



**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FIFTH LEGISLATURE, 2009**

ON THE FOLLOWING MEASURE:

S.B. NO. 15, RELATING TO THE POWERS OF ARREST.

BEFORE THE:

SENATE COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS

DATE: Wednesday, February 11, 2009 **TIME:** 1:30 PM

LOCATION: State Capitol, Room 224

TESTIFIER(S): Mark J. Bennett, Attorney General
or Lance M. Goto, Deputy Attorney General

Chair English and Members of the Committee:

The Department of the Attorney General supports this bill.

The purpose of this bill is to amend section 803-16, Hawaii Revised Statutes, regarding the arrest powers granted to federal customs and immigration officers, to update references to agencies within the U.S. Department of Homeland Security to include Immigration and Customs Enforcement, and to update and accurately reflect the titles of the heads of district offices for those agencies.

Section 803-16 currently includes the U.S. Customs and Border Protection and the U.S. Citizenship and Immigration Services, but not the U.S. Immigration and Customs Enforcement (ICE). ICE clearly should be included in the bill.

ICE is the largest investigative branch of the Department of Homeland Security. The agency was created in March 2003 by combining the law enforcement arms of the former Immigration and Naturalization Service and the former Customs Service. ICE special agents and officers are law enforcement officers authorized to carry weapons and make arrests. ICE will be able to provide much needed support to state and county law enforcement efforts.

The Department respectfully request passage of this measure.