

STAND. COM. REP. NO.

1046

Honolulu, Hawaii

**FEB 28 2025**

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

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 816, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish, appropriate moneys for, and require legislative reports regarding a Due Process in Immigration Proceedings Program to provide legal representation to individuals in immigration-related proceedings in federal Immigration Court.

Your Committee received written comments in support of this measure from the Judiciary, William S. Richardson School of Law Refugee and Immigration Clinic, Indivisible Hawaii Statewide Network, Hawaii State LGBTQ+ Commission, Democratic Party of Hawaii Education Caucus, Oahu Filipino Community Council, ACLU Hawaii, UNITE HERE Local 5, Pride at Work - Hawaii, the Legal Clinic, Catholic Charities Hawaii, Hawaii Children's Action Network Speaks!, Hawaii Friends of Civil Rights, Hawaii Coalition for Immigrant Rights, A.L.O.H.A. Latinos, Imua Alliance, Save Medicaid Hawaii, COFACAN, League of Women Voters of Hawaii, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Aloha Freedom Coalition and numerous individuals.



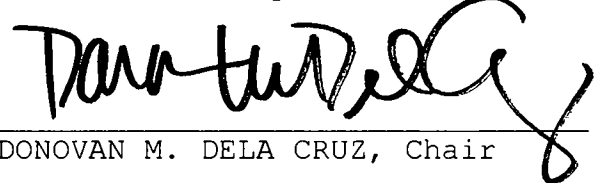
Your Committee recognizes that the State's diverse population includes many immigrants and individuals from mixed-status families. Your Committee also recognizes that a significant number of foreign-born residents face difficulties when they participate in complex legal proceedings in federal Immigration Court. Your Committee believes that providing access to competent legal representation through the program anticipated by this measure will help ensure that immigrants may participate meaningfully in the due process afforded to them by law.

Your Committee has amended this measure by:

- (1) Making the Judiciary, rather than its contracted entities, responsible for submitting annual reports to the Legislature;
- (2) Requiring the Judiciary to require its contracted entities to provide to the Judiciary information necessary for the report; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 816, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 816, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB816 SD1</b>	Committee Referral: <b>JDC, WAM</b>	Date: <b>2-19-2025</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
ELEFANTE, Brandon J.C.	X			
HASHIMOTO, Troy N.	X			
INOUE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div>Distribution: Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

\*Only one measure per Record of Votes