



# Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission

*Advocating for the Hawai'i LGBTQIA+ Community*



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March 14, 2025

House's Committee on Judiciary and Hawaiian Affairs  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Tuesday, March 18, 2025, at 2:15 PM

**RE: Strong Support for Senate Bill 816 SD 1 HD 1**

Aloha Chair Tarnas, Vice Chair Poepoe, and committee members,

I am writing in strong support of Senate Bill 816 SD 1 HD 1, on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus. (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature with the following purpose:

"...to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government."

The Hawai'i State LGBTQ+ Commission strongly supports SB 816, which establishes the Due Process in Immigration Proceedings Program to provide legal representation to individuals in immigration-related proceedings in immigration court. This bill is essential in ensuring fundamental fairness and due process for immigrants in Hawai'i, particularly those from marginalized and vulnerable communities, including LGBTQIA+ individuals.

Hawai'i has long stood as a beacon of inclusivity, diversity, and the Aloha Spirit, values that compel us to protect and support those who seek safety, stability, and opportunity in our islands. However, far too many individuals in immigration proceedings face life-altering consequences without access to legal representation. Without an attorney, immigrants—including asylum seekers, families, and LGBTQIA+ individuals fleeing persecution—are significantly less likely to secure relief or navigate the complex legal system effectively. Studies consistently show that individuals with legal representation are more likely to receive fair and just outcomes in their cases.

For LGBTQIA+ immigrants, the stakes are even higher. Many have fled countries where their very identity puts them at risk of violence, imprisonment, or death. Others face the possibility of being deported to nations where their basic human rights will be denied.

*Proudly established pursuant to Hawai'i Revised Statutes Chapter 369, as enacted through Act 41, Session Laws of Hawai'i 2022*

## **HI State LGBTQ+ Commission Testimony in Strong Support of SB 816 SD 1 HD 1**

Ensuring due process in immigration proceedings is not just a legal obligation but a moral imperative, particularly for those who are disproportionately at risk.

SB 816 takes a crucial step in upholding Hawai'i's commitment to justice and fairness by providing funding for legal representation, which will help prevent unjust deportations and keep families together. Moreover, requiring reports to the Legislature will ensure accountability and transparency in the implementation of this program.

The Hawai'i State LGBTQ+ Commission urges the Committee to pass SB 816 to reinforce our state's commitment to justice, equity, and the protection of all individuals, regardless of their immigration status.

Mahalo for the opportunity to testify in strong support of this vital legislation.

Mahalo nui loa for your time and consideration,

Kathleen O'Dell, Ph.D. (she/her)

Chair

[Hawai'i State LGBTQ+ Commission](#)



*The Judiciary, State of Hawaii*

**Testimony to the Thirty-Third Legislature, 2025 Regular Session**

**House Committee on Judiciary and Hawaiian Affairs**

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Tuesday, March 18, 2025, 2:15 p.m.

State Capitol, Conference Room 325 & Via Videoconference

By:

Rodney A. Maile

Administrative Director of the Courts

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** Senate Bill No. 816, S.D. 1, H.D. 1, Relating to Due Process Protection

**Purpose:** Establishes the Due Process in Immigration Proceedings Program to provide legal representation to individuals in immigration-related proceedings in immigration court. Requires reports to the Legislature. Appropriates funds. Effective 7/1/3000.

**Judiciary's Position:**

The Judiciary offers the following comments on Senate Bill No. 816, S.D. 1, H.D. 1

The Judiciary supports the intent of this measure, which is to establish a program to provide access for legal representation to individuals in immigration-related proceedings in immigration court. This measure, as amended, calls upon the Judiciary to contract with entities for the implementation and operation of the envisioned program. This role would be similar to the Judiciary's administration of legislative funding for general civil legal services or mediation services under Act 202 (2024), which we currently administer through a Request-for-Proposal process.

We respectfully request that any appropriation provided not supplant the Judiciary's existing funding or budget requests.

Thank you for the opportunity to testify on this measure.

STATE PUBLIC DEFENDER

**DEFENDER COUNCIL**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

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OFFICE OF THE PUBLIC DEFENDER

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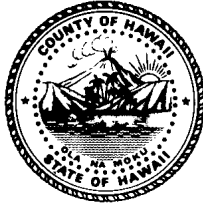
SB816 SD2 HD1 RELATING TO DUE PROCESS PROTECTIONS

Chair Tarnas, Vice Chair Poepoe, and Honorable Committee Members,

The Office of the Public Defender (OPD) **SUPPORTS THIS BILL**

The OPD represents indigent clients facing criminal charges regardless of citizenship status. We support the intent of the legislature to expand current legal representation of Hawaii residents, including for non-citizens in which rights enshrined in the state constitution and statute are implicated. We support the statutory expansion of due process rights in alignment with community expectations and in light of the expanded use of immigration retainers by the federal government.

As noted in Section 1 of the bill, immigration proceedings are complex. These proceedings are ordinarily outside the purview of the OPD as they are civil and held in federal court. Public defenders in the federal system are similarly not utilized as these cases are not criminal in nature. However, the process by which the OPD determines indigency for purposes of representation may be helpful in determine appropriate candidates for representation. The OPD will work with the Judiciary in its implementation and development of the program.



## HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: March 14, 2025

TO: Senate Committee on Judiciary & Hawaiian Affairs

FROM: Jennifer Kagiwada, Council Member  
Council District 2

SUBJECT: SB 816 SD2

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee,

I am writing in **support** of SB 816 SD2. This bill establishes due process in the Immigration Proceedings Program within the judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court.

It is difficult to forget the stories from the first Trump Administration of [children in court on their own during immigration proceedings](#), expected to mount a defense against their deportation without an adult by their side. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances.

Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way. Our overburdened courts and prosecuting attorney's office would greatly benefit from this additional support.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

Thank you for your support and consideration.

Mahalo,

A handwritten signature in black ink, appearing to read "Jenn Kagiwada", is written over a horizontal line.

Jenn Kagiwada



Where LGBTQIA+ Rights Meet the Labor Movement  
A constituency group of the Hawai'i State AFL-CIO

March 14, 2025

House's Committee on Judiciary and Hawaiian Affairs  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Thuesday, March 18, 2025, at 10:00 AM

**RE: Strong Support for Senate Bill 816 SD 2 HD 1**

Aloha Chair Tarnas, Vice Chair Poepoe, and committee members,

Pride at Work – Hawai'i is an official chapter of [Pride at Work](#) which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO that organizes mutual support between the organized Labor Movement and the LGBTQIA+ Community to further social and economic justice.

Pride at Work - Hawai'i **strongly supports SB 816**, which establishes the Due Process in Immigration Proceedings Program to provide legal representation for individuals facing immigration-related proceedings in immigration court. This bill is essential to ensuring fairness, dignity, and justice for immigrants in our state, particularly those who are most vulnerable to unjust deportation and family separation.

Hawai'i has long been a beacon of diversity and inclusion, with a rich history of welcoming immigrants from all backgrounds. However, the lack of legal representation in immigration proceedings presents a grave due process issue. Unlike in criminal court, where defendants have a right to an attorney, immigrants facing deportation are not guaranteed legal counsel—even if they are long-standing community members, workers, or even asylum seekers fleeing persecution. Without representation, the likelihood of deportation skyrockets, often resulting in the separation of families and the disruption of entire communities.

This bill addresses this inequity by establishing a statewide program to provide legal representation in immigration proceedings. Studies have consistently shown that individuals with legal representation are significantly more likely to prevail in their cases, ensuring due process and protecting fundamental rights. Furthermore, legal counsel prevents wrongful deportations, strengthens families, and contributes to the overall stability and well-being of our communities.

For the LGBTQIA+ community, this measure is especially critical. Many LGBTQIA+ immigrants face unique and severe risks if deported, including violence, persecution, and discrimination in their countries of origin. Ensuring access to legal representation can mean the difference between life and death for those seeking asylum or other forms of relief.

Beyond the moral imperative, providing legal representation also makes fiscal sense. Detaining and deporting individuals often results in significant economic and social costs, including the loss of workers, business owners, and community members who contribute to Hawai'i's

economy and culture. By investing in due process, we invest in a stronger and more just Hawai'i for all.

For these reasons, Pride at Work - Hawai'i urges the committee to pass **SB 816** and uphold the principles of fairness, dignity, and justice in our immigration system.

**Mahalo for the opportunity to testify.**

In solidarity,

Michael Golojuch, Jr. (he/him)

President

[Pride at Work – Hawai'i](#)

**SB-816-HD-1**

Submitted on: 3/15/2025 4:00:13 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
amy agbayani	Hawai'i friends of civil rights	Support	In Person

Comments:

**Testimony in support of SB 816 sd2 submitted by****Amy Agbayani and Patricia McManaman, co-chairs Hawai'i Friends of Civil Rights.****We strongly support funding critical legal representation for immigrants. We also support having the Judiciary partner with educational institutions that provide training students and educating legal professional to provide legal representation to immigrants.**

The US percentage of foreign born is 14%. According to U.S. Census figures for 2014-2018, over 18% of Hawai'i's population consists of first- generation immigrants or migrants (260,000 in total). That's one out of five residents in our state. Immigrants reside in all counties/islands: Oahu 75%, Maui 12%, Hawai'i 7%, and Kauai 5%. Immigrants from the Philippines represent the largest country of origin group, making up nearly half—or 45.8 percent—of all immigrants in Hawai'i. However, more recent immigrant groups such as Mexicans, Vietnamese, and Micronesians also make up sizeable shares of the foreign-born population.

U.S. citizens are protected by many laws and practices. Without the rights and protections of full citizenship, non-citizens are vulnerable to potential abuse, discrimination, and uncertainty, particularly in the face of recent or proposed changes to federal immigration policies and practices. Immigrants who seek legal status—to which they may be entitled—frequently lack the financial means or English language proficiency needed to secure legal status.<sup>[L]<sub>SEP</sub></sup>

A majority (58%) of Hawai'i's foreign born residents are naturalized citizens. However, an estimated 54,000 are lawful permanent residents ("Green Card" holders) and eligible to apply for naturalized citizenship but may need assistance in doing so. Another estimated 45,000 or more are believed to be undocumented or under-documented. These include residents who are seeking asylum, individuals who have overstayed their visas, and those with so-called DACA (Deferred Action for Childhood Arrivals) status. Many of these individuals may be entitled to legal protections but are vulnerable and could be reluctant to seek help.

While a high majority of immigrants (77%) in Hawai'i report speaking English "well" or "very well," there remains a large number for whom English proficiency will present a potential obstacle. According to the Hawai'i Department of Business, Economic Development and Tourism (DBEDT), more than 130 different languages are spoken among Hawai'i's immigrants, and one in four residents of the State speak a language other than English at home. A 2016



Hawai‘i State report found that speakers of a non-English language typically earn 10% to 34% less than English-only speakers for all proficiency levels (Hawai‘i DBEDT, April 2016). Most commonly spoken statewide are Tagalog (>58,000), Japanese (>54,000), Ilocano (>45,000), Spanish (>25,000), and Hawai‘i an (>18,000).

The new administrations Executive Orders and call for mass deportation of undocumented persons, terminating refugee and assylum application and other anti-immigrant policies makes legal representation needed more. There is an urgent need in Hawai‘i for accessible and affordable legal counsel and related services for low-income immigrant residents seeking assistance on immigration matters. For those whose English proficiency is limited, lack of access to interpreters or translated documents can also be a barrier. Awareness of immigrant rights and protections is limited, and the need for public education is essential. <sup>[1]</sup><sub>SEP</sub> The process of applying for U.S. citizenship or for other changes to one’s immigration status is extraordinarily complex, While some immigrants might require only brief service for routine matters, many have difficult, multi-layered cases that require extended advice and counsel. Immigrants need legal representation in deportation and asylum defense, sponsorship of family members to immigrate, naturalized citizenship or legal residency. Some have tried unsuccessfully in the past to secure their change in status but may have not been able to due to lack of expert legal advice and/or the complexity of their matters. <sup>[1]</sup><sub>SEP</sub> Complexities are staggering for those facing both criminal charges and immigration court issues, and some cases require lengthy and demanding involvement. Additionally, there is no presumptive right to defense counsel in immigration matters, meaning that individuals who cannot afford attorney fees may face detention, deportation, or denial of citizenship benefits without legal representation and assistance to tackle complex application procedures. Legal counsel is not only expensive, but also hard to come by, as there are few practicing immigration attorneys in Hawai‘i.

Expert legal representation increases the chances of protecting immigrant rights and securing a positive outcome. Nationwide, according to the American Immigration Council, immigrants who are petitioning for U.S. legal status and who have an attorney are five times more likely to obtain relief from deportation than those without counsel. In 2016, 90% of those who were denied asylum had no legal representation, vs. 48% denied with legal counsel (Center for American Progress). In 2017, the Immigration Court in Honolulu completed 241 immigration cases with 83 resulting in removal or voluntary departure. Only 37% of all respondents had legal counsel. Other studies have shown that successful petitions for permanent residency or naturalization lead to immigrants being better able to secure good employment (including an increase in personal earnings of as much as 11%), and to become more civically engaged — significantly boosting economic and social opportunity for them and for our community as a whole.



Committee on Judiciary and Hawaiian Affairs  
Chair David A. Tarnas, Vice Chair Mahina Poepoe]

March 18, 2025      2:15 pm    Room 325  
SB816 SD2 HD1 — RELATING TO DUE PROCESS PROTECTIONS

### TESTIMONY

Beppie Shapiro, Legislative Committee, League of Women Voters of Hawaii

Chair Tarnas, Vice Chair Poepoe, and Committee Members: **The League of Women Voters of Hawaii supports SB816 SD2 HD1 which would establish a program to provide due process in immigration proceedings, to be administered by the Judiciary and provided through contracts with organizations which can assist immigrants through immigration court processes. HD1 requires the Judiciary to provide training to the people who will assist immigrants. The League of Women Voters supports due process for all persons, including the right to a fair hearing, right to counsel, right of appeal and the right to humane treatment.**

Hawaii's residents include many immigrants, including approximately 45,000 undocumented immigrants and another 50,000 who are lawful permanent residents but have not completed legal processes to become citizens, often due to financial costs of legal representation and/or language difficulties.

Immigrants, including many of the undocumented, contribute very significantly to Hawaii's economy. Immigrant labor is essential to the US and the Hawaii economies, both directly through **work** in agricultural, fishing, construction, healthcare and hospitality industries, and through the **consumer spending** by which those immigrants boost businesses and tax revenues. For the US as a whole, the Congressional Budget Office estimates that an expected increase in immigration between 2024-2034 could have raised GDP by \$8.9 trillion during those years. In 2022, undocumented immigrants in Hawaii paid \$157.2 million in state and local taxes.

Just the threat of deportation, and certainly deportation and legal uncertainties, disrupt businesses, remove skilled workers, and deprive these sectors of our economy of a reliable workforce. By providing the legal resources which greatly increase the probable success rate in immigration proceedings, SB816 SD2 HD1 will help individuals continue contributing to our tax base and economy. The additional provision for training those who will provide assistance under contract to Judiciary ensures they will understand the legal issues involved.

Please pass SB816 SD2 HD1

Thank you for the opportunity to submit testimony.

Thank you for the opportunity to submit testimony.



Statement Before The  
Tuesday, March 18, 2025  
2:15 PM  
Conference Room 325 & Videoconference

in consideration of  
**SB816, SD2, HD1**

**RELATING TO DUE PROCESS PROTECTIONS.**

Chair TARNAS, Vice Chair POEPOE, and Members of the House Judiciary & Hawaiian Affairs Committee

The Legal Clinic (TLC) supports SB816, SD2, HD1, which establishes the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court, requires reports to the Legislature, and appropriates funds.

TLC is a Hawai'i nonprofit, nonpartisan organization. TLC is a direct legal services provider, representing those in Hawai'i who meet income eligibility guidelines without regard to immigration status, national origin, ethnic background, race, religion, ideology, gender identity, sexual orientation, age, or disability. TLC works alongside immigrants so they can attain authorization to work and live with dignity, reunite with their families after years of separation and escape horrific violence to find refuge in the United States. TLC recognizes that every person needs and deserves to feel a sense of trust, welcome, and belonging.

According to the 2020 U.S. Census, Hawai'i is the most diverse state in the nation.<sup>1</sup> In 2023, Hawai'i had about 256,000 immigrants, which is approx. 18% of the State population.<sup>2</sup> The top countries of origin for immigrants were the Philippines (45 percent of immigrants), China (9 percent), Japan (8 percent), Korea (6 percent), and the Pacific Island Nations (4 percent).<sup>3</sup> There are between 41,000 -50,500 undocumented immigrants in Hawai'i.<sup>4</sup> Hawai'i is the only state where undocumented women (55%) outnumber men.<sup>5</sup>

<sup>1</sup> See <https://thehill.com/homenews/state-watch/567625-hawaii-california-and-nevada-are-most-diverse-states-in-the-us-census/> (retrieved 1/14/2025).

<sup>2</sup> See <https://usafacts.org/answers/how-many-immigrants-are-in-the-us/state/hawaii/> and <https://data.census.gov/profile/Hawaii?g=040XX00US15#populations-and-people> (retrieved 1/14/2025).

<sup>3</sup> See [https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants\\_in\\_hawaii.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants_in_hawaii.pdf) (retrieved 1/14/2025).

<sup>4</sup> See <https://www.civilbeat.org/2024/12/data-dive-hawaii%CA%BBi-deportation-cases-hit-quarter-century-high/> (retrieved 1/14/2025).

<sup>5</sup> See <https://mchb.tvisdata.hrsa.gov/Narratives/Overview/a0ac94c0-8538-417e-85c9-da6ac5c06603> (retrieved 1/14/2025).

Hawaii's immigrant population primarily work in the agriculture, tourism / hospitality / service, and health industries.<sup>6</sup> Immigrants (documented and undocumented alike) contribute to Hawaii's economic health and growth. Hawaii's "undocumented immigrants contributed \$157.2 million in state and local taxes in 2022. Their tax contributions could increase to as much as \$194.4 million if they were given official authorization to work. This is also true for the rest of the United States. If all undocumented immigrants in the U.S. had work permits, their tax contributions would rise by \$40.2 billion each year, reaching a total of \$136.9 billion."<sup>7</sup>

In FY 2008, during Trump's first term, there were 447 deportation / removals issued by Hawaii's Immigration Court.<sup>8</sup> The immigration court data show that for FY2024 Hawai'i had even more cases – total 915 – with a majority of them being deportation cases.<sup>9</sup> With the Trump Administration promising to deport immigrants at unprecedented levels, TLC is expecting a greater surge in Hawai'i immigration court cases. TLC is already experiencing an increased demand for pro bono legal immigration services.

Hawaii's immigrant population is an integral part of Hawaii's community and are our neighbors, co-workers, and 'ohana. Targeting a significant portion of Hawaii's community in terms of both size and positive economic contributions for deportation or other immigration-related proceedings in immigration court severely destabilizes family units and economic security and results in community volatility and vulnerability.

Individuals in deportation proceedings face permanent separation from their families and their communities, and sometimes life-threatening risks in their countries of origin. Individuals, some with language difficulty, appear before immigration court, including minors, and are not entitled to government-funded legal representation, leaving them to navigate complex legal systems alone, unless they are able to afford costly counsel or other assistance on their own. Those who are able to obtain costly counsel in immigration court are likely to achieve more favorable outcomes in immigration proceedings, such as relief from deportation or successful asylum applications. Data show that those appearing with counsel in Hawaii immigration court removal cases are nearly three times more likely to receive a favorable outcome than those who are unrepresented.<sup>10</sup>

Thus, SB816, SD2, HD1 is critical to assuring due process and promoting family unity, community stability, and economic security. SB816, SD2, HD1 is about providing services to people in our communities because it will ensure that our communities are kept together and families are not separated, which will result in economic hardship. SB816, SD2, HD1 will provide legal representation to income qualified individuals residing in Hawai'i who are facing immigration-related proceedings in immigration court and is to be administered through the Judiciary.

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<sup>6</sup> See [https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants\\_in\\_hawaii.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants_in_hawaii.pdf) (retrieved 1/14/2025).

<sup>7</sup> See How Hawaii's hardworking undocumented immigrants support our economy and communities — Hawai'i Appleseed (retrieved 1/14/2025).

<sup>8</sup> See <https://www.civilbeat.org/2024/12/data-dive-hawai%CA%BBi-deportation-cases-hit-quarter-century-high/> (retrieved 1/14/2025).

<sup>9</sup> See <https://www.civilbeat.org/2024/12/data-dive-hawai%CA%BBi-deportation-cases-hit-quarter-century-high/> (retrieved 1/14/2025).

<sup>10</sup> See <https://tracreports.org/phptools/immigration/closure/> (retrieved 2/16/2025).

SB816, SD2, HD1 is the fair, right, just thing to do to ensure that people are afforded the necessary protections under the law, families and communities are preserved, and our human rights and dignity are respected.

Thank you for the opportunity to testify in support of SB816, SD2, HD1 and TLC respectfully urges the Committee members to pass SB816, SD2, HD1 out of your Committee. If you have questions of me, please contact me at [sma@tlchawaii.org](mailto:sma@tlchawaii.org).

Very respectfully yours,

*Sandy Ma*

Sandy Ma  
Community & Policy Advocate  
The Legal Clinic

**March 19, 2025**

Hawai'i State Legislature  
House Committee on Judiciary and Hawaiian Affairs ("JHA")

**RE: Testimony in Support with Comments for SB 816 SD 2 HD 1, RELATING TO DUE PROCESS PROTECTIONS**

**Dear Chair Tarnas, Vice-Chair Poepoe, and Members of the House Committee on Judiciary and Hawaiian Affairs;**

On behalf of myself and my two immigration attorney colleagues at the William S. Richardson School of Law Refugee & Immigration Clinic ("RILC"), we submit testimony in our personal capacities in support for SB 816 SD 2 HD 1, which establishes the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in Immigration Court.

**About RILC**

RILC offers law students an opportunity to work on immigration law cases under the supervision of a licensed immigration attorney. Immigration law is a dynamic area of law that intersects with many issues in contemporary culture and politics. With a Director, two Law Fellows, and 6-10 law students each semester, we provide specialized and high-quality immigration legal services to income-eligible noncitizens in Hawai'i. We focus our efforts on income-eligible clients seeking asylum, removal defense, and other forms of humanitarian relief because these clients often have the most difficulty finding and paying for legal representation.

**Our Position on SB 816 SD 2 HD 1**

**We support SB 816 SD 2 HD 1** because from our personal experience as immigration attorneys, we have observed a great need for public interest immigration attorneys to provide free or affordable, high-quality immigration legal services in immigration court. In Hawai'i, foreign-born residents comprise nearly a quarter of its population of 1.4 million and include an estimated 50,000 undocumented residents. Yet, only a dozen lawyers statewide provide free or low-cost immigration legal services to immigrant communities. Of those dozen lawyers, only half work on asylum and removal defense. With this new federal administration and their immigration priorities, we have already seen a dramatic increase in removal proceedings and those being detained for removal. To address this increase, we believe that this legislation will help build the capacity required to provide free or low-cost legal services to the immigration community in Hawai'i.

As the only immigration law clinic in the State of Hawai'i, we are in a unique position to train law students who are interested in practicing immigration law, especially in the areas of asylum and removal defense. SB 816 SD 2 HD 1 would build the current capacity for immigration

removal defense in Hawai'i by allowing for the hiring of existing immigration lawyers as well as training law students and pro bono attorneys to do this work. Recently, RILC, in collaboration with the American Immigration Lawyers Association Hawai'i Chapter, created a deportation hotline that provides immediate legal assistance to individuals facing removal proceedings. The current version of this legislation will foster similar collaborations and deliver immediate relief to those in need.

We urge this committee to pass SB 816 SD 2 HD 1. Thank you for the opportunity to testify on this measure.

Sincerely,

**Esther Sungeun Yoo, Esq.**  
Director

**Stephane Haro Sevilla, Esq.**  
Post-JD Legal Fellow

**Danicoles Ramos, Esq.**  
Equal Justice Works Fellow



**SB-816-HD-1**

Submitted on: 3/16/2025 4:24:24 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Doris Matsunaga	Save Medicaid Hawaii	Support	Written Testimony Only

Comments:

Save Medicaid Hawaii supports SB816 HD1

# HAWAII PATRIOT REPUBLICANS

Written Testimony in Opposition to S.B. No. 816

Submitted to the Senate Committee on Judiciary & Hawaiian Affairs

March 16, 2025

Aloha Members of the Committee,

I respectfully urge you to vote NO on S.B. No. 816, a bill that proposes to establish a state-funded program providing legal representation to individuals facing immigration-related proceedings in immigration court. While the intent to support vulnerable populations may seem noble, this legislation is a reckless overreach that threatens Hawaii's fiscal stability, fairness to taxpayers, and alignment with national priorities. As a concerned citizen committed to limited government and accountability—principles that bridge partisan divides—I present the following objections to show why this bill must be rejected.

## **1. Unjust Burden on Hawaii Taxpayers**

S.B. 816 appropriates an unspecified sum from Hawaii's general revenues to fund legal representation for a select group, potentially regardless of their ability to pay. This places an unfair financial burden on Hawaii's hardworking residents—many of whom can't afford their own legal needs. Democrats have long fought for economic equity, but how can we justify taxing local families, including the 18% foreign-born and 8% with immigrant parents cited in the bill, to bankroll a program that prioritizes non-citizens over citizens? In [California's One California program](#), a \$45 million allocation in 2019 for immigrant legal aid sparked backlash for diverting funds from education and healthcare, leaving taxpayers footing the bill for strained services. Hawaii cannot afford this mistake.

## **2. Undermining Federal Authority and Clashing with Trump's Agenda**

Immigration is a federal responsibility, not a state playground. S.B. 816's state-funded legal aid in immigration courts oversteps this boundary, risking a direct collision with the Trump administration's immigration enforcement agenda under Tom Homan, Trump's appointee as "Border Czar." Homan has vowed a hardline approach, including mass deportations and dismantling sanctuary policies, as outlined in his [recent statements](#). By funding legal defenses for deportees, Hawaii could position itself as a sanctuary state, inviting federal retaliation—think funding cuts or legal battles—that would hurt all residents. Democrats value pragmatic governance; why provoke a fight with a federal administration poised to prioritize enforcement over accommodation, especially when immigration courts already provide due process under federal law?

## **3. Incentivizing Illegal Immigration and Weakening Rule of Law**

S.B. 816's offer of free legal aid could lure more illegal immigrants to Hawaii, signaling that breaking the law comes with state-backed rewards. This erodes the rule of law, a cornerstone Democrats and Republicans should uphold for public trust. The bill touts better outcomes with representation, but ignores how it might swell undocumented arrivals, straining local resources. [San Francisco's Immigrant Legal Defense Program](#) saw court backlogs and costs soar after its launch, with a [2019 report](#) linking it to increased caseloads that bogged down the system. Democrats who care about community stability should see this as a destabilizing risk, not a fix.

#### **4. Disproportionate Benefits for a Few Over the Many**

The bill prioritizes detained immigrants, unaccompanied minors, and DACA recipients, with eligibility up to 250% of the federal poverty level—or higher in vague “extraordinary circumstances.” This tilts benefits toward a narrow group, sidelining low-income citizens who lack similar aid for their own legal woes. [Seattle’s Legal Defense Fund](#), started in 2017, overspent its budget due to broad eligibility, with a [2021 audit](#) showing funds drained from other social services. Democrats committed to fairness should oppose a bill that picks winners and losers among Hawaii’s needy.

#### **5. Lack of Accountability and Measurable Outcomes**

S.B. 816 demands annual reports but sets no clear benchmarks for success or cost containment. This opens the door to waste, with the judiciary doling out funds to nonprofits without ensuring results. [Oregon’s Universal Representation Program](#), funded with \$12 million in 2021, saw nearly half its budget eaten by administrative costs, with only 30% of cases winning relief by 2023. Democrats who demand accountable spending should reject this blank check masquerading as compassion.

#### **Conclusion: A Principled NO Vote Safeguards Hawaii**

Members of the Committee, S.B. 816 may tug at heartstrings, but it fails the tests of fiscal responsibility, fairness, and strategic sense—values Democrats share with Republicans. It burdens taxpayers, defies federal authority while risking a showdown with Tom Homan’s Trump-led crackdown, encourages illegal immigration, favors a few over the many, and lacks oversight. From California to Oregon, similar experiments have left budgets bleeding and communities divided.

Vote NO on S.B. 816 to protect Hawaii’s resources, respect the rule of law, and avoid a costly clash with federal priorities. Let’s unite for solutions that serve all residents, not just a select few.

Sincerely,

*Andrew Crossland*

Hawaii Patriot Republicans

[hawaiipatriotrepublicans@gmail.com](mailto:hawaiipatriotrepublicans@gmail.com)



Committee: Judiciary & Hawaiian Affairs  
Hearing Date/Time: Tuesday, March 18th 2025 at 2:15 PM  
Place: Conference Room 325 & Via Videoconference  
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of S.B. 816 SD2 HD1  
Relating to Due Process Protections**

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

The ACLU of Hawai'i **supports S.B. 816 SD2 HD1**, establishing a program to provide access to legal representation for persons in immigration court. Due process of law and fair access to justice are essential to a healthy and functioning justice system, and to fostering public trust in legal outcomes. Given the importance of due process in our legal system, people who are facing the possibility of forced separation from their family, community, and homes should have basic resources to navigate the legal system and to ensure that their case is properly heard.

The ripple effects of deportation are often just as consequential for an individual's life as a criminal proceeding, if not more. Even though such safeguards exist for criminal cases, there is currently no guaranteed right to legal counsel in immigration hearings. The passage of S.B. 816 SD 2 HD1 would remedy this and demonstrate Hawai'i's commitment to upholding justice and due process for all residents, especially our most vulnerable and threatened neighbors.

Providing counsel is also important to ensure that people are not wrongfully deported or mistreated when they have a valid reason to be in the United States. A national study on immigration counsel found that immigrants who had legal representation were four times more likely to be released from detention when they had a custody hearing and were eleven times more likely to apply for relief from deportation (like asylum). Those that did seek immigration relief were also twice as likely to obtain it if they had legal representation.<sup>1</sup>

Without the provision of counsel, immigration hearings will become unjustly skewed against low-income people who may qualify for asylum but might have difficulty arguing this before a judge. Financial, technical, and language barriers to justice and the vindication of one's rights are inconsistent with a fair society. Immigration law and individual cases are incredibly daunting to face alone, and an individual's success in the courts should not come down to whether or not they can afford a lawyer.

Sincerely,

Nathan Lee  
Policy Legislative Fellow, ACLU Hawai'i

C: Carrie Ann Shirota, Policy Director

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization founded in 1965 that provides its services at no cost to the public and does not accept government funds.*

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<sup>1</sup>[https://www.americanimmigrationcouncil.org/sites/default/files/research/access\\_to\\_counsel\\_in\\_immigration\\_court.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/access_to_counsel_in_immigration_court.pdf)



*Cade Watanabe, Financial Secretary-Treasurer*

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*Eric W. Gill, Senior Vice-President*

March 17, 2025

## **House Committee on Judiciary & Hawaiian Affairs**

Rep. David Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

### **Testimony in Strong Support of SB 816**

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

**This Legislature needs to do everything in its power to protect human rights and freedoms from the widening repression taking place nationwide.**

UNITE HERE Local 5 represents over 10,000 working people in the hotel, food service and health care industries across Hawaii. **We strongly support SB 816 because it is fundamentally about treating human beings like human beings.** No one is “lesser than” anyone else, and no one deserves fewer human rights than anyone else.

SB 816 establishes a program to provide due process and legal representation for individuals facing proceedings in immigration court. Due process is a foundation of our justice system, and it should apply to everyone. Our union members defend due process rights in the workplace on a daily basis. The 14<sup>th</sup> Amendment to the U.S. Constitution demands due process rights for all persons. It is a human right.

Establishing due process rights for immigration proceedings is more important than ever. The federal administration has now invoked a wartime act previously used to establish Japanese internment camps during World War II, including one on O’ahu. The Alien Enemies Act can be used to deport people without due process, and imprison them along the way. No matter who the “intended” targets are of such actions, not having due process means anyone could be taken, imprisoned, and deported without a trial, without the ability to respond to allegations, and without other important rights. Over the weekend, hundreds of Venezuelan immigrants were arrested and taken to a mega-prison in El Salvador, despite a judge’s order enjoining implementation of the Act for 14 days. As of the time of writing this, the Department of Justice was attempting to have that judge removed. We have no idea who these people were, whether any of them did any of the things they might have been accused of, whether any of those allegations would even warrant deportation even if found guilty, what abuses they could face in El Salvador’s prisons, what will happen to them, when they might be returned to Venezuela (assuming they are actually even from Venezuela), etc.

The United States should act as a society that supports freedom, equal rights, diversity, opportunity, and the well-being of the whole population. Migration is freedom. The ability to move freely to pursue a better life is freedom. The basic ability to safely leave a place and safely arrive in a new place is freedom of movement. When that freedom is threatened, we must act on our values and protect people from policies designed to restrict human freedoms.

Hawaii, as a melting pot of immigrants and their descendants, is a beneficiary of that freedom to migrate. Many of our union members are immigrants or children of immigrants, they are the working-class families, friends and neighbors that make up the fabric of our Hawaii communities.

We urge you to pass SB 816.



Randy Perreira  
President

# HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

Telephone: (808) 597-1441  
Fax: (808) 593-2149

The Thirty-Third Legislature  
House of Representatives  
Committee on Judiciary & Hawaiian Affairs

Testimony by  
Hawaii State AFL-CIO

March 18, 2025

## TESTIMONY IN SUPPORT OF SB816 SD2 HD1 - RELATING TO DUE PROCESS PROTECTIONS

Chair Tarnas, Vice Chair Poepoe, and members of the committee:

The Hawaii State AFL-CIO is a state federation of 76 affiliated labor organizations representing more than 69,000 union members across Hawaii in government and industries such as healthcare, construction, hospitality, entertainment, and transportation. We serve our affiliates by advocating for the rights of working families, promoting fair wages, ensuring safe working conditions, and supporting policies that strengthen Hawaii's workforce.

We support SB816 SD2 HD1 because immigrants face complex legal challenges without adequate representation, leading to prolonged administrative delays and uncertainty. These individuals contribute to Hawaii's workforce and economy, yet without legal assistance, they struggle to navigate the system fairly.

The latest amendment requires the Judiciary to ensure that contracted entities provide training and education for law students and legal practitioners. This addition helps build legal expertise within the community, increases the availability of qualified representatives, and strengthens Hawaii's capacity to provide fair and just legal support. We respectfully urge the committee to pass this measure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Burnett".

Chris Burnett  
Director, Committee on Political Education



[www.hicir.org](http://www.hicir.org) | Instagram @hicir  
[hicoalitionforimmigrantrights@gmail.com](mailto:hicoalitionforimmigrantrights@gmail.com)

## **Testimony of Liza Ryan-Gill**

In **SUPPORT** of SB816 S2D HD1

COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Rep. David Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

Hearing Date: March 18th, 2025

Dear Chairs, Vice Chairs, and Members of the Committees,

Mahalo for the opportunity to submit testimony on behalf of the Hawai'i Coalition for Immigrant Rights (HCIR) in **strong support of SB816 SD2 HD1**, which seeks to establish the Due Process in Immigration Proceedings Program to provide legal representation for individuals facing immigration-related proceedings in Hawaii.

This measure is a critical step toward ensuring justice, fairness, and stability for our immigrant community, particularly at a time when federal immigration policies remain unpredictable and enforcement actions continue to create fear and uncertainty for many families in our state.

### **Why This Bill is Essential for Hawai'i**

Hawai'i has always been a place of diversity, resilience, and inclusion, with a significant portion of our population—18% foreign-born and 8% U.S. citizens with immigrant parents—deeply woven into the fabric of our communities. However, many immigrants in Hawaii face immigration proceedings without legal representation, leaving them vulnerable to deportation and separation from their families. Unlike in the criminal justice system, individuals in immigration court do not have the right to a government-appointed attorney, even if they cannot afford one. This bill corrects that imbalance by ensuring that immigrants—especially the most vulnerable—receive the legal support necessary to navigate an often complex and intimidating system.

### **Key Reasons to Support This Bill**

1. **Protecting Families and Communities** - Many immigrant households in Hawai'i are mixed-status families, meaning that a deportation can result in children being separated from their parents, leading to devastating economic and emotional consequences. This bill will help keep families together and prevent unjust removals.
2. **Ensuring Fairness in Legal Proceedings** - Immigration law is one of the most complex areas of law, yet thousands of immigrants are forced to represent themselves in court, significantly reducing their chances of relief. Studies show that individuals with legal representation are ten times more likely to obtain favorable outcomes. This bill ensures due process and a fair chance for those facing deportation or seeking asylum.



[www.hicir.org](http://www.hicir.org) | Instagram @hicir  
[hicoalitionforimmigrantrights@gmail.com](mailto:hicoalitionforimmigrantrights@gmail.com)

3. Addressing Language and Financial Barriers - Many immigrants in Hawai'i, especially recent arrivals and those from underrepresented Pacific Islander and Asian communities, face language barriers and financial hardships that prevent them from obtaining legal help. This program will provide culturally and linguistically appropriate services, ensuring equitable access to justice.
4. Strengthening Hawai'i's Economy - Immigrants contribute significantly to Hawai'i's workforce, small businesses, and economy. Deportations and legal uncertainties disrupt businesses, remove skilled workers, and harm local industries such as healthcare, hospitality, and construction. By ensuring legal representation, this bill supports economic stability and workforce retention.

As a state with a rich immigrant history, Hawai'i has long been a leader in promoting equity and civil rights. This bill reinforces our commitment to being a welcoming and just community for all residents, regardless of immigration status.

The Hawai'i Coalition for Immigrant Rights urges the Legislature to pass this bill and ensure that immigrants in our state receive the legal representation they need to defend their rights, remain with their families, and continue contributing to our communities. At a time when national immigration policies remain uncertain, Hawai'i must take a stand to protect our immigrant neighbors and uphold fundamental principles of due process and fairness.

Thank you for the opportunity to testify. I respectfully urge the Committee to pass SB816 to ensure its intent is fully realized.

Mahalo for your support and consideration.

Liza Ryan-Gill  
Executive Director  
Hawai'i Coalition for Immigrant Rights





## CATHOLIC CHARITIES HAWAII

### TESTIMONY IN SUPPORT OF SB816, SD2, HD1: RELATING TO DUE PROCESS PROTECTIONS

TO: House Committee on Judiciary & Hawaiian Affairs  
FROM: Tina Andrade, President and CEO, Catholic Charities Hawai'i  
Hearing: **Tuesday, 3/18/25, 2:15 pm; Room 325 & Videoconference**

Chair David A. Tarnas, Vice Chair Mahina Poepoe and Members, Committee on Judiciary & Hawaiian Affairs:

Catholic Charities Hawai'i **Supports SB816, SD2, HD1, Relating to Due Process Protections**, to establish the Due Process in Immigration Proceedings Program within the Judiciary to provide legal representation to individuals in immigration-related proceedings in immigration court, with funding.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 75 years. CCH has programs serving elders, children, families, homeless and immigrants. Our mission is to provide services and advocacy to the most vulnerable of the people in Hawai'i. We service over 113,000 people each year throughout the state. We are a Department of Justice (DOJ) Recognized Organization and our General Immigration Service Program provides legal immigration services with staff who are accredited through the DOJ.<sup>i</sup> Our staff are *partially* accredited, allowing them to represent immigrant clients before the U.S. Citizenship and Immigration Services (USCIS) but does not allow them to represent immigrant clients in immigration court. There are situations where we must refer our low-income immigrant clients to attorneys who are able to represent them in immigration court and are concerned that the available pro bono resources are limited and are likely to be stretched due to anticipated increase in demand.

Immigrants can end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge, because they are not able to afford costly legal representation. Pro Bono immigration attorneys are limited in Hawai'i and the majority are on the island of Oahu. This bill will help ensure that more Hawaii residents, many of whom have a viable pathway to lawful status, can be represented in a fair and dignified way.

- Data shows that those appearing with counsel in Hawaii immigration court removal cases are nearly three times more likely to receive a favorable outcome than those who are unrepresented.

Catholic Charities Hawai'i urges your support for this bill. Please provide significant funding to support family unity and social justice.

If you have any questions, please contact our Legislative Liaison, Betty Lou Larson, at (808) 5274813.

<sup>i</sup> <https://www.justice.gov/eoir/page/file/942306/dl#HAWAII>



TESTIMONY  
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS  
SB816\_SD2\_HB1 RELATING TO ELECTIONS  
Tuesday, March 18, 2025, at 2:15 AM, State Capitol Conference Room

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee

SB816\_SD2\_HD1 states, the purpose of this Act is to establish a program to provide access to legal representation for individuals in the State facing immigration-related proceedings in immigration court, assuring due process and promoting family unity, community stability, and economic security.

- If the immigrants referred to in SB816\_SD2\_HD1 are in the country illegally, they do not have due process and civil rights protections. They are in the country illegally.

Submitted in STRONG OPPOSITION to SB816\_SD2\_HD1 for the following reasons:

SB816 proposes to:

- Provide legal representation to individuals in immigration-related proceedings.
- Prioritize services for individuals who are detained, at risk of deportation, or otherwise vulnerable due to their immigration status. If they are being "detained", there may be criminal charges pending. We should not be funding their legal services.
- Partner with community-based organizations.
- Conduct outreach and education.
- Collect and report data on the program's outcomes.

- How would these services be paid for? What State agency will provide these services?

SB816\_SD2\_HD1 proposes that funds would be appropriated out of the general revenues of the State of Hawaii for the sum of [blank] \$ or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the establishment and administration of the due process in immigration proceedings program, including funding for legal service providers, outreach efforts, and administrative costs. Taxpayers should NOT be paying for illegal immigrant's legal services.

- Why are we using general funds for immigrants?

These funds would be better spent on programs for U.S. Citizens such as the homeless, Veterans, and other underserved groups. Many immigrants who are in Hawaii illegally are receiving government benefits such as SNAP and Medicaid. If they are here illegally, they should not be receiving benefits.

This bill is ambiguous and lacks critical details to be seriously considered to pass. We are respectfully asking you to uphold your oath of office. Please vote NO on SB816\_SD2\_HD1 to protect the citizens of Hawaii. Thank you for the opportunity to testify.

Respectfully submitted,  
Jamie Detwiler



Dear, Chair Tarnas, Vice Chair Poepoe and members of the Committee on Judiciary & Hawaiian Affairs,

Thank you for the opportunity to present testimony on SB816, AF3IRM Hawai'i **strongly supports SB816**. AF3IRM is a transnational feminist organization that is Black, Indigenous, Filipina and immigrant led. This bill would ensure due process and provide legal representation to community members in immigration-related proceedings in immigrant court. This is vital for people who face life threatening risks in their countries of origin, have language barriers, are minors, and are unable to pay for costly counsel.

Please pass SB816. Mahalo for the opportunity to testify on this measure.

Sincerely,  
AF3IRM Hawai'i

**SB-816-HD-1**

Submitted on: 3/15/2025 2:57:50 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Carolyn Weygan-Hildebrand	Individual	Support	Written Testimony Only

Comments:

Greetings! The legal system is complex. This is needed for due process.

**SB-816-HD-1**

Submitted on: 3/15/2025 2:52:02 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry Smith	Individual	Support	Written Testimony Only

Comments:

Please pass this Bill. We must protect our neighbors.

**SB-816-HD-1**

Submitted on: 3/16/2025 7:27:34 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jane Aquino	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case

## SB 816 Due Process in Immigration Hearings

In support of SB 816: Establishment of due process in immigration proceedings

I am writing as a long-time pediatrician in support of providing legal representation to individuals in immigration proceedings, with appropriate funding to support this program. In the zeal of Immigration officials to round up anyone suspected of being in the US illegally, I fear that once again children will be separated from their parents, warehoused with poor care, and lost to any follow up, potentially forever as happened in the first Trump administration. Many immigrants do not have the language skills or funds to defend themselves, nor do they know their rights. The State of Hawaii has long been a beacon of light to immigrants of every nationality, and in turn has benefitted from their presence here. I strongly support providing detained immigrants with adequate due process, in hopes that families will not be separated and children will not be lost again. I am hopeful that our special State will provide compassion and assistance to our immigrants in these perilous times.

**SB-816-HD-1**

Submitted on: 3/16/2025 7:43:40 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Collins	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.



**SB-816-HD-1**

Submitted on: 3/16/2025 8:03:26 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Gately	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case

**SB-816-HD-1**

Submitted on: 3/16/2025 8:03:53 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for hearing SB816 SD2 HD1. I support this measure because all should have access to legal defense. Many immigrants do not have financial means to hire a legal defense. Many cannot even defend themselves due to the language barrier on top of that.

**SB-816-HD-1**

Submitted on: 3/16/2025 8:39:22 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Nandita Sharma	Individual	Support	Written Testimony Only

## Comments:

I support this Bill. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case. Failure to do so is discrimination plain and simple. It may be a discrimination that is currently legal and socially acceptable but we ought to remember that once (and perhaps again!) "race" and "sex" were "legal" and "socially acceptable." Please help us create a more just world and not discrimination against "immigrants."

**SB-816-HD-1**

Submitted on: 3/16/2025 8:56:45 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Ellinwood	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 8:58:24 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

**I am writing in support of HB438.**

**Many remember the stories from the first Trump Administration of little children in court on their own. Expected to mount a defense against their removal without even an adult by their side. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances. It is laughable to consider the outcomes of these cases justice when the process is so unjust.**

**Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way.**

**I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.**

**SB-816-HD-1**

Submitted on: 3/16/2025 9:26:21 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Marie	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure

**SB-816-HD-1**

Submitted on: 3/16/2025 9:30:13 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Tasman Kekai Mattox	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 9:40:10 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Judy McCluskey	Individual	Support	Written Testimony Only

Comments:

Please vote to allow dignity and due process to immigrants.



**SB-816-HD-1**

Submitted on: 3/16/2025 10:21:30 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Lum	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

I am writing in support of HB438. Many remember the stories from the first Trump Administration of little children in court on their own. Expected to mount a defense against their removal without even an adult by their side. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances. It is laughable to consider the outcomes of these cases justice when the process is so unjust.

Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

Thank you for your support and consideration,

Mahalo,

Jennifer Lum, 'Ewa Beach

House Committee on Judiciary and Hawaiian Affairs  
Hearing  
Tuesday, March 18, 2025 at 2:15 pm  
VIA VIDEOCONFERENCE  
Conference Room 325  
State Capitol  
415 South Beretania Street

RE: SUPPORT - SB816, SD2, HD1 - RELATING TO DUE PROCESS PROTECTIONS.

Aloha Chair Tarnas, Vice Chair Poepoe, Maui Rep. Cochran, and Members of the Committee,

I am writing today in strong SUPPORT SB816, SD2, HD1. As a member of the Hawai'i State Bar since 1999, I was shocked to recently learn that there is a backlog of over 1.9 million cases before immigration courts in the U.S., and that 47% of unaccompanied minor immigrant children have no legal representation before immigration courts. Here in Hawai'i, we have an estimated 50,000 undocumented immigrants in need of free or low-cost immigration legal services, and only about twelve attorneys statewide to serve them. Given the current climate, with immigration enforcement actions being undertaken nationwide, the need for these services is increasing.

The proposed bill will help us as a community uphold our values and our respect for our immigrant communities by providing due process protections.

I humbly request that you please pass SB 816, SD2, HD1.

Mahalo,

Christine L. Andrews, J.D.  
Wailuku, Maui, Hawaii

**SB-816-HD-1**

Submitted on: 3/16/2025 10:47:10 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Eunice M Werner	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart because lack of finances to secure a lawyer

**SB-816-HD-1**

Submitted on: 3/16/2025 10:51:28 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Leah Miller	Individual	Support	Written Testimony Only

## Comments:

I am writing in support of SB816. Many remember the stories from the first Trump Administration of little children in court on their own. Expected to mount a defense against their removal without even an adult by their side. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances. It is laughable to consider the outcomes of these cases justice when the process is so unjust.

Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 10:52:26 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Noelle Lindenmann	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in support of SB816. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding, more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

Thank you for your support and consideration.

Sincerely,

Noelle Lindenmann, Kailua-Kona

**SB-816-HD-1**

Submitted on: 3/16/2025 11:02:46 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Cynthia J. Goto	Individual	Support	Written Testimony Only

Comments:

Support

**SB-816-HD-1**

Submitted on: 3/16/2025 11:56:34 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Kuzmier	Individual	Support	Written Testimony Only

## Comments:

Aloha, I am writing in support of SB816, a bill which provides our judiciary branch to partner with nonprofit legal agencies to provide immigrants with adequate representation in the courts dealing with migration issues. As you know, many migrant people may not know how to move through the legal system and the procedures and to do so unrepresented does not afford them the due process they are accorded in our Constitution, of which the rights stipulated are not based on legal status but jurisdiction. That being said, all people with immigration concerns should be adequately represented regardless of ability to pay and I am all in favor for the state government to provide such measures for them. Mahalo.



**SB-816-HD-1**

Submitted on: 3/16/2025 12:20:52 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Mamiko Carroll	Individual	Support	Written Testimony Only

Comments:

Chair Tarnas, Vice-Chair Poepoe, and members of the committee,

Please SUPPORT SB 816, establishing the Due Process in Immigration Proceedings Program. Legal representation should not be limited to only the ones who can afford to pay a private attorney.

Thank you for the opportunity to testify on this bill.

Senate District 23  
House District 48

**SB-816-HD-1**

Submitted on: 3/16/2025 12:24:04 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert A Marks	Individual	Support	Written Testimony Only

Comments:

Chair and members - this is an important bill in these times. Please pass it.

respectfully,

Robert A Marks

**SB-816-HD-1**

Submitted on: 3/16/2025 12:39:18 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrea L W Fruggiero	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 12:42:39 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith White	Individual	Support	Written Testimony Only

Comments:

Please support this bill; Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 1:19:22 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Helen Cox	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Vice Chair,

I am writing to voice my support of SB816 SD2 HD1. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case. Please pass this bill. Mahalo!

Helen Cox,

Kalaheo, HI

**SB-816-HD-1**

Submitted on: 3/16/2025 1:40:51 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Lu Kelley	Individual	Support	Written Testimony Only

Comments:

Aloha fromKauai, 96756. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case".

Please pass this important bill.

Thank you.

**SB-816-HD-1**

Submitted on: 3/16/2025 2:09:39 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Candace C Casper	Individual	Support	Written Testimony Only

Comments:

Please do not allow our country to lose its soul! Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case

**SB-816-HD-1**

Submitted on: 3/16/2025 2:11:18 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

Please support due process and humane treatment for all persons of any status and any age by passing this bill. The cruelty imposed without due process protection is not justifiable.

Nancy Moser, a resident of Waikoloa Village



**SB-816-HD-1**

Submitted on: 3/16/2025 2:42:14 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Alika Valdez	Individual	Support	Written Testimony Only

Comments:

I support this bill. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case

**SB-816-HD-1**

Submitted on: 3/16/2025 2:57:25 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Gail Morrison	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 3:01:16 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Leah Morse	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 3:54:50 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Dear Chair Tarnas, Vice Chair Poepoe, and Members of the JHA Committee,

As a concerned citizen, I write in **strong support of SB816 SD2 HD1**. This measure would provide legal representation to income-qualified individuals residing in Hawai'i who are facing immigration-related proceedings in immigration court and is to be administered through the judiciary.

Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case. With recent federal actions attacking the rights and health of immigrants, migrants, and refugees, I urge the legislature to pass this measure to ensure protections for all people living in Hawai'i.

SB816 SD2 HD1 is the fair, right, just thing to do to ensure that people are afforded the necessary protections under the law, families and communities are preserved, and our human rights and dignity are respected.

Mahalo,

Thaddeus Pham

Makiki, HI

**SB-816-HD-1**

Submitted on: 3/16/2025 4:01:57 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
gabrielle davidson	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case. Let's lead the nation in what it looks like to govern humanely. Thank you!

**SB-816-HD-1**

Submitted on: 3/16/2025 5:01:13 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Charlene Johnsto	Individual	Comments	Written Testimony Only

Comments:

It is shameful to allow Immigration Court to rip apart families, because individuals cannot pay a private attorney to fight their case. There must be another way to ensure we are secure without treating human beings with such disregard.

**SB-816-HD-1**

Submitted on: 3/16/2025 5:56:20 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
sue feutz	Individual	Support	Written Testimony Only

Comments:

legal representation is necessary at each step for our immigrants - not just the well off ones -  
please sucure funding and legal services for all Mahalo

**SB-816-HD-1**

Submitted on: 3/16/2025 6:10:44 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Julie and Thomas Pasquale	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.



**SB-816-HD-1**

Submitted on: 3/16/2025 7:52:25 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jesse Hutchison	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 7:58:15 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/16/2025 9:14:21 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Lorna Holmes	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case. America should be better than that.

**SB-816-HD-1**

Submitted on: 3/16/2025 10:12:04 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Marie Kerley	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case

**SB-816-HD-1**

Submitted on: 3/17/2025 4:27:22 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Nelson	Individual	Support	Written Testimony Only

Comments:

It is important to support families, not rip them apart just because they cannot afford a private attorney. Thank you.

Elizabeth Nelson

Kaneohe

**SB-816-HD-1**

Submitted on: 3/17/2025 4:37:11 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Carl Bergquist	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair and Members of the Committee:

I write in strong support of SB816 SD2 HD1.

The developments since Januaray 20th of this year underscore with alarming clarity, what we already know to be true: an immigrant without legal representation has little to no chance of receiving the due process guaranteed by the U.S. Constitution. In fact, even in cases where an immigrant has legal counsel, we have reason to be extremely concerned - witness the cases of Mahmoud Khalil, Ranijni Srnivasan, Fabian Schmidt and Rasha Alawieh in which these immigrants have been detained far from home, forced to flee the country, mistreated during interrogation and deported respectively.

**As a former resident of Hawai'i and a proud 2019 graduate of the William S. Richardson School of Law who practices and works on immigration law, I commend the Filipino Caucus for leading on this crucial issue. My current employer, the Coalition for Humane Immigrant Rights, both provides direct services and subcontracts to other organizations serving areas with little to no legal represenation. In this capacity, I have seen first hand how similar funding from the State of California has helped hundreds, if not thousands, of immigrants, keeping their families together.**

**I urge you to pass this bill. Thank you for your attention.**

**SB-816-HD-1**

Submitted on: 3/17/2025 6:12:11 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Bonk	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/17/2025 6:44:33 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Swasti Bhattacharyya	Individual	Support	Written Testimony Only

Comments:

Aloha,

While immigration is an issue in this country and the system needs improvement Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case

Thank you.

Swasti



**SB-816-HD-1**

Submitted on: 3/17/2025 8:05:25 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Sarah Burns	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/17/2025 8:13:17 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Luke	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, VC, and Members of JHA,

The Legal process is formidable and everyone caught up by the system needs to have guidance if they are unable to afford knowledgeable support.

Mahalo for your consideration.

Karen Luke in Ewa Beach

## Strong support of SB816, Relating to Immigration

March 18, 2025

David Tarnas, Chair House Judiciary and Hawaiian Affairs Committee

Mahina Poepoe, V-Chair House Judiciary and Hawaiian Affairs Committee

Re: SB816, Relating to Due Process Protections, Immigration Proceedings

Aloha Chair Tarnas, V-Chair Poepoe and Members of the Committee:

I am Gail Breakey, testifying in strong support of this measure to ensure due process in immigration proceedings.

Immigrants are often expected to mount a defense against their removal without legal support. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances. It is laughable to consider the outcomes of these cases justice when the process is so unjust. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

Thank you for your consideration of this legislation and for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Gail Breakey". The signature is written in a cursive, flowing style.

Gail Breakey, RN, MPH

**SB-816-HD-1**

Submitted on: 3/17/2025 9:07:37 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart simply because one cannot afford legal representation.

**SB-816-HD-1**

Submitted on: 3/17/2025 9:59:19 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

Thank you for allowing me to express my strong support of SB816 by Senator Aquino. Every person deserves an attorney. This is urgently important for immigrant families. Please do the compassionate thing and pass SB816.

Mahalo,

Renee Rabb

Keaau, HI 96749

Big Island

**SB-816-HD-1**

Submitted on: 3/17/2025 10:02:00 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Wayne	Individual	Support	Written Testimony Only

## Comments:

It is brutal to separate family members from one another, especially when some of those members have no opportunity to defend themselves. I support this bill because immigrants should not be deported simply because they cannot afford legal representation. This legislation gives them representation so that they have a fair day in court, which is what every person in our state and country deserves.

To: Hawaii State Senate Committee on Judiciary & Hawaiian Affairs

Hearing Date/Time: Tuesday March 18, 2025, 2:15pm

Place: Hawaii State Capitol, CR 325 & Videoconference

Re: Judith Ann Armstrong supports SB816 Relating to Due Process Protections

Dear Chair Rep. David A. Tarnas, Vice Chair Rep. Mahina Poepoe and members of the Judiciary & Hawaiian Affairs Committee

I, Judith Ann Armstrong, support SB816 Relating to Due Process Protections.

I am writing in **support** of SB816. Many remember the stories from the first Trump Administration of little children in court on their own. Expected to mount a defense against their removal without even an adult by their side. Unfortunately, this happens all too often. Immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. It is almost inconceivable that anyone would be successful in arguing their case in these circumstances. It is laughable to consider the outcomes of these cases, no justice when the process is so unjust.

Hawai'i continues to be a legal desert, with only a handful of pro bono immigration attorneys in the state, the majority of whom are on O'ahu. With additional funding more legal service organizations can staff additional attorneys and paralegals to ensure that more residents, many of whom have a viable pathway to lawful status, could fight their case in a fair and dignified way.

I urge you to support this bill. Families should not be ripped apart by our immigration court system simply because individuals do not have the thousands of dollars it would take to pay a private attorney to fight their case.

Thank you for this opportunity to testify in support of SB816.

Sincerely,

Judith Ann Armstrong

**SB-816-HD-1**

Submitted on: 3/17/2025 11:07:05 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Polk	Individual	Support	Written Testimony Only

## Comments:

Please pass SB816 to be sure that immigrants detained by ICE or any other entities be provided with free legal assistance if they cannot pay. We have now seen ICE and unidentified gangs of men illegally arrest citizens, as well as green card holders who have not violated any law, and others who have been accused of a crime but not tried and found guilty. All of these detentions are illegal, and it is important that those who suffer them have good legal defense. If they don't, all of the rest of us, whether born in the US or elsewhere, are also in danger of illegal arrest and deportation.



**SB-816-HD-1**

Submitted on: 3/17/2025 11:22:41 AM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
James E Raymond	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/17/2025 12:06:38 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Erica Lodahl	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/17/2025 2:12:09 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Shana Laririt	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case

**SB-816-HD-1**

Submitted on: 3/17/2025 2:28:27 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Thomas h. Penny	Individual	Support	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case"

**SB-816-HD-1**

Submitted on: 3/17/2025 2:49:03 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Remotely Via Zoom

Comments:

**Chair Tarnas and Committee Members,**

**My name is Brett Kulbis, I'm a 26yr Navy Veteran and I live in Ewa Beach.**

**I STRONGLY OPPOSE SB-816.**

**SB-816 is a misguided piece of legislation that threatens the very fabric of our immigration system and the principles of fairness and justice.**

**This bill, ironically titled "Due Process in Immigration Proceedings," aims to provide legal representation to individuals facing immigration-related cases. While legal representation is a right in criminal matters, immigration proceedings are civil in nature. Providing state-funded legal aid distorts the balance of the process and places an unnecessary burden on Hawaii's taxpayers.**

**The cost of implementing such a program would be substantial. Hawaii's economy, already facing challenges, cannot afford to divert precious resources to fund legal representation for illegal immigrants. The money could be better spent on supporting our law-abiding citizens and addressing pressing issues within our own communities.**

**By offering free legal aid, this bill inadvertently creates an incentive for illegal immigrants to flock to Hawai'i. It sends a message that the state will provide a safety net and potentially reward those who break our immigration laws. We must not encourage lawlessness and disrespect for our borders.**

**Immigration into the U.S. is a privilege, not a right, and those who seek to call America home must do so legally and respectfully. Our current immigration system, though in need of reform, provides ample opportunities for legal immigration.**

**Respectfully, I STRONGLY encourage you to vote NO on SB-816.**

**SB-816-HD-1**

Submitted on: 3/17/2025 3:13:24 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill!

**SB-816-HD-1**

Submitted on: 3/17/2025 3:16:29 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Glorianne Garza	Individual	Oppose	Written Testimony Only

Comments:

Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case.

**SB-816-HD-1**

Submitted on: 3/17/2025 3:35:37 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Louella Vidinha	Individual	Oppose	Written Testimony Only

Comments:

In strong opposition to this bill.

Simply put, Illegal immigrants, aliens, undocumented US citizens should NOT be afforded any taxpayer paid legal representation.

Plainly put they're not US citizens, therefore..... don't afford them free legal help from taxpayers  
???.....

Can't believe this even came up.

Louella Vidinha

Hawaii resident



**SB-816-HD-1**

Submitted on: 3/17/2025 4:20:35 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela M Anderson	Individual	Oppose	Written Testimony Only

Comments:

I am writing to strongly oppose Senate Bill 816, which proposes using taxpayer funds to provide free legal representation for undocumented immigrants. While I support fair and humane treatment for all individuals, I believe this bill misallocates public resources in a way that undermines the interested of law abiding citizens and weakens our states ability to maintain secure borders.

My specific concerns include:

The misuses of taxpayer dollars to fund legal defense for individuals who have violated immigration laws, which is a betrayal of hardworking Americans who rely on these funds for essential services.

The potential for this bill to incentivize further illegal immigration by signaling that lawbreakers will receive state funded support- thus weakening border security

The lack of accountability in prioritizing the needs of citizens over those who have entered the country unlawfully.

I urge the committee to reject this bill and instead focus on policies that prioritize the safety, security and economic wellbeing of Hawaii's residents.

If we aren't providing legal support for those who enter our country legally, or supporting those who were born here, why on earth should we the taxpayer fund the invasion of our country by providing legal support to our invaders. I urge this committee to consider your constituents first. Hawaii First, America First.

**SB-816-HD-1**

Submitted on: 3/17/2025 5:30:14 PM

Testimony for JHA on 3/18/2025 2:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Chanara Caey Richmond	Individual	Oppose	Written Testimony Only

Comments:

I oppose bill SB816. Chanara Richmond HD42