
HOUSE CONCURRENT RESOLUTION

DECLARING HAWAII TO BE A HO'OKIPA (WELCOMING) STATE AND
REQUESTING LOCAL LAW ENFORCEMENT AGENCIES TO DECLINE TO
WORK WITH FEDERAL IMMIGRATION AUTHORITIES.

1 WHEREAS, the State motto "[u]a mau ke ea 'o ka 'āina i ka
2 pono," which means, "[t]he life of the land is perpetuated in
3 righteousness," reminds us that our deepest community values
4 compel us to welcome the visitor and care for the wanderer in
5 our midst; and

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7 WHEREAS, the traditional Hawaiian value of ho'okipa, or
8 open-hearted hospitality, calls us to welcome the visitor and
9 the stranger alike, and to unselfishly extend to others the best
10 that we have to give; and

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12 WHEREAS, Hawaii is justifiably proud of its diverse
13 immigrant heritage, which has woven the many people of this
14 State into a rich tapestry of races, ancestral groups,
15 religions, cultures, and languages from all over the world; and

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17 WHEREAS, Hawaii's unique spirit of inclusiveness allows its
18 diverse people to live in relative harmony because of our
19 respect and aloha for each other and our commitment to peace and
20 justice; and

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22 WHEREAS, our state and county governments cultivate a
23 culture of inclusion when they ensure that all people in our
24 communities receive equal protection under the law and
25 respectful treatment, without regard to their race, national
26 origin, ancestry, or citizenship status; and

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28 WHEREAS, Hawaii's inclusionary and peaceful culture is now
29 threatened by inflammatory rhetoric and harsh federal policies



1 that vilify immigrants, divide communities and families, and
2 create fear and suspicion among different racial, ethnic, and
3 ancestral groups; and
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5 WHEREAS, the executive branch of the federal government has
6 recently revived a program under section 287(g) of the
7 Immigration and Nationality Act that allows a state or local law
8 enforcement entity to enter into a partnership with the
9 Immigration Control and Enforcement (ICE) division of the
10 Department of Homeland Security in order to receive delegated
11 authority for immigration enforcement within their
12 jurisdictions; and
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14 WHEREAS, the Tenth Amendment to the United States
15 Constitution guarantees states' sovereignty and provides that
16 "powers not delegated to the United States by the Constitution,
17 nor prohibited by it to the States, are reserved to the States
18 respectively, or to the people"; and
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20 WHEREAS, the Tenth Amendment further provides that the
21 federal government may not commandeer state and local officials
22 by demanding that they enforce federal laws and regulatory
23 programs; and
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25 WHEREAS, each state, and municipality within each state,
26 has the sovereign power to choose how it allocates its resources
27 and cannot be forced to carry out the federal government's
28 agenda; and
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30 WHEREAS, local law enforcement agencies should not be
31 required to bear the immense financial burden of enforcing
32 federal immigration laws; and
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34 WHEREAS, the people of Hawaii already shoulder the costs of
35 providing health care, housing, education, and other social
36 services to migrants from various Pacific Island communities,
37 who were forced to leave their ancestral homelands because of
38 the devastating effects of some actions of the United States,
39 such as the above-ground testing of nuclear weapons and the
40 building of large military installations that displaced
41 islanders from the ancestral lands; and
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43 WHEREAS, it would be an injustice to Hawaii's residents for
44 the State, or any of its political subdivisions, to expend



1 scarce state resources enforcing federal immigration policies
2 instead of providing for housing, education, transportation,
3 medical care, and other basic human needs here in Hawaii; and
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5 WHEREAS, the involvement of state law enforcement officers
6 in federal deportation programs and activities would alienate
7 members of our many communities and undermine the relationships
8 between the State's law enforcement agencies and local
9 communities; and
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11 WHEREAS, in the face of discriminatory policies and the
12 element of uncertainty in the promulgation and execution of
13 continually evolving orders and policies of the federal
14 government, the State of Hawaii and its leaders are encouraged
15 to advocate for the protection of all residents, including
16 immigrants, and their due process rights, as guaranteed by the
17 Constitutions of the United States and of the State of Hawaii;
18 now, therefore,
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20 BE IT RESOLVED by the House of Representatives of the
21 Twenty-ninth Legislature of the State of Hawaii, Regular Session
22 of 2017, the Senate concurring, that the State of Hawaii and its
23 political subdivisions are requested to recognize that
24 immigration is a federal function and that local law enforcement
25 agencies should decline to work with federal immigration
26 agencies; and
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28 BE IT FURTHER RESOLVED that the State and its political
29 subdivisions are requested to not expend state or county funds
30 by entering into any agreements under section 287(g) of the
31 Immigration and Nationality Act or any similar agreement with
32 the United States Immigration and Customs Enforcement (ICE), or
33 by engaging in any other law enforcement activities that
34 collaborate with ICE or any other federal law enforcement agency
35 in connection with the deportation of undocumented immigrants
36 who have not been convicted of committing a violent crime; and
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38 BE IT FURTHER RESOLVED that certified copies of this
39 Concurrent Resolution be transmitted to the Governor; Mayors of
40 the City and County of Honolulu and Counties of Kauai, Maui, and
41 Hawaii; Chairs of the respective county councils; and Chiefs of
42 Police of the City and County of Honolulu and the Counties of
43 Kauai, Maui, and Hawaii.

