

September 6, 2013

[PRESS RELEASE: Federal lawsuit filed against Hawaii Department of Transportation for discrimination in administration of driver's license exam](#)

Honolulu: Faith Action for Community Equity ("FACE")—a faith-based grassroots community advocacy non-profit—and two Hawaii residents are filing a federal court class action lawsuit today against the Hawaii Department of Transportation ("HDOT"). The lawsuit alleges that HDOT is discriminating against Hawaii residents of various ethnic and national origins by failing to allow translation or interpretation of the written driver's exam necessary to obtain a driver's license.

Since the beginning of the year FACE has been trying to convince HDOT to provide translations of the exam. FACE and Hawaii residents affected by the issue have met with HDOT officials, submitted petitions, released a report on the issue, and even offered to arrange for the translations to be done at no cost. Nevertheless, HDOT has failed to provide translated versions of the driver's exam. "A driver's license is critical to the self-sufficiency of struggling families who need to get to work, school or medical appointments," said Kim Harmon of FACE. "We have filed this lawsuit as a last resort; it is beyond me why HDOT will not allow the translations when doing so just interferes with peoples' ability to make a living and contribute to their communities."

FACE and the residents are represented by the non-profit Hawai'i Appleseed Center for Law and Economic Justice and the Alston Hunt Floyd & Ing law firm. According to the lawsuit, over ten years ago, FACE successfully advocated to get translations in place for nine different languages. Their purpose was to provide access to a driver's license for non-native English speakers that understand driving laws, but do not understand unfamiliar words and phrases on the exam like "inadvertently" and "ride up."

FACE's attention again turned to the issue after it learned that HDOT ordered the use of the translations cease after just three new questions were added to the exam. FACE requested that HDOT reinstate use of the translations and provide new ones for the languages of Ilocano, Marshallese, and Chuukese. HDOT has failed to do either. "HDOT has permitted translations in the past; there is nothing preventing them from allowing them now" said Gavin Thornton of Hawaii Appleseed. "The fact that HDOT has chosen to keep thousands of Hawaii residents from getting a license is troubling."

The lawsuit also suggests that because the translations are not available, some people have felt compelled to drive without a license because they have no other suitable means of getting to work and supporting their families. Some have been unable to obtain insurance without a license, and others have been cited for driving without a license, an offense that subjects them to fines or jail time. "If you know how to drive, you should be able to get to work without risking going to jail," said Paul Alston of Alston Hunt Floyd & Ing. "The cost of providing translations and using interpreters is small compared to the benefits to working people in need. There is no excuse for failing to do it."

A press conference will be held at 2:00 pm on Friday, September 6, 2013, at the State Capitol building in front of the Saint Damien statue.

Faith Action for Community Equity (facehawaii.org) is a faith-based grassroots organization that engages in actions that challenge the systems that perpetuate poverty and injustice. For additional information, contact Kim Harman by email at kimharman@facehawaii.org or by phone at (808) 375-9560.

The Hawai'i Appleseed Center for Law and Economic Justice (hiappleseed.org) advocates on behalf of low-income people in Hawai'i to help them gain access to the resources, services, and fair treatment that they need to realize their opportunities for self-achievement and economic security. For additional information, contact Gavin Thornton by email at gavin@hiappleseed.org or by phone at (808) 366-7875.

Alston Hunt Floyd & Ing was founded in 1991, under the core principle of making the law and Hawai'i better for all, with high-quality, fast, cost-effective service. For additional information, contact Paul Alston by email at PAston@ahfi.com or by phone at (808) 524-1800.