



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Public Safety and Military Affairs

and

Senate Committee on Energy and Intergovernmental Affairs

March 23, 2026 at 3:00 p.m.

By

Jan Gouveia

Vice President for Administration

University of Hawai'i System

and

Carrie K.S. Okinaga

Vice President for Legal Affairs and University General Counsel

University of Hawai'i System

HB 2540 HD2 – RELATING TO LAW ENFORCEMENT

Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and Members of the Committees:

HB 2540 HD2 would, in part, prohibit state and county involvement in civil immigration enforcement activity in certain locations, including University of Hawai'i (UH) campuses. UH is in support of this measure with suggested amendments to enable UH to comply with the letter and spirit behind this bill should it be enacted.

Suggested amendments for your consideration are highlighted in red:

- Page 12 lines 18-21
(1) Identify, **arrest**, or **otherwise** impose ~~civil or~~ criminal **penalty liability** upon a person or entity based on their participation in activities protected by the First Amendment of the United States Constitution or state constitution; or
- Page 13 lines 5-7
(d) The policy under this section shall not prevent compliance with a valid judicial warrant **or other documented, reviewable legal process** authorizing entry or entry under exigent circumstances.

Thank you for the opportunity to testify on this measure.

HB-2540-HD-2

Submitted on: 3/17/2026 8:10:44 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

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

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 HB 2540 HD 2.

We ask that you support this needed piece of legislation.

Mahalo,

Michael Golojuch, Jr. (he/him)

President

[Pride at Work – Hawai‘i](#)



The Senate Committees on Public Safety and Military Affairs &
Energy and Intergovernmental Affairs

March 23, 2026

Room 016

3:00 PM

RE: **HB 2540 HD2, Relating to Law Enforcement**

Attention: Chairs Carol Fukunaga, Glenn Wakai, Vice Chairs Chris Lee and Stanley Chang, Members of the Committees

The University of Hawaii Professional Assembly (UHPA), the exclusive bargaining representative for all University of Hawai'i faculty members across Hawai'i's statewide 10-campus system, **supports HB 2540 HD2.**

UHPA strongly supports the bill's establishment of clear statutory limits on State and Federal collaboration, as well as the restrictions on civil immigration enforcement at sensitive locations. Ensuring that state resources are not used to facilitate federal immigration operations, and protecting campuses from unrestricted enforcement, is essential to maintaining a safe, accessible, and trusting educational environment for all students and staff.

Appreciation for the Inclusion of University Campuses and Safe Harbor Protections. We extend our appreciation to the prior committee for incorporating our requested amendments into the current HD2 draft.

First, we are pleased that Section 4 of the bill now explicitly includes "institutions of higher education, including university of Hawaii campuses" in the list of protected locations where civil immigration enforcement activity shall not be conducted. This ensures there is no ambiguity that these vital protections extend to the university level.

Second, we appreciate the addition of the "good faith" safe harbor provision. We previously expressed concern that the mandate prohibiting employees from providing voluntary consent to federal agents placed frontline faculty in a precarious legal position. Faculty members are educators, not legal experts. They may face high-pressure tactics, intimidation, or confusion when confronted by armed federal law enforcement agents demanding access to nonpublic areas. The newly added safe harbor language rightfully ensures that a faculty member who mistakenly grants access under duress or confusion will not be subject to workplace discipline, administrative retaliation, or personal civil liability for honest mistakes made while attempting to comply with this chapter or when responding to perceived federal authority.

University of Hawaii
Professional Assembly

1017 Palm Drive ♦ Honolulu, Hawaii 96814-1928
Telephone: (808) 593-2157 ♦ Facsimile: (808) 593-2160
Website: www.uhpa.org



By establishing clear protocols and protecting the workers tasked with implementing them, this measure ensures that our university personnel can remain focused on their primary professional responsibilities.

With these amendments, UHPA supports the passage of HB 2540 HD2.

Respectfully submitted,

Christian L. Fern
Executive Director
University of Hawaii Professional Assembly



www.AlohaILHawaii.org

Mar 23, 2026

MISSION

Aloha Independent Living Hawaii (AILH) dedicated to providing independent living programs and services for persons with disabilities in Hawaii.

We work together with the community and consumers to improve the quality of life through individual choices and access to services.

EXECUTIVE DIRECTOR

Roxanne U. Bolden

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Jennifer Hartsock

The Honorable Carol Fukunaga, Chair
Senate Committee on Public Safety and Military Affairs
The Honorable Glenn Wakai, Chair
Senate Committee on Energy and Intergovernmental Affairs
The Thirty-Third Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

SUBJECT: HB2540 HD2 – Relating to Law Enforcement

Chair and Members of the Committee:

Aloha Independent Living Hawaii (AILH) submits this testimony **in strong support of HB2540 HD2.**

HB2540 HD2 recognizes Hawaii's rich immigrant community and establishes clear policies and limits on federal immigration enforcement occurring with the State. The bill:

- Limits state-federal collaboration for immigration enforcement operations and restricts the use of state funds and resources to facilitate federal enforcement beyond their statutory authority.
- Requires state and county law enforcement agencies to establish and publicly post written policies governing civil immigration enforcement.
- Prohibits law enforcement officers from initiating or prolonging stops, detentions, or arrests for the purpose of determining a person's civil immigration status, except under narrow, defined circumstances.



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- Establishes a policy that civil immigration enforcement involving state or county participation or facilities must be grounded in documented legal authority, with due process and judicial oversight, and must not occur at school, early learning sites, higher education institutions (including University of Hawaii campuses), health facilities, emergency or domestic violence shelters, courthouses, or places of worship, except under narrowly tailored procedures.

From an Independent Living and cross-disability perspective, these protections are critical. Disabled immigrants and their families often rely on schools, health care facilities, courts, shelters, and faith communities to stay housed, safe, and in the community. When immigration enforcement occurs in or around these spaces—or when local agencies are seen as extensions of federal immigration enforcement—people become afraid to seek medical care, report abuse, attend school, or access services, increasing isolation and risk of institutionalization. By designating these locations as protected and requiring transparent, rights-focused policies, HB2540 HD2 helps ensure that disabled people can safely reach the supports they need to live independently.

The bill's limits on state and county participation in immigration enforcement operations, its safeguards on data collection and sharing, and its requirement that the Department of Law Enforcement assist agencies in maintaining compliance create clearer boundaries and accountability across systems. These measures support community trust and align with Hawaii's commitment to due process, civil rights, and respect for the dignity of all residents, regardless of immigration status or disability.

AILH respectfully urges the Committees to pass HB2540 HD2.

Thank you for the opportunity to testify.

Aloha,



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Roxanne Bolden
Executive Director

March 23, 2026

Senate Committees on Public Safety & Military Affairs and
Energy & Intergovernmental Affairs



Comments on HB 2540, HD2 – Relating to Law Enforcement

Aloha Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and Members of the Committees:

The **State of Hawai'i Organization of Police Officers (SHOPO)** submits comments on **HB 2540, HD2**, which establishes provisions limiting state and federal collaboration for purposes of immigration enforcement operations.

Hawai'i law enforcement officers remain focused first and foremost on their core mission of protecting public safety and serving the communities of this State. Officers do not routinely engage in federal immigration enforcement, as that responsibility properly rests with federal authorities. In the normal course of duty, county and state officers prioritize responding to crimes, protecting victims, maintaining order, and ensuring the safety of residents and visitors, rather than enforcing federal immigration laws.

However, there are circumstances in which collaboration with federal law enforcement agencies is necessary and appropriate to protect public safety. Local officers regularly participate in joint task forces, coordinated investigations, and emergency operations involving federal partners, including matters related to violent crime, drug trafficking, human trafficking, terrorism, and other serious threats. Limiting the ability of state and county law enforcement to cooperate with federal officials when needed could undermine effective law enforcement operations and create unnecessary barriers to protecting the public. SHOPO respectfully urges that any legislation in this area preserve the discretion of law enforcement agencies to work with federal partners when public safety requires it.

The more than 2,700 law enforcement officers who are members of SHOPO risk their lives every day to keep our islands safe. SHOPO is dedicated to protecting public safety. We strive to work in partnership with community members because, together, we can build stronger and safer neighborhoods. Thank you for the opportunity to provide testimony on this measure.

Respectfully submitted,

State of Hawai'i Organization of Police Officers (SHOPO)



Committees: Senate Committee on Public Safety and Military Affairs and Senate Committee on Energy and Intergovernmental Affairs
Hearing Date/Time: Monday, March 23, 2026, at 3:00 PM
Place: Conference Room 016 & via Videoconference
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of H.B. 2540, HD2, Relating to Law Enforcement**

Dear Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and members of the Committees:

The American Civil Liberties Union of Hawai'i ("ACLU-HI") writes in **support of HB 2540, HD2** which limits state and federal collaboration in immigration enforcement operations and prohibits the deputization of federal agents for general policing.

At its core **HB 2540 HD2 is about preserving Hawaii's constitutional autonomy, protecting residents from civil rights violations**, and ensuring that the State does not entangle itself—legally, financially, or morally—in federal enforcement schemes that are opaque, discriminatory, and increasingly unaccountable.

Across the country, states and local governments have learned—often through costly litigation—that cooperation with federal law enforcement is not neutral. When state or county agencies lend personnel, data, facilities, or credibility to federal operations, they also absorb the **downstream consequences: exposure to civil liability, erosion of community trust, and complicity in actions that violate constitutional norms**. HB 2540 HD2 reflects a decision to draw principled boundaries around such cooperation.

I. Non-Cooperation is a Lawful and Necessary Exercise of State Power

HB 2540 HD2 rests squarely on **the anti-commandeering doctrine, a foundational principle of American federalism**. The United States Supreme Court has repeatedly held that while the **federal government may enforce federal law, it may not compel states to use their resources**, officers, or political subdivisions to do so. In *New York v. United States*, the Court made clear that Congress may not “commandeer the legislative processes of the States.”¹ In *Printz v. United States*, the Court extended that principle to state executive officials, holding that the federal government may not

require state officers to administer or enforce a federal regulatory program.ⁱⁱ These cases do not describe an exception; they articulate a structural protection of liberty.

Immigration enforcement is federal, governed by shifting priorities that state governments neither control nor supervise. **When states entangle themselves in those efforts, they surrender authority over how their residents are policed while remaining legally liable.** HB HD1 affirms that Hawai‘i will not be commandeered into service of federal programs that it does not direct and cannot meaningfully oversee.

Federal courts have consistently upheld this choice. In *United States v. California*, the Ninth Circuit reaffirmed that states are under no obligation to assist with federal immigration enforcement and may affirmatively restrict the use of state resources for that purpose without violating the Supremacy Clause.ⁱⁱⁱ HB 2540 HD2 reiterates this.

II. Cooperation with Abusive Federal Actors Creates Real and Predictable Liability

The risks of cooperation are neither speculative nor abstract. Courts have repeatedly found that **Immigration and Customs Enforcement (“ICE”) agents have engaged in unconstitutional conduct, such as warrantless arrests, prolonged detention without probable cause, racial profiling, and retaliation against protected speech.** When state agencies assist in these operations—by honoring detainers or embedding officers—they invite liability under both federal and state law.

In *Miranda-Olivares v. Clackamas County*, for example, a federal district court held that a county violated the Fourth Amendment by detaining an individual at ICE’s request without probable cause.^{iv} Numerous jurisdictions have paid significant settlements or judgments arising directly from cooperation with ICE requests later deemed unlawful.

HB 2540 HD2 reduces the likelihood that Hawai‘i agencies will need to defend unconstitutional conduct at the taxpayer’s expense.

III. Deputization and 287(g) Agreements Are Especially Dangerous

HB 2540 HD2 is particularly **important in rejecting deputization arrangements and 287(g)-style cooperation.** Section 287(g) of the Immigration and Nationality Act authorizes the federal government to deputize local law enforcement officers to perform civil immigration enforcement functions, often leading to widespread abuse.^v

By placing local police officers—trained to enforce criminal law—into the role of civil immigration agents, **287(g)-style agreements and memoranda of understanding encourage pretextual policing while blurring lines of accountability. Cooperation**

also undermines public safety. When residents fear that contact with state or county agencies may expose them to federal immigration enforcement, they may be less likely to report crimes, seek medical care, enroll children in school, or participate as witnesses. The resulting erosion of trust makes communities less safe.

IV. Federalism Serves as a Shield for Civil Liberties

Federalism is not merely an abstract allocation of power; it is a concrete safeguard for individual rights. When national enforcement policy veers toward repression, state **refusal to cooperate is one of the most effective lines of defense for civil liberties.**

This principle carries particular force in Hawai‘i as **our State Constitution provides broader protections for individual rights than the federal Constitution.** The Hawai‘i Supreme Court has recognized that our Constitution is an independent source of rights and that federal constitutional minima do not define the outer bounds of liberty in Hawai‘i. In *State v. Zuffante*, the court reaffirmed that Hawaii’s Constitution may—and often does—offer greater protection than its federal counterpart.^{vi} So, even when protections are weakened or eliminated at the federal level, **Hawai‘i retains the authority to safeguard civil liberties under its own constitutional framework.**

By limiting state participation in federal enforcement schemes that threaten due process, equal protection, and expressive freedom, HB 2540 HD2 ensures that Hawaii’s constitutional commitments are not undermined. **HB 2540 HD2 is a prudent response to a federal enforcement landscape that increasingly disregards civil liberties and transparency.** By embracing a general position of non-cooperation, rejecting dangerous deputization schemes, and reaffirming the State’s sovereign rights under our federal system, the Legislature can protect Hawai‘i residents while shielding the State from unnecessary legal and financial liability.

Thank you for the opportunity to testify.

Leilani Stacy
Immigrants’ Rights Attorney
ACLU of Hawai‘i

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*With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai‘i is to protect the fundamental freedoms enshrined in the United States and Hawai‘i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai‘i is a non-partisan and private non-profit organization that provides its*

*services at no cost to the public and does not accept government funds. The ACLU of Hawai‘i has been serving our communities in Hawai‘i for over 60 years.*

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<sup>i</sup> *New York v. United States*, 505 U.S. 144, 161–66 (1992), <https://supreme.justia.com/cases/federal/us/505/144/>.

<sup>ii</sup> *Printz v. United States*, 521 U.S. 898, 925–33 (1997), <https://supreme.justia.com/cases/federal/us/521/898/>.

<sup>iii</sup> *United States v. California*, 921 F.3d 865, 888–91 (9th Cir. 2019), <https://cdn.ca9.uscourts.gov/datastore/opinions/2019/04/18/18-16496.pdf>.

<sup>iv</sup> *Miranda-Olivares v. Clackamas Cnty.*, No. 3:12-cv-02317-ST, 2014 WL 1414305, at \*11–13 (D. Or. Apr. 11, 2014), <https://law.justia.com/cases/federal/district-courts/oregon/ordce/3:2012cv02317/110279/163/>. Unreported.

<sup>v</sup> Immigration and Nationality Act § 287(g), 8 U.S.C. § 1357(g), [https://uscode.house.gov/view.xhtml?req=\(title:8%20section:1357%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:8%20section:1357%20edition:prelim)).

<sup>vi</sup> *State v. Zuffante*, 157 Haw. 194, 200, 576 P.3d 243, 249 (2025), <https://law.justia.com/cases/hawaii/supreme-court/2025/scwc-23-0000376-0.html>.



COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Carol Fukunaga, Chair

Senator Chris Lee, Vice Chair

COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS

Senator Glenn Wakai, Chair

Senator Stanley Chang, Vice Chair

HEARING:

Monday, March 23, 2026 at 3:00 pm

Conference Room 016 & Videoconference

TESTIMONY IN **SUPPORT** OF HB 2540, HD 2 - RELATING TO LAW ENFORCEMENT.

Aloha Chair Fukunaga, Chair Wakai, Vice Chair Lee, Vice Chair Chang, Senator Hashimoto of Maui, Senator DeCoite of Maui, and Members of the Committee,

My name is Veronica Mendoza, Founding Executive Director of Roots Reborn and a founding coalition member of El Pueblo en Acción (EPA) Maui — *The People in Action Maui*. I am writing in **strong support of HB2540, HD2**, which establishes provisions limiting state and federal collaboration for purposes of immigration enforcement operations; requires state and county law enforcement agencies to establish and publicly post written policies regarding civil immigration enforcement; prohibits law enforcement officers from initiating or prolonging a stop, detention, or arrest of a person for the purpose of determining the person's civil immigration status, except under certain circumstances; establishes as a policy of the Department of Law Enforcement that civil immigration activity involving state or county participation or facilities shall only proceed under certain conditions; prohibits state and county involvement in civil immigration enforcement activity in certain locations; and requires the Department of Law Enforcement to assist state and county agencies in maintaining compliance with civil immigration enforcement policy.

Roots Reborn is a grassroots, multicultural immigrant-justice and disaster-response organization serving migrant and immigrant communities on Maui and beyond. Born out of the August 2023 wildfires, we immediately stepped in to move aid, navigate systems alongside families, and build the trusted relationships that still anchor our work today. What began as wildfire response has grown into essential infrastructure for immigrant communities facing overlapping crises—from recovery and housing instability to shifting federal policies, increased enforcement, and rising fear.

The trust we have built has given us proximity to hear stories that rarely reach these chambers. Families who survived the fires, who lost homes, who are still piecing their lives together, now live with the additional terror of being separated from their children, their spouses, their neighbors. Many are afraid to go to work or school, or even to seek necessary medical care. For fire survivors already navigating grief, displacement, and rebuilding, this new crisis lands on top of everything else. Recovery becomes impossible when fear is constant.

Since December 2024, we have been meeting this new man-made disaster head-on. Roots Reborn is a founding coalition member of EPA Maui, a rapid response network and tipline made up of allied



organizations and concerned community members. We exist because we believe an informed, calm community is a safer community.

Through this coalition, we have:

- Distributed over 3,500 flyers on constitutional rights
- Trained more than 700 community members through Know Your Rights workshops
- Delivered over 50 trainings to healthcare providers, social service organizations, business owners, faith communities, educators, and labor union leaders
- Processed more than 450 calls and texts through our tipline from community members concerned about federal enforcement activity
- Trained over 60 volunteer observers in verification, de-escalation, and peaceful documentation

For months we have seen video evidence of aggressive, heavily armed, masked federal agents subjecting people to excessive force, with no identifying tag or badge, refusing to identify themselves while violating people's constitutional rights to peaceably observe and document their behavior. These tactics heighten fear in the public and interfere with accountability for misconduct by the officers.

On Maui, we are witnessing an erosion of trust and an increase in fear. Community members are afraid to go to work and children are unable to go to school. We have heard stories from healthcare providers of patients forgoing critical care, and from faith leaders that people feel unable to attend religious services due to fear of confrontation by masked and unidentified federal agents. Trust in law enforcement of all kinds, even our local police departments, has eroded as a result. Coalition member organizations have been called upon to address the potential harms to victims of violent crime, especially women and children subjected to domestic violence, who are now afraid to ask for help from the local law enforcement officers who have a duty to protect them.

Our trained observers do this work daily. We know that transparency enables accountability, and accountability rebuilds trust. We **urge you to support HB2540, HD2** and to vote to pass it out of this committee.

Sinceramente,

A handwritten signature in black ink, appearing to read 'Veronica', written in a cursive style.

Veronica Mendoza

Maui Roots Reborn, *Founding Executive Director*

El Pueblo en Accion Maui, *Founding Coalition Member*

To: Senate Committees on Public Safety and Military Affairs and on Energy and Intergovernmental Affairs  
Re: **HB2540 HD2 – Relating to Law Enforcement**  
Hawaii State Capitol & Via Videoconference  
March 23, 2026, 3:00 PM

Dear Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and Committee Members,

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, I am writing **in SUPPORT of HB2540 HD2**, which would limit how state and county law enforcement collaborate with federal immigration enforcement. State and county agencies would be required to establish and publicly post policies on civil immigration enforcement, and law enforcement officers would be prohibited from stopping, detaining, or arresting for the purpose of determining immigration status, except under certain circumstances. Certain locations would be off-limits for state or county participation in civil immigration enforcement and the Department of Law Enforcement would be required to assist state and county agencies comply with civil immigration enforcement policy.

Our schools and child care centers should be places where keiki feel safe, welcome, and free to learn without fear. This bill helps ensure that students and their families do not experience anxiety or disruption due to civil immigration enforcement activities at or near educational settings. These protections are essential for supporting children's emotional well-being and educational success.

By prohibiting stops or detentions based solely on immigration status and requiring clear, publicly posted policies, the bill helps families feel safe sending their children to school, accessing healthcare, and participating in their communities. Children should be able to learn, grow, and receive care without the constant worry of immigration enforcement at their doors.

Students who fear enforcement actions at school grounds may be less likely to attend regularly, participate fully, or engage in learning. This bill helps remove those barriers by requiring that state and county actors refrain from assisting civil immigration enforcement at schools and early-learning sites.

Keiki's healthy development also relies on safe access to essential services. This bill also covers health care facilities, emergency or domestic violence shelters, courthouses and places of worship, which many families with children depend on.

A child's sense of security is deeply tied to their 'ohana's stability. By setting clear limits on how and when state and county agencies interact with federal immigration enforcement, this bill helps reduce the risk of unexpected family separations occurring in places where children should feel secure.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,

Nicole Woo  
Director of Research and Economic Policy



**TESTIMONY IN SUPPORT OF  
HB1886, HD2 – RELATING TO GOVERNMENT OPERATIONS  
HB2540, HD2 – RELATING TO LAW ENFORCEMENT**

**Committee on Public Safety and  
Military Affairs**

Sen. Carol Fukunaga, Chair  
Sen. Chris Lee, Vice Chair

**Committee on Energy and  
Intergovernmental Affairs**

Sen. Glenn Wakai, Chair  
Sen. Stanley Chang, Vice Chair

Hearing Date: March 23, 2026 | Letter Date: March 22, 2026

Dear Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and Members:

The Legal Clinic (TLC) strongly supports HB1886, HD2, and HB2540, HD2, two measures that draw clear boundaries on state and county collaboration with federal civil immigration enforcement and reinforce safety and constitutional protections for all Hawai`i residents. These goals are among the highest priorities of the Campaign for Immigrant Justice (CIJ) this legislative session. TLC is a nonprofit organization that advances immigrant justice statewide through legal services, education, and advocacy; we also serve on the CIJ steering committee alongside the Hawai`i Coalition for Immigrant Rights and the American Civil Liberties Union of Hawai`i.

HB1886, HD2 establishes firm limits on state-federal cooperation – prohibiting assistance in civil immigration enforcement, restricting state deputization of federal officers and joint task force participation, and strengthening oversight of any criminal law enforcement cooperation by requiring written, time-limited agreements subject to Attorney General review. The bill also creates enforceable transparency standards requiring visible identification and restricting the use of facial coverings by law enforcement officers, with narrowly tailored safety exceptions and misdemeanor penalties for violations. Importantly, the bill additionally establishes criminal penalties for unauthorized civil immigration interrogation, arrest, or detention, ensuring that constitutional safeguards are meaningful and enforceable.

HB2540, HD2 complements this framework by restricting the use of state resources to assist federal immigration enforcement; requiring law enforcement agencies to adopt and publicly post written civil immigration enforcement policies; restricting immigration enforcement activity at sensitive community locations; limiting the collection of immigration-related personal data; and requiring public reporting of civil immigration requests. Like HB1886, HD2 this measure limits state deputization of federal officers, places guardrails on criminal law enforcement agreements and participation in joint task forces, prohibits officers from initiating or prolonging stops solely to investigate civil immigration status and clarifies that reasonable suspicion may not be based on race, ethnicity, language, or other protected characteristics. The Department of Law Enforcement is directed to assist state and county agencies in maintaining compliance.

Both bills offer provisions that restrict state and county participation in civil immigration operations and joint federal-state task forces or activities that exceed statutory authority or risk violating constitutional rights. Both bills promote transparency and accountability in law enforcement. Because these bills and others pending before the Legislature this session address overlapping subjects and amend related chapters of the Hawai`i Revised Statutes, TLC respectfully recommends harmonizing these measures to strengthen implementation, reinforce safeguards on constitutional rights, and provide clear guidance to agencies and officers.

We appreciate the Legislature's leadership in carefully examining how state and county resources are used, how law enforcement accountability can be strengthened, and how trust between communities and local law enforcement institutions can be protected - particularly in this national moment of intensifying federal immigration enforcement and documented violations of constitutional rights. These important measures reflect Hawai`i's commitment to safety, dignity, and due process for all residents, and TLC stands ready to support their effective implementation.

Respectfully submitted on behalf of The Legal Clinic  
and Board President Amefil Agbayani,



Christina Sablan  
Community & Policy Advocate



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

## **Testimony of the Hawai‘i Coalition for Immigrant Rights (HCIR) In SUPPORT of HB2540 HD2 Relating to Law Enforcement**

### **Senate Joint Committee on Public Safety and Military Affairs (PSM) and Energy and Intergovernmental Affairs (EIG)**

Senator Carol Fukunaga, PSM Chair | Senator Chris Lee, PSM Vice Chair Senator Glenn Wakai, EIG Chair | Senator Stanley Chang, EIG Vice Chair

**Hearing Date:** Monday, March 23, 2026

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Aloha Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and Members of the Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs,

My name is Liza Ryan-Gill, testifying on behalf of the Hawai‘i Coalition for Immigrant Rights (HCIR). HCIR is a coalition of 30+ immigrant-serving and immigrant-led organizations across the pae ‘āina working to advance policies that protect immigrant and migrant communities and strengthen Hawai‘i as a place where all families can thrive.

We submit this testimony in **strong support of HB2540 HD2**, which establishes provisions limiting state and county law enforcement collaboration with federal authorities for civil immigration enforcement, requires state and county agencies to establish and publicly post written policies regarding civil immigration enforcement, prohibits officers from initiating or prolonging a stop to determine a person's civil immigration status, establishes a statewide Department of Law Enforcement civil immigration enforcement policy with a compliance role, and prohibits state and county involvement in civil immigration enforcement at certain protected locations.

### **Creating Consistent, Statewide Policy Infrastructure**

HB2540 HD2 creates the structural policy infrastructure that makes community protections real and consistent statewide. Without it, each agency makes its own decisions about when and how to participate in civil immigration enforcement — creating an inconsistent, unpredictable patchwork of standards across counties and departments. This bill establishes the Department of Law Enforcement as the statewide policy anchor, ensures written policies are publicly posted so communities can verify compliance, and prohibits officers from using routine stops to conduct civil immigration interrogations.



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

Requiring agencies to adopt and post written policies is not a burden — it is a baseline of democratic accountability. When communities can see what their local law enforcement agencies are committed to, it builds the trust that makes effective policing possible. When those commitments are absent or hidden, fear fills the void.

### **Prohibiting Pretextual Stops Prevents Racial Profiling and Protects Public Safety**

HB2540 HD2 prohibits officers from initiating or prolonging a stop, detention, or arrest for the purpose of determining a person's civil immigration status unless there is reasonable suspicion based on specific and articulable facts, and the inquiry is otherwise authorized by state law and agency policy. The bill explicitly provides that reasonable suspicion may not be based solely on race, color, ethnicity, national origin, ancestry, language, accent, religion, manner of dress, presence in a particular location, or the exercise of constitutional rights.

This sends a clear and necessary message: racial profiling and discriminatory policing have no place in Hawai‘i. These protections are essential to ensuring that immigrant communities, communities of color, and religious minorities are not unfairly targeted. They also strengthen public safety broadly — when people fear that routine interactions with law enforcement may lead to questioning about their immigration status, they are less likely to seek help, report domestic violence, cooperate as witnesses, or call 911 in emergencies. HB2540 HD2 helps prevent this chilling effect by ensuring enforcement is based on lawful, objective standards rather than appearance or background.

### **The DLE Policy Role Provides Statewide Coherence**

One of the most important features of HD2 is the role it assigns to the Department of Law Enforcement in establishing a statewide civil immigration enforcement policy and assisting state and county agencies in maintaining compliance. This is a meaningful structural improvement over ad hoc agency-by-agency approaches. A consistent statewide standard — developed and overseen by DLE — protects both community members and officers by giving clear guidance on when and how state and county resources may be involved in federal immigration enforcement.

This also directly addresses concerns from law enforcement about inconsistent federal expectations and unclear lines of authority. A DLE-anchored policy framework gives departments a clear legal and operational foundation, reducing uncertainty and the risk of agencies being drawn into enforcement activities that exceed their authority or undermine community trust.

### **Valid Judicial Warrants Required for Nonpublic Areas**



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HB2540 HD2 prohibits state and local employees or agents from allowing federal immigration officers entry into nonpublic areas of state and local facilities for enforcement purposes absent a valid judicial warrant. This ensures that public institutions — including state buildings, offices, and facilities — are not used to target individuals for engaging in constitutionally protected activity, or to facilitate federal immigration enforcement without proper legal authority. It reinforces the principle that the exercise of state power must respect constitutional boundaries and be subject to appropriate legal processes.

### **Protected Locations: Keeping Essential Services Accessible**

The protected locations provision ensures that schools, healthcare facilities, shelters, and other essential community spaces remain accessible to everyone without fear. This builds on and complements the same principles as HB1870 HD2, which this committee may also be considering. When people fear accessing schools, clinics, and shelters, the entire community pays the cost — in worse health outcomes, lower school attendance, and reduced willingness to report crime. HB2540 HD2 makes clear that these spaces must remain safe and welcoming for all.

### **Part of a Comprehensive Statewide Framework**

Together, HB2540 HD2 and HB1886 HD2 form a comprehensive statewide framework for civil immigration enforcement accountability — one that addresses agency policy and collaboration standards (HB2540) alongside officer identification and masking requirements (HB1886). These bills are complementary and mutually reinforcing. PSM/EIG can advance HB2540 HD2 as a critical pillar of this package alongside the rest of the Campaign for Immigrant Justice legislation.

### **Conclusion**

At its core, HB2540 HD2 is about ensuring that Hawai'i's state and county law enforcement agencies have clear, publicly accountable policies governing their role in civil immigration enforcement — and that those policies protect due process, prevent racial profiling, and keep essential community spaces safe. Hawai'i has the opportunity and the responsibility to affirm that our public institutions exist to serve all residents with transparency, fairness, and dignity.

For these reasons, the Hawai'i Coalition for Immigrant Rights respectfully urges the Committees to PASS HB2540 HD2.

Mahalo for the opportunity to provide testimony.

With gratitude,



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

Liza Ryan Gill

Executive Director

Hawai'i Coalition for Immigrant Rights

**Testimony of Megahn Chun and Alejandro Villarino  
In SUPPORT of HB2540 HD2**

Senate Joint Committee on Public Safety and Military Affairs (PSM)  
and Energy and Intergovernmental Affairs (EIG)

Senator Carol Fukunaga, PSM Chair | Senator Chris Lee, PSM Vice Chair  
Senator Glenn Wakai, EIG Chair | Senator Stanley Chang, EIG Vice Chair

Hearing Date: March 23, 2026

Dear Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and members of the Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs,

Our names are Megahn Chun and Alejandro Villarino, and we submit this testimony in **support of HB2540 HD2**, which establishes provisions limiting state and county law enforcement collaboration with federal authorities for civil immigration enforcement, requires state and county agencies to establish and publicly post written policies regarding civil immigration enforcement, prohibits officers from initiating or prolonging a stop to determine a person's civil immigration status, establishes a statewide DLE civil immigration enforcement policy with a compliance role, and prohibits state and county involvement in civil immigration enforcement at certain protected locations.

Mercado de la Raza is a Hawai'i-based community marketplace that uplifts Latin American culture through food, small business, and community programming. We work closely with immigrant families and local entrepreneurs, creating a space that fosters connection, cultural exchange, and economic opportunity.

HB2540 HD2 creates the structural policy infrastructure that makes community protections real and consistent statewide. Without it, each agency makes its own decisions about when and how to participate in civil immigration enforcement — creating an inconsistent, unpredictable patchwork. This bill establishes the Department of Law Enforcement as the statewide policy anchor, ensures written policies are publicly posted so communities can verify compliance, and prohibits officers from using routine stops to conduct civil immigration interrogations.

The protected locations provision ensures that schools, healthcare facilities, shelters, and other essential community spaces remain accessible without fear — building on the same principles as HB1870 HD2. Together, HB2540 HD2 and HB1886 HD2 form a comprehensive statewide framework for civil immigration enforcement accountability. PSM/EIG can advance this alongside the rest of the package.

For these reasons, I respectfully request that the Committees **PASS HB2540 HD2**.

Mahalo for the opportunity to provide testimony.

Sincerely,

Megahn Chun and Alejandro Villarino  
Mercado de la Raza  
808.593.2226



**LATE**



March 23, 2026

Senator Carol Fukunaga, Chair  
Senator Chris Lee, Vice Chair  
Committee on Public Safety and Military Affairs

Senator Glenn Wakai, Chair  
Senator Stanley Chang, Vice Chair  
Committee on Energy and Intergovernmental Affairs

**Re: H.B. 2540 Relating to Law Enforcement**

**Hearing: Monday, March 23, 2026, 3:00 PM, Conference Room 016 & Videoconference**

Dear Chair Fukunaga, Vice Chair Lee, Chair Wakai, Vice Chair Chang and the Members of the Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs:

Hawaii Women Lawyers is a lawyer's trade organization that aims to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

**Hawaii Women Lawyers submits testimony in strong support of H.B. 2540 Relating to Law Enforcement.**

We strongly concur with the Legislature that it is necessary to establish clear policies and limits on federal immigration enforcement occurring within the State.

Supporting and upholding due process and judicial oversight standards aligns with our mission as an organization to uplift women. By requiring state and county law enforcement to establish and publicly post written policies regarding civil immigration enforcement, this bill allows for more trust between law enforcement and communities they serve.

Hawaii Women Lawyers commends and thanks the Legislature for prioritizing realities faced by victims of discrimination and for taking steps to ensure that our laws meaningfully support access to justice.

**For the above reasons, we strongly support H.B. 2540 Relating to Law Enforcement.**

Thank you for the opportunity to testify in strong support of this measure.

**HB-2540-HD-2**

Submitted on: 3/16/2026 9:25:55 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Jennifer Lum        | Individual          | Support                   | Written Testimony Only |

Comments:

My name is Jen Lum and I strongly support H.B. 2540, which bans extreme masking by law enforcement, requires that officers visibly identify themselves, and limits state and county law enforcement’s cooperation with federal immigration enforcement.

In Minnesota and throughout the continent, we have witnessed the growing police force that the Trump administration is building employ secret police tactics, including ordering masked law enforcement agencies and military troops into cities. Federal agents are taking our immigrant neighbors. In Hawai‘i, we have seen this occur in Kaua‘i, for example.

We are all less safe when masked agents are in our streets. When people fear law enforcement, they are less likely to report crimes, seek help, or cooperate with law enforcement. Additionally, the lack of identification makes it difficult for ordinary people, local law enforcement, and public officials to differentiate genuine law enforcement actions from impersonators exploiting the situation to harm our community members. It also makes it difficult to identify who is behind operations that may employ aggressive tactics, result in constitutional violations, or cause community harm.

We must also prevent our local law enforcement from being co-opted into federal law enforcement operations that are ripping our neighbors away from their families and hurting our communities. Our state and local policies should ensure our law enforcement agencies do not support this gross federal overreach.

We believe that this legislation is a step towards real community safety and trust. It is our kuleana to protect our neighbors’ right to live without fear.

Mahalo,

Ken Lum, ‘Ewa Beach

**HB-2540-HD-2**

Submitted on: 3/16/2026 9:25:58 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Badia Muhammad      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Citizen or not, every person should be treated with HUMANITY. Law enforcement should be held accountable to provide a just reason for detaining an individual.

**HB-2540-HD-2**

Submitted on: 3/17/2026 12:01:23 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| Submitted By  | Organization | Testifier Position | Testify                |
|---------------|--------------|--------------------|------------------------|
| William Caron | Individual   | Support            | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am writing in **strong support of HB2540**, which would require law enforcement agencies to establish clear, publicly available policies regarding civil immigration enforcement and prohibit officers from detaining individuals solely to inquire about their immigration status. This bill is a crucial step toward ensuring consistent, accountable, and community-centered policing across Hawai‘i.

**HB2540 prevents ad hoc practices that can lead to profiling, unnecessary detention, and loss of community trust.** When enforcement decisions are made without clear rules, the door opens to racial profiling, arbitrary detention, and unequal treatment. This bill replaces ambiguity with clarity, ensuring that every resident—regardless of background—is treated fairly and consistently under the law.

**The bill creates consistent statewide standards through required written policies and public posting.** By mandating that each law enforcement agency adopt and publish its procedures, HB2540 ensures transparency and accountability. The public deserves to know what rules govern interactions between local police and federal immigration authorities—and this bill guarantees that access.

**It reduces fear among immigrant and mixed-status families so people report crime and seek help.** When community members are afraid that a routine interaction with police could lead to immigration enforcement, they stop calling 911, stop reporting crimes, and stop cooperating with investigations. That makes everyone less safe. HB2540 draws a clear line between local public safety and civil immigration enforcement, helping to rebuild the trust that keeps communities secure.

**Finally, the bill protects due process and improves accountability for state and county involvement in civil immigration activity.** By establishing clear conditions and location limits on when and how local resources can be used for civil immigration enforcement, HB2540 ensures that our officers are focused on their core mission: protecting Hawai‘i's families. It also protects individuals' due process rights by prohibiting detention based solely on immigration status.

HB2540 is a measured, thoughtful approach that puts public safety first. It affirms that everyone in our community deserves to be treated with dignity and fairness—and that local law enforcement should remain focused on local priorities.

I urge you to pass this bill. Mahalo for the opportunity to testify.

**HB-2540-HD-2**

Submitted on: 3/17/2026 12:32:20 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Brodie Lockard      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I support this bill.

**HB-2540-HD-2**

Submitted on: 3/17/2026 5:41:44 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Younghee Overly     | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Thank you for this opportunity to support HB2540 which limits state and federal collaboration for purposes of immigration enforcement operations.

Younghee Overly, a member of Indivisible Hawaii

**HB-2540-HD-2**

Submitted on: 3/17/2026 11:05:09 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| Submitted By     | Organization | Testifier Position | Testify                |
|------------------|--------------|--------------------|------------------------|
| Sam Guckenheimer | Individual   | Support            | Written Testimony Only |

Comments:

**I am writing individually and as Lead of Kona Indivisible in support of HB 2540, HD1 which limits state and federal collaboration in immigration enforcement operations and prohibits the deputization of federal agents for general policing.**

**At its core HB 2540 HD1 is about preserving Hawaii’s constitutional autonomy, protecting residents from civil rights violations, and ensuring that the State does not entangle itself—legally, financially, or morally—in federal enforcement schemes that are opaque, discriminatory, and increasingly unaccountable.**

**Across the country, states and local governments have learned—often through costly litigation—that cooperation with federal law enforcement is not neutral. When state or county agencies lend personnel, data, facilities, or credibility to federal operations, they also absorb the downstream consequences: exposure to civil liability, erosion of community trust, and complicity in actions that violate constitutional norms. HB 2540 HD1 reflects a decision to draw principled boundaries around such cooperation.**

**HB-2540-HD-2**

Submitted on: 3/17/2026 11:19:35 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Mariana Monasi      | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha- I am writing in strong support of HB2540. We have seen how the lack of accountability for violence by masked "agents" has eroded trust in the government at large. Collaboration by any local agency with a rampantly fascist federal government with no accountability will mean that our Hawaii residents will see local law enforcement in similar light, and it will completely erode any trust people have in law enforcement, which will make Hawaii a more dangerous place, if people feel they cannot call for help when horrible things happen. Any assistance to the federal government at this point in time is not only irresponsible to your constituents, but a moral injury to anyone who allows it. Mahalo for considering passing this bill.

**HB-2540-HD-2**

Submitted on: 3/17/2026 11:21:27 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| James E Raymond     | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Thank you. I am a member of Indivisible Windward.

**HB-2540-HD-2**

Submitted on: 3/17/2026 11:52:17 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Roger Hamada        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Let us help our local law enforcement resist becoming puppets to an unjust, sometimes unlawful, opaque, and discriminatory federal law enforcement.

Thank you for accepting my testimony in support of HB2540.

**HB-2540-HD-2**

Submitted on: 3/17/2026 3:03:02 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>    |
|---------------------|---------------------|---------------------------|-------------------|
| Sheila Medeiros     | Individual          | Oppose                    | Remotely Via Zoom |

Comments:

Opposition Testimony to H.B. 2540, H.D. 2 – Relating to Law Enforcement

Submitted by: Sheila Medeiros

U.S. Naturalized Citizen

Kapolei, Hawaii

I am a U.S. Naturalized Citizen who served our country honorably for 34 years in the military. Having defended the United States and its laws for over three decades, I strongly oppose H.B. 2540.

This bill is not pro-immigrant — it is anti-rule-of-law. It obstructs federal immigration enforcement, a power reserved exclusively to Congress under Article I, Section 8 of the U.S. Constitution. The Supremacy Clause (Article VI) makes federal law supreme, preempting conflicting state actions. The Supreme Court confirmed this in *Arizona v. United States* (2012). Hawaii has no authority to create sanctuary policies that handcuff ICE and reward those who broke the laws I upheld and followed.

Defense of ICE

ICE is a legitimate federal agency charged with removing criminal aliens convicted of murder, rape, drug trafficking, and child exploitation. Deporting these threats protects every legal resident and citizen in Hawaii, including my family. This bill undermines ICE by banning cooperation in “sensitive locations,” restricting joint operations, and blocking information sharing. That is obstruction, not compassion.

Defense of Local Law Enforcement

Hawaii’s police officers swore an oath to uphold the U.S. and state constitutions, not to become immigration gatekeepers. This bill forces restrictive policies, limits stops and data sharing,

prohibits assistance to ICE on state crimes, and threatens discipline for good-faith cooperation. It makes their dangerous jobs even harder.

### Shame on SHOPO-Endorsed Legislators

Shame on every legislator who accepted the endorsement of the State of Hawaii Organization of Police Officers (SHOPO) last campaign, only to now support legislation that handcuffs and endangers the very officers you claimed to back. Your actions betray Hawaii's law enforcement community.

### Key Failures of H.B. 2540

- Creates sanctuary zones in schools, hospitals, churches, and courthouses that block federal enforcement.
- Bans cooperation on traffic stops, checkpoints, and routine data sharing.
- Imposes narrow "reasonable suspicion" limits that effectively prohibit immigration inquiries.
- Restricts federal agreements to two years with Attorney General veto and bars fusion centers/task forces.
- Undermines due process by obstructing valid federal removal orders.

The bill admits 30,000 undocumented individuals live in Hawaii. It rewards lawbreakers while punishing those of us who followed the legal process.

Hawaii celebrates legal immigration and our diverse heritage, but that does not justify nullifying federal law. Want more immigration? Lobby Congress for higher visa numbers — do not sabotage enforcement.

I urge every member of the House to reject H.B. 2540 in its entirety. Stand with ICE. Stand with Hawaii's law enforcement officers. Enforce federal immigration law, protect public safety, and honor the sacrifices of every legal immigrant who respected the rule of law.

Sincerely,

Sheila Medeiros

Kapolei, Oahu

**HB-2540-HD-2**

Submitted on: 3/17/2026 9:24:53 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Jesse Hutchison     | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Thank you!

**HB-2540-HD-2**

Submitted on: 3/17/2026 9:51:20 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Gaye Chan           | Individual          | Support                   | Written Testimony Only |

Comments:

Over the past year, I have been watching the erosion of due process across the US. I am very concerned that federal agents have arrested, detained and deported people under the scope of Trump’s immigration crackdown. They have done this with impunity, regardless of proof, legal status, including those who are citizens. I have seen the horrible conditions at detention camps. I have read about individuals who have been detained for nearly a year without being charged with anything at all. I have watched video after video of federal agents hurting, and even killing people. Including hurting and killing those who have done nothing except protecting their neighbors, and documenting immigration operations. What is even more concerning is how governmental officers, including the president, blatantly lie about the victims, contradicting the facts that we clearly see with our own eyes.

Because of all of this, many of us are living in a state of constant vigilance and fear. Some are afraid to leave their homes or go to the doctors to receive needed care. With the potential of unidentified, and masked agents who may appear at any moment and do whatever they want without any accountability, we must be able to count on local law enforcement more than ever before.

Because of all of this, HPD must not collaborate nor have any role in immigration operations or share any information about us with those Federal agencies. This Bill is one way to ensure this issue.

I live in Kahalu‘u, and my 97-year-old mom is at a foster care home on School Street in Kalihi. In both neighborhoods, there is drugs, gangs, and domestic violence. In Kahalu‘u, we also have illegal cock and even dog fighting, which comes with gambling and more drugs. Our safety requires that all our neighbors are willing to call on local law enforcement as we need to. We need a hard line drawn so that our neighbors are not afraid. None of us should think that by calling, we might make ourselves, our extended family, or our circle of friends vulnerable to being targeted or racially profiled. If there is collaboration, the growing climate of fear will undoubtedly result in an environment where criminality reigns and an erosion of trust for local law enforcement.

**HB-2540-HD-2**

Submitted on: 3/17/2026 9:56:36 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Tim Huycke          | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I very strongly support HB2540. Violations of federal law can only be enforced by federal law enforcement. State-certified police officers have no authority to enforce federal law. Local law enforcement is busy enough dealing with state crimes and city/county ordinances, they do not have time to do federal law enforcement's job as well.

**HB-2540-HD-2**

Submitted on: 3/17/2026 10:01:43 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

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

Comments:

Aloha Chair Fukunaga, Chair Wakai, and Committee Members,

As a citizen concerned with safety in Hawai‘i, I write in **strong support of HB2540 HD2**, which bans extreme masking by law enforcement, requires that officers visibly identify themselves, and limits state and county law enforcement’s cooperation with federal immigration enforcement.

What can seem like an issue only on the mainland is affecting our local communities. In my work, I hear the stories about federal agents are taking our immigrant neighbors. In Hawai‘i, we have seen this occur in Kaua‘i, for example.

We are all less safe when masked agents are in our streets. When people fear law enforcement, they are less likely to report crimes, seek help, or cooperate with law enforcement. Additionally, the lack of identification makes it difficult for ordinary people, local law enforcement, and public officials to differentiate genuine law enforcement actions from impersonators exploiting the situation to harm our community members. It also makes it difficult to identify who is behind operations that may employ aggressive tactics, result in constitutional violations, or cause community harm.

We must also prevent our local law enforcement from being co-opted into federal law enforcement operations that are ripping our neighbors away from their families and hurting our communities. Our state and local policies should ensure our law enforcement agencies do not support this gross federal overreach.

We believe that this legislation is a step towards real community safety and trust. It is our kuleana to protect our neighbors’ right to live without fear.

Mahalo,

Thaddeus Pham

**HB-2540-HD-2**

Submitted on: 3/18/2026 4:57:23 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Nancy D Moser       | Individual          | Support                   | Written Testimony<br>Only |

Comments:

In support

**HB-2540-HD-2**

Submitted on: 3/18/2026 6:28:27 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| maile nakano        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Please limit collaboration between State and Federal agencies for immigration enforcement.  
Protect our neighbors. Show aloha.

Mahalo, Maile from Honolulu

**HB-2540-HD-2**

Submitted on: 3/18/2026 1:40:44 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Denize Machit       | Individual          | Support                   | Written Testimony Only |

Comments:

By limiting state participation in federal enforcement schemes that threaten due process, equal protection, and expressive freedom, HB 2540 HD1 ensures that Hawaii’s constitutional commitments are not undermined. HB 2540 HD1 is a prudent response to a federal enforcement landscape that increasingly disregards civil liberties and transparency. By embracing a general position of non-cooperation, rejecting dangerous deputization schemes, and reaffirming the State’s sovereign rights under our federal system, the Legislature can protect Hawai‘i residents while shielding the State from unnecessary legal and financial liability.

Please support this bill to protect our most vulnerable ohana and every person.

Mahalo for allowing me to express my thoughts.  
Denize Machit

**HB-2540-HD-2**

Submitted on: 3/18/2026 2:01:40 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| ginger edmunds      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Limit state and federal collaboration

**HB-2540-HD-2**

Submitted on: 3/18/2026 3:44:19 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Gail Morrison       | Individual          | Support                   | Written Testimony<br>Only |

Comments:

By limiting state participation in federal enforcement schemes that threaten due process, equal protection, and expressive freedom, HB 2540 HD1 ensures that Hawaii’s constitutional commitments are not undermined. HB 2540 HD1 is a prudent response to a federal enforcement landscape that increasingly disregards civil liberties and transparency. By embracing a general position of non-cooperation, rejecting dangerous deputization schemes, and reaffirming the State’s sovereign rights under our federal system, the Legislature can protect Hawai‘i residents while shielding the State from unnecessary legal and financial liability.

Gail Morrison, Honolulu

Eileen Cain  
720 Mahi'ai St., Apt. E  
Honolulu, Hawai'i 96826-5635  
eileencaïn808@gmail.com  
March 18, 2026

Senator Carol Fukunaga, Chair, Senate Committee on Public Safety and Military Affairs  
Senator Chris Lee, Vice Chair  
and Members of the Senate Committee on Public Safety and Military Affairs

Senator Glenn Wakai, Chair, Senate Committee on Energy and Intergovernmental Affairs  
Senator Stanley Chang, Vice Chair  
and Members of the Senate Committee on Energy and Intergovernmental Affairs

Aloha, Senators,

**I am submitting this testimony in Favor of HB2540 HD2, Relating to Law Enforcement**

We citizens need a law that protects us from intrusion by immigration agents into our schools, houses of worship, and hospitals. Houses of worship need to continue to be off-limits to immigration agents as people engage in religious practices, which is their right under the First Amendment of the Constitution. Children need to be safe at their schools. They must not be used as "bait" to draw their parents into a vulnerable position. Libraries need to be secure and free places of learning. People who are ill and receiving health care, including those who are hospitalized, need to be protected, too.

As the bill states, "it is necessary to establish clear policies and limits on federal immigration enforcement occurring within the State." Law enforcement officers in Hawai'i must be required to respect and uphold all laws related to **Due Process and any other aspects of residents' civil rights. Limits are needed regarding what Hawai'i law enforcement officers may do when it comes to collaborating with federal agents. Human rights must be respected.**

I am haole (caucasian) and have lived in Hawai'i for nearly 50 years; I embrace diversity and oppose white-supremacist behavior that is playing out in the US.

**Please approve HB2540 HD2.**

Mahalo,

Eileen Cain,  
Mō'ili'ili, Honolulu, Hawai'i

**HB-2540-HD-2**

Submitted on: 3/19/2026 2:42:21 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Alice Abellanida    | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

I oppose this bill. It interferes with law enforcement. Vote no on this bill.

**HB-2540-HD-2**

Submitted on: 3/19/2026 1:50:46 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| lynne matusow       | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I am a citizen. I was born in the United States. It is a shame that it has come to this. But after watching ICE and the rest of Trump's goons in Minneapolis, I believe that this bill is necessary law. I strongly support HB2540 and ask you to move it forward.

lynne matusow

**HB-2540-HD-2**

Submitted on: 3/20/2026 3:47:48 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Nandita Sharma      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I am writing with the strongest possible support for this Bill. It is absolutely essential for the protection of our rights and for public safety HI law enforcement officers be prohibited from initiating or prolonging a stop, detention, or arrest of a person for the purpose of determining the person's civil immigration status.

Further, the Department of Law Enforcement must ensure that state and county agencies are in compliance with civil immigration enforcement policy.

We have been told that there is no local law enforcement cooperation with DHS re: immigration enforcement activity, yet there have been verified cases of such activities. This Bill is essential to maintain public trust.

## COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Carol Fukunaga, Chair

Senator Chris Lee, Vice Chair

## COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS

Senator Glenn Wakai, Chair

Senator Stanley Chang, Vice Chair

### HEARING:

Monday, March 23, 2026 at 3:00 pm

Conference Room 016 & Videoconference

### TESTIMONY IN **SUPPORT** OF HB 2540, HD2 - RELATING TO LAW ENFORCEMENT.

Aloha Chair Fukunaga, Chair Wakai, Vice Chair Lee, Vice Chair Chang, Senator Hashimoto for my Maui district, Senator DeCoite of Maui, and Members of the Committee,

My name is Christine Andrews and I am a long-term resident of Wailuku, Maui. I am also an attorney licensed in the state of Hawaii for over 25 years and a founding coalition member of El Pueblo en Acción (EPA) Maui – The People in Action Maui. I am writing in **strong support of HB2540, HD2.**

I currently volunteer as a Know Your Rights and constitutional protector trainer and educator statewide. I have helped train teachers and students, business owners and union members, faith leaders and health care providers, parents and senior citizens on what their constitutional rights are, that these rights apply to all within the United States, regardless of citizenship status, and how to ensure these rights are not violated. I have also trained them how to prepare themselves, their staff, and their places of work and community service for interactions with federal agents.

The images we see on the news and in social media of aggressive, untrained, and violent unmasked, unbadged persons attacking citizens and noncitizens alike is eroding trust in law enforcement and our government. In my capacity as a volunteer educator, I have heard concerns that victims of sexual and domestic violence, some of our most vulnerable community members, are afraid to call local law enforcement for assistance because they now do not trust law enforcement. I have heard from health care providers that fear of lawless, violent, unmasked and unidentified persons is making people afraid to leave their homes to seek necessary medical care.

As a lawyer with an understanding of the Constitution and who has taken an oath to uphold it and the rule of law, what I am witnessing nationwide is chilling. Seeing images of the murder of people engaged in lawful, constitutionally-protected activity has impacted my mental health. As a woman and mother, I am afraid of being targeted by unmasked, unbadged government agents or imposters. I am afraid that they will take my picture and find out who I am, where I live, and come to my house and harm not just myself but my loved ones. Recently during a training I was conducting, an audience member asked what constitutional observers like me can do to protect themselves from being targeted by federal agents. I said that there really is not much we can do other than rely on our community, document the truth, and hope that the courts and the law will protect us as we peaceably engage in constitutionally-protected activity. Our fear is justified based on the unlawful and violent behavior we are witnessing from federal agents. That is why bills like this are so important.

Federal agents take photos of people and use name-recognition software to identify them. They take photos of license plates to learn the identity of and track constitutional observers as well as noncitizens. I would ask that this bill be amended to ensure that law enforcement does not share license-plate identifying or tracking technology data with federal agents engaged in civil immigration enforcement. It would be one protective step that could help protect not just me, I have chosen to assume the risk, but my family members who live with me. I should not have to fear hostile and lawless agents tracking my activities and endangering the community members I serve. The goal of the administration is to frighten people into silence. I almost hesitated to submit testimony in support of this bill for fear of retaliation. This is how far we have fallen in the direction of authoritarianism, that people like me fear speaking up for basic, civil protections such as unmasked and properly-identified federal agents. Fortunately, I am not alone. Recently, over 200,000 people participated in the No Kings Coalition held an Eyes on

ICE: Document and Record national training call and over 30,000 people have been trained as constitutional-observers in Minnesota since the federal “surge” there.

I have chosen to stand up for and protect my neighbors and community members. People like me are being killed for it. Yet I am undeterred by the deaths of Renne Goode and Alex Pretti. I am inspired, and millions are standing alongside me. The government agents who killed Alex Pretti felt empowered to engage in violence openly and with impunity because they felt protected from accountability because they were masked and unidentified. This bill provides important protection for volunteers like me and for community members who no longer trust their law enforcement agents of any kind.

**I request that you support HB 2540, HD2** to help restore rule of law, instill respect on the part of law enforcement, and rebuild trust in government.

Thank you for siding with your community on this issue.

Mahalo,

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

R. Kana'i Gomes  
rkgomes@gmail.com  
808-348-4074

March 20, 2026

Dear Representatives Tarnas, Poepoe, Cochran, Hashem, Kahaloa, Sayama, Takayama, and the House Judiciary & Hawaiian Affairs Committee,

I am writing as a private, concerned resident of Hawai'i to express my strong support for HB 2540 HD2, relating to law enforcement and civil immigration enforcement. Hawai'i is home to an estimated 258,000 immigrants, nearly eighteen percent of our population, including approximately thirty thousand undocumented neighbors, and our laws should reflect the reality that many families in our islands live with daily uncertainty and fear.

HB 2540 HD2 takes meaningful steps to provide clear, statewide standards for how state and county agencies interact with federal civil immigration enforcement. The bill limits the use of state resources to support immigration enforcement activities that exceed federal authority, protects sensitive spaces such as schools, early-learning sites, institutions of higher education, health care facilities, emergency and domestic violence shelters, courthouses, and places of worship, and requires written, publicly posted policies on civil immigration enforcement by July 1, 2027. These safeguards help ensure that children can attend school, families can seek medical care, and people can worship or seek shelter without fearing immigration raids in those settings.

I am especially supportive of the provisions that prioritize due process and judicial oversight, restrict stops or detentions that are based solely on a person's perceived immigration status, and explicitly prohibit reliance on race, color, ethnicity, national origin, language, religion, or similar characteristics as the basis for "reasonable suspicion." These protections are essential to prevent racial profiling, maintain public trust in law enforcement, and align practice with constitutional rights. The bill's requirement that officers already at the scene use body-worn cameras to monitor United States Immigration and Customs Enforcement activity further promotes transparency and accountability for everyone involved.

I also appreciate that the bill directs state and county agencies to adopt clear rules on collecting, retaining, and sharing immigration-related personal data, and to periodically report aggregate data on civil immigration requests. In a time when data can easily be misused, these provisions help guard against improper surveillance or unauthorized sharing of sensitive information. The safe-harbor section that protects public employees and officers acting in good faith to comply with the law encourages adherence to these standards without fear of retaliation.

At the same time, I recognize that the bill raises questions about how to balance these protections with legitimate public safety concerns. To strengthen HB 2540 HD2, I respectfully suggest clarifying that nothing in the bill prevents appropriate collaboration with federal authorities in cases involving serious violent felonies or credible threats to public safety, so long

as constitutional rights and the bill's safeguards are maintained. Explicitly distinguishing civil immigration enforcement from serious criminal investigations would help ensure that the bill is not misread as a barrier to responding to genuine dangers in our communities.

I also note that the current effective date of July 1, 3000 appears to be a placeholder, and I would encourage the Legislature to adopt a realistic and near-term effective date, such as July 1, 2027, so that these protections are put into practice for our communities in a timely manner. Our immigrant neighbors cannot wait centuries for clarity and protection in the spaces where they learn, heal, work, and worship.

With these modest refinements, HB 2540 HD2 will provide clear guidance to agencies and officers, protect fundamental rights, and help ensure that Hawai'i remains a place where all families—regardless of immigration status—can participate in community life without unnecessary fear. I respectfully urge you to pass HB 2540 HD2 and move it forward in the legislative process.

Mahalo for your consideration and for your service to the people of Hawai'i.

Sincerely,

R. Kana'i Gomes

**HB-2540-HD-2**

Submitted on: 3/21/2026 9:41:21 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Kanani Kai          | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I STRONGLY SUPPORT HB2540.

Mahalo,

Kanani Kai

Member Indivisible Hawaii.

**HB-2540-HD-2**

Submitted on: 3/21/2026 9:54:28 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Martha Nakajima     | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I support this bill. Thank you. Martha Nakajima, Honolulu, member of Indivisible

**HB-2540-HD-2**

Submitted on: 3/21/2026 1:13:08 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Jessie L Gonsalves  | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Support limit state and fed collaboration

**HB-2540-HD-2**

Submitted on: 3/21/2026 6:08:30 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b>          | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|------------------------------|---------------------|---------------------------|---------------------------|
| Dawn Morais Webster<br>Ph.D. | Individual          | Support                   | Written Testimony<br>Only |

Comments:

- Visible ID is a basic accountability standard — the public has the right to know who is exercising authority over them.
- Criminal offenses make the standards enforceable — not just aspirational policy.
- Exceptions for undercover, medical, and safety needs show this bill was drafted with real operational requirements in mind.
- California’s No Secret Police Act (effective Jan. 2026) sets national precedent. Hawai‘i can lead in the Pacific.

**HB-2540-HD-2**

Submitted on: 3/21/2026 8:54:43 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Lily Troy MD        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I SUPPORT HB2540 - limit state and fed collaboration

**HB-2540-HD-2**

Submitted on: 3/21/2026 9:49:50 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|----------------------|---------------------|---------------------------|---------------------------|
| Jennifer Kau'i Young | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I wholeheartedly support HB2540 HD2. I support bills that prohibit immigration enforcement in locations people should feel safe at, including schools, hospitals, places of worship, work, home, etc. All the people of Hawai'i should feel safe from civil and human rights violations, no matter where they are.

me ka mana, Kau'i Young

**LATE**

**HB-2540-HD-2**

Submitted on: 3/22/2026 1:52:23 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Sharon Emery        | Individual          | Support                   | Written Testimony Only |

Comments:

I am very concerned about states surrendering power to THIS federal government. Please limit this as much as possible and support this bill

**LATE**

**HB-2540-HD-2**

Submitted on: 3/22/2026 1:53:35 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Calvin Black        | Individual          | Support                   | Written Testimony<br>Only |

Comments:

I am a member of Indivisible. Thank you for supporting this bill.

**LATE**

**HB-2540-HD-2**

Submitted on: 3/22/2026 1:55:19 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Jessica Kuzmier     | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha, I am writing in support of HB2540.

I believe that codifying that is against state law for law enforcement to be masked is a good idea. I have wondered how people are supposed to tell the difference between unidentified, masked law enforcement personnel from a criminal who intends them harm. I also believe it is vitally important that we stipulate in state law that state and county law enforcement should not be recruited to assist with immigration concerns, as well as not protect immigration officers over citizen nonviolent protesters. I believe that our local law enforcement's job is to protect us here in Hawaii. On this note, I also believe I agree that immigration status should not come up in any dealings between the local law enforcement and the public.

Mahalo for your consideration.

**HB-2540-HD-2**

Submitted on: 3/22/2026 2:52:12 PM

Testimony for PSM on 3/23/2026 3:00:00 PM



| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Karen Takamine      | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Please support this bill. Thank you!

**LATE**

**HB-2540-HD-2**

Submitted on: 3/22/2026 9:14:34 PM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Belinda Pate        | Individual          | Support                   | Written Testimony Only |

Comments:

I. Non-Cooperation is a Lawful and Necessary Exercise of State Power

HB 2540 HD1 rests squarely on the anti-commandeering doctrine, a foundational principle of American federalism. The United States Supreme Court has repeatedly held that while the federal government may enforce federal law, it may not compel states to use their resources, officers, or political subdivisions to do so. In *New York v. United States*, the Court made clear that Congress may not “commandeer the legislative processes of the States.”<sup>i</sup> In *Printz v. United*

Immigration enforcement is federal, governed by shifting priorities that state governments neither control nor supervise. When states entangle themselves in those efforts, they surrender authority over how their residents are policed while remaining legally liable. HB HD1 affirms that Hawai‘i will not be commandeered into service of federal programs that it does not direct and cannot meaningfully oversee.

Federal courts have consistently upheld this choice. In *United States v. California*, the Ninth Circuit reaffirmed that states are under no obligation to assist with federal immigration enforcement and may affirmatively restrict the use of state resources for that purpose without violating the Supremacy Clause.<sup>iii</sup> HB 2540 HD1 reiterates this.

Testimony in SUPPORT of HB2540 HD2

**LATE**

Senate Joint Committee on Public Safety and Military Affairs (PSM)  
and Energy and Intergovernmental Affairs (EIG)

Senator Carol Fukunaga, PSM Chair | Senator Chris Lee, PSM Vice Chair  
Senator Glenn Wakai, EIG Chair | Senator Stanley Chang, EIG Vice Chair

Hearing Date: March 23, 2026

Dear Chairs Fukunaga and Wakai, Vice Chairs Lee and Chang, and members of the Committees  
on Public Safety and Military Affairs and Energy and Intergovernmental Affairs,

My name is Jeremiah Brown, and I submit this testimony in strong **support of HB2540 HD2**,  
which requires state and county law enforcement agencies to establish and publicly post clear  
policies regarding cooperation with federal civil immigration enforcement and prohibits law  
enforcement officers from prolonging a stop to inquire about a person's civil immigration status.

HB2540 HD2 is important because clear, statewide standards prevent inconsistent and ad hoc  
practices that can lead to unnecessary detention, profiling, and erosion of community trust.  
Requiring transparent, written policies improves accountability and ensures agencies follow due  
process-based procedures rather than informal or discretionary immigration enforcement  
involvement.

This bill also strengthens public safety by setting limits on prolonging stops for civil immigration  
questioning. When immigrant and mixed-status families fear that routine contact with law  
enforcement can turn into immigration interrogation, they avoid reporting crimes and seeking  
help. Clear rules protect constitutional values, reduce fear, and support safer communities for  
everyone.

For these reasons, I respectfully request that the Committee **PASS HB2540 HD2**.

Mahalo for the opportunity to provide testimony.

Jeremiah Brown  
Waialua, Oahu

**LATE**

**HB-2540-HD-2**

Submitted on: 3/23/2026 11:02:18 AM

Testimony for PSM on 3/23/2026 3:00:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| John Wassell        | Individual          | Support                   | Written Testimony Only |

Comments:

The American Civil Liberties Union of Hawai‘i (“ACLU-HI”) writes in support of HB 2540, HD1 which limits state and federal collaboration in immigration enforcement operations and prohibits the deputization of federal agents for general policing.

At its core HB 2540 HD1 is about preserving Hawaii’s constitutional autonomy, protecting residents from civil rights violations, and ensuring that the State does not entangle itself—legally, financially, or morally—in federal enforcement schemes that are opaque, discriminatory, and increasingly unaccountable.

Across the country, states and local governments have learned—often through costly litigation—that cooperation with federal law enforcement is not neutral. When state or county agencies lend personnel, data, facilities, or credibility to federal operations, they also absorb the downstream consequences: exposure to civil liability, erosion of community trust, and complicity in actions that violate constitutional norms. HB 2540 HD1 reflects a decision to draw principled boundaries around such cooperation.

I support this measure.

JJ Wassell