

BFED Committee

From: Rachel Coles <rachel.coles1@gmail.com>
Sent: Friday, October 10, 2025 2:08 PM
To: BFED Committee
Subject: Bill 92 Concerns

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Aloha Honorable Council Members,

My name is Rachel Coles, and I am a resident of Maui. I love Maui's attitude and communities, and I have been very worried lately about how Maui will be affected by the growing authoritarianism coming from the US federal administration. My specific concerns about Bill 92 in particular are as follows:

The MOU designates that:

"All JTF personnel, once on-board, will be under the supervision of the FBI while working on the JTF to which they are assigned."

"Overall command and management of the JTF shall be the responsibility of the NJTF Section Chief (SC) and his/her designee at the level of FBI Headquarters (FBIFJQ) or the Assistant Director in Charge (ADIC) or Special Agent in Charge (SAC) of the FBI field office to which the JTF personnel are assigned, and his/her designee."

" All guidance on investigative matters handled by the JTF will be issued by the Attorney General (AG) or the FBI. The FBI will make available to the Participating Agency applicable guidelines and policies, including the AGG-DOM and the FBI's Domestic Investigations and Operations Guide (DIOG)."

The above points indicate that the MPD officers assigned to the JTF are under the supervision of the FBI chain of command. This does not leave room for any choice as to investigative freedom even if MPD officers assigned to JTF disagree.

" In order to comply with Presidential Directives, the policy and program management of the JTF is the responsibility of FBI Headquarters (FBIHQ). The operational chain of command beginning at the highest level, in each JTF will be as follows; ADIC (if assigned), SAC or SC, Assistant Special Agent in Charge (ASAC) or Unit Chief (UC), and JTF SSAs."

"Each FBI ADIC, SAC, or SC, through his other chain-of-command, is responsible for administrative and operational matters directly associated with the JTF. Operational activities will be supervised by FBI JTF SSAs. Staffing issues are the responsibility of the FBI chain of command."

These above points indicate that policy and program management and federal directives are set by the FBI and the federal government, not by the MPD, and anything pushed as the federal government directives will supercede MPD, including who the FBI decides are people to be targeted, such as lawful dissenters. Together with the previous points, loss of policy-setting and supervision, this MOU takes away any local power MPD has to mediate regarding who their own officers are set to investigate and/or prosecute.

" In light of the significant constant effort in on-boarding new JTF personnel, as well as the need for continuity to successfully combat national security, criminal, and cyber threats, attacks, and intrusions, the Participating Agency agrees to provide its personnel to the FBI JTF for a period of at least two (2) years. This MOU imposes no maximum limit as to the time that any individual may remain on the JTF. The FBI retains discretion over the length of service of JTF personnel, in coordination with the Participating Agency."

This point seems to indicate that once they are in, they're in for two years, wherever that goes, and since there is no maximum limit, they can be tasked to remain as long as the FBI wants to keep them locked in. This seems like an open door for a federal agency that under this current administration has gravely shifted towards supporting fascist practices.

My request is that the council please reconsider allowing this Bill 92 to pass, and at least allow for as much community discussion as needed since some communities here have already been targeted by federal agents and terrorized. I know this because I have witnessed it directly as a Roots Reborn volunteer. And while those agents had different letters, they are under the same people.

Mahalo for your consideration.

Sincerely,
Rachel Coles