

STAND. COM. REP. NO.

3794

Honolulu, Hawaii

APR 10 2026

RE: H.B. No. 1886
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1886, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish provisions limiting state and federal collaboration for purposes of immigration enforcement operations;
- (2) Establish identification and facial coverings standards for state and federal law enforcement officers; and
- (3) Establish criminal offenses for improper facial coverings and lack of visible identification and unauthorized civil immigration interrogation, arrest, or detention.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Office of Hawaiian Affairs; Vera Institute of Justice; University of Hawaii Professional Assembly; Democratic Party of Hawai'i; UNITE HERE! Local 5; Roots Reborn; Imua Alliance; Hawai'i Coalition for Immigrant Rights; Hawai'i Public Health Institute; The Legal



Clinic; Hawaii Filipino Lawyers Association; ACLU Hawai'i; League of Women Voters of Hawaii; Fujiwara & Rosenbaum, LLLC; and forty-two individuals.

Your Committee finds that when law enforcement officers at the local, state, or federal level operate in public, the public has the right to know who is exercising authority over them and under what legal framework. Masked officers without visible identification undermine public trust, chill lawful speech and assembly, and blur accountability. This measure will protect the public and civil liberties in the State by ensuring that law enforcement power is never exercised anonymously and enforcement is never hidden from the people.

Your Committee has amended this measure by:

- (1) Specifying that law enforcement officers or federal law enforcement officers are prohibited from wearing facial coverings that conceal or obscure the officer's identity while engaged in any official duty in a public setting, except under certain conditions;
- (2) Specifying that every law enforcement officer and federal law enforcement officer engaging in official duties in a public setting is required to display visible identification on the officer's outermost garment or gear that includes the officer's agency and either the officer's last name or unique badge number;
- (3) Inserting language that exempts law enforcement officers participating in plainclothes or undercover operations authorized by supervising personnel or court order where disclosure of identity would jeopardize officer safety or the integrity of the operation from the officer identification requirements established by this measure;
- (4) Inserting an intentional state of mind requirement for the criminal offense for improper facial coverings;
- (5) Deleting redundant language specifying that an officer assigned to a special weapons and tactics team unit actively performing special weapons and tactics responsibilities is exempt from the criminal offenses



for improper facial coverings and lack of visible identification;

- (6) Inserting language specifying that the criminal offenses for improper facial coverings and lack of visible identification shall be construed consistently with the identification requirements and prohibition against use of facial coverings established in chapter 139, Hawaii Revised Statutes, by this measure;
- (7) Narrowing the offense of "unauthorized civil immigration interrogation, arrest, or detention" to "unauthorized immigration arrest or detention" and specifying that an officer commits the offense by initiating or prolonging a stop, detention, or arrest for the purpose of determining or enforcing the person's civil immigration status when the officer lacks reasonable suspicion;
- (8) Specifying that "reasonable suspicion" shall not be based solely on the exercise of rights protected by the United States Constitution;
- (9) Inserting a savings clause; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that several related measures are still actively moving through the legislative process this session, including:

- (1) S.B. No. 2057, S.D. 2, H.D. 2 (2026);
- (2) S.B. No. 3322, S.D. 2, H.D. 2 (2026);
- (3) H.B. No. 2540, H.D. 2, S.D. 1 (2026); and
- (4) S.B. No. 2203, S.D. 2, H.D. 1 (2026),

and that these measures are not all proceeding through the same referral path. Because these measures address overlapping subject matter, including state-federal collaboration, masking, visible identification, and related immigration-enforcement limitations,



your Committee urges any conferees who may be named to these measures during the conference period to review and harmonize them to avoid inconsistency, duplication, or unintended gaps in the law.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1886, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1886, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



