

A BILL FOR AN ACT

RELATING TO GOVERNMENT OPERATIONS.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

"CHAPTER

STATE AND FEDERAL COLLABORATION

6 § -1 **Definitions.** As used in this chapter:

7 "Federal authorities" means any federal agency or
8 department.

9 "Federal law enforcement officer" means any employee of the
10 United States government authorized to arrest a person for
11 criminal or civil violations of federal law and who is
12 authorized to carry a firearm in the performance of their
13 official duties

14 "Immigration enforcement operation" means any operation
15 that has as its main objective the identification or
16 apprehension of a person or persons for purposes of civil



1 immigration detention, removal or deportation proceedings, or
2 criminal prosecution for offenses related to immigration status.

3 "Legal assistance" means legal advice or representation
4 provided by an attorney or an individual under the direct
5 supervision of an attorney.

6 "Law enforcement agency" has the same meaning as in section
7 139-1.

8 "Law enforcement officer" has the same meaning as in
9 section 139-1.

10 "Personal information" means any information that is linked
11 or reasonably linkable, alone or in combination with other
12 information, to an identified or identifiable individual, or a
13 device that identifies or is linked or reasonably linkable to an
14 individual, including geolocation.

15 "Public employee" means any nominated, appointed, or
16 elected officer or employee of the State or any county,
17 including the political subdivisions and agencies thereof, any
18 employee under contract with the State or any county, and any
19 probationary or provisional employee of the State or county.

20 **§ -2 Limitation on state and federal collaboration;**
21 **immigration enforcement.** (a) Except as provided by federal or



1 state law, no state department or agency may use funds
2 appropriated by the legislature or state public funds to assist
3 or facilitate federal authorities or federal law enforcement
4 officers in conduct that exceeds their statutorily enumerated
5 duties and authority.

6 (b) Except as required by federal or state law, no public
7 employee acting in their official capacity shall assist or
8 cooperate with, or allow any time, money, facilities, property,
9 equipment, personnel or other resources to be used to assist,
10 cooperate with, or facilitate any operation executed in whole or
11 part by federal authorities or out-of-state authorities that
12 seeks to identify, arrest, or otherwise impose:

13 (1) A penalty or civil or criminal liability upon a person
14 or entity based on their engagement in activities
15 protected by the United States Constitution or the
16 Hawaii Constitution regarding assembly, petitioning,
17 and speech; and

18 (2) A penalty upon a person for purposes of federal
19 immigration enforcement, including an immigration
20 enforcement operation occurring at or near a school,
21 health facility, place of worship, or courthouse.



1 **§ -3 Limitation on state deputization.** A public
2 employee or law enforcement officer may not request assistance
3 from a federal law enforcement officer for the enforcement of
4 state laws regarding check points or screenings and motor
5 vehicle traffic stops.

6 **§ -4 Agreements for criminal law enforcement.** (a) If a
7 law enforcement agency enters into an agreement with federal
8 authorities for the purpose of criminal law enforcement, the
9 agreement shall be in writing and shall not authorize the
10 participation of federal law enforcement officers or law
11 enforcement authorities in checkpoints, screenings, or motor
12 vehicle traffic stops conducted at the direction of or with the
13 assistance of a law enforcement agency or law enforcement
14 officer.

15 (b) Any agreement shall not exceed two years and shall
16 include a requirement for the training of involved federal law
17 enforcement officers on state constitutional and statutory civil
18 rights protections. Any agreement shall be subject to review
19 and approval by the attorney general.

20 **§ -5 Task force; prohibition.** (a) No public employee,
21 law enforcement agency, or law enforcement officer shall take



1 part in or seek to enter an agreement with federal authorities
2 or out-of-state authorities for the purposes of sharing personal
3 information, providing assistance with surveillance,
4 investigations, or prosecution or an immigration enforcement
5 operation, including a joint federal-state operation such as a
6 federal Department of Homeland Security task force, fusion
7 center, or joint terrorism task force, if the public employee,
8 law enforcement agency, or law enforcement officer has reason to
9 believe the agreement would result in:

10 (1) Conduct that amounts to a violation of individual
11 liberties and rights guaranteed under the United
12 States Constitution or Hawaii State Constitution,
13 including racial profiling, unlawful surveillance or
14 investigation, excessive use of force, or unlawful
15 detention;

16 (2) Conduct that seeks to identify, apprehend, arrest, or
17 impose civil or criminal liability or other penalties
18 upon a person or entity for:
19 (A) Engaging in protected activities including
20 assembly, petitioning, and speech;





1 **"§139- Identification requirements; face coverings.**

2 (a) No law enforcement officer or federal law enforcement
3 officer shall intentionally obscure or conceal the officer's
4 identity while engaged in any official duty or public
5 interaction by wearing a mask, face covering, or other article
6 that covers or obscures the face in a manner that prevents or
7 interferes with the identification of the officer.

8 (b) Every law enforcement officer and federal law
9 enforcement officer engaging in official duties in a public
10 setting shall display a visible form of identification on the
11 outermost garment of the officer's uniform. The identification
12 shall include the officer's name, agency, and unique badge
13 number.

14 (c) Each law enforcement agency shall:

15 (1) Establish and maintain written policies that are
16 available to the public to ensure compliance with this
17 section; and
18 (2) Ensure that all law enforcement officers receive
19 training on the requirements of this section.

20 (d) Law enforcement agencies shall provide identification
21 numbers or badges in a manner consistent with law enforcement



1 officer safety; provided that the identifying information
2 remains visible and usable to members of the public during any
3 public interaction.

4 (e) Subsections (a) and (b) shall not apply:

5 (1) In situations where a law enforcement officer or
6 federal law enforcement officer is engaged in an
7 active tactical operation, including special weapons
8 and tactics team responses or high-risk warrant
9 service, where facial coverings are necessary for
10 ballistic, respiratory, or operational safety;

11 (2) When the law enforcement officer or federal law
12 enforcement officer is operating in an undercover
13 capacity and disclosure of identity would jeopardize
14 the safety of the officer or the integrity of the
15 operation; or

16 (3) When the use of protective equipment is required due
17 to hazardous environmental conditions, including
18 smoke, debris, biohazards, or other conditions where
19 respiratory or facial protection is necessary.

20 (f) As used in this section, "federal law enforcement
21 officer" has the same meaning as in section -1."



1 SECTION 3. Section 803-5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 " (a) A police officer or other officer of justice, may,
4 without warrant, arrest and detain for examination any person
5 when the officer has probable cause to believe that such person
6 has committed any offense, whether in the officer's presence or
7 otherwise[.]; provided that for purposes of this section, any
8 person employed by a federal law enforcement agency shall be
9 deemed to have acted in their personal capacity."

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

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

13

INTRODUCED BY:


JAN 23 2026



H.B. NO. 1886

Report Title:

Law Enforcement; State and County Law Enforcement; Federal Law Enforcement; State and Federal Collaboration; Identification; Facial Coverings; Arrest Without Warrant

Description:

Establishes provisions regarding state and federal collaboration. Establishes identification and facial coverings standards for state and federal law enforcement officers. Specifies that when federal law enforcement officers arrest a person without a warrant, that it is done so in their personal capacity.

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