



*The Judiciary, State of Hawai‘i*

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

**House Committee on Labor**

Representative Jackson D. Sayama, Chair  
Representative Mike Lee, Vice Chair

Tuesday, March 17, 2026, 9:30 AM  
State Capitol  
Conference Room 309 & Videoconference

by:

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

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**Bill No. and Title:** Senate Bill No. 2567, S.D. 2, 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. Effective 1/1/2077. Sunsets 6/30/2028.

**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. 2, 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



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



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- 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.2. 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:** 03/17/2026

**Time:** 09:30 AM

**Location:** 309 VIA VIDEOCONFERENCE

**Committee:** LAB

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Title of Bill:** SB2567, SD2, 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. Effective 1/1/2077. Sunsets 6/30/2028. (SD2)

**Department's Position:**

The Hawaii State Department of Education (Department) supports SB 2567, SD 2, 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 2 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 2.

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



RYAN I. YAMANE  
DIRECTOR  
KA LUNA HO'OKELE

JOSEPH CAMPOS II  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELawe KANAKA  
Office of the Director  
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TRISTA SPEER  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

March 16, 2026

TO: Honorable Representative Jackson D. Sayama, Chair  
House Committee on Labor

FROM: Ryan I. Yamane, Director

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

Hearing: March 17, 2026, 9:30 a.m.  
Conference Room 309 & 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.

JOSH GREEN, M.D.  
GOVERNOR OF HAWAII

TIA L. ROBERTS HARTSOCK, MSW, MSCJA  
DIRECTOR OF OFFICE OF WELLNESS AND RESILIENCE



STATE OF HAWAII  
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**Testimony on S.B. 2567 SD2**  
**RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN**  
**HARASSMENT OF AN EMPLOYEE**

Representative Jackson Sayama, Chair  
Representative Mike Lee, Vice Chair  
House Committee on Labor

March 17, 2026, at 9:30 a.m.; Room Number: 309

The Office of Wellness and Resilience (OWR) **Supports** S.B. 2567 SD2, Relating to Petitions to Temporarily Restrain and Enjoin Harassment of an Employee.

The mission of the OWR is to strengthen state systems and services by advancing hope-centered principles and supporting Hawai'i's transition toward becoming a trauma-informed state.

Safety—both physical and psychological—is a foundational principle of trauma-informed care.<sup>1</sup> Workplace physical environment and safety is also a core domain of worker well-being. Research consistently links worker wellbeing to outcomes including worker retention, productivity, absenteeism, and both physical and mental health.<sup>2</sup> In early 2024, in partnership with the College of Social Sciences' Health Policy Initiative at the University of Hawai'i at Mānoa, the OWR conducted the Hawai'i Quality of Life and Workplace Wellness Survey.<sup>3</sup>

<sup>1</sup> SAMHSA's Concept of Trauma and Guidance for a Trauma-informed Approach. (n.d.). [www.samhsa.gov](https://www.samhsa.gov).  
<https://www.samhsa.gov/resource/dbhis/samhsas-concept-trauma-guidance-trauma-informed-approach>

<sup>2</sup> Chari, R., Sauter, S. L., Petrun Sayers, E. L., Huang, W., Fisher, G. G., & Chang, C.-C. (2022). Development of the National Institute for Occupational Safety and Health Worker Well-Being Questionnaire. *Journal of Occupational and Environmental Medicine*, 64(8), 707–717. <https://doi.org/10.1097/JOM.0000000000002585>

<sup>3</sup> Learn more at Hawai'i Quality of Life and Well-Being Dashboard [QOL Dashboard - Public | Display](#)

Thirty-five percent of state employees reported experiencing violence on the job within the past 12 months. Among those individuals, 49% chose not to report the violence or harassment they encountered, citing fear of retaliation as the primary reason for not coming forward. The proposed measure could serve as an effective way of addressing this barrier.

When public employees experience persistent harassment, threats, or hostile conduct, the foundation of safety is compromised for both the individual and the people of Hawai'i they serve. S.B. 2567 SD2 takes an important step toward ensuring that public employees can serve in a safe, healing-centered environment.

Thank you for the opportunity to testify on this important measure.

Tia L.R. Hartsock, MSW, MSCJA  
Director, Office of Wellness & Resilience



**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 Labor

Testimony by  
Hawaii Government Employees Association

March 17, 2026

S.B. 2567, S.D. 2 — 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, 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.

Respectfully submitted,

  
Randy Perreira  
Executive Director



The House Committee on Labor  
March 17, 2026  
Room 309  
9:30 AM

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

Attention: Chair Jackson D. Sayama, Vice Chair Mike Lee, 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.**

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 SD2.**

Respectfully submitted,

Christian L. Fern  
Executive Director  
University of Hawaii Professional Assembly

**University of Hawaii  
Professional Assembly**

**SB-2567-SD-2**

Submitted on: 3/15/2026 5:39:52 PM

Testimony for LAB on 3/17/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Gwen Kubo	Individual	Support	Written Testimony Only

Comments:

Testimony for SB2567 (Support)

TO: House Committee on Labor & Public Employment

HEARING DATE: Tuesday, March 17, 2026, 9:30 AM

RE: SB2567 – STRONG SUPPORT

Testimony:

I am a clerical professional for the State. I support SB2567 because it is the only way to break the "Predatory Delay" currently used by administrators to avoid fixing toxic environments.

The Problem: Fixed Performance Patterns

In my office, the supervisor and specific OA4 staff exhibit fixed patterns of performance failure and harassment. These are not "misunderstandings"; they are a documented "course of conduct." Management's solution has been to tell me to "plan to work hard" while they take "more time than needed" to address the source of the problem.

The Strategy of Predatory Delay:

Management is engaging in a bad-faith refusal to utilize existing tools, such as DHRD Policy 301.005 and the MMPI-3, to address these fixed performance and behavioral problems. This delay is an adverse action designed to exhaust me professionally while the department continues to benefit from my labor.

The Solution:

Management has the authority to order Fitness for Duty evaluations to resolve these patterns, but they refuse to incur the burden and cost of tools like the MMPI-3. Instead, they shift that cost onto the clerical staff. SB2567 is necessary to stop administrators from using the "waiting game" to shield a "Social Club" dynamic. I urge the committee to pass this measure to provide the accountability that current internal processes lack.

