

HB-1994

Submitted on: 1/31/2018 10:00:36 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard K. Minatoya	Maui Department of the Prosecuting Attorney	Oppose	No

Comments:

The Department of the Prosecuting Attorney, County of Maui, OPPOSES this measure. Law enforcement's job is to justly enforce laws, and this measure runs counter to that purpose. The Department requests that this measure be HELD.

Thank you very much for the opportunity to present this testimony.

HB-1994

Submitted on: 1/30/2018 7:41:38 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Maui Police Department	Oppose	No

Comments:

I urge the Legislature to abstain from meddling into the affairs of Federal, State, and County Law Enforcement. .

All Law Enforcement Officers took an Oath to support and defend the Constitution of the United States and the Constitution of the State of Hawaii.

Please keep partisan politics out.

HB-1994

Submitted on: 1/29/2018 3:12:03 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

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

Comments:

HB-1994

Submitted on: 1/29/2018 6:13:55 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Martha Nakajima	ACLU People Power	Support	No

Comments:

The text of this bill and its Senate companion describe perfectly the need and constitutionality of this measure. The states neither make nor enforce immigration policy. It is a function entirely within the purview of the federal government. Under the 10 th Amendment of the US Constitution the federal government cannot require cooperation of local authorities or the people to enforce immigration laws nor punish them for declining to do so. In our diverse, dynamic state, harmony, tranquility and a spirit of Aloha are paramount in our communities. Every member of the community must be free to cooperate with the local police without fear of compromise of their immigration status which should never be a matter of interest to local authorities.

Testimony of Hawaii J-20+
Supporting HB 1994
House Committee on Public Safety
February 1, 2018 at 10:00 am in Conference Room 312

Hawaii J-20+ is a grassroots organization committed to preserving constitutional principles and community values.

Thank you for this opportunity to testify in support of HB 1994. It is called the Ho'okipa, or welcoming bill, because it is a compassionate response to the federal government's disheartening decree to deport all undocumented immigrants, even though most of the undocumented immigrants in Hawaii have committed no crime arising from their immigration status.

Hawaii has a rich immigrant heritage. Waves of immigrants have come to Hawaii's shores for more than 100 years, determined to work hard to make better lives for themselves and their children. Our unique culture in Hawaii is due in large measure to the contributions of immigrants.

Immigrants also played an important role in our nation's history. Yet, the federal administration has adopted perverse immigration policies targeting all undocumented immigrants. Immigrants are undocumented because they either crossed the border without being processed, which is a misdemeanor, or they entered the U.S. on a visa and overstayed their visa, which is a civil matter -- not a crime.

An estimated 11 million undocumented immigrants live in the U.S. Two-thirds of the adult undocumented immigrants have been in the U.S. for 10 years or more. Many have married spouses who are U.S. citizens, and many more have children who are U.S. citizens by birth. The crime rate of undocumented immigrants is 44% below that of native-born U.S. citizens.

The American Immigration Council estimates that 45,000 undocumented immigrants live in Hawaii. About 45% are from the Philippines, 15% from Japan, and most of the rest are from Asian and Pacific nations. 70% of Hawaii's undocumented immigrants are at or above 200% of the poverty level, and 40% own their own homes.

President Trump signed an executive order on Jan. 25, 2017, which seeks to deport all undocumented immigrants from the U.S. The executive order also seeks to deputize local police to act as agents of federal immigration enforcement agencies, such as the federal Immigration and Customs Enforcement agency (ICE).

In comparison, President Obama was responsible for deporting more than 2 million undocumented immigrants, but he focused on those who had committed serious crimes. President Trump's executive order makes no such distinction.

The Trump executive order has raised the level of fear among undocumented immigrants because local police, acting as ICE agents, may ask anyone they come into contact with about their immigration status, and that may lead to deportation.

For that reason the trust between the police and undocumented immigrants has been severed. Undocumented immigrants are now reluctant to report crimes or suspected crimes to the police, and they are reluctant to come forth as witnesses to crimes. As a result, our communities are less safe for everyone.

It is appalling that undocumented immigrants are reluctant to report crimes even when they themselves are the victims. Studies show that women are less likely to report to the police that they have been victims of sexual assault because they fear deportation.

Trust between local law enforcement officers and the people they serve is a necessary element of the community policing model that is being promoted by the U.S. Department of Justice to advance public safety. Police departments across the country have adopted it. If local law enforcement officers act as ICE agents, however, it would be impossible to establish trust between local law enforcement officers and undocumented immigrants.

Immigration is a federal function. According to the Tenth Amendment, the federal government may not coerce States or their subdivisions to enforce its regulations or implement its programs. The federal government does not provide states with funding for immigration enforcement. In the interest of community safety, hundreds of cities and counties – and even several states – limit the cooperation of their local law enforcement agencies with ICE.

HB 1994 limits the assistance that State and county police provide to federal immigration enforcement agencies, allowing only that which is required by law. This bill helps to maintain community safety and the vibrancy of Hawaii's immigrant heritage.

Although we strongly support the thrust of the bill, we have a concern about a portion of the bill that may not respect the prohibition against unreasonable searches and seizures guaranteed by the Fourth Amendment and due process rights guaranteed by the Fourteenth Amendment. Beginning on page 12, line 16, the bill prohibits local law enforcement agencies from complying with a civil immigration detainer from ICE or CPB unless it is accompanied by a judicial warrant. Beginning on page 13, line 3, the bill lists exceptions when a detainer is not accompanied by a judicial warrant. We agree that compliance with a detainer alone is appropriate when (1) The individual has been convicted of a felony, or (4) There is probable cause to believe that the individual has or is engaged in terrorist activity. However, in our opinion, (2), (3), (5), and (6) may invite constitutional challenges.

In this regard, the New York State Attorney General issued a report entitled, "Guidance Concerning Local Authority Participation In Immigration Enforcement And Model Sanctuary Provisions," dated January 19, 2017. The model legislation in the report includes exceptions to the prohibition against complying with a detainer alone. The model legislation does not include the exceptions in HB 1994 for (2), (3), (5), or (6). As such, the bill should be amended to delete these exceptions.

With that amendment, Hawaii J-20+ supports HB 1994 and urges the committee to pass it.

THE LIBERTARIAN PARTY OF HAWAII
TESTIMONY

c/o 1658 Liholiho St #205
Honolulu, HI 96822

January 30, 2018

RE:HB 1994 to be heard Thursday February 1, in Room 312 at 10:00 AM

To the members of the House on Public Safety

We **support** this bill. Libertarians support the rights of individuals to cross international borders. These rights should apply to anyone who engages in peaceful and cooperative activities. We do not like attempts by the Federal Government to deputize state and local law enforcement to carry out federal laws that are not part of their state or local code. This practice has been declared unconstitutional as it violates the 10th amendment. (see Mack v US).

Aloha



Tracy Ryan
For Harm Reduction Hawaii

HB-1994

Submitted on: 1/31/2018 7:58:38 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
amy agbayani	Filipina Advocacy Network FAN	Support	Yes

Comments:

House Committee on Public Safety

10 am, February 1, 2018

Testimony in support HB 1994 Relating to Law Enforcement and Hoiokipa policy

Testimony submitted by Amy Agbayani, chair

Filipina Advocacy Network (FAN)

3432 B-1 Kalihi St. Honolulu, Hi 96819

Chair Takayama, Vice Chair Gates and members of the committee

I am representing, Filipina Advocacy Network (FAN) in strong support of HB 1994. FAN advocates for equity, diversity and inclusion. We support this law enforcement bill, providing equity and declaring Hawai'i to be a Ho'okipa (Welcoming) State. This bill expresses our shared values and our aspirations. FAN is very concerned that members of the Filipino community, many who are recent immigrants, will face even more barriers to equal and full participation and fair treatment.

In 1906 fifteen males came from the Philippines to Hawai'i to work on the plantations. Since then thousands of Filipinos, their children and grandchildren have become citizens and residents of the state. Filipinos (alone and mixed) are now the second largest ethnic group in the state (after White/Caucasians). Since the 1965 amendments to the US Immigration law, Filipinos continue to be the largest immigrant group arriving in the state annually. One estimate is that 40% of the undocumented people in our state are from the Philippines. Many are in mixed status households (a spouse or a child may be a US citizen or legal resident), most are Catholic and some are Muslims. They are our neighbors, colleagues, students, workers, caregivers and taxpayers.

Immigrants (both documented and undocumented) are "crucial" to the welfare of our nation and our state. The 3/9/17 Star Advertiser article based on the Pew Research Center research states that "America's workforce will only grow over the next two decades if new immigrants arrive to replace retiring baby boomers...Pew projected that the US working-age (25-64) population will grow to 183 million in 2035 from 173 million in 2015, with new immigrants accounting for all the growth...Without them, the number of working-age Americans would drop to 168 million in 2035. As baby-boomers retire, the number of US born working age adults with US born parents will account for a smaller share of the working-age population: 66 percent in 2035, down from 74 percent in 2015. THE PEW REPORT ECHOES WHAT MANY ECONOMIST HAVE BEEN SAYING: THE U.S. NEEDS IMMIGRANTS TO REPLACE RETIREES, AND AN USUSALLY LARGE SHARE OF WORKING-AGE AMERICANS CHOOSE NOT TO LOOK FOR WORK."

HB1994 is inclusive and acknowledges that the contributions of immigrants are part of Hawai'i history and future. We should not use state or city resources to help enforce federal laws that are based on hate and discrimination. This bill will keep families together, help our economy and keep us more secure. Please vote for this bill that calls for sensible law enforcement that is fair and welcoming (Ho'okipa) . Maraming salamat.

HB-1994

Submitted on: 1/29/2018 2:51:47 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall		Support	No

Comments:

HB-1994

Submitted on: 1/29/2018 4:36:35 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Chagnon		Support	No

Comments:

January 29, 2018

Testimony to the Hawaii State Legislature: HB1994 DECLARING HAWAII TO BE A HO'OKIPA (WELCOMING) STATE

I am a second generation Irish-Polish American. I am told my "Papist" Irish grandparents had a Klu Klux Klan cross burned in their yard in Indianapolis, Indiana "back in the day." I do not want "back in the day" of the KKK to be our present.

My Vietnamese-American friend is a successful business women on the island of Oahu; she attributes her cheerfulness and commitment to her employees as a result of her gratefulness for her life she has a U.S. citizen. My friend escaped South Vietnam, during the time of the Vietnam Conflict, after her father was killed by the Communists for aiding Americans. She and her friend escaped together at the age of 16. She was one of the "boat people." My friend has related to me the story of making her way to Malaysia on an overcrowded boat; her boat and its refugees were fortunate enough to be seen and rescued by a tanker. Her friend's boat and many others were not so fortunate. The memories of dead bodies floating in the sea are with her always. I asked her how she survived the four years in Malaysia, while waiting on the dream to come to the United States, knowing how young girls are often sold into slavery; she told me her friend had taught her how to make herself ugly, and that life was hard, very hard. This explains her current state of happiness and gratefulness.

For many months my friend and other members of her extended family in the United States were looking forward to a reunion in Vietnam, her nieces wedding. After the initial Muslim Ban, all family members with the exception of my friend pulled out of their travel plans

due to the fear they may not be allowed back into the United States - despite their citizenship. My friend said if she did not have children she would go to Vietnam and not return for a year.

As a member of the Women's March and in solidarity with J20 and many other groups, I attended the airport rally at the Honolulu International Airport after the first Muslim Travel Ban was announced. From this experience I learned the name of our local immigration lawyer and the local ACLU. Before my friend left for Vietnam I gave her the information and told her to write it on her arm in indelible marker. After I drove away from this encounter I cried at the reality of the moment. Whether or not her fear is unfounded is beside the point. The current administration in the White House continues to generate and re-generate an atmosphere of fear and hatred among its citizens. We cannot co-exist in a fearful state. Federal and local officials, as well as the safety of all citizens, benefit from a trust in the system. The fearful citizen will not call in a crime if they do not trust officials. They will not step forward. They will not believe themselves to be validated. Declaring Hawaii a "Ho'okipa (welcoming) State" will not only validate an environment of Aloha, but create a safer State for all.

Mahalo nui loa,

Dr. Eileen Marie Gawrys

HB-1994

Submitted on: 1/30/2018 6:40:21 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake		Support	No

Comments:

These jurisdictions are what has been called “sanctuary” jurisdictions. They do not provide any additional protections to undocumented immigrants that are not given to citizens. They merely limit the assistance that their local law enforcement agencies provide to ICE.

HB-1994

Submitted on: 1/30/2018 10:10:59 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Marker		Support	No

Comments:

Dear Rep. Gregg Takayama, Chair, Rep. Cedric Asuega Gates, Vice Chair, and Committee Members:

As an interested citizen, I fully support HB 1994 that would prohibit local and state law enforcement agencies from conducting law enforcement for Immigration and Customs Enforcement (ICE) and the Customs and Border Protection (CBP).

Immigration enforcement is a federal government responsibility and federal law does not require state and local entities to cooperate with ICE and CBP. Our agencies do not receive any funding for this and we should not use our local and state law enforcement resources for this purpose. For the many reasons stated in the bill, hundreds of cities, counties and states have limited their law enforcement agencies from cooperating with ICE and CBP in this executive order.

Additionally, we could be liable for unlawful practices and detention. State and local agencies must adhere to the Fourth Amendment's prohibition on unreasonable searches and seizures.

Finally, participation by local law enforcement can cause immigrants to be more fearful of assisting law enforcement when crimes are committed or they are seeking to prevent crime in their community. Most importantly, our state is one where people have sought better lives and are contributing to our economy and communities. We should be welcoming to immigrants and this Ho'okipa bill will help us ensure that type of caring community.

I ask that you support H.B. No. 1944. Thank you for the opportunity to testify.

Sincerely,

Nancy Marker

HB-1994

Submitted on: 1/30/2018 11:46:03 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rev. Stanley Bain	Hawai'i Coalition for Immigration Reform	Support	No

Comments:

I am in strong support of SB 2290 and commend the persons who created the excellent draft.

The bill clearly emphasizes our unique character as the rainbow state composed of cultures/colors/languages/ and nationalities which comprise the entire human race. May Hawaii do all that is possible to keep it that way in spite of efforts at the federal level to villify human diversity.

HB-1994

Submitted on: 1/30/2018 4:54:25 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gaye Chan		Support	No

Comments:

I am horrified and appalled by the escalation of hate since Trump's presidency. Racism and xenophobia have been central to his campaign and policies. His rhetoric is not based on facts but an attempt at scapegoating those who are most vulnerable in society. Anti-immigrant sentiments are central to these ends and we must not succumb to dog whistle politics. The crime rate of undocumented immigrants is 44% below that of native-born U.S. citizens. 70% of Hawaii's undocumented immigrants are at or above 200% of the poverty level, and 40% own their own homes.

There is an estimate of 21,000 to 45,000 undocumented peoples in Hawai'i. They are a part of the fabric of our society in every single way. Like citizens and green card holders they have families and work. They are exactly the same as except they are less lucky in where they were born, or the situations that they have been born into.

I call on you to support the Hookipa Bill and not let racism and xenophobia divide us.

HB-1994

Submitted on: 1/31/2018 10:39:37 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathalie Rita		Support	No

Comments:

Thank you for this opportunity to testify in support. It is called the Ho'okipa, or welcoming bill, because it is a compassionate response to the federal government's disheartening decree to deport all undocumented immigrants, even though most of the undocumented immigrants in Hawaii have committed no crime arising from their immigration status.

My name is Nathalie Rita, and I write to you as a member of Hawaii J20. I am also a doctoral student at the University of Hawaii at Manoa, where my research focus is international migration.

An estimated 11 million undocumented immigrants live in the U.S. Two-thirds of the adult undocumented immigrants have been in the U.S. for 10 years or more. Many have married spouses who are U.S. citizens, and many more have children who are U.S. citizens by birth.

Despite the hateful rhetoric of the Trump Administration, all sociological research shows that the crime rate of undocumented immigrants is 44% below that of native-born U.S. citizens. They are not criminals—they are people looking to create a better life for their families.

The Trump executive order has raised the level of fear among undocumented immigrants because local police, acting as ICE agents, may ask anyone they come into contact with about their immigration status, and that may lead to deportation.

For that reason the trust between the police and undocumented immigrants has been severed. Undocumented immigrants are now reluctant to report crimes or suspected crimes to the police, and they are reluctant to come forth as witnesses to crimes. As a result, our communities are less safe for everyone.

It is appalling that undocumented immigrants are reluctant to report crimes even when they themselves are the victims. Studies show that women are less likely to report to the police that they have been victims of sexual assault because they fear deportation.

This bill limits the assistance that State and county police provide to federal immigration enforcement agencies, allowing only that which is required by law. This bill helps to maintain community safety and the vibrancy of Hawaii's immigrant heritage.

Although I strongly support the thrust of the bill, I have a concern about a portion of the bill that may not respect the prohibition against unreasonable searches and seizures guaranteed by the Fourth Amendment and due process rights guaranteed by the Fourteenth Amendment. Beginning on page 12, line 16, the bill prohibits local law enforcement agencies from complying with a civil immigration detainer from ICE or CPB unless it is accompanied by a judicial warrant. Beginning on page 13, line 3, the bill lists exceptions when a detainer is not accompanied by a judicial warrant. I agree that compliance with a detainer alone is appropriate when (1) The individual has been convicted of a felony, or (4) There is probable cause to believe that the individual has or is engaged in terrorist activity. However, in my opinion, (2), (3), (5), and (6) may invite constitutional challenges.

With the amendments, I fully support this bill and urge the committee to pass it for the safety of ALL of Hawaii's residents, regardless of citizenship status.

HB-1994

Submitted on: 1/30/2018 7:22:29 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Dye		Support	Yes

Comments:

My name is Thomas Dye. I am a small business owner, educator, and member of Hawai'i J20+.

I am testifying in strong support of HB 1994, which is based on sanctuary legislation from New York and California.

Although the term "sanctuary" evokes images of a spiritual safe haven, the idea behind sanctuary legislation is solidly practical. Immigration is a federal function that citizens support with the money they pay in taxes to the Internal Revenue Service. However, the federal government routinely deputizes local law enforcement agents to assist in immigration enforcement, even though the federal government does not provide funding to local governments for this purpose. This cooperation means local taxpayers effectively pay twice for immigration enforcement -- once with their federal taxes, and again with their state and local taxes.

Sanctuary legislation instructs local law enforcement agents to decline to cooperate with federal immigration enforcement agencies, except as required by federal law, so taxpayers aren't charged twice. This double-billing is one reason why about 600 municipalities and a handful of states -- most recently California -- have adopted sanctuary legislation.

Here in Hawai'i local law enforcement agents routinely cooperate with federal agencies on immigration issues. One common request, a warrant-less detainer, asks local law enforcement agents to hold an arrested undocumented immigrant at OCCC for 48 hours longer than the allowable 24 hours. Federal judges in other districts have ruled these warrant-less detainers are unlawful. The direct cost to Hawai'i taxpayers for the cooperation of our local law enforcement agents over the last 10 years has been estimated at \$300,000. In addition, holding immigrants on warrant-less detainers contributes to the overcrowding of OCCC, a facility already bursting at the seams.

HB-1994

Submitted on: 1/30/2018 9:16:42 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nandita Sharma		Support	Yes

Comments:

Testimony of Nandita Sharma, Associate Professor, Sociology, University of Hawaii at Manoa and Co-Chair, Immigration Committee of Hawaii J20+

Supporting HB 1994,

Public Safety Committee Hearing

Thursday, February 1 at 10:00am, Conference Room 312, Hawai'i State Capitol (415 South Beretania Street).

Thank you for this opportunity to testify in support of HB 1994 or the Ho'okipa (welcoming) bill. I have been researching immigration policies and their effects for the last twenty-five years and have published numerous articles and books on the topic. I am a nationally and internationally recognized expert on immigration, especially as it relates to issues of racism, sexism, and nationalism.

I believe that HB 1994 is a reasonable and much-needed response to President Trump's signing of a Jan. 25, 2017 executive order seeking to deport all undocumented immigrants from the United States. Trump's executive order also seeks to deputize local police to act as agents of federal immigration enforcement agencies, such as the federal Immigration and Customs Enforcement agency (ICE).

The Hawaii State government has done a truly wonderful – even heroic – job at standing up for justice (and our constitutional rights) by challenging President Trump's executive order on the "Muslim ban." It is time to do the same with Trump's executive order on stepped-up deportation, which mainly (but not only) targets undocumented immigrants.

The vast majority of immigrants who are undocumented are so because they either crossed the border without being processed, *which is a misdemeanor*, or they entered the U.S. on a visa and overstayed their visa, *which is a civil matter -- not a crime*. At the same time, the reported crime rate of undocumented immigrants is 44% below that of citizens born in the U.S.

An estimated 11 million undocumented immigrants live in the U.S. Two-thirds of the adult undocumented immigrants have been in the U.S. for 10 years or more. Many have married spouses who are U.S. citizens, and many more have children who are U.S. citizens by birth. In Hawaii, the American Immigration Council's estimates that 45,000 undocumented immigrants live in Hawaii. About 45% are from the Philippines, 15% from Japan, and most of the rest are from Asian and Pacific nations. 70% of Hawaii's undocumented immigrants are at or above 200% of the poverty level, and 40% own their own homes. In short, undocumented immigrants in Hawaii are an important part of our families and our communities.

Supporting HB 1994 is crucial for a variety of reasons, including the important issue of public safety. Numerous reports from law enforcement agencies across the US, as well as agencies working with victims of crime, report that Trump's executive order has raised the level of fear among undocumented immigrants. This heightened fear is largely based on concerns about local police acting as federal ICE agents. Many undocumented immigrants are afraid that any law enforcement official they come into contact may detain them and start the process of deporting them and their loved ones.

For that reason, the trust between the police and undocumented immigrants has been severely eroded. Undocumented immigrants are now reluctant to report crimes or suspected crimes to the police, and they are reluctant to come forth as witnesses to crimes. As a result, communities are less safe for everyone. According to an April 30, 2017 report in the *New York Times* (NYT), "law enforcement officials in several large cities, including Los Angeles, Houston and Denver, say the most dangerous fallout of changes in policy and of harsh statements on immigration is that fewer immigrants are willing to go to the police" (see: <https://www.nytimes.com/2017/04/30/us/immigrants-deportation-sexual-abuse.html>).

This is especially dangerous for women who are victims of sexual and/or partner violence. The same report in the NYT found that, "since the presidential election, there has been a sharp downturn in reports of sexual assault and domestic violence among Latinos [the largest group of undocumented immigrants] throughout the country, and many experts attribute the decline to fears of deportation." The Chief of the Houston Police Department, Art Acevedo, noted that the number of Latinos reporting rapes in Houston fell by 42.78% in 2017 from the same period in the previous year. The drop, he added, "looks like the beginnings of people not reporting crime" (see <http://www.chron.com/news/houston-texas/houston/article/HPD-chief-announces-decrease-in-Hispanics-11053829.php>).

Los Angeles Police Chief, Charlie Beck, found similar results. Speaking on March 21, 2017, Beck stated that reports of sexual assault and domestic violence made by the city's Latino residents plummeted in 2017 "amid concerns that immigrants in the country illegally could risk deportation by interacting with police or testifying in court" (see: <http://www.latimes.com/local/lanow/la-me-ln-immigrant-crime-reporting-drops-20170321-story.html>). Beck added that reports of sexual assault dropped 25% among

the city's Latino population since the beginning of 2017 compared with the same period last year, with reports of male violence against women falling by 10%.

The fear of law enforcement officials by undocumented immigrants was significantly eroded by a February 09, 2017 case in El Paso, where ICE agents arrested a woman as she exited a courtroom where a judge had just granted her a protective order against the man she said had abused her. "This is not normal," said Olivia Rodriguez, the executive director of the Los Angeles County Domestic Violence Council. After such actions – actions prompted by Trump's executive order - Ms. Rodriguez said that women experiencing physical or sexual assaults, "assume that if they call a government entity it's all connected, that they will be reported to ICE and sent away. So instead they are just taking the abuse" (in NYT, April 30, 2017. See: <https://www.nytimes.com/2017/04/30/us/immigrants-deportation-sexual-abuse.html>).

It does not have to be this way. HB 1994 goes some way in addressing this serious threat to public safety.

Immigration is a federal function. The federal government does not provide states with funding for immigration enforcement. And, according to the US Constitution's 10th Amendment, the federal government may not coerce States or their subdivisions to enforce its regulations or implement its programs. In the interest of community safety, hundreds of cities and counties – and even several states – limit the cooperation of their local law enforcement agencies with ICE.

HB 1994 limits the assistance that State and county police provide to federal immigration enforcement agencies, allowing only that which is required by law. This bill helps to maintain community safety and respects Hawaii's immigrant communities.

HB 1994 was needed before President Trump's executive order, but it is needed now more than ever. For the foregoing reasons, I strongly support HB 1994 and urge the committee members to pass it.

HB-1994

Submitted on: 1/30/2018 10:41:34 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kerrie Littlejohn		Support	No

Comments:

I believe that SB 2290 is a reasonable and much-needed response to President Trump's signing of a Jan. 25, 2017 executive order seeking to deport all undocumented immigrants from the United States. Trump's executive order also seeks to deputize local police to act as agents of federal immigration enforcement agencies, such as the federal Immigration and Customs Enforcement agency (ICE).

The Hawaii State government has done a truly wonderful – even heroic – job at standing up for justice (and our constitutional rights) by challenging President Trump's executive order on the "Muslim ban." It is time to do the same with Trump's executive order on stepped-up deportation, which mainly (but not only) targets undocumented immigrants.

The vast majority of immigrants who are undocumented are so because they either crossed the border without being processed, which is a misdemeanor, or they entered the U.S. on a visa and overstayed their visa, which is a civil matter -- not a crime. At the same time, the reported crime rate of undocumented immigrants is 44% below that of citizens born in the U.S.

An estimated 11 million undocumented immigrants live in the U.S. Two-thirds of the adult undocumented immigrants have been in the U.S. for 10 years or more. Many have married spouses who are U.S. citizens, and many more have children who are U.S. citizens by birth. In Hawaii, the American Immigration Council's estimates that 45,000 undocumented immigrants live in Hawaii. About 45% are from the Philippines, 15% from Japan, and most of the rest are from Asian and Pacific nations. 70% of Hawaii's undocumented immigrants are at or above 200% of the poverty level, and 40% own their own homes. In short, undocumented immigrants in Hawaii are an important part of our families and our communities.

Supporting SB 2290 is crucial for a variety of reasons, including the important issue of public safety. Numerous reports from law enforcement agencies across the US, as well as agencies working with victims of crime, report that Trump's executive order has raised the level of fear among undocumented immigrants. This heightened fear is largely based on concerns about local police acting as federal ICE agents. Many undocumented immigrants are afraid that any law enforcement official they come into contact may detain them and start the process of deporting them and their loved ones.

For that reason, the trust between the police and undocumented immigrants has been severely eroded. Undocumented immigrants are now reluctant to report crimes or suspected crimes to the police, and they are reluctant to come forth as witnesses to crimes. As a result, communities are less safe for everyone. According to an April 30, 2017 report in the New York Times (NYT), “law enforcement officials in several large cities, including Los Angeles, Houston and Denver, say the most dangerous fallout of changes in policy and of harsh statements on immigration is that fewer immigrants are willing to go to the police” (see: <https://www.nytimes.com/.../immigrants-deportation-sexual-abu...>).

This is especially dangerous for women who are victims of sexual and/or partner violence. The same report in the NYT found that, “since the presidential election, there has been a sharp downturn in reports of sexual assault and domestic violence among Latinos [the largest group of undocumented immigrants] throughout the country, and many experts attribute the decline to fears of deportation.” The Chief of the Houston Police Department, Art Acevedo, noted that the number of Latinos reporting rapes in Houston fell by 42.78% in 2017 from the same period in the previous year. The drop, he added, “looks like the beginnings of people not reporting crime” (see <http://www.chron.com/.../HPD-chief-announces-decrease-in-Hisp...>).

Los Angeles Police Chief, Charlie Beck, found similar results. Speaking on March 21, 2017, Beck stated that reports of sexual assault and domestic violence made by the city’s Latino residents plummeted in 2017 “amid concerns that immigrants in the country illegally could risk deportation by interacting with police or testifying in court” (see: <http://www.latimes.com/.../la-me-ln-immigrant-crime-reporting...>). Beck added that reports of sexual assault dropped 25% among the city’s Latino population since the beginning of 2017 compared with the same period last year, with reports of male violence against women falling by 10%.

The fear of law enforcement officials by undocumented immigrants was significantly eroded by a February 09, 2017 case in El Paso, where ICE agents arrested a woman as she exited a courtroom where a judge had just granted her a protective order against the man she said had abused her. “This is not normal,” said Olivia Rodriguez, the executive director of the Los Angeles County Domestic Violence Council. After such actions – actions prompted by Trump’s executive order - Ms. Rodriguez said that women experiencing physical or sexual assaults, “assume that if they call a government entity it’s all connected, that they will be reported to ICE and sent away. So instead they are just taking the abuse” (in NYT, April 30, 2017).

See: <https://www.nytimes.com/.../immigrants-deportation-sexual-abu...>.

It does not have to be this way SB 2290 goes some way in addressing this serious threat to public safety.

Immigration is a federal function. The federal government does not provide states with funding for immigration enforcement. And, according to the US Constitution’s 10th Amendment, the federal government may not coerce States or their subdivisions to enforce its regulations or implement its programs. In the interest of community safety,

hundreds of cities and counties – and even several states – limit the cooperation of their local law enforcement agencies with ICE.

SB 2290 limits the assistance that State and county police provide to federal immigration enforcement agencies, allowing only that which is required by law. This bill helps to maintain community safety and respects Hawaii's immigrant communities.

SB 2290 was needed before President Trump's executive order, but it is needed now more than ever. For the foregoing reasons, I strongly support SB 2290 and urge the committee members to pass it.

HB-1994

Submitted on: 1/31/2018 8:29:24 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dore Minatodani		Support	No

Comments:

TESTIMONY RE HB 1994, RELATING TO LAW ENFORCEMENT

HEARING BEFORE THE HOUSE COMMITTEE ON PUBLIC SAFETY,
INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Rep. Gregg Takayama, Chair

Rep. Cedric Asuega Gates, Vice Chair

THURSDAY, FEBRUARY 1, 2018

10:00 AM

CONFERENCE ROOM 312

I am Dore Minatodani, writing in favor of HB 1994, Relating to Law Enforcement. HB 1994 establishes a Ho'okipa Welcoming Policy Act within the Hawai'i Revised Statutes. My support for this bill is based on two factors.

1) HB 1994 is practical and mindful of public safety, in anticipating and addressing the corrosive effect that public fear of local law enforcement participating in federal immigration enforcement will have on our community.

2) HB 1994 recognizes the federal government's "inflammatory rhetoric and harsh federal policies that vilify immigrants, divide communities and families, and create fear and suspicion among different racial, ethnic, and ancestral groups." I applaud the authors of this bill for making this statement. I also suggest that this Committee further recognize the capricious nature of the federal government's current rhetoric and policies, by amending HB 1994 to include language that: a) anticipates other forms of pressure the federal government may place on state and local agencies and law enforcement to cooperate with federal immigration enforcement, and b) provides a mechanism within the Ho'okipa Welcoming Policy Act to address or respond to such pressure.

Additionally, I suggest that this Committee amend HB 1994, to tighten the exceptional circumstances under which local law enforcement may honor federal detainer requests and federal information requests. The language as it stands is too permissive in what it allows in the absence of a judicial warrant, which would be especially problematic if it

came to be perceived as exceptional circumstances under which local law enforcement must cooperate with federal immigration enforcement.

I submit this testimony respectfully, and with thanks for this opportunity to comment.

HB-1994

Submitted on: 1/31/2018 9:26:04 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Bergquist		Support	Yes

Comments:

I am a father, spouse, law student, non-profit worker and immigrant, and I welcome this Ho’okipa bill with open arms. Hawai’i should join the ranks of other sanctuary jurisdictions, and shield immigrant families from the arbitrary and cruel whims of the federal deportation machine.

That being said, there are two aspects to this bill that I would humbly suggest amending:

1) The findings section regarding deportations under previous administrations, including President Obama’s is misleading. From 2009-2017, over 3 million immigrants were “removed” from the U.S., and it goes without saying that only a small fraction of these, in fact, committed “serious crimes.” All data bears this out as a fact, and it is long established that immigrants, regardless of status, commit *less* and not more crime than the native-born population.

Further, while border “returns” were down under President Obama – this is chiefly because less were trying to cross the border post the 2008 economic crash. This makes it seem like less deportation occurred during those years. However, the fact that so many were instead “removed” is very significant, since being removed has far more serious consequences when it comes to later being able to immigrate lawfully. This leaves these immigrants, often with families and jobs here, no other option but to, again, become undocumented. Most of the so-called “serious crimes” touted are, in fact, immigration offenses, criminalized in the past few decades. Half of all federal prosecutions are for illegal entry and especially re-entry. This is exactly why other places like California fought so hard to pass this type of legislation, also under President Obama.

2) Regarding the criminalization of immigrants, this bill contains numerous exclusions that would permit local police to either hold someone for, or share their information with, Immigration and Customs Enforcement (ICE) – both scenarios with increasing the chances of deportation and the break-up of a family. Given Hawai’i local law enforcement's past record of complying with all ICE detainers, my concern would be that this would continue whole cloth even under this bill. And that the individual circumstances of an immigrant would not be considered. This could lead to e.g. someone with one past drug paraphernalia conviction (previously a class C felony, now

a violation) being funneled into the deportation machine after an arrest for any reason. This is overly broad and not in spirit with ho'kipa. Thank you for the opportunity to testify.

TO: Representative Gregg Takayama, Chair – Committee on Public Safety
Representative Cedric Asuega Gates, Vice Chair – Committee on Public Safety

DATE: Thursday, February 1, 2018

TIME: 10:00 AM

PLACE: Conference Room 312

Re: **HB 1994 Relating to Law Enforcement**

Position: **Strong Support**

Dear Representatives Takayama, Gates, and Committee Members,

Thank you for this opportunity to testify in support of **HB 1994**. It is called the Ho'okipa, or welcoming bill, because it is a compassionate response to the federal government's disheartening decree to deport all undocumented immigrants, even though most of the undocumented immigrants in Hawaii have committed no crime arising from their immigration status.

Hawaii has a rich immigrant heritage. Waves of immigrants have come to Hawaii's shores for more than 100 years, determined to work hard to make better lives for themselves and their children. Our unique culture in Hawaii is due in large measure to the contributions of immigrants.

Immigrants also played an important role in our nation's history. Yet, the federal administration has adopted perverse immigration policies targeting all undocumented immigrants. Immigrants are undocumented because they either crossed the border without being processed, which is a misdemeanor, or they entered the U.S. on a visa and overstayed their visa, which is a civil matter -- not a crime.

An estimated 11 million undocumented immigrants live in the U.S. Two-thirds of the adult undocumented immigrants have been in the U.S. for 10 years or more. Many have married spouses who are U.S. citizens, and many more have children who are U.S. citizens by birth. The crime rate of undocumented immigrants is 44% below that of native-born U.S. citizens.

The American Immigration Council's estimates that 45,000 undocumented immigrants live in Hawaii. About 45% are from the Philippines, 15% from Japan, and most of the rest are from Asian and Pacific nations. 70% of Hawaii's undocumented immigrants are at or above 200% of the poverty level, and 40% own their own homes.

President Trump signed an executive order on Jan. 25, 2017, which seeks to deport all undocumented immigrants from the U.S. The executive order also seeks to deputize local

police to act as agents of federal immigration enforcement agencies, such as the federal Immigration and Customs Enforcement agency (ICE).

In comparison, President Obama was responsible for deporting more than 2 million undocumented immigrants, but he focused on those who had committed serious crimes. President Trump's executive order makes no such distinction.

The Trump executive order has raised the level of fear among undocumented immigrants because local police, acting as ICE agents, may ask anyone they come into contact with about their immigration status, and that may lead to deportation.

For that reason, the trust between the police and undocumented immigrants has been severed. Undocumented immigrants are now reluctant to report crimes or suspected crimes to the police, and they are reluctant to come forth as witnesses to crimes. As a result, our communities less safe for everyone.

Immigration is a federal function. According to the Tenth Amendment, the federal government may not coerce States or their subdivisions to enforce its regulations or implement its programs. The federal government does not provide states with funding for immigration enforcement. In the interest of community safety, hundreds of cities and counties – and even several states – limit the cooperation of their local law enforcement agencies with ICE.

HB 1994 limits the assistance that State and county police provide to federal immigration enforcement agencies, allowing only that which is required by law. This bill helps to maintain community safety and keeps Hawaii's immigrant heritage alive.

As a third-generation immigrant, I strongly support HB 1994 and urge the committee to pass it.

Thank you for the opportunity to testify.

Sincerely,

Cynthia J. Goto

HB-1994

Submitted on: 1/30/2018 6:57:28 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Urasaki		Oppose	No

Comments:

In opposition to this bill.

Mahalo.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2018**

ON THE FOLLOWING MEASURE:

H.B. NO. 1994, RELATING TO LAW ENFORCEMENT.

LATE

BEFORE THE:

HOUSE COMMITTEE ON PUBLIC SAFETY

DATE: Thursday, February 1, 2018 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 312

TESTIFIER(S): Russell A. Suzuki, First Deputy Attorney General, or
Lance Goto, Deputy Attorney General.

Chair Takayama and Members of the Committee:

The Department of the Attorney General ("the Department") submits comments.

The purpose of this bill is to prohibit, except in certain circumstances, state and county law enforcement agencies from assisting or cooperating with federal government efforts to enforce immigration laws.

On page 14, lines 1-6, the bill provides that law enforcement agencies shall not comply with a request from the Immigration and Customs Enforcement agency (ICE) or the Customs and Border Protection agency (CBP) for "non-public" information about an individual. The term "non-public" is not clear and should be defined.

On page 15, lines 15-19, the bill allows a law enforcement agency to disclose information about an individual's arrests or convictions, if otherwise permitted by state law or required pursuant to subpoena or court order. This exception should not be limited to arrest and conviction information, but should apply to any information required to be disclosed.

On page 16, proposed section -6 prohibits law enforcement agencies from providing ICE with access to an individual to interview the individual for purposes of enforcement of immigration law. On page 16, proposed section -7(b) requires law enforcement agencies to provide a copy of an ICE detainer, transfer, notification, interview, or interrogation request to the detained individual named in the request. There are no exceptions provided for either section, but the exceptions previously

provided in proposed section -5(b), on pages 14-15, may be reasonable and appropriate.

The Department appreciates the opportunity to provide comments on this measure.



LATE

Committee: Committee on Public Safety
Hearing Date/Time: Thursday, February 1, 2018, 10:00 a.m.
Place: Conference Room 312
Re: Testimony of the ACLU of Hawai'i with comments on H.B. 1994,
Relating to Law Enforcement's Involvement in Federal Immigration Enforcement

Dear Chair Takayama, Vice Chair Gates, and Committee Members:

The American Civil Liberties Union of Hawai'i (the "*ACLU*") writes **with comments** on H.B. 1994, which sets rules for the involvement of Hawai'i law enforcement agencies in federal immigration enforcement.

The ACLU strongly supports the provisions of H.B. 1994 seeking to separate federal immigration enforcement from local law enforcement. Local law enforcement has traditional priorities that include responding to emergencies, patrolling neighborhoods to prevent crime, facilitating certain functions of the court system, and numerous other duties. To effectively protect public safety, local law enforcement needs cooperation from local communities. The foundation for this cooperation can often be destroyed when local police are viewed as an extension of the immigration system. Survivors of domestic violence refrain from reporting offenses; individuals with key information about burglaries fail to contact the police; hate crimes will go unreported and unpunished. These outcomes are not limited to the undocumented population. Many undocumented immigrants have U.S. citizen spouses and children. There are also immigrants with legal status—like many of the migrants living in Hawai'i under COFA¹—who will not seek help from local authorities fearing that they too will become targets of a criminal investigation and later deported.

While the ACLU supports many of the protections in H.B. 1994, it has serious concerns about some of the exceptions to the prohibition against honoring immigration detainers and honoring requests for non-public information.² An "ICE detainer" is a written request that local law enforcement detain an individual for an additional 48 hours after he or she would otherwise be released, and have been used to provide Immigration and Customs Enforcement ("*ICE*") additional time to examine an individual's immigration status, decide whether to take the individual into custody, and facilitate transfer into federal custody. These detainers are typically issued without a judicial warrant supported by probable cause. In consequence, once the traditional basis for criminal detention has lapsed, continued detention violates the Fourth Amendment's bar on unlawful detentions.

Most often, detainers are merely the beginning of an investigation into someone's status, and that investigation often goes nowhere. The detainers are also not an indication that the person being detained has committed any crime. In a four-year period, the Obama Administration placed detainer requests on 834 U.S. citizens—who are categorically *not* subject to removal. Similarly, in Hawai'i, of 1,144 documented detainers issued between 2004-2016, less than half (543) resulted in ICE taking custody of the person after the detainer was issued—meaning over 50 percent of people

¹ "COFA" refers to the Compact of Free Association between the United States and the Federated States of Micronesia, the Marshall Islands, and Palau.

² In this respect, unlike the U.S. Constitution, the Hawai'i Constitution includes an explicit right to privacy. Haw. Const., Art. I, Section 6.


American Civil Liberties Union of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
T: (808) 522-5900
F: (808) 522-5909
E: office@acluhawaii.org
www.acluhawaii.org

detained were held for no apparent reason.³ Given the Trump Administration's pledge to radically expand immigration enforcement, it is inevitable that these types of mistakes will increase. In this respect, it is important to note that ICE detainer requests are voluntary, not mandatory. In fact, many localities refuse to honor them unless supported by a judicial warrant and in Hawai'i, that should also be the law.

The ACLU of Hawai'i has serious concerns that the non-warrant exceptions to the prohibition against honoring immigration detainers are contrary to the 4th Amendment and therefore, unconstitutional.⁴ The continued detention on an ICE detainer constitutes a new seizure for 4th Amendment purposes, requiring a valid basis for such seizure separate from that allowing the original arrest. The exceptions to the warrant requirement in H.B. 1994 do not constitute valid reasons for not obtaining a judicial warrant under the 4th Amendment. Thus, we suggest that your Committee amend Sections 4 and 5 to strike out exceptions (b)(2) through (b)(7) to ensure ICE detainers in Hawai'i are always accompanied with a constitutionally required judicial warrant.

Thank you for the opportunity to testify.

Sincerely,


Mateo Caballero
Legal Director
ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i 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 Hawai'i has been serving Hawai'i for 50 years.

³ TRAC, Tracking Immigration and Customs Enforcement Detainers, available at <http://trac.syr.edu/phptools/immigration/detain/>.

⁴ See ACLU, Recent ICE Detainer Cases, available at <https://www.aclu.org/other/recent-ice-detainer-cases?redirect=recent-ice-detainer-cases>.

American Civil Liberties Union of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
T: 808.522.5900
F: 808.522.5909
E: office@acluhawaii.org
www.acluhawaii.org

LATE

HB-1994

Submitted on: 1/31/2018 9:08:22 PM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erendira Aldana		Support	No

Comments:

This bill is necessary to help protect what the constitution makes clear: federal government may not coerce States or their subdivisions to conduct immigration functions. Immigration is a federal function.

Allowing them to cooperate means that trust between the police and undocumented immigrants has been severed. Undocumented immigrants are now reluctant to report crimes or suspected crimes to the police, and they are reluctant to come forth as witnesses to crimes. As a result, our communities less safe for everyone.

Hawai'i has a rich immigrant heritage. Waves of immigrants have come to Hawaii's shores for more than 100 years. Immigrants were determined to work hard to make better lives for themselves and their children, and many succeeded. Our unique culture in Hawai'i is due in large measure to the contributions of immigrants. We must protect that.

I SUPPORT this bill

-Eréndira Aldana



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

TESTIMONY FOR HOUSE BILL 1994, RELATING TO LAW ENFORCEMENT

**House Committee on Public Safety
Hon. Gregg Takayama, Chair
Hon. Cedric Asuega Gates, Vice Chair**

**Thursday, February 1, 2018, 10:00 AM
State Capitol, Conference Room 312**

Honorable Chair Takayama and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in strong support of House Bill 1994, relating to law enforcement.

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 Hawai'i'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 against 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 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 repeated 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 any 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. That ban has since been legally challenged, to which Trump has responded by revising and expanding its nefarious tenets. 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 aloba 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, including many of the human trafficking victims with whom we work each day and who have been brought to the United States against their will or under false pretenses. We must 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 bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

HB-1994

Submitted on: 2/1/2018 5:25:59 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omanapono Political Action Committee (HPAC)	Support	Yes

Comments:

LATE

HB-1994

Submitted on: 2/1/2018 8:31:28 AM

Testimony for PBS on 2/1/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ray Oda		Oppose	No

Comments: