STAND. COM. REP. NO. 3291

Honolulu, Hawaii

MAR 3 0 2026

RE: H.B. No. 2078
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Public Safety and Military Affairs, to which was referred H.B. No. 2078, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HABITUAL VIOLENT CRIME,"

begs leave to report as follows:

The purpose and intent of this measure is to:

(1) Require the Attorney General, in consultation with the Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature; and

(2) Amend Act 213, Session Laws of Hawaii 2024, by requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature prior to the Regular Session of 2031 and extending its sunset date to June 30, 2031.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and ACLU Hawai'i.

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

Your Committee received comments on this measure from the Criminal Justice Research Institute and Community Alliance on Prisons.

Your Committee finds that Act 213, Session Laws of Hawaii 2024 (Act 213), allowed habitual violent crime offenders to be charged with a felony for repeatedly committing violent misdemeanors, such as abusing a family or household member. These habitual violent crime offenders pose a long-term risk to the community because of their propensity to commit further violent crimes in the future. However, Act 213 contains a sunset provision and will be repealed on June 30, 2027. Your Committee believes that, given the complexity and length of felony cases, Act 213's sunset date should be extended to allow for additional time to accurately evaluate Act 213's effectiveness. In addition to ensuring adequate time for evaluation, this measure bolsters future efforts to mitigate habitual violent crime offenders by requiring reports that will provide critical data on the prevalence of habitual violent crime offenders in the State.

Your Committee has amended this measure by:

(1) Inserting an effective date of July 1, 2055, to encourage further discussion; and

(2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes the concerns expressed by the Community Alliance on Prisons that, while additional data on crime is needed, national research shows that crime rates have been decreasing and now stand among the lowest rates in decades. Additionally, your Committee notes the concerns expressed by the Community Alliance on Prisons regarding the origins of this measure and others that invoke the notion of a habitual offender. Your Committee finds that these issues raise concerns that merit further consideration and requests further examination by your Committee on Judiciary, should it choose to deliberate on this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety and Military Affairs that is attached to this report, your Committee is in accord with the intent and

purpose of H.B. No. 2078, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2078, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Public Safety and Military Affairs,

Military Affairs,

CAROL FUKUNAGA, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2078 HD1	PSM, JDC	3/25/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
FUKUNAGA, Carol (C)	✓			
LEE, Chris (VC)	✓			
HASHIMOTO, Troy N.				✓
INOUYE, Lorraine R.				✓
DECORTE, Samantha	✓			
TOTAL	3			2

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26