



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/18/2026
Time: 02:00 PM
Location: 325 VIA VIDEOCONFERENCE
Committee: JHA

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB2185, HD1, RELATING TO SPORTS OFFICIALS.

Purpose of Bill: Authorizes the Department of Education to retain private counsel to represent a sports official in certain civil proceedings to obtain a temporary restraining order in response to incidences where the sports official has been assaulted or threatened in the course of legally discharging their sports official duties. Includes substantial bodily injury of a sports official engaged in the lawful discharge of the sports official's duties in the offense of assault in the first degree. Clarifies that a sports official includes a school administrator, league administrator, or athletics director. Clarifies that a sports official's duties cover sports events at public schools and private schools. Effective 7/1/3000. (HD1)

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of HB 2185, HD 1, but would like to respectfully provide comments.

The Department believes that ensuring the safety and well-being of school personnel is of the utmost importance. This bill recognizes the need to safeguard those who serve and support the Department's students each day. The Department commends the bill's focus on advancing safety protections and accountability. The Department is committed to continuing to do everything in its power to keep its staff and students safe.

The bill authorizes the Department to retain private counsel to represent sports officials in certain civil proceedings to obtain a temporary restraining order in response to incidents where the sports official has been assaulted or threatened in the course of legally discharging their sports official duties.

However, the Attorney General's office is in the best position to represent the Department's employees in Temporary Restraining Order (TRO) hearings as well as representing sports officials in civil proceedings. The Department does not employ attorneys and cannot engage in the practice of law. Additionally, the Department does not have the funding for private attorneys. The Attorney General's office has the ability

and legal expertise to represent the Department's employees. For this reason, the Department is working with the Attorney General's office on refining this requirement and clarifying roles. The Department is hopeful to have future amendments to this section of the bill if the bill advances.

The bill also enhances legal protections for sports officials, including referees, umpires, coaches, and school administrators. The bill also elevates intentional bodily injury of a sports official to a Class B felony. This measure aligns with the Department's priority to deter violence and harassment. By explicitly including "school administrator, league administrator, or athletic director" under the definition of sports officials, the bill provides critical safeguards for Department staff who are often the target of threats from parents and spectators during school events.

Strengthening legal protections through representation by the Attorney General's office is a key strategy to maintain the viability of state-wide athletic programs. Additionally, the bill includes both public and private school events, ensuring a standardized level of safety for all students and officials across the state's educational landscape.

Interscholastic athletics are an integral component of comprehensive K-12 education. When violence and threats against officials go unaddressed, the educational value of athletics can be severely compromised. Students witness adult misconduct, games are canceled, and the lessons of respect, discipline, teamwork, and fair play are undermined. HB 2185, HD 1, helps protect the integrity of school athletics.

Thank you for the opportunity to testify on HB 2185, HD 1.

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February 18, 2026

HB2185 HD1: RELATING TO SPORTS OFFICIALS

Chair Tarnas, Vice Chair Poepoe and Members of the Committee on Judiciary and Hawaiian Affairs¹

The Office of the Public Defender (OPD) **strongly opposes HB2185 HD1.**² The OPD supports protection of the safety and well-being of Hawai'i's sports officials. Sports officials should not be subjected to any verbal abuse or physical assaults in the course of their duties. However, current statutes already provide sufficient protections and penalties, including upgraded penalties, to punish persons who assault sports officials.

In particular, the OPD opposes the proposed amendment to Hawai'i Revised Statutes (HRS) § 707-710, assault in the first degree, which would make intentionally or knowingly causing "substantial bodily injury" to a sports official an assault in the first degree (a Class B felony). Under current law causing "bodily" injury to a sports official is already subject to an upgraded penalty as a Class C felony under HRS § 707-711(1)(n).

¹ This testimony was prepared by Public Defender Jon Ikenaga who apologizes for the late submission of the testimony. Mr. Ikenaga will make it a point to be more organized to account for his sometimes scatterbrained approach to scheduling.

² The OPD takes no position on the proposed amendment to Chapter 28 regarding representation in civil matters.

Sports officials already have enhanced protection against assaults causing bodily injury and affording them yet another enhancement serves no rational basis

Normally causing “bodily injury”³ to a person constitutes Assault in the Third Degree, HRS § 707-712. However, assault against a sports official engaged in the lawful discharge of their official duties is subjected to an enhanced charge of under HRS § 707-711, Assault in the Second Degree, subsection (1)(n). In the case of a “person” (i.e. a person with no special status) Assault in the Second Degree requires infliction of “substantial bodily injury.” Thus, assault against a sports official is already subject to an enhanced charge as causing “bodily injury” to a “person” constitutes a misdemeanor while causing “bodily injury” to a sports official constitutes a Class C felony. In fact, HRS § 707-711 already contains a long list of persons with special status for whom intentionally or knowingly causing “bodily injury” is subject to the enhanced Class C felony charge –educational workers, emergency medical services providers, employees at state-operated/contracted mental health facilities, firefighters or water safety officers, health-care workers, home health care workers, employees at mutual benefit societies, persons sixty years or older, national guard members and protective services workers.

In the case of persons with no special status, causing “substantial bodily injury” to another person constitutes Assault in the Second Degree. However, under HRS § 707-710(1)(b), inflicting “substantial bodily injury” to a person sixty years of age or older is subject to an enhanced charge of Assault in the First Degree. HB2185 HD1 seeks to amend HRS § 707-710 to add sports officials. Thus, inflicting “substantial bodily injury” to a sports official would be subject to an enhanced penalty from a Class C felony to a Class B felony.

This is a case where the exceptions are beginning to swallow the rule. Sports officials already received enhanced protection for assaults causing “bodily injury” from a misdemeanor to a Class C felony under HRS § 707-711. HB2185 HD1 seeks to grant another layer of protections to sports officials by enhancing assaults inflicting “substantial bodily injury” against them from a Class C felony to a Class B felony. Currently, the only other persons of special status who also receive enhanced protection for assaults causing “substantial bodily injury” from a Class C felony to

³ HRS § 707-700 defines “bodily injury” as “physical pain, illness, or any impairment of physical condition.”

a Class B felony under HRS § 707-710 are persons sixty years of age or older. A conviction for an assault causing “substantial bodily injury” is already a Class C felony, punishable by up to five years of imprisonment. If sports officials are afforded yet another enhanced assault charge, it would lead to the question of why others on the long list of enhanced persons wouldn’t get the same second enhancement? Why would inflicting “substantial bodily injury” on a sports official constitute Assault in the First Degree while inflicting “substantial bodily injury” on a firefighter constitute Assault in the Second Degree? Another question would be why other persons belonging to special classes are not given an enhancement – what about other government employees who are engaged in the course of their duties? Why wouldn’t there be an enhancement if they are assaulted? With no logical reason to exclude some persons belonging to special classes, the list of enhancement exceptions will soon exclude all but a few people. The assault classification scheme under the Penal Code already makes the degree of assault commensurate with the type of injury inflicted. There is no need to add yet another enhanced exception to the list.

Increasing the severity of punishment does little to deter crime

The supposed deterrent effect of upgrading the already upgraded offense of assault against a sports official presumes that potential offenders are aware of the enhanced penalties for such conduct. The reality, however, is that increasing the severity of punishment is ineffective partly because “criminals” know little about the sanctions for specific crimes.

According to legislative analyst Ben Johnson in a January 2019 report, “[T]he state can raise the maximum penalty for an offense, but that does not necessarily change the expectations of someone who might be considering committing a crime. If a person is weighing the benefits of committing a crime against the potential consequences of that act, it is the potential offender’s actual belief about a likely sanction that matters.”⁴

Not all crimes involve a rational decision

HB2185 HD1 further presumes that individuals considering committing a criminal act have an internal discourse whereby the individual weighs the various pro and cons – whether to follow through and commit the contemplated offense. The reality,

⁴ Ben Johnson, Do Criminal Laws Deter Crime? Deterrence Theory in Criminal Justice Policy: A Primer, MN House Research, p. 5, January 2019, available at <https://www.house.mn.gov/hrd/pubs/deterrence.pdf>.

however, is that many offenses are committed on a spur of the moment – a whim or sudden impulse.

In that same 2019 report, Mr. Johnson indicated, “[C]riminal acts may be driven by many factors. Many crimes take place when the offender is under the influence of drugs or alcohol. Others occur in the ‘heat of passion’ when a person experiences a strong emotion. It makes logical sense that a model assuming criminals engage in a rational cost-benefit analysis before committing a crime would not accurately predict conduct by people with an impaired ability to think rationally.”⁵

Even if the individual possesses the correct and accurate information regarding the severity of offense, often times, in the heat of the moment, criminal offenses are committed without deliberation or insight. The reality is that HB2185 HD1 may have little to no effect on deterring assaults on sports officials.

Conclusion

The OPD supports protection of the safety and well-being of Hawai‘i’s sports officials. Sports officials should not be subjected to threatening or assaultive behavior in the course of their employment. However, sports officials are already protected from such illegal conduct under current statutes for harassment, assault, and terroristic threatening, some of which provide enhanced penalties and protections for such conduct when the victim is a sports official.

True deterrence from threatening or assaultive behavior against sports officials could be achieved by enhancing security at sporting events and issuing verbal or written warnings on-the-spot of criminal consequences. This would be a proactive approach to prevent threats or assaults from occurring or escalating, rather than imposing disproportionately harsh penalties and likely unconstitutional punishment after an assault has already occurred.

HB2185 HD 1 has a laudable purpose, but it is unnecessary, likely unconstitutional, has no rational basis to support its enactment and will likely not achieve its desired result. The OPD strongly opposes HB2185 HD1. Thank you for the opportunity to comment on this measure.

⁵ Id.

HB-2185-HD-1

Submitted on: 2/18/2026 12:46:33 PM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah K Namohala (Kalei)	WAIAKEA HIGH SCHOOL - ATHLETIC DIRECTOR	Support	Written Testimony Only

Comments:

TO: House Committee on Judiciary & Hawaiian Affairs

FROM:D. KALEI NAMOHALA

DATE: 2/18/2026

RE: HB 2185 – RELATING TO SPORTS OFFICIALS POSITION: SUPPORT

Chair, Vice Chair, and Members of the Committee,

My name is KALEI NAMOHALA and I am the Athletic Director at Waiakea High School. I've been an Athletic Administrator for the last 16 years. I am writing to express my strong **support** for **HB 2185**.

Our sports officials—umpires, referees, timers, and coaches—are the backbone of Hawaii's athletic programs. They provide a safe and fair environment for our children and community members to compete and grow. Unfortunately, there has been a disturbing trend across the country and within our own state of increased aggression and violence directed toward these individuals.

HB 2185 is a necessary step to protect those who serve our community by:

1. **Providing Legal Support:** Authorizing the Attorney General to represent officials in civil proceedings when they are victims of threats or assault ensures that these volunteers and workers are not left to defend themselves alone after a traumatic incident.
2. **Increasing Accountability:** Elevating intentional bodily injury of a sports official to a Class B felony sends a clear message that violence in a sporting environment will not be tolerated.

By passing HB 2185, we can better protect our officials and, in turn, ensure the longevity and quality of sports programs in Hawaii. Without these protections, we risk losing the dedicated individuals who make these events possible.

I urge the Committee to pass HB 2185. Thank you for the opportunity to testify on this important matter.

Sincerely,

D. KALEI NAMOHALA - WAIAKEA HIGH SCHOOL ATHLETIC DIRECTOR



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
House of Representatives
Committee on Judiciary and Hawaiian Affairs

Testimony by
Hawaii Government Employees Association

February 18, 2026

H.B. 2185, H.D. 1 — RELATING TO SPORTS OFFICIALS

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports H.B. 2185, H.D. 1, which authorizes the Attorney General to represent sports officials in civil proceedings when they are assaulted or threatened while lawfully performing their duties. The bill also enhances penalties by making the intentional bodily injury of a sports official engaged in their official duties a class B felony and clarifies that these duties include officiating sports events at both public and private schools.

Sports officials play a critical role in maintaining safe athletic environments for Hawai'i's students. They deserve to carry out these responsibilities without fearing for their personal safety. HGEA has long advocated for similar measures. Unfortunately, it took the recent violent incident at Moanalua High School involving Associate Athletic Director Natalie Iwamoto to underscore the urgent need for stronger legal protections. This incident demonstrated that the current system fails to provide adequate support for those who serve on the front lines of school athletics.

While we appreciate the amendment which adds athletic directors to the definition of "sports official," we ask that it be expanded further to include all school personnel assigned duties at the sports event, including but not limited to, classified and certificated employees such as athletic trainers, and others who provide security, collect tickets, run concessions, or perform custodial duties, regardless of whether the person is paid or a volunteer.

In her written testimony to this committee on H.B. 1888 - Relating to the Safety of Educational Workers, Associate AD Iwamoto described having to independently navigate the complex legal process in the aftermath of the assault—dealing with law enforcement, learning how to file a temporary restraining order, and securing private legal representation. No educational or athletic official should be left to manage these challenges alone. This gap in support is unacceptable.

Authorizing the Attorney General to represent sports officials in civil proceedings will ensure they receive timely, informed, and professional legal support at a moment when they are most vulnerable. Combined with enhanced criminal penalties, this measure sends a clear message: Hawai'i will not tolerate violence against individuals who serve and protect our student-athletes.

Thank you for the opportunity to testify in support of H.B. 2185, H.D. 1.

Respectfully submitted,

A handwritten signature in black ink that reads "Randy Perreira". The signature is written in a cursive style with a prominent "R" and "P".

Randy Perreira
Executive Director



TO: Representative David Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
Committee on Judiciary & Hawaiian Affairs

FROM: Deanna D'Olier, Executive Director
Hawaii Association of Independent Schools

RE: **HB 2185 HD 1– Relating to Sports Officials
HAIS Position - Comments / Support Intent**

DATE: February 18, 2026 at 2 PM
Conference Room 325

Aloha Chair Tarnas, Vice Chair Poepoe and Members of the Committee,

On behalf of the Hawaii Association of Independent Schools (HAIS), which represents more than 100 private educational institutions across the state, I am writing to express our **support of the intent** for HB 2185 HD1.

Based on our current understanding of the HD1, we want to confirm that the bill would not preclude independent and other private schools from retaining private counsel in a civil action, both for purposes of seeking a temporary restraining order (TRO) and, as the bill was originally written, in a standard civil action suit.

Many of our member schools are active participants in the Interscholastic League of Honolulu (ILH) and participate in Hawaii High School Athletic Association (HHSAA) state tournaments. We believe this measure is a critical step toward ensuring that student-athletes, sports officials, school personnel, and spectators can engage in athletics within a safe and respectful environment.

The safety of our community is paramount. Athletics serve as an extension of the classroom, where students learn critical life skills and, most importantly, sportsmanship. However, these lessons are undermined when the individuals responsible for maintaining the integrity of the game, the officials, are subjected to threats or physical violence.

HB 2185 HD1 addresses this by strengthening penalties, providing legal support and authorizing the Department of Education to retain private counsel to represent sports officials in civil proceedings in obtaining a TRO if they are assaulted or threatened while performing their duties. It also broadens protections by including coaches and school or league administrators under the definition of "sports official," whether they are paid professionals or unpaid volunteers.

Beyond the immediate legal protections, I would like to highlight several key considerations that make this bill vital for the future of Hawaii high school sports.

Hawaii, like much of the nation, is facing a critical shortage of qualified sports officials. One of the leading causes cited by departing referees and umpires is the increasing frequency of verbal and physical abuse from spectators and participants. By elevating the legal protections and providing state-backed legal representation, HB 2185 HD1 sends a clear message that Hawaii values its officials.

We appreciate that the bill explicitly clarifies that a sports official's duties cover events at both public and private schools. This ensures that our member schools and their staff receive the same level of protection and deterrence as their public school counterparts during interscholastic competitions.

The bill's definition of "lawful discharge of duty," spanning from the moment an official arrives at a venue until they return to their home or business, is an important inclusion. This bill ensures they are protected throughout their entire window of service.

HB 2185 HD1 provides the necessary legal framework to deter violence and protect those who make interscholastic athletics possible. By supporting our officials, we are supporting the safety and well-being of our students.

Mahalo for the opportunity to submit testimony.

HB-2185-HD-1

Submitted on: 2/13/2026 7:06:40 PM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nelson Chee	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

As an Athletic Director at Kaiser High School, I strongly support HB2185. This legislation appropriately recognizes the essential role that educational workers and sports officials play in creating safe, positive, and meaningful experiences for our youth. Every day, coaches, referees, athletic staff, and school employees commit themselves to mentoring young people, teaching life skills, and fostering teamwork, discipline, and respect through education and athletics.

Incidents of harassment, intimidation, threats, and even physical violence are directed at those serving our students and athletes have been increasing at an alarming rate. When parents, spectators, or fans engage in abusive behavior whether verbal or physical, educational workers, coaches, referees, athletic staff, and school employees are often left without meaningful support or protection. Many are forced to endure constant insults, name-calling, and harassment simply for performing their duties. This behavior not only places individuals at risk, but also undermines the integrity of school athletics and discourages qualified professionals and volunteers from serving our school communities. When there are no clear consequences for this behavior, it is allowed to continue and escalate, creating a culture where abuse is normalized rather than addressed. HB2185 sends a clear and necessary message: violence, threats, and intimidation have no place in our schools or youth sports.

Our schools and athletic programs are strongest when respect, safety, and community values are upheld. HB2185 is an important and overdue step toward ensuring that those who serve our youth are supported, protected, and respected.

Respectfully,

Nelson Chee

Athletic Director

Kaiser High School

HB-2185-HD-1

Submitted on: 2/13/2026 8:59:02 PM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

If plaintiff is found guilty, plaintiff must reimburse all legal fee, etc.

2185 HB RELATING TO SPORTS OFFICIALS.

HB-2185-HD-1

Submitted on: 2/15/2026 8:43:57 PM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lindsay Chambers	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the committee:

Referees, coaches, and other sports officials play an important role in creating safe and positive experiences for our children. Many volunteer their time out of love for the game and a commitment to fairness. They should never fear for their safety simply for enforcing rules or ensuring fair play.

When sports officials are assaulted or threatened, they should not be left to navigate the legal system alone or forced to find and fund their own attorney while coping with the trauma of that experience.

We owe them the same support and protection they provide to our communities.

HB-2185-HD-1

Submitted on: 2/16/2026 5:11:13 PM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Felecia Grace	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members,

I support HB2185, H.D.1. Sports officials and school athletics personnel should not face threats or violence while performing their duties. This bill provides important protections by allowing legal support for restraining orders and holding offenders accountable for assaults against sports officials.

HB2185 helps ensure safer athletic environments for our students, schools, and communities. I respectfully urge your support.

Mahalo,

Felecia Grace

HB-2185-HD-1

Submitted on: 2/17/2026 8:43:45 AM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maria Barrows	Individual	Oppose	Written Testimony Only

Comments:

Recommend using existing laws, contact law enforcement, to curb assaults, regardless of job positions or affiliations. Requiring DOE to support - that should be a given. Why would DOE be reluctant to support addressing criminal acts toward anyone within their jurisdiction?

HB-2185-HD-1

Submitted on: 2/17/2026 12:55:57 PM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Boyer	Individual	Support	Remotely Via Zoom

Comments:

Dear Chair and Members of the House Judiciary & Hawaiian Affairs Committee,

My name is Douglas Boyer, and I serve as the Principal of Lāna‘i High and Elementary School. I write in strong support of HB2185 (HD1), Relating to Sports Officials.

In addition to my role as a school principal, I am currently a basketball official and have officiated for 14 years. Through both of these roles, I have witnessed firsthand the importance of maintaining safe, respectful environments at athletic events.

While this bill is often described as protecting “sports officials,” it is important to recognize that its protections extend well beyond referees. HB2185 applies to individuals serving in official capacities at athletic events, including:

- Referees
- Umpires
- Timers
- Scorers
- Coaches
- League administrators
- School administrators
- Athletic directors

These individuals may be paid employees or unpaid volunteers. They dedicate significant time and energy to ensuring athletic events across Hawai‘i are safe, structured, and positive experiences for our students and communities. Yet unlike educational workers, emergency responders, and healthcare providers, they do not currently receive enhanced protection under law when assaulted in the course of their duties.

As a school principal, I have personally had to suspend athletic events until individuals were required to leave because of inappropriate and aggressive behavior directed at officials and coaches. No administrator wants to interrupt a student event, but maintaining safety and order must come first. These incidents underscore the growing concern around spectator misconduct and the escalating intimidation faced by those serving in official capacities.

HB2185 appropriately:

- Includes substantial bodily injury to a sports official engaged in the lawful discharge of their duties within the offense of Assault in the First Degree
- Clarifies that a sports official's duties extend from arrival at the venue until return home, covering the parking lot and post-game incidents
- Authorizes the Department of Education to retain private counsel to represent assaulted or threatened sports officials in civil proceedings to obtain temporary restraining orders

In recent years, there has been a noticeable increase in violence and intimidation at youth and community sporting events nationwide. As someone who continues to officiate games, I can attest to the pressures officials face. When officials, coaches, and volunteers feel unsafe, they leave the profession. When they leave, games are canceled, programs suffer, and our students lose valuable opportunities.

While the bill defines sports events broadly, I respectfully encourage the Committee to consider clarifying amendments, if necessary, to ensure explicit coverage of organized youth sports and community-based athletic events outside of traditional school settings. Clear statutory language will help ensure consistent enforcement and provide reassurance to those serving in these important roles.

HB2185 sends a clear message that violence and intimidation have no place in Hawai'i athletics. I respectfully urge passage of this measure.

Mahalo for your consideration.

Sincerely,
Douglas Boyer
Principal, Lāna'i High and Elementary School
Basketball Official (14 years)

HB-2185-HD-1

Submitted on: 2/18/2026 8:52:58 AM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-2185-HD-1

Submitted on: 2/18/2026 11:54:51 AM

Testimony for JHA on 2/18/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel C. Smith	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

Even in Hawaii sports officials—referees, coaches, athletic directors—are facing increased abuse and threats. This bill strengthens assault penalties and allows DOE to provide legal support for officials seeking restraining orders.

Please pass the bill. Mahalo,

Daniel C. Smith

Pearl City