

Great Committee

From: Bettina Mok <director@thelegalclinichawaii.org>
Sent: Saturday, November 13, 2021 3:49 PM
To: Great Committee
Cc: Mike J. Molina
Subject: Testimony for 11/16/21 Council Committee meeting on (GREAT-42)
Attachments: TLC letter to Maui County Council Nov 2021.pdf

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Dear Councilmember and Committee Chair Michael J. Molina and Members of the Maui Council Government Relations, Ethics and Transparency Committee:

Please accept submission of the attached testimonial letter from The Legal Clinic, a nonprofit immigrant justice organization based in Honolulu, on behalf of the Maui foreign-born client base we serve. This letter asks for postponement for decision-making and further clarification of the proposed bill "AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT HOMELAND SECURITY INVESTIGATIONS (GREAT-42)".

We have posted a similar comment via e-comments to the public meeting agenda f 11/16/21, and will share a similar request with the offices of Mayor Victorino and Deputy Chief of Maui Police Dean Rickard.

Thank you in advance for your consideration,

Bettina Mok
Executive Director
The Legal Clinic (Justice for Our Neighbors-Hawai'i)
Honolulu, Hawai'i
Direct: (808) 797-2599
www.thelegalclinichawaii.org





An Affiliate of
National Justice
for Our Neighbors

November 13, 2021

Government Relations, Ethics, and Transparency Committee
Council of the County of Maui

Re: Public Meeting Tuesday Nov. 16, 2021 agenda item: AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT HOMELAND SECURITY INVESTIGATIONS (GREAT-42)

- Submitted via email to GREAT.committee@mauicounty.us -

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Dear County of Maui Councilmembers:

It has come to our attention that the Government Relations, Ethics, and Transparency Committee of the County Council of Maui will be deliberating on Tuesday, Nov. 12th, on a bill that would authorize the Mayor of Maui County to enter into a special agreement with ICE Homeland Security Investigations (ICE). Given the historical context of agreements between ICE and local law enforcement, this proposed authorization raises concerns about the implications for our state's foreign-born residents, and their trust in local law enforcement.

The Legal Clinic is a nonprofit organization that advocates for fair immigration policies in Hawai'i, and which provides immigration legal services to assist our state's low-income residents—including Maui residents. 49% of Maui's agricultural workers and over 35% of Maui's Tourism, Recreation, and Hospitality workers are foreign-born.

While the HSI's function is to investigate transnational crime and not to enforce individual violations of immigration law, national immigrant advocates found that in recent years, HSI agents were "increasingly complicit in roundups fueled by racial profiling...and workplace raids that left communities traumatized" (Immigrant Legal Resource Center).

On behalf of the Maui client base we serve, we ask that you reconsider approving this authorization until the public has had sufficient opportunity to learn about the bill and to provide input. In particular, the proposed bill raises the following questions:

- In the risk vs. benefit analysis has the Council considered the effect on the immigrant community? Research shows that victims and witnesses in immigrant communities may be less likely to report crimes if they know that a Maui Police Department (MPD) officer is, or may be, a deputized ICE officer.
- Which duties will be assigned to designated MPD officers who are "deputized"?
- When are MPD officers authorized to ask suspects, victims, and witnesses questions about their immigration status, social security number, and/or place of birth?
- Does the Council have a plan for oversight, accountability and transparency?
- Will notice of MPD's new duties be shared with the public in various languages?
- Will Maui taxpayer's money be used to carry out federal ICE duties?

We believe there is another pathway to accomplish legitimate public safety goals without eroding trust between the MPD and the immigrant community. Please consider postponing this agenda item to allow for more community input, and to share answers to these questions.

Respectfully Yours,

Bettina Mok

Executive Director

(808) 797-2599; director@thelegalclinchawaii.org