

MAR 10 2026

SENATE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF A COURT SECURITY AND DEPARTMENT OF LAW ENFORCEMENT CAPACITY WORKING GROUP TO ADDRESS SYSTEMIC STAFFING SHORTAGES, EXPANDED STATUTORY RESPONSIBILITIES, AND THE ESCALATING FISCAL AND ACCOUNTABILITY RISKS ASSOCIATED WITH PRIVATE SECURITY CONTRACTING AT STATE COURTS.

1 WHEREAS, the State established the Department of Law
2 Enforcement as a cabinet-level department with expanded
3 statewide public-safety responsibilities, consolidating and
4 increasing statutory duties without a commensurate, sustained
5 expansion of Deputy Sheriff positions; and
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7 WHEREAS, the Sheriff Division of the Department of Law
8 Enforcement is responsible for securing all state court
9 facilities; transporting persons in custody; executing warrants
10 and court orders; protecting state officials and facilities;
11 supporting agricultural and land enforcement operations;
12 assisting with Department of Education campus safety; responding
13 to disasters and emergencies; and performing other duties as
14 assigned by statute or executive directive; and
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16 WHEREAS, the scope, geographic reach, and complexity of
17 these responsibilities have expanded significantly in recent
18 years, while recruitment pipelines, compensation structures, and
19 training capacity have not grown proportionally; and
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21 WHEREAS, persistent vacancies, extended hiring timelines,
22 academy throughput constraints, compensation disparities
23 relative to county law enforcement agencies, reliance on
24 mandatory overtime, and cross-deployment of deputies away from
25 core judicial assignments have created structural scarcity
26 within the Sheriff Division; and
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1 WHEREAS, this scarcity has directly affected the Hawaii
2 State Judiciary's ability to maintain consistent, publicly
3 staffed security coverage at state court facilities, resulting
4 in operational strain and increased reliance on contracted
5 private security personnel; and
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7 WHEREAS, testimony presented during public hearings before
8 the House of Representatives Committee on Finance earlier in
9 2026 by representatives of the Hawaii State Judiciary detailed
10 drastically increased expenditures for private security services
11 at court facilities, including proposals for armed contracted
12 security at court entrances, reflecting escalating recurring
13 costs attributable to unfilled Deputy Sheriff positions; and
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15 WHEREAS, these expenditures represent a structural
16 budgetary shift in which recurring operating funds are
17 increasingly allocated to private security contracts on a year-
18 to-year basis rather than invested in stabilizing and expanding
19 the public Deputy Sheriff workforce; and
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21 WHEREAS, a continued reliance on vacancy-driven contracting
22 with private-security services risks normalizing a parallel
23 security infrastructure that fragments public accountability,
24 diffuses oversight, and gradually erodes institutional public-
25 sector capacity; and
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27 WHEREAS, private security contractors are not governed by
28 the same constitutional accountability standards, public
29 transparency requirements, disciplinary systems, or collective
30 bargaining frameworks that apply to sworn public officers,
31 raising material concerns regarding use-of-force protocols,
32 incident reporting, liability exposure, and coordination during
33 high-risk court proceedings; and
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35 WHEREAS, state courts are foundational democratic
36 institutions where constitutional rights are exercised and
37 adjudicated, protective orders are issued, criminal proceedings
38 are conducted, and public disputes are resolved, and the
39 protection of state courts is a core sovereign function that
40 requires stable and accountable public stewardship; and
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1 WHEREAS, the failure to align expanded mission scope with
2 sufficient staffing capacity undermines access to justice,
3 increases fiscal inefficiency over time, and shifts risk from
4 structural workforce investment to reactive contracting
5 expenditures; now, therefore,
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7 BE IT RESOLVED by the Senate of the Thirty-third
8 Legislature of the State of Hawaii, Regular Session of 2026, the
9 House of Representatives concurring, that a Court Security and
10 Department of Law Enforcement Capacity Working Group is
11 requested to be established to address systemic staffing
12 shortages, expanded statutory responsibilities, and the
13 escalating fiscal and accountability risks associated with
14 private security contracting at state courts; and
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16 BE IT FURTHER RESOLVED that the Court Security and
17 Department of Law Enforcement Capacity Working Group is
18 requested to evaluate and recommend structural solutions to:
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- 20 (1) Realign Department of Law Enforcement staffing levels
21 with expanded statutory responsibilities;
22
23 (2) Stabilize Deputy Sheriff recruitment and retention;
24 and
25
26 (3) Reduce long-term fiscal dependence on private security
27 contracting at state court facilities; and
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29 BE IT FURTHER RESOLVED that the Court Security and
30 Department of Law Enforcement Capacity Working Group include:
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- 32 (1) The Chief Justice of the Hawaii Supreme Court, or the
33 Chief Justice's designee;
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35 (2) The Director of Law Enforcement, or the Director's
36 designee;
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38 (3) The Director of Human Resources Development, or the
39 Director's Designee;
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41 (4) The Director of Finance, or the Director's designee;
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1 (5) The Attorney General, or the Attorney General's
2 designee; and

3
4 (6) The exclusive representatives for any affected
5 bargaining units; and
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7 BE IT FURTHER RESOLVED that the Court Security and
8 Department of Law Enforcement Capacity Working Group is
9 requested to collaborate in good faith, using existing
10 departmental data and resources, to review and discuss the
11 following matters:
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13 (1) Mission Scope and Resource Alignment: An overview of
14 the statutory and operational responsibilities
15 assigned to the Department of Law Enforcement and a
16 general assessment of whether current authorized and
17 filled positions appear sufficient to meet court
18 security obligations without recurring reliance on
19 private contracts;
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21 (2) Facility-Level Court Security Needs: A discussion of
22 minimum safe staffing considerations for state court
23 facilities and identification of where contracted
24 services are currently being used due to Deputy
25 Sheriff vacancies;
26

27 (3) Workforce Stabilization Considerations: An examination
28 of recruitment and retention challenges, including
29 compensation competitiveness, hiring timelines,
30 training throughput, vacancy duration, and overtime
31 dependency;
32

33 (4) Private Contracting Fiscal Overview: A high-level
34 summary of current and projected expenditures for
35 private security services at state court facilities
36 and general comparison of the costs associated with
37 restoring public staffing capacity;
38

39 (5) Accountability and Risk Considerations: Identification
40 of policy considerations related to training
41 standards, reporting protocols, coordination with



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1 sworn officers, transparency, and liability when
2 private security contractors are used; and

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4 (6) Preliminary Recommendations: Any suggested
5 administrative, budgetary, or legislative actions that
6 may help improve long-term alignment between the
7 mission scope of the Department of Law Enforcement and
8 staffing capacity; and
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10 BE IT FURTHER RESOLVED that the Court Security and
11 Department of Law Enforcement Capacity Working Group is
12 requested to prepare and submit to the Legislature a report of
13 its findings and recommendations, including any proposed
14 legislation, no later than twenty days prior to the convening of
15 the Regular Session of 2027; and
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17 BE IT FURTHER RESOLVED that the Hawaii State Judiciary is
18 requested to provide any necessary administrative support to the
19 Court Security and Department of Law Enforcement Capacity
20 Working Group, including preparing and drafting the report; and
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22 BE IT FURTHER RESOLVED that certified copies of this
23 Concurrent Resolution be transmitted to the Chief Justice of the
24 Hawaii Supreme Court; Director of Law Enforcement; Director of
25 Human Resources Development; Director of Finance; and Attorney
26 General.
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OFFERED BY: Carl Johnson

