

STAND. COM. REP. NO. 2160

Honolulu, Hawaii

**FEB 11 2026**

RE: S.B. No. 2203  
S.D. 1

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. 2203 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish the offense of use of a mask or personal disguise by a law enforcement officer.

Your Committee received testimony in support of this measure from the Office of the Public Defender, one member of the Hawai'i County Council, Community Alliance on Prisons, Waipahu Safe Haven Immigrant/Migrant Resource Center, Democratic Party of Hawai'i Education Caucus, Imua Alliance, The Legal Clinic, ACLU Hawai'i, College Democrats of Hawaii, Roots Reborn, and more than one hundred individuals.

Your Committee received testimony in opposition to this measure from the Honolulu Police Department and two individuals.

Your Committee received comments on this measure from the Department of Law Enforcement and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that when armed officers operate in public spaces while concealing their identities, community members



cannot readily distinguish between legitimate law enforcement and impersonators. This creates confusion, fear, and vulnerability, particularly in immigrant and mixed-status communities that are already subject to heightened anxiety around law enforcement. Recently, federal agents have begun using masks and facial coverings during immigration raids, which undermines public trust. Additionally, law enforcement agencies themselves routinely warn the public about individuals impersonating officers, and masking makes impersonation far easier. Your Committee further finds that research and decades of policing practice demonstrate that transparency reduces the likelihood of excessive force, misconduct, and escalation. This measure will ensure that the State's residents can assess law enforcement officers' credibility, comply with lawful orders, and seek help when needed, rather than retreating into fear or uncertainty.

Your Committee notes that although this measure creates an exemption for the use of masks by undercover law enforcement officers, law enforcement agencies often have support unit personnel at the scene assisting undercover officers during law enforcement operations. These support unit personnel are not classified as "undercover", but may wear masks while they support undercover officers during law enforcement operations to allow those supporting officers to engage in future undercover law enforcement operations. Your Committee recognizes the important function these supporting personnel perform and believes this measure should be amended to exempt them from the masking prohibition established by this measure.

Accordingly, your Committee has amended this measure by:

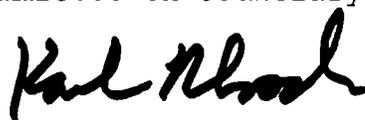
- (1) Changing the name of the offense established by this measure from "use of a mask or personal disguise" by a law enforcement officer to "use of mask or facial covering" by a law enforcement officer;
- (2) Specifying that a law enforcement officer commits the offense if the officer wears a mask or facial covering that conceals or obscures the officer's facial identity while interacting with the public in the performance of the officer's duties;



- (3) Exempting law enforcement officers from the offense who are within the eyesight of another officer from the same law enforcement agency who is unmasked;
- (4) Defining the terms "law enforcement agency" and "law enforcement officer" to include federal, state, and local law enforcement agencies and officers;
- (5) Specifying that a law enforcement officer wearing a mask or facial covering while operating a motorcycle or other vehicle that requires a helmet for safe operation is exempt from the offense when the officer removes the mask or facial covering before and after operating the motorcycle or vehicle as soon as reasonably practicable;
- (6) Inserting an effective date of March 22, 2075, to encourage further discussion;
- (7) Amending section 1 to reflect its amended purpose; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2203, S.D. 1, and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



