

Honolulu, Hawaii
APR 10 , 2026

RE: S.B. No. 3294
S.D. 2
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Finance, to which was referred S.B. No. 3294, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WRONGFUL IMPRISONMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the procedure that a circuit court shall follow upon the reversal or vacation of a person's judgment of conviction on grounds consistent with innocence, and where the charges were dismissed;
- (2) Require the State to pay, through a warrant for payment issued by the Comptroller, advance compensation to any petitioner who was convicted in a court of the State, imprisoned for at least one year, and whose judgment of conviction was reversed or vacated, or was pardoned, on grounds consistent with innocence;
- (3) Require the Department of Corrections and Rehabilitation to immediately notify the Department of Human Services so the Department of Human Services may assign a case manager to a petitioner upon the petitioner's release;



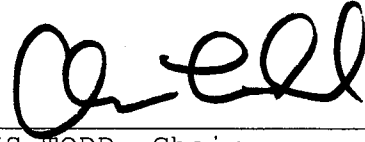
- (4) Require the State to provide medical coverage to a person for a certain duration upon the reversal or vacation of the person's judgment of conviction on grounds consistent with innocence and where the charges were dismissed;
- (5) Provide that the Judiciary and Department of Corrections and Rehabilitation shall retain jurisdiction over the person for the purposes of effectuating this process;
- (6) Authorize the State to seek reimbursement from the applicable county for any losses incurred by the State pursuant to this process;
- (7) Require the Department of the Attorney General to submit an annual report to the Legislature;
- (8) Clarify eligibility to seek compensation for persons whose judgment of conviction was reversed or vacated, or who were pardoned, on grounds consistent with innocence, and where the charges were dismissed; and
- (9) Shift the burden of proof to the State to prove by a preponderance of evidence that the reversal or vacation of the judgment of conviction for a petitioner, or the pardoning of the petitioner, was inconsistent with innocence.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation; Office of the Public Defender; Community Alliance on Prisons; Law Offices of Setsuko Regina Gormley, LLLC; and four individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the Judiciary and Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3294, S.D. 2, H.D. 2, and recommends that it pass Third Reading.



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

A handwritten signature in black ink, appearing to read "Todd", written over a horizontal line.

CHRIS TODD, Chair



