



HAWAII DISABILITY RIGHTS CENTER

HDRC

is a private non-profit public interest organization
established in 1977 as the
Protection and Advocacy Agency of Hawaii.

HDRC

is Hawaii's Protection and Advocacy System
for People with Disabilities,



as authorized in federal and state law
and designated by the Governor.

HDRC

protects and promotes the human, civil and legal rights
of people with disabilities
through the provision of information and advocacy.

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Photo by Sharon Smockhoffmann



HAWAII DISABILITY RIGHTS CENTER

PROTECTING YOUR RIGHTS TO
**FREEDOM OF
ASSOCIATION**

**THE BROAD STATUTORY RIGHT TO
FREEDOM OF ASSOCIATION
FALLS PARTLY UNDER THE
RIGHT TO PRIVACY.**

While the **right to privacy** is well recognized in US constitutional law as being implied in the federal constitution, the Hawaii Constitution provides for an expressed right to privacy (Art. I Sec. 6). The state constitution thus provides even greater protection than the federal right to privacy (State v. Kam, 69 Haw. 483, 748 P.2d 372)..

The rubric of the **right to privacy** is what has generally been used in addressing cases involving sexual rights. US Supreme Court decisions have held that within the right to privacy there are the sexually-related fundamental rights of marriage (Loving v. Virginia), procreation (Skinner v. Oklahoma ex rel. Williamson), contraception (Eisenstadt v. Baird), and abortion (Roe v. Wade).

As specifically regards people with cognitive or mental disabilities, reproductive rights are protected under Skinner. That case overruled the infamous case of Buck v. Bell which erroneously upheld compulsory sterilization.

HAWAII DISABILITY RIGHTS CENTER FREEDOM OF ASSOCIATION ISSUES

- ▶ **Freedom of movement and choice of activities**
- ▶ **Rights to form and/or end personal and sexual relationships**
- ▶ **Reproductive rights and freedom from involuntary sterilization**
- ▶ **Parental rights to raise children**

▼ **For More Information and Assistance** ▼

Oahu Residents

Call (v/tty): 949-2922

Neighbor Island Residents

Call (v/tty): 1-800-882-1057