
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 old
4 through twenty years old, considering those in this age group to
5 be "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 prohibit life without parole
10 sentences for emerging adult defendants between eighteen and
11 twenty-one years of age.

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

15 "§706- Emerging adult defendants. (1) Notwithstanding
16 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;
Minors; Penal Code

Description:

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

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