



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Thirty-Third Legislature, State of Hawaii
The Senate
Committee on Ways and Means

Testimony by
Hawaii Government Employees Association

March 5, 2026

S.B 2593 SD1 – RELATING TO THE LAW ENFORCEMENT STANDARDS BOARD

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the purpose and intent of S.B 2593 SD1, which would remove certain positions within the Law Enforcement Standards Board from the State's civil service system and collective bargaining framework.

HGEA questions the necessity of granting the Law Enforcement Standards Board the authority to exempt state positions from Chapters 76 and 89, Hawaii Revised Statutes. Exempt employees do not have the same rights and protections as civil service employees, as they are considered "at-will" employees of the State. HGEA has consistently raised concerns with the continued expansion of exempt positions in state government, particularly when those positions perform ongoing operational functions.

This proposal highlights a broader challenge facing the State workforce. Hawaii's civil service system and the Department of Human Resources Development must evolve to better respond to modern recruitment and retention demands. However, exempting positions should not be used as a substitute for necessary reforms. The State already has tools available to address hiring challenges, including position repricing, market-based salary adjustments, and improvements to hiring timelines and procedures.

Shifting positions out of civil service does not address the State's recruitment and retention challenges and may instead weaken the State's ability to attract qualified professionals, particularly where job security and accountability are essential. If the Law Enforcement Standards Board is experiencing hiring difficulties, the appropriate response is to address compensation and hiring processes with the civil service framework not to eliminate civil service and collective bargaining protections.

Thank you for the opportunity to testify in opposition of S.B. 2593 SD1

Respectfully submitted,

Randy Perreira
Executive Director

JOSH GREEN, M.D.
GOVERNOR



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RADE VANIC

VICTOR R. MCCRAW
ADMINISTRATOR

March 5, 2026

TESTIMONY IN SUPPORT OF SB SB2593, SD1
RELATING TO THE LAW ENFORCEMENT STANDARDS BOARD

TO:

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Ways and Means

FROM:

Victor McCraw
Administrator, Hawai'i Law Enforcement Standards Board

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

I submit this testimony in support of SB2593, SD1 in my capacity as Administrator of the Hawaii Law Enforcement Standards Board.

HRS chapter 139 assigns the Board a unique statewide regulatory function. The Board establishes and maintains minimum standards for the profession of law enforcement across Hawaii, including employment standards, training standards, certification status, and compliance oversight. These responsibilities are not advisory. They are regulatory, statewide, and must be conducted in a manner that is consistent, neutral, and defensible.

SB2593, SD1 supports the effective staffing of the Law Enforcement Standards Board (LESB) by exempting three new, essential positions from civil service and excluding them from collective bargaining: the Administrative Manager, the Training and Curriculum Coordinator, and the Lead Investigative Agent.

Exempt and excluded status for these positions is required based on three fundamental dimensions of the work.

First, the work is specialized and cannot be staffed through standard civil service recruitment or pay structures. These roles combine statewide standards administration and enforcement, sensitive employment-related records management, and ongoing compliance and investigative functions that do not align cleanly with existing civil service class specifications. For these reasons, exempt status is necessary to recruit and retain qualified candidates at competitive, market-based salaries appropriate for these specialized regulatory, training, and investigative functions.

Second, the work requires personnel who are entrusted with sensitive, legally protected certification and professional standards records. The work demands strict confidentiality, disciplined access control, and legally defensible records handling.

Third, the work requires independence from collective bargaining. Exempt and excluded status prevents divided obligations, inherent conflicts of interest, and supports consistent, defensible decision-making.

Administrative Manager

This position is responsible for secure, controlled administration of the Board's statewide certification and training records environment. It supports the Board's regulatory decisions by managing the systems, workflows, and record controls for information that directly affects officer certification status and employment eligibility statewide.

The records involved are not routine administrative files. They include statewide certification and employment compliance records for every certified law enforcement officer in Hawaii, records used to determine officers' certification eligibility and minimum standards compliance, and materials generated or maintained for certification action review and proceedings. This information is legally sensitive, often personal, and must be handled under strict confidentiality, disciplined access control, and defensible records governance.

This scope and sensitivity require a manager-level position with regulatory records governance responsibility, not routine clerical, or administrative office support.

Law Enforcement Training and Curriculum Coordinator

This position controls the Board's statewide training standards system under HRS chapter 139. The work is to set, maintain, and enforce minimum training and curriculum standards for law enforcement officers statewide, including the Board's approval and oversight of basic, specialized, and in-service training programs.

The position has statewide authority over what training content qualifies, what minimum curriculum must be delivered, who is qualified to instruct, and how compliance is evaluated. It also controls the integrity of certification testing, including development and custody of examinations, answer keys, and examination records. Those materials are confidential and affect employment eligibility, certification status, and career progression.

Exempt and excluded status supports the Board's ability to recruit and retain a qualified candidate for this statewide standards function and protects the independence required to apply training and testing standards consistently across agencies, including when those determinations affect officers who are members of collective bargaining units.

Lead Investigative Agent

This position is the Board's lead for certification-related investigative review and case preparation under HRS chapter 139. The position conducts investigations into certification eligibility, officer misconduct allegations, and violations of administrative rules, and supports certification action proceedings that can result in suspension or revocation.

This work requires specialized investigative expertise and disciplined case management. The position develops investigative plans, obtains and evaluates records and statements, prepares investigative reports and recommendations for Board consideration, and coordinates case files, evidence packages, and witness preparation for administrative hearings and related proceedings.

This position is entrusted with highly sensitive and legally protected materials, including misconduct allegations, personnel and disciplinary records, witness statements, investigative reports, and evidentiary records prepared for contested proceedings. The work demands strict confidentiality, controlled access, and defensible evidentiary handling.

Independence from collective bargaining is an operational necessity for this position because it supports neutral certification action decision-making affecting officers statewide and requires access to confidential investigative and certification materials used in those determinations.

Victor McCraw, Administrator
Hawaii Law Enforcement Standards Board
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SUMMARY

SB2593, SD1 establishes the exempt and excluded staffing foundation the Board needs to implement HRS chapter 139 as intended. It authorizes the Board to recruit and retain the specialized personnel required for statewide records governance, statewide training and curriculum standards administration, and certification-related investigative review. These core functions support consistent, neutral, and defensible standards administration statewide and protect the integrity and confidentiality required for certification and professional standards work.

Respectfully submitted,



Victor McCraw
Administrator
Hawaii Law Enforcement Standards Board

JOSH GREEN, M.D.
GOVERNOR



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VICTOR R. MCCRAW
ADMINISTRATOR

March 4, 2026

Chair Donovan M. Dela Cruz
Vice Chair Sharon Y. Moriwaki
Senate Committee on Ways and Means
State Capitol, Conference Room 221
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: SB2593, SD1 Relating to the Law Enforcement Standards Board

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

The Hawaii Law Enforcement Standards Board (LESB) submits this testimony in support of SB 2593, SD1. This bill amends HRS sections 76-16(b)(41) and 139-3(6), and seeks to exempt newly created staff positions from civil service laws and exclude them from collective bargaining.

The administrative manager, training and curriculum coordinator, and lead investigative agent positions will be critical to getting the LESB to meet the proposed certification deadline of July 1, 2028. The Board's work is specialized in nature and involves security, confidentiality, and professional judgment that are not characteristic of general state employment. The Board's responsibilities require staff who can be entrusted with sensitive information, exercise independent professional judgment, and apply standards uniformly across jurisdictions and agencies statewide.

The security and confidentiality requirements associated with this work, combined with the need to attract highly qualified candidates, justify the exclusion of the identified positions from the civil service laws and collective bargaining. This is essential to ensure that the individuals entrusted with these responsibilities can carry them out without divided obligations to a union, with an appearance of impartiality, and with full accountability to the Board's regulatory purpose.

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March 4, 2026

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For these reasons, the Hawaii Law Enforcement Standards Board strongly supports SB 2593, SD1 and asks that it move forward with an amended effective date “upon its approval.”

Sincerely,

/s/ Adrian Dhakhwa
Chair, Hawaii Law Enforcement Standards Board