STAND. COM. REP. NO. 2531

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 3322
S.D. 1

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

Sir:

Your Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs, to which was referred S.B. No. 3322 entitled:

"A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

(1) Prohibit with certain exceptions, the use of facial coverings and require visible identification by law enforcement officers and their vehicles in the performance of their duties;

(2) Require state and county law enforcement agencies to establish policies regarding state and county cooperation with federal civil immigration enforcement;

(3) Prohibit law enforcement officers from prolonging a stop to inquire about a person's civil immigration status; and

(4) Establish criminal offenses for improper facial coverings, lack of visible identification, and unauthorized civil immigration interrogation.

Your Committees received testimony in support of this measure from the Office of the Public Defender, Stonewall Caucus of the Democratic Party of Hawai'i, Green Party of Hawai'i, Democratic Party of Hawai'i, Community Alliance on Prisons, Honolulu Hawaii NAACP, Imua Alliance, 50501 Hawaii, General Strike Hawaii, Hawai'i Coalition for Immigrant Rights, UNITE HERE! Local 5, ACLU Hawai'i, The Legal Clinic, Roots Reborn, and ninety-five individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Police Department and three individuals.

Your Committees received comments on this measure from the Department of Law Enforcement.

Your Committees find that communities across the country have raised urgent concerns about masked, unidentified agents conducting aggressive and often violent enforcement actions in public spaces. These actions have generated widespread fear and confusion, along with an increased risk of escalation and violent confrontation. For example, confrontations in cities such as Chicago and Minneapolis have ended with federal agents shooting and injuring or killing bystanders. Masking and anonymity allow federal agents to engage in these violent actions with impunity. Without greater accountability for federal agents, especially those engaged in immigration enforcement, the risk of violence will only increase.

To address the lack of accountability in federal law enforcement actions, other states have implemented limitations on the identity concealment and masking among law enforcement officers. For example, California has prohibited law enforcement officers from wearing identity-concealing facial coverings while also requiring law enforcement officers to visibly display identification. By establishing similar requirements and prohibitions, this measure ensures that federal law enforcement officers and agents operating in the State are held accountable, bolstering the rule of law in the State, and ensuring public safety. However, your Committees note that amendments are necessary to ensure that law enforcement in the State are able to operate effectively in conditions that require anonymity for legitimate purposes, such as when law enforcement officers operate in high-risk situations. For instance, the Department of Law Enforcement currently maintains only a small number of officers in

its ranks, making certain assignments where anonymity is required especially risky.

Accordingly, your Committees have amended this measure by:

(1) Exempting plainclothes officers from requirements for law enforcement officers to wear identification;

(2) Specifying that only vehicles used in immigration enforcement operations are required to bear conspicuous law enforcement agency markings;

(3) Authorizing a plainclothes officer to wear a mask when the officer is within eyesight of another officer from the same agency who is unmasked while the masked plainclothes officer performs official duties; and

(4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3322, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3322, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs,

GLENN WAKAI, Chair

CAROL FUKUNAGA, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3322	PSM/ELG, JDC	2/17/26

☐ 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
FUKUNAGA, Carol (C)	✓			
LEE, Chris (VC)	✓			
HASHIMOTO, Troy N.	✓			
INOUYE, Lorraine R.				✓
DECORTE, Samantha			✓	
TOTAL	3		1	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

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Energy and Intergovernmental Affairs
EIG

Bill / Resolution No.:*	Committee Referral:	Date:
SB3322	PSM/EIG, JDC	2/17/2026

☐ 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
WAKAI, Glenn (C)	✓			
CHANG, Stanley (VC)	✓			
DECOITE, Lynn				✓
RICHARDS, III, Herbert M. "Tim"				✓
FEVELLA, Kurt			✓	
TOTAL	2		1	2

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature: [signature]

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

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Revised: 01/02/26