

Hawaii Law Enforcement Authority Bill

Justification

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Prepared for: Hawaii Law Enforcement Standards Board statutory alignment review

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Scope note: *This document inventories the principal Hawaii law definitions, cross-references, and police-power conferral statutes relevant to the Law Enforcement Authority Bill. It focuses on aligning chapter 139, Hawaii Revised Statutes, with statutes that authorize a person to act as a law enforcement officer or exercise law enforcement authority or police powers in Hawaii. It also identifies statutory areas that should be expressly excluded from chapter 139 certification coverage, including private security licensure, private-person arrest authority, firearm licensing, civil process service, and similar status or activity that does not independently confer public law enforcement authority.*

Executive Summary

HRS §139-1 uses an employer-based certification definition. It covers county police officers and specified state agency employees who have police powers. This definition serves as the certification gateway for chapter 139.

Hawaii law does not use one consistent definition of “law enforcement officer” or “police officer.” HRS §139-1 defines coverage by employer, while HRS §§701-118 and 710-1000, both within the Hawaii Penal Code, define law enforcement status by legal duties, including maintaining public order, making arrests, or enforcing criminal law. Other statutes define the same or similar terms for specific purposes, including officer-involved death review, emergency worker protections, airport enforcement, civil process, and peer support confidentiality.

Hawaii law also does not provide one statewide definition of ‘police powers.’ Statutes use the phrase in multiple contexts, including DLE appointments under HRS §353C-4, DOCARE authority under HRS §199-4, state parks enforcement under HRS §184-5, airport enforcement under HRS §261-17, harbor enforcement under HRS §266-24, and emergency worker protections under HRS §707-700.

Problem Statement

Hawaii’s current statutory structure creates a critical alignment problem. Act 220 established the Board to certify law enforcement officers and set statewide standards for law enforcement employment, training, and certification. That purpose is weakened if chapter 139 defines covered officers by a limited employer list while other statutes confer law enforcement status, arrest authority, criminal enforcement duties, or police powers outside that framework.

The Authority Bill should make Board certification the legal gateway for exercising state-recognized law enforcement authority or police powers in Hawaii. Certification should apply based on the authority granted, not only the employer, title, appointment method, contract, designation, or assignment.

This alignment protects the professional standing of certified officers, preserves the value of Board certification, and ensures that persons exercising law enforcement authority are subject to statewide standards, competency requirements, professional conduct obligations, and certification accountability.

The bill should amend §139-1 to define ‘law enforcement authority’ and ‘police powers’ and to expand the definition of ‘law enforcement officer’; amends §139-6 to authorize certification classifications and establish certification as the legal prerequisite; amends §139-7 to prohibit placement into law enforcement authority without valid Board certification, subject to Board-authorized probationary or conditional service; adds conforming cross-references to statutes conferring law enforcement authority or police powers; and clarifies that chapter 463 licensure and private-person arrest authority do not confer law enforcement authority, police powers, or chapter 139 certification.

Alignment Tables

The following tables organize the definitions and related statutory models that affect law enforcement authority alignment. Table 1 identifies the principal Hawaii definitions and cross-references, explains their legal effect, and notes how each differs from the chapter 139 certification gateway. Table 2 groups those definitions by model so the alignment issue can be evaluated by structure, not just by statute number. Together, the tables show why the Law Enforcement Authority Bill should define the legal prerequisite for acting as a law enforcement officer or exercising state-recognized law enforcement authority or police powers in Hawaii.

Table 1. Primary Definitions and Inconsistencies

Reference	Term defined	Definition model	Definition or legal effect	Alignment issue for law enforcement Authority Bill
HRS §139-1	Law enforcement officer	Employer-based certification definition	Includes: (1) county police officer; (2) DLE employee conferred with police powers by the DLE Director; and (3) DLNR, DOTAX, or AG employee conferred by law with general police powers.	This is the narrow certification gateway. It does not clearly address contracted, designated, commissioned, deputized, or otherwise placed persons, or employees of agencies not listed in the definition.
HRS §701-118	Law enforcement officer	Functional Penal Code definition	A public servant employed by the State, a county, or the United States, vested by law with a duty to maintain public order, make arrests for offenses, or enforce criminal laws, whether broadly or for a specific class of offenses.	This is broader than §139-1 because it focuses on legal duties. It is still limited to “public servant,” so it may not reach contractors or non-employee designees.
HRS §710-1000	Law enforcement officer	Functional public administration definition	A public servant employed by the State, its subdivisions, or the United States, vested by law with a duty to maintain public order, make arrests for offenses, or enforce criminal laws, whether broadly or for a specific class of offenses.	This governs offenses against public administration, including impersonation context. It supports a functional model but is not a chapter 139 certification definition.
HRS §803-7	Law enforcement officer	Functional arrest/use-of-force definition	For use-of-force duties in arrest, the term means a public servant employed by the State or county, vested by law with a duty to maintain public order, make arrests, or enforce criminal laws, whether broadly or for a specific class of offenses.	Similar to the Penal Code model but excludes federal officers. It confirms that arrest-related authority is treated functionally in other chapters.
HRS §852-1	Law enforcement officer	Functional refusal-to-assist definition	For refusal to assist, the term means a State or county public servant vested by law with a duty to maintain public order, make arrests, or enforce criminal laws, whether broadly or for a specific class of offenses.	Again functional, but State/county only. This differs from §701-118 and §710-1000, which include federal officers.

Reference	Term defined	Definition model	Definition or legal effect	Alignment issue for law enforcement Authority Bill
HRS §291E-1	Law enforcement officer	Functional intoxicant/traffic enforcement definition	Means a public servant employed by the State, a county, or the United States, vested by law with a duty to maintain public order, make arrests, or enforce criminal laws, and includes a conservation and resources enforcement officer as specified in §199-3.	This uses the functional model and expressly includes DOCARE. It demonstrates chapter-specific tailoring that differs from §139-1.
HRS §334-1	Law enforcement officer	Cross-reference to §710-1000	For mental health law, “law enforcement officer” has the same meaning as in §710-1000.	This imports the functional public administration definition rather than the chapter 139 certification definition.
HRS §334D-5	Law enforcement officer; law enforcement agency	Functional health-records definition	Defines law enforcement agency to include county police and any federal, state, or county public body that employs law enforcement officers. Defines law enforcement officer by the functional public servant model.	Uses a broad agency model and a functional officer model that differs from the employer-based certification definition in §139-1.
HRS §78-52	Law enforcement officer	Position-list definition	For peer support counseling, the term means sheriff, deputy sheriff, police officer, parole officer, or probation officer.	This is much narrower and more benefits/program specific. It includes parole and probation officers, which are not within §139-1 unless separately covered by a police-powers grant.
HRS §707-700	Emergency worker, including law enforcement personnel	Inclusive police-powers language	Emergency worker includes law enforcement officer, including any police officer, DLE employee conferred with police powers, parole or probation officer, or any other county, state, federal, or military officer authorized to exercise law enforcement or police powers.	This is not a direct law enforcement officer definition, but it uses the phrase “authorized to exercise law enforcement or police powers.” That phrase is useful for the Authority Bill.
HRS §261-1	Police officer	Airport chapter definition	Means a police officer and any other state or county officer charged with enforcement of state laws.	Very broad and circular. It reaches state or county officers charged with enforcement of state laws, while §139-1 reaches only listed employers.
HRS §291C-1	Police officer	Traffic code definition	Means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.	Authority turns on traffic control or traffic arrest authority, not employer. It is narrower by subject but broader by certification logic.
HRS §587A-4	Police officer	Child protective chapter definition	Means a county-employed person enforcing laws and ordinances to preserve peace and maintain safety and order, or a DLE-authorized employee under §329-51 or §353C-4 to exercise child-protection powers.	This is chapter-specific and mixes county police with DLE-authorized employees. It grants a special child protective role that does not map cleanly onto §139-1 wording.

Reference	Term defined	Definition model	Definition or legal effect	Alignment issue for law enforcement Authority Bill
HRS §651-1	Police officer	Civil process definition	For the civil process chapter, includes the Director of Law Enforcement or authorized representative, any chief of police or subordinate police officer, or an independent civil process server on the DLE list. The same section states that independent civil process servers are not law enforcement officers, sheriffs, deputy sheriffs, DLE employees, DLE agents, or state employees.	This is a critical overbreadth warning. A chapter-specific “police officer” definition can include civil process servers while expressly denying law enforcement status.
HRS §200-61	Enforcement officer	Ocean recreation enforcement definition	Means a police officer and any other state or county officer charged with enforcement of state laws.	Not a direct “law enforcement officer” or “police officer” definition, but it mirrors the broad enforcement model used in airport law.
HAR §13-230-8	Enforcement officer	Administrative rule enforcement definition	For small boat harbors and related boating rules, “enforcement officer” means a police officer and any other state or county officer charged with enforcement of state laws.	Shows the same broad “charged with enforcement of state laws” formulation in rules, not just statutes.
HRS §353C-5	Prospective staff member; staff member	DLE police-powers employment definition	A prospective staff member is an applicant for a DLE job involving exercise of police powers conferred by the Director, including the power to arrest. A staff member is a DLE employee who possesses police powers conferred by the Director, including power of arrest.	This is one of the clearest statutory descriptions of “police powers” as conferred authority that includes arrest. It is DLE-specific, not statewide.
HRS §88-21	Law enforcement investigations staff investigators	Retirement system classification using police powers	Public sources describe this class as DLE investigations staff employees who have been conferred police powers by the DLE Director under §353C-4 and are in investigator I to VII positions.	It shows police-powers terminology used for employment and retirement classification. It does not create a chapter 139 coverage rule.
HRS §28-151 to §28-153	Law enforcement officer	<i>Repealed historical definition*</i>	The former definition included sheriff, deputy sheriff, police officer, DLNR conservation enforcement officer, DOT harbors enforcement officer, and a catchall for state or county public body employees who carry a badge and firearm and have powers of arrest.	<i>* This repealed definition is included only as historical context because it shows that Hawaii previously used a broader catchall that expressly included DOT harbors enforcement.</i>

Table 2. Definition Models Compared

Model	Statutory examples	Trigger	Who is included	Who may be missed	Use for §139-1 alignment
Employer-based certification model	HRS §139-1	Employment by listed agency plus police powers for some listed state agencies	County police; DLE employees with police powers; DLNR, DOTAX, and AG employees with general police powers	Non-listed agency employees; contractors; agents; representatives; volunteers; designees; persons exercising limited or specialized law enforcement authority who are not clearly covered by chapter 139 unless brought within Board certification classifications	This is the problem to fix.
Functional public servant model	HRS §§701-118, 710-1000, 803-7, 852-1, 291E-1, 334D-5	Legal duty to maintain public order, make arrests, or enforce criminal laws	Public servants with criminal law enforcement or arrest duties, sometimes including federal officers	Contractors and non-employee designees if not treated as public servants	Useful model, but not complete for a chapter 139 Authority Bill.
Subject-matter police officer model	HRS §§261-1, 291C-1, 587A-4, 651-1	Authority within a chapter, such as airport enforcement, traffic control, child protective custody, or civil process	Persons authorized for the chapter-specific function	Persons outside that chapter; certification status is not resolved	Use as caution. These definitions should not drive statewide certification status.
Enforcement officer model	HRS §200-61; HAR §13-230-8	Being a police officer or other state/county officer charged with enforcement of state laws	Police officers and other state/county enforcement officers	Private contractors, non-employee designees, and local civil enforcement personnel unless separately authorized	Supports broad authority-based drafting, but the phrase is too vague alone.
Police-powers conferred model	HRS §§353C-5, 707-700, 139-1	Police powers conferred by director or authorized by law	Persons whose authority is formally conferred or authorized	The scope of “police powers” is not defined in one place	Strong basis for defining “law enforcement authority” and “police powers” in §139-1.

Specific Inconsistencies Identified

1. Certification definition is narrower than criminal-law definitions.

HRS §139-1 covers listed employers. HRS §§701-118 and 710-1000 cover a public servant vested by law with public order, arrest, or criminal-law enforcement duties. This means a person could fit a Penal Code law enforcement definition without automatically fitting chapter 139.

2. Federal officers appear in several definitions but not in §139-1.

The functional definitions in §§701-118, 710-1000, 291E-1, and 334D-5 include United States public servants. Chapter 139 should not certify federal officers unless a policy decision is made, but the difference matters when drafting definitions.

3. Traffic law defines police officer by authority, not employer.

HRS §291C-1 defines “police officer” by authority to direct or regulate traffic or make arrests for traffic violations. It does not use the §139-1 employer list.

4. Airport and ocean recreation law use a broad “charged with enforcement” model.

HRS §261-1 and HRS §200-61 include a police officer and any other state or county officer charged with enforcing state laws. That model is broader than §139-1 and can overlap with specialized enforcement roles.

5. Civil process law warns against overbreadth.

HRS §651-1 uses “police officer” for chapter-specific civil process purposes and includes independent civil process servers, while expressly stating that those servers are not law enforcement officers, sheriffs, deputy sheriffs, DLE employees, DLE agents, or state employees. A chapter 139 amendment should avoid sweeping civil process servers into law enforcement certification unless separate police powers are conferred.

6. “Police powers” is used but not uniformly defined.

Hawaii law repeatedly refers to police powers, including police powers conferred by the DLE Director, general police powers conferred by law, and authority to exercise law enforcement or police powers. The phrase lacks one current statewide definition tied to certification.

7. Repealed definitions show historical variation.

Former HRS §28-151 included DOT harbors enforcement officers and a badge/firearm/arrest catchall. Because the provision has been repealed, it should be treated only as historical context.

8. Chapter-specific definitions answer chapter-specific needs.

Peer support, mental health, impaired driving, child welfare, civil process, and public administration use different definitions because each chapter serves a different purpose. Chapter 139 needs a certification-specific definition, not a copied definition from another chapter.

Drafting Implications for the Law Enforcement Authority Bill

- The Authority Bill should amend §139-1 to define ‘law enforcement authority,’ ‘police powers,’ and the expanded scope of ‘law enforcement officer.’ The amended definition establishes the certification gateway for chapter 139.
- The amended definition should not rely solely on employer identity. It should tie chapter 139 coverage to legal authorization to exercise law enforcement authority or police powers.
- The amended definition reaches any person who is employed, appointed, commissioned, contracted, designated, deputized, or otherwise placed to serve in a capacity requiring the exercise of law enforcement authority or police powers.
- The amended definition should exclude private security licensing, guard registration, firearms licensing, uniforms, weapons authorization, and private-person arrest unless separate public law enforcement authority or police powers are granted.
- The bill should define both ‘law enforcement authority’ and ‘police powers’ in chapter 139 because the final bill draft uses both terms as operative standards.
- The bill should avoid importing “public servant” without adjustment. That term may leave contractor, agent, representative, or designated-person loopholes unresolved.
- The bill should not rely on badge, firearm, or uniform status. Those factors can support identity controls, but they should not determine certification jurisdiction.

Recommended Working Rule for the Alignment Project

The Law Enforcement Authority Bill establishes Board certification as the legal prerequisite for any person to act as a law enforcement officer or exercise state-recognized law enforcement authority or police powers in Hawaii. Chapter 139 should contain the principal certification definitions, and related statutes should cross-reference chapter 139 when they confer law enforcement authority or police powers.

Placement of Certification Definitions

The principal certification definitions should be placed in HRS chapter 139 because chapter 139 is the statute that creates the Board and governs law enforcement officer certification. Penal Code definitions serve criminal-law purposes and should not be relied upon as the statewide certification gateway. The Law Enforcement Authority Bill should use chapter 139 to define who must be certified, then use conforming amendments in other chapters to ensure that any statute granting law enforcement status, arrest authority, criminal enforcement duties, or police powers is subject to chapter 139.

Chapter 139 Alignment Review

The Law Enforcement Authority Bill should not revise every section of chapter 139. The alignment issue is limited to sections that define who enters the certification system, what the Board is authorized to regulate, and whether certification is the legal prerequisite to act as a law enforcement officer or exercise state-recognized law enforcement authority or police powers. Sections that address Board establishment, funding, reporting, use-of-force policy reporting, diversity reporting, and vehicular pursuit policy need not be amended.

TABLE 3: Chapter 139 Alignment

Section	Current function	Alignment issue	Recommended bill treatment
HRS §139-1	Defines “Board” and “law enforcement officer.”	Primary gateway problem. Current definition is employer-based and does not clearly include persons granted law enforcement status or police powers outside listed employers.	Amend. This is the main definition section for the Authority Bill.
HRS §139-2	Establishes the Board within the Department of the Attorney General for administrative purposes and identifies the Board’s purpose as providing programs and standards for training and certification.	No core authority gap identified. This section establishes the Board, not certification coverage.	No amendment recommended unless a conforming purpose clause is later needed.
HRS §139-3	Lists Board powers and duties, including rulemaking, minimum employment standards, certification, curriculum requirements, cooperation with agencies, investigations, continuing education, fees, revocation, and study authority.	Possible alignment needed to confirm that the Board may establish certification standards or categories based on the type and scope of law enforcement authority or police powers granted.	No amendment in current bill draft. Although §139-3 contains broad Board powers and duties, the bill places certification-classification authority in §139-6.
HRS §139-4	Establishes the Law Enforcement Standards Board Special Fund.	No authority-definition issue.	No amendment recommended.
HRS §139-5	Addresses training programs.	Possible alignment only if the Authority Bill creates certification levels that require corresponding training categories.	Possibly amend later. Do not amend unless needed to support certification levels or authority-specific training.

Section	Current function	Alignment issue	Recommended bill treatment
HRS §139-6	Establishes standards and certification. Current language states that no person may be appointed or employed as a law enforcement officer after June 30, 2026 unless the person completes Board-approved training, required force-related training, and other qualifications. Beginning July 1, 2026, the Board issues certification to qualifying applicants or officers.	This section is central because it states the certification prerequisite. It may need to be revised so certification applies before a person is appointed, employed, commissioned, designated, contracted, deputized, or otherwise authorized to act as a law enforcement officer or exercise state-recognized law enforcement authority or police powers.	Amend. Add authority for the Board to establish certification classifications based on the type and scope of law enforcement authority or police powers conferred. Add language establishing Board certification as the legal prerequisite to act as a law enforcement officer or exercise state-recognized law enforcement authority or police powers.
HRS §139-7	Prohibits listed agencies from appointing or employing a law enforcement officer after June 30, 2026 unless the person has valid Board certification. This section preserves Board-authorized probationary or conditional service, limited to the period authorized by the Board.	Current text repeats the employer-list limitation and does not clearly reach non-listed employers, contractors, agents, representatives, appointees, designees, volunteers, or other pathways by which police powers may be conferred.	Amend. Replace the listed-agency appointment-or-employment limitation with a statewide prohibition on employing, appointing, commissioning, contracting, designating, deputizing, or otherwise placing a person in a capacity requiring law enforcement authority or police powers unless the person has valid Board certification. Preserve a Board-authorized probationary or conditional service exception.
HRS §139-8	Addresses revocation or denial of certification.	No immediate authority-definition problem, but terminology may need conforming if the Authority Bill uses “certification action,” “state-recognized law enforcement authority or police powers,” or certification categories.	Possibly amend later for terminology only. Not a first-tier amendment.
HRS §139-8.5	NDI participation and reporting, effective July 1, 2026.	No core authority-definition issue.	No amendment recommended unless certification-action terminology changes.
HRS §139-9	Annual report.	No core authority-definition issue.	No amendment recommended.
HRS §§139-10 to 139-13	Use-of-force policies, excessive-force reports, diversity, and vehicular pursuit.	These sections address policy and reporting requirements, not the legal prerequisite to hold or exercise law enforcement authority.	No amendment recommended for the Authority Bill.

For the Authority Bill, the chapter 139 amendments are §§139-1, 139-6, and 139-7.

- Section 139-1 defines the covered status and the operative terms ‘law enforcement authority’ and ‘police powers.’
- Section 139-6 establishes certification for full, conditional, provisional, limited, specialized, reserve, or other classifications established by the board by rule and states the certification prerequisite.
- Section 139-7 prevents an agency, public body, officer, official, or other entity from placing a person into a capacity requiring law enforcement authority or police powers without Board certification.
- Sections 139-5 and 139-8 may need later conforming amendments, but only if certification levels or certification-action terminology must be placed in statute rather than rule.

Other Statutes Requiring Law Enforcement Authority Alignment

The Law Enforcement Authority Bill should distinguish between agencies already named in HRS §139-1 and entities or roles outside the current chapter 139 employer list. For agencies already named in HRS §139-1, conforming amendments should confirm chapter 139 applicability without treating those agencies as loopholes. The purpose is to confirm that persons appointed or employed as law enforcement officers by those agencies must meet Board certification standards under chapter 139.

For entities, roles, contractors, designees, commissions, deputizations, or other authority pathways outside of the current HRS §139-1, the bill should use stronger conforming language. The purpose is to make clear that a statute granting law enforcement authority or police powers does not itself create Board certification, and that no person may serve in a law enforcement capacity under that statute unless certified as required by chapter 139.

The bill should implement this structure by using a limited alignment clause for agencies already named in current §139-1 and a stronger non-certification/cross-reference clause for statutes outside the current employer-based gateway.

- **Recommended clause for already-named chapter 139 agencies (limited alignment):**

“As required under chapter 139, no person shall be appointed or employed by the [agency] as a law enforcement officer unless the person meets the standards for law enforcement officer certification established by the law enforcement standards board.”

- **Recommended clause for non-listed entities or nontraditional authority pathways (stronger alignment):**

“Law enforcement authority or police powers conferred under this section do not constitute certification under chapter 139. A person shall not be employed, appointed, commissioned, contracted, designated, deputized, or otherwise placed to serve in a capacity requiring the exercise of law enforcement authority or police powers under this section unless the person is certified as required by chapter 139.”

Table 4 separates statutory amendments into three categories. First, statutes involving agencies already named in HRS §139-1 should receive a limited chapter 139 alignment clause when the statute separately confers law enforcement authority or police powers. Second, statutes involving entities, roles, contractors, designees, commissions, deputizations, or authority pathways not named in HRS §139-1 should receive the stronger chapter 139 cross-reference clause. Third, statutes involving security work, civil process, or private-person arrest should receive exclusion or clarification language so they are not mistaken for law enforcement authority or Board certification.

Table 4. Other Statutes Requiring Law Enforcement Authority Alignment

Category	Statute	Entity or role	Reason for inclusion	Recommended bill alignment
Outside current §139-1	HRS §353C-4	Department of Law Enforcement state law enforcement officers	DLE employees conferred with police powers by the Director of Law Enforcement are already included in §139-1. The issue is alignment, not loophole closure.	Add limited chapter 139 alignment clause.
Outside current §139-1	HRS §199-4	DLNR / DOCARE conservation and resources enforcement officers	DLNR employees conferred by law with general police powers are already included in §139-1.	Add limited chapter 139 alignment clause.
Outside current §139-1	HRS §184-5	DLNR state parks enforcement personnel	DLNR is already named in §139-1, but state parks authority may involve specialized or limited police powers.	Add limited chapter 139 alignment clause.
Outside current §139-1	HRS §231-4.3	Department of Taxation investigators	DOTAX employees conferred by law with general police powers are already included in §139-1.	Add limited chapter 139 alignment clause.
Outside current §139-1	HRS §231-83	DOTAX special enforcement section investigators	DOTAX is already named, but this section involves warrant, writ, and process authority rather than general police powers.	Add limited chapter 139 alignment clause.
Outside current §139-1	HRS §28-11	Department of the Attorney General investigators and security investigators	AG employees conferred by law with general police powers are already included in §139-1.	Add limited chapter 139 alignment clause.

Category	Statute	Entity or role	Reason for inclusion	Recommended bill alignment
Outside current §139-1	HRS §576D-18	Child support enforcement agency personnel exercising law enforcement authority	The child support enforcement agency function is associated with the Department of the Attorney General, but §576D-18 separately addresses specialized enforcement authority.	Add limited chapter 139 alignment clause.
Outside current HRS §139-1 employer list	HRS §21-17	Legislative sergeants-at-arms and deputy sergeants-at-arms	Legislative personnel are not listed in §139-1 but may receive police officer powers and arrest authority.	Add stronger chapter 139 cross-reference clause.
Outside current HRS §139-1 employer list	HRS §109-5	Stadium Authority chief security officer	Stadium Authority is not listed in §139-1. A security-titled position may be granted police powers.	Add stronger chapter 139 cross-reference clause.
Outside current HRS §139-1 employer list	HRS §261-17(a)	Airport officers, employees, agents, representatives, and contractors	This is a major nontraditional authority pathway because airport police powers may extend to agents, representatives, and contractors.	Add stronger chapter 139 cross-reference clause.
Outside current HRS §139-1 employer list	HRS §§266-24	Harbor enforcement personnel and designees	DOT Harbors is not listed in §139-1. Section 266-24 is the police-powers conferral statute for harbor enforcement.	Add stronger chapter 139 cross-reference clause to §266-24. Do not amend §266-24.1.
Clarifying exclusion	HRS chapter 463	Private detectives, guards, guard agencies, and security personnel	Guard licensing, registration, security employment, uniforms, and security contracts do not confer police powers or chapter 139 certification.	Add a new section to chapter 463 clarifying that licensure, registration, employment, or contractual authority under chapter 463 does not confer law enforcement authority or police powers and does not constitute certification under chapter 139.
Clarifying exclusion	HRS §803-3	Private persons exercising private-person arrest authority	Private-person arrest is not the same as state-recognized law enforcement authority.	Add clarification that private-person arrest authority under this section does not confer law enforcement authority, police powers, or chapter 139 certification.

Category	Statute	Entity or role	Reason for inclusion	Recommended bill alignment
Caution only	HRS §651-1	Independent civil process servers	Civil process law uses “police officer” for chapter-specific purposes while expressly denying law enforcement status for civil process servers.	Do not sweep civil process servers into chapter 139 unless separate law enforcement authority or police powers are conferred.

Source List

1. Act 220, Session Laws of Hawaii 2018, https://www.capitol.hawaii.gov/slh/Years/SLH2018/SLH2018_Act220.pdf
2. HRS §21-17, Justia, <https://law.justia.com/codes/hawaii/title-3/chapter-21/section-21-17/>
3. HRS §28-11, Justia, <https://law.justia.com/codes/hawaii/title-4/chapter-28/section-28-11/>
4. HRS chapter 28 index showing §§28-151 to 28-153 repealed, Justia, <https://law.justia.com/codes/hawaii/title-4/chapter-28/>
5. HRS §78-52, Justia, <https://law.justia.com/codes/hawaii/title-7/chapter-78/section-78-52/>
6. HRS §109-5, Justia, <https://law.justia.com/codes/hawaii/title-9/chapter-109/section-109-5/>
7. HRS §139-1, FindLaw, <https://codes.findlaw.com/hi/division-1-government/hi-rev-st-sect-139-1/>
8. HRS §139-3, FindLaw, <https://codes.findlaw.com/hi/division-1-government/hi-rev-st-sect-139-3/>
9. HRS §139-6, FindLaw, <https://codes.findlaw.com/hi/division-1-government/hi-rev-st-sect-139-6/>
10. HRS §139-7, FindLaw, <https://codes.findlaw.com/hi/division-1-government/hi-rev-st-sect-139-7/>
11. HRS §184-5, Justia, <https://law.justia.com/codes/hawaii/title-12/chapter-184/section-184-5/>
12. HRS §199-4, Justia, <https://law.justia.com/codes/hawaii/title-12/chapter-199/section-199-4/>
13. HRS §200-61, Justia, <https://law.justia.com/codes/hawaii/title-12/chapter-200/section-200-61/>
14. HRS §231-4.3, Justia, <https://law.justia.com/codes/hawaii/title-14/chapter-231/section-231-4-3/>
15. HRS §231-83, Justia, <https://law.justia.com/codes/hawaii/title-14/chapter-231/section-231-83/>
16. HRS §261-1, Justia, <https://law.justia.com/codes/hawaii/title-15/chapter-261/section-261-1/>
17. HRS §261-17, Justia, <https://law.justia.com/codes/hawaii/title-15/chapter-261/section-261-17/>
18. HRS §266-24, FindLaw, <https://codes.findlaw.com/hi/division-1-government/hi-rev-st-sect-266-24/>
19. HRS §291C-1, Justia, <https://law.justia.com/codes/hawaii/title-17/chapter-291c/section-291c-1/>
20. HRS §291E-1, Justia, <https://law.justia.com/codes/hawaii/title-17/chapter-291e/section-291e-1/>
21. HRS §334-1, Justia, <https://law.justia.com/codes/hawaii/title-19/chapter-334/section-334-1/>
22. HRS §334D-5, Justia, <https://law.justia.com/codes/hawaii/title-19/chapter-334d/section-334d-5/>
23. HRS §353C-4, Justia, <https://law.justia.com/codes/hawaii/title-20/chapter-353c/section-353c-4/>
24. HRS §353C-5, Justia, <https://law.justia.com/codes/hawaii/title-20/chapter-353c/section-353c-5/>
25. HRS chapter 463, Justia, <https://law.justia.com/codes/hawaii/title-25/chapter-463/>
26. HRS §576D-18, Justia, <https://law.justia.com/codes/hawaii/title-31/chapter-576d/section-576d-18/>
27. HRS §587A-4, Justia, <https://law.justia.com/codes/hawaii/title-31/chapter-587a/section-587a-4/>
28. HRS §651-1, Justia, <https://law.justia.com/codes/hawaii/title-36/chapter-651/section-651-1/>
29. HRS §701-118, Justia, <https://law.justia.com/codes/hawaii/title-37/chapter-701/section-701-118/>
30. HRS §707-700, Justia, <https://law.justia.com/codes/hawaii/title-37/chapter-707/section-707-700/>
31. HRS §710-1000, Justia, <https://law.justia.com/codes/hawaii/title-37/chapter-710/section-710-1000/>
32. HRS §803-3, Justia, <https://law.justia.com/codes/hawaii/title-38/chapter-803/section-803-3/>
33. HRS §803-7, Justia, <https://law.justia.com/codes/hawaii/title-38/chapter-803/section-803-7/>
34. HRS §852-1, Justia, <https://law.justia.com/codes/hawaii/title-38/chapter-852/section-852-1/>
35. HAR §13-230-8, Cornell Legal Information Institute

Verification note: For bill filing, all statutory text should be checked against the official Hawaii Revised Statutes and current session law history. This document uses public statutory sources available as of April 28, 2026 and identifies where a source is repealed, historical, or cross-reference only.