

MAR 12 2021

---

---

# SENATE CONCURRENT RESOLUTION

REQUESTING THAT THE UNITED STATES CONGRESS PASS A LAW THAT  
CRIMINALIZES ANY ACT BY A CURRENT OR FORMER LAW ENFORCEMENT  
OFFICER, MILITARY PERSONNEL, OR POLITICIAN THAT IS CONTRARY  
TO THEIR OATH TO UPHOLD THE CONSTITUTION.

1 WHEREAS, upon enlistment or taking office, law enforcement,  
2 military personnel, and elected officials, take an oath to  
3 support and defend the Constitution against all enemies, to  
4 support and defend the Constitution of the United States, and to  
5 perform the duties of the office they are about to enter; and  
6

7 WHEREAS, on January 6, 2021, the 117th Congress held a  
8 joint session to count the results of the Electoral College vote  
9 and certify the winning candidate of the 2020 presidential  
10 election; and  
11

12 WHEREAS, around 1:00 p.m. the same day, protestors gathered  
13 in the Ellipse at the National Mall and eventually marched to  
14 the Capitol and began rioting; and  
15

16 WHEREAS, according to multiple media reports, Capitol  
17 police officers did not stop the protestors from storming the  
18 Capitol until the protestors reached the steps of the Capitol  
19 and that during the riot, instead of detaining rioters, some of  
20 the Capitol police stood by and merely observed, with evidence  
21 of officers taking inappropriate actions including opening a  
22 security fence to let protesters into the Capitol building; and  
23

24 WHEREAS, in addition to federal law enforcement and  
25 politicians already present in the building, current military  
26 officials, veterans, and state lawmakers were also present at  
27 the march and the ensuing riot; and  
28

29 WHEREAS, the rioters at the Capitol caused material damages  
30 currently estimated at \$30,000,000, the deaths of five people  
31 and over a hundred injured; and



# S.C.R. NO. 149

1  
2 WHEREAS, since then, over two hundred and fifty people have  
3 been charged in federal court for their connection with the riot  
4 at the Capitol. At least fourteen percent of those charged have  
5 been found to have ties to the military or to law enforcement;  
6 and

7  
8 WHEREAS, there are currently no specific criminal offenses  
9 nor penalties for the violation by a current or former law  
10 enforcement officer, military personnel, or politician of their  
11 oath to uphold the Constitution; now, therefore,

12  
13 BE IT RESOLVED by the Senate of the Thirty-first  
14 Legislature of the State of Hawaii, Regular Session of 2021, the  
15 House of Representatives concurring, that the United States  
16 Congress is requested to pass a law that criminalizes any act by  
17 a current or former law enforcement officer, military personnel,  
18 or politician that is contrary to their oath to uphold the  
19 Constitution; and

20  
21 BE IT FURTHER RESOLVED that any violation of this law be  
22 punishable by a loss of any benefits, including healthcare and  
23 pension, that the violators would have been entitled to as a  
24 result of their service; and

25  
26 BE IT FURTHER RESOLVED that certified copies of this  
27 Concurrent Resolution be transmitted to the four members of  
28 Hawaii's congressional delegation.

29  
30  
31

OFFERED BY: *Michelle K. Kani*

