

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
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HONOLULU, HAWAII 96813
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EMAIL: oip@hawaii.gov

To: House Committee on Judiciary & Hawaiian Affairs
From: Carlotta Amerino, Director

Date: February 25, 2026, 2:00 p.m.
State Capitol, Conference Room 325

Re: Testimony on H.B. No. 1839 HD1
Relating to Immigration

Thank you for the opportunity to submit testimony on this bill, which would require local law enforcement to inform individuals of their rights before a custodial interview with the United States Immigration and Customs Enforcement (ICE), host two annual community forums, if access to a detainee was provided to ICE, and make all records related to ICE's access to a detainee in state or local custody public. The Office of Information Practices (OIP) offers the following comments and **suggested amendments regarding provisions on records and community forums** in this bill.

Proposed subsection 353C-__(f), on page 7, covers records pertaining to detained individuals, and refers to Hawaii's open records law, the Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes (HRS) (the UIPA). The Committee on Economic Development & Technology amended this provision in HD 1, as recommended by OIP, to clarify that the UIPA's exceptions to disclosure apply. Accordingly, all records relating to ICE's access to a detained individual are subject to disclosure under the UIPA "provided that personal identifying information shall be redacted before public disclosure."

However, the bill does not specify whose personal identifying information must be redacted—whether that of the detainees, local law enforcement officials, or ICE officers. This phrase appears twice in the bill. If the Legislature intends for only the detainee’s information to be redacted, OIP recommends clarifying this with the following **amendments**:

Subsection (f), page 8, lines 1-3:

“provided that personal identifying information of a detained individual shall be redacted before public disclosure.”

Subsection (h), page 10, lines 9-11:

“provided further that personal identifying information of a detained individual shall be redacted.”

In addition, proposed subsection 353C-__ (h), starting on page 8, requires law enforcement agencies to hold community forums “subject to the requirements of chapter 92.” Hawai‘i’s Sunshine Law, part I of chapter 92, HRS, applies only to government boards, as defined by section 92-2, HRS; not to events such as hearings and forums held by an agency that is not a government board. OIP respectfully recommends **replacing the reference to chapter 92, on page 9, lines 8-9, with a requirement that the forums be open to the public**, amending the language at lines 8-12 to read as follows:

The community forums shall be open to the public and shall provide information to the public about United States Immigration and Customs Enforcement access to detained individuals and offer an opportunity to receive and consider public comment.

Thank you for considering OIP’s testimony.

JON N. IKENAGA
PUBLIC DEFENDER

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STATE OF HAWAII
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February 24, 2026

HB 1839, HD1: RELATING TO IMMIGRATION

**Chair Tarnas, Vice Chair Poepoe, and Members of the Committee On
Judiciary & Hawaiian Affairs**

The Office of the Public Defender (OPD) **supports HB1839, HD1**, which, *inter alia*, requires law enforcement agencies to inform individuals in custody of their rights before any interview with the United States Immigration and Customs Enforcement (“ICE”).

The OPD submits that, for individuals in custody for pre-trial detention, subsection (a) of the proposed law should also require that the written notice provide the Fifth Amendment warnings required by Miranda v. Arizona, 384 U.S. 436, 86 S. Ct. 1602 (1966).

Furthermore, consistent with Hawaii Revised Statutes Section 571-31.8, subsection (c) of the proposed law should state that juveniles in custody shall have contact with legal counsel and shall also, to the extent practicable, have contact with a parent, guardian, or legal custodian prior to any interview with ICE. Because the OPD expects law enforcement agencies to offer individuals access to counsel through the OPD, the OPD encourages support for HB 2600, HD1, funding for an immigration attorney within the OPD, in order to effectuate the intent of HB1839, HD1.

Thank you for the opportunity to comment on this measure.



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KĪWILA O HAWAI‘I

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 · PHONE: (808) 586-8636 · FAX: (808) 586-8655 · TDD: (808) 586-8692

DATE: Wednesday, February 25, 2026
TIME: 2:00 PM
PLACE: VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

To:

[COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS](#)

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

From: Alphonso Braggs, Chair

and Commissioners of the Hawai‘i Civil Rights Commission

Re: HB 1839 HD1 Relating to Immigration

Testimony in SUPPORT

The Hawai‘i Civil Rights Commission (HCRC) carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5. HCRC has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment (Chapter 378, Part I, HRS), housing (Chapter 515, HRS), public accommodations (Chapter 489, HRS), and access to state and state-funded services (HRS § 368-1.5).

Thank you for the opportunity to testify on HB1839 HD1, which addresses civil immigration interviews and transparency in law enforcement practices. This measure is critical because it reinforces the principles of fairness and due process that are deeply rooted in the State of Hawai‘i’s Constitution and in the foundational values of Native

Hawaiian culture. Article I, Section 5 of our Constitution guarantees equal protection under the law and prohibits discrimination based on race or ancestry. These protections are not abstract ideals; they are commitments that shape how we govern and how we treat every individual in our communities.

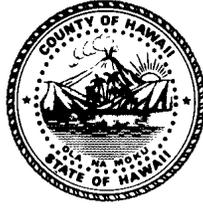
Hawai'i has long taken pride in its rich immigrant heritage and its strong civil rights record. Our islands are home to diverse communities whose languages, cultures, and histories enrich the social fabric of the state. It is therefore imperative that governmental processes uphold basic rights and ensure access to language services as a standard practice. This is especially true in situations that carry the potential for devastating loss and hardship to families and communities, such as civil immigration enforcement actions.

HB1839 HD1 advances these principles by requiring law enforcement agencies to inform individuals of their rights before any civil immigration interview, by mandating that consent forms be available in multiple languages, and by ensuring transparency through public records and community forums. These provisions reflect a commitment to openness and accountability, while safeguarding the dignity and rights of individuals in custody.

In a state that values justice, fairness, and aloha, it is unacceptable for any person to face unnecessary harm because of a lack of clear information or access to language services. This bill ensures that due process is not merely a legal concept but a lived reality for all residents, regardless of immigration status. For these reasons, the HCRC strongly supports HB1839 HD1 and we urge its passage.

Thank you for considering this testimony.

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 24, 2026
TO: House Committee on Judiciary & Hawaiian Affairs
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: HB1839

Aloha Chair Tarnas, Vice Chair Poepoe, and Committee Members,

I am writing in strong support of HB1839. Hawai'i has a rich history of diversity and a deep commitment to fairness and equality. This bill is important for safeguarding the proper execution of due process and civil rights of immigrants by ensuring informed consent, language access, and accountability, helping prevent coercion and protecting vulnerable individuals. These protections uphold Hawai'i's values, promote public trust in law enforcement, and create a clear paper trail to ensure fairness and prevent abuses in civil immigration enforcement.

Mahalo,

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

Jenn Kagiwada

**Testimony of Megahn Chun and Alejandro Villarino
In SUPPORT of HB1839 HD1**

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Hearing Date: Wednesday, Feb 25, 2026

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

Our names are Megahn Chun and Alejandro Villarino, and we submit this testimony in **support of HB1839 HD1**, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

We are partners in life and in community work, and co-founders of Mercado de la Raza, a space created to uplift and support Hawai'i's Latino community. Beyond operating a small business, we have worked together to connect families with critical resources during times of crisis — including helping Latino residents navigate aid and support during the Lahaina fires and assisting community members affected by the recent government shutdown. Mercado de la Raza also serves as a gathering place for Latino families and a platform for local Latino entrepreneurs to showcase and grow their businesses. Through this work, we are deeply connected to and invested in the well-being, safety, and dignity of our community.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, we respectfully request that the Committee **PASS HB1839 HD1**.

Mahalo for the opportunity to provide testimony.

Sincerely,
Megahn Chun and Alejandro Villarino
Mercado de La Raza
808.593.2226

Committee on Judiciary and Hawaiian Affairs
Chair David Tarnas, Vice Chair Mahina Poepoe

February 25, 2026 @ 2:00 pm, 325 via Videoconference
HB1839 – Immigration, Law Enforcement, Due Process

TESTIMONY

Stephen Munkelt, Legislative Committee, Hawaii Indivisible State Network (IHSN)

Chair Tarnas, Vice Chair Poepoe, and Committee Members:

Testimony in Support of HB1839

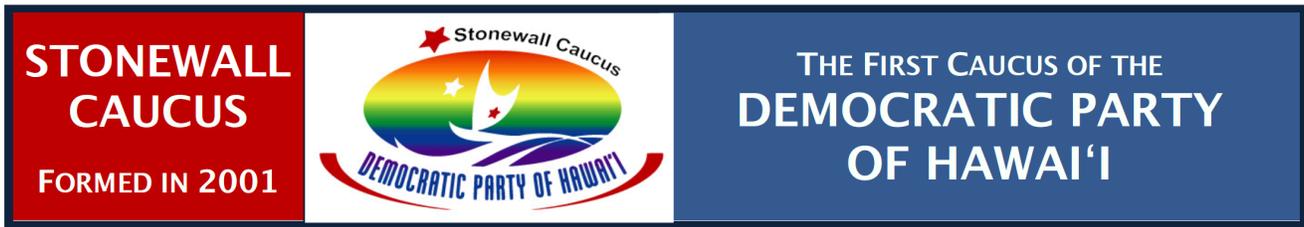
I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1839 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill.

Stephen Munkelt

Kailua-Kona, HI



STONEWALL CAUCUS OF THE DEMOCRATIC PARTY OF HAWAII

TESTIMONY IN STRONG SUPPORT OF HB1839 HD1

Relating to Immigration – Civil Immigration Interviews, Due Process, and Transparency

To the Honorable Chair and Members of the House Committee on Judiciary & Hawaiian Affairs:

On behalf of the Stonewall Caucus of the Democratic Party of Hawai‘i, we submit this testimony in strong support of HB1839 HD1.

HB1839 HD1 ensures that any interview conducted by United States Immigration and Customs Enforcement (ICE) with an individual in state or county custody is voluntary, informed, and documented. The bill requires law enforcement agencies to provide a written consent form explaining the purpose of the interview, the voluntary nature of participation, and the individual’s right to decline or request the presence of counsel before any civil immigration interview may begin.

These safeguards are especially important for individuals with limited English proficiency, individuals without legal representation, and those who may not understand their rights while in custody. By requiring written notice in multiple languages and reasonable access to counsel, the measure prevents coercive or uninformed interviews and ensures due process protections are meaningful.

HB1839 HD1 also strengthens transparency and accountability. It designates records relating to ICE access to detained individuals as public records, subject to appropriate redactions, and requires agencies to log interview requests and outcomes. Additionally, agencies that provided ICE access within the prior year must hold two public community forums to share information and receive public comment. These provisions ensure that civil immigration enforcement activity involving state and county resources is lawful, documented, and visible to the communities affected.

When residents fear that contact with local law enforcement may expose them or their family members to unclear or coercive immigration processes, they are less likely to report crimes, cooperate as witnesses, or seek help in times of crisis. Clear rights notifications and transparent procedures strengthen public trust and improve public safety for everyone.

HB1839 HD1 affirms Hawai‘i’s commitment to civil rights, due process, and accountable governance. For these reasons, the Stonewall Caucus respectfully urges the Committee to pass HB1839 HD1.

Testimony in Strong Support of HB1839 HD1

Mahalo for the opportunity to provide testimony and for your continued dedication to protecting civil rights and strengthening community trust.

Respectfully submitted,

Abby Simmons (she/her)

Chair

Stonewall Caucus of the Democratic Party of Hawai'i

HB-1839-HD-1

Submitted on: 2/23/2026 11:11:20 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristen Young	Faith Action for Community Equity	Support	Written Testimony Only

Comments:

Aloha, I submit this testimony in support of HB1839 HD1, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee PASS HB1839 HD1.

Mahalo,

Kristen Young
Honolulu, HI 96813



TESTIMONY IN STRONG SUPPORT OF HB1839 HD1, RELATING TO IMMIGRATION

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

February 25, 2026

To the Honorable Chair and Members of the Committee:

The Democratic Party of Hawai'i **strongly supports HB1839 HD1**. This measure because it affirms a basic principle that should never be controversial in Hawai'i: there must be no secret police and no secret government processes.

This bill does not interfere with federal immigration enforcement. Instead, it ensures that when federal immigration authorities seek access to individuals in state or county custody, that access occurs openly, lawfully, and with full respect for due process. No one should be interviewed by federal agents in a locked facility without knowing why they are there, whether participation is voluntary, or whether they have the right to decline or consult an attorney.

Secret interviews undermine public trust, chill cooperation with local law enforcement, and erode the civil rights protections guaranteed by the Hawai'i Constitution. Transparency is not an obstacle to public safety — it is a prerequisite for it. Communities are safer when people know their rights will be respected and that government power is exercised in the light, not behind closed doors.

By requiring informed consent, language access, public recordkeeping, and community reporting, this bill draws a clear line between lawful cooperation and covert enforcement. It ensures accountability without obstructing federal authority and protects both residents and law enforcement officers through clear, uniform procedures.

Hawai'i's history and values demand openness, fairness, and dignity for all people. This bill honors those values and deserves your full support.

Mahalo nui loa for the opportunity to testify in strong support of HB1839 HD1. Should you have any questions or require further information, please contact the Democratic Party of Hawai'i at legislation@hawaiidemocrats.org.

HB-1839-HD-1

Submitted on: 2/24/2026 7:37:05 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Testimony In SUPPORT of HB1839 HD1

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee PASS HB1839 HD1.

Mahalo for the opportunity to provide testimony.

HB-1839-HD-1

Submitted on: 2/24/2026 9:18:05 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Gollin	Indivisible	Support	Written Testimony Only

Comments:

SB1839 DUE PROCESS FOR IMMIGRANTS

Aloha,

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

I have friends and loved ones in Hawaii and California -- stellar citizens who contribute as artists, caregivers, musicians, science professors and researchers who are hiding at home for fear of being noticed by ICE.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Mahalo for the opportunity to testify on this bill.

Lisa Gollin



COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

HEARING:

Wednesday, February 25, 2026 at 2:00 pm

Conference Room 325 and Via Videoconference

State Capitol

TESTIMONY IN SUPPORT OF HB1839, HD1 - RELATING TO IMMIGRATION.

Aloha Chair Tarnas, Vice Chair Poepoe, Rep. Cochran of Maui, and Members of the Committee,

Roots Reborn **strongly supports HB1839, HD1**, Relating to Immigration. This measure requires state and county law enforcement agencies to notify individuals in custody of their rights before interviews with U.S. Immigration and Customs Enforcement (ICE) regarding civil immigration matters; makes related ICE access records public; and requires agencies providing ICE access to detained individuals to hold two public forums annually.

Roots Reborn is a grassroots, multicultural immigrant-justice and disaster-response organization serving migrant and immigrant communities on Maui and across Hawai'i. Formed after the August 2023 Maui wildfires, we have since grown into an organization providing pro bono immigration legal services, Know Your Rights education, and rapid response coordination for immigrant residents statewide.

In partnership with our coalition, we have:

- Distributed over 3,500 constitutional rights flyers
- Trained 700+ community members through Know Your Rights workshops
- Provided 50+ trainings for service providers, employers, and community leaders
- Responded to over 450 tipline calls related to federal enforcement activity
- Trained 60+ volunteer observers in verification, peaceful documentation and de-escalation

These direct experiences ground our testimony. We have seen how fear and confusion about immigration enforcement undermine recovery, safety, and trust — especially among wildfire survivors and victims of domestic violence.

HB1839, HD1 is a common-sense due process and transparency measure. It ensures that no one is questioned about civil immigration matters while in custody without understanding their rights or giving clear, voluntary, informed consent. The bill affirms that constitutional protections apply to all people within the United States, regardless of status. We urge that implementation include statewide standardized forms, multilingual access, and training to ensure consistency across jurisdictions. These procedures have proven workable in other states and support both equitable justice and effective governance.

HB1839, HD1 strengthens public trust, ensures due process, and creates a transparent, uniform standard for engagement between local law enforcement and federal immigration agencies. We respectfully urge your strong **support for HB1839, HD1**.

Sinceramente,

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

Veronica Mendoza

Maui Roots Reborn, *Founding Executive Director*

El Pueblo en Accion Maui, *Founding Coalition Member*



Cade Watanabe, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Eric W. Gill, Senior Vice-President

February 24, 2026

House Committee on Judiciary and Hawaiian Affairs
Rep. David Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

Testimony in Strong Support of HB 1886, HB 2540, and HB 1839

Chair Tarnas, Vice Chair Poepoe, 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, and to hold them accountable.

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.

We urge your support of HB 1886, HB 2540, and HB 1839. These measures are important steps toward greater accountability and safeguarding the most vulnerable people in our community.

Thank you.



www.hicir.org | Instagram @hicir
hicoalitionforimmigrantrights@gmail.com

**Testimony of Liza Ryan-Gill
In SUPPORT of HB1839**

Representative Tarnas, Chair
Representative Poepoe, Vice Chair

Hearing Date: Feb 25th, 2026, 2pm Room 325

Dear Chair Tarnas, Vice Chair Poepoe, and members of the Committee,

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

We strongly support **HB1839 HD1**, a bill to provide due process and transparency to ensure that people in state or county custody receive “Know Your Rights” information before any civil immigration interview, and that any interview proceeds only with clear, voluntary, informed consent.

HB1839 HD1 strengthens civil rights protections for individuals in state or county law enforcement custody by establishing clear, enforceable due-process requirements before any civil immigration interview may take place. Individuals in custody are in an inherently vulnerable position. Without clear safeguards, people may not understand that they have the right to decline an interview, request an attorney, or avoid answering questions that could have serious immigration consequences. In practice, many individuals mistakenly believe that they are required to speak with immigration officers or that declining will negatively affect their criminal case or custody status.

This bill ensures that individuals receive written notice — in multiple languages — explaining the purpose of any civil immigration interview, that participation is voluntary, and that they may decline to participate or request that an attorney be present. These protections are essential to ensuring that any consent is truly informed and not the result of confusion, pressure, language barriers, or fear.

Importantly, HB1839 HD1 reflects best practices that have already been adopted in other states and local jurisdictions across the country. States and major cities including California, Illinois, New York, Connecticut, and Washington have implemented similar notice, consent, documentation, and transparency requirements governing local law enforcement interactions with federal immigration authorities. These policies are widely recognized as effective tools to protect due process, ensure informed decision-making, and maintain public trust — while still allowing federal authorities to carry out their own responsibilities independently.



www.hicir.org | Instagram @hicir
hicoalitionforimmigrantrights@gmail.com

Experience from these jurisdictions shows that requiring informed consent and public documentation does not interfere with legitimate law enforcement functions. Instead, it promotes clarity, reduces coercion, prevents misunderstandings, and strengthens confidence in the justice system. It also helps ensure that state and local resources are not used in ways that undermine constitutional protections or community safety.

HB1839 HD1 ensures that individuals in custody understand their rights before speaking with ICE, protects access to counsel, and helps prevent coercive or uninformed interviews. It makes ICE interactions transparent to the public through documentation and public records and requires community engagement through public forums, improving accountability and trust between communities and law enforcement.

At its core, this bill is about fairness, transparency, and respect for due process. People should not face life-altering immigration consequences without fully understanding their rights and without making a truly voluntary and informed choice.

Mahalo for the opportunity to testify.

Liza Ryan Gill

Executive Director

Hawai'i Coalition for Immigrant Rights

HB-1839-HD-1

Submitted on: 2/24/2026 1:42:52 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Donna Blakemore	Indivisible Hilo	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.



Committee: House Committee on Judiciary & Hawaiian Affairs
Hearing Date/Time: Wednesday, February 25, 2026 2:00 pm
Place: Conference Room 325 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of H.B. 1839, HD1, Relating to Immigration**

Dear Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee:

On behalf of the American Civil Liberties Union of Hawai'i, I write in strong support of HB 1839 HD1, which represents a vital step toward ensuring due process and transparency for individuals in state or county custody by mandating that they receive information about their rights, in a language they understand, before any civil immigration interview. It is critical that these interviews only proceed with clear, voluntary, and informed consent.

In Hawai'i's immigrant and mixed-status communities, fear and confusion can often prevent individuals from seeking help¹ or understanding their rights. It is essential that no one is questioned about civil immigration matters while in custody without being made aware that the interview is voluntary and that they have the right to request counsel.

HB1839 HD1 guarantees that individuals in custody receive a notice of their rights before any civil immigration interview. This ensures that they are informed—clearly and in a language they understand—that participation in the interview is voluntary, and they have the option to decline or request an attorney. This notice is crucial because it empowers individuals to make informed decisions about their circumstances.

Furthermore, HB1839 HD1 establishes a requirement for written, multilingual consent before any interview with ICE proceeds. This creates a clear standard that no civil immigration interview can take place without documented consent, provided in the person's language whenever possible. This documentation must clarify that the interview is voluntary, identify the agency requesting it, explain the purpose of the interview, and inform the individual that they may decline and/or have an attorney present. Ensuring that consent is obtained in an accessible manner is vital for maintaining trust and promoting informed participation.

Transparency and accountability are also central to HB1839 HD1. The bill mandates that facilities log requests and outcomes related to civil immigration interviews, making this information available for public oversight. This level of transparency is essential for building trust within the community; when individuals know that there is a system of checks and balances in place, they are more likely to seek help without fear of repercussions.

¹ See Reva Dhingra et al., "Immigration Policies and Access to the Justice System: The Effect of Enforcement Escalations on Undocumented Immigrants and Their Communities," *Political Behavior* 44 (2022), <https://doi.org/10.1007/s11109-020-09663-w>

Moreover, HB1839 HD1 should be implemented with uniform statewide guidance, including model forms, policies, and training. This uniformity ensures that everyone in custody receives the same protections, regardless of where they are detained. Consistency in the application of these protections is crucial for fostering confidence in the system.

This approach is modeled on successful policies already in place in other states,² demonstrating that strong consent-and-notice rules can be effectively implemented with clear forms, training, and consistent procedures. By following these best practices, we can avoid confusion and enhance the rights of individuals in custody.

For these reasons, I respectfully urge you to pass HB1839 HD1. Thank you for the opportunity to testify.

Mandy Fernandes
Policy Director
ACLU of Hawai‘i

The mission of the ACLU of Hawai‘i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai‘i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai‘i is a non-partisan and private non-profit organization founded in 1965 that provides its services at no cost to the public and does not accept government funds.

² See e.g., California’s TRUTH Act. AB 2792 (2016).

PUBLIC FIRST

LAW CENTER

House Committee on Judiciary and Hawaiian Affairs
Honorable David A. Tarnas, Chair
Honorable Mahina Poepoe, Vice Chair

RE: Testimony with Comments on H.B. 1839 H.D.1, Relating to Immigration
Hearing: February 25, 2026 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency. Thank you for the opportunity to submit testimony in support of the intent of H.B. 1839 H.D. 1 and offering a **friendly amendment**.

This bill addresses, among other things, public access to records relating to a state or local law enforcement agency's provision of access to detained individuals to U.S. Immigration and Customs Enforcement (ICE).

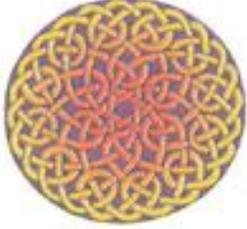
If the Legislature intends to make information about agency communications with ICE more publicly available, *this bill will not do that*. As currently amended, H.B. 1839 merely restates existing law. In its current form, the Legislature might as well remove subsection (f) because it will not change the operation of law.

In making requests for such ICE communications, agencies often withhold everything based on "frustration" and "confidentiality law" concerns. *See* HRS § 92F-13(3), (4). If the Legislature intends to change the status quo, we recommend the following amendment at pages 7-8.

(f) All records relating to United States Immigration and Customs Enforcement access to a detained individual provided by a law enforcement agency, including all communication with United States Immigration and Customs Enforcement, shall be public records for purposes of chapter 92F, and the exemptions provided in chapter 92F shall **not** apply; provided that personal identifying information shall be redacted before public disclosure **pursuant to section 92F-13(1)**.

Thank you again for the opportunity to testify with comments on H.B. 1839 H.D. 1.





Fujiwara & Rosenbaum, LLC

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

House Committee on Judiciary and Hawaiian Affairs

Date: Wednesday, February 25, 2026, 2:00 pm, CR 325

Re: Fujiwara & Rosenbaum¹ Testimony in **STRONG SUPPORT** of **HB 1839, HD1 RELATING TO IMMIGRATION**

Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee:

Fujiwara & Rosenbaum submits this testimony in **strong support** of H.B. No.1839, H.D.

1. Our decades of experience representing marginalized communities in Hawai'i have shown us that constitutional protections are meaningful only when they are accompanied by concrete procedural safeguards. H.B. 1839, H.D. 1 provides exactly those safeguards. This measure is a thoughtful, constitutionally grounded response to the need for clear procedures when state and county law enforcement agencies interact with federal immigration authorities regarding individuals in their custody.

We urge this Committee to pass H.B. 1839, H.D. 1 and recommend a realistic effective date that will allow these protections to take effect.

I. Constitutional Foundations in the Hawai'i Constitution

H.B. 1839, H.D. 1 is firmly rooted in the distinctive civil rights traditions embodied in the Hawai'i State Constitution, which in several respects provides broader protections than its federal counterpart.

A. Due Process and Equal Protection: Article I, Section 5

The Hawai'i Constitution's due process and equal protection clause states: "**No person** shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry."

This provision is broader than the Fourteenth Amendment to the U.S. Constitution. As the Hawai'i Civil Rights Commission has observed, "There is no counterpart to this civil rights mandate in the U.S. Constitution." The express prohibition against discrimination based on "ancestry" carries particular weight in a state built by immigrant communities from across the Pacific and the world. H.B. 1839 implements this constitutional mandate by ensuring that all individuals in state or county custody receive due process protections before being subjected to federal civil immigration interviews, regardless of their national origin or immigration status. This provision reflects **Hawai'i's unique history and its recognition that civil rights protections must apply to all persons within our borders, not merely citizens.**

The due process clauses "are designed to ensure that laws will be reasonable both in

¹ Fujiwara & Rosenbaum was founded in 1986 by Senior Partner Elizabeth Jubin Fujiwara with a singular mission: to protect the civil rights of working people across the Hawaiian Islands. For nearly four decades, we have concentrated our practice on the rights of workers, focusing on race discrimination, sex discrimination including sexual harassment and pregnancy discrimination, disability discrimination, age discrimination, national origin discrimination, whistleblowing, and police brutality cases.

terms of substance and in their means of implementation" and "serve to protect the individual against arbitrary government actions." The written consent form requirement, the right to decline an interview, and the right to have counsel present are procedural mechanisms that prevent arbitrary governmental interference with individual liberty.

B. The Fundamental Right to Privacy: Article I, Section 6

Hawai'i's Constitution contains an explicit right to privacy that has no federal equivalent: "The right of the people to privacy is recognized and shall not be infringed without the showing of a compelling state interest. The legislature shall take affirmative steps to implement this right."

The 1978 Constitutional Convention delegates who added this provision intended it to protect both "informational privacy" and "personal autonomy." The constitutional text expressly directs the Legislature to "take affirmative steps to implement this right." H.B. 1839 answers that directive. An individual's immigration status, their decision whether to speak with federal authorities, and the contents of any such interview implicate both informational privacy and personal autonomy. By requiring informed, voluntary consent before any civil immigration interview may proceed, this measure implements the constitutional privacy right in precisely the manner the framers contemplated.

C. Protection from Unreasonable Invasions: Article I, Section 7

Article I, Section 7 protects "[t]he right of the people to be secure in their persons, houses, papers and effects against unreasonable searches, seizures and invasions of privacy." The 1968 Constitutional Convention expanded this protection beyond the Fourth Amendment's language specifically to include "invasions of privacy" and to ensure "man's individuality and human dignity."

A civil immigration interview conducted without informed consent while an individual is in state custody is an invasion of privacy. The power imbalance inherent in custodial settings makes truly voluntary consent impossible without the procedural safeguards this bill provides.

D. Inherent Rights and Human Dignity: Article I, Section 2

Article I, Section 2 of the Hawai'i Constitution declares: "All persons are free by nature and are equal in their inherent and inalienable rights. Among these rights are the enjoyment of life, liberty and the pursuit of happiness, and the acquiring and possessing of property."

The Hawai'i Supreme Court has recognized that this provision "advances the dignity of each person." Dignity requires that individuals not be treated as mere objects to be processed through coordinated state-federal enforcement mechanisms without regard for their rights. The consent, notice, and transparency provisions of H.B. 1839 affirm the dignity of every person in state custody.

II. Support for Each Key Provision

H.B. 1839, H.D. 1 advances three core purposes and incorporates thoughtful amendments that strengthen civil rights protections. We address each in turn.

A. Purpose (1): Written Consent and Notice of Rights Before Civil Immigration Interviews

The bill requires that before any civil immigration interview may commence, law enforcement agencies must provide a written consent form that explains the purpose of the interview (if known), states that the interview is voluntary, and informs the individual that they may decline or choose to be interviewed only with their attorney present.

This requirement is foundational. Individuals in custody face an inherent power imbalance. They may not know that participation in a civil immigration interview is voluntary. They may not understand that their statements can be used against them in removal proceedings. Without clear notice of rights, "consent" is illusory.

The Committee's amendment requiring that the form explain "the purpose of the interview, if known" is particularly important. Informed consent requires that individuals understand what they are consenting to. This parallels the fundamental principle that valid waivers of constitutional rights must be knowing, intelligent, and voluntary.

The multilingual requirements, providing consent forms in at least fourteen languages including Chinese, Chuukese, Ilokano, Japanese, Korean, 'Ōlelo Hawai'i, Marshallese, Samoan, Spanish, Tagalog, Thai, Vietnamese, and Visayan, reflect Hawai'i's linguistic diversity and ensure meaningful access to these rights. The Committee's amendment requiring "other accommodations shall be made for individuals who speak languages that the office of language access cannot provide translation" ensures no one falls through the cracks.

The bill's guarantee of "reasonable phone access and a reasonable opportunity to consult with an individual's attorney before any civil immigration interview" implements the right to counsel in a practical, meaningful way.

B. Purpose (2): Designation of Records as Public Records

The bill designates "all records relating to United States Immigration and Customs Enforcement access to a detained individual provided by a law enforcement agency" as public records under Chapter 92F, with appropriate redaction of personal identifying information.

Transparency is the cornerstone of accountability. Without public access to records documenting how law enforcement agencies interact with ICE, the community cannot assess whether constitutional and statutory protections are being honored. The quarterly reporting requirement to the Attorney General and the annual legislative report ensure ongoing oversight.

The Committee's amendment requiring logs to include "the date and time of the interview" strengthens this transparency by creating a more complete record that can be audited for compliance.

C. Purpose (3): Public Community Forums

Law enforcement agencies that have provided ICE access to detained individuals must hold at least two public community forums annually, subject to the requirements of Chapter 92 (the Sunshine Law). These forums must provide data on the number and demographic characteristics of individuals to whom ICE access was provided, the dates

of access, and the mechanisms used (immigration holds, transfers, notification requests, or other means).

This provision transforms transparency from a paper exercise into a living dialogue between law enforcement and the communities they serve. It creates a structured mechanism for community input and accountability that builds, rather than erodes, public trust.

D. Key Committee Amendments

The Committee's amendments strengthen the bill in several ways:

Inclusion of Detention Facilities: Expanding the definition of "law enforcement agency" to include detention facilities closes a potential gap that could have left some individuals in custody without protection.

Enforcement Authority: Authorizing the Attorney General, county prosecuting attorneys, or agencies with separate enforcement authority to investigate complaints and issue findings and corrective orders creates meaningful accountability. Rights without remedies are hollow. This provision ensures violations can be identified and corrected.

Private Right of Action: The bill allows any aggrieved person to "bring an action seeking injunctive or declaratory relief and reasonable attorney's fees against a law enforcement agency that has violated the requirements" of the consent and language access provisions. This empowers individuals to enforce their own rights and ensures that attorneys will be available to represent them.

III. Civil Rights and Due Process Analysis

A. Protecting Vulnerable Populations

Individuals in law enforcement custody are among the most vulnerable members of our community. They are separated from family, counsel, and support networks. They may face language barriers. They may not understand the distinction between state criminal proceedings and federal civil immigration matters. They may believe, incorrectly, that cooperation with ICE is mandatory or will benefit their criminal case.

Immigrant communities face compounded vulnerabilities. As the Legislature finds, Hawai'i is home to approximately 258,800 immigrants, including 29,900 undocumented immigrants. These individuals contribute to our economy, our families, and our communities. Many have lived here for years or decades. Many have U.S. citizen children and spouses. The stakes of a civil immigration interview are potentially life-altering: deportation, family separation, and exile from the only community many have ever known.

H.B. 1839 protects these vulnerable individuals by ensuring they understand their rights before making consequential decisions.

B. Ensuring Informed Consent

Valid consent requires knowledge, comprehension, and voluntariness. A person who does not know they have the right to refuse cannot make a voluntary choice. A person who does not understand the consequences of participation cannot give informed consent. A person under coercive pressure cannot exercise free will.

The bill's requirements, written notice of rights, multilingual access, the opportunity to consult counsel, and a clear mechanism to indicate consent, non-consent, or conditional consent, together create the conditions for genuinely voluntary, informed decision-making.

C. Preventing Coercion

The custodial environment is inherently coercive. Courts have long recognized that statements made in custody carry a heightened risk of involuntariness. That recognition underlies *Miranda* and its progeny.

While *Miranda* applies to criminal interrogations, the coercive dynamics of custody do not disappear when the interview concerns civil immigration matters. An individual in a jail cell does not experience a federal agent's questions as "civil" or "voluntary." The written consent requirement, the clear statement that the interview is voluntary, and the express option to decline create a procedural circuit-breaker that interrupts the coercive pressure of the custodial setting.

D. Creating Accountability Mechanisms

Rights without enforcement mechanisms are merely aspirations. H.B. 1839 creates layered accountability:

- Law enforcement agencies must maintain logs and provide quarterly reports to the Attorney General
- The Attorney General must submit annual reports to the Legislature
- Records are designated public records subject to UIPA
- The Attorney General, county prosecutors, or enforcement agencies may investigate complaints
- Aggrieved individuals may seek injunctive and declaratory relief with attorney's fees

This multi-layered approach ensures that compliance is monitored, violations are investigated, and affected individuals have recourse.

IV. Community Impact

A. Immigrant Contributions to Hawai'i's Social Fabric

As the Legislature recognizes, Hawai'i "is justifiably proud of its rich immigrant heritage." Our Islands were built by waves of immigration from China, Japan, the Philippines, Korea, Portugal, Puerto Rico, and dozens of other nations. More recently, immigrants from Micronesia, the Marshall Islands, and other Pacific Island nations have joined our community, along with immigrants from Latin America, Southeast Asia, and around the world.

These communities are not marginal to Hawai'i's identity. They are Hawai'i's identity. They work in our hotels, hospitals, construction sites, and farms. They serve in our military. They raise families, pay taxes, attend our churches, and enrich our cultural life. The Legislature correctly finds that immigrants are "valuable and important members of local communities."

B. Transparency and Public Trust

When law enforcement operates in secrecy with respect to immigration enforcement, trust erodes. Community members become reluctant to report crimes, cooperate with investigations, or seek help from police. This makes everyone less safe.

The transparency and community forum provisions of H.B. 1839 serve a dual purpose: they hold law enforcement accountable, and they demonstrate to immigrant communities that Hawai'i's government respects their rights and values their participation in civic life. The Committee correctly finds that "ensuring transparency, informed consent, and community engagement will strengthen due process protections for individuals in custody and improve public trust in law enforcement practices."

V. Response to the Current Federal Immigration Enforcement Climate

The need for state-level protections has never been more urgent. The federal administration has made immigration enforcement a top priority, and the scope and intensity of that enforcement has expanded dramatically.

The Department of Homeland Security has announced that over 675,000 individuals have been removed and an estimated 2.2 million have self-deported since January 2025. ICE has hired 12,000 new officers and agents, a 120% increase in personnel. The agency has expanded "at-large" arrests in American communities by 600%, leading to what observers describe as "a level of immigration enforcement utterly unprecedented in modern history."

Worksite enforcement has intensified, including "large-scale raids, targeted arrests, and Form I-9 audits," with mass workplace operations detaining hundreds of workers at a time. ICE has begun working with the IRS and other federal agencies in these operations.

The human cost has been severe. Deaths in ICE custody reached 32 in 2025, a two-decade high, with at least 7 additional deaths in January 2026. Approximately 68,000 individuals are now in ICE detention, a 75% increase from January 2025. Only 14% of those detained in 2025 had charges for violent criminal offenses.

Federal courts have documented systematic due process violations. More than 400 federal judges have ruled at least 4,421 times since October 2025 that ICE is holding people illegally. In Minnesota alone, the chief federal judge documented 96 court orders that ICE violated in 74 cases in a single month.

This federal enforcement environment makes H.B. 1839 essential. Hawai'i cannot control federal immigration policy, but it can ensure that state and county resources are not deployed in ways that violate the civil rights guaranteed by our State Constitution. As the bill recognizes, "while immigration is a federal responsibility, state and local agencies have significant discretion regarding whether and how to respond to requests for assistance from federal immigration enforcement." Federal law "does not require state and local entities to collect or share information with the United States Immigration and Customs Enforcement."

Hawai'i has both the authority and the obligation to exercise that discretion in a manner consistent with our constitutional values. H.B. 1839 does exactly that.

VI. Conclusion

For nearly forty years, Fujiwara & Rosenbaum has represented workers and community members whose civil rights have been violated. We have seen what happens when procedural protections are absent: coerced statements, uninformed waivers, and irreversible consequences for individuals and families.

H.B. 1839, H.D. 1 is a carefully crafted measure that implements the civil rights, due process, and privacy protections guaranteed by the Hawai'i Constitution. It does not prohibit cooperation with federal authorities. It does not create sanctuary policies. It simply ensures that when state and county agencies interact with ICE regarding individuals in custody, those interactions occur with transparency, informed consent, and respect for fundamental rights.

The current effective date of July 1, 3000 reflects the Committee's desire to encourage further discussion. We have provided that discussion. The constitutional basis is clear. The procedural mechanisms are sound. The need is urgent.

We respectfully urge this Committee to pass H.B. 1839, H.D. 1 with an amended effective date of July 1, 2026, or upon approval, to ensure these protections take effect without unnecessary delay.

Hawai'i has always been a place where people from around the world could build lives of dignity. This measure honors that tradition by ensuring that every person in state custody, regardless of where they were born, receives the constitutional protections to which they are entitled.

Thank you for the opportunity to testify.

HB-1839-HD-1

Submitted on: 2/24/2026 2:39:03 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
wilfredo tungol	hawaii filipino lawyers association	Support	Written Testimony Only

Comments:

Aloha Chair and members of the Judiciary and Hawaiian Affairs Committee:

The Hawaii Filipino Lawyers Association is in support of passage of this bill. The bill will ensure that detained individuals under immigration laws are provided due process by our local law enforcement before they are referred to or transferred to federal immigration authorities.

The bill also provide transparency by requiring local law enforcement authorities to provide data and information of individuals that have been referred to federal authorities.

Given ICE's dismal conduction in enforcing federal immigration laws, guard rails are necessary to ensure that our local law enforcemnet officials are not used as an instrument by ICE.

We ask you to act favorably on this bill.

Mahalo,

Wilfredo Tungol

Chair, HFLA Advocacy Committee

HB-1839-HD-1

Submitted on: 2/23/2026 2:12:56 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

As much as we must protect the rights of American citizens. we must also protect the rights of immigrants. Immigrants made this country. Most of us are descendants of immigrants. We must protect them. Please move this bill forward.

Lynne Matusow

HB-1839-HD-1

Submitted on: 2/23/2026 3:18:01 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Marie	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure

HB-1839-HD-1

Submitted on: 2/23/2026 3:21:35 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee members,

I strongly support HB 1839 HD 1 and ask that you do so also.

Cheryl Burghardt

Nuuanu Oahu

HB-1839-HD-1

Submitted on: 2/23/2026 3:53:30 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

I fully support the rights of detained individuals to be notified of their rights before any interview with the United States Immigration and Customs Enforcement can begin, and further that all records relating to United States Immigration and Customs Enforcement access to detained individuals provided by a state or local law enforcement agency should be maintained as public records.

HB-1839-HD-1

Submitted on: 2/23/2026 5:40:27 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nandita Sharma	Individual	Support	Written Testimony Only

Comments:

I strongly support HB1839. It should go without saying that any individual in the custody of a state or county law enforcement agency should be informed of their rights before any interview with the United States Immigration and Customs Enforcement on certain matters regarding civil immigration violations can commence.

Who could oppose such a simple and obvious part of a rights-based society - only those committed to ruining it by discriminating against those people subject to immigration laws.

Designates all records relating to United States Immigration and Customs Enforcement access to detained individuals provided by a state or local law enforcement agency as public records. Requires state and county law enforcement agencies that have provided the United States Immigration and Customs Enforcement access to a detained individual within the previous year to hold two public forums per year. Effective 7/1/3000. (HD1)

HB-1839-HD-1

Submitted on: 2/23/2026 6:01:24 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

I very strongly support HB1839.

HB-1839-HD-1

Submitted on: 2/23/2026 6:01:42 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Chair Tarnas and Committee Members,

My name is Brett Kulbis, I'm a 26yr retired Navy Veteran, who took a solemn oath to defend the Constitution from all enemies foreign and domestic, and that oath didn't expire when I retired. I live in Ewa Beach.

I STRONGLY OPPOSE HB-1839 HD1 and standby my previous testimony.

Brett Kulbis

HB-1839-HD-1

Submitted on: 2/23/2026 6:50:29 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

I strongly SUPPORT HB1839.

Mahalo,

Kanani Kai

Member Indivisible Hawaii

Testimony in SUPPORT of HB1839 HD1

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Hearing Date: Wednesday, Feb 25, 2026

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Jeremiah Brown, and I submit this testimony in **support of HB1839 HD1**, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

As an educator working closely with immigrant and multilingual students and families, I see firsthand how fear and confusion around immigration enforcement can undermine trust in public institutions. HB1839 takes important, measured steps to ensure that individuals in state or county custody clearly understand their rights before any civil immigration interview occurs. Requiring written notice, informed consent, language access, and reasonable opportunities to consult with counsel are basic due process protections that align with Hawai'i's constitutional values and do not interfere with federal immigration authority.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee **PASS HB1839 HD1**.

Mahalo for the opportunity to provide testimony.

Jeremiah Brown
Waialua, Oahu

HB-1839-HD-1

Submitted on: 2/23/2026 7:22:40 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joie Yonamine	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee,

My name is Joie Yonamine, and I am submitting testimony in strong support of HB1839 on behalf of myself and a member of Indivisible Hawaii Statewide Network.

HB1839 is a commonsense due process and transparency measure that ensures people in state or county custody receive “Know Your Rights” information before any civil immigration interview, and that any interview proceeds only with clear, voluntary, informed consent.

Ignorance should not be weaponized, particularly against disenfranchised populations under duress - such as when being detained and interrogated by immigration enforcement, as we have seen evidence of on the mainland.

I support HB1839 because it helps ensure that a person in custody is told—clearly and in a language they understand—that the interview is voluntary and they can decline or request an attorney.

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

HB-1839-HD-1

Submitted on: 2/23/2026 8:15:57 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Thank you for hearing this measure.

Younghee Overly, a member of Indivisible Hawaii

HB-1839-HD-1

Submitted on: 2/23/2026 8:19:53 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deanna Espinas	Individual	Support	Written Testimony Only

Comments:

Testimony in support.

HB-1839-HD-1

Submitted on: 2/23/2026 8:26:06 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert I Nehmad	Individual	Support	Written Testimony Only

Comments:

I am a resident of the State of Hawaii and support this Bill.

I expect your support of this Bill since it reinforces the will of the residents of the State of Hawaii.

HB-1839-HD-1

Submitted on: 2/23/2026 8:27:43 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Hester	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

HB-1839-HD-1

Submitted on: 2/23/2026 8:28:51 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leah K	Individual	Support	Written Testimony Only

Comments:

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

I submit this testimony in support of HB1839 HD1, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee PASS HB1839 HD1.

Mahalo for the opportunity to provide testimony.

HB-1839-HD-1

Submitted on: 2/23/2026 8:31:47 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Puppione	Individual	Support	Written Testimony Only

Comments:

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Greg Puppione, and I submit this testimony in support of HB1839 HD1, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee PASS HB1839 HD1.

Mahalo for the opportunity to provide testimony.

HB-1839-HD-1

Submitted on: 2/23/2026 8:52:48 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Van Horne	Individual	Support	Written Testimony Only

Comments:

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill.

HB-1839-HD-1

Submitted on: 2/23/2026 8:54:15 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill. I am very, very concerned about the impact ICE has on our community.

Sincerely,

Peggy Brandt

Resident of Manoa, Honolulu

Eileen Cain
720 Mahi'ai St., Apt. E
Honolulu, Hawai'i 96826-5635
eileencaïn808@gmail.com
February 23, 2026

Dear Representative Tarnas, Chair, and Members of the House Committee on Judiciary and
Hawaiian Affairs

I am submitting this testimony in Favor of HB1839 HD1, Relating to Immigration.

Arrests and Due Process: We in the islands reject fear tactics in our schools and on our farms, in clinics and places of worship.

Due Process is guaranteed under the Constitution for everyone. If anyone is denied due process, then everyone could lose their right to due process. We are all at risk. Everyone has a right to legal counsel and a chance to plead their case, just as Donald Trump himself had when he was charged with crimes. He always had due process.

This bill would make it necessary for law enforcement officers in Hawai'i to make detained immigrants aware of their legal rights, to guarantee due process.

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

Please vote yes on HB1839 HD1.

Mahalo and Aloha,

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

HB-1839-HD-1

Submitted on: 2/23/2026 9:05:38 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elli Pace	Individual	Support	Written Testimony Only

Comments:

I support this bill because it ensures that individuals are clearly informed of their rights before any interview with ICE regarding civil immigration matters, promoting fairness, maintaining the civil rights of detainees, and ensuring due process. By requiring transparency through public records and regular community forums, it strengthens accountability and helps prevent the unlawful, unjust, and unconsitutional behaviours ICE and CBP have been engaging in in other states.

HB-1839-HD-1

Submitted on: 2/23/2026 9:22:56 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Mahalo for the opportunity to testify on this bill.

HB-1839-HD-1

Submitted on: 2/23/2026 9:52:22 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gaye Chan	Individual	Support	Written Testimony Only

Comments:

I strongly support of HB1839 which would require state and local agencies to provide those in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals. Due process, the backbone of a democratic society, and it is eroding before our eyes.

Sadly, federal courts have found that ICE and CBP have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies. These are our basic rights, and it is shocking that we even need this bill to affirm them.

HB-1839-HD-1

Submitted on: 2/23/2026 10:03:50 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jill Asmar	Individual	Support	Written Testimony Only

Comments:

The law must treat all citizens equally.

HB-1839-HD-1

Submitted on: 2/23/2026 10:05:04 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Kau'i Young	Individual	Support	Written Testimony Only

Comments:

I support HB1839 HD1 and its requirement of state and county law enforcement agencies to notify an individual in the custody of a state or county law enforcement agency of their rights before any interview with the United States immigration and customs enforcement. I absolutely do not support the presence of any ICE personnel in Hawai'i nei. No human being is illegal, period, and no foreign occupying government has any business telling anybody that they aren't welcome here. I fully support any bill that regulates the presence of ICE personnel in our homeland, especially any that holds them fully accountable and fully transparent.
me ka 'oia'i'o,

Kau'i Young

HB-1839-HD-1

Submitted on: 2/23/2026 10:05:19 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Lynn Otaguro and I submit this testimony in **support of HB1839 HD1**, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee **PASS HB1839 HD1**.

Mahalo for the opportunity to provide testimony.

Sincerely,

Lynn Otaguro

Oahu, Hawaii

HB-1839-HD-1

Submitted on: 2/23/2026 10:38:59 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Darryl Nordstrom	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Mahalo for the opportunity to testify on this bill.

Darryl Nordstrom

HB-1839-HD-1

Submitted on: 2/24/2026 5:09:46 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Thank you

HB-1839-HD-1

Submitted on: 2/24/2026 5:37:26 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Please support the upholding of the constitution by passing this bill.

To: Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
Committee on Judiciary & Hawaiian Affairs

From: Veronica Moore, Individual Citizen

Date: February 24, 2026

RE: House Bill 1839 HD1
Measure Title: RELATING TO IMMIGRATION.
Report Title: Immigration; Law Enforcement Agencies; Access to Detained
Individuals; Civil Immigration Interviews; Due Process; Public Forums

To All Concerned,

My name is Veronica Moore and I support House Bill 1839 HD1. Thank you for your consideration.

Sincerely,

Veronica M. Moore

HB-1839-HD-1

Submitted on: 2/24/2026 6:46:55 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill

Jane Aquino

HB-1839-HD-1

Submitted on: 2/24/2026 7:04:44 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noelle Lindenmann	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the Committee:

I am submitting this testimony in support of HB1839 HD1, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

We all deserve clear information and deserve to provide consent.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee PASS HB1839 HD1.

Mahalo for the opportunity to provide testimony.

Noelle Lindenmann, Kailua-Kona

HB-1839-HD-1

Submitted on: 2/24/2026 7:12:40 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerald Tariao Montano	Individual	Support	Written Testimony Only

Comments:

Testimony of Gerald Montano

In SUPPORT of HB1839 HD1

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Hearing Date: Wednesday, Feb 25, 2026

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Gerald Montano, and I submit this testimony in support of HB1839 HD1, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

I am a pediatrician on Maui. I take care of a diverse population of patients, including those coming from immigrant backgrounds.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee **PASS** HB1839 HD1.

Mahalo for the opportunity to provide testimony.

Sincerely,

Gerald Montano, DO

HB-1839-HD-1

Submitted on: 2/24/2026 7:32:23 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Leake	Individual	Support	Written Testimony Only

Comments:

Dear Committe Chair, Co-chair and Members,

It is my strong conviction that all residents of Hawaii, whtehr US citizens or immigrants, deserve basic rights when arrested. Law enforcement agencies should be required to notify an individual in custody of their rights before any ICE interview about certain civil immigration matters can begin. HB1839 will create more transparency by designating records relating to ICE access to detained individuals as public records and creating public forums where agencies that provided ICE access within the previous year can have dialog. We must uphold human rights for all.

HB-1839-HD-1

Submitted on: 2/24/2026 7:34:37 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Chou	Individual	Support	Written Testimony Only

Comments:

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

RE: HB1839 HD1

Position: IN SUPPORT

Aloha,

My name is Stephanie Chou. I support HB1839 HD1 both as an individual and as a member of Indivisible Hawaii.

Due process should be afforded to all people within our borders, regardless of citizenship, race, class, or alleged crime. Failure of law enforcement to operate within the established framework of democracy puts all of our freedoms at risk.

Public accountability is also critical; justice thrives in the light.

Mahalo,

Stephanie

HB-1839-HD-1

Submitted on: 2/24/2026 8:46:47 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

The fact that we dont already do this is disgraceful. The fact that we have allowed people to be arrested and not have their rights known, regardless of status, is disgraceful. I support this bill, and it better pass. We have seen enough of people’s rights and lives being disgraced by ICE for this past year to the point of numbness. All people in America are free and are innocent until proven otherwise, and I dont care about what the bigots up in Washington say otherwise. Support this bill, and support the human rights of all people who live here.

HB-1839-HD-1

Submitted on: 2/24/2026 8:48:56 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

HB-1839-HD-1

Submitted on: 2/24/2026 8:53:19 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Takamine	Individual	Support	Written Testimony Only

Comments:

There should be translators available 24/7 to communicate rights prior to any interviews with immigration

HB-1839-HD-1

Submitted on: 2/24/2026 8:59:33 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Leo Braulick	Individual	Support	Written Testimony Only

Comments:

Mahalo,

Nathan Leo Braulick

HB-1839-HD-1

Submitted on: 2/24/2026 9:04:46 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Goren	Individual	Support	Written Testimony Only

Comments:

My name is Danielle Goren and I am submitting testimony in strong support of HB1839 as a Lahaina resident and member of Indivisible Hawai'i.

HB1839 would add a new Chapter to the Hawai'i Revised Statutes on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement; requiring state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview and would require transparency about ICE access to detained individuals.

As you are undoubtedly aware, we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Multiple federal courts have determined that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries.

HB1839 is an effective way for us to protect the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill, and thank you for doing your part in protecting those folks that need it the most.

Danielle Goren

Lahaina, HI

HB-1839-HD-1

Submitted on: 2/24/2026 9:18:42 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

HB-1839-HD-1

Submitted on: 2/24/2026 9:32:22 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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-1839-HD-1

Submitted on: 2/24/2026 9:46:43 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

I, Judith Mura. STRONGLY SUPPORT HB1839 HD1

HB-1839-HD-1

Submitted on: 2/24/2026 10:09:03 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill.

Gail Morrison from Honolulu 96815

HB-1839-HD-1

Submitted on: 2/24/2026 10:48:40 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Aloha,

I am writing in strong support of HB1839.

All people, in custody or not have rights. They need to be able to understand that they have those rights. That we even have to make a law about this, flies in the face of the Constitution and human decency.

Mahalo for this opportunity to express my support for this bill and for the work you do.

DeWaine Tollefsrud Kea'au HI

HB-1839-HD-1

Submitted on: 2/24/2026 10:53:10 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Teare	Individual	Support	Written Testimony Only

Comments:

One of the foundations of our Constitution is reflected in this bill. PLEASE ensure our residents have the protections of the 5th Amendment!

I am a memeber of East Hawaii Indivisible.

Thank you for your attention to this matter

HB-1839-HD-1

Submitted on: 2/24/2026 10:58:58 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JANE TOLLEFSRUD	Individual	Support	Written Testimony Only

Comments:

Thank you for your continued support for protecting the rights of ALL individuals. We need to protect due processes, especially during these disturbing times of ICE agents grabbing people off the streets. Please require state and county law enforcement agencies to notify individuals of their rights, and make all ICE immigration violations records accessible.

Mahalo

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

HEARING:

Wednesday, February 25, 2026 at 2:00 pm

Conference Room 325 and Via Videoconference

State Capitol

TESTIMONY IN SUPPORT OF HB 1839, HD1 - RELATING TO IMMIGRATION.

Aloha Chair Tarnas, Vice Chair Poepoe, Rep. Cochran of Maui, and Members of the Committee,

My name is Christine Andrews and I am a long-term resident of Wailuku, Maui. I am also an attorney licensed in the state of Hawaii for over 25 years and a founding coalition member of El Pueblo en Acción (EPA) Maui — The People in Action Maui. I am writing in **strong support of HB1839, HD1**, Relating to Immigration. This measure requires state and county law enforcement agencies to notify individuals in custody of their rights before interviews with U.S. Immigration and Customs Enforcement (ICE) regarding civil immigration matters; makes related ICE access records public; and requires agencies providing ICE access to detained individuals to hold two public forums annually.

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

I begin my training presentations with an overview of why knowing our rights is important:

- **AWARENESS:** Many people in our communities simply do not know their rights, so they also do not know when their rights are being violated. Federal agents can take advantage of our ignorance about our constitutional protections as a mechanism to deprive us of them.
- **EMPOWERMENT TO EXERCISE RIGHTS:** Know Your Rights education, in the school context for example, empowers people to be able to exercise their rights to protect themselves, their school, and their employees, students, and communities.
- **BUILD COLLECTIVE POWER:** The more people know their rights and how to exercise them, the more power they have when faced with immigration agents. Knowing your rights is the first step to collective safety.

I request your support of HB 1839, HD1, to ensure that people in the custody of state and county law enforcement agencies are notified of their rights before interviews with ICE regarding civil immigration matters. House Bill 1839 ensures that no one is questioned about civil immigration matters while in custody without understanding their rights or giving clear, voluntary, informed consent. The bill affirms that constitutional protections apply to all people within the United States, regardless of status. House Bill 1839, HD1 provides for an implementation that includes statewide standardized forms, multilingual access, and training to ensure consistency across jurisdictions. These

procedures have proven workable in other states and support both equitable justice and effective governance.

House Bill 1839, HD1 strengthens public trust, ensures due process, and creates a transparent, uniform standard for engagement between local law enforcement and federal immigration agencies. I respectfully **request you support HB 1839, HD1** and vote it out of committee.

Mahalo,

Christine Andrews, J.D.
Wailuku, Maui

HB-1839-HD-1

Submitted on: 2/24/2026 11:10:00 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Aloha, I am writing in support of HB1839 HD1 because I believe all people are entitled to a robust defense and due process regardless of immigration status. Mahalo for your consideration.

HB-1839-HD-1

Submitted on: 2/24/2026 11:12:27 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for your attention to this matter. Aloha! Mary True, 96783

HB-1839-HD-1

Submitted on: 2/24/2026 11:20:47 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

In support.

HB-1839-HD-1

Submitted on: 2/24/2026 11:32:17 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alicia Hedlesky	Individual	Support	Written Testimony Only

Comments:

02/08/2026

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

RE: TESTIMONY IN SUPPORT OF HB1839

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

My name is Alicia Hedlesky, a resident of Moloa'a, Kauai and a member of Indivisible Hawai'i. I am writing to strongly support HB1839, which would protect the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies. Protecting the rights of the vulnerable is our duty, and a strong foundation for preserving the rights of citizens in the face of eroding norms.

Thank you for your consideration and the opportunity to testify on this important issue,

Alicia Hedlesky

HB-1839-HD-1

Submitted on: 2/24/2026 11:38:27 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Addie Berliner	Individual	Support	Written Testimony Only

Comments:

Testimony of: Addie Berliner
In SUPPORT of: HB1839

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

My name is Addie Berliner, and I am submitting testimony in strong support of HB1839.

HB1839 is a commonsense due process and transparency measure that ensures people in state or county custody receive “Know Your Rights” information before any civil immigration interview, and that any interview proceeds only with clear, voluntary, informed consent.

Why I support HB1839

No one should be questioned about civil immigration matters while in custody without knowing the interview is voluntary and that they can ask for counsel.

Thank You for your Time!

Addie Berliner

HB-1839-HD-1

Submitted on: 2/24/2026 11:48:04 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vivian S. Toellner	Individual	Support	Written Testimony Only

Comments:

I support.

HB-1839-HD-1

Submitted on: 2/24/2026 11:53:24 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kate Jacobson	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 pertaining to immigrant rights. Everyone deserves due process and protection from a lawless administration.

Mahalo, Kate Jacobson

HB-1839-HD-1

Submitted on: 2/24/2026 11:55:43 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Committee Members,

Due process for everyone in this country is very important to me and should be for you on JHA. Please move the measure forward.

Sincerely,

Diane Ware Volcano HI

HB-1839-HD-1

Submitted on: 2/24/2026 12:02:16 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristy Gund	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1839 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly, we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This Bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this Bill.

HB-1839-HD-1

Submitted on: 2/24/2026 12:21:27 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kathy Hammes	Individual	Support	Written Testimony Only

Comments:

Testimony of Kathy Hammes

In SUPPORT of HB1839 HD1

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Hearing Date: Wednesday, Feb 25, 2026

Dear Honorable Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Kathy Hammes, and I submit this testimony in **support of HB1839 HD1**, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

I am a naturalized US citizen since 1992 and testify as an individual.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they are under stress and may have limited English proficiency without the guidance of legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold

community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee **PASS HB1839 HD1**.

Mahalo for the opportunity to provide testimony.

Sincerely,

Kathy Hammes

Concerned Citizen

kham337@gmail.com

1-808-756-6697

HB-1839-HD-1

Submitted on: 2/24/2026 12:21:40 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Margaret N Sipple	Individual	Support	Written Testimony Only

Comments:

America has always been a country of immigrants. Slaves and indentured workers were imported to do the hard back breaking work on plantations that made mostly Caucasians wealthy. This is especially true of Hawaii. Court systems are in place to assist refugees and those hoping to improve their lives. It is a travesty to use the court system to detain people who are trying to follow the law to correct their immigration status.

HB-1839-HD-1

Submitted on: 2/24/2026 12:51:09 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill.

Bo Breda

HB-1839-HD-1

Submitted on: 2/24/2026 12:52:55 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry McDonald	Individual	Support	Written Testimony Only

Comments:

Individually, I am in strong support of HB 1839, and likewise our group at East Hawai'i Indivisible. this bill supports the Aloha of our state constituion, and requires ICE slow down just enough where local police can and will notify them of all of their rieghts under Hawaiian law.

HB-1839-HD-1

Submitted on: 2/24/2026 1:03:12 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Calvin Black	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill.

HB-1839-HD-1

Submitted on: 2/24/2026 1:16:45 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

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

Comments:

Thank you for reading my testimony. HB1839 seems like a common sense way to help ensure people's rights vis-a-vis immigration interviews. HB1839 should not impact federal immigration officer's *lawful* interviews other than adding a delay until the interviewee is informed of their rights and equipped with an attorney. By making public certain interviewee records violations of their rights can be avoided.

Dave Cuthbert, Paho, Hawai'i

HB-1839-HD-1

Submitted on: 2/24/2026 1:48:36 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Justice, M.D.	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB1839 both personally and as a member of the Indivisible Hawaii State Network (IHSN). This Bill would add a new Chapter to the HRS on due process and transparency for civil immigration contacts of persons in custody of state or local law enforcement. HB1939 would require state and local agencies to provide an individual in custody with information about their rights before any civil immigration interview, and would require transparency about ICE access to detained individuals.

Sadly we see daily examples in the news of ICE and CBP violating the statutory rights and due process rights of persons contacted about their immigration status. Several federal courts have found that these agencies have denied due process rights to persons questioned, detained, and even rendered to foreign countries. This bill provides one means of protecting the rights of noncitizens who are already in custody and facing a civil immigration interview with federal agencies.

Thank you for the opportunity to testify on this bill.

HB-1839-HD-1

Submitted on: 2/24/2026 1:54:18 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amy Wake	Individual	Support	Written Testimony Only

Comments:

Testimony of Rev. Amy Chieko Wake

In SUPPORT of HB1839 HD1

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Hearing Date: Wednesday, Feb 25, 2026

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is Amy Wake, Lead Pastor of Wesley United Methodist Church in Kahala, and I submit this testimony in support of HB1839 HD1, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

HB1839 HD1 is important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

This bill also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. These steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee PASS HB1839 HD1.

Mahalo for the opportunity to provide testimony.

Sincerely,

Rev. Amy Wake

Pastor, Wesley United Methodist Church

pastoramywake@gmail.com

Testimony of Wendy Naomi Sodetani
In SUPPORT of HB1839 HD1

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Hearing Date: Wednesday, Feb 25, 2026

Dear Chair David A. Tarnas, Vice Chair Mahina Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs,

My name is **Wendy Naomi Sodetani**, and I submit this testimony in **support of HB1839 HD1**, which requires that individuals in custody receive a clear rights notice and provide informed, written consent before any civil immigration interview with ICE, and strengthens transparency and accountability through documentation, public reporting, and community forums.

I am testifying as an individual born and raised in Hawai'i and an active member of the Indivisible Hawai'i Statewide Network. I recently retired from a community health center in Kalihi caring for underserved populations, primarily low-income, new immigrant and Pacific Islander migrant families. **Most of our patients are of Limited English Proficiency (LEP).**

HB1839 HD1 is critically important because people in custody are in a vulnerable situation and may not understand their rights—especially if they have limited English proficiency or do not have legal counsel. This bill requires state/county law enforcement to provide a written consent form and rights notice before any civil immigration interview between ICE and a person in custody. This measure ensures that any ICE civil immigration interview is truly voluntary and informed, with clear documentation and safeguards against coercion or misunderstanding.

HB1839 HD1 also strengthens public trust by requiring transparency: agencies must document ICE access requests and outcomes, provide public information (with appropriate redactions), and hold community forums. It also provides for AG reporting using de-identified records.

Together, all these steps create accountability and help ensure local practices are consistent, lawful, and responsive to community concerns.

For these reasons, I respectfully request that the Committee **PASS HB1839 HD1**.

Mahalo for the opportunity to provide testimony.

Sincerely,

Wendy Naomi Sodetani

Member of Indivisible Hawai'i Statewide Network (IHSN)

naomisodetani@gmail.com

(808) 741-0555