

DRIP Committee

From: Genesis Gil <genesis@rootsreborn.org>
Sent: Tuesday, January 23, 2024 1:07 PM
To: John.pelletier@mpd.net; Andrew.Martin@co.maui.hi.us; Glen.Duran@co.maui.hi.us; Angela.Andrade@mpd.net; Richard E. Mitchell; Angela R. Lucero; Christi A. Keliikoa; James G. Krueger; Samantha G. Tanck; David M. Raatz; Shelly K. Espeleta; Reid.Pursley@mpd.net; lucas.hetzler@mpd.net; Clifton.Perreira@mpd.net; bill88@rootsreborn.org
Subject: Proposed Bill 88
Attachments: Proposed Bill 88 Questions.pdf

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Dear MPD & MPD Representatives,

I trust this message finds you well. In anticipation of our scheduled meeting on Monday, January 29th at 9am, our coalition, comprising Roots Reborn (RR), The Legal Clinic (TLC), Papa Ola Lokahi, Hawaii Coalition for Immigrants Rights (HCIR), American Civil Liberties Union of Hawaii (ACLU of HI), Attorneys Kevin Block of Maui Immigration Law and Leslee Mathews of SOUL Law, along with esteemed community members, has diligently convened on multiple occasions to address the proposed Bill 88.

Our primary focus has been the safeguarding of our immigrant & migrant community, and as advocates committed to their welfare, we harbor reservations regarding the intergovernmental agreement with U.S. ICE/HSI. These concerns stem partly from past incidents over the years on Maui adversely affecting our community, fostering a sense of distrust among a highly vulnerable and marginalized population towards MPD. We also draw insights from other MOU agreements across the nation, which have highlighted the negative impacts such collaborations have had on communities. As you know, Maui County boasts a significant immigrant population, comprising 17% county-wide, with Lahaina alone having at least 33% foreign-born residents, almost double the national average.

Some of our queries arise from the existing Memorandum of Understanding (MOU) between MPD, FBI, and DEA, which currently directs efforts towards enforcing the Controlled Substance Act, investigating narcotic traffickers (both domestic and international), combating human trafficking, and participating in federal human trafficking task forces.

During our previous meeting on December 5th, 2023, with Council Member Paltin, Captain Pereirra, Captain Clifton, Prosecuting Attorney Andrew Martin and Legislative Attorney Richard Mitchell we sought information on data and cost-benefit analysis. Ms. Carrie-Ann from the ACLU of HI emphasized the efficacy of data-driven approaches in enhancing public safety, fostering police accountability, and building community trust. We acknowledge that the Maui Police Department has been operating under a 2017 agreement permitting Maui Police officers to serve as HSI Task Force officers. To revisit our December inquiries, we have incorporated them into our list of questions, seeking transparent and informed responses.

In response to Chair Paltin's written questions, you conveyed in your responses dated October 24th, 2023 that "HSI does provide MPD Task Force Officers compensation for overtime incurred while participating in federal investigations. HSI also provides compensation for confidential funds utilized for illegal narcotics purchases and intelligence for federal investigations." We kindly request the supporting data for this statement.

Although it was initially proposed that we offer alternative language or amendments for Bill 88, our attempts to obtain MPD Public Records have been met with challenges. Veronica Jachowski, Executive Director at Roots Reborn, has actively pursued these records from MPD, initiating a request through Council Member Paltin on December 15, 2023. Subsequently, on January 8, 2024, we submitted a direct request for public records to the

Maui Police Department. Regrettably, we are still awaiting a conclusive response. The attached document contains our outstanding questions and a copy of our formal records request. We eagerly anticipate your thorough review and response.

Thank you for your attention to these matters. We look forward to a productive discussion during our upcoming meeting.

Sincerely,

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Genesis Gil

Director of Latino Community Organizing

Roots Reborn Lahaina

[Instagram: Roots Reborn Lahaina](#)

Questions for Maui Police Department and/or Law Enforcement

Re: Proposed Bill 88

01-21-2024

1. Please describe how the proposed Bill 88 will advance the objectives outlined in MPD's Strategic Plan, and specifically the governing principle that " Law enforcement agencies should build relationships based on trust with immigrant communities. This is central to overall public safety."
 - a. What plan do you have to build trust in the community and to do outreach and education around these agreements?
2. What is your plan to provide transparency with regard to activities?
3. In your Letter to Chair Paltin dated 10/24/23, you stated that "having Task Force Officers with different federal agencies provides the Maui Police Dept. with more investigatory resources." What specific investigatory resources will a MOU with HSI afford to the County of Maui to assist with drug and human trafficking cases?
4. Does MPD have authority to investigate and/or work collaboratively on drug and human trafficking cases in partnership with the FBI and the DEA even if the County of Maui does not enter a MOU with HSI under the proposed Bill 88?
5. Do you have existing Annual or end-of-year grant reporting requirements that describe the specific outcomes of the Agreement with HSI from 2017 to 2023? If yes, please provide copies.
 - a. You have indicated that "these types" of agreements are already in existence. If that is the case, what data can you give us on their efficacy and outcomes?
 - i. If the answer is NO - How does the County of Maui (and community members) evaluate the efficacy of the current MOU with HSI given that "financial obligations are placed on the County of Maui or any department or agency under the current 2017 agreement?
6. Has MPD or County of Maui completed a cost-benefit analysis of the outcomes from its Agreement with HSI from 2017 to the present?
7. Please list the total compensation that HSI has provided to the County of Maui for MPD officers engaging in activities under the current 2017 agreement with

HSI as HSI Task Force Officers. (Note: Ask for a copy of the grant/budget) from 2017 to the present and disaggregate the amount by year.

8. Does HSI compensate MPD officers acting as HSI Task Force Officers while participating in federal investigations for all hours worked? Or only for overtime?
9. What amount of compensation do HSI Task Officers earn while participating in federal investigations during overtime? (per hour)
10. How does HSI overtime pay compare to MPD's overtime pay for duties within the normal course of MPD duties not involving federal investigations?
11. Does the FBI provide compensation to the County of Maui for confidential funds utilized for illegal narcotics purchases and intelligence for federal investigations?
12. Does the DEA provide compensation to the County of Maui for confidential funds utilized for illegal narcotics purchases and intelligence for federal investigations?
13. The bill references ICE Form 73-001. The County must make public all Forms 73-001 that delegate authority to any MPD officers, including the specific authorities delegated to whom, and the time period for which they have been authorized. Please attach the form to the proposed Bill 88