

JAN 21 2026

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# A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

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

1 SECTION 1. The legislature finds that requiring law  
2 enforcement officers to be identifiable is fundamental to  
3 democratic values and promotes transparency and accountability  
4 to the public those officers serve. However, federal agents  
5 have recently begun using facial coverings during immigration  
6 raids, which undermines public trust and leads the public to  
7 question whether the officers are legitimate law enforcement  
8 officers and not unlawful impersonators. Prohibiting the use of  
9 face masks unless certain conditions are met will improve public  
10 trust by drawing a sharp distinction between legitimate law  
11 enforcement and the perception of secret police tactics used by  
12 federal agents under the Trump administration.

13 Accordingly, the purpose of this Act is to establish the  
14 offense of use of a mask or personal disguise by a law  
15 enforcement officer.



1 SECTION 2. Chapter 710, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 **"S710- Use of a mask or personal disguise by a law**

5 **enforcement officer.** (1) A person commits the offense of use  
6 of a mask or personal disguise by a law enforcement officer if  
7 the person:

8 (a) Is a law enforcement officer; and

9 (b) Wears a mask or personal disguise while interacting  
10 with the public in the performance of the law  
11 enforcement officer's duties.

12 (2) This section shall not apply to a law enforcement  
13 officer who:

14 (a) Is engaged in an undercover assignment; or

15 (b) Is operating a motorcycle; provided that the law  
16 enforcement officer shall remove the facial covering  
17 before and after operating the motorcycle.

18 (3) Use of a mask or personal disguise by a law  
19 enforcement officer shall be a misdemeanor.

20 (4) For the purposes of this section:

21 "Mask or personal disguise" shall not include:



1       (a) A medical grade mask that is surgical or an N95  
2       respirator designed to prevent the transmission of  
3       airborne diseases;  
4       (b) Equipment necessary for weather or underwater  
5       protection;  
6       (c) A mask designed to protect against exposure to smoke  
7       during a state of emergency related to a wildfire;  
8       (d) Protective gear used by law enforcement officers  
9       necessary to safely perform official duties as a  
10      member of the specialized services division, a special  
11      weapons and tactics team, or a special response team;  
12      and  
13      (e) A face shield if the face shield does not conceal the  
14      wearer's face.

15      "Motorcycle" has the same meaning as defined in section  
16      291C-1."

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

20      SECTION 4. If any provision of this Act, or the  
21      application thereof to any person or circumstance, is held



1 invalid, the invalidity does not affect other provisions or  
2 applications of the Act that can be given effect without the  
3 invalid provision or application, and to this end the provisions  
4 of this Act are severable.

5 SECTION 5. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: Stevens



# S.B. NO. 2203

**Report Title:**

Law Enforcement; Mask; Disguise; Prohibition; Criminal Offense; Penal Code

**Description:**

Establishes the offense of use of a mask or personal disguise by a law enforcement officer.

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

