

2026

LEGISLATIVE PRIORITIES

ACLU OF HAWAI'I



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ACLU of Hawaii's Policy Department

Aloha mai kākou,

The ACLU of Hawai'i ("ACLU-HI) is committed to protecting constitutional rights and civil liberties through supporting our communities from within and embracing the pilina we have to each other and Hawai'i.

While under a federal SNAP freeze, which affects nearly 169,000 Hawai'i residents (or 85,000 households), policy changes are critical to protecting people and families in Hawai'i.¹ We have seen ICE terrorize cities on the continent and federal efforts to deny gender-affirming care and equal opportunities to transgender people. We have selected informed legislative priorities that advocate for those who have had their rights infringed upon by the state and federal government while fighting against democratic backslide into authoritarianism.

We are excited to share our 2026 legislative agenda with you. For any questions, please contact ACLU of Hawai'i Policy Director, Mandy Fernandes.

Setting Our Legislative Priorities



The ACLU of Hawai'i begins preparing months before each legislative session to ensure our work remains both consistent and responsive to changing needs.

We gather input from our team, Board, members, and community allies to set annual policy priorities. Once established, we develop materials to share with the public, allies, and lawmakers, and work with key legislators to secure sponsors and build support.

During the session, we submit testimony supporting legislation that advances civil liberties and opposing bills that threaten them. We also meet with legislators, coordinate with community partners, and use public outreach—through social media, email, and forums—to engage residents in advocacy.

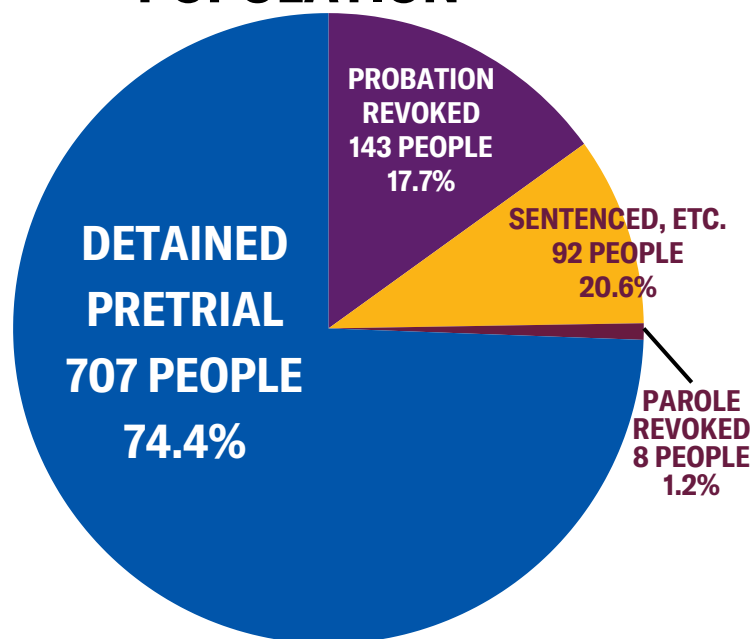
Fighting for a Just Criminal Legal System

Most conventional approaches to public safety make us less safe, while failing to address community needs and/or root causes of crime. This is why ACLU-HI helped establish and continues to support the Reimagining Public Safety in Hawai'i Coalition.

The Coalition is a diverse group of Hawai'i-based organizations and everyday residents that bring both lived experience and expertise from a range of sectors including public health, the criminal legal system, economic revitalization, restorative justice, police oversight and accountability, mental health, street medicine and harm reduction, among others.

Together, we are working to transform Hawaii's safety system away from policing and incarceration toward an intersectional public health and wellness-based approach to community safety.

O.C.C.C. JAIL POPULATION



SOURCE: State of Hawai'i Department of Corrections and Rehabilitation, "Weekly Population Report – 11/03/2025"

PRETRIAL FAIRNESS

While ACLU-HI firmly supports better conditions for prisoners, we cannot let the state continue to use it as an excuse to spend hundreds of millions of dollars on a new jail, needlessly incarcerating thousands of people. Both in Hawai'i and across the ocean on the continent. Implementing smart changes to our penal code—especially our pretrial system—will decrease reliance on jail in the first place and avoid separating people from their families.



Protect Hawaii's Immigrant Communities



NO SECRET POLICE, NO TROOPS IN OUR STREETS

Secret police create fear and confusion in our communities.

Since January, President Trump has been sending masked law enforcement agents into our cities to terrorize our immigrant neighbors at our courthouses, schools, churches, and hospitals. These officials are using secret police-style tactics to lock up people who have committed no crime, other than trying to build a life. These agents tear families apart, separating parents and children, for no reason. The increased deportation agenda has sewn deep fear in our islands: many people are now scared to leave their house to go to work, school, or receive medical care.

ACLU-HI asks the Legislature to take a stand against the federal administration's harmful agenda by:

1. Banning law enforcement's extreme masking and concealment of identity
2. Prohibiting local police from participating in the federal government's 287(g) program, which deputizes local officers to do ICE's bidding



Immigrants make our communities stronger.

ACLU

These same federal agents are too ashamed to identify themselves. They often wear face coverings to conceal their identities, refuse to show warrants, and do not provide their names or badge numbers when interacting with the public.² Worse yet—there is nothing stopping local law enforcement from cooperating with President Trump's agenda³ and diverting state and local resources, including data and equipment, to federal personnel who would use it to violate our rights.

Protect Hawaii's Immigrant Communities



BANNING 287(G) AGREEMENTS

The 287(g) is a program that allows ICE to sign agreements with local law enforcement agencies. The officers empowered under 287(g) agreements are not immigration experts; they are local police and sheriff deputies turned enforcers of a federal deportation agenda.

When state and local police take part in ICE's abusive practices and play the role of federal immigration agents, it makes communities less safe. This sharing of resources erodes trust in local law enforcement and deters immigrant families from coming forward when they are the victims of or witnesses to a crime⁴ or even asking for basic assistance.

273%

increase in immigration arrests in Hawai'i between January - July 2025, as compared to the same period in 2024.

Source: [Deportation Data Project](#)



People who are taken by ICE should also be immediately informed of their rights in a language they can understand. We support all additional policy changes to protect community spaces by limiting civil immigration enforcement at or near health centers, schools, courts, and shelters. Finally, we support reducing misdemeanor sentences to a maximum of 364 days so as not to trigger federal deportation proceedings.

Defend Gender Equity and LGBTQ+ Rights

Hawai'i has a rich history of queerness and recognition of gender beyond the binary.⁵ As well as reproductive freedom and abortion access.⁶ Given the unique position of Hawai'i on these issues and the urgency brought by President Trump's persistent attacks on transgender rights,⁷ ACLU-HI remains committed to protecting transgender rights.

Transgender youth who are affirmed in their gender by their families do better in school, feel safer in their communities, establish healthy relationships with their parents and peers, and are better equipped to plan for their future. In contrast, denying them this support increases their likelihood of dropping out of school, increases their risk for substance use and suicide, and worsens symptoms of depression and anxiety.



- **Less than half (45%) of transgender youth have an adult outside of school or teacher they can talk to.**
- **More than 1 in 3 TG/U (transgender or unsure gender) youth have attempted suicide in the past year.**
- **Cisgender youth are 3 times more likely than TG/U youth to feel that they will complete a post-high school program.**

Source: [2024 Hawai'i Sexual and Gender Minorities Health Summary](#)

TRANS-INCLUSIVE CONSTITUTIONAL AMENDMENT

ACLU-HI will support a legislatively referred transgender-inclusive constitutional amendment, which would enshrine explicit protections in our state constitution for transgender communities and any health care related to sexual orientation, gender identity and expression, and pregnancy.

GENDER-AFFIRMING CARE PROTECTIONS IN HAWAII'S SHIELD LAW

Currently, Hawaii's shield laws for reproductive health protect against out-of-state discipline, civil liability, and disclosure of medical information for services.⁹ However, barriers to receiving gender-affirming care remain. ACLU-HI will continue to support legislation that adds protections for gender-affirming health care services to our shield law.

Advance and Protect Rights Across Hawai'i

Each year, thousands of legislative initiatives are introduced and many, if not most, intersect with our mission in some way. No issue exists in a vacuum and people do not live single-issue lives. This is why we always reserve capacity to work in areas not covered by our top priorities and to respond to emergent needs that arise. Some areas where we anticipate response in 2026 include:

- Opposing any attacks on free speech (e.g., conflating criticism of Israel with antisemitism)
- Opposing any further involuntary commitment/treatment
- Protecting personal data from unwarranted government intrusion
- Building a strong democracy and defending voting rights
- Protecting customary and traditional rights of Native Hawaiians
- Supporting progressive revenue bills
- Protecting the rights of our houseless neighbors



HOW TO GET INVOLVED

1. Sign-up to receive alerts and announcements from the ACLU of Hawai'i.
2. Check out our Legislative Advocacy Training:
<https://vimeo.com/1051709215?share=copy>.
3. Check out the Legislative Advocacy Tools page on our website:
<https://www.acluhi.org/legislative-advocacy-tools/>
4. Follow us on social media!



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References

1. Hawai'i State Department of Human Services. Informational Briefing: Federal Shutdown Effects on SNAP. 2025.
https://www.capitol.hawaii.gov/sessions/session2025/testimony/Info_Testimony_HHS_10-28-25_DHS.pdf.
2. Ximena Bustillo and Ailsa Chang. Are ICE Agents covering their license plates as well as their faces? NPR. October 28, 2025. <https://www.npr.org/2025/10/28/nx-s1-5501635/are-ice-agents-covering-their-license-plates-as-well-as-their-faces>.
3. Jeremy Hay. Hawai'i Cops Said They Don't Have Agreements With ICE. They Do. Honolulu Civil Beat. April 4, 2025. <https://www.civilbeat.org/2025/04/hawaii-cops-said-they-dont-have-agreements-with-ice-they-do/>.
4. Elisa Jácome. The effect of immigration enforcement on crime reporting: Evidence from Dallas, Journal of Urban Economics, Volume 128, 2022, 103395, ISSN 0094-1190,
<https://doi.org/10.1016/j.jue.2021.103395>.
(<https://www.sciencedirect.com/science/article/pii/S0094119021000772>).
5. Lei Pua 'Ala Queer Histories of Hawai'i. <https://www.queerhistoriesofhawaii.org/>.
6. Ku'uwehi Hiraishi. Abortion care has a long history among Hawaii's Indigenous people. Hawai'i Public Radio. June 29, 2022. <https://www.hawaiipublicradio.org/local-news/2022-06-29/native-hawaiian-traditions-and-perspectives-on-abortion-centers-health-care-womens-rights>.
7. ACLU. Trump's Assault on Transgender Rights. <https://www.aclu.org/trumps-assault-on-transgender-rights>.
8. Act 2, Session Laws of Hawai'i 2023.