



*The Judiciary, State of Hawai‘i*

**Testimony to the House Committee on Judiciary**  
Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Thursday, March 18, 2019, 2:05 p.m.  
State Capitol, Conference Room 325

by  
Rodney A. Maile  
Administrative Director of the Courts

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** Senate Bill No. 227, S.D. 2, H.D.1, Relating to Immigration.

**Purpose:** Makes an appropriation to the Judiciary to contract out to provide access to legal counsel to immigrants in immigration proceedings, diversion to existing services, and counsel for existing rights.

**Judiciary's Position:**

The Judiciary supports the intent of Senate Bill No. 227, S.D. 2, H.D. 1 to appropriate funds for legal assistance and legal counsel to immigrants.

For Fiscal Year 2018 – 2019, the Judiciary received a one-time appropriation of \$450,000.00 pursuant to Act 26, 2018 Haw. Sess. Laws, to purchase civil legal services for indigent residents of the State of Hawai‘i. As a result of this appropriation, the Judiciary awarded contracts to two civil legal service providers.

The Judiciary supports the increased funding for civil legal services, including assistance to immigrants. The Judiciary also respectfully requests that funding for these services not come at the expense of the Judiciary’s current budget request in House Bill No. 510, H.D.2, S.D.1, or by eliminating vacant Judiciary positions and related funding.

Thank you for the opportunity to testify on this measure.



O'ahu County Democrats  
oahudemocrats.org



Aloha Chair Lee, Vice Chair San Buenaventura and Members of the Committee on Judiciary,

**LATE**

**RE: SB227 SD2 HD1, Relating to Immigration**

The O'ahu County Democrats write in support of the proposed measure, Senate Bill 227, Senate Draft 2, House Draft 1.

Our Platform states that we “support an immigration policy that provides a reasonable path to citizenship for immigrants who follow the rule of law.” This measure helps better complete a reasonable path though provided legal assistance for those individuals now in our immigration system. Those who are compliant in following our complicated and arduous immigration system should reasonably get the legal help they need.


Furthermore, SB227 SD2 HD1 follows our Economic Justice language, in removing “existing barriers to equal opportunity in our communities.”

Recognize the utility in a policy of assistance for low-income immigrants, as those persons provide vital employment in multiple occupational sectors of our economy.

This measure better levels the playing field in equal access to legal resources. Last fall’s Rule Change at Department of Homeland Security punishes immigrants who receive federal economic aid.<sup>1</sup> But we Democrats are the party of hope, the party of equal opportunity. So then we work for those most insecure and at-risk. Current immigrants work through difficult policies too often formed prejudicially—paradoxically, created by the descendants of other immigrants.

I thank Senator Chang for introducing the measure, and this Committee for considering it duly. Please vote in favor of SB227 SD2 HD1.

Respectfully,

  
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Dylan P. Armstrong, Vice Chair  
O'ahu County Committee, O'ahu County Democrats

1. Proposed Rule - Inadmissibility on Public Charge Grounds. Accessed 18 March 2019 at <https://www.dhs.gov/publication/proposed-rule-inadmissibility-public-charge-grounds>

**SB-227-HD-1**

Submitted on: 3/16/2019 11:11:09 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Smart	Individual	Oppose	No

Comments:

Vote NO. People who enter our country and state illegally should have to pay for all services that they need. Your constituents are living from pay check to paycheck with the threat of becoming homeless on the horizon. It is unethical to even consider redistributing their hard earned tax dollars to those who flaunt the laws of this country. There is a legal way to enter this country/state. We expect anyone who wants our hospitality to arrive legally and ready to live independently without depending on any government (i.e. taxpayer) funds. Do not pass this bill.

**SB-227-HD-1**

Submitted on: 3/17/2019 1:28:58 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Melling	Individual	Oppose	No

Comments:

This is money being spent on people who are here illegally and not on the tax payer.

**SB-227-HD-1**

Submitted on: 3/17/2019 1:35:15 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Danny Melton	Individual	Oppose	No

Comments:

Honorable Senators of Hawaii

I oppose this bill. What legal service do taxpayers need to pay for illegal immigrants. I suspect legal immigrants are immigrating to the US legally and will not need special legal counsel. Quit trying to find more ways to waste taxpayers' hard earned money.

Respectfully

Dan Melton

Col USMC (ret)

Waipahu

**SB-227-HD-1**

Submitted on: 3/17/2019 1:43:09 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Kerr	Individual	Oppose	No

Comments:

This is a TERRIBLE idea. This is to use taxpayer dollars to provide legal counsel to ILLEGAL immigrants. Even the State AG said this bill may violate Article VII, section 401 of the State Constitution.

Taxpayers, especially here on the Big Island are taxed to death. Stop it. Stop supporting illegal immigrants over TAXPAYING citizens

**SB-227-HD-1**

Submitted on: 3/17/2019 4:05:22 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JOY SCHOENECKER	Individual	Oppose	No

Comments:

I Oppose this bill

**SB-227-HD-1**

Submitted on: 3/17/2019 4:37:36 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Toby Rushforth	Individual	Oppose	Yes

Comments:

So, I guess you think I am stupid! Illegal immigrants are criminals. What else do you need to know?



**SB-227-HD-1**

Submitted on: 3/17/2019 5:03:18 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr Marion Ceruti	Individual	Oppose	No

Comments:

This bill is a horrible idea. It proposes to use taxpayer dollars to provide legal counsel to ILLEGAL immigrants. Even the State AG said this bill may violate Article VII, section 401 of the State Constitution. Even if it does not violate the Hawai'i State Constitution, most taxpayers want their money to benefit their families, their communities, and their fellow legal citizens. The illegal immigrants should not even be here in Hawai'i or in any other state. They have already violated Federal law. Get them out. Don't give them money so they can fight us to be able to stay here. We welcome immigrants who use our legal methods to come here to the US. Let everyone who wants to come to the US do so in the legal manner. Say NO to illegal immigration and stop helping them break our laws. Vote NO on SB227.

**SB-227-HD-1**

Submitted on: 3/17/2019 8:23:38 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
SUSAN P HUGHES	Individual	Oppose	No

Comments:

I strongly oppose ths bill as I think it unconstitutional.

And since it would virtually squelch any chance for opposition for candidates from the Republican party, it would also discourage me from voting period. ...which is my constitutional right!

**SB-227-HD-1**

Submitted on: 3/17/2019 7:35:18 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marcella Alohalani Boido	Individual	Support	No

Comments:

The legal resources that would be provided by this bill complement and give meaning to the Immigration Advisory which is now required to be given in court. Public defenders are not immigration attorneys. This bill would provide meaningful immigration advice to people in need. Currently Legal Aid cannot take care of everyone who needs them. Please pass this bill. Thank you.

**SB-227-HD-1**

Submitted on: 3/17/2019 8:25:31 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Danicole Ramos	Individual	Support	No

Comments:

I respectfully submit my testimony in strong support of this bill. I am a child of Filipino immigrants and grew up in Waiialua, where my grandfather worked in the sugarcane plantation. Before I moved back home to Hawai'i, I was in Washington D.C. and worked for United We Dream, the largest immigrant youth-led community in the country. Through grassroots organizing, they create welcoming spaces for young people – regardless of immigration status – to support, engage, and empower them to make their voice heard and win! During my time with United We Dream, I worked alongside with and advocated for immigrants of various statuses all across the country. One of the common challenges this group faced is the high cost of legal services. Most of these immigrant families were income restrained and sometimes sacrificed their entire life savings to pay for legal services. A qualified and respected immigration lawyer can be expensive and inaccessible to this income restrained community. This appropriation provides an opportunity for the Health Department to enact due diligence and vet legal services that can best support this community. I urge you to pass this bill. Mahalo!

**SB-227-HD-1**

Submitted on: 3/17/2019 11:15:47 PM

Testimony for JUD on 3/18/2019 2:05:00 PM

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

Comments:

Chair Lee; Vice Chair San Buenaventura; Committee Members:

As a law student currently enrolled in the Refugee & Immigration Clinic at the UH William S. Richardson School of Law, I can attest to the great need for the services described in this measure.

**I do wonder, however, if another provider that serves clients that Legal Aid Society cannot help, *such as immigrants with a criminal history*, might be a good alternative recipient of the funds.**

Regardless, any appropriation toward helping the immigrant community would be a testament to how much Hawai'i embraces and understands immigration. Accordingly, I strongly support this measure.

Mahalo for the opportunity to testify.

**LATE**

**SB-227-HD-1**

Submitted on: 3/18/2019 8:48:06 AM  
Testimony for JUD on 3/18/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Allen Kainoa Leong	Individual	Oppose	No

Comments:

oppose

**SB-227-HD-1**

Submitted on: 3/18/2019 11:52:45 AM

Testimony for JUD on 3/18/2019 2:05:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cindy Snow	Individual	Oppose	No

Comments: