

JAN 24 2024

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT.

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

1 SECTION 1. Chapter 353C, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§353C- Sheriff division. (a) In addition to any other
5 function designated by the department of law enforcement, the
6 sheriff division of the department shall have primary
7 responsibility for:

8 (1) The protection of judicial and legislative personnel;

9 (2) Protecting and securing judicial and legislative
10 facilities; and

11 (3) Preventing, detecting, and investigating criminal
12 acts, and enforcing traffic regulations, throughout
13 judicial and legislative buildings, parks, and
14 thoroughfares.

15 (b) The sheriff division shall have concurrent
16 jurisdiction with any other agency of the department of law



1 enforcement to take enforcement action when a sheriff observes
2 or is made aware of crimes of violence while on or off duty.

3 (c) The sheriff division shall be responsible for the
4 physical, technical, and programmatic security of judicial and
5 legislative buildings, facilities, personnel, and visitors, and
6 the establishment of programs to protect key personnel,
7 including:

8 (1) Physical and technical security programs;

9 (2) Physical security staffing;

10 (3) Threat-based protection of personnel; and

11 (4) In partnership with the Hawaii state fusion center,
12 conducting threat, violence, and risk intelligence
13 gathering for the protection of the judiciary and the
14 legislature, including a legislative and judicial
15 threat and risk monitoring program for:

16 (A) Threat identification, monitoring, and reporting;

17 (B) Threat assessment methods;

18 (C) Risk prioritization;

19 (D) Disaster planning or evacuation;

20 (E) Workplace violence;



- 1 (F) Active shooter or targeted violence planning,
- 2 training, and response; and
- 3 (G) Collaboration with external law enforcement
- 4 agencies during a mutual aid incident."

5 SECTION 2. Section 353C-2, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§353C-2 Director of law enforcement; powers and duties.**

8 The director of law enforcement shall administer the public
9 safety programs of the department and shall be responsible for
10 the formulation and implementation of state goals and objectives
11 for state law enforcement programs [~~and~~], homeland security, and
12 judicial and legislative protection and security services,
13 including the deployment of adequate resources and coordination
14 with county police departments to protect the health and safety
15 of homestead communities on Hawaiian home lands. In the
16 administration of these programs, the director may:

- 17 (1) Preserve the public peace, prevent crime, detect and
- 18 arrest offenders against the law, protect the rights
- 19 of persons and property, and enforce and prevent
- 20 violation of all laws and administrative rules of the
- 21 State as the director deems to be necessary or



1 desirable or upon request, to assist other state
2 officers or agencies that have primary administrative
3 responsibility over specific subject matters or
4 programs;

5 (2) Train, equip, maintain, and supervise the force of law
6 enforcement officers and other employees of the
7 department;

8 (3) Serve process both in civil and criminal proceedings;

9 (4) Perform other duties as may be required by law;

10 (5) Adopt, pursuant to chapter 91, rules that are
11 necessary or desirable for the administration of state
12 law enforcement programs; and

13 (6) Enter into contracts on behalf of the department and
14 take all actions deemed necessary and appropriate for
15 the proper and efficient administration of the
16 department."

17 SECTION 3. (a) Within thirty days of the effective date
18 of this Act, and annually thereafter, the director of law
19 enforcement and a representative of the sheriff division shall
20 meet and confer with the administrative director of the courts,
21 the president of the senate, and the speaker of the house of



1 representatives, or their respective designees, regarding the
2 security requirements for the judiciary and the legislature to
3 ensure that the views of the judiciary and the legislature
4 regarding the security requirements are taken into account when
5 determining staffing levels, setting priorities for judicial and
6 legislative security programs, and the allocation of appropriate
7 law enforcement and security resources.

8 As used in this subsection, "judicial or legislative
9 security" includes the security of buildings housing the
10 judiciary or the legislature, the personal security of judicial
11 and legislative officers, including the assessment of threats
12 directed at those officers, and the protection of all other
13 judicial and legislative personnel. The department of law
14 enforcement shall have the final authority regarding law
15 enforcement and security requirements for both the judiciary and
16 the legislature.

17 (b) Within ninety days of the effective date of this Act,
18 the director of law enforcement shall submit to the judiciary
19 and the legislature a twelve-month plan regarding the transition
20 of responsibilities and implementation of sheriff division
21 programs as required by this Act.



1 (c) The sheriff division shall initiate the process of
2 obtaining national accreditation for law enforcement agencies,
3 which shall be completed, and certification awarded, within
4 twenty-four months of the effective date of this Act. The
5 director of law enforcement shall notify the judiciary and the
6 legislature within one hundred twenty days of the effective date
7 of this Act of the sheriff division's progress in obtaining the
8 accreditation.

9 SECTION 4. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

12

INTRODUCED BY:





S.B. NO. 2931

Report Title:

DLE; Sheriff Division; Judicial and Legislative Security

Description:

Establishes the Sheriff Division within the Department of Law Enforcement. Specifies the responsibility of the Department of Law Enforcement's Sheriff Division regarding judicial and legislative security.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

