



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

S.B. NO. 2567, S.D. 1, RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOYEE.

BEFORE THE:

SENATE COMMITTEES ON JUDICIARY AND ON WAYS AND MEANS

DATE: Wednesday, March 4, 2026 **TIME:** 10:35 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Diana Sumarna,
Deputy Attorney General, at (808) 587-2900)

Chairs Rhoads and Dela Cruz and Members of the Committees:

The Department of the Attorney General (Department) supports this bill as currently drafted.

This bill establishes a two-year pilot project to expand protections against employment-related harassment by allowing public employers to seek a temporary restraining order and an injunction on behalf of a harassed employee under specified circumstances. The Department worked closely with the Judiciary on the current draft of the bill. This draft addresses the Department's concerns, as well as many of the issues raised by other individuals who testified on this and similar bills.

Among other things, Senate Draft 1 of the bill:

1. Expands the definition of "public servant" to include officers and employees of all three branches of government and all counties;
2. Allows public employers to retain private counsel when harassment arises from an employee's official duties; and
3. Directs the Department to establish a system through which a state public employer may retain private counsel, using appropriated state funds.

By directing the Department to establish a funded system for retaining private counsel, Senate Draft 1 resolves the Department's primary concern with the original bill—namely, requiring the Department and its deputy attorneys general to represent individuals in their personal capacities—while providing a workable mechanism for

public servants across all three branches of state government and the counties to obtain protection under this pilot program.

To implement this bill, the Department respectfully requests an appropriation of \$300,000.

Based on information provided by the Judiciary, the Department anticipates that each temporary restraining order and injunction matter will require at a minimum five hours of attorney time for information gathering, drafting and filing the petitions, attending the hearings, and any necessary follow-up. While attorneys' fees, court costs, and service fees may differ from case-to-case, and the utilization of this program is uncertain, we believe that \$300,000 is a reasonable figure to initiate this pilot project.

Thank you for considering our testimony.



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

LATE

Date: 03/04/2026

Time: 10:35 AM

Location: CR 211 & Videoconference

Committee: JDC/WAM

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB2567, SD1, 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. Effective 1/1/2077. Sunsets 6/30/2028. (SD1)

Department's Position:

The Hawaii State Department of Education (Department) supports SB 2567, SD1, 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 on behalf of employees who have been subjected to harassment, to include "credible threat of violence" and "unlawful violence."

SB 2567, SD 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, SD 1.



LATE

The Judiciary, State of Hawai'i

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

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard

Wednesday, March 4, 2026, 10:35 a.m.
State Capitol
Conference Room 211 & Videoconference

by:
Nicholas J. Severson
Staff Attorney for the Hawai'i Supreme Court

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

Purpose: The purpose of this Act is to expand protections against employment-related harassment by allowing public employers to secure a temporary restraining order and permanent injunction on behalf of a harassed employee. Effective upon approval.

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 Senate Bill 2567, S.D. 1, 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 inhibits 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.

Current law allows an individual to obtain a temporary restraining order against harassment on their own behalf. Senate Bill 2567, S.D.1 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 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 as included in this Senate Draft 1, which provides for a two-year pilot project authorizing employers to file petitions for TRO on behalf of all officers and employees of all three branches of state government. Senate Draft 1 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, meaning all officers or employees of all three branches of state government.
- 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.



Senate Bill No. 2567, S.D. 1, Relating to Petitions to Temporarily Restrain and Enjoin
Harassment of an Employee.
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Wednesday, March 4, 2026
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- To avoid conflicts, no petition under the pilot project can be maintained when 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.
- 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.1. Thank you for the opportunity to testify on this matter.



The Senate Committees on Ways and Means and Judiciary
March 4, 2026
Room 211
10:35 AM

RE: SB 2567 SD1, Petitions to Temporarily Restrain and Enjoin Harassment of an Employee

Attention: Chairs Donovan M. Dela Cruz and Karl Rhoads, Vice Chairs Sharon Y. Moriwaki and Mike Gabbard, Members of the Committees

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 SD1.**

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 amending the definition of "Public servant" in the SD1 draft to include any officer or employee of the executive branch. This inclusive language ensures that our dedicated University of Hawai'i faculty members are properly covered by these protections. Faculty members are increasingly subjected to harassment simply for fulfilling their professional responsibilities to their students and the community. By expressly including 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 SD1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. L. Fern".

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
The Senate
Committee on Judiciary
Committee on Ways and Means

Testimony by
Hawaii Government Employees Association

March 4, 2026

S.B. 2567, S.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. 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. 1.

Respectfully submitted,

Randy Perreira
Executive Director



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

THE SENATE KA 'AHA KENEKOA

THE THIRTY-THIRD LEGISLATURE REGULAR SESSION OF 2026

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Wednesday, March 4, 2026, 10:35 AM
Conference Room 211 & Videoconference

Re: Testimony on SB2567 SD1 – RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOY HARRASSMENT OF AN EMPLOYEE

United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) **supports** SB2567, SD1, which authorizes public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees.

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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