



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

S.B. NO. 557, RELATING TO LAW ENFORCEMENT.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Monday, February 25, 2019 **TIME:** 10:30 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Lance Goto,
Deputy Attorney General, at 586-1160)

Chair Dela Cruz and Members of the Committee:

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

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

If enacted, this bill may subject the State to closer scrutiny by the federal government, result in loss or delay in federal grant funding, and increase the risk that the State will become a party to litigation, either in defense of actions brought by the federal government, or in state efforts to enjoin actions by the federal government.

These issues revolve around state compliance with federal grant requirements, including title 8 United States Code section 1373, which reads:

- (a) In general
Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.
- (b) Additional authority of government entities
Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to

information regarding the immigration status, lawful or unlawful, of any individual:

- (1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.
- (2) Maintaining such information.
- (3) Exchanging such information with any other Federal, State, or local government entity.

It is the position of federal authorities that federal grantees commit to following all relevant federal laws when they sign for their grant awards. This includes compliance with section 1373. The federal government currently requires states to certify compliance with section 1373, before being able to draw down grant awards. This bill could lead the federal Department of Justice (DOJ) to investigate or accuse the State and the counties of failing to comply with section 1373 with respect to grants already accepted and could affect the ability of the State and the counties to certify compliance for future grants.

Last year, the DOJ attached two new conditions to the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) and several other programs. The Byrne JAG is a primary provider of federal criminal justice funding to state and local governments. DOJ required state and local governments to: (1) allow the Immigration and Customs Enforcement (ICE) agency to access prisons and jails; and (2) provide ICE forty-eight hours notice of the release of a person of interest. Although some lower courts have ruled against DOJ regarding these conditions, courts have generally been limiting the effect of their injunctions to the parties in each case and have been reluctant to apply their injunctions nationwide. The litigation is still pending in the federal courts and the outcome is not clear.

The federal criminal justice funding that the State and the counties receive each year are used for important law enforcement projects statewide. Rather than risk jeopardizing these funds, it may be preferable to wait until the pending federal court challenges are resolved before enacting legislation.

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

Harry Kim
Mayor



Paul K. Ferreira
Police Chief

Kenneth Bugado Jr.
Deputy Police Chief

County of Hawai'i

POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

February 22, 2019

Senator Donovan Dela Cruz
Chairperson and Committee Members
Committee On Ways and Means
415 South Beretania Street, Room 211
Honolulu, Hawai'i 96813

RE: SENATE BILL 557 RELATING TO LAW ENFORCEMENT

Dear Senator Dela Cruz:

The Hawai'i Police Department **opposes Senate Bill 557**, with its purpose to prohibit state and county law enforcement agencies from complying with federal immigration detainers or honoring requests for non-public information unless specifically required to do so by a warrant signed by a judge or provisions of federal, state, or local law.

We believe the requirements set forth within this bill are extremely onerous and are counter to what our Department values highly, that being to cooperate with other agencies in the best interest of our department and more so the community it serves. The diversity of the State, our County and our Police Department is unquestioned. We have a history of being inclusive of other cultures. Our department's Mission Statement reads, "The Employees of the Hawai'i Police Department are committed to preserving the Spirit of Aloha. We will work cooperatively with the community to enforce the laws, preserve peace, and provide a safe environment," which I believe this passage alone speaks volumes. At the same time, I ask this committee not to deny my department a tool, which may be the only one available in certain circumstances, in order to have a person deemed a threat to my community.

Indeed, our department's General Orders require us to cooperate with other Law Enforcement agencies and we work hard at cultivating the spirit of cooperation as our isolation in the Pacific is often dependent on this type of reciprocal relationship.

It is for these reasons, we urge this committee to **not support this legislation**.

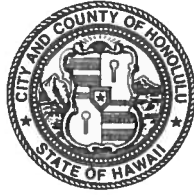
Thank you for allowing the Hawai'i Police Department to provide comments relating to Senate Bill 557.

Sincerely,

PAUL K. FERREIRA
POLICE CHIEF

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
JONATHAN GREMS
DEPUTY CHIEFS

OUR REFERENCE MC-JK

February 25, 2019

The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
415 South Beretania Street, Room 211
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Members:

SUBJECT: Senate Bill No. 557, Relating to Law Enforcement

I am Acting Major Mark Cricchio of the Central Receiving Division, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 557, Relating to Law Enforcement. While the HPD supports the principle that a relationship of trust and cooperation among members of the immigrant community and local law enforcement is essential, we do not believe that this bill will accomplish that goal. It will instead hamper police efforts to keep our community safe by threatening the local police department's ability to qualify for essential federal funding.

Senate Bill No. 557 is founded on the incorrect premise that local law enforcement acts at the request of federal immigration officials in the execution of its duties. Such a notion is incorrect and misleading. Further, Senate Bill No. 557 pits federal law enforcement against local law enforcement and places police in the difficult position of having to choose between obeying state law or federal law. For the foregoing reasons, the HPD respectfully objects to this bill.

The Honorable Donovan M. Dela Cruz, Chair
and Members
February 25, 2019
Page 2

The HPD urges you to oppose Senate Bill No. 557.

Thank you for the opportunity to testify.

Sincerely,



Mark Cricchio, Acting Major
Central Receiving Division

APPROVED:



for Susan Ballard
Chief of Police



Testimony of Church of the Crossroads
Supporting SB 557
Senate Committee on Ways and Means
February 25, 2019 at 10:30 a.m. in Conference Room 211

The Church of the Crossroads was founded in 1922 and is Hawaii's first intentionally multicultural church.

Hawaii is justifiably proud of its rich immigrant heritage, which has woven many people into a tapestry of races, ancestral groups, religions, cultures, and languages from many parts of the world. Hawaii cultivates a culture of inclusion to ensure that all people in our communities receive equal protection of the laws and respectful treatment without regard to race, national origin, ancestry, or citizenship status.

A total of 250,000 immigrants live in Hawaii, of whom approximately 45,000 are undocumented. Immigrants are undocumented because they either crossed border into the United States without being processed, which is a federal misdemeanor, or they entered with visas and then overstayed the lengths of the visas, which is not a crime. It is likely that the majority of undocumented immigrants living in Hawaii have overstayed their visas.

The inclusionary and peaceful culture of Hawaii is now threatened by inflammatory rhetoric and harsh practices of the federal administration that vilify immigrants. The federal administration seeks to deport all undocumented immigrants, including many in Hawaii who have committed no crime at all. Various efforts have been made to render federal immigration law more humane, however those efforts have failed.

The federal government seeks to involve state and local law enforcement agencies in federal deportation activities. For example, the federal government seeks to deputize local police to act as federal immigration agents. When that happens, however, the trust between undocumented immigrants and local police is severed. Undocumented immigrants are reluctant to report crimes and come forth as witnesses to crimes because they fear deportation. As a result, everyone in our communities are less safe.

Immigration is a federal function. Based on the Tenth Amendment of the U.S. Constitution, the U.S. Supreme Court has ruled that the federal government may not coerce states or local governments to implement or enforce federal programs. States and local governments have significant discretion regarding whether and how to respond to requests for assistance with federal immigration enforcement agencies.

In light of cruel and inhumane federal immigration policies, this bill does not allow state and local law enforcement agencies to assist federal immigration enforcement agencies, except when required by law. The bill will help to maintain peace, stability, and security in our communities. The Church of the Crossroads supports the bill and urges the committee to pass it.

SB-557

Submitted on: 2/22/2019 1:06:39 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	Testifying for LGBT Caucus of the Democratic Party of Hawaii	Support	Yes

Comments:

Aloha Senators,

The LGBT Caucus of the Democratic Party of Hawaii supports SB 557.

The Federal Government has declared war on immigrants and Hawaii should not be complicit let alone compliant with this war on immigrants.

Mahalo for the opportunity to testify.

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawaii



Testimony of Hawaii J-20+
Supporting SB 557
Senate Committee on Ways and Means
[date] at [time] in Conference Room [number]

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

Our nation is sorely divided. However, Republicans and Democrats agree on one issue: The federal immigration system is broken and needs an overhaul.

We in Hawaii celebrate our immigrant heritage. One in six Hawaii residents is an immigrant. Many more of us have ancestors who immigrated to Hawaii, often from economically deprived regions, willing to work hard and make better lives for themselves.

Many of us view current federal immigration practices as cruel and inhumane. We recoil at reports of families separated at the border, and we sympathize with the families of immigrants who have been deported. Andres Ortiz, a coffee farmer in Kona and a pillar of the community, who was originally from Mexico, faced deportation and had to leave his wife and children in Hawaii, who are all U.S. citizens.

One in five immigrants to Hawaii is undocumented---either because they crossed the border without being processed, which is a misdemeanor, or they entered the U.S. with a visa and overstayed, which is not a crime. Most undocumented immigrants in Hawaii overstay their visas. Nevertheless, they live in fear because President Trump signed an executive order that seeks to deport them.

Immigration is a federal function, paid for by federal taxes. States, cities, and counties have no statutory role in immigration. Yet Trump's executive order seeks to deputize local police to act as federal immigration agents, without reimbursing the state or counties. The executive order, in effect, taxes us twice for immigration enforcement.

The executive order raises fear among undocumented immigrants because local police deputized as federal immigration agents can ask anyone for their immigration status and report them for deportation. Trust among police and undocumented immigrants has been severed. Undocumented immigrants are reluctant to report crimes and come forth as witnesses to crimes, making our communities are less safe for everyone.

The State Legislature has no influence on federal immigration policy, but this does not mean that state and local taxes should be used to deport people living lawfully among us. Hundreds of cities and counties across the country -- as well as several states -- have adopted "sanctuary" legislation. Such legislation does not provide undocumented immigrants with special protections, but simply limits the assistance that local law enforcement agencies provide to federal immigration enforcement agencies.

Sanctuary legislation is constitutional. The Tenth Amendment prohibits the federal government from coercing states or local governments to implement or enforce federal programs. Based on the Tenth Amendment, Trump's executive order has been ruled to be unconstitutional.

The great majority of undocumented immigrants behave as good citizens. Two-thirds of undocumented adults have lived here at least 10 years. Many have married American citizens. Many more have children who are American citizens by birth. They have jobs and they pay taxes. The crime rate of undocumented immigrants is far below that of native-born citizens.

It is time to enhance community safety and protect taxpayers. SB 557 limits the assistance state and local law enforcement agencies provide to the federal government. It is a solid piece of legislation modeled on the California sanctuary law, which was ruled to be constitutional.

Immigration created the multicultural society we enjoy in Hawaii nei. Let's extend aloha to undocumented immigrants who are living peaceably among us.

Hawaii J-20+ supports SB 557 and urges the committee to pass it.

At a previous public hearing, testimony in opposition to the bill was submitted by the Honolulu Prosecutor and the Honolulu Police Department. In addition, the Attorney General submitted comments on the bill. The testimony by these agencies includes claims that we dispute in the attachment.

RESPONSES TO CLAIMS MADE IN TESTIMONY ON SB 557 BY THE HONOLULU
PROSECUTING ATTORNEY, HONOLULU POLICE DEPARTMENT, AND ATTORNEY GENERAL

Honolulu Prosecuting Attorney testimony opposing SB 557, dated Feb. 8, 2019

- (1) Claim: The bill could interfere with ability to enlist assistance of federal agencies in removing dangerous criminals.

Response: The bill recognizes that some undocumented immigrants are dangerous criminals, and the bill allows local law enforcement agencies to fully collaborate with federal agencies in apprehending and prosecuting them.

- (2) Claim: The bill may prohibit outreach efforts in informing immigrant crime victims of immigration benefits that they are eligible for.

Response: There are hundreds of sanctuary jurisdictions across the country, and this has not been a problem that has been raised by these jurisdictions.

Honolulu Police Department testimony opposing SB 557, dated Feb. 8, 2019

- (1) Claim: The bill threatens the police department's ability to qualify for federal funding.

Response: The executive branch has tried to withhold federal law enforcement grants from sanctuary jurisdictions. However, the Ninth Circuit Court of Appeals has ruled that only Congress may establish the conditions for federal grants, and the executive branch may not refuse to distribute these grants without Congressional authorization. (Also, see AG testimony response #1 below).

- (2) Claim: The bill is founded on the incorrect premise that local law enforcement acts at the request of federal immigration officials in the execution of its duties. The bill pits federal law enforcement against local law enforcement and places police in the difficult position of having to choose between obeying state law or federal law.

Response: The bill does not affect the way in which local law enforcement agencies enforce state and county laws. Immigration is a federal function, and federal agencies are responsible for enforcing immigration laws. Neither the State of Hawaii nor its counties have adopted immigration laws, and they do not receive federal funding for immigration. The Tenth Amendment prohibits the federal government from coercing states or local governments from implementing or enforcing federal programs.

Attorney General testimony commenting on SB 557, dated Feb. 8, 2019

- (1) Claim: The bill may result in loss or delay in federal grant funding based on Section 1373 of Title 8 of the U.S. Code of Laws (8 USC 1373). In particular, the bill jeopardizes the State and its local governments from receiving the Edward Byrne Memorial Justice Assistant Grant (Byrne JAG). DOJ has attached two new conditions to the Byrne JAG.

Some lower courts have ruled against DOJ, but they have generally limited the effect of the injunctions to the parties in each case and have been reluctant to apply their injunctions nationwide. The litigation is still pending in the federal courts and the outcome is not clear.

Response: U.S. District Judge William Orrick III ruled on Oct. 2, 2018, that DOJ may not impose immigration-related conditions on policing grants, such as the Byrne JAG, and he struck down a longstanding immigration law – 8 USC 1373 – as unconstitutional. This ruling follows similar rulings by federal judges in Chicago and Philadelphia. Orrick found 8 USC 1373 to be unconstitutional because it coerces local and state governments to help enforce federal laws, which violates the separation of powers principles enshrined in the Tenth Amendment. Orrick issued a nationwide injunction but stayed its nationwide effect until the Ninth Circuit can address it in the normal course on appeal. The Ninth Circuit previously ruled generally that only Congress may establish the conditions for federal grants, and the executive branch may not refuse to distribute these grants without Congressional authorization.

SB-557

Submitted on: 2/22/2019 1:50:02 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kanani Kai	Individual	Support	No

Comments:

The Ho`okipa Bill stands up for local taxpayers. Federal immigration agents seek to deputize local law enforcement agents to carry out federal immigration enforcement assignments. They also issue warrant-less detainers asking that our over-crowded prisons and jails be used to house undocumented immigrants. Yet, the federal government does not reimburse us for these services. We have more pressing needs for our local tax dollars than to deport people who are living peaceably among us.

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
and Committee Members

Hearing Date: Monday, Feb. 25th, 2019

Re: SB 557: Prohibits state and county law enforcement agencies from complying with federal immigration detainers or honoring requests for non-public information unless specifically required to do so by a warrant signed by a judge or provisions of federal, state, or local law.

I strongly oppose this bill which in essence makes us a "Sanctuary State" for those that intentionally choose to break our laws, potentially putting our residence at risk.

Bill states: *Hawai'i is justifiably proud of its rich immigrant heritage, which has woven many people into a valued tapestry of races, ancestral groups, religions, cultures, and languages from many parts of the world*" that is absolutely correct, that diversity is what made Hawaii the Aloha State, through legal immigration, those coming here that respected our laws. However there comes a point in which we must decide are we a state of laws or lawless state. Remember laws are created to protect the innocent, the law abiding citizen.

How does ignoring federal laws and refusing to work with ICE (and CBP) benefit our state? The safety of our residents? How would we function as a state if we could pick and choose which Hawaii laws we felt were unfair, so decided to ignore.

How will this law affect employers? Will they be penalized by the state if they cooperate with the federal agency, will they be penalized by the federal government if they don't? I believe this is already an issue in California.

The AG's office notes in part *"this bill may subject the State to closer scrutiny by the federal government, result in loss or delay in federal grant funding, and increase the risk that the State will become a party to litigation, either in defense of actions brought by the federal government, or in state efforts to enjoin actions by the federal government."*

Honolulu Police Dept. opposes this bill. *"Further, Senate Bill No. 557 pits federal law enforcement against local law enforcement and places police in the difficult position of having to choose between obeying state law or federal law."*

"Department of the Prosecuting Attorney of the City and County of Honolulu, opposes the passage of S.B. 557"

In closing, I again state that I oppose the passing of this bill and ask that you give it serious thought.

Respectfully,
Rita Kama-Kimura

SB-557

Submitted on: 2/22/2019 2:18:44 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	No

Comments:

That the Federal government will scrutinize us more is NOT a reason to choose NOT to do something. WE are Hawai'i and should make decisions on what is best for our islands.

SB-557

Submitted on: 2/24/2019 6:08:22 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Tennant	Individual	Support	No

Comments:

My name is Maria Tennant. Undocumented immigrants are our families, friends, and neighbors. They are hard working, contributing members to our society. Trump's executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. An individual should not fear being arrested and reduced to a number (A#: xxxxxxxxx) for trying to help a neighbor in need or themselves for that matter. Local police should be able to protect our communities, not act as federal agents. Having local police function as ICE agents puts a target on the back of immigrants who are more vulnerable members of our society to begin with. By limiting their ability to seek help from local police, we unnecessarily exacerbate that vulnerability. If someone is breaking into my home or the home of an undocumented immigrant, I would like my neighbors to feel safe to call the police. If anyone is unable to call the local police in a time of need for fear of being deported, our system has severely failed the people of Hawai'i. I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/24/2019 2:32:49 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ellen Godbey Carson	Individual	Support	No

Comments:

I urge support of this bill as a reasonable way to avoid misuse of our valuable law enforcement resources. Federal political efforts to scapegoat our immigrant community do more harm than good. Our state should not be required to assist a politicized immigrant persecution process if the particular enforcement is contrary to our own state's best interest.

SB-557

Submitted on: 2/24/2019 12:05:35 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lois J Young	Individual	Oppose	No

Comments:

Aloha,

I am deeply concerned for the safety of our Hawaii citizens and stand with our Honolulu Police Dept in opposing this "sanctuary city" bill.

I strongly ask you to Vote NO.

Mahalo,

Lois Young

SB-557

Submitted on: 2/23/2019 10:11:48 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Caban	Individual	Support	No

Comments:

SB-557

Submitted on: 2/23/2019 9:43:56 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

As a son of immigrants and a contributing professional living and working in Hawaii, I strongly support this bill.

This bill represents an important and necessary move for a state that thrives, economically and culturally, on its diversity and heritage of inclusion. A total of 250,000 immigrants live in Hawaii, of whom approximately 45,000 are undocumented. The federal administration seeks to deport all undocumented immigrants, including many in Hawaii who have committed no crime at all. In fact, many undocumented immigrants pay taxes and contribute to the economic robustness of many of Hawaii's industries. By seeking to involve state and local law enforcement agencies in federal deportation activities, the federal government will not only inculcate distrust and fear for law enforcement in our local immigrant communities but will also divert resources away from more important and pressing public safety issues.

Based on the Tenth Amendment of the U.S. Constitution, the U.S. Supreme Court has ruled that the federal government may not coerce states or local governments to implement or enforce federal programs. States and local governments have significant discretion regarding whether and how to respond to requests for assistance with federal immigration enforcement agencies. With this in mind, I urge the passage of this bill to protect the people and resources that make Hawaii thrive.

SB-557

Submitted on: 2/23/2019 6:36:04 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia J. Goto	Individual	Support	No

Comments:

SB-557

Submitted on: 2/23/2019 6:33:14 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
william digiorgio	Individual	Support	No

Comments:

I am testifying in strong support of Senate Bill 557 (SB557) - the Ho'okipa Bill.

February 23, 2019

To: **WAYS AND MEANS COMMITTEE, HAWAII STATE SENATE**
Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair

Re: **SB557 — RELATING TO LAW ENFORCEMENT — hearing on Monday, Feb 25, 2019**

STRONG SUPPORT

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and members of your committee,

The Ho'okipa bill, SB557, responds in a thoroughly Hawaiian manner to the dangers posed to our local community by the activities of the federal government's Immigration and Customs Enforcement agency. These dangers include, among other issues, the rending of local families; the intimidation of community members, dissuading them from reporting illegal activities to the police; and the waste of local resources in our state's fragile fiscal position.

Plain and simple, immigration matters are the kuleana of the federal government. That's what the United States Constitution says. As shameful as it is, let the feds bust up local families and scare our neighbors if that's what they want to do. But let us be no part of it — much less using our precious time and limited funds to bankroll this dishonorable pursuit.

SB557 mirrors what communities and states throughout America have felt compelled to do during our country's current trying times. Despite threats, they have not suffered thereby. Now we can act with pride and join them in doing what is right.

Mahalo nui loa.

Aloha,



Peter Gellatly

Corrections Population Management Commission, 2004-2011
Penal Code Review Committee, 2015



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SB-557

Submitted on: 2/23/2019 4:11:40 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Nakano	Individual	Support	No

Comments:

My name is Jason Nakano I am testifying in strong support of Senate Bill 557 (SB557) - the Ho'okipa Bill. I have lived in California where similar sanctuary state legislation has had an overwhelmingly positive effect on Police community relations, and public safety.

SB-557

Submitted on: 2/23/2019 4:04:32 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark K.Wilson III	Individual	Support	No

Comments:

My name is Mark Wilson, and I strongly support SB557. The federal government is responsible for making and enforcing immigration laws, and the Supreme Court has ruled that the federal government may not force states to enforce federal programs. If our local police are deputized to act as federal immigration agents, undocumented immigrants will be less likely to report crimes and come forth as witnesses for fear of being deported. I believe SB557 will help maintain stability and security in our community, and I urge the committee to pass this bill.

SB-557

Submitted on: 2/23/2019 3:47:04 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mahdi Veillet-Chowdhury	Individual	Support	No

Comments:

My name is Mahdi Veillet-Chowdhury . I am testifying in strong support of Senate Bill 557 (SB557) - the Ho'okipa Bill.

2. My name is Mahdi Veillet-Chowdhury. Undocumented immigrant are our families and our neighbors. They are contributing members to our society. Trump's executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. Local police should be able to protect our communities, not act as federal agents. If someone is breaking into my home, I would like my neighbors to feel safe to call the police. I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/23/2019 2:38:44 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Scott	Individual	Support	No

Comments:

My name is Keith Scott. Undocumented immigrants are our families and our neighbors. They are contributing members to our society. Trump's executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. Local police should be able to protect our communities, not act as federal agents. If someone is breaking into my home, I would like my neighbors to feel safe to call the police. I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/23/2019 12:26:05 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alice Rogers	Individual	Oppose	No

Comments:

The birth of a live child by whatever means (botched abortion) and the intentional killing of an American citizen, at birth, is murder by any name. All illegals come to this country to have a child so it will be an American citizen. How is that different? A nation is known by how it treats its citizens, including the most vulnerable. I am no longer a supporter of Planned Parenthood - I do not support under any circumstances MURDER. Just because New York, etc. passed the infamous bill does not mean: Monkey see, monkey do. Grow a heart and intelligence to know MURDER when you see it.

SB-557

Submitted on: 2/23/2019 12:22:54 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Arcelita Imasa	Individual	Support	No

Comments:

My name is Arcelita Imasa. Undocumented immigrants are our families and our neighbors. They are contributing members to our society. Trump's executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. Local police should be able to protect our communities, not act as federal agents. If someone is breaking into my home, I would like my neighbors to feel safe to call the police. I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/23/2019 10:10:29 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

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

Comments:

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

Supporting SB 557

I appreciate this opportunity to testify in support of SB 557, or the Ho'okipa (welcoming) bill. I have been researching immigration policies and their effects for the last twenty-five years and have published numerous articles and books on the topic. I am a nationally and internationally recognized scholar of immigration policies and politics, especially as it relates to issues of racism, sexism, and nationalism.

I believe that SB 557 is a reasonable and much-needed response to President Trump's signing of a Jan. 25, 2017 executive order seeking to deport all undocumented immigrants from the United States. Trump's executive order also seeks to deputize local police to act as agents of federal immigration enforcement agencies, such as the federal Immigration and Customs Enforcement agency (ICE).

The Hawaii State government has done a truly wonderful – even heroic – job at standing up for justice (and our constitutional rights) by challenging President Trump's executive order on the "Muslim ban." Tragically, the Supreme Court saw fit to allow President Trump's Muslim Ban to stand. Hopefully, our next President will overturn this order.

It is time to do the same with Trump's executive order on stepped-up deportation, which mainly (but not only) targets undocumented immigrants.

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

An estimated 11 million undocumented immigrants live in the U.S. Two-thirds of the adult undocumented immigrants have been in the U.S. for 10 years or more. Many have

married spouses who are U.S. citizens, and many more have children who are U.S. citizens by birth.

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

Supporting SB 557 is crucial for a variety of reasons, including the fact that the Ho'okipa Bill stands up for local taxpayers. Federal immigration agents seek to deputize local law enforcement agents to carry out federal immigration enforcement assignments. They also issue warrant-less detainers asking that our over-crowded prisons and jails be used to house undocumented immigrants. Yet, the federal government does not reimburse us for these services. We have more pressing needs for our local tax dollars than to deport people who are living peaceably among us.

The Ho'okipa Bill clarifies the fact that immigration is a federal function. According to the US Constitution's 10th Amendment, the federal government may not coerce States or their subdivisions to enforce its regulations or implement its programs. In the interest of community safety, hundreds of cities and counties – and even several states – limit the cooperation of their local law enforcement agencies with ICE. SB 557 limits the assistance that State and county police provide to federal immigration enforcement agencies, allowing only that which is required by law. This bill helps to maintain community safety, respects Hawaii's immigrant communities and wisely uses State funding.

SB 557 was needed before President Trump's executive order, but it is needed now more than ever. For the foregoing reasons, I strongly support SB 557 and urge the committee members to pass it.

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

Supporting SB 557

I appreciate this opportunity to testify in support of SB 557, or the Ho'okipa (welcoming) bill. I have been researching immigration policies and their effects for the last twenty-five years and have published numerous articles and books on the topic. I am a nationally and internationally recognized scholar of immigration policies and politics, especially as it relates to issues of racism, sexism, and nationalism.

I believe that SB 557 is a reasonable and much-needed response to President Trump's signing of a Jan. 25, 2017 executive order seeking to deport all undocumented

immigrants from the United States. Trump's executive order also seeks to deputize local police to act as agents of federal immigration enforcement agencies, such as the federal Immigration and Customs Enforcement agency (ICE).

The Hawaii State government has done a truly wonderful – even heroic – job at standing up for justice (and our constitutional rights) by challenging President Trump's executive order on the "Muslim ban." Tragically, the Supreme Court saw fit to allow President Trump's Muslim Ban to stand. Hopefully, our next President will overturn this order.

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Supporting SB 557 is crucial for a variety of reasons, including the fact that the Ho'okipa Bill stands up for local taxpayers. Federal immigration agents seek to deputize local law enforcement agents to carry out federal immigration enforcement assignments. They also issue warrant-less detainers asking that our over-crowded prisons and jails be used to house undocumented immigrants. Yet, the federal government does not reimburse us for these services. We have more pressing needs for our local tax dollars than to deport people who are living peaceably among us.

The Ho'okipa Bill clarifies the fact that immigration is a federal function. According to the US Constitution's 10th Amendment, the federal government may not coerce States or their subdivisions to enforce its regulations or implement its programs. In the interest of community safety, hundreds of cities and counties – and even several states – limit the cooperation of their local law enforcement agencies with ICE. SB 557 limits the assistance that State and county police provide to federal immigration enforcement agencies, allowing only that which is required by law. This bill helps to maintain

community safety, respects Hawaii's immigrant communities and wisely uses State funding.

SB 557 was needed before President Trump's executive order, but it is needed now more than ever. For the foregoing reasons, I strongly support SB 557 and urge the committee members to pass it.

SB-557

Submitted on: 2/23/2019 6:41:42 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Dye	Individual	Support	No

Comments:

Aloha Chair Dela Cruz and members of the Committee on Ways and Means,

My name is Thomas S. Dye and I strongly support SB 557.

SB 557 sends a strong message of aloha to undocumented immigrants who are living peaceably among us. It invites them to join citizens and law enforcement agents in the effort to police our community to make it safer for everyone.

SB 557 curtails use of state and local taxes to support federal immigration functions. We have our own law enforcement challenges in Hawaii nei, such as drunk driving, homelessness, and uncontrolled methamphetamine use, that our state and local taxes have not solved. Please keep our state and local taxes for state and local problems, so taxpayers aren't taxed two and three times for federal functions.

Please vote aye on SB 557.

SB-557

Submitted on: 2/22/2019 10:10:20 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Smart	Individual	Oppose	No

Comments:

Vote NO on this bill. Allowing "undocumented" individuals, those lacking a reliable history of their criminal activity and medical status of contagious diseases endangers the safety of Hawai'i residents and residents of the entire country. When the Honolulu Police Department, the Department of the Prosecuting Attorney of the City and County of Honolulu oppose the bill and the Attorney General warns against the possibility of added scrutiny by the federal government which could delay our receipt of needed federal grants -- our legislature must heed these admonishments. It is too risky to go with feelings and not facts. Immigrants who are vetted through the legal immigration process may have a lower criminal record -- but many who have broken the law by their method of entry or overstaying visa's have been involved in violent crimes. Just ask an "angel mom" who has lost a loved one to individuals classified as "undocumented" if you think this isn't a problem. A 2017 Washington Times article indicates that 22 percent of the national prison population are immigrants. That is a significant statistic. The bill acknowledges that approximately 45,000 "undocumented" people live in Hawai'i. What isn't recorded is how many of them are living on the streets; how many are involved in drugs; members of violent gangs; or involved in human trafficking. We have no idea what infectious diseases that had been eliminated in the USA will be reintroduced by this "undocumented" population. Each of those issues are big problems for our state and this bill will only exacerbate the problems which will result in excessive costs to the taxpayer. Don't make life more costly, difficult, and unsafe for our legal residents that elected you to represent their best interests. We should work in concert with federal law enforcement agencies as colleagues to uphold federal laws -- not be complicit in violating them. Vote NO on SB 557.

SB-557

Submitted on: 2/22/2019 10:05:45 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Bent	Individual	Support	No

Comments:

My name is Megan Bent. I am testifying in strong support of Senate Bill 557 (SB557) - the Ho'okipa Bill.

SB-557

Submitted on: 2/22/2019 9:08:37 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Egusa	Individual	Oppose	No

Comments:

Hawaii is justifiably proud of its rich immigrant heritage, but they were LEGAL immigrants who all ASSIMILATED into our culture of rights and freedom. They accepted the responsibility of obeying our laws. They did not break our laws by coming here. We are a law abiding culture, and we want it to stay that way. There is no reason for Hawaii to become a sanctuary state. Oppose SB 557.

SB-557

Submitted on: 2/22/2019 9:06:16 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
SUSAN P HUGHES	Individual	Oppose	No

Comments:

I oppose this bill for two reasons:

- 1. It's unlawful. States can change certain laws but not immigration!**
 - o Why would we want to do break Federal Laws when we already have natural borders making immigration so easy to follow.**
- 2. Immigration laws hinder sex trafficking, drugs, diseases and they take jobs away from our lawful citizens.**

It puts Hawaii in opposition to the Federal laws, and then how to the police carry on their business?

SB-557

Submitted on: 2/22/2019 8:04:53 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kern Rogerson	Individual	Support	No

Comments:

My name is Kern Rogerson. Undocumented immigrants are not a problem, but instead contribute a lot to society and the economy. Trump's executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. Local police should be able to protect our communities, not act as federal agents. If someone is breaking into my home, I would like my neighbors to feel safe to call the police. I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/22/2019 7:53:35 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stefani jeremiah	Individual	Oppose	No

Comments:

Please please do not pass this bill as a person that was born and raised here in Hawaii looking at this we cannot even take care of our own homeless why would we even open up our state to take care of people when we cannot even take care of our own Hawaiians and veterans and homeless people that have already come here from other states. If you allow this bill you are allowing people to come from other countries and we would be supporting them we meaning I and everybody else the taxpayers to take care of them. And once again people like me and other local people would be forced to move away from Hawaii. Please please consider me and my family before you pass this bill. Please put the people of Hawaii first. This is why we elected you this is why we put you in the seats where you sit to put us the people we the people to allow you to make choices for us please make the right choice and put us first that would be legal u.s. Citizens First. Thank you and God bless each and everyone of you legal and voted into office by We the People the legal citizens of the United States of America and Hawaii. Stefani Jeremiah

WRITTEN TESTIMONY ON SB 557, SSCR601
BEFORE THE WAYS AND MEANS COMMITTEE
MONDAY, FEBRUARY 25, 2019
10:30 A.M., CONFERENCE ROOM 211

Chairman Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee:

My name is Donna Van Osdol, and I am a constituent of Senator Dela Cruz. I STRONGLY OPPOSE THIS BILL BECAUSE IT WILL LEAD TO MAKING HAWAII A SANCTUARY STATE ALLOWING UNDOCUMENTED AND ILLEGAL IMMIGRANTS INTO HAWAII. My reasons for objecting this bill are listed below.

Becoming a Sanctuary state will NOT keep the residents of Hawaii safe. The whole purpose of our Immigration laws is to ensure that everyone who enters this country does so according to the laws of the United States. By allowing all illegals into this State you will be harboring drug traffickers, pedophiles, gang members, and every type of person who has ill will towards our government...state or federal. Additionally, we absolutely and simply cannot afford to feed, clothe, and shelter everyone who comes into this state. We should take care of our own citizens first because, already, much of our population is struggling just to survive.

There are untruths in other testimonies that President Trump's policies on immigration is brutal and cruel, but, in actuality, Homeland Security says otherwise. The blurb below is a simple cut-and-paste from Homeland Security's web page:

MYTH: ICE allows for the transportation of detainees under inhumane conditions



FACT: ICE has zero tolerance for inappropriate and inhumane treatment of anyone we encounter, under any circumstance. Every step possible is taken to ensure that these individuals are provided with food, water, restroom breaks and that they are processed as quickly as possible.

+++++

By enacting this bill, endangering federal funds needed by our local law enforcement agencies, such as the Honolulu Police Department ("HPD") could be a real possibility. The bill, according to the HPD's testimony, will also endanger the working relationship between the federal government and HPD. For other reasons Major Cricchio has stated, the HPD opposes this bill.

The state Agriculture Department also has serious misgivings about this bill, and like the HPD, is concerned about federal funding, and has also opposed SB557, SD1.

However, the most compelling testimony I read comes from the State Attorney General's office that "this bill may subject the State to closer scrutiny by the federal government, result in loss or delay in federal grant funding, and increase the risk that the State will become a party to litigation, either in defense of actions brought by the federal government, or in state efforts to enjoin actions by the federal government."

Another serious issue I have is that "undocumented" immigrants are contributing to our society here in Hawaii as noted by others testifying in support of this bill. That term "undocumented" is worrisome to me, because if they are living here and working, are these "undocumented" immigrants paying their fair share of taxes? And, if not, why not? And, if they are employed as "undocumented" immigrants, are their employers doing something unlawful?

For all the good reasons I have stated above, please do not pass this bill. Thank you for this opportunity to testify in opposition of SB557, SD1.

SB-557

Submitted on: 2/22/2019 5:06:40 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Colleen Rost-Banik	Individual	Support	No

Comments:

My name is Colleen Rost-Banik and I'm a resident of Honolulu. I support SB557. Our state should be a sanctuary for all who live here. No one should be concerned about being harassed by the police about whether they "belong." Further, local and state officials should NOT cooperate with federal ICE agents, especially considering how inhumane ICE and immigration detention facilities have proven to be.

I implore you to support SB557. Make Hawaii a sanctuary state.

SB-557

Submitted on: 2/22/2019 5:04:16 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Babcock	Individual	Support	No

Comments:

My name is Mary Babcock. Undocumented immigrant are our families and our neighbors. They are contributing members to our society. Trump's executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. Local police should be able to protect our communities, not act as federal agents. If someone is breaking into my home, I would like my neighbors to feel safe to call the police. I wholeheartedly support SB557 and urge you to do the same.

TESTIMONY for Senate Bill No. 557, RELATING TO LAW ENFORCEMENT

Senate Committee on Ways and Means
Room 211, 10:30 a.m, Monday, February 25, 2019

Dear Sen. Dela Cruz, Chair, Sen. Keith-Agaran, Vice Chair, and Committee Members:

As an interested citizen, I fully support SB 557 that would prohibit local and state law enforcement agencies from conducting law enforcement for Immigration and Customs Enforcement (ICE) and the Customs and Border Protection (CBP).

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

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

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

I respectfully ask that you support S.B. 557. Thank you for the opportunity to testify.

Sincerely,

Nancy Marker

SB-557

Submitted on: 2/22/2019 4:56:51 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Boyne	Individual	Support	No

Comments:

I am testifying in strong support of Senate Bill 557 (SB557) - the Ho'okipa Bill.

Undocumented immigrant are our families and our neighbors. They are contributing members to our society.

Trump's executive order making local police function as ICE agents is brutal and divisive.

It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation.

Local police should be able to protect our communities, not act as federal agents.

If someone is breaking into my home, I would like my neighbors to feel safe to call the police.

I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/22/2019 4:27:55 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin J. Cole	Individual	Oppose	No

Comments:

This is a foolish Bill. Federal law is Federal law. SB557 would in fact place LEOs in an untenable position of either following Constitutional law or being forced to break said law.

I have been to Sancurary Cities. They are overrun with non-citizens who add to the crime rate and homeless population. Hawaii has enough of this problem. We don't need to import any more.

K. Cole Mililani

SB-557

Submitted on: 2/22/2019 4:06:50 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

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

Comments:

Aloha Legislators,

My name is Nicholas Chagnon. I'm a criminologist at UH Manoa, and I strong support efforts to protect undocumented immigrants from our current abominable immigration enforcement system. This system is rife with human rights abuses, and constitutes a crime against humanity. As principled citizens in a democracy, we must not only resist when our government commits crimes, but protect those vulnerable to abuse.

Mahalo nui,

Nick Chagnon

SB-557

Submitted on: 2/22/2019 4:06:23 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Truong	Individual	Support	No

Comments:

My name is Amy Truong.

Undocumented immigrant are our families and our neighbors. They are contributing members to our society. Trump's executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. Local police should be able to protect our communities, not act as federal agents. If someone is breaking into my home, I would like my neighbors to feel safe to call the police. I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/22/2019 3:46:36 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jean SM Chan	Individual	Support	No

Comments:

Please support SB557.

SB-557

Submitted on: 2/22/2019 3:43:10 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

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

Comments:

My name is Gaye Chan. Undocumented immigrant are contributing members to our society. They are our families and our neighbors. Trump's mean-spirited executive order making local police function as ICE agents is brutal and divisive. Local police should be able to protect our communities, not act as federal agents. When undocumented immigrants are not safe it make all less safe. They and their US families won't report crimes if they believe it runs the risk of deportation. If someone is breaking into my home, I would like my neighbors to call the police. I wholeheartedly support SB557 and urge you to do the same.

SB-557

Submitted on: 2/22/2019 3:39:33 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Toledo Jr	Individual	Oppose	No

Comments:

I strongly OPPOSE making Hawaii a Sanctuary State.

SB-557

Submitted on: 2/22/2019 3:21:20 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

LATE

SB-557

Submitted on: 2/24/2019 9:18:11 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

LATE

SB-557

Submitted on: 2/24/2019 10:53:54 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Testifying for Hawaii Women's Coalition	Support	No

Comments:



Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and members,

We support this measure to protect immigrants from government overreach,

Mahalo,

Ann S. Freed

Co-Chair Hawaii Women's Coalition

LATE

SB-557

Submitted on: 2/24/2019 9:11:33 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jane Aquino	Testifying for Hawaii J20	Support	No

Comments:

As a State and Country of immigrants we should provide a safe haven for all those seeking a better life.

SB-557

Submitted on: 2/25/2019 8:05:09 AM

Testimony for WAM on 2/25/2019 10:30:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Darlene Ewan	Testifying for Aloha State Association of the Deaf	Support	No

Comments:

10:30am, February 25, 2018

Testimony in support SB 557 Relating to Law Enforcement and Ho'okipa policy

Testimony submitted by Amy Agbayani, chair

Filipina Advocacy Network (FAN)

3432 B-1 Kalihi St. Honolulu, Hi 96819

Chair dela Cruz, Vice Chair Keith-Agaran:

I am representing, Filipina Advocacy Network (FAN) in strong support of SB557. FAN advocates for equity, non-discrimination, diversity, and inclusion. We support this law enforcement bill, providing equity and declaring Hawai'i to be a Ho'okipa (Welcoming) State. This bill expresses our shared values and our aspirations and our rejection of hate towards vulnerable people. FAN is very concerned that members of the Filipino community, many who are recent immigrants, will face even more barriers to equal and full participation and fair treatment.

In 1906 fifteen men left the Philippines and came to Hawai'i to work on the plantations. Since then thousands of Filipinos, their children and grandchildren have become citizens and residents of the state. Filipinos (26% alone and mixed) are now the second largest ethnic group in the state (after White/Caucasians). Since the 1965 major amendments to the US Immigration law, Filipinos continue to be the largest immigrant group arriving in the state annually. One estimate is that 40% of the undocumented people in our state are from the Philippines. Many are in mixed status households (a spouse or a child may be a US citizen or legal resident), most are Catholic and some are Muslims. They are our neighbors, colleagues, students, workers, caregivers and taxpayers.

Immigrants (both documented and undocumented) are “crucial” to the welfare of our nation and our state. The 3/9/17 Star Advertiser article based on the Pew Research Center research states that “America’s workforce will only grow over the next two decades if new immigrants arrive to replace retiring baby boomers...Pew projected that the US working-age (25-64) population will grow to 183 million in 2035 from 173 million in 2015, with new immigrants accounting for all the growth...Without them, the number of working-age Americans would drop to 168 million in 2035. As baby-boomers retire, the number of US born working age adults with US born parents will account for a smaller share of the working-age population: 66 percent in 2035, down from 74 percent in 2015. The Pew report echoes what many economist have been saying in various reports: the US NEEDS IMMIGRANTS TO REPLACE RETIREES.

SB557 is inclusive and acknowledges that the contributions of immigrants are part of the history and future of our state and nation. The federal government is responsible for immigration policy and enforcement. We should not use state or city resources to help enforce federal immigration laws that are based on hate and discrimination. This bill will keep families together, help our economy and keep us more secure. As an immigrant and Hawaii resident of over 50 years, I respectfully urge you to vote for this bill that calls for sensible law enforcement that is fair and welcoming (Ho’okipa). Maraming salamat.

LATE

SB-557

Submitted on: 2/25/2019 3:10:09 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Lam	Individual	Oppose	No

Comments:

Any bill that puts us at odds with the Federal government regarding immigration or law enforcement is bad judgement, in my opinion, particularly at this time in history. Any law that moves Hawaii in the direction of becoming a sanctuary state for illegal immigration is a bad idea. Hawaii already has an overwhelming homeless and high taxation situation, and the fact that we have lawmakers actually considering such a bill is disappointing to say the least. Vote NO on this bill !

LATE

SB-557

Submitted on: 2/25/2019 1:13:22 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

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

Comments:

Chair Dela Cruz; Vice Chair Keith-Agaran, Committee Members:

While we are seeing record low border crossings, the Trump deportation machinery remains in full swing.

I ask that you pass this bill out of committee with the amendments to the following two sections:

"§ -4 Prohibition against honoring detainer requests; exceptions"

(b)(1): change to violent felonies;

§ -5 Prohibition against honoring requests for information; exceptions"

(b) (2): change to violent felonies;

(b) (3) and (b) (6): strike in their entirety.

Hawai'i law enforcement should play an absolutely minimal role in facilitating deportations that often destroy families permanently.

In the immortal words of US Supreme Court Justice Louis Brandeis:

[Deportation] may result also in loss of both property and life, or of all that makes life worth living.

Ng Fung Ho v. White, 259 U.S. 276, 284 (1922)

SB-557

Submitted on: 2/24/2019 9:18:42 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Marcella Alohalani Boido	Individual	Support	No

Comments:

SB-557

Submitted on: 2/24/2019 9:08:53 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Lea Minton	Individual	Support	No

Comments:

I strongly support SB557. Please pass this bill.

LATE

SB-557

Submitted on: 2/24/2019 3:06:37 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Danicole Ramos	Individual	Support	No

Comments:

I respectfully submit my testimony in strong support of SB 557, also known as the Ho'okipa Bill. My strong support for this bill stems from my background. I am a child of Filipino immigrants and grew up in Waialua, where my grandfather worked in the sugarcane plantation. I also speak from my previous work experience. 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!

I strongly support SB 557 because it affirms our state's values of aloha and 'ohana. Filipinos have been coming to Hawaii for over 100 years. Families like my own, make up the largest immigrant group in the state. About 40% of the undocumented community in our state are Filipinos. From my previous work experience, I have seen firsthand how our nation's current administration has abused its power and utilized CBP and ICE to rip children from their parents and abuse immigrant and refugee families in poorly conditioned detention facilities. As a state that embraces family and is made up by our rich immigrant history, we cannot give in to racist policies that go against our values.

Undocumented immigrants are our families and our neighbors. They are contributing members to our society. The federal executive order making local police function as ICE agents is brutal and divisive. It also makes all of us less safe because undocumented immigrants and their US families won't report crimes if they believe it runs the risk of deportation. Our local police have a responsibility to protect everyone in this state, regardless of ethnicity, gender, sexual orientation, income, and immigrant status. They should be able to protect and bring our communities together, not act as federal agents.

Mahalo for the opportunity to testify on this measure.

LATE

SB-557

Submitted on: 2/24/2019 2:46:27 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ROJELIO HERRERA JR.	Individual	Oppose	Yes

Comments:

Sir/Ma'am

I strongly oppose SB 557.

I am second generation Mexican-American. One hundred and three years ago, my grandparents came to the US legally escaping the corruption and violence along the Mexican border of the early 1900's. They came here, worked hard and sacrificed much to serve their new country. They worked hard at being Americans. One of my grandfather's favorite phrases was Amor de Patria—Love of Country. He and my grandmother loved this country and never asked for anything in return.

They were sharecroppers and cleared land along the Rio Grande Valley. When WW2 broke out, my grandfather volunteered but was too old to serve in the military. My dad was still a boy, so together they grew crops for the WW2 effort while two of his older brothers served in the US Army—one in the Pacific and the other in Europe. Since then, every generation of Herreras have proudly served in the military.

This bill is an affront to my family's belief that there are not short cuts to making America a better country. We believe that hard work, commitment, and yes, Amor De Patria results in a better America. SB557 is a short cut that neither makes the country stronger or better.

Gracias,

Rojelio Herrera, Mililani

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LATE

SB-557

Submitted on: 2/24/2019 12:08:23 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
maile nakano	Individual	Support	No

Comments:

My name is Maile Nakano. I am testifying in strong support of Senate Bill 557 (SB557)- the Ho'okipa Bill.