



POLICE DEPARTMENT COUNTY OF MAUI

ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

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February 6, 2017

TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

LATE

The Honorable Clarence K. Nishihara, Chair
The Honorable Glen Wakai, Vice Chair
And Members of the Committee of Public Safety,
Intergovernmental and Military Affairs

The Senate
State Capitol
Honolulu, Hawaii 96813

Re: Senate Bill No. 896, RELATING TO THE POWER OF ARREST

Dear Chair Nishihara and Members of the Committee:

The Maui Police Department is in support of S.B. 896, which adds the United States Immigration and Customs Enforcement to the list of federal agencies that may make arrests for certain offenses under state law.

The United States Immigration and Customs Enforcement was initially left off the list of federal agencies granted arrest powers for certain state offenses. This bill will add them to the list while removing Citizenship and Immigration Services, who have no arrest powers.

The working relationship between county, state, and federal law enforcement agencies within the State of Hawaii has always been one of understanding and mutual respect, especially here on the island of Maui.

The Maui Police Department respectfully requests the passage of this bill. Thank you for the opportunity to testify.

Sincerely,


TIVOLI S. FAAUMU
Chief of Police



LATE

Committee: Committee on Public Safety, Intergovernmental and Military Affairs
Hearing Date/Time: Tuesday, February 7, 2017, 1:20 p.m.
Place: Room 229
Re: Testimony of the ACLU of Hawaii in **Opposition** to S.B. 896, Relating to the Power of Arrest

Dear Chair Nishihara and Committee Members:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in opposition to S.B. 896, which seeks to allow Immigration and Customs Enforcement (“ICE”) officers to make arrests under state law.

ICE has a dismal record on civil rights, both nationally and in Hawaii. By authorizing ICE officers to make arrests for low-level public order offenses, S.B. 896 opens the door for federal agents to racially profile those believed to be undocumented immigrants and search them without a warrant. President Trump — who has been vocal in proposing unconstitutional immigration policies — issued an Executive Order reinstating local and state immigration enforcement partnerships, under which local law enforcement officers are deputized to assist in arrests, detentions, and deportations. Legislation such as S.B. 896 invites this partnership, positioning Hawaii as accomplice in practices that are harmful to our communities and antithetical to the values of our state. For these reasons, the ACLU of Hawaii urges the Committee to defer S.B. 896.

Thank you for this opportunity to testify.

Mandy Finlay
Advocacy Coordinator
ACLU of Hawaii

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.

American Civil Liberties Union of Hawaii
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KIRK CALDWELL
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LOUIS M. KEALOHA
CHIEF

GARY OKIMOTO
JERRY INOUE
DEPUTY CHIEFS

OUR REFERENCE LH-SEB

February 7, 2017

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety, Intergovernmental,
and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Nishihara and Members:

SUBJECT: Senate Bill No. 896, Relating to the Power of Arrest

I am Lester Hite, Major of the Legislative Liaison Office of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 896, Relating to the Power of Arrest.

The HPD is involved in several law enforcement efforts with our Federal law enforcement partners. This bill seeks to update the list of federal agencies whose special agents are allowed to make arrest for certain offenses covered by the Hawaii Revised Statutes by adding the Immigration and Customs Enforcement (ICE) and removing the Citizen and Immigration Services (CIS) from the list. The ICE is the largest law enforcement investigative branch of the U.S. Department of Homeland Security.

The HPD and all other Hawaii county police departments seek assistance from the ICE to pursue local investigations of violation to state statutes. It is essential for the ICE special agents to have state arrest authority while participating in joint operations with county police departments and state law enforcement agencies.

The Honorable Clarence K. Nishihara, Chair
and Members
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The HPD urges you to support Senate Bill No. 896, Relating to the Power of Arrest.

Thank you for the opportunity to testify.

Sincerely,

Lester Hite
Lester Hite, Major
Legislative Liaison Office

APPROVED:

Cary Okimoto
Cary Okimoto
Acting Chief of Police