

STAND. COM. REP. NO. 1080

Honolulu, Hawaii

**MAR 14 2025**

RE: H.B. No. 103  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B.  
No. 103 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose and intent of this measure is to change the age  
at which individuals are eligible for life without parole  
sentences from eighteen years of age or older to twenty-one years  
of age or older.

Your Committee received testimony in support of this measure  
from the Office of the Public Defender and one individual.

Your Committee received testimony in opposition to this  
measure from the Department of the Prosecuting Attorney of the  
City and County of Honolulu and two individuals.

Your Committee finds that neuroscience and brain development  
research has demonstrated that brain maturation continues through  
an individual's mid-twenties, and that these individuals are  
sometimes referred to as "emerging adults". Your Committee  
believes that, due to the research supporting continued brain  
maturation through early adulthood, an emerging adult who has  
committed a serious offense should have the opportunity for parole  
after establishing a clear pattern of rehabilitation as  
established by positive behaviors while in custody, such as taking



advantage of educational opportunities, work opportunities, substance abuse counseling opportunities, and a clear commitment to living a life embracing change, sincere remorse, and service within the incarcerated communities. This measure will give the Hawaii Paroling Authority more opportunities to encourage positive behavior and rehabilitation for emerging adults facing a lengthy sentence.

Your Committee notes that this measure is not intended to prohibit the sentencing of defendants to life imprisonment with the possibility of parole or a potential lengthy minimum term of imprisonment for defendants between the ages of eighteen and twenty-one.

Your Committee has amended this measure by:

- (1) Deleting language that would have amended existing law to change the age at which individuals are eligible for life without parole sentences from eighteen years of age or older to twenty-one years of age or older;
- (2) Inserting new statutory language that prohibits emerging adult defendants from being sentenced to life imprisonment without the possibility of parole;
- (3) Defining "emerging adult defendant" as a person convicted of a crime who is over eighteen years of age and less than twenty-one years of age; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 103, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 103, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

*Karl Rhoads*

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KARL RHOADS, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>HB 103</b>	Committee Referral: <b>JDC</b>	Date: <b>3/11/25</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	<b>4</b>	<b>—</b>	<b>1</b>	<b>—</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:      Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

**\*Only one measure per Record of Votes**