

STAND. COM. REP. NO.

820

Honolulu, Hawaii

FEB 27 , 2025

RE: H.B. No. 128  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 128 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL JUSTICE REFORM,"

begs leave to report as follows:

The purpose of this measure is to reduce the number of unnecessary arrests made in criminal cases by:

- (1) Establishing factors under which officers may, without warrant, arrest and detain persons for petty misdemeanors and violations; and
- (2) Requiring officers to record the factors that justified the warrantless arrest.

Your Committee received testimony in support of this measure from the ACLU of Hawai'i; Policing Project at NYU School of Law; and one individual. Your Committee received testimony in opposition to this measure from the Honolulu Police Department; Office of the Prosecuting Attorney of the County of Hawaii; Department of the Prosecuting Attorney of the County of Maui; Department of the Prosecuting Attorney of the City and County of Honolulu; State of Hawaii Organization of Police Officers; Fathers and Mothers for Children Kauai Chapter; and numerous individuals.

2025-1668 HB128 HD1 HSCR HMSO



Your Committee finds that unnecessary arrests for certain criminal cases place a significant strain on limited police resources, contribute to overcrowding in correctional facilities, and often result in unjust hardships for individuals and their families. These arrests not only disrupt lives but also create financial and emotional burdens. This measure aims to reduce the number of unnecessary arrests by establishing specific conditions for warrantless arrests and allowing citations to be issued in lieu of arrest for certain minor offenses.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 128, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 128, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

Bill/Resolution No.: <b>HB 128</b>	Committee Referral: <b>JHA</b>	Date: <b>02/07/2025</b>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au				✓
4. COCHRAN, Elle				✓
5. HASHEM, Mark J.	✓			
6. KAHALOA, Kirstin	✓			
7. PERRUSO, Amy A.	✓			
8. TAKAYAMA, Gregg	✓			
9. TODD, Chris				✓
10. GARCIA, Diamond			✓	
11. SHIMIZU, Garner M.			✓	
<b>TOTAL (11)</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>3</b>

The recommendation is:  Adopted  Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
 committee acronym(s)

Vice Chair's or designee's signature: