

**RICHARD T. BISSEN, JR.**  
Mayor

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Prosecuting Attorney

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November 9, 2023

Honorable Richard T. Bissen, Jr.  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

**APPROVED FOR TRANSMITTAL**

 11-13-23  
Mayor Date

For Transmittal to:

Honorable Tamara Paltin  
Chair, Maui County Council  
Disaster, Resilience, International  
Affairs, and Planning Committee  
200 South High Street  
Wailuku, Hawaii 96793

**RE: BILL 88 (2023), AUTHORIZING THE MAYOR TO ENTER INTO AN  
INTERGOVERNMENTAL AGREEMENT WITH THE U.S.  
IMMIGRATION AND CUSTOMS ENFORCEMENT HOMELAND  
SECURITY INVESTIGATIONS**

Dear Chair Paltin:

I am writing in reply to your October 16, 2023, letter requesting my response to the Committee's inquiries regarding Bill 88 (2023), authorizing the Mayor to enter into an intergovernmental agreement with the U.S. Immigration and Customs Enforcement Homeland Security Investigations. I have had the opportunity to briefly speak with MPD Chief Pelletier, and it is my understanding that he received the exact same inquiries you sent me. I have reviewed MPD's responses, and will refer the Committee to Chief Pelletier's October 24, 2023, letter as it provides the information sought.

The Department of the Prosecuting Attorney supports the passage of Bill 88 and the signing of the intergovernmental agreement between HSI and MPD. Our department continues to have a wonderful working relationship with HSI with respect to investigations and prosecutions of drug trafficking organizations and human trafficking.


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I agree with MPD in that the intergovernmental agreement that is proposed and is the subject of Bill 88 does not confer immigration enforcement and removal operations authority upon MPD. In fact, such authority is explicitly exempted within the terms of the proposed agreement. Although HSI is a separate agency (importantly with a separate mission) from Immigrations and Customs Enforcement, I am aware that this is not a fact that is understood by the public, most importantly by those who are among our immigrant population here on Maui.

As a result, community engagement and education will be important so that this agreement is fully understood by our community. Input and guidance from those who regularly provide services to our immigrant community members will be a key to the success of such engagement efforts. My department will cooperate with MPD, HSI, and our community service providers and leaders in order to provide such information and education to the public.

I hope that this information assists the Committee in answering the inquiries posed. I am happy to be a resource to the Committee if you believe it will be of benefit. If the Committee needs further clarification, or would like additional information on this matter, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andrew H. Martin".

ANDREW H. MARTIN  
Prosecuting Attorney

## DRIP Committee

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**From:** Michelle Santos <Michelle.Santos@co.maui.hi.us>  
**Sent:** Monday, November 13, 2023 9:51 AM  
**To:** DRIP Committee  
**Cc:** Andrew Martin; Brandie Shimabukuro; Cynthia Sasada; Glen Duran; Josiah Nishita; Kekuhaupio Akana; Karen Montalvo; Leo Caires; Louise Batoon; Pili Nahooikaika; Shelly DeMattos  
**Subject:** MT#10366 Bill 88 (Response to October 16 letter from the DRIP Committee)  
**Attachments:** MT#10366-DRIP Committee.pdf

**NOTE: PLEASE DO NOT FORWARD MY EMAIL TO ANYONE OUTSIDE OF THE COUNTY OF MAUI. YOU MAY CLICK ON THE ATTACHMENT ITSELF AND CREATE YOUR OWN EMAIL TO FORWARD THE DOCUMENT TO ANOTHER PERSON OUTSIDE OF THE COUNTY.**

*Michelle L. Santos*

## Office Operations Assistant

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