

Friday, April 04, 2008

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**SIX NON-ETHNIC HAWAIIANS SUE GOV. LINGLE, OHA ET. AL.
FOR BREACH OF TRUST, DEPRIVATION OF CIVIL RIGHTS AND
TO DISMANTLE OFFICE OF HAWAIIAN AFFAIRS**

**Federal lawsuit seeks to dismantle Office of Hawaiian Affairs, stop
spending on Akaka Bill lobbying and Kau Inoa Registry, halt Ceded Land
transfers; Plaintiffs Say Ceded lands trust should benefit all people of
Hawaii; Temporary Restraining Order requested**

Move to Restrain Racial Spending by OHA and State

James I. Kuroiwa, Jr., Patricia A. Carroll, Toby M. Kravet, Garry P. Smith, Earl F. Arakaki And Thurston Twigg-Smith, represented by renown constitutional attorney H. William Burgess have brought suit against the Governor, the Office of Hawaiian Affairs and several state agencies on behalf of themselves and approximately 1 million unrepresented residents of Hawaii. The suit claims the defendants have violated the public trust, distributed hundreds of millions of dollars for one racial group and none for the other beneficiaries.

Named as defendants are Governor Linda Lingle. Directors of six state agencies and Haunani Apoliona, Chairperson, and the Trustees of The Office of Hawaiian Affairs,

The six defendants are seeking to have revenues & proceeds from Ceded Lands appropriately distributed for the benefit of all citizens of Hawaii.

The suit claims that the trust originated in 1898 and requires that Hawaii's Ceded Lands (the Public Land Trust) "shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes".

At the heart of the suit is a decision by the U.S. Ninth Circuit Court on August 7, 2008 that "the lands ceded in the admission act are to benefit 'all the people of Hawaii,' not simply native Hawaiians."

For the first 20 years of statehood, from 1959 through 1978, the State of Hawaii channeled most of the Ceded Lands income from the about 1.2 million acres (which does not include the 200,000 acres of "available lands" set aside for the Hawaiian Homes Commission Act) to the Department of Education.

“We have been subjected to a decades long race based conspiracy that has damaged every single citizen of Hawaii”, stated Attorney H. William Burgess in filing the suit. “Imagine the benefits just to our school system and to our keiki of all races if the Ceded Land funds had been properly administered”.

In addition to proper use of the Ceded Lands Funds, the suit would dismantle the Office of Hawaiian Affairs, end OHA and state spending on lobbying for the Akaka Bill and Kau Inoa, and stop any future land or financial settlement such as proposed by the Governor and currently before the legislature. In requesting the TRO, the defendants and counsel Burgess are seeking to prevent any addition to the millions of state dollars OHA has already spent advocating for secession and a separate government and nation.

“We respect and support the Hawaiian culture, Hawaiian tradition and the Hawaiian people. As King Kamehameha III said, ‘God hath made of one blood all nations of men to dwell on the earth in unity’” noted Burgess in speaking on behalf of all the plaintiffs. “And as Hawaiians of all races and ethnic backgrounds we will continue to celebrate that culture in the great Hawaiian tradition of equality for all.”

FOR ADDITIONAL INFORMATION, VIDEO STATEMENTS FROM COUNSEL BURGESS AND THE PLAINTIFFS AND A COPY OF THE COMPLAINT, VISIT:
www.aloha4all.org

OR CALL:
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