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REPORT ON THE LAW ENFORCEMENT STANDARDS BOARD

Pursuant to Section 139-9, Hawaii Revised Statutes

Submitted to
The Thirty-Third Legislature
Regular Session of 2025

Section 139-9, Hawaii Revised Statutes (HRS), requires the Law Enforcement Standards Board (Board), established within the Department of the Attorney General for administrative purposes only, to submit a report to the Legislature that includes:

- (1) A description of the activities of the Board;
- (2) An accounting of the expenditures from the law enforcement standards board special fund in the previous fiscal year and the remaining balance of the fund; and
- (3) Recommended legislation, if any.

I. The Law Enforcement Standards Board:

The Board was established by Act 220, Session Laws of Hawaii 2018 (Act 220), which added to the HRS a new chapter that is codified as chapter 139. The Board is charged with providing programs and standards for training and certification of law enforcement officers. Specifically, as set forth in section 139-3, HRS, the Board shall:

- (1) Adopt rules in accordance with chapter 91 to implement this chapter;
- (2) Establish minimum standards for employment as a law enforcement officer and to certify persons to be qualified as law enforcement officers;

- (3) Establish criteria and standards in which a person who has been denied certification, whose certification has been revoked by the Board, or whose certification has lapsed may reapply for certification;
- (4) Establish minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for schools operated by or for the State or a county for the specific purpose of training law enforcement officers;
- (5) Consult and cooperate with the counties, agencies of the State, other governmental agencies, universities, colleges, and other institutions concerning the development of law enforcement officer training schools and programs of criminal justice instruction;
- (6) Employ an administrator, without regard to chapter 76, and other persons necessary to carry out its duties under this chapter;
- (7) Investigate when there is reason to believe that a law enforcement officer does not meet the minimum standards for employment, and in so doing, may:
 - (A) Subpoena persons, books, records, or documents;
 - (B) Require answers in writing under oath to questions asked by the Board; and
 - (C) Take or cause to be taken depositions as needed in investigations, hearings, and other proceedings,
related to the investigation;
- (8) Establish and require participation in continuing education programs for law enforcement officers;
- (9) Have the authority to charge and collect fees for applications for certifications as a law enforcement officer;
- (10) Establish procedures and criteria for the revocation of certification issued by the Board;
- (11) Have the authority to revoke certifications;
- (12) Review and recommend statewide policies and procedures relating to law enforcement, including the use of force; and

- (13) Consider studies relevant to the board's objectives, including the study that examines consolidating the law enforcement activities and responsibilities of various state divisions and agencies under a single, centralized state enforcement division or agency, conducted pursuant to Act 124, Session Laws of Hawaii 2018; and
- (14) Conduct its own study to evaluate how to efficiently and effectively satisfy its duties in accordance with the law.

II. **Activities of the Board**

At its March 8, 2024 meeting, the Board:

- (1) Received public testimony regarding HB1611, relating to law enforcement officers;
- (2) Approved the minutes for the September 25, 2023 meeting; and
- (3) Received a report from Chair Todd Raybuck regarding the Permitted Interaction Group's progress and recommendations regarding the hiring process for the Board Administrator position. Those recommendations included conducting individual interviews in-person and open to the public; using the combination of a written component and the in-person component in selecting a finalist; and extending a conditional job offer to the selected finalist.

At its March 18, 2024 meeting, the Board:

- (1) Approved the minutes for the March 8, 2024 meeting;
- (2) Adopted the recommendations from the Permitted Interaction Group regarding the hiring process of the Board Administrator position that were discussed at the March 8, 2024 meeting;
- (3) Announced the two finalists for its Board Administrator position, Mr. Gary Yamashiroya and Mr. Victor McCraw. Each board member was given an opportunity to disclose whether they knew either finalist, and if so, whether or not there might be any conflict of interest regarding their participation in the hiring process. After discussion and voting, board members Gary Sukanuma and Jared Redulla were recused from participating in the hiring process; and
- (4) Solicited public testimony regarding both finalists.

At its June 21, 2024, meeting, the Board:

- (1) Received public testimony and conducted in-person interviews of the two finalists for its board administrator position. After discussion in executive session, the board voted to provide a conditional job offer to Mr. McCraw.

Subsequent to the June 21, 2024 meeting, the conditional job offer was extended and accepted, with a tentative start date of October 16, 2024.

III. Accounting of Expenditures

Airfare, per diem, parking, and rental car expenses for two members for the June 21, 2024 in-person meeting totaled \$560.13, leaving a balance of \$2,439.87. No other expenditures were made as of the time this report was submitted. There was no law enforcement standards board special fund appropriation nor any remaining balance to report.

IV. Recommended Legislation

The Board does not have any recommended legislation at this time.