STAND. COM. REP. NO. 3055

Honolulu, Hawaii

MAR 0 6 2026

RE: S.B. No. 2054
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 S.B. No. 2054, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the Hawaii National Guard from deploying to assist federal troops, federal law enforcement, or the national guard of any other state operating in the State when the Governor has objected to the deployments.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Democratic Party of Hawai'i; Libertarian Party of Hawaii; Fujiwara and Rosenbaum, LLLC; Roots Reborn; Waipahu Safe Haven Immigrant/Migrant Resource Center; UNITE HERE! Local 5; Hawai'i Coalition for Immigrant Rights; ACLU Hawai'i; and fifty-one individuals.

Your Committee received testimony in opposition to this measure from the Hawai'i National Guard.

Your Committee received comments on this measure from the Hawaii Military Affairs Council.

Your Committee finds that President Trump has recently federalized and deployed national guard units in various states,

despite the objections of those states' Governors. These deployments have resulted in serious abuses of civil rights to the residents of those States, including excessive use of force, racial profiling, and illegal detention. Your Committee believes that the Legislature must take action to prevent the State's authorities, including the Hawai'i National Guard, from being co-opted into federal operations that do not have the consent of the State's government. This measure will reinforce the State's sovereignty by ensuring that state resources are not used to support operations that lack alignment with the State's democratically elected leadership.

Your Committee notes the concerns raised by the Hawai'i National Guard on this measure, specifically that this measure may create a complex and potentially precarious situation for Hawai'i National Guard Commanders and service members by exposing them to significant legal risks that may manifest as both state and federal criminal liability. This legal dilemma arises from the legal obligation for service members to obey orders from their superiors, which stands in stark contrast to the possibility of being held accountable for those orders if they are later determined to be unlawful. While your Committee acknowledges these concerns, your Committee believes that the United States has reached a place where members of the military, including members of the Hawai'i National Guard, will be forced to face difficult legal positions where individuals must decide whether the orders they are receiving are legal and whether they are willing to refuse those orders if in their own conscience they believe they should.

Your Committee has amended this measure by requiring the Governor's objection:

(1) Be made by a written determination signed by the Governor;

(2) Specify the deployment request, operation, or activity to which the objection applies;

(3) State the factual basis for the objection;

(4) Specify the geographic scope of the objection;

(5) Specify the effective date, time, and duration of the objection;

(6) Be provided to the Adjutant General, Director of the Hawai‘i Emergency Management Agency, and Attorney General; and

(7) Be maintained as a public record, subject to state and federal confidentiality requirements.

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 S.B. No. 2054, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2054, S.D. 2.

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

Committee on Judiciary,

KARL RHOADS, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2054 SD1	PSM/EIG, JDC	2/26/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	—	1	—

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26