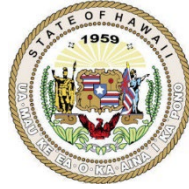


JOSH GREEN, M.D.
GOVERNOR



ANNE E. LOPEZ
ATTORNEY GENERAL

MATTHEW S. DVONCH
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
Ka 'Oihana O Ka Loio Kuhina
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December 6, 2024

The Honorable Ronald D. Kouchi
President and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Nadine K. Nakamura
Speaker and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Nakamura, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Report on the Law Enforcement Standards Board, as required by section 139-9, Hawaii Revised Statutes (HRS). Pursuant to section 139-2, HRS, the Law Enforcement Standards Board is placed within the Department of the Attorney General for administrative purposes only. In accordance with section 93-16, HRS, I am also informing you that the report may be viewed electronically at <http://ag.hawaii.gov/publications/reports/reports-to-the-legislature/>.

If you have any questions or concerns, please feel free to call me at (808) 586-1500.

Sincerely,

Anne E. Lopez

Anne E. Lopez
Attorney General

c: Josh Green, M.D., Governor
Sylvia Luke, Lieutenant Governor
Legislative Reference Bureau (Attn: Karen Mau)
Leslie H. Kondo, State Auditor
Luis Salaveria, Director of Finance, Department of Budget and Finance
Stacey A. Aldrich, State Librarian, Hawaii State Public Library System
David Lassner, Ph.D., President, University of Hawaii

Enclosure

JOSH GREEN, M.D.
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FIRST DEPUTY ATTORNEY GENERAL

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;

- (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 House Bill No. 1611, relating to law enforcement officers;
- (2) Approved the minutes of 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 a combination of a written component and an 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 of 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 Suganuma 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.
- (2) 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 to Mr. McCraw and accepted, and he started in the position on 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 in the operating budget appropriated by the Legislature to the Department of the Attorney General for the Board. No other expenditures were made as of the time this report was submitted. There was no law enforcement standards board special fund appropriation in 2024 and no remaining balance to report.

IV. Recommended Legislation

In 2024, the Board submitted House Bil No. 2352, as part of the Governor's bill package. It was passed by the Legislature and enacted as Act 247 on July 9, 2024. The Board does not anticipate proposing legislation for the 2025 Regular Legislative Session.