
A BILL FOR AN ACT

RELATING TO SENTENCING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that through a court
2 decision, Massachusetts became the first state to ban life
3 without parole sentences for individuals eighteen years of old
4 through twenty years old, considering those in this age group as
5 "emerging adults". The court extended the bright line age
6 cut-off from eighteen years of age to twenty years of age in
7 part due to neuroscience research that supports that brain
8 maturation continues through an individual's mid-twenties.

9 The purpose of this Act is to change the age for which
10 individuals are eligible for life without parole sentences from
11 eighteen years of age or older to twenty-one years of age or
12 older.

13 SECTION 2. Chapter 706, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§706- Emerging adult defendants. (1) Notwithstanding
17 any other law to the contrary, no emerging adult defendant shall



1 be sentenced to life imprisonment without the possibility of
2 parole.

3 (2) For the purposes of this section, "emerging adult
4 defendant" means a person convicted of a crime who, at the time
5 of the offense, is over eighteen years of age and less than
6 twenty-one years of age."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Emerging Adult Defendant; Sentencing; Life Without Parole; Penal Code

Description:

Prohibits emerging adult defendants from being sentenced to life imprisonment without the possibility of parole. (SD1)

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