
A BILL FOR AN ACT

RELATING TO PRIVATE DETECTIVES AND GUARDS.

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

1 SECTION 1. Police officers are a special class of law
2 enforcement. They receive rigorous training, are subject to
3 direct oversight by the State, and wield broad powers to ensure
4 the security and safety of the State and its people, including
5 the powers to detain and search individuals.

6 The roles of some private security guards have expanded.
7 Although private security guards make a valuable contribution to
8 the security of Hawaii, they are not police officers. It is
9 therefore important that an individual know whether the
10 individual is dealing with a private security guard or with a
11 police officer. Private detectives and guards are not permitted
12 to imply any association with a government agency.

13 Accordingly, the purpose of this Act is to clarify that
14 private detectives and guards are prohibited from self-
15 identifying as a law enforcement officer, a police officer, or
16 police.



1 SECTION 2. Section 463-11, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§463-11 Association with government not to be implied.**

4 ~~[No]~~ (a) Except for a licensee or an employee of a licensee
5 commissioned by the director of transportation under section
6 261-17 or section 266-24, no licensee or employee of a licensee
7 shall ~~[use]~~ :

8 (1) Use any designation or trade name which implies any
9 association with any municipal, county, state, or
10 territorial government or the federal government, or
11 any agency thereof; ~~[nor shall a licensee or employee~~
12 ~~of any licensee wear]~~

13 (2) Wear or use any badge ~~[or]~~, uniform, equipment,
14 vehicle, or other accoutrement capable of being
15 associated with the badge ~~[or]~~, uniform, equipment,
16 vehicle, or other accoutrement of any law enforcement
17 officer who is employed by a government law
18 enforcement organization~~[-]~~;

19 (3) Wear or use any badge, uniform, equipment, vehicle, or
20 other accoutrement that includes the words "police" or
21 "law enforcement"; or



1 (4) Use the terms "law enforcement officer", "police", or
2 "police officer" to self-identify as such.

3 (b) For purposes of this section, "law enforcement
4 officer" has the same meaning as in section 710-1000."

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Private Detectives; Private Guards; Law Enforcement Officers

Description:

Prohibits private detectives and guards from self-identifying as law enforcement officers, police, or police officers and from wearing or using any badge, uniform, equipment, vehicle, or other accoutrement capable of being associated with that of a law enforcement officer employed by a government law enforcement organization. (HB2061 HD1)

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