



**HOMESTEAD
SERVICES
DIVISION
APPLICATIONS
BRANCH**

Methodology

Methodology Strategy

- The general strategy for determining an individual's percentage of Hawaiian ancestry is to first trace his or her descent back to ancestors of pure ancestry, Hawaiian or otherwise.

Methodology Strategy (continued)

- Once ancestors of pure descent are identified, staff can then assign Hawaiian percentages to each generation, coming forward in time, with each succeeding generation being accorded exactly half the percentage of the generation immediately preceding it.
- **An applicant's quantum percentage is the net result of this process.**

Information Sources

Information Sources

- Section 10-3-3.1 (a) (3) of the current version of the *Hawaii Administrative Rules* (amended March 31, 2017) states in part:

Information Sources (continued 2)

- ***“The determination [of whether an applicant qualifies] shall be based upon the application form and birth certificates, as well as any secondary documents, and additional documentation as may be submitted to the department for verification and qualification.”***

Information Sources (continued 3)

- Most historical sources for genealogical research fall under one of two major categories:
 - Primary Sources – created shortly after an event by someone who had personal knowledge of the event; and
 - Secondary Sources – which are compiled from primary sources or written from memory long after the event.

Primary Sources

- Government-issued records
 - Birth Certificates (1st in importance)
 - Marriage Certificates (2nd in importance)
 - Death Certificates (3rd in importance)

Primary Sources (continued)

- The department does not require that prospective applicants provide birth, marriage, and death certificates (where available) for each and every ancestor on their pedigree charts.

Primary Sources (continued 2)

- Birth certificates generally carry the most weight because of the reasoning that the individual's birth parents provided the race information for the child.
- The department can, and does, qualify individuals as native Hawaiians using government-issued birth records alone.

Primary Sources (continued 3)

- This approach is a reflection of the greater weight the department places upon birth records as well as the department's attempt to balance bloodline accuracy with a prospective applicant's potential research time and cost [e.g., 10.00 + 2.50 service fee per DOH record search—regardless of whether or not a record is located].

Primary Sources (continued 4)

- Birth and marriage certificates are generally considered more reliable than death certificates because the reasoned assumption is that the individuals named on birth and marriage documents were alive to verify the biographical information recorded on them.

Primary Sources (continued 5)

- In contrast, informants often provide the biographical information on death certificates; hence there is also a reasoned assumption that death certificate information may be somewhat less reliable.

Primary Sources (continued 6)

- Government-issued birth, marriage, and death records are, arguably, the most important sources of biographical information pertaining to any individual.

Department of Health
No Record Certification

No Record Certification

- Where the Department of Health (DOH) cannot produce a birth, marriage, or death record for a given individual, the DHHL requires the appropriate Department of Health *No Record Certification* voucher for each unobtainable record.

No Record Certification (continued)

- A *No Record Certification* voucher indicates to DHHL staff that either a certain primary record does not exist or that it could not be located at the time the DOH executed their record search.

NO-RECORD CERTIFICATION

Date February 16, 1993

Type of Event: Birth	Name of Registrant: [NAME]		
Date of Event: March 20, 1895	Place of Occurrence: Honolulu	City or Town: Honolulu	Island: Oahu
Names of Parents: Father: [NAME] Mother: [NAME]	Period Searched: Mar. 1894-Mar. 1896		

Index: 1865-1909

This is to certify that no record has been found of the above alleged event.

State Registrar

No Record Certification (continued 2)

- Where the department cannot obtain a government-issued birth record for a given individual, the DHHL will use an individual's government-issued marriage record as his or her most important primary record--provided that it is submitted with a *No Record of Birth Certification*.

No Record Certification (continued 3)

- Likewise, the department will use a given individual's government-issued death record as his or her most important primary record, provided that it is submitted with both a *No Record of Birth Certification* and a *No Record of Marriage Certification*.

Exhausting Primary Documentation

- **The department does not consider secondary records for a given individual unless all primary documentation has been exhausted first.** This means that all primary documentation (birth, marriage, and death certificates) or their appropriate no-record equivalents have already been obtained for the individual in question.

Primary Records Inconclusive

- In the event the department cannot reasonably determine a Hawaiian ancestry percentage for a given individual based solely upon available primary records, staff may examine secondary records to supplement the incomplete or unclear primary information.

Secondary Sources

- Secondary records serve to supplement the information found on existing primary records and may even serve to fill in historical gaps where no primary records appear to exist.
- Secondary sources of information include, but are not limited to:

Secondary Sources (continued)

- Sibling primary records
- Baptismal certificates
- LDS (Mormon) family group sheets
- School records
- Medical records
- Miscellaneous family records (*i.e.*, charts, etc.)
- **Census records**

Census Records

- As with birth and marriage certificates, census records hold a higher degree of credibility because of the reasoned assumption that either the head of the household was present to answer the census taker's questions or that, at the very least, answers were provided by an individual living in the same household (*i.e.*, the individuals who are most likely to give accurate answers).

Census Records (continued)

- Census records are often paired with death certificates where possible because of the given nature of information sources for death records (*i.e.*, an informant provides the decedent's biographical information).

How Far Back?

How Far Back?

- As a general guideline, where available government-issued primary records of births, marriages, or deaths occurring in the 1920s or earlier state solely Hawaiian ancestry for a given individual, in the absence of significant historical information to the contrary, the department may accept the individual as being of pure Hawaiian ancestry.

How Far Back? (continued)

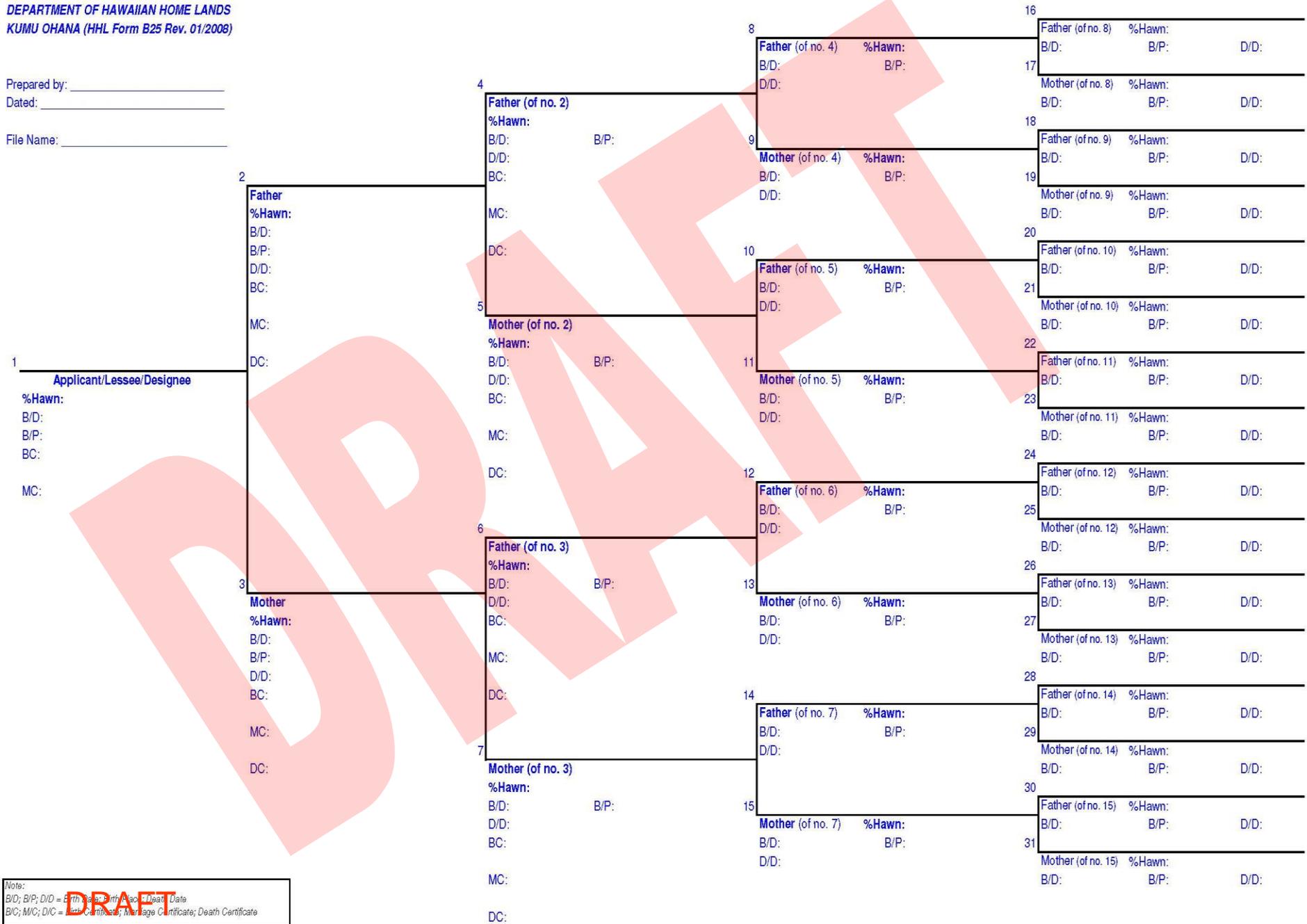
- The 1920s threshold represents the department's efforts at placing a reasonable limit on the depth of research required to meet the quantum requirement of the statute.

Pedigree Chart **(“Kumu Ohana”)**

Prepared by: _____

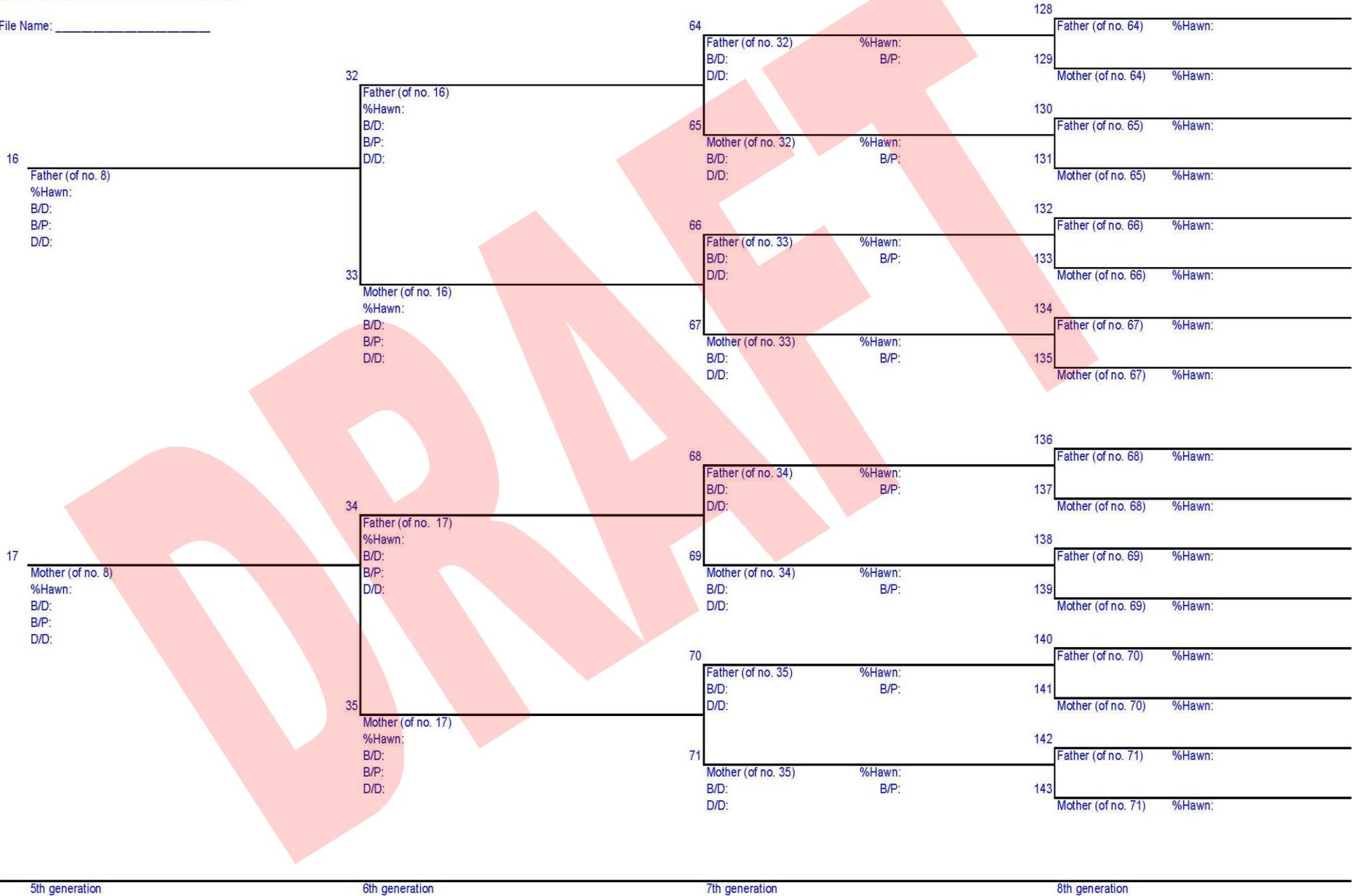
Dated: _____

File Name: _____



Note:
B/D; B/P; D/D = Birth, Marriage, Death Date
B/C; M/C; D/C = Birth Certificate; Marriage Certificate; Death Certificate

File Name: _____



5th generation

6th generation

7th generation

8th generation

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Pedigree Chart

- To the extent possible, all pertinent information is transferred from each record to the pedigree chart exactly as it appears on the document.
- Example:
A record states “Chinese-Hawaiian” ancestry for an individual so staff writes “Chinese-Hawaiian” on the pedigree chart instead of writing “part-Hawaiian.”

Pedigree Chart (continued)

- The pedigree chart is a cumulative summary of what information is known for each ancestor in an applicant's bloodline.
- Under the current methodology, all successive changes (e.g., new information, etc.) are noted on the same pedigree chart so there is a record of what alterations were made and approximately when those changes were made.

Other General Methodology Guidelines

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Consistency

- In the overall process of determining a Hawaiian ancestry percentage, the **consistency** of race information across multiple records is always an important factor to consider.

Earlier Vs. More Recent

- The Department generally assigns more weight to documented information from an earlier generation over documentation from a more recent generation, particularly in cases where there is a disagreement over race.

Information Source

- Who provided the information on a given record and how credible is that source?

Historical Context

- What historically significant events were in play at the time a given ancestor lived or was born? (e.g., What is the likelihood that an individual born in a specific time and place would be Hawaiian-Chinese?)

August 24, 1860, *Act to Regulate Names*

- Signed into law by Alexander Liholiho (Kamehameha IV)
- Married women and all children born in wedlock required to take the name of their husband or father as a family name.
- Christian names required.

Act to Regulate Names (continued)

- Children up to the age of 20 years required to assume their father's name as a surname.
- Illegitimate children to take their mother's name as a surname.
- Prior to the *Act*, single names common.

Christian Names

- Although Christian names are not traditional Hawaiian names, the *Act to Regulate Names* resulted in the widespread use of these names among pure Hawaiians.
- Examples: Lahela, Iokepa, Hekekea, Malia, Iakopa, Hailama, Kamekona, etc.

Christian Names (continued)

- In the event an individual carrying a Biblical surname is cited on a document (1920s and earlier) as being solely of Hawaiian ancestry, the department may accept the individual as being of pure Hawaiian ancestry in the absence of any credible information to the contrary.

Cited Ancestry Vs. Name

- If an individual is cited as being solely of Hawaiian ancestry and his or her name is non-Hawaiian, the department requires a reasonable explanation for the discrepancy before it is able to find that the individual is of pure Hawaiian ancestry.

On birth, marriage, death and other historical documents, what does the word “Hawaiian” mean?

“Are you a Hawaiian?”

Vs.

“Are you a pure Hawaiian?”

Adoptions

Adoptions

- The DHHL determines quantum percentage only through biological parents and not through legal or adoptive parents.

Adoptions (continued)

- The department has a working relationship with the family court system in Hawaii which allows limited access to sealed adoption records for the sole purpose of determining whether an adopted individual, or the descendant of an adopted individual, qualifies for department benefits.

Adoptions (continued 2)

- Although affected individuals may apply for this assistance through staff, the adoption information itself is confidential and the department is prohibited from disclosing most details to the requestor with the exception of blood quantum percentage.

Adoptions (continued 3)

- A recent amendment to the already existing adoption records law allows adopted individuals to request their own adoption records directly from the Family Courts in the State of Hawaii.

Adoptions (continued 4)

- *The adoption records law was amended by Act 80 of 2016, effective June 21, 2016, and applies to adoptions granted by a judge in the State of Hawaii. Adult adoptees and their natural or adoptive parents (“Applicant”) may access the court’s adoption records, upon request.*

[Excerpted from “*Instructions for Requests Regarding Confidential Adoption Records of the Family Court (Act 80 of 2016).*” (FC Adm 8/10/16)]

Quantum Determinations

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Quantum Determinations

- When the department finds that an individual is of a particular quantum percentage, **the determination is based upon a preponderance of evidence drawn from all available information known to the department at the time the department renders its determination.**

Changes in Quantum Percentage

Changes in Quantum Percentage

- In the event relatives of a qualified applicant submit previously unknown information to the department regarding a common ancestor (e.g., marriage records, death record, etc.), the DHHL has a fiduciary duty to examine the new evidence to determine if additional information is required to maintain the previously qualified applicant's native Hawaiian status.

Changes (continued)

- Trust obligations preclude the Department from ignoring new information which suggests that a previously qualified applicant or original lessee does not meet the 50 percent quantum requirement.

(*SEE: Letter dated October 25, 2000, Deputy AG Bryan Yee to Reynard C. Soon, Chairman, Hawaiian Homes Commission.)

Questions?