
A BILL FOR AN ACT

RELATING TO A LAW ENFORCEMENT EMPLOYMENT STANDARDS AND TRAINING BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii is the only
2 state in the country without a statewide board for law
3 enforcement employment standards or training. Given the immense
4 power and authority that the State and counties grant to police,
5 sheriffs, and other law enforcement officers who carry firearms,
6 it is important to establish recommended statewide standards for
7 these officers. These standards would benefit county and state
8 departments or agencies, as well as the general public.

9 Accordingly, the purpose of this Act is to establish an
10 advisory law enforcement employment standards and training board
11 responsible for recommending statewide standards for employment
12 and training to be implemented by state and county government
13 agencies for their law enforcement officers who carry firearms
14 and wear badges.

15 SECTION 2. The Hawaii Revised Statutes is amended by
16 adding a new chapter to be appropriately designated and to read
17 as follows:



1 "CHAPTER
2 ADVISORY LAW ENFORCEMENT EMPLOYMENT STANDARDS AND TRAINING BOARD

3 § -1 Definitions. As used in this chapter, unless the
4 context clearly indicates otherwise, the following terms shall
5 mean as follows:

6 "Advisory board" means the advisory law enforcement
7 employment standards and training board.

8 "Law enforcement officer" means:

- 9 (1) A police officer employed by a county police
- 10 department who wears a badge and carries a firearm;
- 11 (2) A public safety officer employed by the department of
- 12 public safety who wears a badge and carries a firearm;
- 13 (3) An employee of the department of transportation or the
- 14 department of land and natural resources who wears a
- 15 badge and carries a firearm; or
- 16 (4) An employee of a government agency's vendor or
- 17 contractor who is permitted to wear a badge and carry
- 18 a firearm.

19 § -2 Creation of advisory law enforcement employment
20 standards and training board; composition. (a) There is
21 created in the department of the attorney general, for



1 administrative purposes only, the advisory law enforcement
2 employment standards and training board. The advisory board
3 shall consist of the following voting members:

- 4 (1) The state sheriff or the sheriff's designee;
- 5 (2) Two members of the public not currently employed by a
6 government agency, one of whom shall have a background
7 in criminal justice, shall be appointed by the
8 governor, in accordance with section 26-34;
- 9 (3) Two members of the public not currently employed by a
10 government agency, one of whom shall have a legal
11 background, shall be appointed by the governor from a
12 list of two nominees submitted by the president of the
13 senate; and
- 14 (4) Two members of the public not currently employed by a
15 government agency, one of whom shall have a background
16 in human resources management, shall be appointed by
17 the governor from a list of two nominees submitted by
18 the speaker of the house of representatives.

19 In addition, the governor shall invite the chiefs of police
20 of the four counties or their designees to be voting members of
21 the advisory board.



1 (b) The terms of the members shall end on June 30, 2021.

2 (c) The advisory board shall select a chairperson from
3 among its members; provided that the chairperson shall not be a
4 current law enforcement officer.

5 (d) When a vacancy occurs on the advisory board, the
6 successor shall be appointed in the same manner as the
7 predecessor member who vacated a position on the advisory board.

8 § -3 Duties. (a) Between January 1, 2017, and
9 September 30, 2018, the advisory board shall hold meetings at
10 least once every quarter; provided that the meetings shall be
11 open to the public in accordance with chapter 92.

12 (b) By January 7, 2019, the advisory board shall propose
13 recommendations for statewide employment standards and training
14 for law enforcement officers who wear badges and carry firearms.
15 The proposed standards and training recommendations may include
16 but not be limited to age requirements, education requirements,
17 criminal background checks, hearing tests, eye examinations,
18 psychological tests, physical ability tests, and other
19 requirements necessary to become a law enforcement officer. The
20 advisory board may work or collaborate with existing law
21 enforcement agencies to develop the proposed employment



1 standards and training recommendations. The advisory board
2 shall make the proposed standards and training recommendations
3 available for public review and comment for a period of not less
4 than ninety days. The advisory board shall hold at least two
5 public hearings on the proposed standards and training
6 recommendations by March 31, 2019.

7 (c) After the period of public review and comment, the
8 advisory board shall adopt final statewide employment standards
9 and training recommendations and transmit them to relevant
10 government agencies by July 31, 2019.

11 (d) Beginning July 31, 2019, the advisory board shall meet
12 at least twice a year to review the statewide employment
13 standards and training recommendations and extent of
14 implementation by the relevant government agencies.

15 § -4 Employment standards and training recommendations;
16 voluntary implementation. Each government agency may
17 voluntarily implement the employment standards and training
18 recommendations for its law enforcement officers who wear badges
19 and carry firearms.

20 § -5 No cause of action for not implementing
21 recommendation. No person shall have a cause of action against



1 the State or any county, government agency, or law enforcement
2 or other officer for the decision by a government agency not
3 implement any employment standard or training recommendation of
4 the advisory board.

5 § -6 **No county mandate.** No provision of this chapter
6 shall be deemed a mandate upon a political subdivision to
7 undertake a new program or increase the level of service of an
8 existing program that would require cost sharing by the State
9 under article VIII, section 5, of the Constitution of the State
10 of Hawaii.

11 If any provision of this chapter is deemed to be such a
12 mandate upon a political subdivision, the provision shall be
13 void and no longer in effect.

14 § -7 **Termination of advisory board; repeal of chapter.**
15 On June 30, 2021, the advisory board shall terminate and this
16 chapter shall be repealed."

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2016-2017 for
20 the operation of the advisory law enforcement employment
21 standards and training board.



1 The sum appropriated shall be expended by the department of
2 the attorney general for the purposes of this Act.

3 SECTION 4. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 5. This Act shall take effect on July 1, 2016.

7



Report Title:

Advisory Law Enforcement Employment Standards and Training Board; Law Enforcement Employment Standards and Training Recommendations; Appropriation

Description:

Establishes an advisory law enforcement employment standards and training board responsible for developing statewide employment standards and training for county and state law enforcement officers who carry firearms and wear a badge. Allows the relevant government agencies to voluntarily implement the employment standards and training recommendations. Terminates the advisory board on 6/30/2021. Makes an appropriation for the operation of the advisory board. (SD1 Proposed)

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