



Testimony to the Thirty-First Legislature, 2022 Regular Session

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Tuesday, April 5, 2022, 10:15 a.m.
Conference Room 211 & Videoconference

by:
Rodney A. Maile
Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1759, S.D. 1, Relating to Legal Services for Low-Income Immigrants.

Purpose: Appropriates funds to the Judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants.

Judiciary's Position:

The Judiciary supports House Bill No. 1759, S.D. 1, which would appropriate moneys to contract with non-profit organizations for legal counsel and assistance to low-income immigrants.

In 2016, the American Immigration Council found that only 37 per cent of immigrants secured legal representation in their deportation proceedings.

While deportation of immigrants is generally a matter of federal, and not state jurisdiction, legal services and other assistance for eligible indigent immigrants are often needed due to the specific needs of this population. For instance, low income immigrants may be subject to domestic violence, human trafficking, sexual assault and other crimes. They may also be subject to discrimination based on national origin, race or other protected class. Thus, providing legal assistance and other services to address the myriad needs of low-income immigrants is of great benefit to the persons at risk, as well as our community at large. For this reason, we support this bill.

The Judiciary respectfully requests that any appropriations for this bill not supplant the Judiciary's existing funding and current budget requests.

Thank you for the opportunity to testify on House Bill No. 1759, S.D. 1.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

April 3, 2022

TO: The Honorable Senator Donovan M. Dela Cruz, Chair
Senate Committee on Ways & Means

FROM: Cathy Betts, Director

SUBJECT: **HB 1759 SD1 – RELATING TO LEGAL SERVICES FOR LOW-INCOME IMMIGRANTS.**

Hearing: April 5, 2022, 10:15 a.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure, offer comments, and defers to the Judiciary.

PURPOSE: The purpose of the bill is to appropriate funds to the Judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants. (SD1)

The SD1 amended the measure by:

- (1) Clarifying that the appropriated funds are for the Judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants and residents from nations comprising the Compact of Free Association in immigration proceedings, including deportation defense and asylum, and for any other immigration related legal issues;
- (2) Inserting a \$250,000 appropriation amount; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Immigrants in Hawaii are vital members of the community and the workforce. No matter the reason for immigration, many immigrants faced hardships in their home countries to come to the United States to pursue their dreams and a better life for themselves and their

families. Many immigrants have limited English proficiency (LEP), and seeking legal information and resources in English and navigating the court system is not easy.

Immigration laws are complex and evolving depending on the political climate. Eligibility and application requirements continue to change because of the statutory changes. Legal proceedings are also complex, and it is difficult for individuals with LEP to understand the process. Applying for legal status may make these applicants vulnerable as it may expose one's current legal status, resulting in detention and deportation that may separate a family unit. It is a stressful process that will traumatize and re-traumatize the applicants and their families.

The Department appreciates the SD1 that amended the measure to include legal services to Hawaii's residents from nations covered by the Compact of Free Association.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
HOUSE BILL NO. 1759, S.D. 1

April 5, 2022
10:15 a.m.
Room 211 and Videoconference

RELATING TO LEGAL SERVICES FOR LOW-INCOME IMMIGRANTS

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 1759, S.D. 1, makes a \$250,000 general fund appropriation in FY 23 to the Judiciary to contract with non-profit organizations to provide legal services to low-income immigrants in immigration proceedings.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

It is further noted that the term "low-income" as applicable to this bill is not well-defined, which may significantly broaden the scope of those individuals who may qualify for legal services assistance under this measure.

Thank you for your consideration of our comments.



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MAILING ADDRESS

P.O. Box 23404
Honolulu
Hawaii 96823

April 2, 2022

TO: Chair Dela Cruz and Members of the WAM Committee

RE: HB 1759 SD1 RELATING TO LEGAL SERVICES FOR LOW-INCOME IMMIGRANTS.

Support for hearing on April 5

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support this bill as we support providing legal counsel and assistance to low-income immigrants. Many immigrants may lack the resources to obtain legal representation. In legal hearings about their legal status, having counsel often has a profound impact on the immigrants' ability to receive justice.

Thank you for your favorable consideration.

Sincerely,

John Bickel, President



HAWAI'I FRIENDS OF CIVIL RIGHTS

April 2, 2022

TO: **Committee on Ways and Means**
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice-Chair

FROM: Amy Agbayani, Co-Chair & Pat McManaman, Co-Chair

SUBJECT: **HB1759, SD1 – Relating to Legal Services for Low-Income Immigrants**

HEARING: April 5, 2022 at 10:15AM
Conference Room 211 & Via Videoconference

The Hawai'i Friends of Civil Rights stands in **STRONG SUPPORT of HB1759, SD1**. This bill clarifies that the term “immigrant” includes residents from the “Compact States of Free Association” and simplifies language related to “low-income” persons.

Immigrants and non-citizens make up 18% of Hawai'i's population and are the backbone of Hawai'i's agricultural workers, nursing assistants, housekeeping cleaners, landscapers, and food preparation workers.¹ In 2018, immigrants and non-citizens contributed \$17.6 billion to Hawai'i's gross domestic product.² Despite these collective contributions, immigration legal services are often prohibitively expensive for low and moderate-income immigrants and non-citizens.

¹ New American Economy, [Immigrants and Migrants in Hawai'i: Essential Contributors to the State's Workforce and Economy](#), May 2021. (Foreign born share of Agricultural workers is 39.3%, in Housekeeping and Cleaning 68.1%, in Nursing Assistance 47.1%, in Food Preparation 39.6%, and 50.2% as Chefs and Head Cooks coupled with 38.9% of Cooks.)

² Id.

Hawai‘i has a critical shortage of low-income legal service providers engaged in meeting the diverse legal needs of the immigrant and non-citizen community. These needs include naturalization, asylum, adjustment of status to secure legal permanent residency, and deportation and DACA defense. Immigration law is complex and not easily navigable without legal expertise. Having an attorney in these matters often makes the difference between whether an individual is allowed to remain safely in the United States or is deported to harm or permanently separated from family and children.

Embedded in the communities they serve, effective immigrant legal service providers are actively engaged with and respected by other social service providers and government representatives. They build bridges where some seek to disparage immigrant newcomers, and support multiculturalism, and civic engagement. They deserve your support!

Thank you for the opportunity to testify on this measure.



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hicoalitionforimmigrantrights@gmail.com

**Testimony in SUPPORT of HB 1759
RELATING TO LEGAL SERVICES FOR LOW-INCOME IMMIGRANTS**

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Hearing Date: 4/5/2022

Dear Committee Members,

We write to SUPPORT **HB 1759 SD1**, which appropriates funds to the judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants, including representation in asylum and other Immigration Court cases.

Immigrants are important to Hawai`i.

Immigrants make up 18% of Hawai`i's population.¹ They make up 20.8% of essential workers, including 22.7% of healthcare workers.² This includes 47.1% of nursing assistants, 68.1% of housekeeping cleaners, and 50.2% of chefs/head cooks—all critical professions during this COVID-19 pandemic.³ In total, in the year 2018, immigrants contributed \$2.4 billion in total taxes paid and almost \$17.6 billion in GDP.⁴

These contributions come from immigrants of all statuses. There are about 41,246 undocumented individuals in Hawai`i as of 2018, and they are estimated to have paid a total of 110.5 million dollars in taxes that year (\$65.7 million in federal taxes paid, and \$44.8 million in Hawai`i state and local taxes paid).⁵ Refugees, which were estimated at 7,929 total in Hawai`i in 2018, contributed over \$58.5 million in federal taxes and almost \$34 million in Hawai`i state and local taxes that year.⁶

¹ New American Economy, *Immigrants and Migrants in Hawai`i* (May 2021), at 3, https://research.newamericaneconomy.org/wp-content/uploads/sites/2/2021/05/NAE_Hawaii_V7_FINAL.pdf.

² New American Economy, *A Snapshot of the Immigrant Population of Hawai`i*, at 3-4, https://research.newamericaneconomy.org/wp-content/uploads/sites/2/2021/08/Hawaii_COVID_Brief-v8.pdf (last accessed Feb. 2, 2022).

³ *Immigrants and Migrants in Hawai`i*, *supra* note 1 at 13.

⁴ *Id.* at 8.

⁵ *Id.* at 26.

⁶ *Id.* at 28.



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This bill paves the way for even greater contributions. With assistance to resolve their legal obstacles, these individuals would have the opportunity to focus on their careers, communities, and families in expanded ways.

Most importantly, more than just economic statistics, these individuals are also our friends, neighbors, and family members. 30,000 U.S. citizens in Hawai'i who live with at least one family member who is undocumented.⁷ They are irreplaceable members of our community. This bill honors that.

There is an access to justice gap for low-income immigrants in immigration proceedings.

There is a severe shortage of legal service providers for low-income immigrants in immigration proceedings. A 2007 Hawai'i Justice Foundation report documented the scarcity of legal services for low-income people in Hawai'i in general.⁸ This is particularly pronounced in the field of immigration law. When individuals appear in Immigration Court, the Immigration Judge is required to read out the list of free and low-cost immigration service providers that have made themselves available for individuals appearing in court to contact. That list is blank in Hawai'i,⁹ a state of 1.4 million residents.

In San Francisco, by comparison, there no less than 11 groups providing free immigration services for San Francisco Immigration Court alone.¹⁰ Similarly, 87% of non-detained individuals were represented in New York.¹¹

Legal assistance and counsel makes a huge difference in immigration proceedings.

Studies have shown the difference representation makes in immigration court, where immigrants with attorneys are vastly more successful at every stage of the process.¹² In an in-depth study on New York Immigration Courts, 74% of represented, non-detained individuals in Immigration Court had successful outcomes, compared to only 13% of unrepresented, non-detained

⁷ American Immigration Council, *Immigrants in Hawaii*, pg 2, https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants_in_hawaii.pdf (last accessed Feb. 2, 2022).

⁸ "Achieving Access to Justice for Hawaii's People," A report of the Access to Justice Hui (2007), available at http://25shu2g61cw30sjn46t4k87by.wpengine.netdna-cdn.com/wp-content/uploads/2014/07/Access-to-Justice-Hui-Report-_10-26-07_-Final11.pdf.

⁹ See Department of Justice list of pro bono legal service providers at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>. None are listed for Hawai'i.

¹⁰ *Id.*

¹¹ Ingrid Eagly and Steven Shafer, ACCESS TO COUNSEL IN IMMIGRATION COURT, American Immigration Council (2016), at 8, https://www.americanimmigrationcouncil.org/sites/default/files/research/access_to_counsel_in_immigration_court.pdf.

¹² *Id.* at 2.



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individuals.¹³ The importance of attorneys is even more profound for asylum seekers. For persecution-related relief applications (asylum), 21% of unrepresented non-detained individuals had a successful outcome, while 84% of represented non-detained individuals had successful outcomes.¹⁴ That is a 63% difference in success rate by having legal assistance.

In Hawai‘i, we have seen firsthand the difference made by having legal representation in immigration proceedings. There is the story of the single mother to three U.S. citizen children who went through Immigration Court proceedings alone and was ordered deported. She was finally able to find legal assistance in time to fight the deportation order through an appeal, and her lawyer discovered a critical legal error made by the Immigration Court. As a result, her case was eventually dismissed and she no longer faces deportation. Without legal assistance, this single mother would be separated from her three children today.

This bill fills a necessary gap in services to the immigrant members of our community. Access to justice should not depend on the ability to pay or citizenship status. We fully SUPPORT **HB 1759 SD1**.

Thank you for your support and consideration,

Catherine Chen, Co-chair, Hawai‘i Coalition for Immigrant Rights
Liza Ryan Gill, Co-chair, Hawai‘i Coalition for Immigrant Rights

¹³ ACCESSING JUSTICE: THE AVAILABILITY AND ADEQUACY OF COUNSEL IN IMMIGRATION PROCEEDINGS, New York Immigrant Representation Study Report (2011), at 19, <http://www.humanrightsfirst.org/sites/default/files/5-NYIRS-Report-Part-1-Katzmann-Group.pdf>.

¹⁴ *Id.* at 20.



CATHOLIC CHARITIES HAWAII

TO: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Ways and Means

FROM: Rob Van Tassell, President and CEO

DATE: Tuesday, April 5, 2022 (10:15 a.m., Conf Rm. 211 & Videoconference)

RE: **IN SUPPORT OF HB 1759, SD1, Relating to Legal Services for Low-Income Immigrants**

CCH supports HB 1759, SD1, which would provide funding to the Judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants.

Immigrants are very important to Hawaii – they contribute to our economy and our communities. However, they often need legal counsel and assistance to maintain their legal status in the U.S. Imagine how difficult this is for low-income immigrants who are often working more than one job, are often Limited English, and are working toward achieving self-sufficiency and a better life for their families.

Please note that legal immigration services are *in addition to* the cost of filing immigration petitions. It sometimes takes years for a low-income immigrant to save enough money to pay the filing fees, that range from \$410 to 1,200 each. For neighbor island immigrants, there are often additional costs due to travel to Oahu, for required steps such as biometric screening. For example, a neighbor island immigrant applying for U.S. Citizenship needs to be prepared to pay up to \$1,500 out of pocket for filing fee, biometric fee, and required travel to Oahu (at least 2 trips) – this amount does NOT include any fees for the legal services they need to help guide them through the complex path to Citizenship.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been serving people in need in the State of Hawaii since 1947 and has a history of providing services for low-income immigrants, refugees and migrants since 1974. Currently, CCH is one of only two agencies in Hawaii that actively provides legal assistance for low-income immigrants as a U.S. Department of Justice Recognized Organization.¹ We have two of only three Partially Accredited Representatives available in Hawaii. Our Partially Accredited Representative staff are able to assist low-income immigrants on Oahu and Hawaii Island who need assistance with a variety of legal needs - Legal Permanent Residency (i.e. Green Card), Citizenship, and more.

During the pandemic, immigrant clients from Kona have been travelling to CCH's Hilo office in order to receive legal immigration assistance from our one Partially Accredited staff. This often

¹ <https://www.justice.gov/coir/page/file/942306/download#HAWAII>



requires taking an entire day off from work. Although some portions of paperwork can be completed via phone, our staff must meet with immigrant clients in person in order to verify required documents and to explain any positive or negative consequences of filing their legal papers, before she signs the forms as their legal representative.

We are also concerned that the need to file petitions electronically, now optional, is likely to be required by the U.S. Citizenship and Immigration Services (USCIS) in the near future. The low-income immigrant population we serve do not have the equipment or ability to comply, particularly in rural areas of the neighbor islands.

CCH is also concerned that there are some situations that our partially accredited, non-attorney staff are not equipped to handle and a licensed immigration attorney is needed since the client will require representation before the immigration court. Most of our clients are low-income and unable to afford this type of legal representation.

Catholic Charities Hawai`i asks for your support of HB 1759, SD1. This bill will fill a gap in services for immigrant members of our community and ensure equitable access to justice.

For more information or questions, please feel free to email Diane Terada, Division Administrator, at diane.terada@catholiccharitieshawaii.org or call her via phone at (808) 527-4702.

Thank you for this opportunity to provide testimony.



April 3, 2022

COMMITTEE ON WAYS AND MEANS
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Senator Gilbert S.C. Keith-Agaran, Vice Chair

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Hearing Date: April 5, 2022, 10:15 am
Via Videoconference; Conference Room 211

**Testimony in Support of House Bill 1759, SD 1
Relating to Legal Services for Low-Income Immigrants**

Chair Dela Cruz; Vice-Chair Keith-Agaran; and Members of the Committees:

The Legal Clinic (“TLC”) submits this testimony in support of HB 1759, SD 1, which would appropriate funds to the judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants.

TLC provides legal and related services to Hawai'i's low-income immigrant community. Preliminarily, I would like to recommend that House Bill 1759 be amended by inserting the words “and non-citizens” at the end of line 15, Section 2, so that this portion of the bill would read “provide legal counsel and assistance to low-income immigrants **and non-citizens** in immigration proceedings, including deportation defense and asylum, and for any other immigration legal issues.” This addition would clarify the intent of the legislature to provide funding for all immigrants including “non-citizen” residents from nations comprising the Compact of Free Association.

TLC is a relatively new non-profit, having hired our first attorney in late 2019. However, soon after opening our doors, we were overwhelmed with clients, serving about 75 clients, some with multiple matters, in the first six months. The demand has continued, and we have had to postpone and even stop taking new clients for periods of time. We understand that the Legal Aid Society of Hawai'i's immigration unit and other community-based service organizations face similar demands for their immigration related legal services.

It is not surprising that there is such a high demand for these services. According to the 2020 Census, immigrants (those born outside the United States) make up 19.3% of our population (273,012 of our residents). This is compared to 13.7% of the U.S. population. Moreover, of our foreign-born population, over 41% (112,050) have not naturalized and become U.S. citizens. According to a study by the University of Southern California a few years ago, Hawai'i was fourth lowest among the states in the likelihood of its non-citizens naturalizing. Without the rights of citizenship, such as the right to vote, a significant portion of this population faces the anxieties created by the uncertainties of our political situation, including the possibility of deportation even after years of contributing to our society

A potentially more vulnerable portion of Hawai'i's immigrant community consists of those who are out-of-status ("undocumented"). These include residents who are seeking asylum, who have overstayed their visas, and who were brought to the United States as children (Deferred Action for Childhood Arrivals, or "DACA" recipients). While it is difficult accurately to determine the number of undocumented residents, estimates range between 41,000 and 45,000. Of these, as of 2017, Hawai'i had an estimated 600 DACA recipients and as many as 3,600 residents eligible to apply for DACA status.

Another migrant community in need of legal services are the residents from the states comprising the Compact of Free Association ("COFA") – the Federated States of Micronesia, the Republic of the Marshall Islands and Palau. These residents are entitled to migrate to the U.S. under the Compact, which has its origins in the United States' use of these countries for nuclear testing and other military purposes. It is estimated that there are approximately 18,500 COFA residents in Hawai'i, and that they make up the fastest growing portion of our migrant community. The difficulties faced by this rapidly growing community are likely to increase with the not-too-distant expiration of the Compact.

The Covid-19 pandemic has hit the low-income immigrant community particularly hard. Our foreign-born residents are disproportionately impacted by the loss of jobs, lower rates of health care coverage, higher rates of Covid-19 infection, and less access to unemployment insurance and other public benefits due to language barriers and unfamiliarity with the system.

Despite the pressing need for immigration legal services for these growing communities, the available services in Hawai'i are significantly limited. The Legal Aid Society of Hawai'i also has a small legal staff which serves the immigrant community but, like TLC, we understand, is overburdened. The University of Hawai'i law school's Refugee and Immigration Law Clinic also represents a number of immigrants, but its capacity is governed by its primary mission to educate its students.

The lack of legal services leaves many immigrants without representation, which severely affects their ability to obtain relief. For instance, nationwide, according to the American Immigration Council, immigrants with legal representation who petition for legal status are five times more likely to obtain relief from deportation than those without counsel. The Council's 2017 national study showed that only 37 percent of all respondents and only 14 percent of detained respondents in federal immigration hearings had counsel.

While the need for immigration legal services has sharply increased, TLC and other immigration service providers face greater hurdles in fund raising. With all the competing needs, governmental funding and foundation giving are threatened. Private individual giving is increasingly difficult, with in-person fundraising events curtailed.

At a time like this, legal service providers need increased support. We urge you to pass HB 1759, SD 1, out of committee to help the most vulnerable in our society gain access to justice and move us to a more equitable state for all.

Thank you.

A handwritten signature in black ink, appearing to read "Corey Park". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Park".

Corey Park
President, Board of Directors
The Legal Clinic

HB-1759-SD-1

Submitted on: 4/1/2022 5:37:36 PM

Testimony for WAM on 4/5/2022 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the WAM Committee,

As a public health professional from a refugee family, I write to **STRONGLY SUPPORT HB 1759**, which appropriates funds to the judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants, including representation in asylum and other Immigration Court cases.

Immigrants are an extremely important to Hawai'i, contributing to our economy and our communities. As a working professional in Hawai'i, I have benefited from the work my immigrant parents did to make a new home in the US, and I continue to contribute to the economic and social robustness of Hawai'i.

For many immigrants, the steps to continued residence are complicated, as the law is extremely complex. It is well-documented that immigrants who have legal counsel and assistance in immigration proceedings are more successful at every step. As the son of Vietnamese refugees, I can attest to the importance of accessible legal and immigration resources.

This bill fills a necessary gap in services to the immigrant members of our community. Access to justice should not depend on the ability to pay or citizenship status.

With gratitude,

Thaddeus Pham (he/him)

TESTIMONY OF JANEZKA ESPOSO
DECISION MAKING ON APRIL 5, 2022 AT 10:15AM VIA VIDEOCONFERENCE

FOR BILL NO.:

HB1759 SD1: APPROPRIATES FUNDS TO THE JUDICIARY TO CONTRACT WITH
NON-PROFIT ORGANIZATIONS TO PROVIDE LEGAL COUNSEL AND ASSISTANCE TO
LOW-INCOME IMMIGRANTS.

Aloha Senate Committee on Finance Members:

My name is Janezka Esposito and I **strongly support** HB1759 SD1, which appropriates funds to the judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants.

I am a first-generation Filipino immigrant living in Kauai, Hawaii. Growing up, I noticed early on that there is a large population of immigrants on the island, with about half of my peers having immigrated to Hawaii from another country. Of the peers I've known, they had similar situations with myself and family where they had a single parent in the country, their parents worked in the housekeeping or other essential work, and struggled with finances.

I know for a fact that immigrants are very important to Hawaii and the country because they're the ones that take the essential jobs that require more labor and demands. I see this in my personal family where most of the adults have worked in the hotels as housekeepers, groundskeepers, bussers, including other part-time jobs. This hard work should not be taken for granted. Immigrant families struggle to live an "American dream" and continue to work hard for their families, but they also have added stress when it comes to the legality of their status.

The reason many immigrants have to work hard and take on extra jobs is due to the low-income they get from work. Immigrating to a different country means a whole new language and culture that needs to be assimilated into, and that's difficult. The adults in my family, and other families I know, have graduated college in the Philippines or another country, but the degrees don't transfer easily to the U.S., which is why immigrants work in jobs like housekeeping, janitorial services, and the like. With the struggles of different languages, their low-income makes it difficult to obtain services that can be pricey, like legal representation. It can already be hard for normal people to understand complexities of the legal system's vocabulary and processes, but having low-cost or free representation on immigration files, with cultural humility toward immigrants, would definitely relieve a lot of stress for immigrants who are already stressing so much to live in Hawaii legally and successfully.

HB1759 SD1 is a bill that I fully support to help my fellow immigrants like myself and family.

Mahalo for the opportunity to testify.

FROM: JANEZKA ESOSO
MASTERS IN SOCIAL WORK STUDENT

HB-1759-SD-1

Submitted on: 4/4/2022 10:05:36 AM

Testimony for WAM on 4/5/2022 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
John Egan	Individual	Support	Written Testimony Only

Comments:

Testimony in SUPPORT of HB1759 SD1

RELATING TO LEGAL SERVICES FOR LOW-INCOME IMMIGRANTS

JDC/HMS, WAM

Hearing Date: 4/4/2022

Dear Committee Members:

I write to SUPPORT HB1759 SD1, which appropriates funds to the judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants, including representation in asylum and other Immigration Court cases.

Immigrants make up over 18% of our Hawaii population and they make outsized contributions to our economy and our communities. However, the road to full integration of immigrants and refugees is often made difficult by the overly complex and stressful legal processes they face. It is well-documented that immigrants who have legal counsel and assistance in immigration proceedings are more successful at every step.

Low-cost legal assistance for this group has expanded in recent years, for which we should all be grateful, and yet the need continues to outstrip the resources allotted.

This bill fills a necessary gap in services to the immigrant members of our community. Access to justice should not depend on the ability to pay or citizenship status. I fully SUPPORT SB1759 SD1.

Thank you for your support and consideration,

John Robert Egan, Immigration Lawyer and Educator

LATE

HB-1759-SD-1

Submitted on: 4/4/2022 1:23:36 PM

Testimony for WAM on 4/5/2022 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Liza Ryan Gill	Individual	Support	Written Testimony Only

Comments:

Dear Chair Dela Cruz and Members of the Committee,

I write to **SUPPORT HB1759 SD1**, which appropriates funds to the judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants, including representation in asylum and other Immigration Court cases.

Immigrants are an extremely important to Hawai`i, contributing to our economy and our communities. A new report from New American Economy finds that immigrants in Hawai`i contributed \$17.6 billion to the local economy in 2018, with over \$874 million going to state and local taxes.

For many immigrants, the steps to continued residence are complicated, as the law is extremely complex. It is well-documented that immigrants who have legal counsel and assistance in immigration proceedings are more successful at every step.

Many of us can remember the terrible stories of children as young as three and four having to represent themselves in immigration court during the Trump Administration. This has not changed and it remains a blight on our collective conscience. Immigration law is exceedingly intricate and in the last several years its applications have flipped and flopped numerous times. Without a trained immigration attorney plaintiffs are statistically unlikely to win their case, even if their case has merit. It is unethical to have the application of the law depend on whether or not you can access counsel. Many states and municipalities have begun to remedy this miscarriage of justice while we wait for the federal government to get right on the issue. Programs have been started by California, Massachusetts, New York, Illinois and many cities including Boston, Philadelphia and Indianapolis.

With one of the largest percentages of foreign-born individuals of any state, Hawai`i needs to join the ranks of these states and cities in ensuring equality under the law for all persons seeking justice. This bill fills a necessary gap in services to the immigrant members of our community. Access to justice should not depend on the ability to pay or citizenship status. I fully SUPPORT HB 1759 SD1.

Thank you for your support and consideration,

Liza Ryan Gill

Round Top Drive