



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:
S.B. NO. 2520, RELATING TO HABITUAL VIOLENT CRIME.

BEFORE THE:
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

DATE: Monday, February 2, 2026 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 016

TESTIFER(S): Anne E. Lopez, Attorney General, or
Michelle M.L. Puu, Deputy Attorney General

Chair Fukunaga and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill.

Act 213, Session Laws of Hawaii 2024, established the offense of habitual violent crimes, codified as section 707-712.2, Hawaii Revised Statutes (HRS), and provided for the repeal of that section on June 30, 2027. This bill would repeal the sunset date and require the Criminal Justice Research Institute to submit a one-time report to the Legislature before the 2031 Regular Session. The bill would also require the Attorney General to continue submitting annual reports to the Legislature on the effectiveness of section 707-712.2, HRS. These changes allow additional time to evaluate the statute's effectiveness, recognizing the time required for cases to progress through the criminal justice system.

This bill was submitted by unanimous agreement of the Hawaii Law Enforcement Coalition (LEC), whose membership includes the Attorney General, the Chief of Police and Prosecutor of each county, and the Director of Law Enforcement.

The Department respectfully requests the passage of this bill.



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

Testimony to the Thirty-Third Legislature, 2026 Regular Session

Senate Committee on Public Safety and Military Affairs

Senator Carol Fukunaga, Chair
Senator Chris Lee, Vice Chair

Monday, February 2, 2026, 3:00 p.m.
State Capitol, Conference Room 016 & Videoconference

By

Dr. Erin E. Harbinson
Director, Criminal Justice Research Institute

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 2520, Relating to Habitual Violent Crime.

Purpose: Amend Act 213, SLH 2024, by repealing its sunset date and requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature prior to the Regular Session of 2031. Requires the Attorney General, in consultation with Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature.

The Criminal Justice Research Institute's Position:

The Criminal Justice Research Institute (CJRI), which is administratively attached to the Judiciary, respectfully offers comments on Senate Bill No. 2520, which amends Act 213, SLH 2024, by requiring CJRI to submit a one-time report to the Legislature prior to the Regular Session of 2031. Additionally, it amends the annual reporting requirement by directing CJRI to work in consultation with the Department of the Attorney General.

CJRI was established by Act 179 (2019) and is authorized to study all areas of the criminal justice system. CJRI will work with the Department of the Attorney General, Judiciary, and other necessary criminal justice agencies in the State to analyze data and produce a one-time report to the Legislature on the effectiveness of HRS 707-712.2 in reducing habitual violent crime. Furthermore, CJRI will consult with the Department of the Attorney General to assist with their



Senate Bill No. 2520, Relating to Habitual Violent Crime
Senate Committee on Public Safety and Military Affairs
Monday, February 2, 2026 at 3:00 p.m.
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annual reports to the Legislature on the ongoing effectiveness of HRS 707-712.2 in addressing repeat violent crime in the State. Based on current resources, CJRI can provide research support for both requirements by applying their knowledge of statewide criminal justice data and research analysis. Currently, CJRI has access to data to fulfill their obligations by working in consultation with the Department of the Attorney General for the annual reporting requirements. CJRI may need to request data from other agencies such as the Judiciary or law enforcement at a later date to conduct the evaluation of the bill's effectiveness.

Additionally, in line with research methodology best practices, CJRI research staff finds the bill's timelines adequate for the report to the Legislature that analyzes the effectiveness of the Act in reducing violent crime, due twenty (20) days prior to the start of the 2031 regular session. This due date allows sufficient time to produce a reliable and valid assessment of the effectiveness of HRS 707-712.2 in reducing habitual violent crime in the State. Best practices in social science indicate that at least five years of data should be collected before and after to identify policy effectiveness. The timeframe outlined in the bill allows for at least five years for offenders to be charged under this statute, criminal case processing, and data collection to facilitate analysis of the law's effectiveness.

Thank you for the opportunity to comment on Senate Bill No. 2520.

JOSH GREEN, M.D.
GOVERNOR

LATE



MARK PATTERSON
CHAIR

CHRISTIN M. JOHNSON
OVERSIGHT COORDINATOR

COMMISSIONERS
HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
E HUIKALA A MA'EMA'E NO
235 S. Beretania Street, 16th Floor
HONOLULU, HAWAII 96813
(808) 587-4160

TO: The Honorable Carol Fukunaga, Chair
The Honorable Chris Lee, Vice Chair
Senate Committee on Public Safety and Military Affairs

FROM: Mark Patterson, Chair
Hawai'i Correctional System Oversight Commission

SUBJECT: Senate Bill 2520, Relating to Habitual Violent Crime
Hearing: Monday, February 2, 2026; 3:00 p.m.
State Capitol, Room 016

Chair Fukunaga, Vice Chair Lee, and Members of the Committee:

The Hawai'i Correctional System Oversight Commission (HCSOC) **submits comments** on Senate Bill 2520, Relating to Habitual Violent Crime which amends Act 213, SLH 2024, by repealing its sunset date and requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature prior to the Regular Session of 2031, and requires the Attorney General, in consultation with Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature.

The Commission respectfully requests that a comprehensive impact statement be conducted to assess how proposed penal code changes may affect the incarcerated population, including potential consequences for sentence length and facility capacity.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-849-3580 or at christin.m.johnson@hawaii.gov. Thank you for the opportunity to testify.

**DEPARTMENT OF THE PROSECUTING ATTORNEY
KA 'OIHANA O KA LOIO HO'OPI'I
CITY AND COUNTY OF HONOLULU**

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STEVEN S. ALM
PROSECUTING ATTORNEY
LOIO HO'OPI'I

LATE



THOMAS J. BRADY
FIRST DEPUTY PROSECUTING ATTORNEY
HOPE MUA LOIO HO'OPI'I

**THE HONORABLE CAROL FUKUNAGA, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
Thirty-Third State Legislature
Regular Session of 2026
State of Hawai'i**

February 2, 2026

RE: S.B. 2520; RELATING TO HABITUAL VIOLENT CRIME.

Chair Fukunaga, Vice Chair Lee, and members of the Senate Committee on Public Safety and Military Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in **strong support** of S.B. 2520.

As prosecutors, we witness firsthand the devastating impact of repeat violent offenders on our communities. Act 213 (2024) was an essential step to addressing habitual violent crime, including sexual assault, domestic violence, and assaults against police officers. But the statute's approaching sunset provision threatens to prematurely end this important tool before we can properly assess its effectiveness.

The habitual violent crime statute targets a narrow category of serious repeat offenders: those who have three or more violent crime convictions within five years. This is not a broad net, but rather a focused tool for the most persistent violent criminals. In practice, the statute has been used sparingly and responsibly.

The current sunset date leaves insufficient time to evaluate Act 213's effectiveness. First, felony cases take significant time to progress through the courts. Violent felony cases can take two years or more before trial, let alone sentencing and appeal. Second, best practices in research methodology require longitudinal data. As the bill preamble notes, experts recommend collecting five years of data to understand how a law works in practice. Third, deterrence takes time. It relies on both publicity and predictability: the law must be seen and seen to work. Two years is too short to assess this deterrent effect.

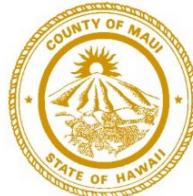
The Department fully supports the reporting requirements.

Thank you for the opportunity to testify.

RICHARD T. BISSEN, JR.
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

SHELLY C. MIYASHIRO
First Deputy Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON S.B. 2520 RELATING TO HABITUAL VIOLENT CRIME

February 1, 2026

The Honorable Carol Fukunaga
Chair
The Honorable Chris Lee
Vice Chair
and Members of the Committee on Public Safety and Military Affairs

Chair Fukunaga, Vice Chair Lee, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of S.B. 2520, Relating to Habitual Violent Crime**. This bill protects public safety by removing the sunset date for the Habitual Violent Crime offense in HRS §707-712.2 and requiring annual reports on the effectiveness of this offense in addressing repeat violent crime.

We support this bill because it preserves a law that allows violent offenders to be charged with a felony for repeatedly committing misdemeanor-level violent crimes such as Abuse of a Family or Household Member. Violent repeat offenders who continually victimize our community need to be appropriately punished for their behavior, and retaining HRS §707-712.2 as an offense helps us do that.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports S.B. 2520**. 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.



POLICE DEPARTMENT COUNTY OF MAUI



JOHN PELLETIER
CHIEF OF POLICE

55 MAHALANI STREET
WAILUKU, MAUI, HAWAII 96793
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WADE M. MAEDA
DEPUTY CHIEF OF POLICE

February 1, 2026

Honorable Senator Carol Fukunaga, Chair
Honorable Senator Chris Lee, Vice Chair
and Members
Committee on Public Safety and Military Affairs
The Thirty-Third Legislature
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

**SUBJECT: Testimony in Support of S.B. 2520
Relating to Habitual Violent Crime**

Dear Chair Fukunaga, Vice-Chair Lee, and Committee Members:

I am writing in support of SB 2520, which amends Act 213, Session Laws of Hawai'i 2024, to allow for a thorough evaluation of its effectiveness in addressing habitual violent crime.

SB 2520 is important as it removes the sunset date of Act 213, keeping the law in effect while it is properly evaluated, requiring the Criminal Justice Research Institute to submit a report to the legislature prior to the 2031 regular session evaluating the law's impact on habitual violent crime.

In addition, the bill ensures that county prosecutors provide the data necessary for accurate and comprehensive reporting. It also mandates annual reports from the Attorney General that include data on arrests, repeat offenses, cases charged, and case outcomes.

While this law is vital to public safety, the complexity and length of felony cases require additional time and comprehensive data to accurately evaluate its effectiveness.

I respectfully urge the Committee to pass SB 2520.

Sincerely,

JOHN PELLETIER
Chief of Police

KELDEN B.A. WALTJEN
PROSECUTING ATTORNEY

SHANNON M. KAGAWA
FIRST DEPUTY
PROSECUTING ATTORNEY



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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN SUPPORT OF SENATE BILL 2520

A BILL FOR AN ACT RELATING TO HABITUAL VIOLENT CRIME

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Carol Fukunaga, Chair
Senator Chris Lee, Vice Chair

Monday, February 2, 2026 at 3:00 p.m.
Via Videoconference
State Capitol Conference Room 229
415 South Beretania Street

Honorable Chair Fukunaga, Vice-Chair Lee and Members of the Committee on Public Safety and Military Affairs. The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony **in support** of Senate Bill 2520.

The purpose of SB 2520 is to provide more time to evaluate the effectiveness of Act 213, SLH 2024, by repealing its sunset date and requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature prior to the Regular Session of 2031. It also requires the Attorney General, in consultation with Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature.

SB 2520 was introduced as a part of the Hawai'i Law Enforcement Coalition ("LEC") Package. The LEC is comprised of the four county police departments and prosecuting attorneys offices, Department of Law Enforcement, and Department of the Attorney General. In order for a bill to be included within the LEC package a bill must be unanimously supported by all LEC member agencies.

For the foregoing reasons, the County of Hawai'i, Office of the Prosecuting Attorney **supports** the passage of Senate Bill 2519. Thank you for the opportunity to testify on this matter.

SB-2520

Submitted on: 1/30/2026 5:02:18 PM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Deutzman	Individual	Support	Written Testimony Only

Comments:

Aloha Senators Fukunaga, Lee, and members of the Hawaii Senate Committee on Public Safety, Intergovernmental and Military Affairs Committee,

As a strong original advocate of the Habitual Violent Felony law when it was passed in 2024, I am urging you to extend the sunset date. The original opponents of the bill were concerned about it putting more people in jail. It has not put anyone in jail yet. Most felonies take several years to percolate through the system, and the original three-year sunset is not enough time to properly evaluate the law's effectiveness. The law targets a very small but very dangerous subset of the criminal population who have a frightening habit of attacking and hurting innocent people.

Here is the relevant part of my testimony from 2024, when this was called SB 2347: “Regarding worries about ‘mass incarceration’ Based on my data, there are less than a handful of individuals in my neighborhood who would qualify for felony prosecution under 2347, and likely not too many who would face felony charges in the entire state. However, the individuals who do qualify are dangerous enough to warrant this surgical approach to target the worst of the worst.

Additionally, this is not a “three strikes you’re out” law. SB 2347 allows prosecutors to use discretion to charge the felony.

John Deutzman Waikiki

SB-2520

Submitted on: 2/1/2026 9:11:09 AM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Katherine Muhs	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm writing in support of SB2520.

Hawaii has too many repeat offenders on the streets as it is. It's imperative that the State continue its efforts to track these crimes and criminals. Please pass this bill into law.

Sincerely,

Katherine Muhs, Keaau, HI

SB-2520

Submitted on: 2/1/2026 10:47:00 AM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyler Ubias	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-2520

Submitted on: 2/1/2026 12:15:04 PM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lily Villarin	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-2520

Submitted on: 2/1/2026 12:16:51 PM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Villarin	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-2520

Submitted on: 2/1/2026 12:43:36 PM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Revells	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill !

SB-2520

Submitted on: 2/1/2026 1:00:23 PM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Albertbraceros	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-2520

Submitted on: 2/1/2026 1:25:17 PM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rustin Magliba	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

LATE

SB-2520

Submitted on: 2/2/2026 12:45:01 PM
Testimony for PSM on 2/2/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Atom Kasprzycki	Individual	Oppose	Written Testimony Only

Comments:

This bill violates the US Constitution and the Second Amendment.