQ+ Commission would not have been able to do anything without their instrumental support.

# 2. Summary of 2024 (July - December 16, 2024)

The HI LGBTQ+ Commission held its first meeting on July 30, 2024, at 'Olelo headquarters and has met monthly since then using the hybrid format. The physical location at the Department of Human Services Director's Conference Room located at 1390 Miller Street 2nd Floor Conference Room 1 & 2 Honolulu, HI 96813 and using the Zoom platform.

At their first meeting, the Commission hit the ground running by endorsing Constitutional Amendment Question 1 (Con Am #1), which removed the discriminatory language from the Hawai'i State Constitution's Bill of Rights. Con Am #1 passed at the General Election on November 5, 2024, by 51.3% - YES votes. The other votes were 40.4% - NO, 7.3% - blank, and 0.4% - over.

The Commission's logo was designed by Gabrielle Huliganga, a University of Hawai'i student who was recruited by Camaron Miyamoto, PhD. The foreground of the logo is the 8 main Hawaiian islands with the background of the logo being Gabrielle Huliganga's interpretation of the Intersex Inclusive Progressive Pride Flag.

With the assistance of DHS staff, the Commission has a webpage and will be building it out to help bridge the gap between Hawai'i's LGBTQIA+/ MVPFAFF+1 community and State government, as well as be a resource for services and support. https://humanservices.hawaii.gov/lgbtq-commission/

The HI LGBTQ+ Commission has established social media accounts on the following platforms:

- Facebook /hawaiistatelgbtqpluscommission
- Instagram @hawaiistatelgbtqpluscommission
- Threads @hawaiistatelgbtqpluscommission
- YouTube: @HawaiiStateLGBTQPlusCommission (recordings of the Commission meetings)

Before establishing these social media accounts, the HI LGBTQ+ Commission drafted and approved a Social Media Comment Policy and a Posting Policy. The platforms are managed by Vice-Chair Michael Golojuch, Jr.

The HI LGBTQ+ Commission has established an online form for members for the public to easily request to receive commission meeting notices. <a href="https://forms.gle/M6hSetJMTxyDZWYf8">https://forms.gle/M6hSetJMTxyDZWYf8</a> The public can also make the request by emailing the Commission at: <a href="https://hawaiistatelgbtqpluscommission@gmail.com">https://horms.gle/M6hSetJMTxyDZWYf8</a> The public can also make the request by emailing the Commission at: <a href="https://horms.gle/mail.com">hawaiistatelgbtqpluscommission@gmail.com</a>

The HI LGBTQ+ Commission has provided assistance to recruit applicants for the Administrative Assistant II position, which they share with the Hawai'i State Fatherhood Commission. This was achieved using the Commission's social media accounts and the Commissioners sending out the announcement to their individual networks.

The HI LGBTQ+ Commissioners first public (non-meeting) appearance was on October 1, 2024, at the City and County of Honolulu Mayor Rick Blangiardi's October Pride Flag raising ceremony and Proclamation Ceremony declaring the Rainbow Shower Tree (Cassia x nealiae 'Wilhelmina Tenney') as the Official Pride Tree for the City and County of Honolulu. An informational plaque was unveiled at the base of a Rainbow Shower Tree outside the Frank F. Fasi Municipal Building, thanks to the Lei Pua 'Ala Queer Histories of Hawai'i project, an O'ahu-based LGBTQIA+ group that has also installed informative plaques at the former site of the "Glade Show Club" in Chinatown and at the Healer Stones of Kapaemahu in Waikīkī. This appearance for the Commissioners was made possible thanks to the invitation from Honolulu's Mayor, the Honorable Rick Blangiardi.

Also, in October, the HI LGBTQ+ Commissioners participated in their first (of many) Pride Parade. The Commissioners marched in the 2024 Honolulu Pride Parade, produced by <u>Hawai'i</u>

<u>LGBT Legacy Foundation</u>. Their unit and interview of Chair Kathleen O'Dell can be seen here: https://www.youtube.com/live/ZNh5ekHHeM0?si=B-YvOJyVe0kDkIJd&t=6624

On November 8, 2024, Chair O'Dell and Vice-Chair Golojuch attended an informal election debriefing Zoom meeting with Executive Directors of LGBTQ+ State Commissions from Maryland, Pennsylvania, and Washington. This group usually meets every month and has representatives from the other statewide LGBTQ+ Commissions – Michigan, Minnesota, and New Jersey. They found the HI LGBTQ+ Commission through the Commission's social media platforms.

Vice-Chair Golojuch attended the 2024 International LGBTQ+ Leaders Conference produced by the LGBTQ+ Victory Institute in Washington, DC, from December 5 – 7, 2024. At the conference Vice-Chair Golojuch attended break-sessions covering collaborative strategies for LGBTQ+ advocates, how to prepare for the coming attacks from the new Federal administration, building youth online safety legislation that supports LGBTQ+ teens, and a workshop for researchers, activists, and civil society. The conference held plenaries on the Intersex community (advocating and knowing their needs), looking forward to the 2024 elections; the future of artificial intelligence in advocacy and campaigns; being an LGBTQ+ advocate in Latin America and the Caribbean; and increasing support for Black, out LGBTQ+/SGL (Same Gender Loving) candidates and their issues. Vice-Chair Golojuch was able to start building relationships with other advocates, and elected LGBTQIA+ officials. As well as share what Hawai'i is doing right for Hawai'i's LGBTQIA+/MVPFAFF+ communities.

HI LGBTQ+ Commission will be a Silver Sponsor for the 2025 Hawai'i State Harm Reduction Conference themed "Rainbow Resilience," produced by the <a href="Hawai'i Health and Harm Reduction Center">Hawai'i Health and Harm Reduction Center</a>. The event will explore how to reduce harm and amplify resilience for Hawai'i's Māhū, QTPI², LGBQIA+, and Transgender communities. Breakout sessions will unpack the complexities faced by individuals and communities as they push for social change, especially at the intersection of health, wellness, advocacy, empowerment, and resilience. The conference will be held on Friday, January 10, 2025, at the University of Hawai'i's Mānoa Campus in the Campus Center. For more information, go to: <a href="https://www.hhhrc.org/hshrc">https://www.hhhrc.org/hshrc</a>. This will be the Commission's first tabling opportunity.

### 3. Legislative Priorities for 2025

a. Pass a Gender Affirming Care protection bill (aka GAC Shield) to turn Hawai'i into a safe haven state for Gender Affirming Care. The bill is based on <a href="HB 2079 HD 2">HB 2079 HD 2</a> from the 2024 Legislative session.

Commission Lead: Michael Golojuch, Jr.

This bill will seek to:

- Protect the rights of Hawai'i residents from laws being enacted in other states on the continent.
- Ensure that parents in Hawai'i cannot have their children removed by out of state courts for allowing medical care under a doctor's supervision for their child that is legal in the State of Hawai'i
- Further ensure that guardians, and parents along with medical professionals can make decisions on behalf of their children without fear of reprisal from other states.
- Expand the rights of the state and medical providers to keep private the medical records of our Hawai'i residents. Hawai'i expanded this privacy in 2023 for reproductive rights under <u>Senate Bill 1</u>, it also will now keep Gender-Affirming Care private.
- Protect Healthcare providers practicing in Hawai'i to ensure that they are not subject to prohibitions from states on the continent when providing healthcare that is legal in the state of Hawai'i.

- Authorize no new procedures in its language and only seeks to hold residents of our island home harmless from laws enacted on the continent.
- In short, this bill only provides the same protections for Gender Affirming Care that reproductive rights received under <u>Act 2, SLH 2023</u> (<u>Senate Bill 1</u>).
- b. Expand gender markers for birth certificates. The legislature expanded them to add "X" as an option on State IDs and Driver's Licenses, now we need to complete the circle. **Commission Lead: Michael Golojuch, Jr.**
- c. Mandate privately funded (including state and county) health insurance policies offered in Hawai'i to cover gender-affirming care procedures.

**Commission Lead: Shanda Brack** 

d. Mandate an accurate count of Hate Crimes in Hawai'i. This law turns 24 years old in 2025, and to this day, none of the police departments in the State are collecting any usable data. The only data being collected is if they catch the perpetrator, it goes to trial, and it goes to sentencing.

Commission Lead: Sandy Harjo-Livingston, PhD

- e. Expand the Hawai'i State LGBTQ+ Commission from 8 voting members to 11 members.
  - First additional spot to be reserved for a person under the age of 35,
  - Then one member to be appointed by the Senate President, and
  - The other by Speaker of the House.

Commission Lead: Michael Golojuch, Jr.

f. Ban forced gender mutilation (formerly known as 'gender assignment surgery') on infants. 1 in every 1,000 births, a baby is born intersex, aka with ambiguous genitalia. Neither the doctors nor the parents should be allowed to decide the baby's gender. The baby needs to be able to mature/grow up and discover their own gender.

**Commission Lead: Shanda Brack** 

- g. Amend the surrogacy laws so queer (and straight) couples do not have to adopt their own child(ren). <u>Click here for the draft bill from the Act 165 Task Force on Parentage Laws</u>. Commission Lead: Michael Golojuch, Jr.
- h. Establish emergency/low-barrier shelters on all islands for homeless unaccompanied minors. 40% of all homeless unaccompanied minors identify as LGBTQIA+.

Commission Lead: Richard Velasquez

 Pass a resolution to establish a task force to perform a complete review of the Hawai'i Revised Statutes to include only gender-neutral language, amending any heteronormative terms or phrases.

Commission Lead: Michael Golojuch, Jr.

 Pass a resolution to establish an education requirement of teaching LGBTQIA+/MVPFAFF+ history (our achievements and contributions) in public schools K-12 and UH system.

Commission Lead: Kathleen O'Dell, PhD

- k. Ensure that the LGBTQIA+/MVPFAFF+ community has access to mental health care on all islands through education requirements for re-licensing of mental health professionals. Commission Lead: Michael Golojuch, Jr.
- 4. Non-Legislative Recommendations

The HI LGBTQ+ Commission recommends an official onboarding program and/or guideline for all new State Commissioners especially for commissions without an Executive Director. This way the commissioners know what trainings they need to take and what forms they need to fill out after being confirmed. They also recommend clarification from the Legislature about which Commission members need to fill out the Hawai'i State Ethics Commission – Financial Disclosure form.

# 5. Summary

The HI LGBTQ+ Commission has gotten off to a solid start. They know they have a lot more to learn and work to do so they will be providing an end of fiscal year report in July 2025.

# **Definitions:**

### 1. MVPFAFF+

Fakafifine activist Phylesha Brown-Acton coined the acronym MVPFAFF to recognize & honor identities that don't align with the LGBTQIA+ acronym & are specific to Pasifika communities. With each having their own different & unique meanings as well as different cultural significance. Prior to Western contact, these identities were honored and embraced by their own communities.

- M Māhū (Hawai'i & Tahiti)
- V Vaka sa lewa lewa (Fiji)
- P Palopa (Papua New Guinea)
- F Fa'afafine (Samoa)
- A Akava'ine (Rarotonga)
- F Fakaleitī (Tonga)
- F Fakafifine (Niue)
- + Fakaleiti, Rae rae, & Fafafine & more

### 2. QTPI

The term "Queer and Trans Pacific Islanders" (QTPI) was coined during a gathering of Pacific Islander organizers from UTOPIA WA, UTOPIA PDX, and UTOPIA Eastern WA in Fresno, CA. The term is pronounced, "Cutie-Pie."