

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 228
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 S.B. No. 228, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EXCITED DELIRIUM,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit excited delirium from being recognized as a valid medical diagnosis or cause of death in the State;
- (2) Prohibit a local health officer or local agent of the Department of Health from stating on a certificate of death or in any report that the cause of death was excited delirium; and
- (3) Prohibit law enforcement officers from using the term excited delirium to describe an individual in an incident report.

Your Committee received testimony in support of this measure from the ACLU of Hawai'i, Community Alliance on Prisons, Hawaii Disability Rights Center, Hui Malama Pono Hawai'i, National Police Accountability Project, Drug Policy Forum of Hawaii, and twenty-three individuals.



Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Judiciary and Department of Health.

Your Committee finds that the majority of major national and international medical organizations do not classify "excited delirium" as a medical diagnosis. Your Committee further finds that historically, excited delirium has been often utilized and weaponized to shield law enforcement from accountability when negative outcomes occur from police-civilian interactions. Therefore, by prohibiting the use of the term "excited delirium" in medical and law enforcement reports, this measure will ensure that only scientifically proven diagnoses are employed in official reports and legal proceedings.

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 S.B. No. 228, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



