OFFICE OF HAWAIIAN AFFAIRS

TESTIMONY IN SUPPORT OF HOUSE BILL 1517
RELATING TO SENTENCING REVIEW

House Committee on Public Safety
Hawai‘i State Capitol

February 4, 2026 | 9:00 AM | Room 411

Aloha e Chair Belatti, Vice Chair Iwamoto, and Members of the House Committee on Public Safety:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB1517** which establishes a judicial process allowing incarcerated individuals who have served at least ten years of their sentence to petition the court for a sentence reduction. This measure creates a structured, transparent mechanism for reviewing lengthy sentences to determine whether they remain just, proportional, and consistent with contemporary sentencing principles.

HB1517 is an important step toward addressing the long-term consequences of sentencing policies that have contributed to Hawai‘i’s aging prison population. Lengthy sentences, particularly those imposed decades ago under “tough on crime” frameworks, have resulted in a growing number of incarcerated individuals who pose a diminished public safety risk due to age, rehabilitation, and desistance from crime. Research consistently shows that criminal behavior declines significantly as individuals age, and that excessively long sentences do not meaningfully improve public safety outcomes.[1]

The impacts of long-term incarceration extend beyond the individual and are borne by families and communities. Native Hawaiians are disproportionately represented in Hawai‘i’s criminal legal system and are therefore more likely to experience the intergenerational effects of incarceration, including family separation, economic instability, and increased justice system involvement among children of incarcerated parents.[2] Allowing courts to revisit sentences after a substantial period of incarceration creates an opportunity to mitigate these harms while maintaining accountability and victim participation.

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[1] National Research Council, *The Growth of Incarceration in the United States: Exploring Causes and Consequences* Chapter 5 (2014), National Academies Press, https://nap.nationalacademies.org/catalog/18613/the-growth-of-incarceration-in-the-united-states-exploring-causes-and-consequences

[2] Office of Hawaiian Affairs, *The Disparate Treatment of Native Hawaiians in the Criminal Justice System* 10 (2010), available at http://www.oha.org/wp-content/uploads/2014/12/ir_final_web_rev.pdf

HB1517 does not guarantee release. Instead, it provides courts with a carefully defined framework to consider relevant factors, including the age of the individual at the time of the offense, demonstrated rehabilitation, disciplinary record, participation in education or treatment, the circumstances surrounding the offense, and the perspectives of victims. The bill preserves due process, ensures the right to counsel, and requires courts to articulate the reasons for granting or denying relief. These safeguards promote fairness, transparency, and public confidence in the process.

Importantly, the bill also recognizes the fiscal and humanitarian realities associated with an aging prison population. Older incarcerated individuals often have complex medical needs that are costly for the State to address in a correctional setting. Providing a judicial mechanism for sentence review allows resources to be more effectively directed toward evidence-based public safety strategies, rehabilitation, and reentry support.

HB1517 reflects a balanced approach that acknowledges accountability while recognizing growth, rehabilitation, and changed circumstances over time. By allowing courts to reassess long sentences through an individualized, evidence-based process, this measure promotes justice that is both fair and forward-looking. For these reasons, the Office of Hawaiian Affairs respectfully urges this Committee to **PASS HB1517**.

Mahalo nui for the opportunity to provide testimony on this important measure.

The Judiciary, State of Hawai‘i
Ka ‘Oihana Ho‘okolokolo, Moku‘āina ‘o Hawai‘i

Testimony to the Thirty-Third Legislature, 2026 Regular Session

House Committee on Public Safety
Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair

Wednesday, February 4, 2026 at 9:00 AM
State Capitol, Conference Room 411

by
Jennifer Awong
Staff Attorney, Circuit Court of the First Circuit

Bill No. and Title: House Bill No. 1517, Relating to Sentencing Review

Purpose: Establishes a procedure for incarcerated individuals who have served at least ten years of their sentence to petition the court for a sentence reduction. Requires the Department of Corrections and Rehabilitation to report to the Legislature Hawai‘i Paroling Authority, and Hawai‘i Correctional System Oversight Commission.

Judiciary's Position:

The Judiciary takes **no position** on the intent and the policy determinations of the proposed legislation and provides the following comments.

The bill's intent appears to be to provide incarcerated defendants with the ability to petition the court for a "reduction" of their sentence after serving at least ten years. The reduction would occur outside the parole process and be subject to a rebuttable presumption of release for all offenders 50 years or older at the time they file the petition. Respectfully, it does not appear this legislation will fulfill the intent. Significant structural and procedural changes would be required to nearly all of the sentencing provisions[1] throughout Chapter 706 of the Hawai‘i Revised Statutes ("H.R.S.") and the parole provisions of H.R.S. §§ 706-669 and 706-670.

[1] If these revisions are made to the bill, the Judiciary will require additional resources in order to meet the demands of statutorily required hearings on all petitions filed for those serving a term of imprisonment over ten years.

The State of Hawai‘i currently has a “true” indeterminate sentencing scheme for felony offenses. Unlike many other indeterminate term sentencing states where a sentencing judge might sentence a person to a range of years (i.e. a 10-to-20-year, or 20-to-life term of imprisonment), or a determinate term sentencing state where a sentencing judge orders a specific term of imprisonment (i.e. a 2, 7, 15, 20, or even a 50+ year term of imprisonment), sentencing judges in Hawai‘i state courts are, for the vast majority of cases, only statutorily permitted to sentence a defendant to an indeterminate term of imprisonment of five years for “C’ felonies,[2] ten years for “B” felonies,[3] twenty years for “A” felonies,[4] life with the possibility of parole for murder or attempted murder in the second degree,[5] and life without the possibility of parole for murder or attempted murder in the first degree.[6] There are very few exceptions to these five, ten, twenty, and life terms of imprisonment, and all of the exceptions include the requirement for the court to sentence the defendant to a specified indeterminate term.[7] For “C” and “B” felonies, the court can consider a term of probation, with some exceptions, instead of the indeterminate term of imprisonment, however for most “A” felonies and cases involving murder, the sentence is required by law to be to the indeterminate term of imprisonment outlined above. [8]

Accordingly, a court reviewing a sentence greater than ten years under the provisions of this bill would generally only have available to it as an “alternative” sentence the indeterminate term of imprisonment outlined in H.R.S. §§ 706-656 and 706-659 – likely the exact sentences that had already been imposed on the defendant. In very limited situations, the court might have the authority to reduce a twenty-year indeterminate term sentence to probation under H.R.S. §§ 706-620 and 706-623 where the defendant was convicted of an “A” felony under Chapter 712 or manslaughter under H.R.S. § 707-702. There is currently no statutory authority for a court to reduce a sentence of life imprisonment with the possibility of parole to a term of years (whether that be 50 years or 20 years or some other term of years). Indeed, the only defendants whose indeterminate term sentences could be reduced to an alternative indeterminate term of years under the proposed legislation and the statutory provisions of H.R.S. Chapter 706 would be those defendants who were sentenced to serve consecutive terms, those whose terms were extended under H.R.S. § 706-661,[9] and those who were young adult offenders currently serving a term of imprisonment for an “A” felony that were initially denied sentencing under H.R.S. § 706-667.

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[2] H.R.S. § 706-660(1)(b).
[3] H.R.S. § 706-660(1)(a).
[4] H.R.S. § 706-659.
[5] H.R.S. § 706-656(2).
[6] H.R.S. § 706-656(1).
[7] Specifically, certain “B” and “C” drug offenses can result in an indeterminate term of years of anywhere between five and ten years for “B” felonies and one and five years for “C” felonies (*see* H.R.S. § 706-660(2)) and young adult offenders can be sentenced to indeterminate terms of eight, five, and four years for “A,” “B,” and “C” felonies, respectively (*see* H.R.S. § 706-667).
[8] H.R.S. § 706-620.
[9] Under the provisions of HRS 706-661 the court may sentence a defendant convicted of a “C” felony to a term of imprisonment of 10 years, a defendant convicted of a “B” felony to a term of imprisonment of 20 years, a defendant convicted of an “A” felony to a term of imprisonment of life with the possibility of parole, and a defendant convicted of murder or attempted murder in the second degree to a term of life without the possibility of parole if a jury determines that the extended term is necessary for the protection of the public.

Further, the bill as written appears to contemplate release of individuals without requiring any term of parole in their reduced sentence or without serving a statutorily-imposed mandatory minimum sentence.[10] In order to truly implement the intent of this bill (to require a judicial review and reduction of an individual's sentence), a statutory framework is necessary to replace indeterminate term sentencing with some form of graduated determinate term sentencing scheme for all "A" felony offenses and cases involving murder. This is not currently contemplated by the bill.

In Hawai'i, the actual time a person must serve of the imposed indeterminate term of imprisonment before they may become eligible for, or released on, parole is currently determined solely by the Hawai'i Paroling Authority ("HPA").[11] The HPA has exclusive authority to release a defendant on parole prior to the expiration of the indeterminate term of imprisonment ordered by the court. The HPA sets the minimum term of imprisonment a defendant must serve prior to being eligible for parole within six months of the sentence issued by the court. In addition, incarcerated individuals may request a reduction of their minimum term of imprisonment and the HPA has promulgated procedures for such actions.[12] The HPA is required to hold an initial parole hearing at least one month prior to the expiration of their minimum term and at least every twelve months thereafter until they are released or they have served the total indeterminate term of imprisonment.[13] Under the HPA's current guidelines, it already appears that a significant number of the factors set forth in the proposed § 706-D are considered in both the determination of the initial minimum term, any request for reduction of that term, and the granting or denial of parole.[14] In addition, both the initial setting of the minimum term of imprisonment and any denial of parole are already subject to judicial review to ensure that the HPA did not violate the law or act in an arbitrary or capricious manner under the provisions of Rule 40 of the Hawai'i Rules of Penal Procedure.

The intent of this bill may be better effectuated by directing the legislation's specific provisions to the HPA, including provisions listed as considerations in proposed section 706-D on pages 10-12,[15] once a defendant has served 10 years, to determine if their minimum should be reduced and/or whether the defendant should be immediately eligible for parole.

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[10] There are several instances throughout Chapter 706 which require the court to order, and require a defendant to serve, a mandatory minimum sentence, "[n]othwithstanding any other provisions of law to the contrary…."
[11] H.R.S. §§ 706-669 and 706-670.
[12] *See,* pages 17-19 and 26-28 of the Hawai'i Paroling Authority Parole Handbook found at *https://dcr.hawaii.gov/hpa/wp-content/uploads/sites/3/2024/02/HPA-Parole-Handbook_Revised_09_2020-1.pdf*
[13] H.R.S. § 706-670.
[14] *See* Hawai'i Paroling Authority Parole Handbook found at *https://dcr.hawaii.gov/hpa/wp-content/uploads/sites/3/2024/02/HPA-Parole-Handbook_Revised_09_2020-1.pdf*
[15] It should be noted that, with respect to subsection (h) on page 12, it would likely be considered an illegal sentence subject to a post-conviction challenge if there were evidence that the defendant's sentence was enhanced because they exercised their constitutional rights. *See.* State v. Kamanao, 103 Hawai'i 315, 322-324, 82 P.3d 401, 408-410 (2003), as corrected (Dec. 17, 2003) ("[A] sentencing court is prohibited from imposing an enhanced sentence as a function of a defendant's refusal to admit guilt" which is a "violation, *inter alia*, of a criminal defendant's rights to due process, to remain silent, and to appeal").

The Judiciary also notes that authorizing judicial reduction of sentences functionally eliminates the finality of judgments in criminal actions for any case where the defendant received more than a ten-year term of incarceration – judgments and sentences that were already issued by sentencing judges who were required to consider the factors set forth in H.R.S.§ 706-606, and judgments and sentences that were already subject to appeal and continue to be subject to post-conviction and habeas relief. In the current statutory scheme for terms of imprisonment, the court sentences a defendant to an indeterminate term and the HPA, through the statutory provisions of H.R.S. §§ 706-669 and 706-670, determines how that indeterminate term sentence is served. Specifically, the HPA determines how much of that term (after serving any court ordered mandatory minimum)[16] must be served in institutional custody and how much of that term may be served while on parole. The sentence – the indeterminate term of years – remains the same.

Thank you for the opportunity to testify on this legislation.

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[16] Mandatory minimums are authorized throughout the penal code for some specific offenses and some particular defendants. These include, but are not limited to, sentences for repeat offenders (H.R.S. § 706-606.5), sentences for use of a firearm in the commission of a felony (H.R.S. § 706-660.1), and sentences based upon the status of the victim (H.R.S. § 706-660.2).

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

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No. _____

TESTIMONY ON HOUSE BILL 1517 RELATING TO SENTENCING REVIEW.

by
Tommy Johnson, Director
Department of Corrections and Rehabilitation

House Committee on Public Safety
Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair

Wednesday, February 4, 2026; 9:00 a.m.
State Capitol, Conference Room 411 & via Videoconference

Chair Belatti, Vice Chair Iwamoto, and Members of the Committee:

The Department of Corrections and Rehabilitation (DCR) strongly opposes House Bill (HB) 1517, which proposes to establish a procedure for incarcerated individuals who have served at least ten (10) years of their sentence to petition the court for a sentence reduction. This bill creates significant legal inconsistencies, undermines the established Hawai'i Paroling Authority (HPA), and risks to the public safety.

If enacted, HB 1517 would in essence overturn the Legislature's adoption of the Model Penal Code in 1972. At that time, the Legislature intentionally abandoned previous penal laws to set only one possible maximum length of imprisonment for each class of felony to address the problem of inconsistent sentences, as noted in the Commentary on §706-660, Hawai'i Revised Statutes (HRS). By allowing arbitrary sentence reductions, this bill reintroduces the very inconsistency the Code sought to eliminate.

HB 1517 lacks the necessary boundaries regarding the types of crimes eligible for reduction. Petitioners convicted of murder and class A felonies, such as sexual assault in the first degree, could file for reduction of sentence without proof of completion of programs, efforts to made to pay restitution, and demonstrating good behavior while

incarcerated. Furthermore, because there are no limits on the length of reductions, a judge could simply re-sentence a petitioner to “time-served,” leading to immediate discharge without appropriate supervision or oversight.

This bill also negatibvely impacts the authority vested with the HPA, pursuant to §353-62, HRS, as it relates to determinning minimum sentences for those convicted and sentenced to prison for felony level offenses. The “Notwithstanding any other provision of law” clause in §706-A(1), HRS is far too reaching and may supersede laws governing consecutive sentences.

Additionally, DCR objects to page 12, paragraph (i) regarding ineffective assistance of counsel; such as due process issues should be addressed in a timely appeal and remand, not years after the fact through a sentencing petition. DCR recommends deleting factors already covered by Hawai‘i Rules of Penal Procedure, Rule 40, such as claims of innocence or ineffective assistance of counsel.

Thank you for the opportunity to provide testimony in **opposition** to HB 1517.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

GENE DEMELLO JR.
CHAIRMAN

MILTON H. KOTSUBO
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No. _____

TESTIMONY ON HB 1517, RELATING TO SENTENCING REVIEW

by
Gene DeMello, Chairman
Hawaii Paroling Authority

HOUSE COMMITTEE ON PUBLIC SAFETY
Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice-Chair

Wednesday, February 4, 2026 – 9:00 a.m.
Conference Room 411 – State Capitol

Chair Belatti, Vice Chair Iwamoto, and Members of the Committee:

The Hawaii Paroling Authority (HPA) opposes House Bill (HB) 1517, as it conflicts with and supplants HPA's statutory duties that have historically upheld the integrity of sentencing, protection of the community, preserving victim rights, facilitating rehabilitation, and promoting re-entry into the community.

HPA performs quasi-judicial functions and is the central paroling authority for the State of Hawaii. The Hawaii Revised Statues and Hawaii Administrative Rules (HAR) govern fixing and reducing minimum terms of imprisonment, granting parole, and other administrative functions.

The Reduction of Minimum (ROM) procedure is available to inmates after serving one-third of the minimum term fixed by HPA. A ROM request is often generated based on merit or medical needs. The merit-based requisites include good behavior, participation in correctional programs, reduction of risk factors, and demonstrating readiness for parole. HPA has granted reduction in minimum terms based on these factors. The reduction triggers a shift in correctional programming with a focus on transition to parole. As an example, an inmate completes correctional programming before expiration of a minimum term. Reducing the term facilitates the inmate's progression to a lower custody level, work furlough, and/or parole.

Inmates with terminal illness or debilitating medical condition for which treatment and care could be better managed in the community can also have their sentence expeditiously reduced. These requests are given the highest priority with swift decision-making. The release of an inmate granted compassionate or medical release is often hindered by the lack of placement in the community suitable to meet an inmate's medical needs and treatment. Therefore, the perception that HPA does not grant ROM requests is inaccurate and misdirected.

Another measure for relief from an HPA decision is Rule 40 under the Hawaii Penal Code.

HB 1517 as written allows a court to reduce a sentence after having served only ten years of incarceration. The target population would include persons with sentences of twenty-years through life with the possibility of parole for offenses such as murder, sexual assault in the first degree, and large-scale drug trafficking offenses. These offenses represent crimes of violence that cause harm and injury to victims and risk to the community. The sentence imposed for these offenses is authorized by the penal code and reflects the seriousness of the offense, promotes respect for the law, deterrence, protection of the public, and rehabilitation, all of which should not be undermined by a shortened sentence. A reduced sentence may affect correctional programming and proper release planning, and re-entry protocols, all of which should not be overlooked.

Correctional programming is determined by a risk and needs assessment that targets criminogenic (risk) factors to reduce risk and recidivism. An inmate's risk level and rate of recidivism are reduced after completion of programs like substance abuse treatment and when mental health issues are addressed and managed. These issues closely correlate to criminality and perpetual incarceration. A shortened sentence could prematurely disrupt or eliminate participation in critical programming and a proper transition, not to mention crime victims having to relive trauma and personal devastation. For example, a sex offender granted a sentence reduction under this bill may be released before finishing sex offender treatment or before going through a gradual transition from custody back into the community through the work furlough program.

Thank you for the opportunity to provide testimony on HB 1517. We will be available for any questions.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

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February 3, 2026

HB1517: RELATING TO SENTENCING REVIEW

Chair Belatti, Vice Chair Iwamoto, and Members of the Committee on Public Safety

The Office of the Public Defender (OPD) is **supportive of HB1517**, which seeks to establish a procedure for prisoners who have served at least ten years of their sentence to petition the courts for a sentence reduction.

While the OPD supports opportunities to review and reward a prisoner's rehabilitation progress, the current bill, though well-intentioned, will not apply to the vast majority of prisoners serving sentences longer than ten years. This is because the sentencing mandates of Hawaii Revised Statutes ("HRS") Chapter 706, Part IV do not allow for reductions of prison sentences for homicides or most Class A felonies. For example, a defendant convicted of violating HRS § 708-840, Robbery in the First Degree, must be sentenced to an indeterminant prison term of twenty years, without the possibility of probation, pursuant to HRS § 706-659. There is no law, aside from HRS § 706-667, for young adult offenders, prescribing a shorter prison term for this crime. Therefore, even if it wants to reduce a prisoner's sentence pursuant to HB1517, a court following HRS § 706-659 has no discretion to reduce the sentence for this crime.

Relief pursuant to HB1517 would only be available for the very few prisoners who received extended sentences for Class A or Class B felonies pursuant to HRS § 706-661. Relief would also be available for prisoners convicted of the few Class A felonies that are probation eligible.

Even a prisoner sentenced to serve consecutive prison terms with an aggregate time of more than ten years may not qualify under the current proposed language. Proposed HRS § 706-B subsections (1) and (2) each begins: "For an[y] incarcerated individual sentenced to a term of imprisonment exceeding ten years for an offense, …" (emphasis added). The plain language of these clauses means they only apply to cases involving only one term of imprisonment for one offense, not to consecutive sentences when multiple terms are served back-to-back.

What is necessary for HB1517 to effectively accomplish its goals is to include provisions that authorize the courts to reduce the maximum prison terms mandated by HRS Chapter 706, Part IV. An example of such provisions is in SB2479, pages 3-4.

Furthermore, aside from the sending of notices by the Hawai‘i Department of Corrections and Rehabilitation ("DCR"), HB1517 contains no timeframe or deadlines for the parties or the courts. The result may be that the busy courts will place these resentencing matters on the backburner, extinguishing the promise of HB1517.

Finally, effectively implementing the goals of HB1517 will require the investment of significant resources by the OPD, the offices of the prosecuting attorneys, the Hawai‘i Department of the Attorney General, the judiciary, the DCR, and the Hawai‘i Paroling Authority. Given the HRS § 706-D factors to be considered, a prisoner's attorney will have to rework the entire case de novo. OPD attorneys will also have to appeal every denied petition and obtain the transcripts of those hearings.

In sum, although the OPD is supportive, HB1517 should be amended in order to accomplish its goals.

Thank you for the opportunity to comment on this measure.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

MARI McCAIG BELLINGER
Chair

CLIFTON Y.S. CHOY
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TESTIMONY ON HOUSE BILL 1517
RELATING TO SENTENCING REVIEW

by
Pamela Ferguson-Brey, Executive Director
Crime Victim Compensation Commission

House Committee on Public Safety
Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair

Wednesday, February 4, 2026; 9:00 AM
State Capitol, Conference Room 411 & Videoconference

Good morning, Chair Belatti, Vice Chair Iwamoto, and Members of the House Committee on Public Safety. Thank you for providing the Crime Victim Compensation Commission ("Commission") with the opportunity to testify in opposition to House Bill 1517, Relating to Sentencing Review. House Bill 1517 establishes a procedure for incarcerated individuals who have served at least ten (10) years of their sentence to petition the court for a sentence reduction.

The Commission provides compensation for victims of violent crime to pay un-reimbursed expenses for crime-related losses due to physical or mental injury or death. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission. Additionally, the Commission has represented the concerns and needs of victims and survivors on the Justice Reinvestment Working Group, the 2015 Penal Code Review Committee, the HCR 23 Task Force and the 2025 Advisory Committee on Penal Code Review.

The Commission joins other victim service providers and advocates in opposing this measure which allows a convicted offender who has served ten (10) years of a sentence to petition for a reduction of their sentence. If the offender has served ten (10) years of a sentence is fifty (50) years old or older when they file a petition for sentence reduction, then there is a rebuttable presumption that their sentence will result in their release. There are no limitations on how much a sentencing judge can shorten a sentence if a petition for sentence review is granted.

This process will allow individuals with a history of serious offenses like murder, sexual offenses, and domestic violence to potentially be released without adequate consideration of the risk they pose to their victims and to community safety.

The process also retraumatizes the victim. Every hearing forces them to relive the trauma. The nature of the process - an initial hearing and then subsequent hearings every two (2) years if their initial petition is denied - can feel like a continuation of their initial trauma making victims feel that their pain and the severity of the crime are being minimized or overlooked during the hearing process. Recurring hearings force victims to repeatedly relive the details of the crime which can trigger PTSD systems, anxiety, depression, and fear. This process is sometimes referred to as secondary victimization where the legal system itself adds to the original trauma of the crime.

Finally, reducing the amount of time that the Judiciary and the Department of Corrections and Rehabilitation is obligated to collect restitution unfairly shifts the burden of restitution collection to the victim. While crime victims can file their restitution order as a civil order, the process is so burdensome that almost no victims avail themselves of this option. In fact, in its "Instructions for Filing Exemplified or Certified Copy of Restitution Order", the Judiciary refers crime victims to the Rules of Circuit Court that must be met in order to file and suggests that if they are not able to understand the procedure, to hire an attorney.

Thank you for providing the opportunity for the Commission to testify in opposition to HB 1517.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

RICHARD T. BISSEN, JR.
Mayor

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TESTIMONY ON
H.B. 1517
RELATING TO SENTENCING REVIEW

February 4, 2026

The Honorable Della Au Belatti
Chair
The Honorable Kim Coco Iwamoto
Vice Chair
and Members of the Committee on Public Safety

Chair Belatti, Vice Chair Iwamoto, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following **comments regarding H.B. 1517, Relating to Sentencing Review**. This bill allows offenders sentenced to prison terms to petition a sentencing court for a reduction in sentence after they have served ten years of their sentence.

While we appreciate the intent of the legislature to allow deserving offenders an opportunity to petition for a sentence reduction, we have concerns about the effects this bill would have on the current sentencing process. The Hawaii Paroling Authority ("HPA") has an established process for offenders to request reductions in their minimum prison term and to apply for release on parole. Offenders are allowed to make requests for parole release or a reduction in their minimum terms at regular intervals during their incarceration. This bill would essentially create an parallel parole process that circumvents the HPA's existing process, with the additional possibility of immediate release if the sentencing court so chooses without appearing to contemplate a re-entry plan or other transition assistance for a person that has been incarcerated for a decade.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **has offered commentary expressing concern about H.B. 1517**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill.

COMMUNITY ALLIANCE ON PRISONS

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Today's Inmate; Tomorrow's Neighbor

COMMITTEE ON PUBLIC SAFETY
Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair
Wednesday, February 4, 2026
9:00 am
Room 411 and VIDEOCONFERENCE

STRONG SUPPORT FOR HB 1517 – JUDICIAL REVIEWS – 2ND LOOK SENTENCING

Aloha Chair Belatti, Vice Chair Iwamoto and Members of the Committee!

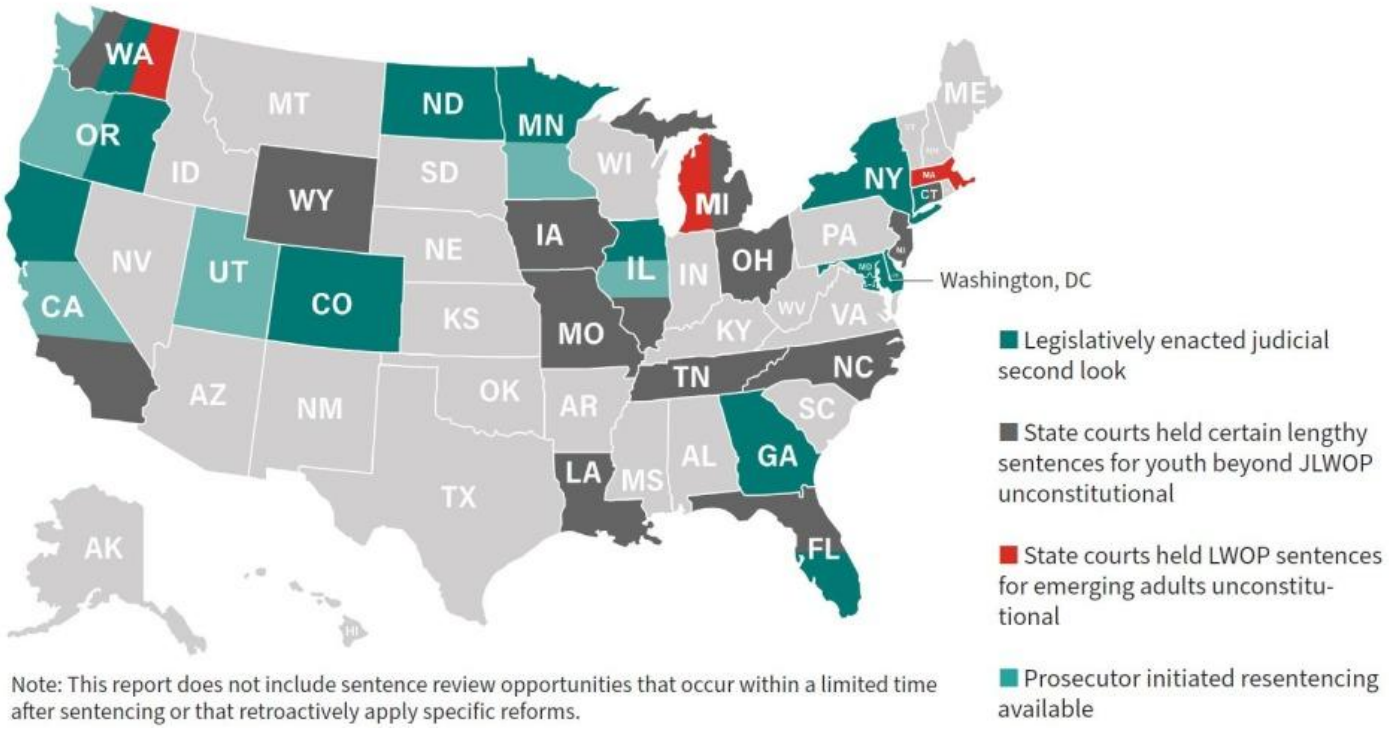
My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for almost three decades. This testimony is respectfully offered on behalf of the 3,654 Hawai`i individuals living behind bars[1] and under the "care and custody" of the Department of Corrections and Rehabilitation on January 26, 2026. We are always mindful that 799 – 43% of Hawai`i's imprisoned male population are serving their sentences abroad -- thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons appreciates the opportunity to express our **STRONG SUPPORT of HB 1517** that establishes a procedure for incarcerated individuals who have served at least ten years of their sentence to petition the

[1] **DCR Weekly Population Report, January 26, 2026**
Pop-Reports-Weekly-2026-01-26.pdf

court for a sentence reduction and requires the Department of Corrections and Rehabilitation to report to the Legislature, Hawaii Paroling Authority, and Hawaii Correctional System Oversight Commission.

Second look sentencing has been taking off around the U.S. as jurisdictions have found that excessively long sentences do little to protect public safety and are costly and inefficient. Twenty-five states, the District of Columbia, and the federal government have enacted "second look" judicial sentence review policies to allow judges to review sentences after a person has served a lengthy period of time.[2]



- Six of these states – Connecticut, Delaware, Maryland, Oregon, Florida and North Dakota – and the District of Columbia permit a court to reconsider a

[2] **The Second Look Movement: An Assessment of the Nation's Sentence Review Laws**
By Sara Cohbra and Becky Feldman
August 27, 2025
The Second Look Movement: An Assessment of the Nation's Sentence Review Laws – The Sentencing Project

sentence, usually under certain conditions such as age at the time of the offense and amount of time served.[3]

- Five states – California, Colorado, Georgia, Oklahoma, and New York – provide judicial reviews focused on specific populations such as military veterans, those sentenced under habitual offender laws, and domestic violence survivors, respectively.[4] In addition, persons serving federal sentences may seek compassionate release for extraordinary and compelling reasons, and persons serving sentences imposed in the District of Columbia may seek compassionate release based on elderly age alone.[5]
- California has also enacted a recall and resentencing statute permitting its department of corrections or the county district attorney to recommend that a person be resentenced for any reason, and as of 2024, a judge may initiate resentencing proceedings if there was a change in the sentencing law since the original sentencing.[6]
- In addition to California, **five states – Illinois, Minnesota, Oregon, Washington, and Utah – have enacted prosecutor-initiated resentencing laws** that allow prosecutors to request the court to reconsider a sentence.[7]

HAWAI`I

LENGTH OF SENTENCES NOT INCLUDING LWOP OR LWP:

Sentence Length	Men	Women
99 year sentence	1	0
98 year sentence	1	0
88 year sentence	1	0
More than 60 years	4	0
More than 50 years	8	0
More than 40 years	8	0
More than 30 years	31	0

[3] Conn. Gen. Stat. Ann. § 53a-39; Del. Code Ann. tit. 11, § 4204A; Md. Code Ann., Crim. Proc. § 8-110; Or. Rev. Stat. Ann. § 420A.203; Fla. Stat. Ann. § 921.1402; N.D. Cent. Code Ann. § 12.1-32-13.1; D.C. Code Ann. § 24-403.03.
[4] Cal. Penal Code § 1170.91; Colo. Rev. Stat. Ann. 18.1-3-801; Ga. Code Ann. §§ 17-10-22, 17-10-1(f); N.Y. Crim. Proc. § 440.47; 22 Okla. St. Ann. § 1090.4.
[5] 18 U.S.C. § 3582(c); D.C. Code Ann. § 24-403.04.
[6] Cal. Penal Code § 1172.1.
[7] Cal. Penal Code § 1172.1; 725 Ill. Comp. Stat. Ann. 5/122-9; Minn. Stat. Ann. § 609.133; Or. Rev. Stat. Ann. § 137.218; Wash. Rev. Code Ann. § 36.27.130 ; Utah Admin. Code Reference: R671-311.

Mare than 20 years	58	2
More than 10 years	437	22
Less than 10 years	1495	181
Total Sentenced Males	2044	205

At more than $112,000 per year to incarcerate one adult, this bill will not only save lives, but save money that should be used for community-based programs to assist people who have lost their way and those who have never found it instead of building more cages.

National Organizations Call for Second Look Reviews

In 2017, the American Law Institute (ALI) – an independent organization composed of judges, lawyers, and law professors – recommended that states adopt a second look judicial sentence review process after 15 years of imprisonment.[8] Additionally, the ALI recommended a judicial review at 10 years for sentences imposed on youth[9] and a sentence review at any time for those experiencing "advanced age, physical or mental infirmity, exigent family circumstances, or other compelling reasons." [10]

In adopting the 10-year second look recommendation, the ALI stated:
[The second look recommendation] is rooted in the belief that governments should be especially cautious in the use of their powers when imposing penalties that deprive offenders of their liberty for a substantial portion of their adult lives. The provision reflects a profound sense of humility that ought to operate when punishments are imposed that will reach nearly a generation into the future, or longer still. A second-look mechanism is meant to ensure that these sanctions remain intelligible and justifiable at a point in time far distant from their original imposition.[11]

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[8] American Law Institute (2017), see note 9; see also Reitz, K. (2017, June 7). New Model Penal Code for Criminal Sentencing: Comprehensive Reform Recommendations for State Legislatures.
[9] American Law Institute. (2023). Model Penal Code: Sentencing § 6.14 – Sentencing of Offenders Under the Age of 18. See also Reitz, K., Klingele, C. & Moringo, J. (2017, August 14). Sentencing of Offenders Under the Age of 18. The ALI Adviser.
[10] American Law Institute. (2017). Model Penal Code: Sentencing § 305.7 – Modification of Prison Sentences in Circumstances of Advanced Age, Physical or Mental Infirmity, Exigent Family Circumstances, or Other Compelling Reasons.
[11] American Law Institute (2017), see note 9, comment a.

In 2021, Fair and Just Prosecution, a network of local prosecutors, issued recommendations signed by over 60 current and former elected prosecutors and law enforcement leaders that included a sentence review for sentences after 15 years of incarceration for middle-aged and elderly incarcerated people. Also in 2021, the National Association of Criminal Defense Lawyers (NACDL) published its model second look legislation and recommended a judicial review of all sentences after 10 years of incarceration.[12]

In 2022, the American Bar Association (ABA) adopted Resolution 502 that urged governments to enact legislation permitting courts to take a second look after 10 years of incarceration.[13] One year later, the ABA adopted a resolution recommending that governments adopt prosecutor-initiated resentencing legislation "that permits a court at any time to recall and resentence a person to a lesser sentence upon the recommendation of the prosecutor of the jurisdiction in which the person was sentenced."[14][15]

In 2022, the National Academies of Sciences recommended establishing second-look provisions as a way to reduce racial disparities in incarceration, given that racial disparities in imprisonment increase with sentence length.[75] In 2023, the Council on Criminal Justice's Task Force on Long Sentences recommended that state legislatures, Congress, and policymakers consider "selecting opportunities for people serving long sentences to receive judicial second looks consistent with the purposes of sentencing."[16]

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[12] Fair and Just Prosecution (2021, April). Joint Statement on Sentencing Second Chances and Addressing Past Extreme Sentences [Press release].

[13] National Association of Criminal Defense Lawyers (2020). NACDL Model "Second Look" Legislation: Second Look Sentencing Act. See also Murray, Hecker, Skocpol, & Elkins (2021), see note 9.

[14] American Bar Association. (2022). H.D. Resolution 502. Also in 2022, the ABA adopted Resolution 604, which, among other things, urged the adoption of "'second look" policies, requiring review of sentences of incarceration at designated times to determine if they remain appropriate. American Bar Association. (2022). Resolution 604. See also Robert, A. (2022, August 8). ABA Provides 10 Principles for Ending Mass Incarceration and Lengthy Prison Sentences. ABA Journal.

[15] American Bar Association. (2023). H.D. Resolution 504.

[16] Ghandnoosh, Barry, & Trinka (2023), see note 4, p. 8.

The research backs up HB 1517, now we need the courage to believe in our people and believe that real rehabilitation works!

Community Alliance on Prisons urges the committee to believe that change CAN and DOES happen with the right programs that assist people to live pro-social lives to build safe and healthy communities across Hawai`i nei. We hope that the committee believes in our people.

Mahalo for the chance to share our research and experience working with people serving excessive sentences.

HB-1517
Submitted on: 2/3/2026 7:28:01 AM
Testimony for PBS on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Edmund "Fred" Hyun	Individual	Oppose	In Person

Comments:

TESTIMONY ON HB 1517 RELATING TO SENTENCING REVIEW

By

Edmund “Fred” Hyun

HOUSE COMMITTEE ON PUBLIC SAFETY

Representative Della Au Belatti, Chair

Representative Kim Coco Iwamoto, Vice-Chair

Wednesday, February 4, 2026 – 9:00 a.m.

Conference Room 411-State Capitol

My name is Edmund “Fred” Hyun, a concerned community member and former Chairman of the Hawaii Paroling Authority (HPA – 2016-2024). I stand in **OPPOSITION** to the measure before the House Committee.

Although well-intentioned, the Bill undermines the role and function of the Department of Corrections and Rehabilitation (DCR), the Hawaii Paroling Authority (Executive Branch), and the Courts (Judiciary Branch) in sentencing. There exist legal avenues to address issues/concerns cited in HB1517. Hawaii is unlike other states in providing more release opportunities and correctional programming. An two examples are: by law, once parole is denied, another parole hearing must be scheduled within 12 months until paroled or discharged. In many cases, the HPA has held parole hearings for the same inmate 2-3 times a year to help reintegrate the inmate into the community. The HPA considers applications for Reduction of Minimums (ROM) and often grants reductions based on an inmate’s institutional progress in programs and prosocial behavior, except for court-imposed mandatory minimums.

This Bill does not identify the types of crimes the measure would apply to: murder, sexual assault, domestic violence, Robbery, Theft, Burglary etc. To the authors and committee members I pose two questions: 1), with proposed shortened sentences, how will victims be impacted? And 2) will the inmate be released from correctional programming obligations?

HAWAIʻI PACIFIC HEALTH | KAPIʻOLANI THE SEX ABUSE TREATMENT CENTER

Date: February 2, 2026

To: Rep. Della Au Bellati, Chair
Rep Kim Coco Iwamoto, Vice Chair
Members of the House Committee on Public Safety

From: Lynn Costales Matsuoka, Executive Director
The Sex Abuse Treatment Center
A Program of Kapiʻolani Medical Center for Women & Children

RE: Testimony on HB 1517
Relating to Sentencing Review

Hearing: February 4, 2026, Conference Room 411, 9am

Good morning, Chair Belatti, Vice Chair Iwamoto, and Members of the Hourse Committee on Public Safety. Thank you for the opportunity for the Sex Abuse Treatment to provide comment on the HB 1517, relating to sentencing review of offenders who have served at least 10 years of their sentence to imprisonment.

The Sex Abuse Treatment Center recognizes intent of HB 1517, to provide a "second look review" to sentencing terms to address the "moral and practical" consequences of those currently serving terms of imprisonment "far longer than what would be imposed today."

With that in mind, many jurisdictions have maintained strict sexual assault penalties when committed against a child, against more than 1 victim, chronic sexual abuse of a minor and by force or threat of force. In some jurisdictions, sexual offenses committed against children can span from capital punishment (Florida) to 20 years of imprisonment with mandatory minimums (Oregon). Crimes against children, particularly homicide and sexual abuse, remain strict and have not changed over the years. This is also true when it comes to the creation and dissemination of child pornography material, otherwise, known as child sexual assault material (CSAM). Covered by HRS 707-750, this offense carries strict penalties across the nation, Hawaiʻi being no different making it punishable by 20 years of imprisonment, as a Class A felony. These are not crimes that carry penalties that would be different if imposed today.

As the legislature has become increasingly aware, the trauma suffered by a child who has endured sexual abuse, can have long lasting impacts on the child's mental and emotional well-being. In fact, the proposed bill, specifically outlines as a factor for consideration "whether the petitioner was the victim of domestic or sexual abuse at the time of the offense". Section 706-D(e). This bill suggests the correlation between the effects of trauma suffered in the past, sometimes as a child, and criminal behavior.

Children who are abused lose their sense of safety. Offender accountability sends a powerful message to child victims that their abuse was real, wrong, and not their fault. It can validate their experience, feelings and create a sense of safety that they, and others like them, will be safe

from further harm. Validation of what occurred is the first step toward healing for any victim, as they move toward rebuilding trust and reclaiming agency over their path forward.

We ask this Committee to think through the impact of sentencing reductions on a child victim, particularly those who were sexually abused. While well intended from the perspective of the offender, it could lead to unintended harmful consequences for children who were abused and impact their ability to live healthy productive lives as adults. To that end, we ask that any sentence beyond 10 years of imprisonment, for an offense committed against a child be excluded from sentencing review.

Additionally, the SATC requests amendments regarding notification to victims by the prosecuting attorney, to include notification of:

- the court (presiding judge)
- date and time of the scheduled hearing,
-subsequent changes to the hearing date and time, and
-notification of the victims right to submit testimony, oral or written.

Without specificity there is no clear guidance for the prosecuting attorney to provide notification, other than general notification that a petition was filed. Victims would not necessarily know they have rights under 706-G, nor aware they have a right to participate in the petition hearing.

Finally, we also request that the notification under 706-G include not only victims, but victim family members, guardians, and next of kin. Given some cases involve young victims, these victims may still be minors when incarcerated individuals become eligible for sentencing review after 10 years of incarceration.

Thank you for your consideration.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

HB-1517
Submitted on: 2/4/2026 7:48:15 AM
Testimony for PBS on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shelby "Pikachu" Billionaire	Ohana Unity Party	Support	Remotely Via Zoom

Comments:

Aloha Chair and Honorable Members of the Committees,

As Chairman of the Ohana Unity Party and a lifelong advocate for the protection of our keiki, the restoration of ‘ohana values, and the dismantling of systems that exploit or neglect Hawaii's most vulnerable children, I submit this written testimony in the strongest possible support of House Bill 1517. This transformative legislation establishes a statewide Office of the Child Advocate—an independent, dedicated office empowered to investigate complaints, represent the best interests of children involved with state agencies, and ensure that every keiki in Hawaii receives the safety, care, and justice they deserve. HB1517 creates an autonomous Office of the Child Advocate within the Office of the Governor, led by a Child Advocate appointed by the Governor and confirmed by the Senate. The office will: - Receive and investigate complaints from children, families, and concerned citizens regarding the treatment of children in foster care, juvenile justice, child welfare services, education, and other state systems; - Act as an independent voice for children in administrative proceedings, court hearings, and policy discussions; - Monitor state agencies (including DHS Child Welfare Services, Judiciary, DOE, and DOCR) for compliance with laws and best practices; - Issue public reports, make policy recommendations, and advocate for systemic change to prevent abuse, neglect, and exploitation; - Provide confidential support and referrals to children and families in crisis. This office is not another layer of bureaucracy—it is a guardian for our keiki, filling a critical gap where current oversight is fragmented, under-resourced, or conflicted.

Why I Stand Strongly in Support of HB1517

1. **Hawaii's Children Are in Crisis – The Data Demands Action** Hawaii's child welfare and juvenile systems face profound challenges: - Native Hawaiian children are disproportionately represented in foster care (over 50% of placements despite being ~20% of the child population). - The average age of first sexual exploitation in trafficking cases is 11, with documented cases as young as 4 on the Big Island. - 64% of identified trafficking survivors are Native Hawaiian. - 75% of trafficking victims are homeless at the time of exploitation. - 23% of child trafficking victims are exploited by family members. - Foster care complaints of abuse/neglect persist, with systemic delays in investigations and reunification. - Recent multi-agency operations (e.g., "Shine the Light," January 2026) recovered 8 at-risk teens on Oahu, revealing ongoing vulnerabilities in our systems. These are not isolated tragedies—they are symptoms of inadequate independent oversight. HB1517 creates a dedicated advocate who can investigate patterns, intervene early, and drive reforms before harm escalates.

2. **Alignment with Aloha, Justice, and Cultural Responsibility** The Dalai Lama teaches: "If you want others to be happy, practice compassion. If you want to be happy, practice compassion." Mahatma Gandhi reminds us: "The true measure of any society can be found in how it treats its most vulnerable members." HB1517 embodies these eternal truths by giving our keiki an independent voice when systems fail them. In a state where Native Hawaiian children face disproportionate removal, trauma, and exploitation, this office is an act of pono—restoring balance, protecting innocence, and honoring our kuleana to future generations.

3. **Real-World Example: The Urgent Need for Independent Advocacy** The Epstein files revealed how powerful networks exploit foster youth and vulnerable children—patterns that echo Hawaii's own foster system vulnerabilities, where kids are sometimes moved between homes without adequate monitoring or cultural support. Without an independent Child Advocate, complaints often go unheard or are dismissed within conflicted agencies. HB1517 changes that: It creates a dedicated office that can investigate foster care placements, juvenile detention conditions, school safety issues, and trafficking risks—ensuring no child is left voiceless. This is especially vital for Native Hawaiian keiki, who deserve culturally competent representation and family reunification prioritized.

4. **Broader Context: Ties to Systemic Injustices and Trafficking Prevention** The Epstein files exposed elite-enabled exploitation of vulnerable youth, including those in foster care. Hawaii faces parallel risks: foster system infiltration, trafficking through tourism and ports, and lack of centralized accountability. An Office of the Child Advocate would coordinate with existing task forces (e.g., the proposed Human Trafficking Task Force in HB1913), investigate cross-agency failures, and recommend reforms to protect children from abuse, neglect, and trafficking—breaking cycles before they begin.

5. **Support for Native Hawaiian and Marginalized Children** Native Hawaiian children are overrepresented in foster care, juvenile justice, and trafficking statistics. HB1517 ensures the Child Advocate office includes cultural expertise and prioritizes culturally appropriate services, honoring our ancestral values of aloha ʻāina and kākou. This bill is a step toward healing generational trauma and safeguarding our future. **Conclusion and Urgent Call to Action** HB1517 is urgent, necessary, and long overdue. It will give our keiki an independent voice, hold agencies accountable, prevent exploitation, and restore trust in systems meant to protect them. Guided by the profound wisdom of the Dalai Lama and Mahatma Gandhi, let us embrace compassion and justice—establish this statewide Office of the Child Advocate and demonstrate that Hawaii puts its children first. Mahalo nui loa for your consideration and service to our islands.

I am available for questions or oral testimony if needed. In solidarity for our keiki, justice, and ohana, Master Shelby "Pikachu" Billionaire, HRM Kingdom of The Hawaiian Islands, H.I. Ohana Unity Party, Chairman www.Ohanaunityparty.com Presidentbillionaire@gmail.com

HB-1517
Submitted on: 2/2/2026 10:53:23 PM
Testimony for PBS on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ronald Fujiyoshi	Ohana Ho`opakele	Support	Written Testimony Only

Comments:

Ohana Ho`opakele wants to go on record as being in complete support of HB1517. We have testified before the Hawaii Correctional System Oversiight Commission (HCSOC) more than once that elderly pa`ahao (incarcerated persons) who have been model prisoners should have avenues to be released back into society to live with their loved ones and supporters. We have quoted from a study done by Columbia University that shows for people over 65 years of age the rate of recidivism is almost 0%. Please pass HB1517.

Mahalo for allowing Ohana Ho`opakele to testify!

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

HB-1517
Submitted on: 2/3/2026 10:32:34 PM
Testimony for PBS on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carrie Ann Shirota	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Bellati, Vice Chair Iwamoto and Committee Members,

I support HB1517 Relating to Sentencing Review which proposes to establish a procedure for incarcerated individuals who have served at least ten years of their sentence to petition the court for a sentence reduction.

Second Look laws are a vital tool for promoting fairness and rehabilitation within the criminal justice system by offering individuals, particularly those sentenced to long periods as juveniles, or youth adults, a meaningful opportunity for release after serving a significant portion of their sentence.

As the former Program Director of MEO's BEST Reintegration Program, I worked with individuals convicted Class A and Class B felonies, considered seriious and violent crimes. I can attest that people can mature and change, and that prolonged incarceration may no longer serve a retributive or public safety purpose.

By providing a mechanism for judicial review and release, Second Look laws encourage accountability for those incarcerated while offering a pathway to successful reintegration.

As noted by the Office of the Public Defender, in order to accomplish the legislative intent of this measure, it must be amended to include provisions that authorize the courts to reduce the maximum prison terms mandated by HRS Chapter 706, Part IV.

Please pass HB1517 with amendments in alignment with comments offered by the Office of the Public Defender.

Mahalo,

Carrie Ann Shirota

HB-1517
Submitted on: 2/2/2026 7:13:08 AM
Testimony for PBS on 2/4/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE this bill. The Legislature should support the victims rather than the lawfully convicted criminals. I accept and am more than willing to fund the cost of housing convicted criminals for the FULL TERM of their sentencing. I suspect the majority feel the same.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

Dennis M. Dunn
(dennismdunn47@gmail.com)
Kailua, HI 96734

TO: Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair
House Committee on Public Safety

RE: House Bill 1517, Relating to Compassionate Release

HEARING: Wednesday, February 4, 2026, 9:00 a.m.
Conference Room 411

Good morning, Chair Au Bellati and Vice Chair Coco Iwamoto and members of the House Committee on Public Safety. My name is Dennis Dunn, and I am the former Director of the Victim Witness Kokua Services in the Honolulu Prosecuting Attorney's Office, having retired at the end of 2022 after 44 years of service with the program. I am testifying today in **strong opposition** to H.B. 1517.

My opposition to this measure is that it is overly broad, conflicts with numerous existing statutes, and appears to abandon the current sentencing schemes within our Penal Code that have been based on the Model Penal Code since 1972. The dramatically reduced sentences that potentially may occur under this re-sentencing scheme are likely to dismay and frighten both direct victims and the general public. This bill also appears to be designed as a work around for rules and procedures developed over many years by the Hawai'i Paroling Authority. While I may not always agree with HPA I deeply respect their efforts to reasonably release incarcerated individuals back into the community in a safe and regulated manner that has generally served us well. The proposed automatic sentencing reviews and potentially resulting releases also would occur without the proper guardrails established and implemented by HPA. And finally, the adoption of the proposed procedures outlined in this Bill appear to potentially conflict with many existing statutes including mandatory minimums for serious offenders such as those committing offenses against children and the elderly and criminals using firearms to carry out their offenses.

For the above reasons I **oppose** this measure and recommend that you not move it forward from your committee. Thank you for your time and consideration.