

TITLE XX

LAW ENFORCEMENT STANDARDS BOARD

CHAPTER XX-1

GENERAL PROVISIONS

DRAFT (5-12-2025)

§XX-1-1 Purpose

The purpose of this chapter is to establish the administrative framework governing the Hawaii Law Enforcement Standards Board (LESB) as required by chapter 139, Hawaii Revised Statutes. The Board is responsible for:

- (1) Setting minimum training and certification requirements for law enforcement officers in the State of Hawaii;
- (2) Establishing and maintaining a statewide law enforcement officer certification program;
- (3) Approving, monitoring, and regulating law enforcement training programs and academies;
- (4) Enforcing compliance with law enforcement officer certification and training standards; and
- (5) Implementing procedures for the suspension, denial, and revocation of certification.

This chapter applies to all law enforcement officers and agencies subject to LESB authority under HRS chapter 139. [Eff 7/1/26] (Auth: HRS §139-2, §139-3) (Imp: HRS §139-3, §139-4)

§XX-1-2 Definitions

As used in this chapter and throughout the Hawaii Law Enforcement Standards Board (LESB) rules, unless the context requires otherwise:

(a) General Terms

- (1) “Board” means the Hawaii Law Enforcement Standards Board (LESB) established under HRS §139-2.
- (2) “Certification” means the formal recognition issued by LESB authorizing an individual to serve as a law enforcement officer in Hawaii.
- (3) “Certified Law Enforcement Officer” means a person who has met the requirements set forth by LESB and holds an active certification.
- (4) “Decertification” means the revocation of an officer’s certification due to failure to meet or maintain LESB standards.

(b) Training & Compliance

(1) “Basic Certification Training” means the mandatory training program that individuals must complete to obtain certification, as defined in CHAPTER XX-5.

(2) “Continuing Education (CE)” means the training required for certified officers to maintain their certification, as outlined in CHAPTER XX-5.

(3) “LESB-Approved Course” means a course reviewed and approved by LESB in compliance with CHAPTER XX-4 and CHAPTER XX-5.

(4) “Training Academy” means a program or institution approved by the Board to provide law enforcement training for certification purposes.

(5) “Training Credit” means the instructional hours assigned to an LESB-Approved Course, required for initial certification and continuing education.

(6) “Training Provider” means any entity authorized to provide LESB-approved training, including state and private institutions.

(c) Conduct & Accountability

(1) “LESB Code of Conduct” means a statewide code governing the ethical and professional behavior of certified officers, incorporated by reference in CHAPTER XX-7.

(2) “Misconduct” means any violation of professional standards, criminal conduct, or unethical behavior as outlined in CHAPTER XX-7. For more detailed definitions of ‘misconduct,’ ‘dishonesty,’ ‘gross negligence,’ ‘use of excessive force,’ and related terms, refer to CHAPTER XX-7.

(d) Agency & Personnel

(1) “Law Enforcement Agency” means any state or county agency authorized to employ law enforcement officers under HRS §139.

(2) “Peace Officer” means any individual certified and employed in a law enforcement capacity, as defined under HRS §139-1.

(3) “Training Instructor” means a person certified under CHAPTER XX-4 to provide law enforcement instruction.

(e) Data & Public Access

(1) “Public Data Portal” means an online system providing public access to non-confidential certification and decertification records in compliance with confidentiality laws, as detailed in CHAPTER XX-8.

(2) “National Decertification Index (NDI)” means a national database listing officers who have been decertified, with reporting requirements outlined in CHAPTER XX-8.

(f) Law Enforcement Authority Certification Types

(1) “Provisional certification” means a temporary certification granted to an incumbent, or returning retired, officer of a Hawaii law enforcement agency who has not yet completed all requirements for full certification but is authorized to continue performing law enforcement duties during the transition period.

(2) “Conditional certification” means a certification issued to:

(A) An applicant who has not previously served as a certified law enforcement officer, who has met the background, law enforcement agency affiliation, and pre-field training requirements established by the Board; or

(B) An applicant previously certified in another jurisdiction whose documented training and experience meets equivalency standards established by the Board, but who must complete Hawaii-specific training components as defined in chapter XX-3.

In both cases, the applicant may perform law enforcement duties only under the supervision of a certified officer and within the limitations established by the Board.

(3) “Full certification” means the Board’s formal recognition that an individual has satisfied all applicable employment, character, and training requirements and is authorized by the Board to exercise law enforcement authority in the State of Hawaii in accordance with state law.

(4) “Alternative Certification” means a level of certification approved by the board for officers whose duties do not require full authority certification, including but not limited to reserve peace officers, regulatory investigators, and limited authority officers, as described in section XX-2-8.

(g) Waivers & Special Provisions

(1) “Waiver” means a temporary exemption from a certification or training requirement under emergency or special circumstances, as outlined in CHAPTER XX-9.

(2) “Variance” means a modification to training or certification requirements granted due to prior equivalent training or disability accommodations, as defined in CHAPTER XX-9.

(3) “Temporary Certification” means a time-limited certification waiver granted under emergency conditions, subject to requirements in CHAPTER XX-9.

(h) Use of Force Reporting

(1) “Use of Force Report” means a standardized report documenting incidents where force was applied by an officer, required under HRS §139-11 and outlined in chapter XX-8.

(i) Decertification Reference

(1) Terms related to decertification, including “revocation,” “suspension,” and “denial,” are defined in chapter XX-6 and apply to all uses of such terms in these rules. [Eff. 7/1/26] (Auth: HRS §§139-2, 139-3; Imp: HRS §§139-3, 139-6)

§XX-1-3 Establishment and Authority of the Board

The Board shall:

(1) Adopt and enforce standards for law enforcement officer training, certification, and decertification;

(2) Establish certification standards and maintain records of certified officers as necessary for compliance with HRS 139;

(3) Oversee and approve law enforcement training academies and courses;

(4) Suspend, revoke, or deny certification in accordance with the provisions of this chapter; and

(5) Develop and adopt administrative rules for the implementation of its responsibilities. [Eff: 7/1/26] (Auth: HRS §139-2, §139-3) (Imp: HRS §139-3)

§XX-1-4 Composition of the Board

(a) The Board shall consist of nine members, appointed by the Governor with the advice and consent of the Senate, as provided in HRS §139-2.

(b) Board members shall include:

(1) Three county police chiefs, each representing a different county;

(2) One representative from the Department of Law Enforcement;

(3) One representative from the Department of the Attorney General;

(4) One law enforcement officer, not a chief, representing a state or county agency; and

- (5) Three public members, at least one of whom has expertise in civil rights, criminal justice, or law enforcement training policy.
- (c) Terms of service shall be four years, with staggered appointments to ensure continuity of operations.
- (d) The Board shall elect a chairperson and vice-chairperson every two years from among its members.
- (e) Vacancies shall be filled by gubernatorial appointment, subject to Senate confirmation. [Eff: 7/1/26] (Auth: HRS §139-2) (Imp: HRS §139-2)

§XX-1-5 Board Meetings and Procedures

- (a) The Board shall meet at least quarterly, and additional meetings may be scheduled as needed.
- (b) Meetings shall be conducted in accordance with:
 - (1) HRS Chapter 92 (Hawaii's Sunshine Law), ensuring transparency and public access; and
 - (2) HRS Chapter 91, governing administrative rulemaking and contested case hearings.
- (c) A quorum shall consist of a majority of Board members, and a majority vote is required for all Board actions.
- (d) The Board shall establish procedures for public participation and testimony at meetings. [Eff: 7/1/26] (Auth: HRS §139-2) (Imp: HRS §92-3, §91-2)

§XX-1-6 LESB Administrator and Staff

- (a) The Board shall appoint an LESB Administrator to manage the Board's daily operations.
- (b) The Administrator shall:
 - (1) Supervise staff responsible for processing certification applications, monitoring training programs, and enforcing Board rules;
 - (2) Maintain records related to the certification and decertification of law enforcement officers, as necessary for compliance with HRS 139; and
 - (3) Coordinate with law enforcement agencies on training compliance and certification status.
- (c) The Board may hire additional personnel as necessary, subject to funding availability. [Eff: 7/1/26] (Auth: HRS §139-2, §139-3) (Imp: HRS §139-3)

§XX-1-7 Public Records and Confidentiality

- (a) The Board shall maintain records on:
 - (1) Certified law enforcement officers;
 - (2) Decertification and suspension actions;
 - (3) Approved training academies and programs; and
 - (4) Board meeting minutes and rulemaking documents.
- (b) Access to Board records shall comply with HRS Chapter 92F (Hawaii's Uniform Information Practices Act).
- (c) Personal officer information shall remain confidential, except where disclosure is required by law. [Eff: 7/1/26] (Auth: HRS §139-3) (Imp: HRS §92F-12, §139-3)

§XX-1-8 Study on Consolidation of Law Enforcement Training Functions

(a) The Board shall conduct a study, as required under HRS §139-6, to assess the feasibility of:

- (1) Centralizing law enforcement training for state and county officers; and
- (2) Consolidating certification programs to improve efficiency.

(b) The Board shall submit annual reports to the Governor and Legislature with findings and recommendations. [Eff: 7/1/26] (Auth: HRS §139-6) (Imp: HRS §139-6)

§XX-1-9 Severability

If any provision of this chapter is found invalid, the remaining provisions shall remain in effect.

(Auth: HRS §139-2) (Imp: HRS §139-2)

§XX-1-10 Implementation and Effective Date

(a) These rules shall take effect on [insert date], subject to publication and filing in accordance with chapter 91, Hawaii Revised Statutes.

(b) Certification requirements and enforcement provisions shall apply to all law enforcement officers employed or appointed in the State of Hawaii as of the effective date of these rules, unless otherwise specified in chapter XX-2 or chapter XX-7.

(c) Officers holding certification or currently employed by a Hawaii law enforcement agency as of the effective date shall be subject to transitional provisions described in chapter XX-2, including eligibility for provisional certification. [Eff: 7/1/26] (Auth: HRS §139-2, §139-3) (Imp: HRS §91-2, §91-4, §139-3)