



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

TESTIMONY FOR SENATE CONCURRENT RESOLUTION 131, URGING THE GOVERNOR, THE ATTORNEY GENERAL, THE MAYORS OF EACH COUNTY, AND VARIOUS STATE AND COUNTY LEADERS TO FIRMLY UPHOLD BOTH THE CONSTITUTIONS OF THE UNITED STATES OF AMERICA AND HAWAII TO PRESERVE AND PROTECT OUR CIVIL RIGHTS AND TO ENSURE THE SAFETY OF IMMIGRANTS IN OUR COMMUNITIES

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Hon. Clarence K. Nishihara, Chair

Hon. Glenn Wakai, Vice Chair

Tuesday, March 28, 2017, 1:20 PM

State Capitol, Conference Room 229

Honorable Chair Nishihara and committee members:

I am Kris Coffield, representing IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 350 members. On behalf of our members, we offer this testimony in strong support of SCR 131, urging the Governor, the Attorney General, the mayors of each county, and various state and county leaders to firmly uphold both the Constitutions of the United States of America and Hawai'i to preserve and protect our civil rights and to ensure the safety of immigrants in our communities.

Immigrants and refugees of all nations have contributed to the health, well-being, and general welfare of Hawai'i as families and neighbors. Similarly, immigrants and refugees of many nations have contributed to the prosperity of Hawai'i as workers and taxpayers. Many of Hawaii's residents are the descendants of Chinese, Filipino, and Japanese immigrants who came to the islands during the nineteenth and early twentieth centuries to work on plantations. Discrimination based on national origin, race, ethnicity, or religion or perceived national origin, on the other hand, is a chronic aspect of life for immigrant and refugee populations of the United States and a problem faced by immigrants in the islands, as well.

Unfortunately, but unsurprisingly, the number of violent acts committed against immigrant communities and religious minorities has been rising in recent years, especially in the wake of the 2016 presidential election. Chronic discrimination undergirding and propounded by acts of violence leads to community disengagement, diminished opportunities for integration, increased stigmatization, and greater incidents of health morbidity. Put simply, discrimination and

violence is a violation of human rights, civil liberties, and the principles of economic growth. Promoting health, well-being, and general welfare are core obligations of state government. Moreover, individual and societal prosperity require harnessing all of Hawai'i's available labor, skills, and ideas to grow the state's economy and expand opportunities. Every Hawai'i resident should be treated with compassion and respect regardless of national origin or citizenship status, and given opportunities to succeed.

Legally speaking, the 14th Amendment of the Constitution of the United States guarantees all persons due process, equal protection of the laws. In the case of *Plyler v. Doe* (1982) and reaffirmed in *Zadvydas v. Davis* (2001), the Supreme Court of the United States held that that the Due Process and Equal Protection clauses of the 14th Amendment apply to all persons in the United States whose presence maybe or is unlawful, involuntary or transitory. Section 5 of Article I of the Hawaii State Constitution also guarantees every person due process and equal protection of the laws, and prohibits denying the enjoyment of a person's civil rights based on race, religion, sex or ancestry. Contravening the established legal protections afforded to immigrant populations, President Donald Trump has issued executive orders relating to the deportation of immigrants that expand the definition criminal alien to include individuals who enter the country without authorization or commit acts that constitute a chargeable criminal offense, even if they have not yet been convicted of a crime. On March 6, 2017, the administration of President Donald Trump ordered a ban on immigration from six Muslim majority nations, furthering the current presidential administration's anti-immigrant agenda. The Trump administration's immigration policies have, accordingly, been condemned as harmful by numerous human rights and advocacy organizations, including Human Rights Watch, The Leadership Conference on Civil and Human Rights, the American Civil Liberties Union, and the National Immigration Law Center.

Our aloha spirit demands not only respect for diversity, but defense of people who are under siege for their heritage. Thus, we strongly endorse recognition that immigration is a federal function and this measure's request that local law enforcement agencies decline to work with federal immigration agencies, as well as a restriction of state or county funds by from law enforcement activities that collaborate with ICE or any other federal law enforcement agency in connection with the deportation of undocumented immigrants who have not been convicted of committing a violent crime. We heartily join the signatories of this resolution in calling on Gov. David Ige to appoint a Ho'okipa Commission to ensure a safe, secure, and welcoming community for everyone, including immigrants of every status, to promote respectful relations and collaboration between community members and agencies providing public safety services.

Mahalo for the opportunity to testify in support of this resolution.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 27, 2017 11:21 AM
To: PSMTestimony
Cc: laurie.field@ppvnh.org
Subject: *Submitted testimony for SCR131 on Mar 28, 2017 13:20PM*

SCR131

Submitted on: 3/27/2017

Testimony for PSM on Mar 28, 2017 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

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SCR131

Submitted on: 3/27/2017

Testimony for PSM on Mar 28, 2017 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Bergquist	Individual	Support	No

Comments: I support this excellent measure wholeheartedly. It would be further strengthened by explicitly mentioning, alongside Executive Order 13769 (excluding refugees and citizens of 6 mainly Muslim countries), the other two anti-immigrant Executive Orders: 13767 & 13768. These were issued two days prior to the "Muslim Ban", and increase enforcement both in the interior and at the borders of the United States. They aim to further scapegoat and criminalize immigrants in ways that the resolution already rightly criticizes. These executive orders and their associated implementation memos are already spreading fear around the country. Parents are being arrested while driving their children to school, DREAMers are being detained and ICE agents are appearing at courthouses. To the latter point, I would suggest transmitting a copy to the Chief Justice of the Hawai'i Supreme Court. In her recent State of the Judiciary, California Supreme Court Chief Justice Tani Gorre Cantil-Sakauye criticized federal authorities for undermining public safety and the rule of law by "stalking courthouses." I would submit that ICE is likely contemplating similar practices here in Hawai'i.

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