

Citizens' Jury Statement for the Constitutional Convention Ballot Question

Personal Statements of Individual Citizens' Jury Members

After the Citizens' Jury for the Constitutional Convention Ballot Question concluded, Jury members were invited if they wish to submit brief personal statements that reflect their own thoughts on the Constitutional Convention and/or the Citizens' Jury process. The attached personal statements reflect only the thoughts of the individual members who wrote them, and do not necessarily reflect the thoughts of other Jury members, or the organizers.

FEARS OF HOLDING A CON CON

Hawaii has a modern Constitution enshrining many concerns unique to our history, our geography and our culture. As it stands, it protects the rights of workers, women, indigenous peoples, ethnic communities and has strong provisions regarding conservation of the environment.

A Constitutional Convention opens everything in the present Constitution to revision and allows wholesale change or abandonment of hard-won rights. With extensive voter apathy, demonstrated by the state's abysmal voter turn out, it is easy to anticipate well-funded special interest groups dominating the process.

Why risk what we already have? Working through the established political process, electing officials at all levels who are responsive to their constituents and pay careful attention to sensible testimony, we can make changes as necessary. There is no need to spend millions of dollars on an uncertain venture.

~Ann Sack Shaver

My Personal Thoughts on the Citizen's Con Con Jury Process by Michael Ferreira.

I came into this with 17 other people with an open mind and a sincere willingness to help voters decide on whether or not we need a Con Con. The last one we had was in 1978. Have we been in control since then as a people? Are you doing better than you were 10 years ago? Why?

Our Legislature feels it is doing a great job and that the State Constitutionally prescribed Constitutional Convention isn't needed. It is for that reason that it is needed now more than ever and given our erosion of quality of life issues we have experienced in a one party political environment.

That 10 year mark is now here and time for a group of citizen-delegates to see what issues need to be addressed. You see the Con Con is for the people and by the people. We are constitutionally guaranteed this opportunity. They say we can't afford it? We can't afford not to !

The Citizen Jury Process was an intense three meeting affair which required we think rationally and critically on our feet while not getting stuck in analysis paralysis. We were able to prove that 18 people, some who have never met, properly moderated could put together a great piece of quality work and in a short period of time.

My personal motivation was to all work together, set aside any personal political differences, agree to disagree at various times and see if a group of people are able to compromise in this day and age and not end up factionalized. All this and still arrive at our goal. We found we can do this. But we need the citizen's help and not get this right taken away.

My hopes are that this grass roots style of collecting delegates from every corner of the island of regular citizens can become these delegate candidates. It won't work if controlled by the special interests, super pacs and other modalities that would be counterproductive to the process. My reservations are that it will be taken over by the usual suspects and their propaganda machine and turn the citizens and voters away and turn them off to the process, making a Con Con an expensive boondoggle that nets the citizens of our great State yet another shortchanging. Should this Con Con be defeated, we may never see another one again and with that their status quo marches forward without us. We need to motivate voters and get involved to make this work.

This Con Con is our opportunity to self determine our futures for ourselves and our Keiki. Because if we don't, somebody else will. Tell a co-worker or neighbor to get out and vote. We need to instill a sense of accountability of our leadership.

It's you. It's me. It's Con Con and it is our privilege, don't let anybody take that from us.

Michael Ferreira
Citizen Con Con Jury

Deciding How to Vote on a Con-Con

Nate Hix

Regardless of the cost, the format, or the principles of expanding our democracy, most people voting yes or no on a constitutional convention will do so based on policy goals.

If they think that a con-con will lead to a better constitution for Hawaii, they'll vote yes. If they think a con-con will lead to a worse constitution for Hawaii, they'll vote no.

How to determine whether a con-con will make Hawaii's constitution better or worse is the crucial question.

If you think the legislature is doing a good job, vote no on con-con.

If you think your ideals are more aligned with the legislature than with the voters, vote no on con-con.

If you think voters will vote against your ideals when deciding whether to ratify potential amendments, vote no on con-con.

If you think the legislature isn't representing you, that you align more with the voters than with the legislature, and you think the people will vote with you when ratifying amendments, vote yes on con-con.

After an in-depth exploration of the facts, pros, and cons of holding a Constitutional Convention, I am still leaning toward voting no on the Con-Con Ballot Question. However, over the course of the exploration, many important questions were answered and clarification of pertinent details were made such that I may still change my mind come November 6th. Let me be clear: I believe holding a Con-Con would be beneficial to Hawaii and its people...IF and only if the delegates elected reflect an accurate and balanced composition of the people of Hawaii, not just the current political elite. In addition to the key findings (facts) listed on the Statement, a critical one omitted is: **“Any candidate, including elected officials, may run to be a delegate in the Con-Con and also run for another state office in the same election.”** This means we could end up with a Con-Con delegation comprised of many of the same folks who have long lacked in efficacy to bring a thriving, equitable, and resilient Hawaii to fruition. As a reminder: there would be no limitations on the types of amendments a Con-Con delegation could propose. Should the voters choose to hold a Con-Con, the only way to ensure our Constitution is strengthened, that critical rights currently enshrined in it remain (e.g., Native Hawaiian, water code) is to elect delegates that aren’t beholden to special/monied interests. Most important is that voters must be more engaged and educated. This means not only turning out to vote in general, but also informing ourselves thoroughly about a) the candidates running for the Con-Con delegation and b) any proposed amendments to the Constitution that come out of the Con-Con. Without robust informed voter participation, there is a chance that the Con-Con could result in the “usual suspects” either wasting time and taxpayer dollars by proposing amendments that adhere to the status quo, or worse: making changes to our Constitution that could ultimately be regressive. If the Con-Con is voted up next month, I call on a new generation of political leadership to rise and run as delegates. I call on voters to get engaged and stay engaged. In this way, we indeed have hope that will progress Hawaii forward to the benefit of us all and for all generations to come.

Kimiko LaHaela Walter

It was a pleasure participate in the “Citizens’ Jury” for the ConCon ballot question. After nearly 15 hours of exploring this question with the group, I offer this statement of support; not only for a ConCon, but perhaps more emphatically, to further develop the “Citizens’ Jury” as an as an integral part of how we govern ourselves – much like the jury system in our courts.

First, I understand and agree there’s a great deal at stake. Our constitution is a model for other states – enshrining many innovative protections and important civil rights. Are we sure we lack the vision, integrity, and diligence to build on the work of prior conventions? Do we know this cannot be a path of true progress? Although the legislature can do everything we hope a ConCon could, there is growing sentiment they aren’t stepping up. Moreover, everything the ConCon proposes must later be approved by the voters.

The most persuasive argument I heard for a ConCon is that it enables us – through the delegates we elect - to take a comprehensive, focused, and holistic look at our constitution and determine if it is really doing what we, as the body politic, want it to do.

A vote for the ConCon is an assertion of hope. A vote against is an act of fear. After engaging in a thorough, fair, neutral, and detached analysis of any question, whether it be personal, professional, political . . . in the end, when looking at unknowns, I believe it’s better to make choices based on hope rather than fear. It comes down to a matter of trust. If we can’t trust the delegates, like we’ve grown to distrust our legislators, then who’s left to trust? It’s not any way to live – personally, nor as a state.

Second, I found the Citizens’ Jury process both fascinating and hopeful. We learned Citizens’ Juries have been used successfully in other states on a variety of controversial legislative and policy questions. Given how smoothly Hawaii’s first attempt was, I believe Citizens’ Juries can help settle so many of our future public debates.

The project did an excellent job of laying ground rules, policing discourse, and modeling respectful discussion. We were provided with highly researched and credible materials, lectured by experts, and heard arguments from both sides - all in a balanced, time- monitored way.

Because we all worked on crafting the best arguments for each side, it was an excellent mental exercise in empathy and openness. Rather than focusing only on the views, evidence, and facts that supported one’s position, we were challenged to play our own devil’s advocate – which is something the public rarely does. In this process, I, for one, switched my stance. Its approach, which engendered collegiality and mutual respect, is what made this project work so well.

One theme this jury came to understand well: “don’t let the perfect be the enemy of the good.” I would also like to add, “politics is the art of the possible.”

-Becky Gardner