

JAN 21 2026

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

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

SECTION 1. Chapter 139, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§139- Law enforcement identification policies. (a) By January 1, 2027, any law enforcement agency operating in the State shall maintain a policy on the visible identification of law enforcement officers and use of facial coverings. The policy shall include, at a minimum, the following:

(1) A purpose statement affirming the department's or agency's commitment to:

(A) Transparency, accountability, and public trust;

and

(B) Restricting situations in which law enforcement officers do not visibly display identification to specific, clearly defined, and limited circumstances;



1 (2) A requirement that all law enforcement officers
2 visibly display identification that includes their
3 department or agency and either a name or badge
4 number, or both a name and badge number, when
5 performing enforcement duties;

6 (3) A prohibition on the use of facial coverings unless no
7 other reasonable alternative exists and the necessity
8 is documented; and

9 (4) A list of narrowly tailored exemptions for the
10 following:

11 (A) Law enforcement officers engaged in active
12 undercover operations or investigative
13 activities;

14 (B) Law enforcement officers engaged in plainclothes
15 operations;

16 (C) Law enforcement officers wearing personal
17 protective equipment that prevents display;

18 (D) Exigent circumstances involving an imminent
19 danger to persons or property, the escape of a
20 perpetrator, or the destruction of evidence,
21 including if the law enforcement officer is



1 responding to those circumstances while off-duty;

2 and

3 (E) When there is a specific, articulatable, and
4 particularized reason to believe identification
5 would pose a significant danger to the physical
6 safety of the law enforcement officer.

7 (b) Each law enforcement agency shall make its visible
8 identification of law enforcement officer policy adopted
9 pursuant to this section accessible to the public.

10 (c) For the purposes of this section:

11 "Enforcement duties" means:

12 (1) Active and planned operations involving the arrest or
13 detention of an individual; or

14 (2) Deployment for crowd control purposes.

15 "Facial covering" means any opaque mask, garment, helmet,
16 headgear, or other item that conceals or obscures the facial
17 identity of an individual, including a balaclava, tactical mask,
18 gator, ski mask, and any similar type of facial covering or
19 face-shielding item. "Facial covering" does not include:

20 (1) A translucent face shield or clear mask that does not
21 conceal the wearer's facial identity;



1 (2) A N95 medical mask or surgical mask to protect against
2 the transmission of any disease or infection or any
3 other mask, helmet, or device, including air-purifying
4 respirators, full or half masks, or self-contained
5 breathing apparatus necessary to protect against
6 exposure to any toxin, gas, smoke, inclement weather,
7 or any other hazardous or harmful environmental
8 condition;

9 (3) A mask, helmet, or device, including a self-contained
10 breathing apparatus, necessary for underwater use;

11 (4) A motorcycle helmet when worn by an officer utilizing
12 a motorcycle or any other vehicle that requires a
13 helmet for safe operations while in the performance of
14 their duties; and

15 (5) Eyewear necessary to protect from the use of retinal
16 weapons, including lasers.

17 "Law enforcement agency" includes a law enforcement agency
18 of another state.

19 "Law enforcement officer" includes any sworn officer of a
20 law enforcement agency of another state vested by law with a
21 duty to:



1 (1) Maintain public order; or

2 (2) Make arrests for offenses or to enforce the criminal
3 laws, whether that duty extends to all offenses or is
4 limited to a specific class of offenses.

5 "Visibly display identification" means to wear externally
6 on the uniform in a size and location that is reasonably visible
7 to a member of the public with whom the law enforcement officer
8 interacts."

9 SECTION 2. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 3. If any provision of this Act, or the
13 application thereof to any person or circumstance, is held
14 invalid, the invalidity does not affect other provisions or
15 applications of the Act that can be given effect without the
16 invalid provision or application, and to this end the provisions
17 of this Act are severable.

18 SECTION 4. New statutory material is underscored.

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

20
INTRODUCED BY: 



S.B. NO. 2290

Report Title:

Law Enforcement; Visible Identification; Facial Coverings;
Policy; Prohibition

Description:

By January 1, 2027, requires each law enforcement agency operating in the State to maintain a publicly available policy on the visible identification of law enforcement officers and use of facial coverings.

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

