

A Bill for an Act Relating to Law Enforcement Officers.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that law enforcement officers are authorized to use physical force to enforce laws and should be held to the highest standards to ensure that this authority is not abused. When such abuse results in the suspension or revocation of a law enforcement officer's certification, the law enforcement standards board should be transparent about sharing that information with other law enforcement agencies. The law enforcement standards board and law enforcement agencies should also conduct thorough background checks before certifying or hiring a new officer to ensure that the officer has not abused their authority in another position.

The purpose of this Act is to require law enforcement agencies and the law enforcement standards board to consult the National Decertification Index and report certain information related to a law enforcement officer's certification status to the Index.

SECTION 2. Chapter 139, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§139- National Decertification Index; participation; reporting. (a) Before certifying or employing any law enforcement officer, the board and the employing law enforcement agency shall consult the National Decertification Index to determine whether an applicant or employee is listed and to review any information about that person.

(b) The board shall report to the National Decertification Index each time:

- (1) The board suspends or revokes a law enforcement officer's certification;
- (2) A law enforcement officer voluntarily relinquishes their certification;
- (3) A law enforcement officer's certification lapses; or
- (4) The board opens an investigation into whether a law enforcement officer does not meet the minimum standards for employment.

(c) Beginning July 1, 2026, and every six months thereafter, the board shall communicate with the International Association of Directors of Law Enforcement Standards and Training, or review the National Decertification Index website, or the website of any successor index, to determine if the National Decertification Index is accepting any information or records apart from those described in subsection (b) from the board, law enforcement agencies, or other state and county agencies. Within three months of learning that the National Decertification Index is accepting any information or records apart from those described in subsection (b), the board shall adopt rules requiring and providing a process for the additional information or records to be reported to the National Decertification Index by the board, law enforcement agencies, or any other state and county agencies that possess the information or records.

(d) For the purposes of this section, “National Decertification Index” means the National Decertification Index, or any successor index, as maintained by the International Association of Directors of Law Enforcement Standards and Training, or any successor entity.”

SECTION 3. Section 139-1, Hawaii Revised Statutes, is amended by adding one new definition to be appropriately inserted and to read as follows:

““Law enforcement agency” means:

- (1) A county police department;
- (2) The department of law enforcement;
- (3) The department of land and natural resources;
- (4) The department of taxation; or
- (5) The department of the attorney general.”

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 2026.

(Approved July 9, 2024.)

Note

1. Edited pursuant to HRS §23G-16.5.