



*The Judiciary, State of Hawaii*

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

**Senate Committee on Ways and Means**

Senator Donovan M. Dela Cruz, Chair

Senator Sharon Y. Moriwaki, Vice Chair

Wednesday, February 19, 2025, 10:02 a.m.

State Capitol, Conference Room 211 & 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, Relating to Due Process Protection

**Purpose:** 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. Appropriates funds. Effective 4/23/2025.

**Judiciary's Position:**

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

The Judiciary supports the intent of this measure, which is to establish a program to provide 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.



## Protect Democracy Move Forward

[www.indivisiblehawaii.org](http://www.indivisiblehawaii.org)  
[info@indivisiblehawaii.org](mailto:info@indivisiblehawaii.org)

February 15, 2025

Testimony in SUPPORT of SB816  
COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

Representative Greggor Ilagan, Chair  
Representative Ikaiki Hussey, Vice Chair

Hearing Date: January 29, 2025

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

Members of Indivisible Hawai'i Statewide Network thank you for this opportunity to testify in strong support of SB816 which aims to establish due process in immigration proceedings by providing legal representation to individuals in immigration-related proceedings in immigration court.

During the first Trump Administration, immigrants end up in immigration court alone, unable to understand the language, without any legal training, and facing an ICE prosecutor and judge. We recall that many little children, toddlers even, had to be in court on their own, expected to mount a defense against their deportation. The cruelty of this practice is beyond imagination and designed to not serve any sense of justice.

There are few pro bono immigration attorneys in Hawai'i, the majority 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, can argue 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,

A handwritten signature in black ink, appearing to read 'Gaye Chan', with a long horizontal stroke extending to the right.

Gaye Chan

#### Indivisible Hawai'i Statewide Network

A grassroots movement of thousands of local Indivisible groups with a mission to elect progressive leaders, rebuild our democracy, and defeat the Trump agenda. In Hawai'i, we have ten groups across four islands, representing over a thousand pro-democracy citizens.



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

*Advocating for the Hawai'i LGBTQIA+ Community*



Mailing Address: LGBTQ+ Commission, c/o The Department of Human Services,  
P.O. Box 339, Honolulu, Hawai'i 96809-0339

Email: [hawaiistatelgbtqpluscommission@gmail.com](mailto:hawaiistatelgbtqpluscommission@gmail.com)  
Web: <https://humanservices.hawaii.gov/lgbtq-commission/>

February 14, 2025

Senate Committee on Ways and Means  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Wednesday, February 19, 2025, at 10:02 AM

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

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and committee members,

I am writing in strong support of Senate Bill 816, SD 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**

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](#)



## **SENATE BILL 816, SD1, RELATING TO DUE PROCESS PROTECTIONS**

FEBRUARY 19, 2025 · WAM HEARING

**POSITION:** Support.

**RATIONALE:** The Democratic Party of Hawai'i Education Caucus **supports** SB 816, SD1, relating to due process protections, 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.

Hawai'i understands the value of immigration and cultural diversity. Our island home—like the United States—is defined by immigration and a legacy of migrant labor that has bestowed upon us a rich social tapestry, multifaceted economy, and an everlasting respect for the principles of democracy and pluralism. As Barack Obama once said, “What makes someone American isn’t just blood or birth, but allegiance to our founding principles and faith in the idea that anyone—from anywhere—can write the next chapter of our story.”

Today, however, we are witnessing a cruel campaign of mass deportation being implemented throughout the country—including in our state—which is undermining the roots of communities in which migrants are celebrated members. Recently, the Trump administration has removed restrictions that prevented Immigration and Customs Enforcement from conducting raids at so-called sensitive locations, including schools (as well as houses of worship and hospitals).

We cannot sit idly by while Donald Trump enacts a campaign of fear against our immigrant neighbors. These actions will not prop up the American economy. On the contrary, immigrant labor is essential to the preservation of our society's financial well-being. Immigrants boost overall economic growth by expanding the labor force and increasing consumer spending. The foreign born also start new businesses at higher rates than U.S.-born individuals. Immigrants were involved in the development of 30 percent of patents in strategic industries in recent years and more than 40 percent of Fortune 500 companies were founded by immigrants.

Higher-than-expected immigration is driving job growth and productivity and was projected to continue doing so in the coming years: The Congressional Budget Office (CBO) estimates that a greater level of immigration expected between 2024 and 2034 *could have* boosted gross domestic product (GDP) by \$8.9 trillion. Yet, these gains will be jeopardized by the Trump Administration's inhumane mass deportation actions, which harken back to the race-based policies of the 19<sup>th</sup> and early 20<sup>th</sup> Centuries and draw frightening parallels to the policies put in place by violent authoritarian governments throughout history, including the Nazi regime.

Immigrants exist in our neighborhoods, our schools, our workplaces, and all other spaces in our state. They empower our society to thrive, despite the social and political violence with which they are forced to endure. As a state, we have a responsibility to protect their well-being. If we fail, history will remember our complicity in the annihilation of human rights and civil liberties, and our unwillingness to do what is right to preserve the most fundamental tenets of our democracy.

**Contact: [educationcaucusdph@gmail.com](mailto:educationcaucusdph@gmail.com)**



**OAHU FILIPINO COMMUNITY COUNCIL**  
**Honolulu, Hawaii**

**February 15, 2025**

**Testimony in Support of SB816 SD1: Relating to Due Process Protections**

**To:** Chair Donovan M. Dela Cruz, Vice Chair Sharon Y. Moriwaki, and Members of the Committee on Ways and Means

**Date:** Wednesday, February 19, 2025

**Time:** 10:02 AM

**Place:** Conference Room 211 & Videoconference

**From:** The Oahu Filipino Community Council

**Subject:** Support for SB816 SD1 - Establishing the Due Process in Immigration Proceedings Program

**Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee on Ways and Means,**

The Oahu Filipino Community Council strongly supports SB816 SD1, which establishes the Due Process in Immigration Proceedings Program to provide legal representation to individuals in immigration-related proceedings in immigration court. This measure is essential to ensure that individuals facing immigration proceedings have access to fair and adequate legal representation.

**Key Points:**

1. **Ensuring Due Process:** SB816 SD1 aims to uphold the fundamental principle of due process by providing legal representation to individuals in immigration-related proceedings. This will help ensure that all individuals, regardless of their immigration status, have a fair opportunity to present their cases in court.
2. **Addressing Legal Gaps:** Many individuals in immigration-related proceedings lack the resources to secure legal representation, putting them at a significant disadvantage.



Establishing the Due Process in Immigration Proceedings Program will help address this gap and promote justice and equity.

3. **Supporting Vulnerable Populations:** Immigrants often face complex legal challenges and language barriers. Providing legal representation through this program will particularly benefit vulnerable populations, such as refugees, asylum seekers, and individuals at risk of deportation.

**Arguments in Support:**

**Upholding Justice and Equity:** The Due Process in Immigration Proceedings Program is a critical step towards ensuring that justice and equity are upheld in our immigration system. By providing legal representation, we can help prevent unjust outcomes and ensure that individuals' rights are protected.

**Promoting Fairness in Immigration Proceedings:** Legal representation is essential for navigating the complexities of immigration law. Without adequate legal support, individuals may struggle to understand their rights and the legal processes they face. This program will help level the playing field and promote fairness in immigration proceedings.

**Strengthening Community Support:** Immigrants are vital members of our community, contributing to our economy, culture, and social fabric. Providing legal representation through this program will help immigrants remain in our community, allowing them to continue their contributions and ensuring that families are not unjustly separated.

**Funding and Accountability:** SB816 SD1 appropriates funds to support the establishment of the Due Process in Immigration Proceedings Program and requires reports to the Legislature. This ensures that the program is adequately funded and that there is accountability and transparency in its implementation.

We believe that SB816 SD1 is a crucial measure to protect the rights of individuals in immigration-related proceedings and to promote justice and fairness in our legal system. We urge the Committee to favorably consider SB816 SD1 and support its passage.

**Sincerely,**

**Melodie Aduja**

**Chair, Social Action Committee**

**Director, Oahu Filipino Community Council**



Committee: Ways and Means  
Hearing Date/Time: Wednesday, February 19 2025 at 10:02AM  
Place: Conference Room 211 & Via Videoconference  
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of S.B. 816 Relating to Due Process Protections**

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Committee Members:

The ACLU of Hawai'i **supports S.B. 816**, establishing a program to provide access to legal representation for persons facing 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 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 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. 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*

*Gemma G. Weinstein, President*

*Eric W. Gill, Senior Vice-President*

February 18, 2025

## **Senate Committee on Ways and Means**

Sen. Donovan Dela Cruz, Chair

Sen. Sharon Moriwaki, Vice Chair

### **Testimony in Support of SB 816 SD1**

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

UNITE HERE Local 5 represents over 10,000 working people in the hotel, food service and health care industries across Hawaii.

**We support SB 816 SD1** as it establishes a program to provide due process and legal representation for individuals facing proceedings in immigration court. Due process is a foundation of our court system, and it should apply to everyone.

We support amendments in SB 816 SD1 that explicitly addresses the federal court jurisdiction of immigration cases by clarifying that the state judiciary shall administer funding to entities contracted to implement and operate the program, rather than administer it directly.

The United States should aspire to 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 SD1.

Thank you for this opportunity to testify.

**SB-816-SD-1**

Submitted on: 2/14/2025 4:30:16 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch, Jr. (he/him)	Testifying for Pride at Work – Hawai‘i	Support	Written Testimony Only

Comments:

Aloha Senators,

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 fully supports SB 816 SD 1.

We ask that you support this needed piece of legislation.

Mahalo,

Michael Golojuch, Jr. (he/him)

President

[Pride at Work – Hawai‘i](#)



**February 19, 2025**

Hawai'i State Legislature  
Senate Committee on Ways and Means ("WAM")

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

Dear Chair Dela Cruz, Vice-Chair Moriwaki, and Members of the WAM Committee:

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 with a suggested amendment for SB 816 SD 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 HD SD 1**

**We support SB 816 HD SD 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.

**Suggested Amendment on SB 816 HD SD 1**

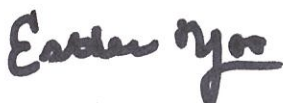
As the only immigration law clinic in the State of Hawai'i, we are in a unique position to train law students who are interested in practicing immigration law, especially in the areas of asylum and removal defense. SB 816 HD SD 1 would build the current capacity for immigration removal



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. Therefore, we ask this committee to amend SB 816 HD SD 1 to require the judiciary to partner with entities capable of training and educating law students and legal practitioners to provide legal representation in immigration proceedings, including deportation defense, asylum applications, and other immigration relief processes. For example, RILC, in collaboration with the American Immigration Lawyers Association Hawai'i Chapter, recently created a deportation hotline that provides immediate legal assistance to individuals facing removal proceedings. We believe that amending the legislation to require the judiciary to partner with qualified entities will foster similar collaborations and deliver immediate relief to those in need. We have attached our suggested amendment in this testimony.

We urge this committee to pass SB 816 HD SD 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



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

### Proposed Suggested Amendment

**§601- Powers and duties.** In the administration of the due process in immigration proceedings program, the judiciary shall ensure that the entities contracted to implement and operate the program:

- (1) Provide legal representation to individuals in immigration-related proceedings in immigration court, including but not limited to deportation defense, asylum applications, and other immigration relief processes;
- (2) Prioritize services for individuals who are detained, at risk of deportation, or otherwise vulnerable due to their immigration status;
- (3) Partner with community-based organizations and legal service providers to ensure culturally and linguistically appropriate services;
- (4) Provide training and education for, or partner with entities capable of training and educating, law students and legal practitioners to provide legal representation to individuals in immigration-related proceedings in immigration court, including, but not limited to, deportation defense, asylum applications, and other immigration relief processes;
- ~~[(4)]~~ (5) Conduct outreach and education to inform impacted communities about the availability of legal representation and related resources; and
- ~~[(5)]~~ (6) Collect and report data on the program's outcomes, including the number of individuals served, types of cases handled, length of time each case has been pending, and success rates, while maintaining confidentiality and protecting sensitive information.



Statement Before The  
Wednesday, February 19, 2025  
10:02 AM  
Conference Room 211 & Videoconference

in consideration of  
**SB816, SD1**

**RELATING TO DUE PROCESS PROTECTIONS.**

Chair DELA CRUZ, Vice Chair MORIWAKI, and Members of the Senate Ways and Means Committee

The Legal Clinic (TLC) supports SB816, SD1, 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 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>

The immigration court data show that FY2024 saw a spike in Hawai'i cases – total 915 – with a majority of them being deportation cases.<sup>8</sup> With the Trump Administration promising to deport immigrants at unprecedented levels, we are expecting a greater surge in Hawai'i immigration court cases. For example, in FY 2008, during Trump's first term, there was a record high of deportation / removals – 447 – issued by Hawaii's Immigration Court.<sup>9</sup>

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, SD1 is critical to assuring due process and promoting family unity, community stability, and economic security. SB816, SD1 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, SD1 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, SD1 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, SD1 and TLC respectfully urges the Committee members to pass SB816, SD1 out of your Committee. TLC also supports the suggested amendment proposed by the Refugee & Immigration Law Clinic at the University of Hawai'i at Manoa William S. Richardson School of Law. 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



CATHOLIC CHARITIES HAWAII

**LATE**

**TESTIMONY IN SUPPORT OF SB816, SD1:  
RELATING TO DUE PROCESS PROTECTIONS**

**TO:** Senate Committee on Ways and Means  
**FROM:** Tina Andrade, President and CEO, Catholic Charities Hawai'i  
**Hearing:** **Wednesday, 2/19/25, 10:02 am; Room 211 & Videoconference**

Chair Dela Cruz, Vice Chair Sharon Moriwaki and Members, Committee on Ways and Means:

Catholic Charities Hawai'i **Supports SB 816, SD1, Relating to Due Process Protections**, Which ensures individuals in custody are informed of their rights before being interviewed by ICE.

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.

CCH is 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.

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.

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



# HCANSpeaks!

Hawai'i Children's Action Network

*Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.*

To: Senate Committee on Ways and Means  
Re: SB 816 Relating to due process protections

**LATE**

Hawai'i State Capitol, Conference Room 211 & Via Videoconference  
Wednesday, February 19, 2025, 10:02 AM

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Committee Members,

**On behalf of HCANSpeaks!, I am writing in support of HB 816, Relating to due process protections.** This bill will provide legal representation to income qualified individuals residing in Hawai'i who are facing immigration-related proceedings in immigration court.

Children and immigrant families deserve legal representation. Immigrants all too often end up in immigration court alone and in Hawai'i there are only a handful of pro bono immigration attorneys in the state. Furthermore, the majority of pro bono immigration attorneys are on O'ahu, which leaves an even greater dearth of legal representation for immigrant families on neighbor islands and rural areas across our state. 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, have the just opportunity they deserve to fight their case in a fair and dignified way.

I urge you to support this bill. Most people cannot afford the high costs of hiring a private attorney to defend their case. Families should not be torn apart by the immigration court system simply because they cannot afford counsel.

SB816 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 for the opportunity to submit testimony in **support of SB 816.**

Sincerely,  
Noreen Kohl, Ph.D.  
Policy Researcher and Advocate

**SB-816-SD-1**

Submitted on: 2/18/2025 8:33:53 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
amy agbayani	Testifying for Hawai'i Friends of civil rights	Support	Written Testimony Only

Comments:

Testimony in support of SB 816 submitted by

Amy Agbayani and Patricia McManaman, co-chairs Hawai'i Friends of Civil Rights.

We strongly support funding critical legal representation for 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>[1]</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>[L]</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>[L]</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.



[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 SD1  
COMMITTEE ON WAY AND MEANS

Senator Donovan Dela Cruz, Chair  
Senator Sharon Moriwaka, Vice Chair

Hearing Date: Feb. 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 SD1**, 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



**Testimony in SUPPORT of SB816 HD1**  
**COMMITTEE ON WAYS AND MEANS**

**LATE**

Senator Donovan Dela Cruz, Chair  
Senator Sharon Moriwaki, Vice Chair

Hearing Date: February 19th, 2025

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

**A.L.O.H.A. Latinos** strongly support **Senate Bill 816 SD1**, which seeks to establish the Due Process in Immigration Proceedings Program within our state's judiciary. This initiative is vital for upholding the civil rights of all residents, ensuring that every individual facing immigration-related proceedings has access to legal representation, regardless of their financial situation.

### **The Importance of Legal Representation**

Legal representation profoundly influences the outcomes of immigration cases. Studies have shown that detained immigrants are up to 10.5 times more likely to achieve favorable results when represented by an attorney compared to those without representation.

This disparity highlights the critical need for accessible legal services to ensure fair and just proceedings.

### **Impact of Family Separation on Communities**

Family separation due to deportation has devastating effects, especially in mixed-status families comprising both undocumented and U.S. citizen members. Children in these families often experience severe psychological distress, including anxiety, depression, and behavioral issues, as a direct result of losing a parent to deportation.

Moreover, these children face increased challenges in educational attainment and overall well-being.

### **Hawai'i's Linguistic Diversity and the Need for Language Access**

Hawai'i stands proud in its diversity, with approximately 25.4% of its population speaking a language other than English at home.

This linguistic richness underscores the necessity for legal representation that accommodates language barriers. Ensuring that individuals understand their rights and the legal processes they face is fundamental to due process. Without adequate language support, individuals seeking asylum, those with pending immigration proceedings, or guardians needing legal assistance may face insurmountable challenges, placing additional burdens on both the affected families and the legal system.

## **Protecting Our Community's Future**

By providing legal representation to undocumented individuals, SB816 SD1 not only safeguards their rights but also supports the stability and unity of families with U.S. citizen children. Ensuring that parents have the opportunity to remain with their children contributes to the emotional and economic well-being of our communities here in Hawai'i.

In conclusion, A.L.O.H.A. Latinos urge the legislature to pass SB816. This bill is a crucial step toward protecting the civil rights of all Hawai'i residents and fostering stronger, more resilient communities.

Thank you for your consideration.

Sincerely,

A.L.O.H.A. Latinos

*Victoria Magaña Ledesma*

*Marlen Villatoro*

*Graciela Del Rio*

*Armando Rodriguez*

*Karina Rodriguez*

*Anna Marie Smith*

*Maria Alejandra Cisneros Zavala*

*Jazmin Allison*

*Claudia Hartz*



## SB 816, SD1, RELATING TO DUE PROCESS PROTECTIONS

FEBRUARY 19, 2025 · WAM HEARING

**POSITION:** Support.

**RATIONALE:** Imua Alliance supports SB 816, SD1, relating to due process protections, 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.

Imua Alliance is a victim service provider for survivors of sex trafficking, including numerous migrant survivors. Over the past 15 years, we have provided comprehensive direct intervention (victim rescue) services to over 200 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. During the pandemic, demand for services to our organization skyrocketed by 330 percent, driven in part by a fivefold increase in direct crisis calls.

Many of the victims we have assisted have suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma and trauma-coerced attachment can even lead to a complete loss of identity and significant memory loss. Our survivor-clients require a tremendous amount of psychological, medical, and occupational support once outside of the commercial sex industry, as they painstakingly progress toward recovery.

Countless human trafficking survivors are migrants. Our state's migrant survivor population is difficult to estimate, but exceeds 500-1,000 people annually. These individuals are exploited in

local storefront brothels (such as fake massage parlors and relaxation therapy establishments), on local farms, and in our fishing industry, where they are forced to endure inhumane conditions and are stripped of any documentation and identification materials they may have.

We should provide assistance and a path to citizenship for immigrants, not punishment and fear. According to a report published by the American Immigration Council in 2020, Hawai'i is home to over 266,000 immigrants, including 45,000 thousand undocumented immigrants. As a society, we treasure our immigrant heritage, from which we have developed a legacy of multicultural cooperation and an abiding respect for the limitless value of diversity.

President Donald Trump has signaled his intent to implement a draconian, arbitrary, and cruel system of enforcement when it comes to immigration. Already, immigration raids have been initiated throughout the country, including in our island home. On January 27<sup>th</sup>, Hawai'i News Now reported that the local office of Homeland Security Investigations posted photos on social media of officers from U.S. Immigration and Customs Enforcement and Drug Enforcement Administration arresting immigrants on our shores. Trump officials have also begun issuing quotas to ICE officers to ramp up arrests, according to the Washington Post.

Advocates and, of course, immigrants themselves—both documented and undocumented—are justifiably concerned about these mass deportation actions. As the American Immigration Council stated in its “After Day One” factsheet: “The initial wave of executive actions scales up a “mass deportation” operation that everyone without legal status in the United States will be highly vulnerable to on the first day these practices go into effect. Indeed, by invoking the registration provision, the Trump administration is threatening to turn all immigrants into criminals by setting them up for the ‘crime’ of failing to register,” which they have no way to do.

From a historical perspective, we are all immigrants. We urge your committee to act with haste to defend the many immigrants who make our communities proud and call the Aloha State home.

***Contact us at [imuaalliance.org/contact](https://imuaalliance.org/contact).***

**SB-816-SD-1**

Submitted on: 2/17/2025 8:13:31 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

Save Medicaid Hawaii strongly supportsn SB816

**SB-816-SD-1**

Submitted on: 2/15/2025 12:17:35 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

Immigrants are under fire in our country, so due process is very important. they deserve that. Immigrants go through so much, seeking a better life for themselves and families, due process seems only fair.

Thank you,

Elizabeth Nelson

Kaneohe

**SB-816-SD-1**

Submitted on: 2/15/2025 12:26:46 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Maxym	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

Please vote for this bill.

Thank you

**SB-816-SD-1**

Submitted on: 2/15/2025 3:25:43 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Brenda DuFresne	Individual	Support	Written Testimony Only

Comments:

I support SB816



**SB-816-SD-1**

Submitted on: 2/15/2025 4:00:27 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Audrey Higbee	Individual	Support	Written Testimony Only

Comments:

Testimony in SUPPORT of HB438

COMMITTEE ON ECONOMIC DEVELOPMENT AND TECHNOLOGY

Representative Greggor Ilagan, Chair

Representative Ikaiki Hussey, Vice Chair

Hearing Date: January 29th, 2025

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,

Audrey Higbee

**SB-816-SD-1**

Submitted on: 2/15/2025 6:28:33 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Tara Nash	Individual	Support	Written Testimony Only

Comments:

I'm writing in support of due process protections for immigrants.

**SB-816-SD-1**

Submitted on: 2/16/2025 5:16:06 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Alice Morris	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-SD-1**

Submitted on: 2/16/2025 8:19:08 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

We should not be tearing families apart!! Most cannot afford to hire a lawyer! Please appropriate funds to help immigration families be protected!

**SB-816-SD-1**

Submitted on: 2/16/2025 8:57:28 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
DeWaine Tollefsrud	Individual	Support	Written Testimony Only

Comments:

The possibility of families being ripped apart by immigration court because of not being able to afford private council is morally and ethically reprehensible and should have no place in our state.

**SB-816-SD-1**

Submitted on: 2/16/2025 10:52:18 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrea Nandoskar	Individual	Support	Written Testimony Only

Comments:

Support

**SB-816-SD-1**

Submitted on: 2/16/2025 12:46:29 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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-SD-1**

Submitted on: 2/16/2025 2:10:07 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sheryl Summers	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. This is a basic right in our country!

**SB-816-SD-1**

Submitted on: 2/16/2025 2:29:49 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Weiner	Individual	Support	Written Testimony Only

Comments:

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

To WAM Committee:

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 thier 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 seperated 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.

Respectfully submitted,

Linda Weiner, MD

**SB-816-SD-1**

Submitted on: 2/16/2025 3:48:55 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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.

February 16, 2025

Hawaii State Legislature  
Thirty-Third Legislature  
Regular Session of 2025  
Senate Committee on Ways and Means

Re: Written Testimony in Support with Comments from **William S. Richardson**  
**School of Law Refugee & Immigration Law Clinic Advisory Committee** for  
SB 816, SD1, Relating to Due Process Protections

Hearing Date: Wednesday, February 19, 2025

Time: 10:02 a.m.

Place: Conference Room 211, State Capitol

Dear Chair Dela Cruz, Vice-Chair Moriwaki, and Members of the Senate Ways and Means Committee:

The William S. Richardson School of Law Refugee & Immigration Law Clinic ("RILC") Advisory Committee **supports** SB 816, SD1 ("Bill"), and suggests the "Powers and duties" portion of the Bill be amended to include the following requirement for contracted entities:

**Provide training and education for, or partner with entities capable of training and educating, law students and legal practitioners to provide legal representation to individuals in immigration-related proceedings in immigration court, including, but not limited to, deportation defense, asylum applications, and other immigration-relief processes.**

The Advisory Committee is a group of community volunteers who are committed to actively supporting the critical role and mission of RILC. We submit this testimony in support of the Bill, and the suggested amendment, in our personal or individual capacities.

RILC is the only immigration law clinic in the State that provides both immigration legal services and training for future immigration law attorneys to represent income-eligible non-citizen adults and children residing in Hawai'i in some of the most complex and challenging immigration proceedings. The mission of the RILC is to educate and train law students and attorneys to provide free or low-cost legal representation for asylum, removal defense, and other forms of humanitarian relief. Along with its community partners, including non-profit legal services organizations, RILC is part of a critical network of programs and organizations providing free immigration legal services to some of the most vulnerable, yet underserved and unrepresented, members of our community, including undocumented residents who have been working and contributing to our local economy.

Supporting Hawai'i's immigrants in court proceedings and their attainment of legal status is critical to a thriving local economy. According to the U.S. Census Bureau's 2022 American Community Survey, in 2022, undocumented immigrants in Hawai'i alone paid over \$93 million in federal taxes and over \$72 million in state and local taxes, and immigrant-led households in Hawai'i paid \$2.0 billion in federal taxes and \$1.2 billion in state and local taxes. One in five Hawaii workers are immigrants, comprising a significant portion of our State workforce. As consumers, Hawai'i's undocumented immigrants alone held over \$514 million in spending

power (after-tax income) in 2022; together, all of Hawai'i's immigrant households held \$7.9 billion in spending power in 2022. Thus, supporting undocumented immigrants who seek a legal process and protections afforded by the U.S. government leads to millions of dollars in State revenue and sustains our local workforce.

As the Bill clearly recognizes, and as evidenced by the aforementioned statistics, Hawai'i is home to a large population of foreign-born residents. This diverse population includes both long-term residents and recent arrivals as well as residents both young, including unaccompanied minors, and old. Despite their diverse stories and backgrounds, these individuals and families share a common need for safety and security that cannot be met in their originating country and for legal representation to legally achieve that safety and security here in Hawai'i. Unfortunately, despite the long-term benefits of immigrants to the local economy, many of these residents are currently without the financial resources to hire an attorney, and there is a disproportionately large population of residents with free or low-cost immigration legal services needs compared to the handful of attorneys providing such services in Hawai'i. This has resulted in a considerable unmet need for free and low-cost immigration legal representation in Hawai'i. Furthermore, due to the priorities of the new federal administration, the need for immigration legal services has escalated because of the number of removal proceedings and the need for legal representation in those as well as immigration legal matters such as asylum and other humanitarian relief.

As Advisory Committee members, we have seen firsthand the positive impact that legal representation has had in the outcome of cases--outcomes that are life-altering. Some of us have personally and directly contributed to these life-altering outcomes by serving as pro bono counsel for RILC clients under the guidance of RILC. From our involvement with RILC, what is absolutely clear to us is that building the capacity to meet the overwhelming need for competent and compassionate legal representation begins with educating and training more immigration law attorneys, which includes both students who will hopefully become immigration law attorneys as well as non-immigration attorneys who wish to hone their legal skills and knowledge to meet this need as volunteers.

We support the Bill and request that it be amended, as suggested above. The suggested amendment to require the Judiciary to partner with qualified entities will broaden existing and future collaborations to deliver urgently needed free or low-cost legal representation to Hawaii residents in immigration-related proceedings. Thank you for the opportunity to submit our written testimony.

Aloha,



Kevin Block  
Greg Kim  
Corianne Lau  
Jan Tamura  
Melinda Yamaga

Members, WSRSL Refugee & Immigration Law Clinic Advisory Committee  
c/o William S. Richardson School of Law Refugee & Immigration Law Clinic  
2584 Dole Street, Honolulu, Hawaii 96822

**SB-816-SD-1**

Submitted on: 2/16/2025 4:18:08 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Reed Bertollette	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-SD-1**

Submitted on: 2/16/2025 5:52:03 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Written Testimony Only

Comments:

Chair Dela Cruz and Committee Members,

My name is Brett Kulbis, I'm a 26yr Navy Veteran and Retired Civil Servant. 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-SD-1**

Submitted on: 2/16/2025 6:19:02 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Nikole McGreevey	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.

Thank you,

Dr. Nikki McGreevey

Kaneohe, HI



**SB-816-SD-1**

Submitted on: 2/16/2025 9:14:20 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Oppose	Written Testimony Only

Comments:

United States citizens are assured due process. Illegal entry to our country does not require us to provide lawyers for people here illegally. Deportation should occur.

Thank you

Mrs Ruth Love

**SB-816-SD-1**

Submitted on: 2/17/2025 3:02:15 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

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.

## Testifying in strong support of SB816

February 17, 2025

Senator Donovan DelaCruz, Chair Committee on Ways and Means

Senator Sharon Moriwaki, V-Chair, Committee on Ways and Means

Re: **SB816 Establishes the Due Process in Immigration Proceedings Program** to provide legal representation to individuals in immigration-related proceedings in immigration court.

Dear Chair DelaCruz, V-Chair Moriwaki and Members of the Committee

My name is Gail Breakey, and I am testifying in strong support of **SB816**. Immigrants often end up in immigration court alone, unable to understand the language, without any legal training, facing an ICE prosecutor and judge. It is inconceivable that anyone would be successful in arguing their case in these circumstances, and the outcomes of these cases justice when the process is so unjust will not be good. **It is critical that immigrants have adequate legal counsel.**

Hawai'i has 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 consideration of this legislation and for the opportunity to testify **in support of SB816**

Sincerely,



Gail Breakey, RN, MPH

**SB-816-SD-1**

Submitted on: 2/17/2025 9:46:00 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Madalyn Toth	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,

Madalyn Toth

**SB-816-SD-1**

Submitted on: 2/17/2025 12:15:17 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

## Comments:

Aloha, I am writing in support of SB816 SD1, 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-SD-1**

Submitted on: 2/17/2025 12:45:28 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Beth D King	Individual	Support	Written Testimony Only

Comments:

Give immigrants legal assistance to enter the U.S. legally. Go after those who overstay their tourist gvisa .

**SB-816-SD-1**

Submitted on: 2/17/2025 1:21:38 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

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

**SB-816-SD-1**

Submitted on: 2/17/2025 2:43:48 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elena Vorm	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-SD-1**

Submitted on: 2/17/2025 3:21:27 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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. Everyone should have a right to due process under the law.

**SB-816-SD-1**

Submitted on: 2/17/2025 3:28:24 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen A Valasek	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-SD-1**

Submitted on: 2/17/2025 4:55:36 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the WAM Committee,

As a public health professional and concerned citizen, I write in **strong support of SB816 SD1**. 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 SD1 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-SD-1**

Submitted on: 2/17/2025 8:22:46 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Jada Rufo	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-SD-1**

Submitted on: 2/17/2025 9:33:13 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Maya Maxym	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. Mahalo.

**SB-816-SD-1**

Submitted on: 2/17/2025 9:41:33 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

Greetings!

The legal system is complex. I am thinking first and foremost of DACA in seeking your support of this measure.

Mahalo.

**SB-816-SD-1**

Submitted on: 2/18/2025 6:09:59 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Katharine Conway	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-SD-1**

Submitted on: 2/18/2025 7:29:52 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Brittney Helenihi	Individual	Oppose	Written Testimony Only

Comments:

Puts a financial burden on tax payers already struggling



**SB-816-SD-1**

Submitted on: 2/18/2025 7:43:51 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
David E Shormann	Individual	Oppose	Written Testimony Only

Comments:

Illegal aliens are here illegally and should be deported and the country of origin charged for shipping them back while encouraging their country to do better so their citizens want to stay.

**SB-816-SD-1**

Submitted on: 2/18/2025 7:38:44 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Cordery	Individual	Oppose	Written Testimony Only

## Comments:

I appose SB816 for the main reason that "We The People" who have legally entered the country should not be defending any UNLAWFUL, ILLEGAL Alien!!! This violates the Constitution! Also, The government should not decide to spend our hard earned \$\$ on people who do not abide by US law! THIS is another way to steal from We the People!

**SB-816-SD-1**

Submitted on: 2/18/2025 7:56:24 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Deven English	Individual	Oppose	Written Testimony Only

Comments:

I am in strong opposition of this bill, I do not want my hard earned money supporting any immigration court proceeding. If they want to fight the law, let them pay on their own, i have to, why should they be treated any different.

**SB-816-SD-1**

Submitted on: 2/18/2025 8:04:03 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Shani Hough	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB816, which provides legal representation to illegal alliens who are facing proccedings in immigration court, regardless of their ability to pay

**SB-816-SD-1**

Submitted on: 2/18/2025 8:05:30 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Noela von Wiegandt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB816. I do not want my tax dollars to facilitate legal representation of these illegals who unlawfully enter the United States. Thank you.

Noela von Wiegandt

**SB-816-SD-1**

Submitted on: 2/18/2025 8:05:44 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeanine Acopan	Individual	Oppose	Written Testimony Only

Comments:

Stop wasting my hard earned money on criminal activities!

**SB-816-SD-1**

Submitted on: 2/14/2025 5:28:17 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

**Comments:**

I strongly urge this Committee to **VOTE NO** on Senate Bill 816, which proposes to establish a program for providing legal representation to individuals facing immigration proceedings. While the intent to support due process might seem laudable, this bill is fraught with significant issues that could have far-reaching negative consequences for our state's finances, legal system, and social fabric.

**1. Fiscal Irresponsibility:**

This bill proposes an open-ended appropriation from our general fund, which, in times of economic uncertainty, is reckless. We already struggle with funding essential services like education, healthcare, and infrastructure. Committing to an undefined amount for legal services for immigrants, without a cap or detailed financial planning, is an irresponsible use of taxpayer money. How can we justify this when our own citizens are in dire need of state support?

**2. Legal and Ethical Concerns:**

The bill bypasses the fundamental principle that immigration is a federal matter. By providing state-funded legal representation, we are not only overstepping our bounds but also potentially encouraging more illegal immigration by offering a safety net that federal policy does not. This could lead to an influx of individuals seeking to exploit this system, straining our resources and altering our community's composition without regard for our state's capacity or consent.

**3. Potential for Abuse and Misuse:**

The eligibility criteria, set at 250% of the federal poverty level, is excessively broad. This could lead to abuse where individuals might misrepresent their status or financial situation to gain access to free legal services. Furthermore, the lack of stringent oversight and accountability in the distribution of these services could turn this program into a magnet for fraud.

**4. Distortion of Legal Priorities:**

Our legal system is already overwhelmed, and this bill adds another layer of complexity. By prioritizing immigration cases, we risk diluting the attention and resources available for other crucial legal matters, including criminal justice, family law, and civil rights within our

community. This could lead to longer wait times and diminished service for all residents needing legal aid.

### **5. Societal Imbalance:**

This bill could foster an imbalance in how legal services are perceived and distributed. Why prioritize legal representation for one group when many of our own citizens, including veterans, the homeless, and victims of crime, struggle to access such services? This selective support can breed resentment and divide our community at a time when unity is paramount.

### **6. Questionable Outcomes:**

The success metrics proposed in the bill are vague and potentially misleading. The "success" of immigration cases can be subjective, and reporting on such might not reflect true community benefits but rather the effectiveness of legal strategies that might not align with state or public interest.

In closing, this bill poses too many risks to our state's fiscal health, legal integrity, and social cohesion. I respectfully urge this committee to **VOTE NO** on Senate Bill 816 and instead focus on legislation that supports all residents equitably, addresses our immediate societal needs, and respects the balance of federal and state responsibilities.



**SB-816-SD-1**

Submitted on: 2/15/2025 9:48:28 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Brian Piotrowski	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-SD-1**

Submitted on: 2/15/2025 10:01:46 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Travis Warren Nishii	Individual	Support	Written Testimony Only

## Comments:

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-SD-1**

Submitted on: 2/15/2025 10:52:13 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Jay Henderson	Individual	Support	Written Testimony Only

Comments:

I reside in Ala Moana area and support SB816. Families should not be ripped apart by our immigration court system simply because individuals cannot pay a private attorney to fight their case. Mahalo.

**SB-816-SD-1**

Submitted on: 2/15/2025 10:57:32 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Peggy Kwi-Suk Hong	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. We must uphold their rights and protect them from injustice!

**SB-816-SD-1**

Submitted on: 2/15/2025 11:06:03 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah G. Nehmad	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-SD-1**

Submitted on: 2/15/2025 11:25:38 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michelle Ma	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-SD-1**

Submitted on: 2/15/2025 1:27:56 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Redwine	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-SD-1**

Submitted on: 2/18/2025 8:19:57 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher Gouveia	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB816 because I do not believe that the same right to due process offered to U.S. citizens should not be given to those who are in the country illegally.



**SB-816-SD-1**

Submitted on: 2/15/2025 11:57:28 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diann Karin Lynn	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. Every human being deserves a chance to protect himself and his family.

**SB-816-SD-1**

Submitted on: 2/15/2025 1:44:37 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Alice Smith	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-SD-1**

Submitted on: 2/15/2025 11:28:39 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
martha chantiny	Individual	Support	Written Testimony Only

## Comments:

I support this bill so there is no repeat of the horror of the first Trump Administration when little children were forced to appear 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. 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-SD-1**

Submitted on: 2/15/2025 3:32:30 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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-SD-1**

Submitted on: 2/15/2025 4:49:27 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
G L Hutchinson	Individual	Support	Written Testimony Only

Comments:

We are a demoncracy, a country of laws and everyone should receive due process

Mahalo

**SB-816-SD-1**

Submitted on: 2/15/2025 5:28:45 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

I support SB816.

**SB-816-SD-1**

Submitted on: 2/15/2025 10:24:04 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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 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.

Thank you for your support and consideration,

Jennifer Lum, 'Ewa Beach

**SB-816-SD-1**

Submitted on: 2/16/2025 5:40:42 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Dina Shek	Individual	Support	Written Testimony Only

Comments:

I strongly support SB 816 to ensure due process in immigration-related proceedings. Every individual deserves the right to legal representation in high stakes proceedings, especially at a time when our immigrant neighbors are under attack. Thank you for your consideration of the critical provisions of SB 816.



**SB-816-SD-1**

Submitted on: 2/16/2025 11:30:26 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathy Hammes	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. Please support SB816 to ensure equal protections under the law for immigrants. Keep our families together. Thank you for this opportunity to testify in strong support of SB816 SD1

**SB-816-SD-1**

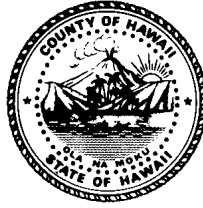
Submitted on: 2/17/2025 1:15:19 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

I support this measure.



## HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 18, 2025

TO: Senate Committee on Ways and Means

FROM: Jennifer Kagiwada, Council Member  
Council District 2

SUBJECT: SB 816 SD1

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee,

I am writing in **support** of SB 816 SD1. 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

**SB-816-SD-1**

Submitted on: 2/18/2025 9:15:50 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Duquez	Individual	Oppose	Written Testimony Only

Comments:

Strongly Oppose, I'm a migrant and attained citizenship legally funded by my own and my families money. I don't want the tax dollars I contribute to our beautiful state to be utilized for illegal aliens. It's a massive slap in the face for me my family and a lot of other now citizens who reside in Hawaii and are proud Americans.

Again, I strongly oppose this bill. Mahalos for your time.

**SB-816-SD-1**

Submitted on: 2/18/2025 9:25:33 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
gary cordery	Testifying for Aloha Freedom Coalition	Oppose	Written Testimony Only

## Comments:

As director of the 20k plus followers of Aloha Freedom Coalition. We strongly oppose this bill for the following reasons.

1. The state does not have the authority to define what it means to be an illegal imagrent. A country must have and promote its sovereignty through legal imagination. Any bill designed to undermine this basic principle must be rejected.
2. Public monies (taxes) are provided by the lawful citizens and cannot be circumvented for any unlawful use.
3. There are established methods for legal imagination, millions have abided by this, it is the only lawful immigration pathway.

mahalo,

Gary Cordery

**SB-816-SD-1**

Submitted on: 2/18/2025 9:34:25 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

Strong support!

**SB-816-SD-1**

Submitted on: 2/18/2025 9:38:50 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I Oppose

**SB-816-SD-1**

Submitted on: 2/18/2025 9:52:11 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

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-SD-1**

Submitted on: 2/18/2025 9:55:28 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Corinne Solomon	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB816.

Why should our tax money be used for noncitizens? It shouldn't. Vote NO on this bill.

**SB-816-SD-1**

Submitted on: 2/18/2025 9:57:59 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Bunnie Harrington	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB816.

**SB-816-SD-1**

Submitted on: 2/18/2025 9:59:00 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaiulani Bowers	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**SB-816-SD-1**

Submitted on: 2/18/2025 9:59:48 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Harrington	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB816.

**SB-816-SD-1**

Submitted on: 2/18/2025 10:00:03 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Austin Haleyalpiy	Testifying for COFACAN	Support	Written Testimony Only

Comments:

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

My name is Austin Haleyalpiy with COFACAN, and I am writing in strong support of HB457, which ensures individuals in custody are informed of their rights before being interviewed by ICE.

It is only right that a person be made aware of the rights that they have especially when being detained. These are peoples lives that we are meddling with, and being equiable and fair should always be at the forefront of our justice system and the way we go about practicing our justice system. These freedoms and rights are what seperate us from every other country in the world, and to not respect that would do a great diservice especially to those who have fought and died for this country.

Providing a written consent form in an individual's native language is a basic measure that upholds fairness and due process. This bill prevents coercion and strengthens trust between immigrant communities and law enforcement.

I strongly urge the committee to support HB457 and ensure that individuals in law enforcement custody are fully informed of their rights.

Sincerely,

Mahalo for your time and consideration.

Austin Haleyalpiy, COFACAN

Senate Committee on Ways and Means Decision Making  
Wednesday, February 19, 2025 at 10:02 am  
Conference Room 211 & Videoconference  
State Capitol  
415 South Beretania Street

**LATE**

RE: SUPPORT in substance, Oppose in part - SB816, SD1, RELATING TO DUE PROCESS PROTECTIONS.

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

I am writing today in strong SUPPORT of the substance of SB816, SD1. 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 expected to increase. The proposed bill will help us as a community uphold our values and our respect for our immigrant communities by providing due process protections.

Upon reading SSCR1566 and SB816, SD1, I do oppose the amended effective date of April 23, 2057, as this appears to be a clerical error. It would be nonsensical to pass a bill with an effective date thirty years in the future. Even assuming the date was intended to be in 2027, I feel that this distant effective date is insufficient to meet anticipated need for legal services at this time of enhanced attacks on our immigrant community. I request that the Committee reinstate the original effective date of July 1, 2025. In anticipation of reconciliation in committee, I also support the amendments to SB816, SD1's companion bill HB438, HD1 as recommended by HSCR122 to have the proposed program by implemented entities contracted to run the program, that it be done so in partnership with my alma mater, William S. Richardson School of Law, and that \$75,000 be appropriated to fund the program.

I humbly request that you please pass SB 816, SD1 with my requested amendments.

Mahalo,

Christine L. Andrews, J.D.  
Volunteer, Indivisible Hawai'i Maui Chapter, Immigrant Rights Section  
Wailuku, Maui, Hawaii

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 10:11:09 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Kirk Powles	Individual	Oppose	Written Testimony Only

Comments:

When does an illegal alien become an illegal alien, as soon as they enter the country illegally.

There is no need for representation for them. They broke the law just by being here, illegally.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 10:39:53 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Our money should not be going to people who are not citizens. If they cannot afford an attorney then they are just going to be a drain on our already overburdened system. Our funds should go only to citizens.



**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 10:46:28 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Lolita Keni	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill...if the illegal alien is being deported, then our taxpayer's money SHOULD NOT be paying for their legal representation. That is a conflict of interest, as our taxpayer's money being used to deport, and to give them legal representation. This DOES NOT make sense at all.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 10:51:30 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Dela Cruz and Vice-Chair Moriwaki,

I oppose SB816 SD1.

Kind regards,

Teri Kia Savaiinaea

District 45

Wai'anae resident

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 10:15:47 AM  
Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Eve Furchgott	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.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 11:13:22 AM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Penner	Individual	Oppose	Written Testimony Only

Comments:

It is inappropriate to continue to ask the tax payers of this State to subsidize and reward people who are breaking our immigration laws. If private citizens want to donate to representing individuals in their fight to remain here or legally enter the system - let them do so privately, with their \*own\* time and money.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 11:37:30 AM  
Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

I support this bill.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 12:24:08 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

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

Comments:

This bill imposes an additional cost for tax payers by creating a new program within the state judiciary to provide legal -representation for individuals for immigration proceedings. At a time when our state is grappling with significant budgetary constraints, adding this program will likely divert funds from critical areas like education, infrastructure and health services

Immigration is inherently a federal matter. By intervening immigration related proceedings this bill leads to conflicts with federal law, potentially creating legal inconsistencies and challenges. It also sets a precedent for state interference in other areas traditionally managed by the federal government as well, as puts Hawaii at risk for losing federal funding due to its direct acts against federal laws and executive orders.

Hawaii's resources are already stretched thin. Allocating state resources to support non residents in immigration proceedings detracts from addressing the needs of legal residents and citizens, particularly in areas like housing, homelessness and veteran support which are currently already facing significant shortages. It is gross negligence to turn our fiduciary attention towards non citizens when so many Hawaii residents could use this fiscal support.

There is a risk of this program being exploited, providing legal services to individuals who might not qualify or necessitate extensive oversight to prevent misuse of state funds, which would again further increase financial costs on an already over-stressed system.

By providing legal representation, this bill might inadvertently signal that Hawaii is a sanctuary state and is more lenient towards illegal immigration, potentially attracting more undocumented individuals to the state and exacerbating existing challenges

Concerns have been raised regarding the implications for public safety. Ensuring due process is crucial, but this must be balanced with the safety of its current residents, especially given limited law enforcement and financial resources.

While the intent is to ensure fair treatment in legal proceedings - this bill diverts state resources away from residents towards people who CHOSE to enter our state and country illegally. Senate Bill 816 is an affront to the citizens of Hawaii. It does not align with the best interests of Hawaii's current residents. I urge you to consider the financial, jurisdictional and social implications of this legislation before moving forward.



**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 12:38:36 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB816 which provides legal representation to illegal aliens. This is totally unconstitutional.



**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 12:53:11 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Dawn O'Brien	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committe of Hawai'i's Representative Leaders,

TYSVM for taking the time to read these, it means a lot & I appreciate you.

I am in strong opposition of SB816 using our tax payers' dollars to fund illegal immigrant's to have legal representation in court, no matter their ability to pay. On what earth is this logical? None. Why is this even a consideration, much less a proposed bill of law. The iron here--that you want to pass a law to fund illegal immigrants with legal citizens' taxes is beyond obtuse.

In summary, I fully & strongly oppose this bill and ask sincerely that you represent the majority of the tax-paying residents of Hawaii--whether they voted for you or not--and also oppose this illegal law proposition.

Mahalo & Mālama Pono,

Dawn O'Brien

Lifelong resident of Hawai'i

President, HOPE HI, Inc.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 12:58:59 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Bronson Teixeira	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I strongly oppose this bill. Mahalo.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 1:00:30 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin Kaawa	Individual	Oppose	Written Testimony Only

Comments:

I oppose this ridiculous bill who's paying for this? I know as a legal US citizen I'm not paying for this!

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 1:03:04 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee Manding	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill, it is in violation of the constitution.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 1:17:44 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Debbie Wyand	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. We need to focus on HAWAII!

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 1:26:19 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Healy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. Hawai'i needs to protect its kanaka and kama' aina community. Illegal immigrants are not the priority at this point in history while we continue to loose our local community due to high cost of living. Further locals need better access to these services. Thank you for reading my testimony.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 4:33:11 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Justice Kiaha	Individual	Support	Written Testimony Only

Comments:

Aloha chair, vice chair, and members of the committee,

My name is Justice Kiaha and I'm currently a social work student. I am writing this testimony in strong support of the legislation SB816, the mission and aim of this legislation is to fight for the people that make up our culturally diverse society. Withholding passing this bill on the grounds that the legislation improperly uses tax dollars is severely damaging towards this legislation's true mission. Although the use of our tax dollars efficiently is ever important, using our tax dollars to increase fair equal access to legal representation for all will not only use tax dollars efficiently but will also use our tax dollars for the greater good of our communities and those who reside within them. It can not be stressed any harder that the greater good as well as equality and fairness for all should be at the forefront of our use of tax dollars. With that being said, withholding the passing of this bill will not only damage our diverse communities but it will also uphold a racially unfair and discriminatory legal system. There is no justifying the allowance of fair affordable legal representation to an individual depending on citizenship status, we as people are all equals regardless of citizenship, sexuality, race, gender, etc. therefore, each and every one of us deserves the right to fair and equal legal representation regardless of citizenship status. I urge the committee to take what I have said into deep consideration as they hear this legislation and I urge the committee to strongly support this legislation. SB816 will bring forth a better tomorrow for the people of Hawai'i.

Mahalo for the opportunity to testify.

Ma Ke Ha'aha'a,

Justice Kiaha



**LATE**

Committee on Ways and Means  
Chair Donovan M. Dela Cruz  
Vice Chair Sharon Y. Moriwaki]

February 19, 2025, 10:02 and Room 211  
SB816 SD1 — RELATING TO DUE PROCESS PROTECTIONS

### TESTIMONY

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

Chair Dela Cruz, Vice Chair Moriwaki, and Committee Members:

**The League of Women Voters of Hawaii supports SB816 SD1, 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. 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 SD1 will help individuals continue contributing to our tax base and economy.

Please pass SB816 SD1!

Thank you for the opportunity to submit testimony.

LEAGUE OF WOMEN VOTERS OF HAWAII  
P.O. Box 235026 ♦ Honolulu, HI 96823  
Voicemail 808.377.6727 ♦ [my.lwv.org/hawaii](http://my.lwv.org/hawaii) ♦ [voters@lwvhi.org](mailto:voters@lwvhi.org)



**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 6:40:27 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Susan Duffy	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this bill. Providing free legal representation to individuals who have entered our country illegally places an unfair burden on law-abiding taxpayers and diverts limited resources away from citizens and legal residents who are also in need of legal aid. Our state should prioritize funding for schools, healthcare, and public safety instead of using taxpayer dollars to provide legal services to those who have knowingly violated immigration laws. While due process is a fundamental right, it should not come at the direct expense of hardworking families who follow the law. We must ensure that our policies uphold fairness, fiscal responsibility, and the rule of law."

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 8:25:41 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
james	Individual	Oppose	Written Testimony Only

Comments: I oppose SB816.We should not accomodate illigals.They are illigal and should be shipped back to there country.There ruining our country like how our policies are ruining hawaii.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 8:28:46 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Dayna Matsumura	Individual	Oppose	Written Testimony Only

Comments:

Oppose.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 8:31:34 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
April Arroyo	Individual	Support	Written Testimony Only

Comments:

**Testimony in Support of SB816 SD1**

To the Honorable Chair, Vice-Chair, and Members of the Committee,

I am writing in strong support of SB816 SD1, a bill that establishes the Due Process in Immigration Proceedings Program. This program would provide legal representation to individuals in immigration-related proceedings in immigration court, ensuring that all individuals, regardless of their status or resources, have access to due process and fair treatment under the law.

Immigration proceedings are complex, often confusing, and can have life-altering consequences. Many individuals navigating the immigration system face language barriers, limited understanding of legal processes, and inadequate resources to secure competent legal representation. As a result, they are at risk of being unfairly denied the opportunity to present their case, leading to potentially devastating outcomes, including deportation and family separation.

By providing legal representation to individuals in immigration court, SB816 SD1 ensures that everyone—regardless of their financial means—has a fair chance to present their case and protect their rights. Legal representation is critical in immigration proceedings, where individuals are often up against government attorneys with substantial resources. The lack of access to adequate counsel has resulted in unequal treatment for many in the system, and this bill helps address that disparity.

Additionally, the bill requires regular reports to the Legislature, ensuring transparency and accountability in the program. This oversight will help guarantee that the program remains effective in providing legal assistance where it is most needed and that taxpayer resources are used efficiently.

Furthermore, as a state with a significant Filipino and immigrant population, Hawaii has a unique responsibility to ensure that all individuals, regardless of their background or immigration status, are treated fairly and with dignity. Establishing a program like this aligns with our values of justice, fairness, and equality.

I strongly support SB816 SD1 and urge the committee to pass this important measure, which will help provide due process protections for individuals in immigration proceedings and ensure access to justice for all.

Thank you for your time and consideration.

Sincerely,  
April Arroyo  
86 Poloahilani Street  
Makawao, HI 96768  
808-757-8176  
aearroyo@hawaii.edu

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 9:01:43 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
J Miles	Individual	Oppose	Written Testimony Only

Comments:

Oppose. While we very much love, admire and respect all those who want to come to this country, when individuals or families have entered the country illegally, they know they have done so and should not be given free legal help to try and stay illegally. This is not fair to the tax payers or those who came to the country legally. Can we enter any other country illegally and demand free housing, food, medical care, schooling, and legal services and expect their citizens to pay for it? Can we commit crimes in other countries and expect to be given preferential treatment because we are in their country unlawfully?

There is not even free legal help available for someone in a divorce situation who is abused and does not have the ability to pay. Perhaps legal representation should be available for minors, but I oppose free legal aid to adults who have entered the country unlawfully.

Thank you.

**LATE**

**SB-816-SD-1**

Submitted on: 2/18/2025 10:04:08 PM

Testimony for WAM on 2/19/2025 10:02:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB816 SD1.

This bill is a misuse of taxpayer funds and incentivizes illegal activity.

Individuals who didn't follow immigration laws should be deported. If they choose to dispute the deportation, they should fund their own legal representation. To avoid this cost, they should return to their home country, with their family, and apply for legal immigration. Individual's who "jumped the line" should not be given legal, financial, or any other assistance when others are waiting patiently for their turn to enter the country legally.

Vote NO on SB816 SD1.

**LATE**

**Testimony in SUPPORT of SB816 SD1**

COMMITTEE ON WAYS AND MEANS

Senator Donovan Dela Cruz, Chair

Senator Sharon Moriwaki, Vice Chair

Hearing Date: February 19, 2025

Dear Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

My name is Graciela Del Rio, and I am writing to express my strong support for SB816 SD1, which seeks to establish the Due Process in Immigration Proceedings Program. This initiative aims to provide legal representation to individuals residing in Hawai'i who are facing immigration-related proceedings, ensuring due process and promoting family unity, community stability, and economic security.

Hawai'i's rich diversity is a cornerstone of our community, with approximately 18% of our population being foreign-born, and nearly 8% comprising U.S.-born residents with at least one immigrant parent. This multicultural fabric not only enriches our society but also contributes significantly to our state's vitality and resilience.

However, many of our immigrant neighbors, including those from mixed-status families, encounter substantial challenges when navigating the complex immigration court system without legal representation. These challenges are particularly pronounced for non-English speakers, who face:

- **Communication Barriers:** The intricate language of legal documents and proceedings can be overwhelming, making it difficult for individuals to fully understand their situations without proper translation and explanation.
- **Risk of Misunderstandings:** Without professional guidance, critical details may be misinterpreted, potentially jeopardizing their legal standing.
- **Impeded Access to Justice:** Language obstacles can prevent individuals from fully participating in the legal process, undermining the principle of equal access to justice.
- **Protection of Rights:** Legal counsel ensures that individuals' rights are upheld throughout proceedings, including securing interpreters and safeguarding due process.
- **Cultural Sensitivity:** Attorneys familiar with clients' cultural backgrounds can navigate nuances effectively, providing representation that respects and understands their unique contexts.



The necessity of legal representation is further underscored by recent federal actions. On February 18, 2025, the Trump administration abruptly ceased support for legal representation in immigration court for **unaccompanied minors**, affecting approximately 26,000 children nationwide. This decision leaves many vulnerable youths, some residing in Hawai'i, without essential legal assistance. To assume that these keiki have the ability to represent themselves is unreasonable and unfair.

Studies consistently demonstrate that individuals with legal representation are significantly more likely to achieve favorable outcomes in immigration proceedings. Legal counsel not only benefits the individuals involved but also enhances the efficiency and integrity of our legal system by streamlining proceedings and reducing misunderstandings.

By enacting SB816 SD1, Hawai'i can take a decisive step toward ensuring that all residents, regardless of their immigration status or language proficiency, have access to fair representation. This commitment reflects our shared values of justice, equity, and community support.

I respectfully urge the committee to support SB816 SD1 to uphold the rights and dignity of all members of our diverse community.

Mahalo for your time and consideration.

Sincerely,

Graciela Del Rio