

JAN 28 2026

A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that rapidly increasing
2 violations of constitutional rights and due process, along with
3 incidents of escalation by federal Immigration and Customs
4 Enforcement agents leading to the excessive use of force and
5 unnecessary violence and deaths raise the greatest concern for
6 public safety and civil rights, as demonstrated by these and
7 other recent incidents:

8 (1) On April 16, 2025, a United States citizen in Florida
9 was arrested for allegedly being unlawfully present in
10 the country and was held for transfer to immigration
11 authorities. This detention continued even after a
12 judge reviewed the individual's birth certificate,
13 confirmed United States citizenship, and dismissed the
14 charges;

15 (2) On April 22, 2025, Immigration and Customs Enforcement
16 deported three United States citizen children, ages
17 two, four, and seven, along with their undocumented



1 mothers. One of the children had metastatic cancer
2 and was deported without access to necessary
3 medication or continuity of medical care. The
4 families were prevented from contacting attorneys and
5 relatives;

6 (3) On May 2, 2025, during a traffic stop, the Florida
7 highway patrol arrested twenty-year-old Juan Carlos
8 Lopez-Gomez, a United States citizen born in Georgia,
9 alleging a violation of the State's immigration laws.
10 Despite his mother providing his birth certificate in
11 court, he was held for forty-eight hours on an
12 Immigration and Customs Enforcement detainer before
13 being released;

14 (4) On May 6, 2025, Immigration and Customs Enforcement
15 deported Denisse Parra Vargas and her three children,
16 ages nine, five, and four, to Mexico following a
17 traffic stop for expired vehicle registration tags.
18 She was instructed to report to an Immigration and
19 Customs Enforcement facility with her children, where
20 all were detained and subsequently deported despite
21 two of the children being United States citizens;



1 (5) On June 6, 2025, Immigration and Customs Enforcement
2 agents mistakenly detained a Deputy United States
3 Marshal in the lobby of a federal building in Tucson,
4 Arizona, that houses the immigration court. The
5 marshal was detained after allegedly fitting the
6 general description of a suspect. His identity was
7 quickly confirmed, and he was released shortly
8 thereafter;

9 (6) On June 9, 2025, Cary Lopez Alvarado, a United States
10 citizen who was nine months pregnant, was detained by
11 Immigration and Customs Enforcement agents in
12 Hawthorne, California, while attempting to block
13 access to a parking gate. After her release, she was
14 hospitalized with severe stomach pains one week before
15 she was due to give birth. Her undocumented partner
16 was arrested during the same incident;

17 (7) On June 24, 2025, United States citizen Andrea Velez
18 was detained by Immigration and Customs Enforcement
19 agents in downtown Los Angeles, California, after
20 being dropped off at work. She was slammed to the
21 ground, held for two days in a detention center, and



3 (8) On July 10, 2025, Immigration and Customs Enforcement
4 agents detained seventy-one-year-old Barbara Stone for
5 approximately eight hours at the San Diego immigration
6 court while she was documenting arrests as a legal
7 observer. She was accused of pushing an agent, an
8 allegation she denies, and was held without access to
9 an attorney. Her telephone was confiscated during the
10 detention;

11 (9) On July 10, 2025, United States citizen and Army
12 veteran George Retes was detained for three days
13 following an Immigration and Customs Enforcement raid
14 that occurred while he attempted to reach his security
15 guard job at a cannabis farm in Camarillo, California.

16 Despite having identification in his vehicle, agents
17 refused to verify his status. He was held without
18 access to a telephone call or an attorney and missed
19 his daughter's third birthday;

20 (10) On September 9, 2025, Immigration and Customs
21 Enforcement agents, conducting a raid at a Van Nuys



1 car wash in California, tackled seventy-nine-year-old
2 owner Rafie Ollah Shouhed to the ground. He suffered
3 broken ribs, chest trauma, elbow injuries, and
4 symptoms of traumatic brain injury, and was held for
5 nearly twelve hours despite being identified as a
6 United States citizen;

7 (11) On September 16, 2025, Immigration and Customs
8 Enforcement agents tased United States citizen Edgar
9 Ruiz in the face outside a Des Plaines, Illinois,
10 convenience store during an operation targeting his
11 undocumented father. He was detained for
12 approximately two hours at a facility before being
13 released for medical treatment;

14 (12) On September 16, 2025, Border Patrol agents wearing
15 military-style uniforms conducted a pre-dawn raid at
16 approximately 6:00 a.m. with helicopter support,
17 deploying flash-bang grenades and forcibly breaching
18 both the front and back doors of a residence. Six
19 individuals were detained, including two United States
20 citizens, Joe Botello and a roommate, who were later
21 released. The operation included the participation of



1 the Secretary of the United States Department of
2 Homeland Security;

3 (13) On September 27, 2025, a photographer covering
4 activity at an Immigration and Customs Enforcement
5 facility in Broadview, Illinois, was struck with
6 pepper balls by federal agents, damaging his camera
7 and causing temporary injury;

8 (14) On October 2, 2025, in Portland, Oregon, a federal
9 officer sprayed chemical agents directly into the face
10 of a vocal but nonviolent protester during a
11 demonstration;

12 (15) On October 10, 2025, United States citizen and
13 paralegal Dayanne Figueroa reported that an unmarked
14 government vehicle struck her car on the 1600 block of
15 West Hubbard Street in Chicago, Illinois, while she
16 was on her way to get coffee before work;

17 (16) On October 15, 2025, United States Border Patrol
18 agents pursued a vehicle on the East Side of Chicago,
19 Illinois that culminated in a precision immobilization
20 technique maneuver, causing a crash. United States
21 citizen Anthony King was tackled to the ground after



1 exiting a nearby store, and a fifteen-year-old United
2 States citizen was detained for five hours without
3 notification to family members. Tear gas deployed
4 during the incident affected thirteen Chicago police
5 officers;

6 (17) On October 21, 2025, Immigration and Customs
7 Enforcement conducted a raid on Canal Street in New
8 York City targeting street vendors accused of selling
9 counterfeit goods. Four United States citizens were
10 detained for nearly twenty-four hours without charges
11 and were released only after congressional
12 intervention by United States Representative Dan
13 Goldman;

14 (18) On October 23, 2025, Immigration and Customs
15 Enforcement agents in Houston, Texas, placed
16 sixteen-year-old United States citizen Arnoldo Bazan
17 in a chokehold after arresting his father outside a
18 restaurant supply store. Agents rammed their vehicle
19 during a chase, and Bazan was hospitalized in a trauma
20 unit. His video recording of the incident was later



1 recovered near an Immigration and Customs Enforcement
2 detention center;

3 (19) On October 25, 2025, Border Patrol agents in the Old
4 Irving Park neighborhood of Chicago, Illinois, dragged
5 a sixty-seven-year-old United States citizen from his
6 car after he turned onto a blocked street while
7 driving home. Agents knelt on his back while
8 handcuffing him, breaking six ribs and causing
9 internal bleeding despite his compliance. The
10 incident, which occurred during "Operation Midway
11 Blitz," prompted a federal judge to require daily
12 reporting from Border Patrol leadership regarding the
13 tactics used;

14 (20) On October 29, 2025, Immigration and Customs
15 Enforcement agents in Aurora, Illinois, fired a
16 chemical substance at the windshield of a vehicle
17 driven by a United States citizen and mother who
18 yelled that her children were inside. Agents then
19 opened the door and forcibly removed her. She
20 screamed as she was handcuffed;

1 (21) On October 31, 2025, a Border Patrol vehicle collided
2 with a civilian car after agents made a U-turn at
3 Oakton Street and Asbury Avenue in Evanston, Illinois.
4 Following a confrontation, three United States
5 citizens were arrested. Video evidence showed agents
6 repeatedly punching a handcuffed individual in the
7 head and deploying pepper spray;

8 (22) On November 3, 2025, Immigration and Customs
9 Enforcement agents detained twenty-five-year-old
10 Berenice Garcia-Hernandez for approximately seven
11 hours after she photographed unmarked Immigration and
12 Customs Enforcement vehicles outside a restaurant in
13 Gresham, Oregon. Agents smashed her car windows,
14 forcibly removed her, and confiscated her phone and
15 engagement ring. She was released without charges;

16 (23) On November 17, 2025, Border Patrol agents in
17 Charlotte, North Carolina, smashed car windows with
18 rifle barrels and arrested at gunpoint two women who
19 were United States citizens after they honked to alert
20 neighbors of the agents' presence. The women were
21 detained for several hours at a Federal Bureau of



3 (24) On November 21, 2025, Immigration and Customs
4 Enforcement agents stopped seventeen-year-old
5 Christian Jimenez during his high school lunch break
6 in McMinnville, Oregon. Agents broke his car window
7 and detained him for approximately seven hours at a
8 Portland Immigration and Customs Enforcement facility
9 despite his repeated statements that he was a United
10 States citizen. He was subsequently charged with
11 interference or obstruction;

12 (25) On December 5, 2025, United States Representative
13 Adelita Grijalva reported being sprayed in the face
14 with chemical agents during a confrontation with
15 Immigration and Customs Enforcement agents;

16 (26) On December 9, 2025, Immigration and Customs
17 Enforcement agents in the Cedar-Riverside neighborhood
18 of Minneapolis, Minnesota, tackled twenty-year-old
19 Mubashir Khalif Hussen during his lunch break.
20 Despite repeatedly stating that he was a United States
21 citizen and showing his passport, agents placed him in



1 a headlock and detained him for several hours without
2 water or medical care;

3 (27) On January 7, 2026, Immigration and Customs
4 Enforcement Agent Jonathan Ross fatally shot
5 thirty-seven-year-old United States citizen Renée
6 Nicole Good in Minneapolis, Minnesota. Video and
7 reports indicate that Immigration and Customs
8 Enforcement officers delayed medical aid and prevented
9 civilian medics from assisting at the scene; and

10 (28) On January 15, 2026, Immigration and Customs
11 Enforcement agents in Minneapolis, Minnesota, dragged
12 disabled United States citizen Aliya Rahman from her
13 car while she was en route to a traumatic brain injury
14 center. Agents smashed her window, cut her seatbelt,
15 and forcibly pulled her out. She later lost
16 consciousness while in detention and required
17 hospitalization.

18 The legislature believes that these and countless other
19 similar incidents collectively demonstrate a pattern of
20 inadequate safeguards, excessive use of force, prolonged or
21 wrongful detention of United States citizens, and insufficient

1 accountability within immigration enforcement activities. The
2 legislature further finds that these practices undermine
3 constitutional protections, harm communities, and erode public
4 confidence in law enforcement.

5 The legislature also believes that it is likely that future
6 changes in federal leadership, budgets, or priorities may
7 eventually lead to significant workforce reductions at
8 Immigration and Customs Enforcement, and the former agents and
9 employees responsible for incidents like these may seek
10 employment in state and local law enforcement roles.

11 The legislature finds that, because Immigration and Customs
12 Enforcement agents frequently wear masks to hide their identity,
13 do not properly identify themselves, and are often shielded from
14 accountability, it is impossible to determine which agents and
15 employees are abiding by the law, and which are responsible for
16 violence and frequent legal violations.

17 Therefore, the purpose of this Act is to ensure public
18 safety for the residents of Hawaii and improve public trust by
19 ensuring that former Immigration and Customs Enforcement agents
20 and employees who have concealed their identities and may be
21 responsible for violations of constitutional rights, excessive



1 uses of force or violence, or other crimes, will not serve in
2 positions of trust in Hawaii's state law enforcement agencies.

3 SECTION 2. Chapter 139, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§139- Employment by the state; prohibitions. No
7 person shall be appointed or employed as:

8 (1) An employee of the department of law enforcement
9 conferred with police powers by the director of law
10 enforcement; or

11 (2) An employee of the department of land and natural
12 resources, department of taxation, or department of
13 the attorney general who is conferred by law with
14 general police powers,

15 after June 30, 2026, who has a history of employment with United
16 States Immigration and Customs Enforcement or Border Patrol for
17 any period after June 30, 2026."

18 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY: 



S.B. NO. 3251

Report Title:

ICE; DLE; DLNR; DoTax; ATG; Law Enforcement; State Employment

Description:

Prohibits the Department of Law Enforcement, Department of Land and Natural Resources, Department of Taxation, and Department of the Attorney General from appointing or employing former United States Immigration and Customs Enforcement or Border Patrol agents and employees as law enforcement officers.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

