

STAND. COM. REP. NO.

1459

Honolulu, Hawaii

MAR 21 , 2025

RE: S.B. No. 816  
S.D. 2  
H.D. 2

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 816, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DUE PROCESS PROTECTIONS,"

begs leave to report as follows:

The purpose of this measure is to establish the Due Process in Immigration Proceedings Program to provide legal representation to individuals in immigration-related proceedings in immigration court.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission; one member of the Hawai'i County Council; Pride at Work - Hawai'i; Hawai'i Friends of Civil Rights; League of Women Voters of Hawaii; The Legal Clinic; Refugee & Immigration Law Clinic; Save Medicaid Hawaii; ACLU of Hawai'i; UNITE HERE Local 5; Hawaii State AFL-CIO; Hawai'i Coalition for Immigrant Rights; Catholic Charities Hawai'i; Af3irm Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from Hawaii Patriot Republicans; Hawaiian Islands Republican Women; and seven individuals. Your Committee received comments on this measure from the Judiciary and one individual.

2025-2758 SB816 HD2 HSCR HMSO



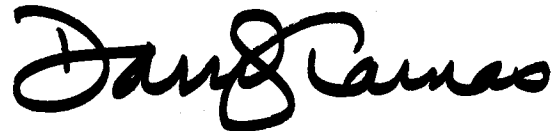
Your Committee finds that many individuals in the State may be facing a complex and costly process of deportation or other immigration-related proceedings in the coming years. Often, these individuals do not have the resources, legal training, or language skills to properly respond in these proceedings. Your Committee further finds that the establishment of a Due Process in Immigration Proceedings program will provide immigrants who are residents of the State with the needed support to navigate the complex legal issues in immigration-related proceedings.

Your Committee has amended this measure by:

- (1) Clarifying that 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; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 816, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 816, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



State of Hawaii  
House of Representatives  
The Thirty-third Legislature

HSCR 1459

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

| Bill/Resolution No.:<br>SB816 SD2 HD1   | Committee Referral:<br>ECD, JHA, FIN | Date:<br>03/18/2025 |      |         |
|---|--------------------------------------|---------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure.   |                                      |                     |      |         |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold<br><input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) |                                      |                     |      |         |
| JHA Members   | Ayes                                 | Ayes (WR)           | Nays | Excused |
| 1. TARNAS, David A. (C)   | ✓                                    |                     |      |         |
| 2. POEPOE, Mahina (VC)  | ✓                                    |                     |      |         |
| 3. BELATTI, Della Au  | ✓                                    |                     |      |         |
| 4. COCHRAN, Elle  |                                      |                     |      | ✓       |
| 5. HASHEM, Mark J.  | ✓                                    |                     |      |         |
| 6. KAHALOA, Kirstin   | ✓                                    |                     |      |         |
| 7. PERRUSO, Amy A.  | ✓                                    |                     |      |         |
| 8. TAKAYAMA, Gregg  | ✓                                    |                     |      |         |
| 9. TODD, Chris  | ✓                                    |                     |      |         |
| 10. GARCIA, Diamond   |                                      |                     | ✓    |         |
| 11. SHIMIZU, Garner M.  |                                      | ✓                   |      |         |
| TOTAL (11)  | 8                                    | 1                   | 1    | 1       |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted<br>If joint referral, _____ did not support recommendation.<br>committee acronym(s)   |                                      |                     |      |         |
| Vice Chair's or designee's signature: _____   |                                      |                     |      |         |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO  |                                      |                     |      |         |