



OFFICE OF HAWAIIAN AFFAIRS

‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai

TESTIMONY IN SUPPORT OF HOUSE BILL 1768 HD1

RELATING TO GOVERNMENT OPERATIONS

Ke Kōmike ‘Aha Kenekoa o ka Ho‘okolokolo

(Senate Committee on Judiciary)

Ke Kapitala ‘o Hawai‘i

(Hawai‘i State Capitol)

‘Apelila 7, 2026

10:15 AM

Lumi 016

Aloha e Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB1768 HD1 SD1** which prohibits state and county law enforcement agencies and officials from entering into agreements that permit them to engage in federal immigration enforcement and limits certain immigration-related actions, except under narrow circumstances. This measure helps preserve clear boundaries between local public safety responsibilities and federal immigration enforcement, while supporting trust between residents and the institutions they rely on for safety, health, and stability.

OHA supports policies that protect access to essential services and strengthen public confidence in government systems. When residents fear that routine contact with local agencies may expose them or their family members to immigration enforcement, they may avoid reporting crime, seeking emergency assistance, appearing in court, or accessing health care, education, and other basic services. That erosion of trust undermines public safety for everyone. This bill addresses that concern by clarifying that local law enforcement should not be drawn into civil immigration enforcement except where required by law.

For Native Hawaiian communities, this issue also carries broader significance. Hawai‘i’s history reflects the harm that can result when government power is exercised without sufficient regard for dignity, fairness, and the protection of civil rights. Native Hawaiians have also experienced longstanding disparities in system contact and disproportionate impacts from policing and criminal legal enforcement. Measures that establish clearer constitutional guardrails, reduce fear, and maintain community trust in public institutions are therefore important to the well-being of OHA beneficiaries and to the broader public.

This bill also promotes sound governance. It preserves local resources for local priorities and helps ensure that state and county law enforcement agencies remain focused on enforcing state and county law, rather than assuming responsibilities tied to federal

immigration enforcement. By limiting inquiries, holds, transfers, and access for interview purposes of absent legal authority or meaningful consent, this measure sets clearer expectations that protect both individual rights and institutional integrity.

For these reasons, the Office of Hawaiian Affairs respectfully urges this Committee to **PASS HB1768 HD1 SD1**. Mahalo nui for the opportunity to provide testimony on this important measure.

JON N. IKENAGA
PUBLIC DEFENDER

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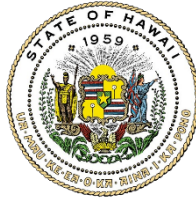
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April 6, 2026

HB 1768, HD1, SD1: RELATING TO IMMIGRATION

Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee on Judiciary:

The Office of the Public Defender (OPD) **supports** HB 1768 HD1 SD1 which prohibits state and county law enforcement agencies and officials from entering into agreements under 8 U.S.C. § 1357(g), or any other federal law permitting local participation in federal immigration enforcement, and further prohibits certain immigration-related actions.

This measure affirms Hawai'i's longstanding commitment to equal protection, dignity, and public safety by clearly delineating the appropriate boundaries between state and county law enforcement agencies and federal immigration enforcement authorities. As reflected in the bill's findings, entanglement between local law enforcement and federal immigration enforcement erodes trust in government institutions and undermines public safety for the entire community.

From the unique vantage point of the OPD, trust is essential to the fair and effective administration of justice. OPD represents indigent clients across the State, many of whom are immigrants or members of mixed-status families. When individuals fear that any contact with law enforcement, courts, or correctional facilities may expose them or their loved ones to immigration consequences, they are less likely to:

- Appear in court as witnesses or victims;
- Report crimes;
- Seek medical, social, or educational services; or
- Meaningfully participate in the judicial process.

This measure appropriately recognizes that public safety depends upon community trust. By prohibiting state and county law enforcement agencies from entering into federal immigration enforcement agreements under 8 U.S.C. § 1357(g), and by limiting certain immigration-related actions except as required by law, the bill reinforces that Hawai‘i’s law enforcement priorities are grounded in state and local public safety and not federal civil immigration enforcement.

The bill prohibits law enforcement agencies from:

- Inquiring into immigration status except as required by law;
- Honoring immigration “hold requests” absent legal authority;
- Transferring individuals to federal immigration authorities without a judicial warrant or determination of probable cause; and
- Providing non-public personal information in noncriminal matters except as required by law.

These provisions are consistent with constitutional safeguards and due process principles. Individuals in state or county custody should not be detained beyond their lawful release date based solely on administrative immigration requests. Requiring judicial authorization before transfer ensures that fundamental protections remain intact.

This bill does not prevent compliance with federal law where compliance is required. Rather, it provides needed clarity about what local agencies may and may not do. Such clarity benefits law enforcement officers, correctional staff, and the courts by reducing legal uncertainty and potential liability exposure.

For these reasons, the OPD **supports** this measure.

Thank you for the opportunity to comment.



Cade Watanabe, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Eric W. Gill, Senior Vice-President

April 3, 2026

Senate Committee on Judiciary
Sen. Karl Rhoads, Chair
Sen. Mike Gabbard, Vice Chair

Testimony in strong support of re: HB 1768

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

UNITE HERE Local 5 represents 10,000 working people in the hotel, food service and health care industries across Hawaii. The experiences of our sister locals elsewhere in the U.S., including Minneapolis, Los Angeles, and Washington DC, make clear to us that it is necessary to take action to rein in ICE and DHS across the country.

We stand in strong support of HB 1768. We do not want our union members, their families, or anyone else in our community to be targeted, terrorized, assaulted, kidnapped, or killed by government agents or anyone else. We do not want their rights to be violated. All people should be treated with respect and dignity.

This measure is an important step toward greater accountability and safeguarding the most vulnerable people in our community.

Thank you.



COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

HEARING:
Tuesday, April 7, 2026 at 10:15 am
Conference Room 016 & Videoconference

TESTIMONY **IN SUPPORT** OF HB 1768, HD1, SD1 - RELATING TO IMMIGRATION.

Aloha Chair Rhoads, Vice Chair Gabbard, 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 HB 1768, HD1, SD1**, Relating to Immigration, which prohibits any law enforcement agency or law enforcement official from entering into an agreement under federal law that permits state or county agencies to engage in immigration enforcement, and prohibits law enforcement agencies and law enforcement officials from engaging in certain immigration-related actions, except under limited circumstances.

Roots Reborn is a grassroots immigrant justice and disaster-response organization formed in the aftermath of the 2023 Maui wildfires. Since then, we have become essential infrastructure for immigrant residents navigating recovery, housing instability, and federal policy shifts. Trust is the foundation of safety in our communities — and today, that trust is eroding under the fear of federal overreach. Families skip work and school; patients decline medical care; congregants stay home from church. We hear from survivors of violence, including women and children, who are now afraid to seek help from local law enforcement. If law enforcement agencies or officials were to enter into agreements to engage in immigration enforcement, or were to engage in immigration-related actions, this would cause the expenditure of scarce local resources on federal activities when Maui is still recovering. It would also deteriorate trust in law enforcement that is already eroding due to increased federal immigration activity. House Bill 1768, HD1, SD1 is critical to restore confidence that Hawai'i's law enforcement serves and protects our communities — not federal operations that violate constitutional rights.

Our coalition's volunteer observers, trained to lawfully and peacefully document enforcement activity in public spaces, do so to promote transparency and accountability, values central to democracy. The tragic deaths of Renee Good and Alex Pretti, volunteer observers killed by federal agents in Minneapolis, underscore the stakes. Their story was told only because other observers were present to record the incident — a right protected under the First Amendment.

We are increasingly concerned about data-sharing between local law enforcement and federal agencies that could expose observers or community members to intimidation. Reports from the continent describe the use of facial recognition and license plate data to track and target individuals engaged in constitutionally protected activity. HB 1768, HD1, SD1 offers needed guardrails to prevent such misuse of local resources and protect both residents and those who defend their rights. **We urge your support for HB 1768, HD1, SD1**. Protecting local autonomy, civil rights, and community trust strengthens public safety for all.

Sinceramente,

A handwritten signature in black ink, appearing to read 'Veronica Mendoza', written over a faint, larger version of the signature.

Veronica Mendoza
Maui Roots Reborn, *Founding Executive Director*
El Pueblo en Accion Maui, *Founding Coalition Member*



APRIL 7, 2026

HOUSE BILL 1768 HD1 SD1

CURRENT REFERRAL: JDC

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Kris Coffield,
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Beatrice DeRego,
Director

Corey Rosenlee,
Director

Amy Zhao,
*Policy and Partnerships
Strategist*

POSITION: SUPPORT

Imua Alliance supports HB 1768 HD1 SD1, relating to immigration, which prohibits any law enforcement agency or law enforcement official from entering into an agreement under federal law that permits state or county agencies to engage in immigration enforcement; and prohibits law enforcement agencies and law enforcement officials from engaging in certain immigration-related actions, except under limited circumstances.

Imua Alliance is a Hawai‘i-based organization dedicated to ending sexual exploitation and gender-based violence, and ensuring survivors—regardless of immigration status—can access safety, services, and justice. Many victims of exploitation in the islands are migrants. To ensure their path to safety from sexual and gender harm, we must defend their fundamental rights.

The essential protections included in this bill reflect a longstanding principle of American federalism: states are not required to use their resources to carry out federal enforcement priorities. Courts have repeatedly recognized that the federal government cannot compel states to administer federal regulatory or enforcement programs, a doctrine commonly referred to as the anti-commandeering principle.

Hawai‘i is currently one of only eleven states without a 287(g) agreement, and this bill would permanently codify that protection in statute. This is particularly important given the rapid expansion of the 287(g) program nationwide. As of March 2026, Immigration and Customs Enforcement had signed 1,527 Memoranda of

Agreement with agencies in 39 states and two U.S. territories, representing a massive expansion of local participation in federal immigration enforcement. Many states—including California, Oregon, Washington, Illinois, New Jersey, Colorado, New Mexico, Maine, and Maryland—have enacted laws to ban or restrict participation in these agreements. This bill ensures that Hawai‘i continues to maintain clear boundaries between local policing and federal civil immigration enforcement.

This measure is also important because it protects due process. Civil immigration detainers are not judicial warrants; they are administrative requests. Courts have repeatedly found that detaining individuals solely based on civil immigration detainers without a judicial warrant can violate the Fourth Amendment. By requiring a judicial warrant before any detention or transfer related to immigration enforcement, this bill ensures that constitutional protections are respected and that individuals are not held without proper legal authority.

Equally important, this bill promotes transparency and accountability by designating certain Immigration and Customs Enforcement access records as public records and requiring agencies that provide federal immigration access to hold community forums. These provisions ensure that residents understand when and how state or county resources are being used for immigration enforcement and allow for public oversight and community input.

Finally, this bill is fundamentally about public safety. When immigrant and mixed-status families believe that local law enforcement is acting as an arm of federal immigration enforcement, they are less likely to report crimes, less likely to cooperate as witnesses, and less likely to seek emergency assistance. That makes entire communities less safe.

Hawai‘i has maintained relatively strong community trust precisely because state and county agencies have not been deputized as federal immigration agents. Recent data also show that immigration enforcement activity in Hawai‘i is increasing, with ICE arrests averaging about 20 per month in 2025, up from about 4 per month in 2024, with many arrests occurring in public spaces, courts, and workplaces. Strengthening clear boundaries between local law enforcement and federal immigration

enforcement will help preserve community trust and public safety for everyone in Hawai‘i.

Across the country, civil rights organizations have documented instances in which federal enforcement actions have raised concerns about surveillance, intimidation, and enforcement targeting constitutionally protected conduct. By ensuring that Hawai‘i’s law enforcement agencies cannot assist in operations that discriminate against vulnerable immigrant populations, this measure reinforces Hawai‘i’s commitment to civil liberties and democratic participation.

When immigration enforcement occurs in or near sensitive spaces, such as schools or healthcare facilities, families avoid seeking medical care, sending their children to educational institutions, or participating in legal proceedings due to fear of detention or deportation. This chilling effect undermines both public health and public safety. Policies limiting enforcement collaboration between local law enforcement and ICE have, therefore, been widely recognized as a way to ensure that communities can safely access essential services and participate fully in civic life.

Quantitative data dispels the myth that aggressive immigration enforcement is necessary for public safety. According to research by the Cato Institute and the American Immigration Council, immigrants—both documented and undocumented—are significantly less likely to commit crimes than U.S.-born citizens and are less likely to be incarcerated. Analysis of ICE data has shown that individuals accused of serious violent crimes make up a small fraction of immigration arrests, indicating that most enforcement actions do not target dangerous individuals.

According to U.S. Immigration and Customs Enforcement (ICE) annual enforcement reports, the agency conducts tens of thousands of interior arrests each year, with over 143,000 administrative arrests nationwide in FY 2023 and significant increases reported in FY 2024 and FY 2025. In Hawai‘i, ICE’s Honolulu Enforcement and Removal Operations office has historically reported several hundred arrests annually, but these numbers have almost certainly increased significantly over the past year, with the Trump Administration’s mandates on enhanced enforcement.

According to data compiled by the Transactional Records Access Clearinghouse (TRAC) at Syracuse University, a large share of people detained or arrested by Immigration and Customs Enforcement (ICE) have no criminal convictions or only minor offenses. TRAC reports that among ICE detainees, 48,377 out of 65,735 individuals—nearly three-quarters—had no criminal conviction, and among those with convictions, many were for minor offenses such as traffic violations or other low-level infractions. These findings illustrate that immigration enforcement frequently impacts individuals who pose no public safety threat and who are deeply embedded in families and communities.

Similarly, an analysis reported by FactCheck.org found that as ICE arrests increased in recent years, the share of people arrested with no U.S. criminal convictions or pending charges rose substantially. Approximately 43 percent of those detained by ICE in January 2026 had no criminal convictions or pending charges according to the publicly available—and often incomplete—ICE data, and that this proportion has grown over time, rising from roughly 22% early in the administration to over 40% today. Factcheck further noted that according to the Department of Homeland Security, about 29% of detainees had criminal convictions, underscoring that immigration enforcement increasingly targets people without criminal records. These data contradict the Trump administration's claims that enforcement is focused solely on individuals who have committed serious crimes

The protections afforded through this measure are firmly grounded in constitutional principles governing the relationship between the federal government and the states. The United States Supreme Court has repeatedly held that the federal government cannot compel states or state officials to carry out federal enforcement programs, a principle known as the anti-commandeering doctrine derived from the Tenth Amendment.

Additionally, the Court has also clarified the relationship between federal immigration authority and state enforcement. In *Arizona v. United States* (2012), the Court struck down several provisions of Arizona's immigration law because immigration enforcement is primarily a federal responsibility. At the same time, the decision reaffirmed that states retain discretion over how their own law enforcement resources are deployed and are not obligated to assist federal immigration enforcement.

Hawai‘i is one of the most diverse states in the nation, and immigrant communities are deeply woven into the fabric of our islands. According to the U.S. Census Bureau, approximately 18 percent of Hawai‘i residents are immigrants, and roughly one in five children in the state lives in a household with at least one immigrant parent. These families contribute to Hawai‘i’s workforce, cultural life, and economy across every sector, from health care and agriculture to tourism and lifelong learning.

Hawai‘i has long embraced policies grounded in community trust, fairness, and respect for civil liberties. Maintaining clear lines between federal enforcement priorities and state law enforcement responsibilities upholds those values, while preserving Hawai‘i’s authority over the use of its own resources.

The people of Hawai‘i should determine how state resources are used within our communities. By reaffirming those boundaries, the legislature can align our public safety policies with Hawai‘i’s traditions of mālama, mutual respect, and aloha for all.

With aloha,

Kris Coffield

President, Imua Alliance



TESTIMONY IN SUPPORT OF HB1768, HD1, SD1 - RELATING TO IMMIGRATION

Senate Committee on Judiciary

Sen. Karl Rhoads, Chair

Sen. Mike Gabbard, Vice Chair

Hearing Date: April 7, 2026 | Letter Date: April 6, 2026

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Legal Clinic (TLC) strongly supports HB1768, HD1, SD1 which establishes critical guardrails limiting state and county law enforcement participation in federal civil immigration enforcement. As a nonprofit organization dedicated to advancing immigrant justice across Hawai'i through immigration legal services, education, and advocacy, we understand that public safety is strengthened when immigrant communities trust local law enforcement.

Local entanglement with federal civil immigration enforcement undermines trust, discourages crime reporting, and ultimately makes communities less safe. Moreover, detaining individuals based solely on civil immigration detainers raises serious constitutional concerns and exposes the state and counties to potential liability. HB1768, HD1, SD1 addresses these concerns by prohibiting state and county law enforcement agencies from entering into agreements to carry out federal civil immigration enforcement, and by restricting certain immigration-related activities, including collecting or sharing sensitive information and honoring immigration detainer or transfer requests without judicial authorization.

HB1768, HD1, SD1 aligns Hawai'i with other states that have enacted similar policies to protect community trust and constitutional rights, including Oregon, California, Illinois, Washington, New Jersey, and New Mexico. This bill promotes due process and community safety and helps ensure that Hawai'i's law enforcement resources remain focused on Hawai'i's priorities. We urge the Committee's support.

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

Christina Sablan

Community & Policy Advocate

**Testimony of Hawaii Filipino Lawyers Association (HFLA)
In SUPPORT of HB1768 HD1 SD1**

Senate Committee on Judiciary (JDC)

Chair: Sen. Karl Rhoads

Vice Chair: Sen. Mike Gabbard

Hearing Date: April 7, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Wilfredo Tungol, HFLA Advocacy Committee chair. HFLA submit this testimony in **support of HB1768 HD1 SD1**, which prohibits law enforcement agencies and officials from entering into 287(g) immigration enforcement agreements, prohibits certain immigration-related actions without a judicial warrant, designates ICE access records as public records, and requires agencies providing ICE access to hold two public community forums per year.

HFLA support transparency and protecting due process rights of our immigrants in our community.

HB1768 HD1 SD1 is a public safety and community trust bill. Hawai‘i is one of only 11 states without a 287(g) agreement — this bill permanently codifies that protection. When communities trust that local law enforcement is not an extension of federal civil immigration enforcement, they report crime, cooperate as witnesses, and seek help during emergencies. The judicial warrant requirement ensures that civil immigration detainers — which are administrative requests, not judicial warrants — cannot be the sole basis for detention and transfer.

The transparency provisions give communities the tools to verify that state resources are not being used for civil immigration enforcement. Having passed the House with broad sponsor support and the Senate PSM/EIG committee, this bill comes before Senate Judiciary for the final policy committee vote before the floor. I urge the Committee to advance it.

For these reasons, I respectfully request that the Committee **PASS HB1768 HD1 SD1**.

Mahalo for the opportunity to provide testimony.

Sincerely,

Wilfredo Tungol
HFLA Advocacy Chair
808-387-7412



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Testimony of Liza Ryan-Gill

In SUPPORT of HB1768 HD1 SD1

Hearing Date: April 7, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Liza Ryan-Gill, and I submit this testimony on behalf of the Hawai‘i Coalition for Immigrant Rights (HCIR). HCIR is a statewide 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. I serve as Co-director and Refounder of HCIR, and I have spent years working alongside immigrant communities across these islands — listening to their fears, documenting their needs, and advocating for policies that allow them to live with dignity and without fear.

We submit this testimony in **STRONG SUPPORT** of HB1768 HD1 SD1, which prohibits law enforcement agencies and officials from entering into 287(g) immigration enforcement agreements, prohibits certain immigration-related actions without a judicial warrant, designates ICE access records as public records, and requires agencies providing ICE access to hold two public community forums per year.

HB1768 HD1 SD1 is a public safety and community trust bill.

Across the pae ‘āina, HCIR's member organizations hear the same story every day: immigrant and mixed-status families are afraid to report crimes, call 911, cooperate with law enforcement as witnesses, or seek emergency help — not because of anything they have done, but because they fear that any contact with local law enforcement could expose them or their loved ones to federal immigration enforcement. Survivors of domestic violence, sexual assault, and trafficking are among the most vulnerable. When they cannot safely seek help, everyone is less safe. That is not a hypothetical risk. It is the reality our coalition members are witnessing in real time.

Hawai‘i is one of only 11 states without a 287(g) agreement – agreements in which local law enforcement is deputized to conduct federal immigration enforcement – with ICE. This bill permanently codifies that protection in statute and adds critical due process protections by requiring a judicial warrant before any detention or transfer to federal immigration authorities. Civil immigration detainers are administrative requests, not judicial warrants. Honoring them without judicial authorization has repeatedly been found to violate the Fourth Amendment, and



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jurisdictions across the country have paid significant settlements for doing so. HB1768 HD1 SD1 protects Hawai'i taxpayers and state agencies from that exposure.

The judicial warrant requirement and the prohibition on 287(g) agreements are not radical positions. They are the baseline requirements of constitutional policing. They are also consistent with what courts have affirmed: in *United States v. California*, the Ninth Circuit made clear that states may, consistent with the 10th amendment of the constitution, restrict the use of state resources for federal immigration enforcement without violating the Supremacy Clause. In doing so, the Ninth Circuit *rejected* the federal government's argument that non-cooperation with the federal government amounted to obstruction. States are not required to do the federal government's job — and Hawai'i should not start now.

The transparency provisions of this bill — designating ICE access records as public and requiring community accountability forums — give residents the tools to know when and how state resources are being used in connection with federal immigration enforcement. These provisions reflect Hawai'i's values of accountability, fairness, and respect for civil liberties. They ensure that even in cases where ICE access is permitted under limited circumstances, communities are informed and have a voice.

HB1768 is not alone in reflecting this commitment. California, Oregon, Illinois, Washington, New Jersey, and New Mexico have enacted similar policies, reflecting a growing national consensus that state and local agencies must preserve public safety institutions as distinct from federal civil immigration enforcement. Hawai'i belongs in that company — and this bill ensures we stay there.

Having passed the House with broad bipartisan support and cleared the Senate PSM/EIG committee, HB1768 HD1 SD1 now comes before Senate Judiciary for the final policy committee vote before the floor. HCIR and our 30+ member organizations urge this Committee to advance it.

For these reasons, the Hawai'i Coalition for Immigrant Rights respectfully requests that the Committee PASS HB1768 HD1 SD1.

Mahalo for the opportunity to provide testimony.

Liza Ryan-Gill

Co-director and Refounder
Hawai'i Coalition for Immigrant Rights



Fujiwara & Rosenbaum, LLLC

*Alahea Corporate Tower
1100 Alahea St., Fl. 20, Suite B
Honolulu, Hawaii 96813*

LATE

Senate Committee on Judiciary

DATE: Tuesday, April 7, 2026, **10:15 AM, Conf. Rm. 016**

Re: Testimony Of Fujiwara & Rosenbaum, LLLC, in **STRONG SUPPORT** of **H.B. NO. 1768, H.D. 1, S.D. 1, Relating to Immigration**

Chair Rhoads, Vice-Chair Gabbard and Members of the Committee:

Fujiwara & Rosenbaum, LLLC submits this testimony in **strong support** of H.B. No. 1768, H.D. 1, S.D. 1, which would prohibit state and county law enforcement agencies from entering into federal immigration enforcement agreements and bar those agencies from engaging in specified immigration-related actions. **We respectfully urge this Committee to pass this measure with a meaningful effective date.**

I. Interest of Fujiwara & Rosenbaum

Fujiwara & Rosenbaum is a civil rights law firm, originally established in 1986, that serves the people of Hawai'i. Our practice puts us in direct, daily contact with working people who face retaliation, exploitation, and abuse on the job. Many of them are immigrants or members of immigrant families.

II. The Senate Committees Correctly Identified the Core Problem

The Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs correctly found that when state and county agencies "lend personnel, data, facilities, or credibility to federal operations, they also absorb many of the consequences of the federal operations, including civil liability, erosion of community trust, and complicity in actions that violate constitutional norms." The Committees further recognized that when states entangle themselves in federal immigration enforcement, they "surrender authority over how their residents are policed while remaining legally liable and morally culpable for the outcomes."

We see the consequences of this entanglement in our practice every day. Workers who fear that any interaction with government could lead to immigration consequences do not report wage theft. They do not report sexual harassment. They do not report unsafe working conditions or race-based abuse. The legislature has rightly found that "immigrants are valuable and essential members of the community and should be able to live full and productive lives without fear of the government." When that fear is present, civil rights law becomes unenforceable for an entire class of Hawai'i's residents, and abusive employers face no accountability.

III. This Bill Contains Strong, Carefully Tailored Protections

This measure prohibits law enforcement agencies from entering into agreements under [8 U.S.C. § 1357\(g\)](#) or any other federal law permitting state or county involvement in immigration enforcement. It prohibits law enforcement from inquiring about immigration status except where required by law or connected to a state or county criminal investigation, from providing non-publicly available personal information to federal immigration authorities in noncriminal matters, from detaining individuals on the basis of a federal hold request, and from transferring individuals to federal immigration authorities absent a judicial warrant or judicial determination of probable cause.

These provisions are appropriately balanced. They preserve law enforcement's ability to conduct legitimate criminal investigations while drawing a clear line against the use of Hawai'i's resources for civil immigration enforcement. The bill does not limit any officer's authority to enforce state or county law. It simply ensures that Hawai'i's officers remain focused on Hawai'i's priorities.

IV. This Bill Matters for Workers' Rights and Police Accountability

In our decades of litigating police brutality and civil rights cases, we know that unchecked government authority invites abuse. The Senate committees recognized this: when states participate in federal immigration enforcement "governed by shifting priorities that state governments neither control nor supervise," they expose themselves to civil liability and constitutional violations.

Workers in Hawai'i, particularly those in hospitality, agriculture, and construction, are already vulnerable to exploitation. Without these protections, an employer who threatens to "call immigration" on a worker reporting discrimination wields a weapon backed by the full weight of local law enforcement cooperation. This bill disarms that threat. It ensures that the workers who pick our food, clean our hotels, and build our homes can report violations of law without risking deportation.

The broad coalition supporting this measure reflects a deep consensus across Hawai'i that local law enforcement should remain focused on local public safety and that all residents deserve equal protection under the law.

V. Conclusion

Fujiwara & Rosenbaum, LLC **urges this Committee to pass H.B. No. 1768, H.D. 1, S.D. 1, with a meaningful effective date.** The current effective date of July 1, 2055, was inserted to encourage further discussion. That discussion has now occurred across four committees and two chambers, with overwhelming support and minimal opposition. It is time to give this bill the force of law. Hawai'i's immigrant workers and their families should not have to choose between asserting their civil rights and risking deportation. This bill keeps that choice from ever being forced upon them.

Mahalo for this opportunity to testify.



LATE

Committee: Senate Committee on Judiciary
Hearing Date/Time: Tuesday, April 07, 2026, at 10:15 AM
Place: Conference Room 016 & via Videoconference
Re: Testimony of the ACLU of Hawai'i in SUPPORT of HB 1768
HD1 SD1 Relating to Immigration

Dear Chair Rhoads, Vice Chair Gabbard, and members of the Committee:

The ACLU of Hawai'i ("ACLU-HI") is in **strong support of HB 1768, HD1, SD1**, which prohibits law enforcement from participating in agreements pursuant to 8 U.S.C. § 1357(g)—also known as 287(g) agreements—or any other law that permits state or county agencies to engage in immigration enforcement.

HB 1768, HD1, SD1 affirms 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**. This measure reflects a decision to draw principled boundaries around such cooperation.

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

The basis for HB 1768, HD1, SD1 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."ⁱ 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.** This measure 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

II. 287(g) Agreements Create 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 1768, HD1, SD1 reduces the likelihood that Hawai‘i taxpayers will bear a similar liability.

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

This measure 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 1768, HD1, SD1 ensures that Hawaii’s constitutional commitments are not undermined. **This 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.

Mahalo for the opportunity to submit this testimony.

Sincerely,



Mandy Fernandes
Policy Director
ACLU of Hawai‘i

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.

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

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

ⁱⁱⁱ *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>.

^{iv} *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.

^v 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)).

^{vi} *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>.

HB-1768-SD-1

Submitted on: 4/1/2026 2:34:45 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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 HB1768, which prohibits any law enforcement agency or official in Hawai‘i from entering into agreements under federal law that permit state or county agencies to engage in immigration enforcement. It also prohibits law enforcement from engaging in specified immigration-related actions except under limited circumstances.

This bill is a critical step toward ensuring that our local police remain focused on public safety and community trust, rather than being conscripted into federal immigration enforcement.

Hawai‘i Should Not Deputize Local Police as Federal Immigration Agents

HB1768 targets so-called "287(g) agreements," which are authorized under Section 1357(g) of Title 8 of the United States Code. These agreements allow the federal government to deputize state and local law enforcement officers to perform immigration enforcement functions. Hawai‘i is currently one of only **11 states in the entire country** that does not already have this type of agreement with U.S. Immigration and Customs Enforcement. We should keep it that way.

When local police are perceived as immigration enforcement agents, it erodes trust between law enforcement and immigrant communities. Victims and witnesses of crime become afraid to come forward, report offenses, or cooperate with investigations simply because they fear immigration consequences. This makes our entire community less safe. HB1768 ensures that our police officers can focus on their primary mission: protecting and serving all residents of Hawai‘i, regardless of immigration status.

The Bill Is Part of a Broader, Thoughtful Legislative Package

HB1768 is one of several immigration-related measures advancing this session in response to the increasingly aggressive federal immigration enforcement tactics we have witnessed across the country. As House Judiciary Chair David Tarnas has noted, these bills were drafted in close collaboration with advocates, the Attorney General, and immigration attorneys to address serious concerns facing our communities.

The bill works in concert with other measures, including HB1870 (protecting sensitive locations like schools and hospitals from immigration enforcement), HB1839 (requiring notice of rights

before ICE interviews), and HB1886 (restricting police participation in federal task forces that could lead to deportation). Together, these bills create a comprehensive framework that protects constitutional rights while respecting the lawful authority of federal immigration officials armed with judicial warrants.

The Need for These Protections Has Never Been Clearer

As Senator Karl Rhoads has observed, the difference between this year and last is the ramped-up federal crackdown on immigrants. The January 2025 rescission of the federal "sensitive locations" policy—which had previously limited ICE actions at schools, hospitals, and churches—has created urgent need for state-level protections. Events like the shooting of two U.S. citizens in Minnesota who were observing and protesting federal immigration actions have served as "a pretty crystallizing event" for lawmakers.

Advocates and community members have already documented a "chilling effect" on immigrant communities, with people afraid to attend court proceedings, check in with probation officers, or report crimes. This fear undermines public safety for everyone.

This Bill Is Legally Sound and Respects Federal Authority

Importantly, HB1768 does not attempt to stop federal agents from executing valid judicial warrants. As advocates have made clear, "If Immigration and Customs Enforcement comes with a judicial warrant, there is nothing we can pass or do that can stop them from executing that warrant." What this bill does is ensure that state and local resources are not commandeered for civil immigration enforcement purposes that fall outside our officers' core mission and expertise.

The bill has undergone careful legal review to ensure it protects states' rights while not inappropriately limiting federal agents in carrying out their assigned responsibilities. This careful approach reflects the seriousness with which the House Judiciary Committee has approached this legislation.

Community Support Spans a Wide Range of Organizations

HB1768 is supported by the ACLU of Hawai'i, the Hawai'i Coalition for Immigrant Rights, The Legal Clinic, and numerous other advocates who have worked for years to advance immigrant protections. Governor Josh Green has also expressed support for fast-tracking a package of immigration-related bills, stating that "anything that states can do to make it clear that we're standing up against this kind of violence and that we're protecting people, is the right thing to do."

HB1768 is a measured, necessary response to federal immigration policies that have created fear and uncertainty in our communities. By prohibiting 287(g) agreements and limiting local participation in immigration enforcement, this bill protects public safety, preserves community trust, and ensures that our police can focus on their proper role. Hawai'i has never had these agreements, and we should not start now.

I urge this Committee to pass HB1768.

Thank you for the opportunity to testify.

HB-1768-SD-1

Submitted on: 4/1/2026 3:14:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Amanda Christie	Individual	Support	Written Testimony Only

Comments:

Testimony of Amanda Christie

In SUPPORT of HB1768

The Senate Judiciary Committee

Senator Karl Rhoads

Dear Chair Rhoads and members of the Senate Judiciary Committee,

My name is Dr. Amanda Christie. Today, I am writing to submit testimony in support of HB1768, which prohibits any law enforcement agency or law enforcement official from entering into an agreement under federal law that permits state or county agencies to engage in immigration enforcement.

I am a current resident of Makiki. I am also a long-time ELA and social studies educator. My classrooms are often full of students who are either immigrants themselves or children of immigrants. In my work as an educator, I also frequently partner with community organizations like the Hawai'i Coalition for Immigrant Rights.

As a high school teacher, teaching a population made up of many first and second generation immigrants, I have spent the past year facing a growing sense of fear. I wake up with the fear that at any point in my day, armed agents may descend upon my classroom and detain any number of my students – innocent children, excited to learn and live in safety and care. I watch in concern as violent immigration enforcement encounters increasingly unfold on streets, in stores, in churches, and in schools across the United States, and recently, close to home across coffee farms on the Big Island.

I support HB1768 because Hawai'i agencies should not be used to facilitate unlawful or discriminatory actions, including partnerships with ICE that can lead to frightening over-reach – i.e. moving into schools, churches, and peaceful gatherings in order to violently approach and detain innocent community members. This bill reinforces core constitutional values: especially lawful authority and equal protection. HB1768 also protects the integrity of Hawai'i institutions by ensuring local law enforcement agencies are not drawn into activities that undermine public trust or civic participation.

For these reasons, I respectfully request that the Committee PASS HB1768.

Mahalo for the opportunity to provide testimony.

Sincerely,

Amanda Christie

HB-1768-SD-1

Submitted on: 4/1/2026 4:06:30 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

I am writing in strong support of HB1768, HD1, SD1.

Jessica Hatcher

HB-1768-SD-1

Submitted on: 4/1/2026 7:43:42 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kehaulani Coleman	Individual	Support	Written Testimony Only

Comments:

Thank you

HB-1768-SD-1

Submitted on: 4/1/2026 8:26:40 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Brandt	Individual	Support	Written Testimony Only

Comments:

Support

HB-1768-SD-1

Submitted on: 4/1/2026 8:27:53 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

in support

HB-1768-SD-1

Submitted on: 4/1/2026 9:19:56 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Mariana Monasi	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing today in strong support of HB 1768. Our state and local agencies must create barriers for federal fascism to face obstacles in Hawaii. Minimally what we can do is prevent our local agencies from helping so called federal agents with their tasks of brutal human trafficking. I am in strong support of this bill because it would limit local law enforcement's participation in civil immigration enforcement across the state. We have seen drafted MOUs with police departments that will just further erode trust between the public, and the government and the public and law enforcement. This bill will help keep our communities safe, please support it.

HB-1768-SD-1

Submitted on: 4/1/2026 10:01:28 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

As a retired police officer, I very strongly support HB1768. State-certified police officers have no authority to enforce federal law. Local police officers are busy enough enforcing city ordinances and state statutes; they don't have time to do federal law enforcement's job too.

HB-1768-SD-1

Submitted on: 4/1/2026 10:01:44 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
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-1768-SD-1

Submitted on: 4/1/2026 10:03:21 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Cory Harden	Individual	Support	Written Testimony Only

Comments:

member, Indivisible

HB-1768-SD-1

Submitted on: 4/2/2026 2:34:03 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanani Kai	Individual	Support	Written Testimony Only

Comments:

HB1768 PROHIBIT 287(g) AGREEMENTS

I am writing in **STRONG SUPPORT** of HB1768 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the Hawaii Revised Statutes. HB1768 would prohibit law enforcement agencies in Hawaii from entering an agreement to assist federal agencies with immigration enforcement as provided in Title 8 U.S.C. §1357, also known as 287(g) agreements. It would also prohibit other actions by state or local law enforcement officials in aid of federal immigration enforcement.

This bill is necessary to assure that our law enforcement agencies and personnel do not become complicit in the type of unlawful, indiscriminate and violent immigration sweeps federal agencies are currently conducting. Hawaiian communities practice the spirit of aloha and cherish our ohanas and neighbors. Federal enforcement under this administration does not share our values, and our law enforcement officers should not be delegated to assist them.

Because it is reported that making 287(g) agreements with Hawaiian agencies is a federal priority passage of HB1768 is needed urgently to protect law enforcement on all the islands from being pressured into an unholy alliance with ICE.

Mahalo for the opportunity to testify on this important matter.

Kanani Kai

Member Indivisible Hawaii.

HB-1768-SD-1

Submitted on: 4/2/2026 8:01:19 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lily Troy MD	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1768 both personally and as a member of the Indivisible Hawaii State Network

I DO NOT FEEL ANY PERSON SHOULD BE MISTREATED OR TERRORIZED BY LAW ENFORCEMENT! I FEEL IT WILL ONLY START TO ENCOMPASS MORE POPULATIONS IF WE ALLOW THIS TO HAPPEN TO ANYONE

HB-1768-SD-1

Submitted on: 4/2/2026 8:36:48 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Thank you. I am a member of Indivisible Windward.

HB-1768-SD-1

Submitted on: 4/2/2026 9:16:48 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Marcela Montalto	Individual	Support	Written Testimony Only

Comments:

Limiting collaboration with federal immigration enforcement and prohibiting 287(g) agreements is essential to protect community trust, civil rights, and public safety. These agreements deputize local law enforcement to perform federal immigration functions, which can deter immigrant families from reporting crimes, seeking help, or cooperating with police. By ending 287(g) partnerships, this bill helps ensure local resources remain focused on community policing and public safety rather than federal immigration enforcement.

HB-1768-SD-1

Submitted on: 4/2/2026 11:24:52 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

I am writing in strong support of HB1768 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the Hawaii Revised Statutes. HB1768 would prohibit law enforcement agencies in Hawaii from entering an agreement to assist federal agencies with immigration enforcement as provided in Title 8 U.S.C. §1357, also known as 287(g) agreements. It would also prohibit other actions by state or local law enforcement officials in aid of federal immigration enforcement.

This bill is necessary to assure that our law enforcement agencies and personnel do not become complicit in the type of unlawful, indiscriminate and violent immigration sweeps federal agencies are currently conducting. Hawaiian communities practice the spirit of aloha and cherish our ohanas and neighbors. Federal enforcement under this administration does not share our values, and our law enforcement officers should not be delegated to assist them.

Because it is reported that making 287(g) agreements with Hawaiian agencies is a federal priority passage of HB1768 is needed urgently to protect law enforcement on all the islands from being pressured into an unholy alliance with ICE.

Thank you for the opportunity to testify on this important matter.

Gail Morrison, Honolulu

HB-1768-SD-1

Submitted on: 4/3/2026 10:51:27 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
David Ball	Individual	Support	Written Testimony Only

Comments:

To the Members of the Committee,

I am writing in strong support of HB1768. We have seen alarming national coverage of the dangers that unchecked federal enforcement of immigration law can have for our local law enforcement officials, many of whom serve our communities bravely and responsibly. The reckless actions of this federal administration demand that we strive for absolute transparency and accountability from those pledged to enforce our laws. This bill has my strong support, and will only strengthen our community's faith and trust in our local law enforcement officers as well. Mahalo nui loa for your and the committee's strong support of good government, ethics, and accountability legislation throughout this session.

Sincerely yours,

David Ball

Waialae-Kahala

HB-1768-SD-1

Submitted on: 4/3/2026 12:33:32 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

I'm writing in strong support. Thank you!

HB-1768-SD-1

Submitted on: 4/3/2026 2:13:04 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Brodie Lockard	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-1768-SD-1

Submitted on: 4/3/2026 5:01:54 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
john savino	Individual	Support	Written Testimony Only

Comments:

I SUPPORT HB1768 - limit collaboration with feds, prohibit 287(g) agreements

TESTIMONY OF DAMON BOREN

BEFORE THE SENATE COMMITTEE ON JUDICIARY

H.B. 1768, S.D. 1 - RELATING TO IMMIGRATION

Position: Support

Hearing Date: Tuesday, April 7, 2026

Time: 10:15 a.m.

Place: Conference Room 016 & Videoconference

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

My name is Damon Boren, and I submit this testimony in my individual capacity as an Oahu resident and as a member of an immigrant family. My views are my own and do not represent my employer or any government agency. I support H.B. 1768, S.D. 1.

In my work, I see how much trust matters. Families decide whether to answer the phone, open the door, or come to an appointment based on whether they believe the person or agency contacting them is safe to engage with. When families are afraid that a routine interaction could turn into an immigration issue, many stop reaching out at all.

That fear does not stay contained to one issue. It can make people less likely to report abuse, seek medical care, cooperate with schools, or ask for help when a family is in crisis. A 2024 National Bureau of Economic Research study found that when local law enforcement information-sharing with federal immigration authorities expanded under the Secure Communities program, Hispanic victims were 30 percent less likely to report crimes to police. When that happens, the harm reaches children, public health, and the public systems Hawaii depends on.

I support this bill because it helps create clearer boundaries between local services and federal civil immigration enforcement. State and county agencies work best when communities can trust them. If people are afraid that contact with local government could carry unpredictable immigration consequences, those systems become less effective for everyone.

I also think this bill is a reasonable safeguard. Requiring clearer limits on status inquiries and requiring judicial authorization before transfer to federal immigration authorities helps protect both community trust and basic constitutional standards.

For me, this issue is also personal. I grew up in an immigrant family, and I know how quickly fear can shape whether people ask for help or stay silent. I do not think families should have to choose between getting support and worrying about what that contact could lead to.

I respectfully urge the Committee to pass H.B. 1768, S.D. 1.

Thank you for the opportunity to testify.

Respectfully submitted,

Damon Boren
Oahu Resident

HB-1768-SD-1

Submitted on: 4/4/2026 9:47:31 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Committee,

I am writing today in **strong support of HB 1768** HD1.

Our state and local agencies must protect citizens by creating barriers for federal agents to operate in Hawaii by preventing our local agencies from helping federal agents.

I am in strong support of this bill because it would limit local law enforcement's participation in civil immigration enforcement across the state. We have seen drafted MOUs with police departments that will just further erode trust between the public, and the government and the public and law enforcement. This bill will help keep our communities safe, please support it.

mahalo for the opportunity to testify,

Kaleiheana Stormcrow

HB-1768-SD-1

Submitted on: 4/4/2026 10:02:26 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

I am writing in strong support of HB1768 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the Hawaii Revised Statutes. HB1768 would prohibit law enforcement agencies in Hawaii from entering an agreement to assist federal agencies with immigration enforcement as provided in Title 8 U.S.C. §1357, also known as 287(g) agreements. It would also prohibit other actions by state or local law enforcement officials in aid of federal immigration enforcement.

This bill is necessary to assure that our law enforcement agencies and personnel do not become complicit in the type of unlawful, indiscriminate and violent immigration sweeps federal agencies are currently conducting. Hawaiian communities practice the spirit of aloha and cherish our ohanas and neighbors. Federal enforcement under this administration does not share our values, and our law enforcement officers should not be delegated to assist them.

Because it is reported that making 287(g) agreements with Hawaiian agencies is a federal priority passage of HB1768 is needed urgently to protect law enforcement on all the islands from being pressured into an unholy alliance with ICE.

Thank you for the opportunity to testify on this important matter. Jane Aquino, Indivisible. Hawaii

HB-1768-SD-1

Submitted on: 4/4/2026 1:28:39 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Comment:

The bill clarifies that state and county law enforcement should focus on local public safety, not federal immigration enforcement. This helps everyone feel safer when talking to police, reporting crimes, or asking for help. Public safety depends on law-abiding people working together, which can only happen when there is no fear.

Many people across the country feel uncertain and vulnerable. This measure helps ensure that Hawaii remains a place where people do not live in fear and where law enforcement can serve and protect everyone.

HB-1768-SD-1

Submitted on: 4/4/2026 1:35:32 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Aloha, I am writing in support of HB1768. I believe it is important to codify this into state law to protect the independence of our local law enforcement officers, and to explicitly say that participation in immigration raids with federal law enforcement is not part of their job description. Mahalo for your consideration.

Eileen Cain
720 Mahi'ai St., Apt. E
Honolulu, Hawai'i 96826-5635
eileencaïn808@gmail.com
April 4, 2026

Senator Karl Rhoads, Chair, Senate Committee on Judiciary
Senator Mike Gabbard, Vice Chair
and Members of the Senate Committee on Judiciary

Aloha, Senators,

I am submitting this testimony in Favor of HB1768 HD1 SD1, Relating to Immigration.

We all need to be sure that Hawai'i law enforcement officers are not caught up in or complicit in any way with illegal activities of federal agents. Such actions have often been unconstitutional. This bill would forbid our law enforcement agencies in Hawaii from entering into any agreement to assist federal agencies with immigration enforcement.

We don't want 'ohana members to be torn from each other by immigration agents, especially agents who are trying to meet quotas for deportation.

Please vote yes on HB1768 HD1SD1.

Mahalo and Aloha,

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

HB-1768-SD-1

Submitted on: 4/5/2026 6:03:18 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

I continue to strongly support this bill.

Please pass this bill prohibiting law enforcement in Hawaii from entering into 287(g) agreements with the Federal Government.

This bill is necessary to assure that our law enforcement agencies and personnel do not become complicit in the type of unlawful, indiscriminate and violent immigration sweeps federal agencies are currently conducting. Hawaiian communities practice the spirit of aloha and cherish our ohanas and neighbors. Federal enforcement under this administration does not share our values, and our law enforcement officers should not be delegated to assist them.

Thank you.

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

HEARING:

Tuesday, April 7, 2026 at 10:15 am
Conference Room 016 & Videoconference

TESTIMONY IN SUPPORT OF HB 1768, HD1, SD1 - RELATING TO IMMIGRATION.

Aloha Chair Rhoads, Vice Chair Gabbard, 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 HB 1768, HD1, SD1**, Relating to Immigration, which prohibits any law enforcement agency or law enforcement official from entering into an agreement under federal law that permits state or county agencies to engage in immigration enforcement and prohibits law enforcement agencies and law enforcement officials from engaging in certain immigration-related actions, except under limited circumstances.

I am a Know Your Rights volunteer educator and constitutional protector. I have trained teachers and students, business owners and union members, faith leaders and health care providers, as well as parents and senior citizens on their constitutional rights, that these rights apply to all within the United States regardless of citizenship status, and ways to ensure these rights are protected. I have taught them to prepare themselves, their staff, and their places of work or community service for interactions with federal agents. I am also a constitutional observer, through which I engage in First Amendment-protected documentation of federal agent activity to ensure that people's Constitutional rights are not violated.

The images we have seen on the news and in social media of aggressive, untrained, unmasked, unbadged federal agents attacking citizens and noncitizens alike has eroded trust in law enforcement. Community members are concerned that our local police are collaborating with federal agencies on immigration enforcement. Statewide, there have been reports that victims of sexual and domestic violence, some of our most vulnerable community members, are afraid to call the police for protection because of fear that it may result in the victim being detained by federal agents for immigration matters instead.

People are afraid to go to school and work due to fear of getting swept up in immigration enforcement raids that, in a reversal of long-standing policy, now focus on law-abiding members of our communities. Our friends and family members, the parents of children at our schools, spouses of our neighbors, and owners of small businesses we frequent and depend upon are being detained. I have witnessed families torn apart. The federal government's attacks on immigrants have expanded to detentions based on the color of people's skin, the work they do, and the way that they speak. We are all at risk when federal agents engage in racial profiling. Attacks on people engaged in constitutionally protected First Amendment recording of law enforcement or in peaceful protest have escalated to the use of chemical deterrents on children and families and the murder of two people.

I strongly support HB 1768, HD1, SD1, because it ensures that our local enforcement agencies protect the communities they serve and do not engage in immigration activities beyond the scope of their authority. House Bill 1768, HD1, SD1 also preserves the historical separation between local law enforcement and federal immigration enforcement responsibilities. As an attorney, I feel obligated to

remind the members of the Committee that federal law does not require state or local entities to collect or share information with federal agents conducting immigration enforcement or infringing upon people's First Amendment rights. Our law enforcement agencies have neither the personnel nor the funding to be deputized to undertake such federal functions. To do so would interfere with the primary responsibility of our law enforcement agencies, which is to maintain the trust and confidence of the residents that live here by clearly delineating their role as public safety officers. When state and local law enforcement agencies blur the lines by getting involved with federal agents in immigration matters, immigrants will not come forward as witnesses in criminal investigations, and women will feel that they cannot report domestic or sexual violence. Collaboration between local law enforcement and federal immigration agents chills our relationship with local law enforcement agencies and the security of our communities is compromised as a result.

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. This bill needs to ensure vital protection from federal agents collaborating with local law enforcement on the use of these surveillance techniques to identify people engaged in protected First Amendment activity. It would be one protective step that could help protect not just me, but my family members who live with me. I should not have to fear hostile and lawless federal agents tracking my activities and endangering my family and the community members I serve.

As a lawyer with an understanding of the Constitution and who has taken an oath to uphold it and the rule of law, it is alarming to witness federal agents attack people lawfully engaged in First Amendment-protected activities, such as documenting federal agents in public and protesting federal activity. Seeing video footage of the murders 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 while engaged in volunteer work to document, record, or protest the activity of federal agents. I am afraid that federal agents, in collaboration with local law enforcement, will take my picture or track my license plate, find out who I am and where I live, and come to my house and harm not just myself but my loved ones. In a training I conducted recently, an audience member asked what constitutional observers like me can do to protect ourselves 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 HB 1768, HD1, SD1 are so important. **I request that you support HB 1768, HD1, SD1** and help protect the Constitution and rebuild trust in government.

Thank you for siding with your community on this issue, and in honor of Alex Pretti and Rene Goode.

Mahalo,

Christine L. Andrews, J.D.

HB-1768-SD-1

Submitted on: 4/5/2026 10:52:20 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Thank you for this opportunity to support HB1768

Younghee Overly, a member of Indivisible Hawaii

HB-1768-SD-1

Submitted on: 4/5/2026 8:02:27 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Oppose	Written Testimony Only

Comments:

STRONG OPPOSE!!!

This bill is backwards. We need laws that mandate cooperation between all law enforcement agencies. This bill is divisive. The Feds are looking for illegals. This bill aids and abets.

With cooperation, the Feds could do their job and leave with no to minimal incident.

Mahalo!

HB-1768-SD-1

Submitted on: 4/5/2026 11:53:38 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and JDC Committee Members,

As a local resident concerned with public safety, I write in **strong support of HB1768 HD1 SD1**, which prohibits any law enforcement agency or official from entering into an agreement under federal law that permits state or county agencies to engage in immigration enforcement, prohibits law enforcement from engaging in certain immigration-related actions except under limited circumstances, designates related records as public, and requires agencies that provide federal immigration authorities access to detained individuals to hold two public community forums per year.

As a state, we should have law enforcement measures that engender trust and accountability. Otherwise, our systems diminish, rather than bolster, public safety. Hawai'i's law enforcement agencies are not and cannot become immigration enforcement agents. Hawai'i is one of only 11 states without a 287(g) agreement with ICE. This bill ensures that status is locked in statute — not subject to change by a single agency decision — and adds critical due process protections by prohibiting detention or transfer to ICE without a judicial warrant.

When immigrant and mixed-status communities trust that local law enforcement is focused on Hawai'i's public safety priorities — not federal civil immigration enforcement — they report crime, cooperate as witnesses, and seek emergency help. The transparency provisions (public records designation and community accountability forums) ensure that even in cases where ICE access is permitted, residents are informed and have a voice. The Senate PSM/EIG committees can advance this community trust and state sovereignty measure toward final passage.

Please **PASS HB1768 HD1 SD1** to promote the safety of all communities in Hawai'i.

Mahalo,

Thaddeus Pham

HB-1768-SD-1

Submitted on: 4/5/2026 11:57:15 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Otaguro	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure.

HB-1768-SD-1

Submitted on: 4/6/2026 7:54:32 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Diann Karin Lynn	Individual	Support	Written Testimony Only

Comments:

HB1768 HD1 SD1 — Ban on 287(g) Agreements + Prohibited Immigration Enforcement Actions

I am a supporter of the Legal Clinic in their campaign for immigrant justice and defense of due process for all.

The first and most important responsibility of government is to protect its people – citizen and immigrant, legal or no – against all enemies, foreign and domestic. Protection of constitutional rights – Federal and State – is paramount.

In this case of this bill, I am writing in SUPPORT because it

- prohibits 287(g) agreements which would potentially place our law enforcement in a position against its people and codifies Hawai'i's no-287(g) status in statute permanently.
- bans detaining/transferring individuals to ICE/CBP without a judicial warrant. Judicial warrant requirement protects due process.
- ensures that ICE access records remain public and requires two community forums/year required. Transparency provisions hold agencies accountable

PLEASE VOTE AYE AND FAST TRACK THIS BILL TO THE GOVERNOR'S DESK.

Mahalo
Diann K Lynn
Mō'ili'ili

HB-1768-SD-1

Submitted on: 4/6/2026 9:03:36 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Casandra Simonson, MD	Individual	Support	Written Testimony Only

Comments:

4/6/2025

Dear Chair, Vice Chair, and Committee members,

I am writing in strong support of HB1768 HD1 SD1 to prohibit the cooperation agreements between federal immigration and local law enforcement. As a pediatrician, I am extremely concerned about the damage ICE's actions have done to our immigrant communities' mental health . This bill is a step in the right direction to show our support for our immigrant families. Thank you for your support!

Dr. Casandra Simonson MD

HB-1768-SD-1

Submitted on: 4/6/2026 9:03:53 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Aloha Chair Rhoads, Vice-Chair Gabbard, and Committee Members,

As a pediatrician who believes that all children have a right to be protected from harm, including traumatic separations from family members and caregivers by immigration enforcement, I strongly support this bill. Early childhood trauma can have lifelong negative effects. By preventing local law enforcement from providing supportive services to federal immigration agents, this bill helps to mitigate the harm currently being wrought on immigrant communities across the country.

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

Maya Maxym, MD, PhD, FAAP

HB-1768-SD-1

Submitted on: 4/6/2026 9:17:08 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

I strongly support this bill. Protect our citizens against illegal and immoral actions carried out by the federal government.

HB-1768-SD-1

Submitted on: 4/6/2026 9:40:53 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

I strongly support this legislation

HB-1768-SD-1

Submitted on: 4/6/2026 9:54:55 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure

Doris Segal Matsunaga

Waimea, Hawaii Island

HB-1768-SD-1

Submitted on: 4/6/2026 9:56:03 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Anna-Kaelle Ramos	Individual	Support	Written Testimony Only

Comments:

As a pediatrician who believes that all children have a right to be cared for and thrive and who is acutely aware of the potential lifelong effects of childhood adverse experiences and trauma, I strongly support HB1768 HD1 SD1, which would prevent local law enforcement from providing supporting services for federal immigration agents who routinely violate federal law and traumatize children during immigration enforcement activities

HB-1768-SD-1

Submitted on: 4/6/2026 10:14:35 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Christian Marquez	Individual	Support	Written Testimony Only

Comments:

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Christian Marquez, and I submit this testimony in support of HB1768 HD1 SD1, which prohibits law enforcement agencies and officials from entering into 287(g) immigration enforcement agreements, prohibits certain immigration-related actions without a judicial warrant, designates ICE access records as public records, and requires agencies providing ICE access to hold two public community forums per year.

HB1768 HD1 SD1 is a public safety and community trust bill. Hawai'i is one of only 11 states without a 287(g) agreement — this bill permanently codifies that protection. When communities trust that local law enforcement is not an extension of federal civil immigration enforcement, they report crime, cooperate as witnesses, and seek help during emergencies. The judicial warrant requirement ensures that civil immigration detainees — which are administrative requests, not judicial warrants — cannot be the sole basis for detention and transfer.

The transparency provisions give communities the tools to verify that state resources are not being used for civil immigration enforcement. Having passed the House with broad sponsor support and the Senate PSM/EIG committee, this bill comes before Senate Judiciary for the final policy committee vote before the floor. I urge the Committee to advance it.

For these reasons, I respectfully request that the Committee PASS HB1768 HD1 SD1.

Mahalo for the opportunity to provide testimony.

Sincerely,

Christian Marquez

LATE

HB-1768-SD-1

Submitted on: 4/6/2026 10:28:39 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Support



HB-1768-SD-1

Submitted on: 4/6/2026 10:29:43 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
George "Bud" Antonelis. PhD	Individual	Support	Written Testimony Only

Comments:

HB1768 HD1 SD1 — Ban on 287(g) Agreements + Prohibited Immigration Enforcement Actions

I am a supporter of The Legal Clinic in their campaign for immigrant justice and defense of due process for all.

The first and most important responsibility of government is to protect its people – citizen and immigrant, legal or no – against all enemies, foreign and domestic. Protection of constitutional rights – Federal and State – is paramount.

In this case of this bill, I am writing in SUPPORT because it

- prohibits 287(g) agreements which would potentially place our law enforcement in a position against its people and codifies Hawai'i's no-287(g) status in statute permanently.
- Bans detaining/transferring individuals to ICE/CBP without a judicial warrant. Judicial warrant requirement protects due process.
- Ensures that ICE access records remain public and requires two community forums/year required. Transparency provisions hold agencies accountable

PLEASE VOTE AYE AND FAST TRACK THIS BILL TO THE GOVERNOR'S DESK.

LATE

Testimony of In SUPPORT of HB1768 HD1 SD1

Senate Committee on Judiciary (JDC)

Chair: Sen. Karl Rhoads
Vice Chair: Sen. Mike Gabbard

Hearing Date: April 7, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Jeremiah Brown, and I submit this testimony in **support of HB1768 HD1 SD1**, which prohibits law enforcement agencies and officials from entering into 287(g) immigration enforcement agreements, prohibits certain immigration-related actions without a judicial warrant, designates ICE access records as public records, and requires agencies providing ICE access to hold two public community forums per year.

I am a teacher and am testifying as an individual. I work closely with immigrant students and their families and have seen an increase in fear and distrust of law enforcement in the current immigration enforcement environment. This bill would send a strong message that local police are not an extension of ICE.

[Why you support the bill]

HB1768 HD1 SD1 is a public safety and community trust bill. Hawai'i is one of only 11 states without a 287(g) agreement and this bill permanently codifies that protection. When communities trust that local law enforcement is not an extension of federal civil immigration enforcement, they report crime, cooperate as witnesses, and seek help during emergencies. The judicial warrant requirement ensures that civil immigration detainers, which are administrative requests, not judicial warrants, cannot be the sole basis for detention and transfer.

The transparency provisions give communities the tools to verify that state resources are not being used for civil immigration enforcement. Having passed the House with broad sponsor support and the Senate PSM/EIG committee, this bill comes before Senate Judiciary for the final policy committee vote before the floor. I urge the Committee to advance it.

For these reasons, I respectfully request that the Committee **PASS HB1768 HD1 SD1**.

Mahalo for the opportunity to provide testimony.

Sincerely,
Jeremiah Brown
Waialua, Oahu

LATE

HB-1768-SD-1

Submitted on: 4/6/2026 2:33:07 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

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

Comments:

Testimony of Elizabeth Winternitz

In SUPPORT of HB1768 HD1 SD1

Senate Committee on Judiciary (JDC)

Chair: Sen. Karl Rhoads

Vice Chair: Sen. Mike Gabbard

Hearing Date: April 7, 2026

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and members of the Committee on Judiciary,

My name is Elizabeth Winternitz, and I submit this testimony in support of HB1768 HD1 SD1, which prohibits law enforcement agencies and officials from entering into 287(g) immigration enforcement agreements, prohibits certain immigration-related actions without a judicial warrant, designates ICE access records as public records, and requires agencies providing ICE access to hold two public community forums per year.

I am testifying as a lifelong Hawaii resident who cares deeply about justice.

HB1768 HD1 SD1 is a public safety and community trust bill. Hawai'i is one of only 11 states without a 287(g) agreement — this bill permanently codifies that protection. When communities trust that local law enforcement is not an extension of federal civil immigration enforcement, they report crime, cooperate as witnesses, and seek help during emergencies. The judicial warrant requirement ensures that civil immigration detainers — which are administrative requests, not judicial warrants — cannot be the sole basis for detention and transfer.

The transparency provisions give communities the tools to verify that state resources are not being used for civil immigration enforcement. Having passed the House with broad sponsor support and the Senate PSM/EIG committee, this bill comes before Senate Judiciary for the final policy committee vote before the floor. I urge the Committee to advance it.

For these reasons, I respectfully request that the Committee PASS HB1768 HD1 SD1.

Mahalo for the opportunity to provide testimony.

Sincerely,

Elizabeth Winternitz, Kula Maui

ewinrus@gmail.com

LATE

HB-1768-SD-1

Submitted on: 4/6/2026 4:58:35 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Michaela Alcaraz	Individual	Support	Written Testimony Only

Comments:

Good Morning/Afternoon Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Michaela, and I live in Hanamā‘ulu, Kaua‘i.

I am in support of, and respectfully urge you to also support, HB 1768.

Mahalo nui loa for your time and consideration.

HB-1768-SD-1

Submitted on: 4/7/2026 7:36:49 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

LATE

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

Comments:

STRONGLY SUPPORT HB1768 HD1 SD1