

MAR 10 2026

SENATE 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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28 WHEREAS, this scarcity has directly affected the Hawaii
29 State Judiciary's ability to maintain consistent, publicly



1 staffed security coverage at state court facilities, resulting
2 in operational strain and increased reliance on contracted
3 private security personnel; and
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5 WHEREAS, testimony presented during public hearings before
6 the House of Representatives Committee on Finance earlier in
7 2026 by representatives of the Hawaii State Judiciary detailed
8 drastically increased expenditures for private security services
9 at court facilities, including proposals for armed contracted
10 security at court entrances, reflecting escalating recurring
11 costs attributable to unfilled Deputy Sheriff positions; and
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13 WHEREAS, these expenditures represent a structural
14 budgetary shift in which recurring operating funds are
15 increasingly allocated to private security contracts on a year-
16 to-year basis rather than invested in stabilizing and expanding
17 the public Deputy Sheriff workforce; and
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19 WHEREAS, a continued reliance on vacancy-driven contracting
20 with private-security services risks normalizing a parallel
21 security infrastructure that fragments public accountability,
22 diffuses oversight, and gradually erodes institutional public-
23 sector capacity; and
24

25 WHEREAS, private security contractors are not governed by
26 the same constitutional accountability standards, public
27 transparency requirements, disciplinary systems, or collective
28 bargaining frameworks that apply to sworn public officers,
29 raising material concerns regarding use-of-force protocols,
30 incident reporting, liability exposure, and coordination during
31 high-risk court proceedings; and
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33 WHEREAS, state courts are foundational democratic
34 institutions where constitutional rights are exercised and
35 adjudicated, protective orders are issued, criminal proceedings
36 are conducted, and public disputes are resolved, and the
37 protection of state courts is a core sovereign function that
38 requires stable and accountable public stewardship; and
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40 WHEREAS, the failure to align expanded mission scope with
41 sufficient staffing capacity undermines access to justice,
42 increases fiscal inefficiency over time, and shifts risk from



1 structural workforce investment to reactive contracting
2 expenditures; now, therefore,

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4 BE IT RESOLVED by the Senate of the Thirty-third
5 Legislature of the State of Hawaii, Regular Session of 2026,
6 that a Court Security and Department of Law Enforcement Capacity
7 Working Group is requested to be established to address systemic
8 staffing shortages, expanded statutory responsibilities, and the
9 escalating fiscal and accountability risks associated with
10 private security contracting at state courts; and

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12 BE IT FURTHER RESOLVED that the Court Security and
13 Department of Law Enforcement Capacity Working Group is
14 requested to evaluate and recommend structural solutions to:

- 15
16 (1) Realign Department of Law Enforcement staffing levels
17 with expanded statutory responsibilities;
18
19 (2) Stabilize Deputy Sheriff recruitment and retention;
20 and
21
22 (3) Reduce long-term fiscal dependence on private security
23 contracting at state court facilities; and
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25 BE IT FURTHER RESOLVED that the Court Security and
26 Department of Law Enforcement Capacity Working Group include:

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28 (1) The Chief Justice of the Hawaii Supreme Court, or the
29 Chief Justice's designee;
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31 (2) The Director of Law Enforcement, or the Director's
32 designee;
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34 (3) The Director of Human Resources Development, or the
35 Director's Designee;
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37 (4) The Director of Finance, or the Director's designee;
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39 (5) The Attorney General, or the Attorney General's
40 designee; and
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- 1 (6) The exclusive representatives for any affected
2 bargaining units; and
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4 BE IT FURTHER RESOLVED that the Court Security and
5 Department of Law Enforcement Capacity Working Group is
6 requested to collaborate in good faith, using existing
7 departmental data and resources, to review and discuss the
8 following matters:
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- 10 (1) Mission Scope and Resource Alignment: An overview of
11 the statutory and operational responsibilities
12 assigned to the Department of Law Enforcement and a
13 general assessment of whether current authorized and
14 filled positions appear sufficient to meet court
15 security obligations without recurring reliance on
16 private contracts;
17
18 (2) Facility-Level Court Security Needs: A discussion of
19 minimum safe staffing considerations for state court
20 facilities and identification of where contracted
21 services are currently being used due to Deputy
22 Sheriff vacancies;
23
24 (3) Workforce Stabilization Considerations: An examination
25 of recruitment and retention challenges, including
26 compensation competitiveness, hiring timelines,
27 training throughput, vacancy duration, and overtime
28 dependency;
29
30 (4) Private Contracting Fiscal Overview: A high-level
31 summary of current and projected expenditures for
32 private security services at state court facilities
33 and general comparison of the costs associated with
34 restoring public staffing capacity;
35
36 (5) Accountability and Risk Considerations: Identification
37 of policy considerations related to training
38 standards, reporting protocols, coordination with
39 sworn officers, transparency, and liability when
40 private security contractors are used; and
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1 (6) Preliminary Recommendations: Any suggested
2 administrative, budgetary, or legislative actions that
3 may help improve long-term alignment between the
4 mission scope of the Department of Law Enforcement and
5 staffing capacity; 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 prepare and submit to the Legislature a report of
10 its findings and recommendations, including any proposed
11 legislation, no later than twenty days prior to the convening of
12 the Regular Session of 2027; and
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14 BE IT FURTHER RESOLVED that the Hawaii State Judiciary is
15 requested to provide any necessary administrative support to the
16 Court Security and Department of Law Enforcement Capacity
17 Working Group, including preparing and drafting the report; and
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19 BE IT FURTHER RESOLVED that certified copies of this
20 Resolution be transmitted to the Chief Justice of the Hawaii
21 Supreme Court; Director of Law Enforcement; Director of Human
22 Resources Development; Director of Finance; and Attorney
23 General.
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OFFERED BY: Carol Fuhumaga

