

Honolulu, Hawaii

MAR 06 , 2026

RE: H.B. No. 1839
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1839, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO IMMIGRATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require state and county law enforcement agencies to notify an individual in custody of their rights before any civil immigration interview with the United States Immigration and Customs Enforcement may commence;
- (2) Designate all records relating to Immigration and Customs Enforcement access to detained individuals as public records; and
- (3) Require state and county law enforcement agencies that have provided such access within the previous year to hold two public forums per year.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawai'i Civil Rights Commission; one member of the Hawai'i County Council; Mercado de La Raza; Indivisible Hawai'i State Network; Stonewall Caucus of the Democratic Party of Hawai'i; Faith Action for Community Equity;



Democratic Party of Hawai'i; Nā Kama Kai; Roots Reborn; UNITE HERE Local 5; Hawai'i Coalition for Immigrant Rights; Indivisible Hilo; American Civil Liberties Union of Hawai'i; Public First Law Center; Fujiwara & Rosenbaum, LLC; Hawaii Filipino Lawyers Association; Green Party of Hawai'i; Waipahu Safe Haven Immigrant/Migrant Resource Service; Pride at Work - Hawai'i; The Legal Clinic; and numerous individuals. Your Committee received testimony in opposition to this measure from the Maui Police Department; Kaua'i Police Department; Hawai'i Police Department; and two individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that individuals in state or county custody often face significant confusion regarding their rights during civil immigration interviews, particularly when they may not fully understand the voluntary nature of the interview or their ability to request counsel. Your Committee further finds that limited public transparency regarding Immigration and Customs Enforcement access to detained individuals has contributed to community concern and reduced trust in local law enforcement. Your Committee believes that establishing clear notification requirements, public reporting, and mandatory community forums will enhance due process protections and strengthen public confidence in how civil immigration matters are handled statewide.

Your Committee has amended this measure by:

- (1) Adding a definition of "federal immigration authority" and replacing references to the United States Immigration and Customs Enforcement with "federal immigration authority";
- (2) Adding an explanation of rights afforded under the Fifth Amendment of the United States Constitution to the information provided in the written consent form;
- (3) Requiring law enforcement agencies to provide juveniles in their custody with a reasonable opportunity to contact a parent, guardian, or legal custodian;
- (4) Clarifying that records relating to a federal immigration authority's access to a detained individual are not subject to public records exemptions;



- (5) Clarifying that the community forums will be open to the public;
- (6) Requiring certain personal identifying information to be redacted;
- (7) Amending the definition of "law enforcement agency"; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1839, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1839, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB1839 HD1	Committee Referral: ECD, JHA	Date: 2/25/2026		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au				✓
4. COCHRAN, Elle	✓			
5. HASHEM, Mark J.	✓			
6. KAHALOA, Kirstin	✓			
7. SAYAMA, Jackson D.	✓			
8. TAKAYAMA, Gregg	✓			
9. GARCIA, Diamond			✓	
10. SHIMIZU, Garner M.			✓	
TOTAL (10)	7	0	2	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				