

AHAHUI OHANA MOKU ANUENUE NEWS RELEASE    APRIL 7, 1980

Larry Zenker of the State's Attorney General Office claims that video tapes taken by his agents on the day the Sand Island 18 were arrested, have come up blank. But he is contradicted by Deputy Attorney General, Edwin Watson who directed the January 23 attack. Watson claims that some of the tapes are good but as of yet has not specified which part nor has he allowed the 18 Sand Island defendants and their lawyers to view them and other pieces of evidence related to their arrests.

We believe that these video tapes will show that the only crimes committed that day on Sand Island were committed by the State of Hawaii under the direction of Govenor George Ariyoshi, Susumo Ono and Edwin Watson. With these tapes coming up blank or unusable, we wonder if this is the State's version of Watergate.

Our trials were to begin today but all save <sup>5</sup>one have been postponed. The postponement has come about because the State has been slow if not reluctant to turn over evidence to us. Evidence that will help prove our innocence. To view all evidence is our right as defendants. To withhold evidence is illegal.

On the day our homes were destroyed and we were arrested our civil and constitutional rights were denied to us. Some of us were held in makeshift cages for more than four hours without being told why we were arrested. None of us were told what we had been arrested for until we were at the police station.

We are being charged and tried for Obstructing Government Operations. This is a vague, catch all law the State is using

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to punish us for being Native Hawaiians standing to defend our trust rights.

The 1959 Statehood Admissions Act created a trust for use of lands and monies derived from the lands returned to the State from Federal government. This trust is referred to as the 5F trust and includes more than a million acres of land. These lands were originally stolen (no money was ever paid for it) when the sovereign Hawaiian Government under Queen Liliukalani was overthrown by foreign businessmen and the U.S. military in 1893. These lands were later taken over by the United States when Hawaii became a territory, again, not a cent was paid. Congress, writing this law named to beneficiaries of this 5F trust lands and proceeds. The trust lands and monies were to be used for the general public and for the "betterment of conditions of the Native Hawaiians." It has been more than 20 years since this trust was set up and not even one acre has been set aside for use by Native Hawaiians as they see fit.

Sand Island is 5F trust land. Our homes were on trust land that we are beneficiaries of. Our people were arrested, without due process, defending our 5F trust rights.

We believe that the State of Hawaii has been in breach of trust for the last 20 years. It is not only the lands but money derived from these lands. In the Keehi Lagoon and Sand Island area alone hundreds of thousands, if not millions of dollars are <sup>not</sup> being deposited in the 5F trust as required by the Admissions Act. That would include \$48,000 a year from Matson Navigation and \$500,000 a year for the new reef runway. In fact up to this day the Department of Land and Natural Resources cannot even account for or locate much of the 5F trust lands. We are very excited that the Sand Island struggle has brought this important issue to view of the Native Hawaiian people.