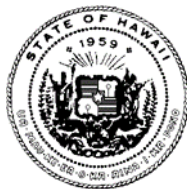


JOSH GREEN, M.D.
GOVERNOR
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KA HOPE LUNA HO'OKELE

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KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELawe KANAKA
Office of the Director
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Honolulu, Hawaii 96809-0339

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

March 23, 2026

TO: Honorable Representative David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs

FROM: Ryan I. Yamane, Director

SUBJECT: **SB 2567 SD2 HD1 – RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOYEE.**

Hearing: March 24, 2026, 2:00 p.m.
Conference Room 325 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure and provides comments. DHS defers to the Department of the Attorney General.

Allowing public employers to secure temporary restraining orders and injunctions against harassment to protect "public servants" against employment-related harassment and threats. In recent years, DHS staff have been harassed, assaulted, threatened, and stalked while in the course of their work. These additional protections will enhance workplace safety and may encourage experienced individuals to seek and remain in leadership roles.

Thank you for the opportunity to provide testimony on this measure.



The Judiciary, State of Hawai‘i

**Testimony to the Thirty-Third Legislature
2026 Regular Session**

House Committee on Judiciary & Hawaiian Affairs

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Tuesday, March 24, 2026, 2:00 PM
State Capitol
Conference Room 325 & Videoconference

by:

Nicholas J. Severson
Staff Attorney for the Hawai‘i Supreme Court

Bill No. and Title: Senate Bill No. 2567, S.D.2, H.D. 1, Relating to Petitions to Temporarily Restrain and Enjoin Harassment of an Employee.

Purpose: The purpose of this Act is to establish a two-year pilot project to authorize public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees. Appropriates funds.

Judiciary’s Position:

The Judiciary strongly supports this bill, which is part of the Judiciary’s legislative package, and respectfully requests the Committee pass the measure.

The pressing need for this legislation is demonstrated by the alarming increase in harassment, acts of violence, and threats against public servants. As detailed in the preamble of the measure, multiple studies have shown an increase in harassment, acts of violence, and threats against public officials. A 2021 study by the National League of Cities found that eighty-one per cent of local public officials surveyed said they had experienced harassment, threats, or violence in recent years. In addition to having their safety and well-being threatened, the report found that harassment and violent behavior interrupted local officials’ ability to do their jobs and led to the loss of institutional knowledge. This harassment and violent conduct inhibit the ability of public officials to carry out their critical duties and has the effect of driving people away from public service. Threats and attacks against judges are also increasing nationwide.



Senate Bill No. 2567, S.D. 2, H.D.1 Relating to Petitions to Temporarily Restrain and Enjoin Harassment of an Employee.

House Committee on Judiciary & Hawaiian Affairs

Tuesday, March 24, 2026

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Current law allows an individual to obtain a temporary restraining order against harassment on their own behalf. This measure would allow public employers to seek district court restraining orders on behalf of all public servants based on public employment related harassment. California enacted a similar law in the 1990s, which has proven effective in protecting public employees from harassment related to their work. Some examples of the effectiveness of these protections are outlined in earlier versions of the bill. They include the Administrative Office of the Courts obtaining a protective order for a judicial official who received death threats from a party in a family court matter, the County of Los Angeles obtaining a restraining order on behalf of five employees who were subjected to stalking and threats of sexual violence by a member of the public, and a state university obtaining a restraining order against a former employee who purchased firearms and made death threats against various employees

These expanded protections have proven to be effective. Allowing a public employer to pursue protective orders on behalf of public servants lessens the individual burden on these employees as they continue to work on behalf of the public. It also allows public employers to help ensure continuity of operations and maintain a safe working environment for their employees.

The Judiciary crafted this measure in late 2025 to provide this option where warranted and appropriate in light of the increasing threat environment. In recent weeks, the Judiciary and Department of the Attorney General conferred and agreed upon the language providing for a two-year pilot project authorizing employers to file petitions for TRO on behalf of all employees of all three branches of state government. This measure also provides the following:

- The Department of the Attorney General shall establish a system by which a public employer of a public servant of the State may retain a private attorney to provide representation to the public employer to pursue an action on behalf of a public servant.
- The definition of public servant was expanded to include all public employees of the State of Hawai'i.
- Staff attorneys for the Judiciary are authorized to represent the Judiciary on behalf of Judiciary employees, and the Judiciary may also retain counsel using its own funds.
- To avoid conflicts, no petition under the pilot project can be maintained through a private attorney when the petitioner and respondent are employed in the same branch of government.
- The authorization for a public employer to petition for relief under this section on behalf of a public servant is discretionary, and includes liability protection for state employers and officials for purposes of the pilot project.



Senate Bill No. 2567, S.D. 2, H.D.1 Relating to Petitions to Temporarily Restrain and Enjoin Harassment of an Employee.

House Committee on Judiciary & Hawaiian Affairs

Tuesday, March 24, 2026

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- A petition filed by a public employer of a public servant shall identify the “petitioner” as the respective branch of government, department, or agency; provided that the state judiciary shall be identified as the “Administrative Director of the Courts.”

For these reasons, the Judiciary strongly supports Senate Bill No. 2567, S.D.2, H.D.1. Thank you for the opportunity to testify on this matter.



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

Date: 03/24/2026

Time: 02:00 PM

Location: 325 VIA VIDEOCONFERENCE

Committee: JHA

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB2567, HD1, RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOYEE.

Purpose of Bill: Establishes a two-year pilot project to authorize public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees. Appropriates funds. Sunsets 6/30/2028. Effective 7/1/3000. (HD1)

Department's Position:

The Hawaii State Department of Education (Department) supports SB 2567, SD2, HD 1, which expands protections against employment-related harassment. This bill authorizes a public employer to petition the district court for a temporary restraining order and an injunction from further harassment.

SB 2567, SD 2, HD 1 provides a mechanism for the Department to proactively protect its employees from work-related harassment and threats of violence.

Thank you for the opportunity to provide support on SB 2567, SD2, HD 1.



The House Committee on Judiciary and Hawaiian Affairs

March 24, 2026

Room 325

2:00 PM

RE: SB 2567 SD2 HD1, Petitions to Temporarily Restrain and Enjoin Harassment of an Employee

Attention: Chair David A. Tarnas, Vice Chair Mahina Poepoe, Members of the Committee

The University of Hawaii Professional Assembly (UHPA), the exclusive bargaining representative for all University of Hawai'i faculty members across Hawai'i's statewide 10-campus system, **supports SB 2567 SD2 HD1.**

UHPA strongly endorses the underlying concept of empowering public employers to petition for temporary restraining orders and injunctions against employment-related harassment. Workplace violence, stalking, and credible threats present unique and heightened safety risks for frontline public workers. By authorizing the employer to step in and secure a protective order on behalf of a harassed employee, this measure appropriately shifts the emotional and financial burden of seeking legal protection away from the individual victim and onto the employer responsible for workplace safety.

We extend our appreciation to the prior committee for retaining the inclusive definition of "Public servant" in the HD1 draft to include any officer or employee of the executive branch. Faculty members are increasingly subjected to harassment simply for fulfilling their professional responsibilities to their students and the community. By expressly keeping them in this measure, the Legislature ensures the University has the legal tools necessary to maintain a safe and secure learning environment. This is a vital public safety measure that will protect both our faculty and the communities they serve.

UHPA supports the passage of SB 2567 SD2.

Respectfully submitted,

Christian L. Fern
Executive Director
University of Hawaii Professional Assembly

**University of Hawaii
Professional Assembly**



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

March 24, 2026

S.B. 2567, S.D. 2, H.D. 1 — RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOYEE


The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of S.B. 2567, S.D. 2, H.D. 1, which establishes a two-year Pilot Project to authorize public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees.

For years, our organization has been a staunch proponent for more employer intervention and responsibility when an employee is subjected to work related harassment, threats, and even assault. We have strongly advocated that the employer provide support and assistance if a temporary restraining order (TRO) is necessary and advisable. The proposed process in this bill empowers the employer to do just that. We appreciate the amendment made in the S.D. 1 which expands the definition of “public servant” to include all public employees employed within the State or any of its political subdivisions. All public employees, irrespective of position, should be entitled to the same level of legal protection and support.

It is shameful that employers currently do little to assist an employee in this process, leaving many employees left to navigate the legal process alone and bare any cost associated with filing a TRO. It is the employer's responsibility to foster a safe working environment, and if needed, intervene and take some level of ownership when their employee is put into a hostile situation by a member of the public. Employees should feel assured that their employer is committed to supporting and advocating for them if an unfortunate situation arises when a TRO is necessary.

Thank you for the opportunity to provide testimony in support of S.B. 2567, S.D. 2, H.D.1.

Respectfully submitted,


Randy Perreira
Executive Director



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

**HOUSE OF REPRESENTATIVES
THE THIRTY-THIRD LEGISLATURE
REGULAR SESSION OF 2026**

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

Tuesday, March 24, 2026, 2:00 PM
Conference Room 325 & Videoconference

Re: Testimony on SB2567, SD2, HD1 – RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOY HARRASSMENT OF AN EMPLOYEE

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

United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) **supports** SB2567, SD2, HD1, which establishes a two-year pilot project to authorize public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees. Appropriates funds.

As the exclusive bargaining representative for approximately 12,000 public employees in Bargaining Unit 1 and Bargaining Unit 10, UPW strongly believes our members should feel assured that their employers are committed to taking effective action against harassment and violence.

Given recent events and the apparent rise in incidents of harassment targeting public employees, it seems evident, unfortunately, that this legislation is necessary to protect the rights and dignity of hard-working public employees who are tasked with providing essential services to our communities and are often most vulnerable to this sickening behavior. We urge the committee to pass this measure.

Mahalo for the opportunity to testify on this bill.

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