

JON N. IKENAGA  
PUBLIC DEFENDER

**DEFENDER COUNCIL**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

**HONOLULU OFFICE**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

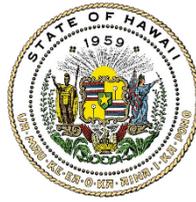
**APPELLATE DIVISION**  
TEL. NO. (808) 586-2080

**DISTRICT COURT DIVISION**  
TEL. NO. (808) 586-2100

**FAMILY COURT DIVISION**  
TEL. NO. (808) 586-2300

**FELONY DIVISION**  
TEL. NO. (808) 586-2200

**FACSIMILE**  
(808) 586-2222



STATE OF HAWAII  
**OFFICE OF THE PUBLIC DEFENDER**

March 16, 2025

HAYLEY Y. C. CHENG  
ASSISTANT PUBLIC DEFENDER

**HILO OFFICE**  
275 PONAHAHAWAI STREET  
SUITE 201  
HILO, HAWAII 96720  
TEL. NO. (808) 974-4571  
FAX NO. (808) 974-4574

**KONA OFFICE**  
75-1000 HENRY STREET  
SUITE #209  
KAILUA-KONA HI 96740  
TEL. NO. (808) 327-4650  
FAX NO. (808) 327-4651

**KAUA'I OFFICE**  
3060 EIWA STREET  
SUITE 206  
LIHUE, HAWAII 96766  
TEL. NO. (808) 241-7128  
FAX NO. (808) 274-3422

**MAUI OFFICE**  
81 N. MARKET STREET  
WAILUKU, HAWAII 96793  
TEL. NO. (808) 984-5018  
FAX NO. (808) 984-5022

## **HB2600: RELATING TO THE OFFICE OF THE PUBLIC DEFENDER**

### **Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs:**

The Office of the Public Defender (OPD) **strongly supports HB2600**. This measure seeks to add a Deputy Public Defender III position to the Office of the Public Defender, provided that the position be assigned as needed to provide counsel on constitutional and related legal matters.

The OPD is a statewide agency with branches on O'ahu, Maui (servicing Maui, Lana'i and Moloka'i), Kaua'i, and Hawai'i (Kona and Hilo). The mission of the OPD is to fulfill the State's obligation to provide legal counsel for indigent persons who are charged with a criminal offense or to other persons who have been statutorily afforded counsel. The representation provided by the OPD is required by the constitution, statute and rule to be zealous and effective. Last year the OPD's 102 attorneys handled 34,363 cases – this included parole matters, involuntary civil commitment cases, appeals, traffic cases, petty misdemeanor cases, misdemeanor cases, felony cases and murder cases, an average of 337 cases per attorney.<sup>1</sup> In order to provide constitutionally effective representation, attorneys must be apprised of all direct and collateral legal consequences of cases. Convictions have direct and collateral consequences, which include immigration consequences for non-citizens.

The U.S. Supreme Court and Hawai'i Supreme Court have made it clear that failing to affirmatively advise clients on immigration consequences is *de facto* ineffective

---

<sup>1</sup> The majority of cases handled by the OPD are traffic, petty misdemeanor and misdemeanor cases in the district courts. The 102 attorneys includes 9 supervisors and the Assistant Public Defender. Generally supervisors carry a lower case load due their administrative duties.

assistance of counsel. In Padilla v. Kentucky, 559 U.S. 356, 176 L.Ed.2d 284 (2010), the U.S. Supreme Court held that the attorney had engaged in “deficient performance” by failing to advise the defendant that his plea of guilty made him subject to automatic deportation. The Hawai‘i appellate courts have confirmed that under the article I, section 14 of the Hawai‘i Constitution, an attorney has a “clear duty” to affirmatively give correct advice about the deportation consequence of his no contest plea<sup>2</sup> and that an attorney’s inadequate advice to his client regarding immigration consequences constituted ineffective assistance of counsel<sup>3</sup>.

Despite the fact that the OPD is a statewide office, the OPD has no attorneys who are assigned to provide assistance to attorneys statewide in immigration matters. All currently available attorney positions at the office are necessary to provide representation in trial and appellate matters. Padilla and the Hawai‘i cases that followed (Najera and Araiza) were decided in a time when there was more certainty regarding the immigration consequences of convictions. Under the current federal administration, laws, regulations regarding immigration consequences and the interpretations and implementation thereof are moving targets. As it stands now, the OPD relies upon advice from outside agencies, such as the Hawai‘i Immigrant Justice Center, or from the experience or research into immigration issues by other attorneys in the office, to wade through the complex area of immigration law. HB2600 would allow the OPD to dedicate a single position to focus on immigration law as it relates to the criminal cases handled by the OPD attorneys. Under Padilla, Najera and Araija, the OPD has a “clear duty” to provide adequate and accurate device to its clients regarding immigration consequences. HB2600 would provide an attorney position so that the OPD can fulfil the mandates of Padilla, Najera and Araija in the course of fulfilling its constitutionally and statutorily mandated mission of providing indigent persons with representation in criminal matters.<sup>4</sup>

The OPD strongly supports HB2600. Thank you for the opportunity to comment on this measure.

---

<sup>2</sup> See State v. Najera, 143 Hawai‘i 83, 422 P.3d 661 (App. 2018).

<sup>3</sup> See State v. Araiza, 149 Hawai‘i 7, 481 P.3d 14 (2021).

<sup>4</sup> The attorney could also assist in other matters which are of statewide concern to the office, such as keeping attorneys apprised of new constitutional and legal issues, in addition to immigration law issues. We envision the attorney as a repository of knowledge and a statewide resource for attorneys at the OPD.



COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

HEARING:

Friday, February 13, 2026 at 2 pm

VIA VIDEOCONFERENCE

Conference Room 325

State Capitol

415 South Beretania Street

**TESTIMONY IN SUPPORT: HB 2600 RELATING TO THE OFFICE OF THE PUBLIC DEFENDER.**

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

My name is Veronica Mendoza, Founding Executive Director of Roots Reborn and a founding coalition member of El Pueblo en Acción (EPA) Maui - *The People in Action Maui*. Roots Reborn **strongly supports HB 2600**, Relating to the Office of the Public Defender, which appropriates funds to the Office of the Public Defender for one full-time equivalent (1.0 FTE) Deputy Public Defender III position.

Roots Reborn is a grassroots, immigrant-justice and disaster-response organization serving migrant and immigrant communities on Maui. Formed after the August 2023 wildfires, our team has worked alongside families through every phase of recovery by providing aid, navigating systems, and building community trust that remains the foundation of our work today. We have grown into an organization providing pro bono immigration legal services, Know Your Rights education, and rapid response coordination for immigrant residents on Maui.

Our pro bono immigration legal services work has shown us that access to legal counsel, regardless of ability to pay, strengthens families, supports community, and ensures that everyone's rights under the Constitution are protected. That is why we **support HB 2600** to add legal resources where needed and to ensure the rights of all are upheld regardless of financial circumstance.

We respectfully urge your strong **support for HB2600**.

Sinceramente,

A handwritten signature in black ink, appearing to read 'Veronica Mendoza', written over a horizontal line.

Veronica Mendoza

Maui Roots Reborn, *Founding Executive Director*

El Pueblo en Accion Maui, *Founding Coalition Member*



**TESTIMONY IN SUPPORT OF HB2600  
RELATING TO THE OFFICE OF THE PUBLIC DEFENDER**

**Committee on Judiciary & Hawaiian Affairs**

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

February 12, 2026

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

The Legal Clinic (TLC) strongly supports HB2600, which appropriates funding to establish an additional Deputy Public Defender position within the Office of the Public Defender. TLC is a nonprofit organization that works to advance immigrant justice in Hawai`i through immigration legal services, community education, and policy advocacy. We are committed to ensuring due process and equitable access to justice for all in Hawai`i, particularly immigrant and migrant communities who often face language barriers, economic hardship, and unfamiliarity with the legal system.

HB2600 strengthens Hawai`i's public defense capacity by supporting counsel on constitutional and related legal matters, an essential safeguard for fairness and due process. Noncitizens who come into contact with the criminal legal system face unique and often severe immigration consequences, including detention, deportation, and family separation. These individuals have a constitutional right to be informed of their legal rights and options, including the potential immigration consequences of criminal proceedings. Access to qualified, timely counsel is critical to protecting constitutional rights and ensuring individuals can make informed decisions about their cases.

HB2600 strengthens the Office of the Public Defender's staffing capacity to provide timely and effective representation. This measure is an important investment in fairness, due process, and public confidence in Hawai`i's legal system, and we urge the Committee's support.

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

Christina Sablan  
Community & Policy Advocate

**HB-2600**

Submitted on: 2/12/2026 11:28:45 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kat Brady	COMMUNITY ALLIANCE ON PRISONS	Support	Written Testimony Only

Comments:

COMMUNITY ALLIANCE ON PRISONS SUPPORTS THE OFFICE OF THE PUBLIC DEFENDERS' REQUEST FOR APPROPRIATION FOR ONE FULL TIME DEPUTY PUBLIC DEFENDER. WE SINCERELY APPRECIATE THE WORK THEY DO FOR OUR COMMUNITY



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

**Testimony of the Hawai'i Coalition for Immigrant Rights  
In SUPPORT of HB2600 RELATING TO THE OFFICE OF THE PUBLIC DEFENDER**

Representative Tarnas, Chair  
Representative Poepoe, Vice Chair

Hearing Date: Feb 13th, 2026, 2pm Room 325

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

My name is **Aparna Patrie**, 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.

HCIR strongly supports HB2600, which would expand the Office of the Public Defender by adding a full-time attorney position dedicated to immigration-related advisals and consultation.

This bill is fundamentally about investing in Hawai'i's public defense infrastructure and strengthening due process statewide. Public defenders carry demanding caseloads and play a critical role in safeguarding constitutional rights. Adding a full-time attorney position ensures that the office has the internal capacity to meet those obligations effectively, consistently, and efficiently.

In *Padilla v. Kentucky*, the United States Supreme Court held that the Sixth Amendment requires criminal defense attorneys to advise noncitizen clients about the immigration consequences of a plea. The Court recognized that deportation is often “intimately related to the criminal process” and, for many people, may be the most severe penalty flowing from a conviction. Yet, more than fifteen years later, the promise of *Padilla* remains unevenly realized—particularly in geographically isolated jurisdictions like Hawai'i.

A minor misdemeanor can trigger mandatory detention, permanent family separation, or removal without the possibility of relief. The immigration statute, the Immigration and Nationality Act (INA), is widely regarded as one of the most intricate and complicated areas of federal law. Public defenders—who already carry heavy caseloads—cannot reasonably be expected to master this highly specialized and constantly evolving field without dedicated institutional support.

HB2600 would ensure that noncitizen defendants receive accurate, timely, and individualized advice before making life-altering decisions in criminal court.

This additional capacity benefits the entire criminal legal system. When advisals are incomplete or inaccurate, convictions may later be challenged, cases reopened, and court resources expended



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

to correct preventable errors. Investing in a full-time position upfront promotes finality, efficiency, and confidence in outcomes.

The creation of this position is also a matter of equity. Immigrants are a significant and longstanding part of Hawai‘i’s community. For noncitizen defendants, the immigration consequence of a conviction may be far more severe than the criminal penalty itself. Ensuring access to accurate advice before entering a plea protects the integrity of the proceeding and affirms the principle that justice in Hawai‘i should not depend on immigration status.

Importantly, this bill does not create new rights or expand eligibility for relief. It simply ensures that the State has the professional capacity to meet constitutional standards and deliver competent representation. A single, well-supported full-time attorney position can strengthen the entire public defense system.

The stakes are particularly high in Hawai‘i. Immigrants make up a significant portion of our population and are deeply woven into our communities, workforce, and families. Many have lived here for decades, are lawful permanent residents, or are married to U.S. citizens. A conviction that might carry probation for a citizen can mean exile for a noncitizen—often to a country they have not seen since childhood. The impact is felt not only by the individual, but by spouses, children, employers, and entire communities.

Other jurisdictions have recognized the need for specialized immigration-defense expertise within public defense systems and have successfully implemented similar models. Hawai‘i should do the same. Establishing a dedicated *Padilla* counsel position is a modest, practical step that aligns our state with constitutional requirements and national best practices.

HB2600 reflects Hawai‘i’s commitment to fairness, due process, and keeping families together wherever possible. It ensures that plea decisions are truly knowing and voluntary, and that our courts operate with full awareness of the real-world consequences at stake.

For these reasons, HCIR respectfully urges this Committee to pass HB2600.

Mahalo for the opportunity to testify.

Aparna Patrie

Legal Advisor and Private Immigration Attorney

Hawai‘i Coalition for Immigrant Rights

**HB-2600**

Submitted on: 2/12/2026 3:37:22 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Matthew B. Johnson	Pacific Gateway Center	Support	Written Testimony Only

Comments:

**Testimony of Pacific Gateway Center**

**In SUPPORT of HB2600**

**Committee on Judiciary & Hawaiian Affairs**

**Representative David A. Tarnas, Chair**

**Representative Mahina Poepoe, Vice Chair**

**Hearing Date: Feb 13, 2026**

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

**My name is Matthew B. Johnson, Executive Director for Pacific Gateway Center, and I submit this testimony in support of HB2600, which appropriates funds to the Office of the Public Defender to support one full-time Deputy Public Defender III position for FY 2026–2027.**

As Executive Director of Pacific Gateway Center, I lead strategic efforts to empower immigrants and refugees across Hawai‘i through workforce development, small business support, and immigration legal services. Our organization provides holistic programs that create pathways to economic self-sufficiency while strengthening the social and economic fabric of our islands.

**A fair and functional justice system depends on the ability of the Office of the Public Defender to provide effective representation, especially in cases involving constitutional and other complex legal issues. When public defense is under-resourced, cases can slow down, legal issues may be delayed, and the strain on courts increases—impacting families, community stability, and public confidence in the justice system.**

**HB2600 is a targeted, practical investment in capacity. Funding one additional attorney position will help strengthen the Public Defender’s ability to respond to high-stakes legal matters in a timely and thorough way, supporting due process and improving the efficiency and credibility of Hawai‘i’s justice system.**

**For these reasons, I respectfully request that the Committee PASS HB2600.**

**Mahalo for the opportunity to provide testimony.**

Sincerely,

Matthew B. Johnson

Pacific Gateway Center

**HB-2600**

Submitted on: 2/11/2026 4:40:06 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Jaworowski	Individual	Support	Written Testimony Only

Comments:

I support this bill and its additional position for the public defenders office, and I would support it even more if you added an additional position. In order for justice to run smoothly, we must have lawyers on both sides – prosecutors and defense counsel. Public defenders are skilled professionals that are necessary not just for the people they represent, but for the court system.

**HB-2600**

Submitted on: 2/11/2026 9:56:19 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Deanna Espinas	Individual	Support	Written Testimony Only

Comments:

We must fund this Public Defender position to address the legal needs of indigent citizens.  
Thank you for your support .

**Testimony of Megahn Chun and Alejandro Villarino  
In SUPPORT of HB2600**

Committee on Judiciary & Hawaiian Affairs

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

Hearing Date: Feb 13, 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 HB2600, which appropriates funds to the Office of the Public Defender to support one full-time Deputy Public Defender III position for FY 2026–2027.

We own Mercado de la Raza, a Latin market and community gathering space dedicated to celebrating culture, supporting small businesses, and creating a welcoming environment for Latino families and neighbors. As a pillar of the Latino community, we serve as a trusted hub where people connect to resources, share traditions, and build relationships that strengthen our collective voice and well-being.

A fair and functional justice system depends on the ability of the Office of the Public Defender to provide effective representation, especially in cases involving constitutional and other complex legal issues. When public defense is under-resourced, cases can slow down, legal issues may be delayed, and the strain on courts increases—impacting families, community stability, and public confidence in the justice system.

HB2600 is a targeted, practical investment in capacity. Funding one additional attorney position will help strengthen the Public Defender’s ability to respond to high-stakes legal matters in a timely and thorough way, supporting due process and improving the efficiency and credibility of Hawai‘i’s justice system.

For these reasons, we respectfully request that the Committee PASS HB2600.

Mahalo for the opportunity to provide testimony.

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

**HB-2600**

Submitted on: 2/11/2026 11:52:57 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

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

Comments:

I STRONGLY SUPPORT Bill HB2600!

Mahalo,

Kanani Kai

Member Indivisible Hawaii

**HB-2600**

Submitted on: 2/12/2026 5:32:49 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michelle Bonk	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 2600.

This bill strengthens access to counsel and improves due process and helps ensure the justice system functions fairly and efficiently.

**HB-2600**

Submitted on: 2/12/2026 6:03:07 AM

Testimony for JHA on 2/13/2026 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 HB2600

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Hearing Date: Feb 13, 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 HB2600, which appropriates funds to the Office of the Public Defender to support one full-time Deputy Public Defender III position for FY 2026–2027.

I am pediatrician on Maui. I am testifying as an individual.

A fair and functional justice system depends on the ability of the Office of the Public Defender to provide effective representation, especially in cases involving constitutional and other complex legal issues. When public defense is under-resourced, cases can slow down, legal issues may be delayed, and the strain on courts increases—impacting families, community stability, and public confidence in the justice system.

HB2600 is a targeted, practical investment in capacity. Funding one additional attorney position will help strengthen the Public Defender’s ability to respond to high-stakes legal matters in a timely and thorough way, supporting due process and improving the efficiency and credibility of Hawai‘i’s justice system.

For these reasons, I respectfully request that the Committee **PASS HB2600**.

Mahalo for the opportunity to provide testimony.

Sincerely,

Gerald Montano, DO

**HB-2600**

Submitted on: 2/12/2026 7:56:32 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Fulton	Individual	Support	Written Testimony Only

Comments:

Due to a physical disability that limits my ability to provide oral testimony clearly, I am submitting my comments in writing. Mahalo for this opportunity to participate in this process.

**PLEASE PASS THIS BILL AS EXPEDITIOUSLY AS POSSIBLE, with any amendments that may strengthen it.**

Aloha Chair and Members of the Committee,

I respectfully support HB2600, which appropriates funding for an additional Deputy Public Defender position. At a time when immigration enforcement is expanding nationwide, **the workload and complexity of criminal defense practice is increasing significantly.**

Under *Padilla v. Kentucky*, **public defenders are constitutionally required to advise clients about the immigration consequences of criminal convictions.** As immigration enforcement becomes more aggressive, the stakes of even minor misdemeanor cases rise dramatically for non-citizen defendants. This requires additional legal research, consultation, plea negotiation strategy, and careful advisement — all of which increase time demands on already overburdened public defenders.

Ensuring adequate staffing within the Office of the Public Defender protects constitutional rights, promotes informed plea decisions, and upholds fairness in our justice system. Funding this position is a prudent investment in due process and judicial integrity.

Mahalo for your consideration and for supporting a justice system that is both fair and functional.

Respectfully,  
Dana Fulton  
Makawao, HI

**HB-2600**

Submitted on: 2/12/2026 8:05:34 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
pahnelopi mckenzie	Individual	Support	Written Testimony Only

Comments:

HB2600 is very important to fund. A full-time Deputy public defender is an essential element to help in this justice system. This creates access and more follow through for justice for the people her. We are in desperate need of more accessible support and this is one step I support.

Thank you Pahnelopi McKenzie

**HB-2600**

Submitted on: 2/12/2026 8:08:13 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dr. Kahala Johnson	Individual	Support	Written Testimony Only

Comments:

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

I submit this testimony in strong support of HB2600.

HB2600 appropriates funding for a Deputy Public Defender III position, strengthening Hawai'i's indigent defense system and access to counsel. Adequate public defense staffing is essential for due process and the fair functioning of the justice system.

This measure supports timely case handling, reduces delays, and helps ensure that people are not held or pressured unnecessarily due to lack of legal representation. A well-resourced public defense system benefits not only defendants, but courts, families, and communities statewide.

I respectfully urge you to pass HB2600.

**HB-2600**

Submitted on: 2/12/2026 8:44:30 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Judith Mura	Individual	Support	Written Testimony Only

Comments:

I, Judith Mura. Strongly Support HB2600

**HB-2600**

Submitted on: 2/12/2026 9:13:26 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Yvette Kay	Individual	Support	Written Testimony Only

Comments:

My name is Yvette Kay and I am a resident of Kailua Kona, HI and I support HB2600.

I support this bill because:

- Strengthens access to counsel and improves due process.
- Supports timely case handling and reduces delays.
- Helps ensure the justice system functions fairly and efficiently.

**HB-2600**

Submitted on: 2/12/2026 9:35:34 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nancy Convard	Individual	Support	Written Testimony Only

Comments:

**Testimony of Nancy Convard, Community Member**

**In SUPPORT of HB2600**

**Committee on Judiciary & Hawaiian Affairs**

**Representative David A. Tarnas, Chair**

**Representative Mahina Poepoe, Vice Chair**

**Hearing Date: Feb 13, 2026**

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

**My name is Nancy Convard, and I submit this testimony in support of HB2600, which appropriates funds to the Office of the Public Defender to support one full-time Deputy Public Defender III position for FY 2026–2027.**

**I am a community member concerned about fair access to protections and resources in our justice system]. I am testifying as an individual and acknowledge my participation in community organizing of the Campaign for Immigrant Justice.**

**A fair and functional justice system depends on the ability of the Office of the Public Defender to provide effective representation, especially in cases involving constitutional and other complex legal issues. When public defense is under-resourced, cases can slow down, legal issues may be delayed, and the strain on courts increases—impacting families, community stability, and public confidence in the justice system.**

**HB2600 is a targeted, practical investment in capacity. Funding one additional attorney position will help strengthen the Public Defender’s ability to respond to high-stakes legal matters in a timely and thorough way, supporting due process and improving the efficiency and credibility of Hawai‘i’s justice system.**

**For these reasons, I respectfully request that the Committee PASS HB2600.**

**Mahalo for the opportunity to provide testimony.**

**Sincerely,**

**Nancy Convard**

**Community Member**

**nconvard@gmail.com**

**HB-2600**

Submitted on: 2/12/2026 9:35:44 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joie Yonamine	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am submitting testimony in strong support of HB2600 as an individual.

HB2600 would provide additional funding to add one full-time Deputy Public Defender to support the Office of the Public Defender.

Public defenders are fundamental to ensure fair trials for everyone - regardless of their ability to pay for private counsel. This bill will help by giving low-income, disadvantaged individuals more access to skilled public defenders, helping prevent minor criminal cases from triggering larger consequences such as deportation or wrongful convictions.

Mahalo for the opportunity to testify,

Joie Yonamine, Manoa Valley

Testimony of Patrick Switzer  
In SUPPORT of HB2600  
Committee on Judiciary and Hawaiian Affairs

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

Hearing Date Feb 13, 2026

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

My name is Patrick Switzer and I submit this testimony in support of HB 2600 which appropriates funds to the Office of the Public Defender to support one full time Deputy Public Defender III position for FY 2026-2027

I am a Registered Nurse working in Honolulu and I am testifying as an individual to advocate for policy that will help protect the vulnerable members of our community that I serve.

I support HB2600 because it will help us achieve a more fair and functional judicial system. I want to live in a world where every person has basic human rights that are protected by the communities they live in, and by the governments they live under. Adding an attorney position will help the Public Defender respond to timely matters in an effective way, helping improve people's rights to due process, and preventing delays in legal proceedings which strain the courts and the community.

I respectfully request that the Committee pass HB2600.

Sincerely,  
Patrick Switzer, R.N.  
[pastronaut@hotmail.com](mailto:pastronaut@hotmail.com) (808) 294-1594

**HB-2600**

Submitted on: 2/12/2026 11:40:21 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marie Iding	Individual	Support	Written Testimony Only

Comments:

Dear Legislators,

I VERY STRONGLY support this bill. It is only humane to provide legal counsel expeditiously, credibly and consistently. This aligns with constitutional rights to counsel, which I repeat, is only humane.

Thank you,

Marie Iding

**HB-2600**

Submitted on: 2/12/2026 12:40:26 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ellen Caringer, Ph.D.	Individual	Support	Written Testimony Only

Comments:

**Testimony of Ellen R. Caringer, Ph.D.**

**In SUPPORT of HB2600**

Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Hearing Date: Feb 13, 2026

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

My name is Ellen Caringer, and I submit this testimony in support of HB2600, which appropriates funds to the Office of the Public Defender to support one full-time Deputy Public Defender III position for FY 2026–2027.

I am a clinical psychologist and I am testifying as an individual. In my 35-plus years of practice, I've interfaced with the legal system on multiple occasions, particularly around the welfare of children and families, and I have seen the importance of legal representation for family members, first hand.

A fair and functional justice system depends on the ability of the Office of the Public Defender to provide effective representation, especially in cases involving constitutional and other complex legal issues. When public defense is under-resourced, cases can slow down, legal issues may be delayed, and the strain on courts increases—impacting families, community stability, and public confidence in the justice system.

HB2600 is a targeted, practical investment in capacity. Funding one additional attorney position will help strengthen the Public Defender's ability to respond to high-stakes legal matters in a timely and thorough way, supporting due process and improving the efficiency and credibility of Hawai'i's justice system.

For these reasons, I respectfully request that the Committee PASS HB2600.

Mahalo for the opportunity to provide testimony.

Sincerely,

Ellen R. Caringer, Ph.D.

[drcaringer@gmail.com](mailto:drcaringer@gmail.com)

**HB-2600**

Submitted on: 2/12/2026 1:36:23 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Richard S Velasquez	Individual	Support	Written Testimony Only

Comments:

there is a mood for resources to people who cannot afford legal help

**Testimony of Wendy Naomi Sodetani  
In SUPPORT of HB2600**

Committee on Judiciary & Hawaiian Affairs

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

Hearing Date: Feb 13, 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 HB2600, which appropriates funds to the Office of the Public Defender to support one full-time Deputy Public Defender III position for FY 2026–2027.

I am testifying as an individual born and raised in Hawai'i and an active member of the Indivisible Hawai'i Statewide Network (IHSN). I recently retired from a community health center in Kalihi serving primarily low-income, new immigrant and Pacific island migrant populations; the latter legally entitled to live and work in Hawai'i and U.S. under the Compact of Free Association (COFA). I am heartbroken to see that our patients and their families now live in fear of deportation and being torn from their families here, and stay home from work, from school and even their medical appointments. They hide from federal agencies like ICE and Customs and Border Patrol who do not seek to protect, but terrorize our community, immigrants and citizens alike.

I strongly support HB2600 because I believe a fair and functional justice system depends on the ability of the Office of the Public Defender to provide effective representation, especially in cases involving constitutional and other complex legal issues. When public defense is under-resourced, cases can slow down, legal issues may be delayed, and the strain on courts increases—impacting families, community stability, and public confidence in the justice system.

HB2600 is a targeted, practical investment in capacity. Funding one additional attorney position will help strengthen the Public Defender's ability to respond to high-stakes legal matters in a timely and thorough way, supporting due process and improving the efficiency and credibility of Hawai'i's justice system.

For these reasons, I respectfully request that the Committee PASS HB2600. We must keep all persons who call Hawai'i home safe and protected under the law. In Hawai'i we are more than neighbors, we are 'ohana.

Mahalo for the opportunity to provide testimony.

Sincerely,

**Wendy Naomi Sodetani**

Member of Indivisible Hawai'i Statewide Network (IHSN)

[naomisodetani@gmail.com](mailto:naomisodetani@gmail.com)

(808) 741-0555

**HB-2600**

Submitted on: 2/12/2026 2:00:14 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy J. Budd	Individual	Support	Written Testimony Only

Comments:

**To:** HOUSE JUDICIARY & HAWAIIAN AFFAIRS COMMITTEE

Hon. David A.Tarnas, Chair

Hon. Mahina Poepoe, Vice Chair

**Re:** *URGING STRONG SUPPORT HB1838 HD1, HB1870 HD1, HB1768, HB1548 and HB2600*

**Hearing:** Friday, Feb 13, 2026 — 2 PM

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

My name is Nancy J. Budd and I submit this testimony in **strong support** of **HB1838 HD1, HB1870 HD1, HB1768, HB1548, and HB2600**. Together, these measures strengthen community safety, due process and transparency. It is critical that our state provide these protections so all of our residents, including vulnerable immigrant and mixed-status families, can access essential services without fear and survivors can seek help and safely cooperate with authorities.

State and county participation in civil immigration enforcement near sensitive locations such as schools, health care facilities, libraries, shelters, and courts *must be prohibited*. People must be able to safely access education, health care, emergency services and courts without fear.

Secretive or masked enforcement undermines due process and public trust. Transparency is essential to constitutional accountability—especially for immigrant communities. Prohibit masks and require that name tags and official badges be worn.

287(g) programs lead to racial profiling, unlawful detention, and fear of law enforcement. Ending deputization keeps local resources focused on community safety—not federal

immigration enforcement. Transfers to immigration authorities should require a judicial warrant or finding of probable cause.

A single extra day in a sentence can trigger mandatory detention or deportation under federal law. This reform promotes proportional sentencing and prevents unnecessary incarceration and family separation for low-level offenses.

Appropriating funds to provide for a Deputy Public Defender assigned to complex constitutional matters is a strategic and important investment to ensure due process, efficiency and fairness.

I respectfully urge you to **PASS** these measures. Mahalo for the opportunity to testify.

Sincerely,

**Nancy J. Budd**

**Kaua`i Resident, attorney, and former Hawaii Board of Education member**

**HB-2600**

Submitted on: 2/12/2026 3:08:18 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

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

Comments:

Aloha,

I am a retired physician, a resident of Kapolei, and a member of Indivisible. I apologize for not meeting the deadline by several hours but hope that my testimony will be considered anyway. I stongly support HB2600, which appropriates funds to the Office of the Public Defender to support one full-time Deputy Public Defender III position for FY 2026–2027.

This bill would allow the Office of the Public Defender to provide effective representation, especially in cases involving constitutional and other complex legal issues. When public defense is under-resourced, cases can slow down, legal issues may be delayed, and the strain on courts increases—impacting families, community stability, and public confidence in the justice system.

Mahalo.

Wednesday, February 13, 2026 2:00 p.m.  
Conference Room 325 & Videoconference  
State Capitol, 415 South Beretania Street

**Testimony of Joey Badua**

**In SUPPORT of HB2600**

Representative David A. Tarnas, Chair

Representative Mahina Poepoe, Vice Chair

Dear Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary and Hawaiian Affairs:

My name is Joey Badua, and I appreciate the opportunity to submit testimony on this important bill.

**I strongly support this bill** because HB2600 would allow the Public Defender's Office the crucial function of protecting and improving due process in our state.

As a former deputy public defender, I can attest to the intensity and volume of cases in the criminal justice system. Passing HB2600 would reduce delays and ensure that the justice system functions fairly and efficiently.

Mahalo for the opportunity to submit testimony.

Respectfully,

*Joey Badua*

*PO Box 29724*

*Honolulu, HI 96820*

**HB-2600**

Submitted on: 2/12/2026 5:13:26 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. I am a member of Indivisible Hawaii



February 11, 2026

Hawai'i State Legislature  
House Committee on Judiciary & Hawaiian Affairs ("JHA")

**RE: Testimony in Support with Comments for HB 2600, RELATING TO THE OFFICE OF THE  
PUBLIC DEFENDER**

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

The William S. Richardson School of Law Refugee & Immigration Clinic ("RILC"), submits testimony in **support with a suggested amendment for HB 2600**, which clarifies that the funded Deputy Public Defender III position within the Office of the Public Defender must provide expertise to noncitizen defendants regarding the immigration consequences of criminal plea decisions, thereby supporting constitutionally effective representation as established in Padilla v. Kentucky, 559 U.S. 356 (2010).

**About RILC**

RILC offers law students an opportunity to work on immigration law cases under the supervision of a licensed immigration attorney. Immigration law is a dynamic area of law that intersects with many issues in contemporary culture and politics. With a Director, three Law Fellows, and 6-10 law students each semester, we provide specialized and high-quality immigration legal services to income-eligible noncitizens in Hawai'i. We focus our efforts on income-eligible clients seeking asylum, removal defense, and other forms of humanitarian relief because these clients often have the most difficulty finding and paying for legal representation.

**Our Position on HB 2600**

**We support HB 2600** because, as immigration attorneys, we have observed a critical need for immigration expertise within public defense to address the complex and severe immigration consequences that arise from criminal proceedings involving noncitizen defendants, including deportability, detention, family separation, and removal. The U.S. Supreme Court has recognized that, although these immigration consequences are "collateral" consequences to a conviction, the Sixth Amendment requires competent counsel to advise noncitizen defendants about the immigration consequences of a plea. Id. Authorizing immigration expertise within the Office of the Public Defender would equip defense counsel with the specialized guidance necessary to advise clients effectively, support informed plea decisions, and help ensure constitutionally adequate representation where criminal and immigration law intersect.

**Suggested Amendment on HB 2600**

Our suggested amendment clarifies that the funded Deputy Public Defender III position will be assigned to provide expertise regarding the immigration consequences of criminal proceedings affecting noncitizen defendants. Criminal proceedings often carry severe immigration

consequences, including deportability, detention, and removal. The complexity of immigration law makes specialized expertise essential for defense counsel to meet their constitutional obligations. By expressly authorizing immigration expertise within the Office of the Public Defender, the amendment strengthens the office's ability to support defense attorneys advising noncitizen defendants, promotes informed decision-making in criminal proceedings, and helps ensure compliance with the Sixth Amendment right to effective and competent legal counsel.

We urge this committee to pass HB 2600. Thank you for the opportunity to testify on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Ramos', with a stylized flourish at the end.

**Danicole Ramos, Esq.**

## Proposed Suggested Amendment

SECTION 1. Act 2600, Session Laws of Hawaii 2026, is amended by amending section 1 to read as follows:

"SECTION 1. There is appropriated out of the general revenues of the State of Hawaii the sum of \$125,004 or so much thereof as may be necessary for fiscal year 2026-2027 for one full-time equivalent (1.0 FTE) deputy public defender III position within the office of the public defender (BUF151); provided that the deputy public defender III shall be assigned as needed to provide counsel on constitutional and related legal matters[-], including expertise regarding the immigration consequences of criminal proceedings affecting noncitizen defendants."



Committee: House Committee on Judiciary & Hawaiian Affairs  
Hearing Date/Time: Friday, February 13, 2026, at 2:00 PM  
Place: Conference Room 325 & via Videoconference  
Re: Testimony of the ACLU of Hawai'i in SUPPORT of HB 2600  
Relating to the Office of the Public Defender

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

The ACLU of Hawai'i (ACLU-HI) is in **strong support of HB 2600**, which appropriates funds for an additional full-time employee at the Office of the Public Defenders: specifically, the bill would fund a full-time attorney assigned to “provide counsel on constitutional and related legal matters.”

This position will strengthen Hawai'i's public defense capacity by supporting counsel on constitutional and related legal matters, an essential safeguard for fairness and due process. In 2010, the United State Supreme Court held in *Padilla v. Kentucky* that criminal defense attorneys have a Sixth Amendment duty to advise noncitizen defendants about the immigration consequences of their criminal convictions. 559 U.S. 356 (2010). In doing so, the Supreme Court recognized that many criminal convictions—including misdemeanors and lesser offenses—are grounds for deportation and other severe consequences under federal immigration law.

Noncitizens who live in Hawai'i and are accused of crimes therefore have the constitutional right to receive adequate counsel when navigating decisions throughout the pendency of their cases. Adding capacity to the Public Defenders' Office helps to ensure that this constitutional right is fulfilled, and that noncitizens are informed of their legal rights and options, including the potential immigration consequences of criminal proceedings.

The ACLU-HI strongly supports the passage of HB 2600 because it increases the Office of the Public Defender's staffing capacity to provide timely and effective representation. This measure is an important investment in fairness, due process, and public confidence in Hawai'i's legal system, and we urge the Committee's support.

Mahalo for the opportunity to testify.

Sincerely,

Leilani Stacy  
Immigrants' Rights Staff Attorney

*With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving our communities in Hawai'i for over 60 years.*

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522.5900  
F: 808.522.5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)