

ANNUAL REPORT

JULY 1, 1994 – JUNE 30, 1995

**HAWAI'I
CIVIL
RIGHTS
COMMISSION**

BENJAMIN CAYETANO,
Governor

LORRAINE AKIBA,
Director, Department of Labor & Industrial Relations

AMY AGBAYANI,
Commission Chairperson

LINDA TSEU,
Executive Director

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INTRODUCTION

The Hawai'i Constitution provides that "no person shall...be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex, or ancestry." (Article I, Section 5).

The Hawai'i Civil Rights Commission (HCRC) was established by the Legislature under Acts 219 and 386. The HCRC began its operations on January 2, 1991.

The law declares that discriminatory practices—based on race, color, religion, age, sex, sexual orientation, national origin, ancestry, or disability—in employment, housing, public accommodations, or access to services receiving state financial assistance are against public policy*. The Commission's mandate is to provide a uniform procedure for the enforcement of the state's discrimination laws.

The Commission is comprised of five (5) members, all of whom are volunteers appointed by the Governor on the basis of their knowledge and experience in civil rights matters and a demonstrated commitment to the preservation of the civil rights of all individuals.

The HCRC is attached to the Department of Labor & Industrial Relations (DLIR) for administrative purposes. The Commission oversees a staff of twenty-eight (28) persons who are divided into two separate sections (enforcement and adjudication) to carry out its functions. Pursu-

ant to Hawai'i Revised Statutes (H.R.S.) § 368-3, these functions are to:

- receive, investigate and conciliate complaints alleging any unlawful discriminatory practice under H.R.S. Chapter 368 (programs and activities receiving state financial assistance), Chapter 489 (public accommodations), Chapter 515 (real property transactions) and part I of Chapter 378 (employment practices);
- hold administrative hearings on such complaints and order appropriate legal and equitable relief or affirmative action when a violation is found;
- commence civil actions in circuit court to seek appropriate relief, including the enforcement of any commission order, conciliation agreement, or predetermination settlement;
- issue right-to-sue letters which allow the parties to pursue their cases in circuit court;
- issue publications, results of investigations, and research that in its judgment will tend to promote goodwill and minimize or eliminate discrimination in employment, housing, & public accommodations.

During FY 1994-95, the Commission's operations and delivery of services continued to be strained because of restrictions in funding coupled with an increasing demand for services by the public. For example, phone and walk-in inquiries increased to 6,493 from the previous year's 5,639. Intake interviews increased to 870 from the previous year's 765.

Despite these increases, the actual number of new docketed complaints remained level at 468, and closures of investigations increased to 719 from the previous year's 495. This resulted in an overall reduction of the backlog of pending cases to 355 at the end of the fiscal year.

The reductions of the backlog is attributed to a fully staffed, well-trained Investigation Section, referring cause cases to the Legal Section expeditiously and streamlined procedures for processing and report writing. It's important to point out that these interventions did not affect the quality of investigations.

So long as positions are not eliminated, it is expected that the Commission's caseload and investigator caseloads will stay at a manageable level. The Commission is working towards a goal of completing the investigation of all cases within one year of being docketed.

The accompanying report is submitted pursuant to H.R.S. §§ 368-4 and 515-9.

* certain bases are not protected under all laws.

ADMINISTRATIVE PROCEDURE

There are two requirements that must be fulfilled before the HCRC can accept a complaint of discrimination under one or more of the anti-discrimination laws it enforces:

- a person must have been treated in an unequal, unfair manner because of his or her “protected basis” (race, sex, ancestry, disability, etc.).
- the complaint must be filed with the HCRC within 180 days of the alleged incident (or the most recent incident if there is a recurring pattern of discrimination).

After a **complaint** is filed, an HCRC investigator begins a neutral, fact-finding **investigation** collecting documents and contacting witnesses from both the complainant’s and respondent’s sides. The investigator also explores the possibility of settling the complaint prior to a determination (pre-determination settlement).

If a preponderance of the evidence shows that there is no “reasonable cause” to believe that discrimination has occurred, the case is closed and a right-to-sue letter is issued. The right-to-sue letter can also be issued to complainants at any time if they wish to file their own civil suit.

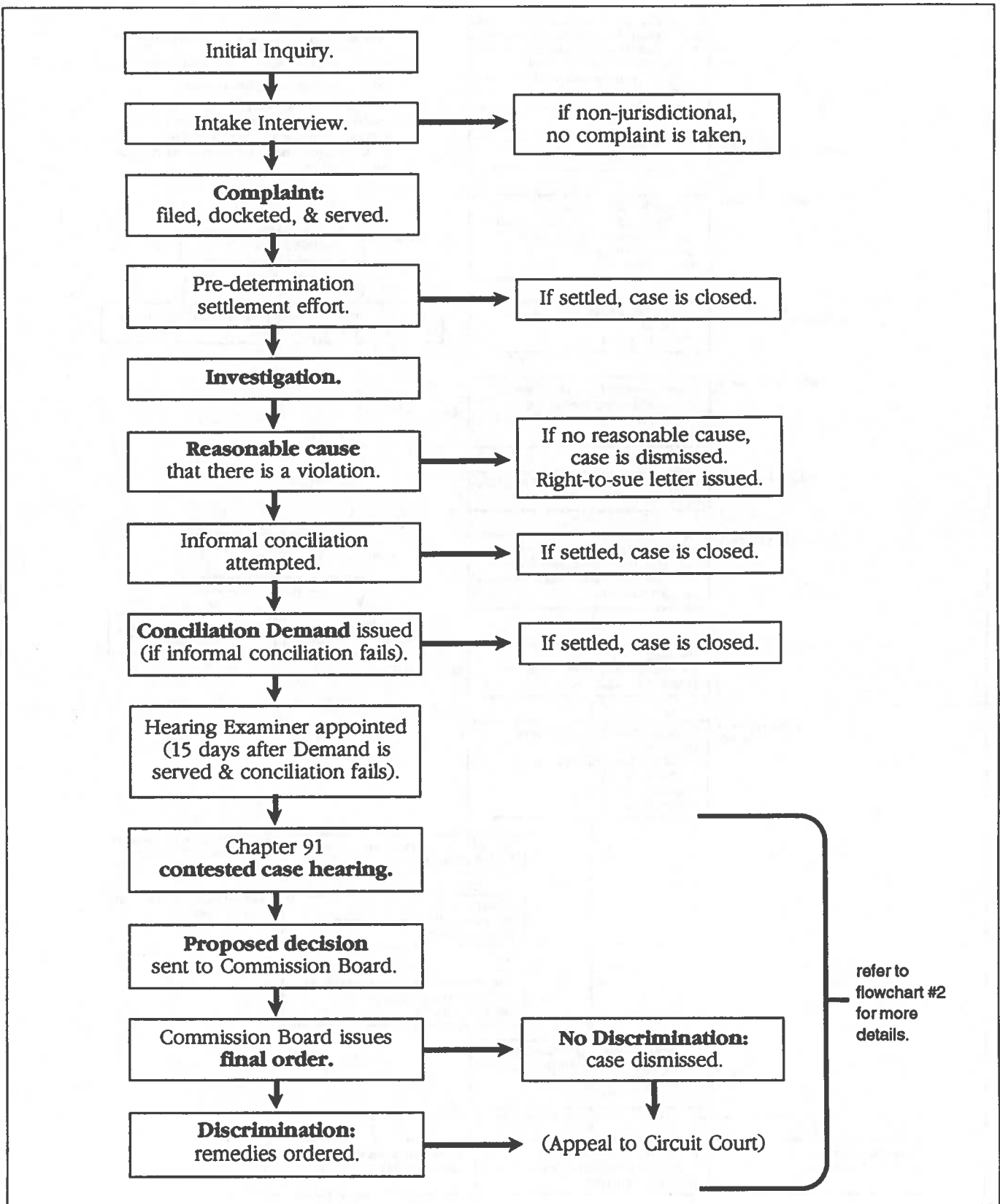
If **reasonable cause** is determined, the HCRC enforcement staff attempts to conciliate or settle the complaint. If concilia-

tion is unsuccessful, then a **hearing** is scheduled. A HCRC enforcement attorney presents the case in support of the complaint before an impartial hearings examiner. The respondent (represented by themselves or counsel of their choice) also presents its case at this time. The complainant may also be represented by counsel or other representative. The hearings examiner issues a **proposed decision** based on the evidence.

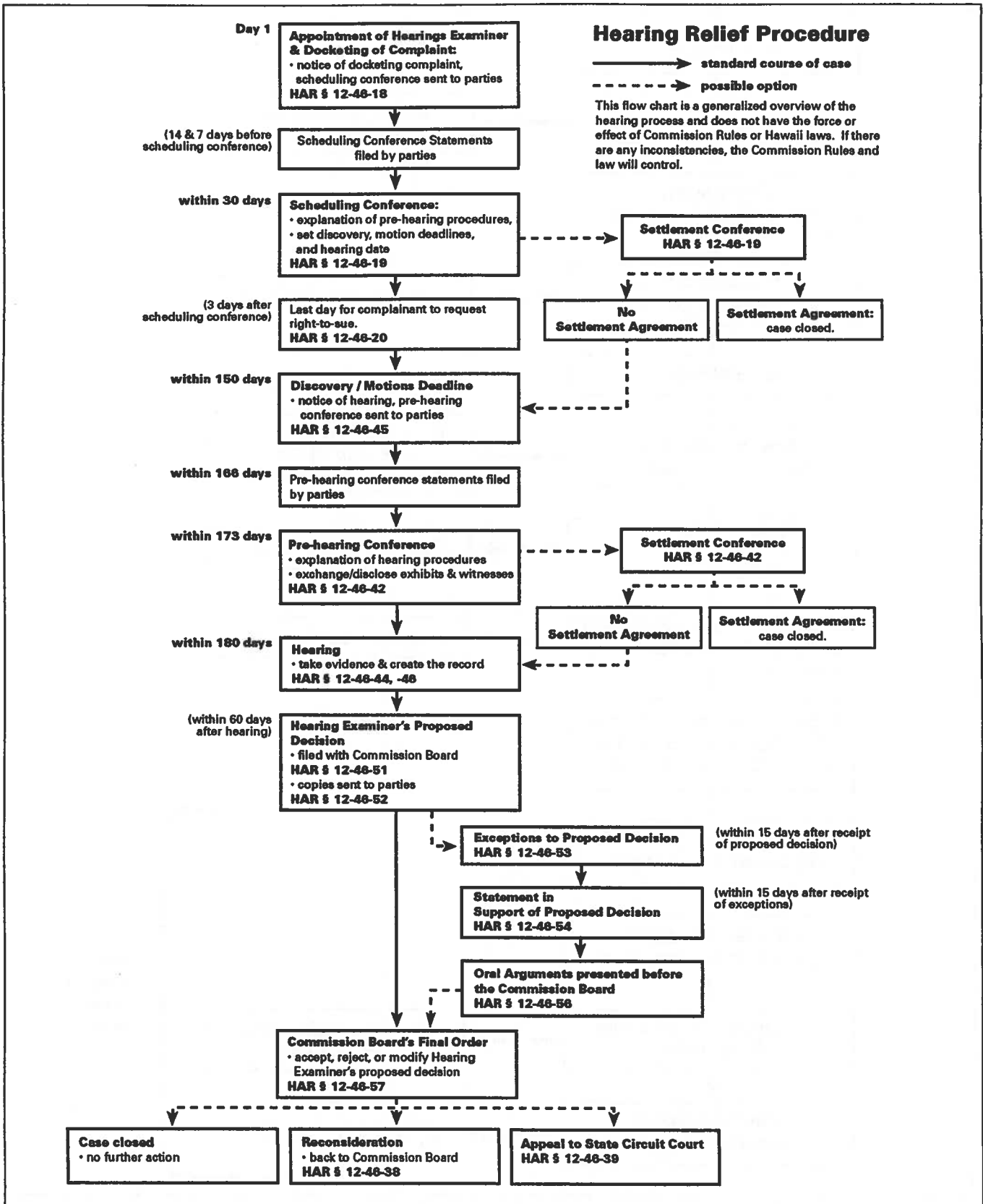
The proposed decision and the hearing record is then reviewed by the five-member Commission Board. The parties are able to file written exceptions and support statements and present oral arguments to the Board. The Commission Board then accepts, rejects, or modifies the proposed decision, issues a **final order**, and awards remedies if appropriate. This decision is legally binding.

If either party feels that the decision is unfair, they have 30 days to file an **appeal** in the Circuit Court. The HCRC administrative procedure is illustrated in flowchart #1 on the facing page.

The hearing relief procedure is graphically presented in flowchart #2. The time frame for this administrative procedure is highlighted, as are the Hawaii Administrative Rules which govern it.



Flowchart #1: HCRC administrative procedure.



Flowchart #2: Hearing relief procedure.

CASELOAD DEMOGRAPHICS

There were 6,493 telephone and walk-in inquiries at the HCRC during FY94-95. This led to 870 intake interviews between investigators and complainants, of which 56.0% of those interviewed were women, 42.8% were men, and 1.3% were group complainants.

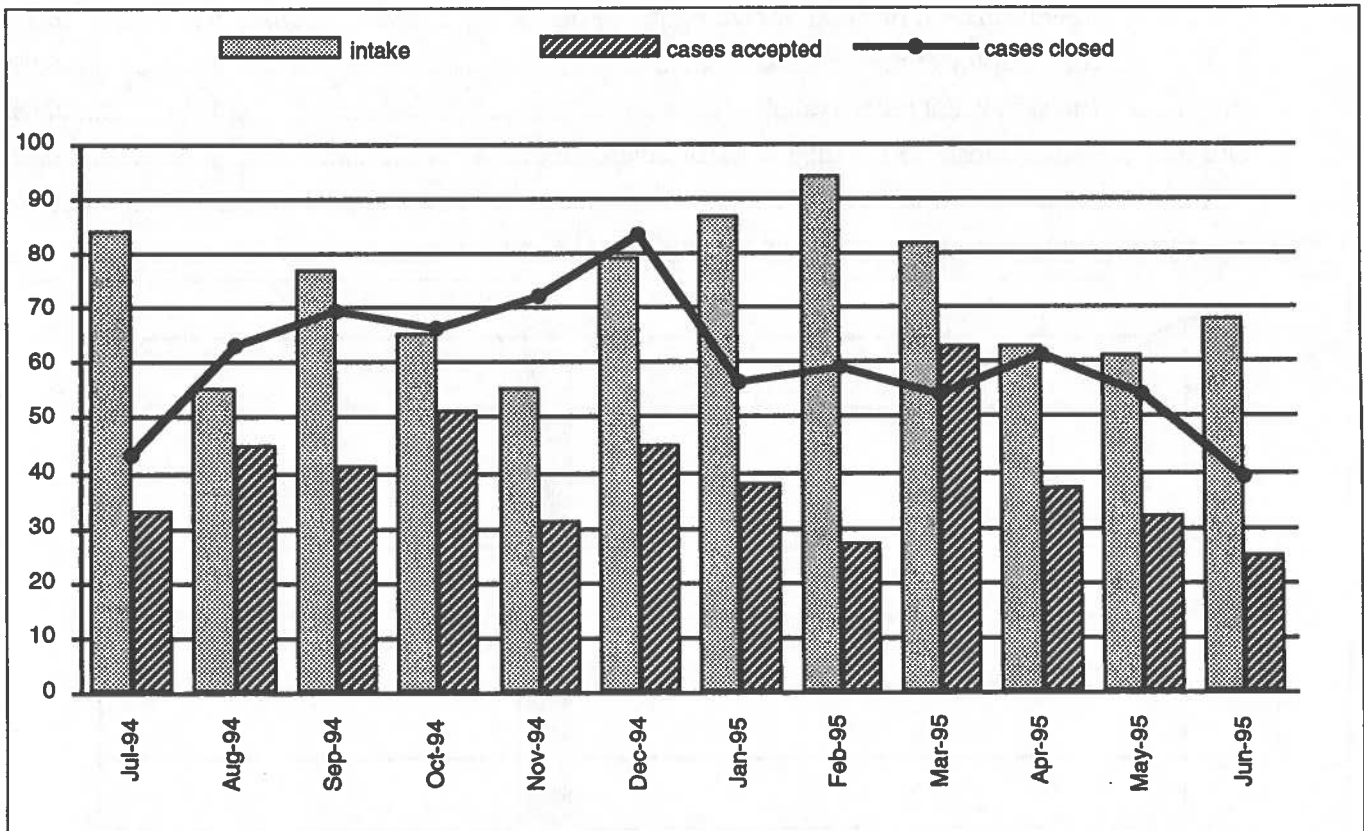
The intake interviews resulted in 468 new charges of discrimination being actually accepted by the HCRC, averaging 39 new

cases per month. The primary reasons that the other intake interviews did not lead to docketing a charge was either the inability to correlate the adverse act(s) with the protected base(s), or the complainant later decided not to pursue the complaint.

HCRC investigators closed 719 cases during this period, for an average closure rate of 59.9 cases per month. There were 65 cause determinations during the fiscal

year, representing a 282% increase compared to the previous year.

Case closures averaged 504 days per closure, with 31.8% of the cases processed resulting in a favorable outcome for the complainant. As of June 30, 1995, the active caseload for the agency was 355 cases.



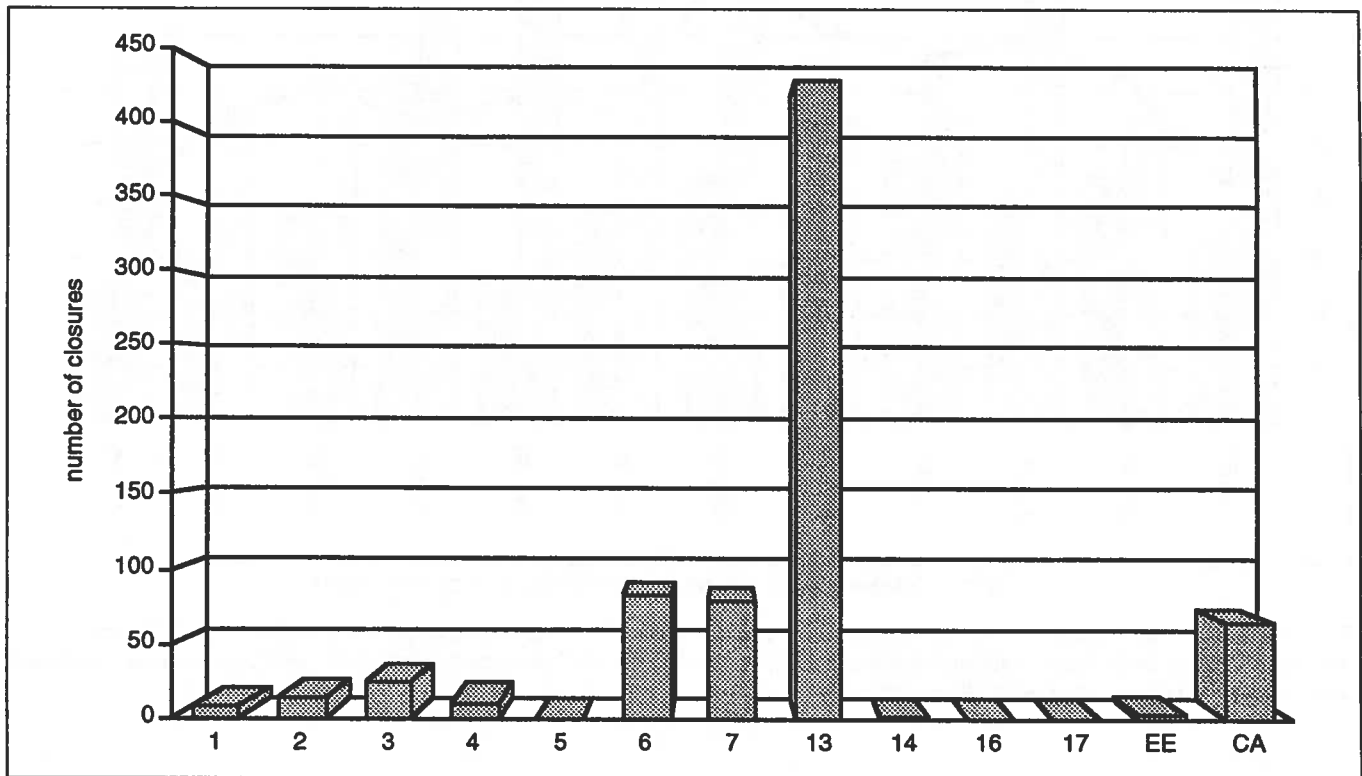
Graph 1: Intake interviews, accepted cases, and closed cases.

The legend abbreviations are: "intake" for initial intake interviews with HCRC investigators (in person or by telephone); "cases accepted" are cases under the jurisdiction of the HCRC and docketed as official charges of discrimination; and "cases closed" represents active cases that were closed by HCRC investigators.

A review of case closures for this fiscal year shows the following reasons for the closures:

<u>code</u>	<u>type of closure</u>	<u>number</u>	<u>% of total</u>
1	no jurisdiction	8	1.1%
2	complaint withdrawn	14	1.9%
3	complainant not available	25	3.5%
4	complainant failed to cooperate	11	1.5%
5	complainant failed to accept a just resolution offer	0	0.0%
6	complaint withdrawn—complainant elected court action	84	11.7%
7	resolution by parties, negotiated settlement, or conciliation	80	11.1%
13	no cause determination	428	59.5%
14	determination by another civil rights agency	1	0.1%
16	bankruptcy of respondent	0	0.0%
17	no significant relief available	0	0.0%
EE	cases transferred to the EEOC for investigation	3	0.4%
CA	cause determination	65	9.0%

The type of case closures during the fiscal year are illustrated below:



Graph 2: Type of case closures.

EMPLOYMENT DISCRIMINATION

H.R.S. Chapter 378, Part I, prohibits discriminatory employment practices based on race, sex, sexual orientation, age, religion, color, ancestry, disability, marital status, arrest and court record, assignment of income for child support obligations, or National Guard participation. Examples of such unlawful practices are outlined in H.R.S. § 378-2.

The HCRC has a workshare agreement with the federal Equal Employment Opportunity Commission (EEOC). Where there is concurrent jurisdiction, the case is dual-filed with both agencies, but only the intake agency conducts the investigation thereby eliminating duplication of enforcement activities. During the fiscal year 396 employment cases were

accepted by the HCRC, of which 283 (71.6%) were dual-filed with the EEOC.

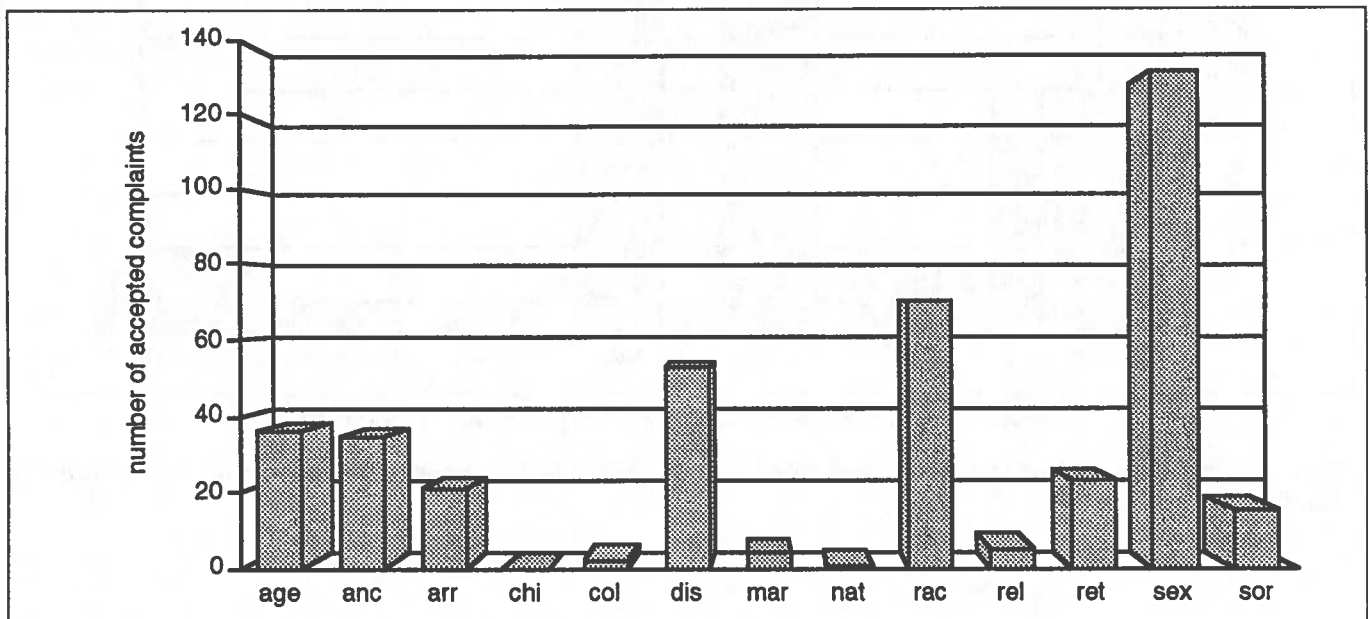
The primary bases of discrimination, as alleged by individual complainants, are shown below for the total employment caseload. It is important to note that the majority of complaints filed with the HCRC listed two or more bases of discrimination, (i.e., race, sex, and age).

Of new employment cases accepted during the fiscal year, sex was the largest category with 131 cases accounting for 33.1% of all employment discrimination cases. Within the sex category, 26 cases were based on pregnancy (19.8% of all sex cases) and 51 cases alleged sexual harassment (38.9% of all sex cases).

Race was the second largest basis with 70 cases, representing 17.7% of accepted employment cases, followed by disability with 53 cases (13.4%). Ancestry/national origin cases numbered 35 (8.8%).

There were 36 age discrimination cases (9.1%); 23 cases of retaliation (5.8%); 21 cases based on arrest & court record (5.3%); 15 cases based on sexual orientation (3.8%); five cases based on religion (1.3%); four cases based on marital status (1.0%); two cases based on color (0.5%); and one case based on National Guard participation (0.3%).

Case closures averaged 544 days for the 630 employment cases that were closed during FY94-95.



Graph 3: Primary basis of discrimination in employment practices.

The label abbreviations are: "age" for age; "anc" for ancestry & national origin; "arr" for arrest & court record; "chi" for assignment of income for child support obligations; "col" for color; "dis" for disabilities; "mar" for marital status; "nat" for National Guard participation; "rac" for race; "rel" for religion; "ret" for retaliation; "sex" for sex (including sexual harassment and pregnancy); and "sor" for sexual orientation.

DISCRIMINATION IN PUBLIC ACCOMMODATIONS

H.R.S. Chapter 489 prohibits unfair discriminatory practices which deny, or attempt to deny, a person the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation on the basis of race, sex, color, religion, ancestry, or disability.

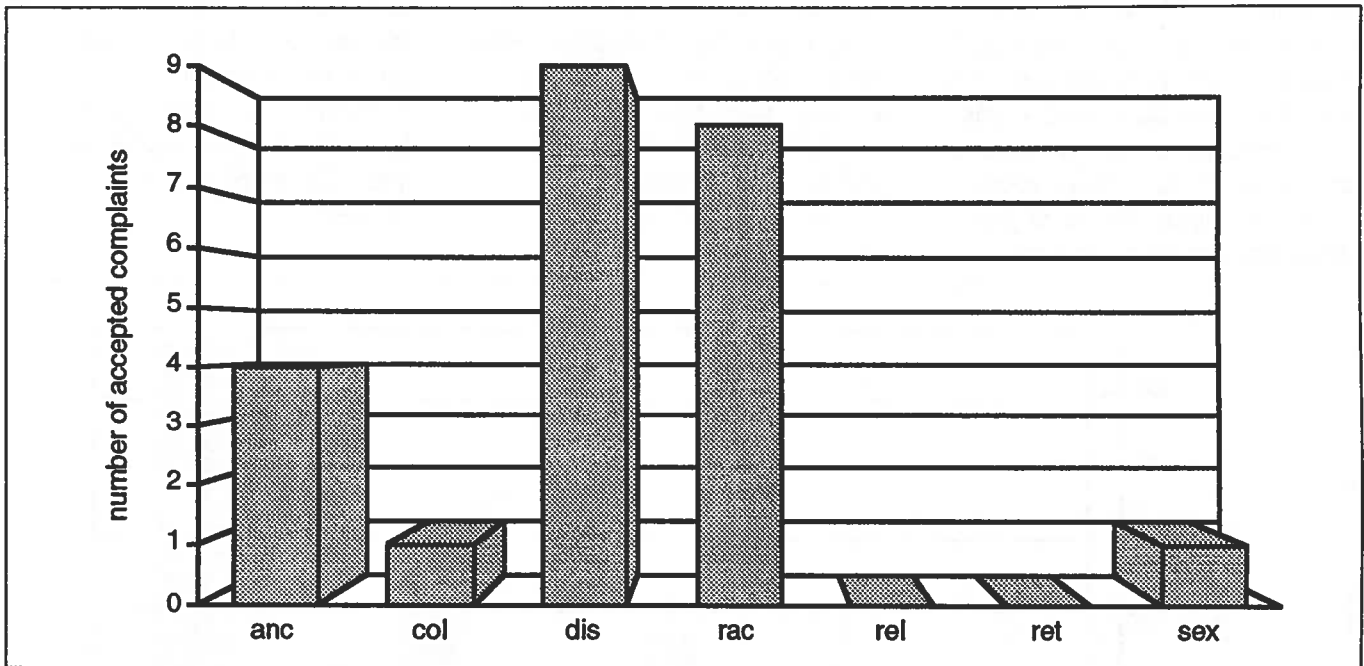
During the fiscal year, 23 new cases of public accommodations discrimination were accepted. The bases for discrimination are

shown below. There were nine cases of disability discrimination which accounted for 39.1% of the public accommodation cases; eight cases were based on race discrimination accounting for 34.8% of the cases. Four cases were based on ancestry (17.4%). One case was based on sex discrimination (4.3%), and another case was based on color discrimination (4.3%).

These complaints alleged discrimination by financial

institutions, medical and health service entities, retail establishments, hotels, and government agencies.

Public accommodations case closures averaged 344 days for the 25 cases closed during FY94-95.



Graph 4: Primary basis of discrimination in public accommodations.

The label abbreviations are: "anc" for ancestry & national origin; "col" for color; "dis" for disabilities; "rac" for race; "rel" for religion; "ret" for retaliation; and "sex" for sex.

DISCRIMINATION IN REAL PROPERTY TRANSACTIONS

H.R.S. Chapter 515 is Hawaii's fair housing law. It prohibits discriminatory real estate practices based on race, sex, color, religion, marital status, familial status, ancestry, disability, age, or HIV infection. Examples of such unlawful practices are listed in H.R.S. § 515-3 and include actions such as refusing to rent, sell, or enter into financial transactions with an individual because of one or more of the aforementioned bases.

When state law is substantially equivalent to federal law, state agencies can apply to enter into a workshare agreement with the Department of Housing & Urban Development (HUD). The HCRC has such an agree-

ment and HUD now refers most of the complaints it receives to the HCRC for investigation.

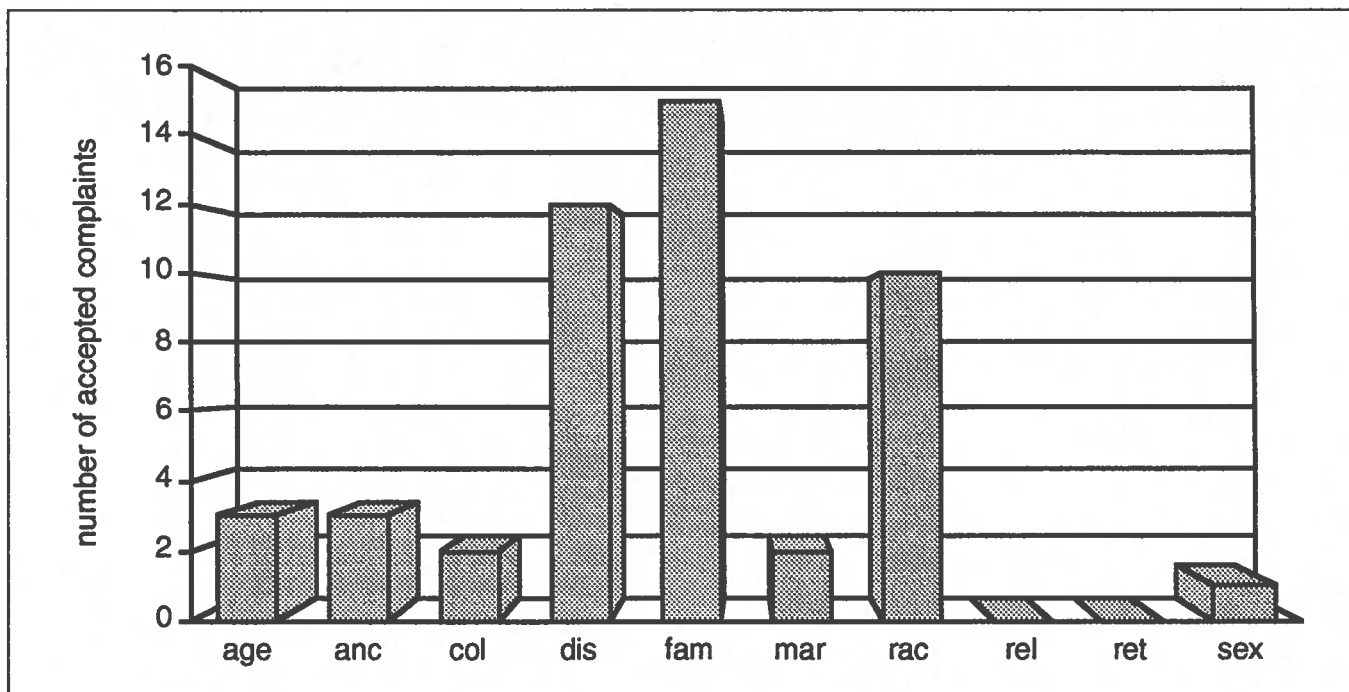
During FY94-95, the HCRC accepted 48 cases of housing discrimination. The primary bases for housing complaints are graphed below.

Familial status was the basis for 15 cases (31.3%), followed by 12 disability cases (25.0%), and ten race cases (20.8%). There were three cases each of age and ancestry discrimination (6.3% each). Two cases each were based on color discrimination and marital status (4.2%). There was only one case that alleged sex discrimination (2.1%).

Familial status, formerly called "parental" status, is

broadly defined as being a parent with legal custody and domiciled with a minor child, a person domiciled with a minor with written or unwritten permission of the legal parent, a person who is pregnant, or a person in the process of securing legal custody of a minor.

Housing case closures averaged 165 days for the 60 cases closed during FY94-95.



Graph 5: Primary basis of discrimination in housing transactions.

The label abbreviations are: "age" for age, "anc" for ancestry & national origin; "dis" for disabilities; "fam" for familial status; "mar" for marital status; "rac" for race; "rel" for religion; "ret" for retaliation; and "sex" for sex.

ACCESS TO STATE & STATE-FUNDED SERVICES

H.R.S. § 368-1.5 prohibits state agencies, or any program or activity receiving state financial assistance, from excluding from participation, denying benefits or otherwise discriminating against persons with disabilities (the only protected class in this area of jurisdiction).

During the fiscal year, there was one case filed solely under § 368-1.5.

Four cases were closed during FY94-95 averaging 588 days for closure.

CASE SETTLEMENTS

There were some noteworthy accomplishments among FY94-95's negotiated settlements and conciliation agreements. The cash value of the remedies obtained for victims of discrimination through this process exceeded \$580,000, with settlements ranging from a letter of reference or rescinding a housing eviction notice, to individual cash settlements.

Some cases were settled after a determination of cause was made. A sex and sexual harassment complaint against a construction firm was settled for \$100,000. This was the largest single settlement of FY94-95.

However, the majority were no-fault settlements which were reached before a determination of the merits of the charges were made. A number of these settlement agreements did not include monetary relief, but were acceptable to both parties. Examples of these types of agreements were: renting an apartment to a family, adjusting a work schedule to permit an employee to attend religious services, and transferring an employee to a different department.

Believing that education is the best way to prevent future occurrences of discrimination, the HCRC advocates affirmative relief, i.e., management and staff training on anti-discrimination policies and posting of appropriate anti-discrimination policies. Employment discrimination settlements illustrative of these goals included:

- a wholesale company failed to reasonably accommodate a pregnant sales representative during her pregnancy. In addition to a negotiated sum of \$40,000 and affirmative relief, settlement terms included revision and dissemination of a new pregnancy leave policy.
- an employee for a local office of a major company was terminated due to a perceived disability and age. Settlement terms included \$75,000 and affirmative relief.
- during its job application procedures, a government entity disqualified an applicant based on a perceived disability due to blood pressure and weight. In addition to a negotiated sum of \$75,000, the entity must correct its selection procedures and place the applicant on the job.
- an employee was terminated when the company discovered that she had a prior conviction record. Besides \$4,000 in monetary damages and affirmative relief, the company expunged negative references in her personnel file.

Housing discrimination settlements provided both individual

relief as well as the development of appropriate policies:

- a condominium association's scrutinizing tenants with children because of noise and common area considerations discriminated on the basis of familial status, as families are being held to a different standard compared to other tenants. The family received a monetary settlement of \$5,500.
- a neighbor island newspaper published housing advertisements that were deemed discriminatory. As terms of the settlement, respondents agreed to correct their advertising policies, train their staff, and sponsor a public seminar about fair housing laws.
- a credit check company that disseminated housing application forms agreed to revise and use non-discriminatory forms for real property transactions for their 1000+ clientele.

A public accommodations settlement served to educate a company about the law:

- a person seeking services from a private hospital felt that he was denied services because he was HIV-positive. The situation was rectified when the hospital offered its services to him with a letter of apology.

LITIGATION & RULINGS

ADMINISTRATIVE HEARINGS:

During FY94-95, 19 cases were docketed. 16 were settled before their scheduled hearing, and three administrative hearings were completed.

On December 20, 1994, the Commission Board issued a final decision in Tseu on behalf of the complaint filed by Aho vs. Department of Parks and Recreation, City and County of Honolulu, Docket No. 94-002-E-D. This case involved allegations of disability discrimination by a contract groundskeeper, Hawaiioloa Aho, who was denied a civil service groundskeeper position and whose contract was not renewed because he had high blood pressure, elevated cholesterol and coronary artery disease.

The Commission found that Mr. Aho was a person with a disability because the City and County of Honolulu regarded him as having a disability. The Commission also found that he was qualified for the full-time civil service groundskeeper position because he had performed the same work for two years as a contract groundskeeper. Finally, the Commission found that Mr. Aho did not pose a direct threat to the health and safety of himself or others because he did not have a high, immediate risk of having a heart attack or stroke.

The Commission ordered the City to hire Mr. Aho as a full-time civil service groundskeeper, awarded five years of back pay

of approximately \$89,000, and \$50,000 in compensatory damages to him. The City has appealed the decision in Circuit Court.

On February 8, 1995 the Commission Board issued a final decision in Tseu on behalf of the complaint filed by Davis vs. Volcano Island Farms, Inc. et. al, Docket No. 94-003-E-R. This case involved allegations of racial harassment and constructive discharge of Diane Davis, a seamstress. The Commission found that the company's president had made racial slurs and that such slurs created a hostile, intimidating and offensive work environment. The Commission awarded the complainant \$2,500 in compensatory damages for emotional distress and ordered the respondents to cease and desist from racially harassing employees, to develop and adopt a written non-discrimination policy, and to conduct training on this policy. The respondents have appealed this decision.

On March 3, 1995 the Commission Board issued a final decision in Tseu on behalf of the complaint filed by Shaw vs. Sam Teague Ltd., et. al, Docket No. 94-001-E-P. This case involved allegations of pregnancy discrimination by Yvette Shaw, an office manager, who was denied maternity leave and was not reinstated to her former position after taking maternity leave. The Commission found that the respondents had a "no extended

leave" policy which had a disparate impact on pregnant women employees. The Commission also found that respondents' "no extended leave" policy was not justified by business necessity because the president could have run the company by himself or hired a temporary substitute worker.

The Commission awarded Ms. Shaw \$16,900 in back pay and \$5,000 compensatory damages for emotional distress. The respondents have also appealed this decision.

CIRCUIT COURT:

In the case of Linda C. Tseu v. Jeyte and Wheelwright, Civil No. 94-1553-05, the respondent's counterclaim alleging that the Commission negligently investigated a housing case, and intentionally or negligently inflicted emotional distress, was dismissed on July 15, 1994.

On August 30, 1994, the Commission filed a civil action to enforce the terms of a settlement agreement in Hawaii Civil Rights Commission v. Mitsumine (Hawaii) Inc., Civil No. 94-3291 (1st Cir.), pursuant to its powers to enforce compliance with its orders and settlement agreements. The case is still pending.

On March 6, 1995, the Commission filed a Motion to Enforce its final decision in the Aho case which the City had appealed. Dept. of Parks and Recreation, City and County of Honolulu v. Tseu, Civil No. 95-0178-01 (1st Cir.). The Court granted the

Commission's motion and the City will be providing Mr. Aho with the backpay and damages awarded by the Commission while the appeal is pending.

HAWAII SUPREME COURT:

On January 27, 1995, the Commission was granted leave to file an amicus brief in Brown v. KFC National Management Co., Supreme Court No. 18319. In this case, an employer tried to enforce an arbitration clause contained in the employment application form. The Circuit Court did not enforce the arbitration clause and the employer appealed.

The Commission brief, filed on February 6, 1995, argued that job applicants should not be required to waive their rights under Civil

Rights Commission laws in order to exercise their right to seek employment. Job seekers who fill out application forms containing such arbitration clauses have no real choice. They must sign the form in order to be considered for the position. The brief argued that such application forms should be declared as against public policy and should not be enforced by the courts because of the important rights that are being lost. The case is still pending.

FEDERAL COURT:

On July 13, 1995, the United States District Court for the District of Hawaii issued an Order Granting Plaintiff Aloha Islandair, Inc.'s Motion For Summary Judgment And Dis-

missing Defendant Hawaii Civil Rights Commission, in Aloha Islandair, Inc. v. Hawaii Civil Rights Commission, Civil No. 94-00937. The court dismissed the Commission from the suit on the basis of the Eleventh Amendment. However, the court ordered that Section 1305(a)(1) of the Airline Deregulation Act preempted the application of the disability discrimination provisions of H.R.S. § 378-2(1) to Islandair's pilot applicants, and that the Executive Director was permanently enjoined from applying the provisions of H.R.S. § 378-2(1) as it related to disability discrimination to Islandair's pilot applicants. This ruling is in the process of appeal by the state Attorney General's office.

LEGISLATIVE HIGHLIGHTS

NEW LEGISLATION:

The Commissioners and staff of the HCRC testified before the State Legislature on a variety of measures affecting civil rights.

Although many bills were introduced that could have affected the HCRC and its jurisdiction, none passed during the 1995 Legislative session.

EDUCATION & OUTREACH

One of the Commission's major responsibilities is to educate the public of their rights and responsibilities under state law. It is hoped that such educational efforts will prevent or constrain discrimination, resulting in a gradual decline in the number of new complaints filed.

During the fiscal year, commissioners and staff participated in numerous education and outreach activities.

SEMINARS:

- planned and coordinated four free housing seminars for landlords and property managers. Representatives from government agencies including the HCRC, Office of Consumer Protection, the City & County of Honolulu Building Department, Commission on Persons with Disabilities, Hawaii Housing Authority, and the Income Maintenance Section of the Department of Human Services briefed participants on laws relating to housing.

CONFERENCE:

- co-sponsored the Language Rights Conference with the InterAgency Council for Immigrant Services.

WORKSHOPS &

SPEAKING ENGAGEMENTS:

- conducted an employment discrimination

workshop for small construction firms which have contracts with the Department of Transportation.

- participated in a City & County of Honolulu workshop regarding employment discrimination.
- spoke to two classes of police recruits at the Honolulu Police Academy about the history of civil rights and the jurisdiction of the HCRC.
- spoke at a Honolulu Board of Realtors, North Shore Regional Group meeting about the HCRC's jurisdiction and the fair housing laws it enforces.
- was a guest on the Robert Rees radio talk show and spoke about the HCRC.
- spoke at the Advocates for Public Interest Law meeting about the Americans with Disabilities Act (ADA).
- addressed a class of the People's Law School. Topics included the jurisdiction and administrative procedure of the HCRC, employment discrimination, and housing discrimination.
- spoke at a luncheon sponsored by the Hawaii Council of Associations of Apartment Owners about the HCRC.
- spoke at the Hawaii Food Industry Association's Educational Seminar. Topics covered were employment sexual harassment and reasonable accommodations for people with disabilities.
- addressed the senior officers of a security guard company about employment and public accommodations discrimination.
- spoke to a University of Hawai'i law school class about employment discrimination.
- addressed participants of the Homeless Solutions program, which provides assistance to single, unemployed mothers. Topics included housing and employment discrimination.
- addressed an Hawaii Community Housing Resource Board meeting about housing discrimination.
- spoke at the Hawaii Chapter of the National Employment Lawyers Association meeting about employment discrimination.

STAFF OF THE HCRC

The HCRC's Organization Plan was approved by the Governor on January 5, 1993. However, classification of job positions subject to state civil service laws was still in process.

The HCRC staff* are comprised of the:

Executive Director

Enforcement Staff:

- Deputy Executive Director
- Enforcement Attorneys (3)
- Program Specialist-information
- Investigator VI
- Investigator V Supervisors (2)
- Investigator IV (11)
- Secretary III
- Legal Stenographer I
- Clerk Typists (4)

Adjudication Staff:

- Chief Counsel
- Hearings Examiner
- Secretary II

Recognizing that ongoing training of the staff is essential to the operations of a civil rights enforcement agency, staff members participated in a wide range of training programs.

Staff received training in Honolulu, from the Washington Lawyers' Committee for Civil Rights and Urban Affairs, during a two-day employment discrimi-

nation and case analysis workshop in Honolulu. Investigator supervisors attended an EEOC training conference held in Knoxville, Tennessee. Three investigators handling housing complaints attended a HUD Skills Training conference in San Diego, California.

Staff attorneys attended various seminars and updates concerning Title VII, federal rules of civil procedures, appeal procedures, courtroom evidence, and cross examinations.

Administrators attended national conferences sponsored by the Equal Employment Opportunity Commission held in Washington, D.C., the Department of Housing and Urban Development held in San Diego, California and their Tri-regional Training Conference held in Seattle, Washington, and the International Association of Official Human Rights Agencies held in Orlando, Florida.

* before budget cuts.

COMMISSION BOARD MEMBERS

The HCRC is guided by its five-member Commission Board. Commissioners are appointed for staggered terms by the Governor with the advice and consent of the state Senate. The following commissioners served during FY94-95.

AMY AGBAYANI:
chairperson (term 1993-97).

Dr. Agbayani was educated at the University of the Philippines and the University of Hawai'i-Manoa. She holds a Ph.D. in political science and is currently Director for Student Equity, Excellence & Diversity at the University of Hawai'i-Manoa. Dr. Agbayani was previously the Director of Operation Manong at the UH, and Chair of the Inter-Agency Council for Immigrant Services.

DAPHNE BARBEE-WOOTEN:
commissioner (term 1991-95).

Ms. Barbee-Wooten was educated at the University of Wisconsin and the University of Washington, where she received a law degree. She currently is an attorney in private practice. In the past, she worked in the Office of the Public Defender and as independent grand jury counsel for the First Circuit Court. Ms. Barbee-Wooten is a member of the Afro-American Lawyers' Association, the Afro-American Association of Hawaii, and a Board Member of the Hawaii Association of Criminal Defense Lawyers.

JOSEPHINE EPSTEIN:
commissioner (term 1993-97).

Ms. Epstein was educated at the University of Hawai'i and is a retired LPN who worked at Leahi Hospital. In the past, she has served as a member of the Commission on the Status of Women, and the Commission on Persons with Disabilities. She was also a member of the Coalition of Hawaii State & County Retirees, and the Hawaii AFSCME Retirees Chapter 646.

JACKIE MAHI ERICKSON:
commissioner (term 1992-96).

Ms. Erickson was educated at the University of Denver and the University of Hawai'i where she received her law degree. She is the Vice-President General Counsel, and has been the head of the legal department for Hawaiian Electric Company since 1981. Prior to 1981, she was a deputy attorney general with the Office of the Attorney General.

RICHARD J. PORT:
commissioner (term 1992-96).

Mr. Port was educated at Boston College, Columbia University where he received a Master of Arts degree, and at the University of Hawaii where he received a professional certificate. Recently retired from a position as an education specialist with the Department of Education, he previously worked for the U.S. Agency for International Development in Nigeria and as a member of the Peace Corps in Ghana. He is an ordained deacon assigned to Saints Peter and Paul Roman Catholic Church in Honolulu.

NEW COMMISSIONERS:

During the 1995 Legislative session, the Senate approved the appointment of three new commissioners.

Jack Law has served as an interim commissioner since November 1994. He is co-owner and manager of two restaurants and nightclubs. A founding member of the Life Foundation, he has served on their board for over eight years.

William Hoshijo, an attorney, was co-founder and is the executive director of No Loio No Na Kanaka, the Lawyers for the People of Hawaii, which provides legal assistance for people with immigration and related problems. He played a leadership role in advancing legislation which created the HCRC.

Faye Kennedy, a former New York social worker and author, is a past member of the Martin Luther King, Jr. Commission and the Commission on the Status of Women. She is also a member of the U.S. Civil Rights Commission's Hawaii Advisory Committee.

IN MEMORIAM:

Josephine Epstein passed away on March 20, 1995. Serving since 1989, she was one of the original HCRC commissioners. Advocating for women, people with disabilities, and the elderly, she was appointed to several government boards. Her contributions to civil rights are greatly appreciated, and she will be truly missed.



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