



Testimony to the Thirty-Third Legislature, 2025 Regular Session

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Friday, January 31, 2025, 9:15 a.m.
State Capitol, Conference Room 016 & Via Videoconference

By:
Rodney A. Maile
Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 816, Relating to Due Process Protection

Purpose: Establishes the Due Process in Immigration Proceedings Program (“Immigration Program”) within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court.

Judiciary’s Position:

The Judiciary offers the following comments on Senate Bill No. 816:

We support the intent of this measure, which is to establish a program to provide legal representation to individuals in immigration-related proceedings in immigration court, but respectfully suggest the following amendments for clarification and to comport with how the Judiciary administers funds for other legal services.

The current language of the bill states, among other things, *“judiciary shall: (1) Provide legal representation to individuals in immigration-related proceedings in immigration court...”* The immigration court does not fall under the purview of the state courts, but rather the federal courts. As such, the Judiciary has no jurisdiction over immigration cases nor the immigration court, and the Judiciary, as an entity, and/or its staff are not qualified to provide legal representation in such matters.

In the alternative, should the legislature intend to appropriate funding for a non-profit organization or legal service provider to provide immigration services, the Judiciary, or other



governmental department if deemed more appropriate, may serve as the administrator of the appropriated funds. This can be established similarly to the legislative funding for general civil legal services or mediation services under Act 202 (2024), which the Judiciary currently administers through a Request for Proposal process.

To this end, the Judiciary requests the following language in the bill to be modified, as follows:

"PART . DUE PROCESS IN IMMIGRATION PROCEEDINGS PROGRAM

§601- Due process in immigration proceedings program; establishment. (a) There is established the due process in immigration proceedings program ~~within the judiciary. The program shall be administered by the judiciary.~~ The judiciary shall administer funding for the program and contract with nonprofit organizations, legal service providers, and other entities to implement and operate the program and provide program services.

(b) The purpose of the due process in immigration proceedings program shall be to provide legal representation to individuals residing in the State who are facing immigration-related proceedings in immigration court, regardless of their ability to pay.

(c) The judiciary ~~may~~ shall issue requests for proposals to select and contract with nonprofit organizations, legal service providers, and other entities to implement and operate the due process in immigration proceedings program.

§601- Powers and duties. In the administration of the due process in immigration proceedings program, the judiciary shall ensure that the entities contracted to implement and operate the program:

(1) Provide legal representation to individuals in immigration-related proceedings in immigration court, including but not limited to deportation defense, asylum applications, and other immigration relief processes;

(2) Prioritize services for individuals who are detained, at risk of deportation, or otherwise vulnerable due to their immigration status;

(3) Partner with community-based organizations and legal service providers to ensure culturally and linguistically appropriate services;

(4) Conduct outreach and education to inform impacted communities about the availability of legal representation and related resources; and

(5) Collect and report data on the program's outcomes, including the number of individuals served, types of cases handled, length of time each case has been pending, and success rates, while maintaining confidentiality and protecting sensitive information.



§601- Annual report. (a) The entities contracted by the the judiciary to implement and operate the program shall submit an annual report to the legislature no later than twenty days prior to the convening of each regular session.

(b) The annual report shall include:

- (1) The number of individuals served by the due process in immigration proceedings program;
- (2) The types of cases handled;
- (3) The outcomes of the cases;
- (4) The length of time each case has been pending; and
- (5) Recommendations for improving access to legal representation for individuals in immigration-related proceedings in immigration court."

We respectfully request that any appropriation provided not supplant the Judiciary's existing funding or budget requests. Thank you for the opportunity to testify on this measure.

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: January 29, 2025
TO: Senate Committee on Judiciary
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: SB 816

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Committee,

I am writing in **support** of SB 816. This bill establishes due process in the Immigration Proceedings Program within the judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court.

It is difficult to forget the stories from the first Trump Administration of [children in court on their own during immigration proceedings](#), expected to mount a defense against their deportation without an adult by their side. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances.

Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way. Our overburdened courts and prosecuting attorney's office would greatly benefit from this additional support.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

Thank you for your support and consideration.

Mahalo,

A handwritten signature in black ink, appearing to read 'Jenn Kagiwada'.

Jenn Kagiwada



Statement Before The
Friday, January 31, 2025
9:15 AM
Conference Room 016 & Videoconference

in consideration of
SB016

RELATING TO DUE PROCESS PROTECTIONS.

Chair RHOADS, Vice Chair GABBARD, and Members of the Senate Judiciary Committee

The Legal Clinic (TLC) supports SB016, which establishes the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court and appropriates funds.

TLC is a Hawai'i nonprofit, nonpartisan organization. TLC is a direct legal services provider, representing those in Hawai'i who meet income eligibility guidelines without regard to immigration status, national origin, ethnic background, race, religion, ideology, gender identity, sexual orientation, age, or disability. TLC works alongside immigrants so they can attain authorization to work and live with dignity, reunite with their families after years of separation and escape horrific violence to find refuge in the United States. TLC recognizes that every person needs and deserves to feel a sense of trust, welcome, and belonging.

According to the 2020 U.S. Census, Hawai'i is the most diverse state in the nation. See <https://thehill.com/homenews/state-watch/567625-hawaii-california-and-nevada-are-most-diverse-states-in-the-us-census/> (retrieved 1/14/2025). In 2023, Hawai'i had about 256,000 immigrants, which is approx. 18% of the State population. See <https://usafacts.org/answers/how-many-immigrants-are-in-the-us/state/hawaii/> and <https://data.census.gov/profile/Hawaii?g=040XX00US15#populations-and-people> (retrieved 1/14/2025). The top countries of origin for immigrants were the Philippines (45 percent of immigrants), China (9 percent), Japan (8 percent), Korea (6 percent), and the Pacific Island Nations (4 percent). See https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants_in_hawaii.pdf (retrieved 1/14/2025).

There are between 41,000 -50,500 undocumented immigrants in Hawai'i. See <https://www.civilbeat.org/2024/12/data-dive-hawai%CA%BBi-deportation-cases-hit-quarter-century-high/> (retrieved 1/14/2025). Hawai'i is the only state where undocumented women (55%) outnumber men. See <https://mchb.tvistdata.hrsa.gov/Narratives/Overview/a0ac94c0-8538-417e-85c9-da6ac5c06603> (retrieved 1/14/2025).

Hawai'i's immigrant population primarily work in the agriculture, tourism / hospitality / service, and health industries. See

https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants_in_hawaii.pdf (retrieved 1/14/2025).

Immigrants (documented and undocumented alike) contribute to Hawaii's economic health and growth. Hawaii's "undocumented immigrants contributed \$157.2 million in state and local taxes in 2022. Their tax contributions could increase to as much as \$194.4 million if they were given official authorization to work. This is also true for the rest of the United States. If all undocumented immigrants in the U.S. had work permits, their tax contributions would rise by \$40.2 billion each year, reaching a total of \$136.9 billion." See How Hawaii's hardworking undocumented immigrants support our economy and communities — Hawai'i Appleseed (retrieved 1/14/2025).

The immigration court data show that FY2024 saw a spike in Hawai'i cases – total 915 – with a majority of them being deportation cases. See <https://www.civilbeat.org/2024/12/data-dive-hawai%CA%BBi-deportation-cases-hit-quarter-century-high/> (retrieved 1/14/2025). With the Trump Administration promising to deport immigrants at unprecedented levels, we are expecting a greater surge in Hawai'i immigration court cases. For example, in FY 2008, during Trump's first term, there was a record high of deportation / removals – 447 – issued by Hawaii's Immigration Court. See <https://www.civilbeat.org/2024/12/data-dive-hawai%CA%BBi-deportation-cases-hit-quarter-century-high/> (retrieved 1/14/2025).

Hawaii's immigrant population is an integral part of Hawaii's community and are our neighbors, co-workers, and 'ohana. Targeting a significant portion of Hawaii's community in terms of both size and positive economic contributions for deportation or other immigration-related proceedings in immigration court severely destabilizes family units and economic security and results in community volatility and vulnerability.

Individuals in deportation proceedings face permanent separation from their families and their communities, and sometimes life-threatening risks in their countries of origin.

Individuals, some with language difficulty, appear before immigration court, including minors, and are not entitled to government-funded legal representation, leaving them to navigate complex legal systems alone, unless they are able to afford costly counsel or other assistance on their own. Those who are able to obtain costly counsel in immigration court are likely to achieve more favorable outcomes in immigration proceedings, such as relief from deportation or successful asylum applications.

Thus, SB816, establishing the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court and appropriating funding, is critical to assuring due process and promoting family unity, community stability, and economic security.

SB816 is about providing services to people in our communities because it will ensure that our communities are kept together and families are not separated, which will result in economic hardship. SB816 will provide legal representation to income qualified individuals residing in Hawai'i who are facing immigration-related proceedings in immigration court and is to be administered through the Judiciary.

SB816 is the fair, right, just thing to do to ensure that people are afforded the necessary protections under the law, families and communities are preserved, and our human rights and dignity are respected.

Thank you for the opportunity to testify in support of SB816, and TLC respectfully urges the Committee members to pass SB816 out of your Committee. If you have questions of me, please contact me at sma@tlchawaii.org.

Very respectfully yours,

Sandy Ma

Sandy Ma
Community & Policy Advocate
The Legal Clinic



Committee: Judiciary
Hearing Date/Time: Friday, January 31 2025 at 9:15AM
Place: Conference Room 016 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of S.B. 816 Relating to Due Process Protections**

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

The ACLU of Hawai'i strongly supports S.B. 816 that establishes a program to provide access to legal representation for persons facing immigration court.

Due process of law and fair access to justice are essential to a healthy and functioning justice system, and to fostering public trust in legal outcomes. Given the importance of due process in our legal system, people who are facing the possibility of forced separation from their family, community, and homes should have basic resources to navigate the legal system and to ensure that their case is properly heard.

The ripple effects of deportation are often just as consequential for an individual's life as a criminal proceeding, if not more. Even though such safeguards exist for criminal cases, there is currently no guaranteed right to legal counsel in immigration hearings. The passage of S.B. 816 would remedy this and demonstrate Hawai'i's commitment to upholding justice and due process for all residents, especially our most vulnerable and threatened neighbors.

Providing counsel is also important to ensure that people are not wrongfully deported when they have a valid reason to be in the United States. A national study on immigration counsel found that immigrants who had legal representation were four times more likely to be released from detention when they had a custody hearing and were eleven times more likely to apply for relief from deportation (like asylum). Those that did seek immigration relief were also twice as likely to obtain it if they had legal representation.¹

Without the provision of counsel, immigration hearings will become unjustly skewed against low-income people who may qualify for asylum but might have difficulty arguing this before a judge. Immigration law and individual cases are incredibly daunting to face alone, and an individual's success in the courts should not come down to whether or not they can afford a lawyer.

Sincerely,

Nathan Lee
Policy Legislative Fellow, ACLU Hawai'i

C: Carrie Ann Shirota, Policy Director

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 founded in 1965 that provides its services at no cost to the public and does not accept government funds.

¹



TESTIMONY
SENATE COMMITTEE ON JUDICIARY
SB816 RELATING TO ELECTIONS
Friday, January 31, 2025, at 9:15 AM, State Capitol Conference Room 016

Chair Rhoades, Vice Chair Gabbard, and Members of the Committee

SB816 states, the purpose of this Act is to establish a program to provide access to legal representation for individuals in the State facing immigration-related proceedings in immigration court, assuring due process and promoting family unity, community stability, and economic security.

- If the immigrants referred to in SB114 are in the country illegally, they do not have due process and civil rights protections. They are in the country illegally.

Submitted in **STRONG OPPOSITION** to SB114 for the following reasons:

SB816 proposes to:

- Provide legal representation to individuals in immigration-related proceedings.
- Prioritize services for individuals who are detained, at risk of deportation, or otherwise vulnerable due to their immigration status. If they are being “detained”, there may be criminal charges pending. We should not be funding their legal services.
- Partner with community-based organizations.
- Conduct outreach and education.
- Collect and report data on the program's outcomes.

- How would these services be paid for? What State agency will provide these services?

SB816 proposes that funds would be appropriated out of the general revenues of the State of Hawaii for the sum of [blank] \$ or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the establishment and administration of the due process in immigration proceedings program, including funding for legal service providers, outreach efforts, and administrative costs.

- Why are we using general funds for immigrants?

These funds would be better spent on programs for U.S. Citizens such as the homeless, Veterans, and other underserved groups. Many immigrants who are in Hawaii illegally are receiving government benefits such as SNAP and Medicaid. If they are here illegally, they should not be receiving benefits.

SB816 proposes to make this Act effective July 1, 2025.

- Why is the bill being fast tracked?

This bill is ambiguous and lacks critical details to be seriously considered to pass. We are respectfully asking you to uphold your oath of office. Please vote NO on SB816 to protect the citizens of Hawaii. Thank you for the opportunity to testify.

Respectfully submitted,
Jamie Detwiler

Testimony in support of SB 816 submitted by

Amy Agbayani and Patricia McManaman, co-chairs Hawai'i Friends of Civil Rights.

We strongly support funding critical legal representation for immigrants. We also support having the Judiciary contract with non-profit agencies and partner with the UH Richardson School Immigration Legal Clinic.

The US percentage of foreign born is 14%. According to U.S. Census figures for 2014-2018, over 18% of Hawai'i's population consists of first- generation immigrants or migrants (260,000 in total). That's one out of five residents in our state. Immigrants reside in all counties/islands: Oahu 75%, Maui 12%, Hawai'i 7%, and Kauai 5%. Immigrants from the Philippines represent the largest country of origin group, making up nearly half—or 45.8 percent—of all immigrants in Hawai'i. However, more recent immigrant groups such as Mexicans, Vietnamese, and Micronesians also make up sizeable shares of the foreign-born population.

U.S. citizens are protected by many laws and practices. Without the rights and protections of full citizenship, non-citizens are vulnerable to potential abuse, discrimination, and uncertainty, particularly in the face of recent or proposed changes to federal immigration policies and practices. Immigrants who seek legal status—to which they may be entitled—frequently lack the financial means or English language proficiency needed to secure legal status.

A majority (58%) of Hawai'i's foreign born residents are naturalized citizens. However, an estimated 54,000 are lawful permanent residents ("Green Card" holders) and eligible to apply for naturalized citizenship but may need assistance in doing so. Another estimated 45,000 or more are believed to be undocumented or under-documented. These include residents who are seeking asylum, individuals who have overstayed their visas, and those with so-called DACA (Deferred Action for Childhood Arrivals) status. Many of these individuals may be entitled to legal protections but are vulnerable and could be reluctant to seek help.

While a high majority of immigrants (77%) in Hawai'i report speaking English "well" or "very well," there remains a large number for whom English proficiency will present a potential obstacle. According to the Hawai'i Department of Business, Economic Development and Tourism (DBEDT), more than 130 different languages are spoken among Hawai'i's immigrants, and one in four residents of the State speak a language other than English at home. A 2016 Hawai'i State report found that speakers of a non-English language typically earn 10% to 34% less than English-only speakers for all proficiency levels (Hawai'i DBEDT,

April 2016). Most commonly spoken statewide are Tagalog (>58,000), Japanese (>54,000), Ilocano (>45,000), Spanish (>25,000), and Hawai'i an (>18,000).

The new administrations Executive Orders and call for mass deportation of undocumented persons, terminating refugee and asylum application and other anti-immigrant policies makes legal representation needed more. There is an urgent need in Hawai'i for accessible and affordable legal counsel and related services for low-income immigrant residents seeking assistance on immigration matters. For those whose English proficiency is limited, lack of access to interpreters or translated documents can also be a barrier. Awareness of immigrant rights and protections is limited, and the need for public education is essential.

The process of applying for U.S. citizenship or for other changes to one's immigration status is extraordinarily complex, While some immigrants might require only brief service for routine matters, many have difficult, multi-layered cases that require extended advice and counsel. Immigrants need legal representation in deportation and asylum defense, sponsorship of family members to immigrate, naturalized citizenship or legal residency. Some have tried unsuccessfully in the past to secure their change in status but may have not been able to due to lack of expert legal advice and/or the complexity of their matters. Complexities are staggering for those facing both criminal charges and immigration court issues, and some cases require lengthy and demanding involvement. Additionally, there is no presumptive right to defense counsel in immigration matters, meaning that individuals who cannot afford attorney fees may face detention, deportation, or denial of citizenship benefits without legal representation and assistance to tackle complex application procedures. Legal counsel is not only expensive, but also hard to come by, as there are few practicing immigration attorneys in Hawai'i.

Expert legal representation increases the chances of protecting immigrant rights and securing a positive outcome. Nationwide, according to the American Immigration Council, immigrants who are petitioning for U.S. legal status and who have an attorney are five times more likely to obtain relief from deportation than those without counsel. In 2016, 90% of those who were denied asylum had no legal representation, vs. 48% denied with legal counsel (Center for American Progress). In 2017, the Immigration Court in Honolulu completed 241 immigration cases with 83 resulting in removal or voluntary departure. Only 37% of all respondents had legal counsel. Other studies have shown that successful petitions for permanent residency or naturalization lead to immigrants being better able to secure good employment (including an increase in personal earnings of as much as 11%), and to become more civically engaged — significantly boosting economic and social opportunity for them and for our community as a whole.



January 31, 2025

Hawai'i State Legislature
Senate Committee on Judiciary ("JDC")

RE: Testimony in Support with Comments for SB 816, RELATING TO DUE PROCESS PROTECTIONS

Dear Chair Rhoads, Vice-Chair Gabbard, and Members of the Senate Committee on Judiciary:

On behalf of myself and my two immigration attorney colleagues at the William S. Richardson School of Law Refugee & Immigration Clinic ("RILC"), we submit testimony in our personal capacities in ***support with a suggested amendment for SB 816***, which establishes the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in Immigration Court.

About RILC

RILC offers law students an opportunity to work on immigration law cases under the supervision of a licensed immigration attorney. Immigration law is a dynamic area of law that intersects with many issues in contemporary culture and politics. With a Director, two Law Fellows, and 6-10 law students each semester, we provide specialized and high-quality immigration legal services to income-eligible noncitizens in Hawai'i. We focus our efforts on income-eligible clients seeking asylum, removal defense, and other forms of humanitarian relief because these clients often have the most difficulty finding and paying for legal representation.

Our Position on SB 816

We support SB 816 because from our personal experience as immigration attorneys, we have observed a great need for public interest immigration attorneys to provide free or affordable, high-quality immigration legal services in immigration court. In Hawai'i, foreign-born residents comprise nearly a quarter of its population of 1.4 million and include an estimated 50,000 undocumented residents. Yet, only a dozen lawyers statewide provide free or low-cost immigration legal services to immigrant communities. With this new federal administration and their immigration priorities, we anticipate a dramatic increase in removal proceedings. To address this increase, we believe that this legislation will help build the capacity required to provide free or low-cost legal services to the immigration community in Hawai'i.

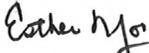
Suggested Amendment on SB 816

As the only immigration law clinic in the State of Hawai'i, we are in a unique position to train law students who are interested in practicing immigration law, especially in the areas of asylum and removal defense. SB 816 would build the current capacity for immigration removal defense in Hawai'i by allowing for the hiring of existing immigration lawyers as well as training law students and pro bono attorneys to do this work. Therefore, we ask this committee to amend SB

816 to require the judiciary to partner with the William S. Richardson School of Law to provide training and education to law students and legal practitioners. We have attached our suggested amendment in this testimony.

We urge this committee to pass SB 816. Thank you for the opportunity to testify on this measure.

Sincerely,



Esther Sungeun Yoo, Esq.
Director



Stephane Haro Sevilla, Esq.
Post-JD Legal Fellow



Danicole Ramos, Esq.
Equal Justice Works Fellow

Proposed Suggested Amendment

§601- Powers and duties. In the administration of the due process in immigration proceedings program, judiciary shall:

(1) Provide legal representation to individuals in immigration-related proceedings in immigration court, including but not limited to deportation defense, asylum applications, and other immigration relief processes;

(2) Prioritize services for individuals who are detained, at risk of deportation, or otherwise vulnerable due to their immigration status;

(3) Partner with community-based organizations and legal service providers to ensure culturally and linguistically appropriate services;

(4) Partner with the William S. Richardson School of Law in training and educating law students and legal practitioners to provide legal representation to individuals in immigration-related proceedings in immigration court, including but not limited to deportation defense, asylum applications, and other immigration relief processes;

~~[(4)]~~ (5) Conduct outreach and education to inform impacted communities about the availability of legal representation and related resources; and

~~[(5)]~~ (6) Collect and report data on the program's outcomes, including the number of individuals served, types of cases handled, length of time each case has been pending, and success rates, while maintaining confidentiality and protecting sensitive information.



www.hicir.org | Instagram @hicir
hicoalitionforimmigrantrights@gmail.com

LATE

Testimony of Liza Ryan-Gill
In **SUPPORT** of SB816
COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Hearing Date: January 31st, 2025

Dear Chairs, Vice Chairs, and Members of the Committees,

Mahalo for the opportunity to submit testimony on behalf of the Hawai‘i Coalition for Immigrant Rights (HCIR) in strong support of SB816, which seeks to establish the Due Process in Immigration Proceedings Program to provide legal representation for individuals facing immigration-related proceedings in Hawaii.

This measure is a critical step toward ensuring justice, fairness, and stability for our immigrant community, particularly at a time when federal immigration policies remain unpredictable and enforcement actions continue to create fear and uncertainty for many families in our state.

Why This Bill is Essential for Hawai‘i

Hawai‘i has always been a place of diversity, resilience, and inclusion, with a significant portion of our population—18% foreign-born and 8% U.S. citizens with immigrant parents—deeply woven into the fabric of our communities. However, many immigrants in Hawaii face immigration proceedings without legal representation, leaving them vulnerable to deportation and separation from their families. Unlike in the criminal justice system, individuals in immigration court do not have the right to a government-appointed attorney, even if they cannot afford one. This bill corrects that imbalance by ensuring that immigrants—especially the most vulnerable—receive the legal support necessary to navigate an often complex and intimidating system.

Key Reasons to Support This Bill

1. **Protecting Families and Communities** - Many immigrant households in Hawai‘i are mixed-status families, meaning that a deportation can result in children being separated from their parents, leading to devastating economic and emotional consequences. This bill will help keep families together and prevent unjust removals.
2. **Ensuring Fairness in Legal Proceedings** - Immigration law is one of the most complex areas of law, yet thousands of immigrants are forced to represent themselves in court, significantly reducing their chances of relief. Studies show that individuals with legal representation are ten times more likely to obtain favorable outcomes. This bill ensures due process and a fair chance for those facing deportation or seeking asylum.



www.hicir.org | Instagram @hicir
hicoalitionforimmigrantrights@gmail.com

3. Addressing Language and Financial Barriers - Many immigrants in Hawai'i, especially recent arrivals and those from underrepresented Pacific Islander and Asian communities, face language barriers and financial hardships that prevent them from obtaining legal help. This program will provide culturally and linguistically appropriate services, ensuring equitable access to justice.
4. Strengthening Hawai'i's Economy - Immigrants contribute significantly to Hawai'i's workforce, small businesses, and economy. Deportations and legal uncertainties disrupt businesses, remove skilled workers, and harm local industries such as healthcare, hospitality, and construction. By ensuring legal representation, this bill supports economic stability and workforce retention.

As a state with a rich immigrant history, Hawai'i has long been a leader in promoting equity and civil rights. This bill reinforces our commitment to being a welcoming and just community for all residents, regardless of immigration status.

The Hawai'i Coalition for Immigrant Rights urges the Legislature to pass this bill and ensure that immigrants in our state receive the legal representation they need to defend their rights, remain with their families, and continue contributing to our communities. At a time when national immigration policies remain uncertain, Hawai'i must take a stand to protect our immigrant neighbors and uphold fundamental principles of due process and fairness.

Thank you for the opportunity to testify. I respectfully urge the Committee to pass SB816 to ensure its intent is fully realized.

Mahalo for your support and consideration.

Liza Ryan-Gill
Executive Director
Hawai'i Coalition for Immigrant Rights



**OAHU FILIPINO COMMUNITY COUNCIL
Honolulu, Hawaii**

January 28, 2025

Testimony in Support of SB816: Relating to Due Process Protections

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Melodie Aduja, and I am testifying on behalf of the Oahu Filipino Community Council in strong support of SB816, which aims to establish the Due Process in Immigration Proceedings Program within the Judiciary. This program will provide legal representation to individuals facing immigration-related proceedings in immigration court, ensuring due process and promoting family unity, community stability, and economic security.

Key Points of Support:

1. **Ensuring Due Process:** SB816 addresses the critical need for legal representation for individuals facing immigration-related proceedings. Many immigrants face complex legal challenges without adequate representation, which can lead to unjust outcomes. This program will ensure that all individuals have access to legal counsel, upholding the principles of due process and fairness.
2. **Promoting Family Unity:** By providing legal representation, SB816 will help keep families together. Many individuals facing immigration proceedings are at risk of being separated from their loved ones. Legal representation can significantly improve their chances of achieving favorable outcomes, allowing them to remain with their families and contribute to their communities.
3. **Community Stability:** Legal representation for immigrants promotes community stability by ensuring that individuals can navigate the legal system effectively. This reduces the risk of deportation and the resulting disruptions to families and communities. Stable communities are essential for social cohesion and economic prosperity.
4. **Economic Security:** Immigrants play a vital role in Hawaii's economy. By providing legal representation, SB816 will help individuals maintain their legal status and continue

contributing to the workforce. This supports economic stability and growth for the state as a whole.

5. **Addressing Vulnerabilities:** The program established by SB816 will prioritize vulnerable populations, such as unaccompanied minors and Deferred Action for Childhood Arrivals (DACA) recipients. These individuals often face significant challenges in immigration proceedings and are in dire need of legal support.

In conclusion, the Oahu Filipino Community Council strongly supports SB816 and urges the committee to pass this important legislation. By establishing the Due Process in Immigration Proceedings Program, we can ensure that all individuals facing immigration-related proceedings have access to legal representation, promoting fairness, family unity, and community stability.

Mahalo for the opportunity to testify in support of this critical bill.

Sincerely,

Melodie Aduja
Chair, Social Action Committee
Director, Oahu Filipino Community Council



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Thirty-Second Legislature
The Senate
Committee on Judiciary

Testimony by
Hawaii State AFL-CIO

January 31, 2025

TESTIMONY IN SUPPORT OF SB816 - RELATING TO DUE PROCESS PROTECTIONS

Chair Rhoads, Vice Chair Gabbard, and members of the committee:

The Hawaii State AFL-CIO is a state federation of 74 affiliate labor organizations representing over 68,000 union members across Hawaii in industries including healthcare, construction, hospitality, entertainment, transportation, and government. The AFL-CIO serves its affiliates by advocating for the rights of working families, promoting fair wages, ensuring safe working conditions, and supporting policies that strengthen Hawaii's workforce.

We are in support of SB816, which establishes the Due Process in Immigration Proceedings Program to provide legal representation to immigrants involved in immigration-related proceedings. Federal policies have increased enforcement efforts, leaving many immigrants without legal representation to navigate complex legal processes. Some are stuck in prolonged administrative delays despite being essential contributors to Hawaii's economy. Access to legal assistance helps immigrant workers address their cases fairly and continue supporting industries vital to the state.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Burnett".

Chris Burnett
Director, Committee on Political Education



SENATE BILL 816, RELATING TO DUE PROCESS PROTECTIONS

JANUARY 31, 2025 · JDC HEARING

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus **supports** SB 816, relating to due process protections, which establishes the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court. Appropriates funds.

Hawai'i understands the value of immigration and cultural diversity. Our island home—like the United States—is defined by immigration and a legacy of migrant labor that has bestowed upon us a rich social tapestry, multifaceted economy, and an everlasting respect for the principles of democracy and pluralism. As Barack Obama once said, “What makes someone American isn’t just blood or birth, but allegiance to our founding principles and faith in the idea that anyone—from anywhere—can write the next chapter of our story.”

Today, however, we are witnessing a cruel campaign of mass deportation being implemented throughout the country—including in our state—which is undermining the roots of communities in which migrants are celebrated members. Recently, the Trump administration has removed restrictions that prevented Immigration and Customs Enforcement from conducting raids at so-called sensitive locations, including schools (as well as houses of worship and hospitals).

We cannot sit idly by while Donald Trump enacts a campaign of fear against our immigrant neighbors. These actions will not prop up the American economy. On the contrary, immigrant labor is essential to the preservation of our society's financial well-being. Immigrants boost overall economic growth by expanding the labor force and increasing consumer spending. The foreign born also start new businesses at higher rates than U.S.-born individuals. Immigrants were involved in the development of 30 percent of patents in strategic industries in recent years and more than 40 percent of Fortune 500 companies were founded by immigrants.

Higher-than-expected immigration is driving job growth and productivity and *was* projected to continue doing so in the coming years: The Congressional Budget Office (CBO) estimates that a greater level of immigration expected between 2024 and 2034 *could have* boosted gross domestic product (GDP) by \$8.9 trillion. Yet, these gains will be jeopardized by the Trump Administration's inhumane mass deportation actions, which harken back to the race-based policies of the 19th and early 20th Centuries and draw frightening parallels to the policies put in place by violent authoritarian governments throughout history, including the Nazi regime.

Immigrants exist in our neighborhoods, our schools, our workplaces, and all other spaces in our state. They empower our society to thrive, despite the social and political violence with which they are forced to endure. As a state, we have a responsibility to protect their well-being. If we fail, history will remember our complicity in the annihilation of human rights and civil liberties, and our unwillingness to do what is right to preserve the most fundamental tenets of our democracy.

Contact: educationcaucusdph@gmail.com



SB 816, RELATING TO RELATING TO DUE PROCESS PROTECTIONS

JANUARY 31, 2025 · JDC HEARING

POSITION: Support.

RATIONALE: Imua Alliance **supports** SB 816, relating to due process protections, which establishes the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court.

Imua Alliance is a victim service provider for survivors of sex trafficking, **including numerous migrant survivors**. Over the past 15 years, we have provided comprehensive direct intervention (victim rescue) services to over 200 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. During the pandemic, demand for services to our organization skyrocketed by 330 percent, driven in part by a fivefold increase in direct crisis calls.

Many of the victims we have assisted have suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma and trauma-coerced attachment can even lead to a complete loss of identity and significant memory loss. Our survivor-clients require a tremendous amount of psychological, medical, and occupational support once outside of the commercial sex industry, as they painstakingly progress toward recovery.

Countless human trafficking survivors are migrants. Our state's migrant survivor population is difficult to estimate, but exceeds 500-1,000 people annually. These individuals are exploited in

local storefront brothels (such as fake massage parlors and relaxation therapy establishments), on local farms, and in our fishing industry, where they are forced to endure inhumane conditions and are stripped of any documentation and identification materials they may have.

We should provide assistance and a path to citizenship for immigrants, not punishment and fear. According to a report published by the American Immigration Council in 2020, Hawai'i is home to over 266,000 immigrants, including 45,000 thousand undocumented immigrants. As a society, we treasure our immigrant heritage, from which we have developed a legacy of multicultural cooperation and an abiding respect for the limitless value of diversity.

President Donald Trump has signaled his intent to implement a draconian, arbitrary, and cruel system of enforcement when it comes to immigration. Already, immigration raids have been initiated throughout the country, including in our island home. On January 27th, Hawai'i News Now reported that the local office of Homeland Security Investigations posted photos on social media of officers from U.S. Immigration and Customs Enforcement and Drug Enforcement Administration arresting immigrants on our shores. Trump officials have also begun issuing quotas to ICE officers to ramp up arrests, according to the Washington Post.

Advocates and, of course, immigrants themselves—both documented and undocumented—are justifiably concerned about these mass deportation actions. As the American Immigration Council stated in its “After Day One” factsheet: “The initial wave of executive actions scales up a “mass deportation” operation that everyone without legal status in the United States will be highly vulnerable to on the first day these practices go into effect. Indeed, by invoking the registration provision, the Trump administration is threatening to turn all immigrants into criminals by setting them up for the ‘crime’ of failing to register,” which they have no way to do.

From a historical perspective, we are all immigrants. We urge your committee to act with haste to defend the many immigrants who make our communities proud and call the Aloha State home.

Contact us at imuaalliance.org/contact.



Committee on Judiciary
Chair Karl Rhoads, Vice Chair Mike Gabbard

Friday, January 31, 2025
HB816-Relating to Due Process Protections

TESTIMONY

Judith Wong, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

The League of Women Voters of Hawaii supports bill number HB816, relating to due process protections. The League supports due process for all persons, including the right to a fair hearing, right to counsel, right of appeal and the right to humane treatment. The League does not support deporting immigrants who have no history of major and/or violent criminal activity.

Hawaii is home to many immigrant and mixed-status families who live, work and contribute to the welfare of the citizens of the state. Many individuals may be facing deportation or other immigration-related proceedings in the coming years in a complex and costly process. Often, they do not have the resources, the legal training or even the language skills to properly respond in these hearings.

HB816 would establish a due process in immigration proceedings program that would provide legal representation for immigrants who are residents of Hawaii and meet certain financial requirements. This would provide Hawaii immigrants with needed support to navigate the complex legal issues of immigration policy. The resources provided by this bill would assist those individuals to receive due process and continue to be contributing members of society.

Thank you for the opportunity to submit testimony.



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Senate Committee on Judiciary
Re: SB 816 Relating to due process protections
Hawai'i State Capitol, Conference Room 016 & Via Videoconference
Friday, January 31, 2025, 9:15 AM

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members,

On behalf of HCANSpeaks!, I am writing in support of HB 816, Relating to due process protections. This bill will provide legal representation to income qualified individuals residing in Hawai'i who are facing immigration-related proceedings in immigration court and is to be administered through the judiciary.

Children and immigrant families deserve legal representation. Immigrants all too often end up in immigration court alone and in Hawai'i there are only a handful of pro bono immigration attorneys in the state. Furthermore, the majority of pro bono immigration attorneys are on O'ahu, which leaves an even greater dearth of legal representation for immigrant families on neighbor islands and rural areas across our state. With additional funding, more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, have the just opportunity they deserve to fight their case in a fair and dignified way.

I urge you to support this bill. Most people cannot afford the high costs of hiring a private attorney to defend their case. Families should not be torn apart by the immigration court system simply because they cannot afford counsel.

SB816 is the fair, right, just thing to do to ensure that people are afforded the necessary protections under the law, families and communities are preserved, and our human rights and dignity are respected.

Mahalo for the opportunity to submit testimony in **support of SB 816.**

Sincerely,
Noreen Kohl, Ph.D.
Policy Researcher and Advocate

SB-816

Submitted on: 1/30/2025 8:49:17 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Gaye Chan	Testifying for Indivisible Hawai'i Statewide Network	Support	Written Testimony Only

Comments:

Members of Indivisible Hawai'i Statewide Network thank you for this opportunity to testify in strong support of SB816 to establish the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court. Appropriates funds.

Hawai'i's residents are primarily from elsewhere. Immigrants are our friends, neighbors, and coworkers. Due Process and representation are cornerstones of democracy and must be equally extended to citizens and non-citizens.

Sincerely,
Gaye Chan

Indivisible Hawai'i Statewide Network.

We're a grassroots movement of thousands of local Indivisible groups with a mission to elect progressive leaders, rebuild our democracy, and defeat the Trump agenda. In Hawai'i, we have ten groups across four islands, representing over a thousand pro-democracy citizens.

SB-816

Submitted on: 1/28/2025 7:04:08 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

I support SB816 because immigrant families and individuals do not have the funds to pay a private attorney to fight their case. We do not need immigrant families to be ripped apart by our immigration court. Please pass this measure and mahalo.

SB-816

Submitted on: 1/28/2025 4:09:30 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this bill. This kinds of criminal acts are addressed by Federal Authorities.

SB-816

Submitted on: 1/29/2025 12:28:47 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorna Farnum	Individual	Support	Written Testimony Only

Comments:

I support this legislation.

SB-816

Submitted on: 1/29/2025 7:14:49 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Judy McCluskey	Individual	Support	Written Testimony Only

Comments:

SB816 has my enthusiastic support.

SB-816

Submitted on: 1/29/2025 7:23:30 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Karin Lynn	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect immigrants in Hawai'i. They are our friends, neighbors, and coworkers.

SB-816

Submitted on: 1/29/2025 7:33:36 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Joanne Amberg	Individual	Support	Written Testimony Only

Comments:

Please support this bill.

SB-816

Submitted on: 1/29/2025 8:51:58 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia J. Goto	Individual	Support	Written Testimony Only

Comments:

Support

SB-816

Submitted on: 1/29/2025 9:05:36 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Iris Mendoza	Individual	Support	Written Testimony Only

Comments:

estimony in SUPPORT of SB816 – Relating to Due Process Protections

COMMITTEE ON WATER AND LAND

Hearing Date: [Insert Date]

Dear Chair, Vice Chair, and Members of the Committee,

My name is Iris , and I am a proud first-generation Mexican immigrant. I am writing in **strong support of SB816** because I know firsthand what it means to live in fear of a system that was never built to protect people like me. I know what it means to watch families ripped apart by an immigration system that does not see us as human, to hear the stories of children locked in cages, of parents detained and deported, of entire communities forced to live in the shadows. And I refuse to let that happen here in Hawai‘i.

Hawai‘i is not just any place. **This is land that was stolen, illegally occupied, and continues to exist under an unjust system that Native Hawaiians have resisted for generations.** It is not lost on me that as an immigrant, I live on land that was never meant to be taken, never meant to be militarized, and never meant to be used as a tool of oppression against other displaced people. Allowing an immigration detention center to be built on Hawaiian land would be yet another violation—one that would bring further harm to both the immigrant community and the Native Hawaiian people, whose land has already been taken for prisons, military bases, and other systems of violence.

We cannot allow Hawai‘i’s public lands—lands that belong to Kānaka Maoli—to be used to imprison our neighbors, our friends, and our families. SB816 ensures that our state and counties will not be complicit in the cruelty of immigrant detention. These facilities do not exist to protect anyone—they exist to dehumanize, to profit off the suffering of brown and Black bodies, to tear apart families who have already lost so much.

To those who claim that these detention centers are necessary, I ask—necessary for whom? For the corporations that profit off human suffering? For the agencies that refuse to go after real criminals and instead target working families? Detaining immigrants does not make us safer. It makes us complicit in injustice.

Hawai'i has a choice to make. Will we allow our lands to be used for the incarceration of innocent people, or will we take a stand for what is right? I urge you to **support SB816** and ensure that no part of Hawai'i is used to fuel the machinery of detention, displacement, and family separation. We must choose humanity over cruelty, justice over complicity, and solidarity over silence.

Thank you for your time and consideration.

Sincerely,
Iris Mendoza

Honolulu, HI

SB-816

Submitted on: 1/29/2025 9:58:32 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Tim Harvey	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect immigrants in Hawaii. They are our friends neighbours and coworkers.

SB-816

Submitted on: 1/29/2025 10:29:22 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Veronica Abney	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect immigrants in Hawai'i. They are our friends, neighbors, and coworkers.

SB-816

Submitted on: 1/29/2025 10:31:15 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Nandita Sharma	Individual	Support	Written Testimony Only

Comments:

I strongly support SB 816. There should not be any concentration camps in Hawaii ever, period. It is not far-fetched to call any "migrant detention camps" concentration camps, the definition of which is, "a place where large numbers of people who are persecuted minorities are deliberately imprisoned in a relatively small area with inadequate facilities." This is precisely what any federal camp, especially those erected by anyone in the Trump administration would be. Hawaii already has a shameful history of detaining Japanese-Americans in camps and has apologized for doing so. Why would we want to create another shameful situation?

SB-816

Submitted on: 1/29/2025 11:10:09 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
gabrielle davidson	Individual	Support	Written Testimony Only

Comments:

To the Senate regarding Bill 816:

Please, please support this bill. The rapid changes regarding immigration Trump is making could have huge, dangerous consequences, especially regarding food availability here in Hawaii. We need immigrants to do all kinds of essential work here. Not to mention they are our friends, neighbors, and coworkers. Do everything you can to protect them. We can continue working to address issues related to illegal immigration but let's do it in a methodical, non-partisan, humane way.

Sincerely,
Gabrielle Davidson

Testimony in SUPPORT of SB816
COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Hearing Date: January 31st, 2025

Dear Chair, Vice Chair, and Members of the Committee,

I am writing in **support** of SB816. Many remember the stories from the first Trump Administration of little children in court on their own. Expected to mount a defense against their removal without even an adult by their side. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances. It is laughable to consider the outcomes of these cases justice when the process is so unjust.

Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way.

SB816 will provide legal representation to income qualified individuals residing in Hawai'i who are facing immigration-related proceedings in immigration court and is to be administered through the judiciary.

SB816 is the fair, right, just thing to do to ensure that people are afforded the necessary protections under the law, families and communities are preserved, and our human rights and dignity are respected.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

Thank you for your support and consideration,

Mylene Reyes

President, R&M Reyes Enterprise

Board of Director, Filipino Chamber of Commerce

SB-816

Submitted on: 1/29/2025 11:13:02 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

In Strong Support of HB816

Aloha Chair and Members of the Committee,

HB816 helps to protect due process of law to ensure that people are afforded the necessary protections, families and communities are preserved, and our human rights and dignity are respected.

Please pass this measure.

Nancy Moser

Waikoloa 96738

SB-816

Submitted on: 1/29/2025 11:47:40 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Kuzmier	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in support of SB816, a bill which provides our judiciary branch to partner with nonprofit legal agencies to provide immigrants with adequate representation in the courts dealing with migration issues. As you know, many migrant people may not know how to move through the legal system and the procedures and to do so unrepresented does not afford them the due process they are accorded in our Constitution, of which the rights stipulated are not based on legal status but jurisdiction. That being said, all people with immigration concerns should be adequately represented regardless of ability to pay and I am all in favor for the state government to provide such measures for them. Mahalo.

SB-816

Submitted on: 1/29/2025 11:58:50 AM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I support this bill to protect immigrants in Hawaii.

SB-816

Submitted on: 1/29/2025 1:16:36 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Christine L. Andrews, J.D.	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads and Members of the Committee,

I am writing today in support of SB816. As a member of the Hawai`i State Bar since 1999, I was shocked to recently learn that there is a backlog of over 1.9 million cases before immigration courts in the U.S., and that 47% of unaccompanied minor immigrant children have no legal representation before immigration courts. The current situation is a miscarriage of justice and a violation of the due process. The proposed bill will make some measure of improvement over the current situation and help us as a community uphold our values and our respect for our immigrant communities by expanding access to immigration counsel by vulnerable members of our community when they need it.

I ask that you please pass SB816.

Thank you for your time.

SB-816

Submitted on: 1/29/2025 1:27:10 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn O'Mahony	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect immigrants in Hawai'i. People who have not been through the naturalization process themselves have no idea how difficult the process is. It is no surprise that individuals who are contributing to the economy by working hard but who do not have the linguistic or financial, or easily accessible legal resources become "undocumented". Providing resources to support these people will help our community.

SB-816

Submitted on: 1/29/2025 2:30:51 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Morrison	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect immigrants in Hawai'i. They are our friends, neighbors, and coworkers.

SB-816

Submitted on: 1/29/2025 3:17:00 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah G. Nehmad	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect immigrants in Hawai'i. They are our friends, neighbors, and coworkers.

SB-816

Submitted on: 1/29/2025 5:00:57 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Dennis Barger	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure to protect immigrants in Hawaii. They are our friends, neighbors, and coworkers. I strongly urge your support for SB816.

DB of Kihei, HI

SB-816

Submitted on: 1/29/2025 9:19:29 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Beppie Shapiro	Individual	Support	Written Testimony Only

Comments:

I fully support the intent of this bill. You have before you eloquent and adequate testimony from ACLU-Hawaii and other organizations. If necessary you can amend SB816 as suggested by the Judiciary.

I hope you pass this bill so we can continue our rich and varied community, encouragement of employment, and reputation for aloha.

Beppie Shapiro

SB-816

Submitted on: 1/29/2025 9:33:50 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

I support this bill to protect immigrants in Hawai‘i. They are our friends, neighbors, and coworkers and contribute to our economy.

SB-816

Submitted on: 1/29/2025 11:57:07 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

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

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

As a public health professional and concerned citizen, I write in **strong support of SB816**. This measure would provide legal representation to income qualified individuals residing in Hawai'i who are facing immigration-related proceedings in immigration court and is to be administered through the judiciary.

Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case. With recent federal actions attacking the rights and health of immigrants, migrants, and refugees, I urge the legislature to pass this measure to ensure protections for all people living in Hawai'i.

SB816 is the fair, right, just thing to do to ensure that people are afforded the necessary protections under the law, families and communities are preserved, and our human rights and dignity are respected.

Mahalo,

Thaddeus Pham

Makiki, HI

SB-816

Submitted on: 1/29/2025 8:34:23 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Colleen Finnegan	Individual	Support	Written Testimony Only

Comments:

Testimony in SUPPORT of HB438

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

Representative Greggor Ilagan, Chair

Representative Ikaiki Hussey, Vice Chair

Hearing Date: January 30th, 2025

Dear Chair, Vice Chair, and Members of the Committee,

I am writing in **support** of HB438.

Immigrants need support in immigration court. They may not understand the language, they may be facing an ICE prosecutor and judge without any legal training,. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances.

Hawai‘i is somewhat of a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O‘ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified manner.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

Thank you for your support and consideration,

Colleen Finnegan, MD

Kaneohe, HI 96744

LATE

SB-816

Submitted on: 1/30/2025 11:09:54 PM

Testimony for JDC on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Marcella Alohalani Boido	Individual	Support	Written Testimony Only

Comments:

Please pass this bill. Thank you.

Marcella Alohalani Boido, M.A.

Moili'ili