

STAND. COM. REP. NO. **3288**

Honolulu, Hawaii

MAR 30 2026

RE: H.B. No. 1628
H.D. 2
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. 1628, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COMPASSIONATE RELEASE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a protocol for compassionate release for certain ill or seriously debilitated incarcerated persons; and
- (2) Establish a working group within the Department of Corrections and Rehabilitation to develop initial administrative rules to implement the protocol.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Office of Hawaiian Affairs, Hawaii Correctional System Oversight Commission, Hawaii Disability Rights Center, Community Alliance on Prisons, Aloha Independent Living Hawaii, Malu 'Aina Center for Non-violent Education & Action, 'Ekolu Mea Nui, ACLU Hawai'i, Share Your Mana, Ohana Ho'opakele, Hawai'i Health & Harm Reduction Center, FAMM, Native Hawaiian Legal Corporation, Hawai'i Community Safety Coalition, Hawai'i Friends of Restorative Justice, a form letter



signed by approximately thirty-five individuals, and seventeen individuals.

Your Committee received testimony in opposition to this measure from the Department of Corrections and Rehabilitation, Hawaii Paroling Authority, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, and three individuals.

Your Committee received comments on this measure from the Department of the Attorney General and Crime Victim Compensation Commission.

Your Committee finds that many elderly, seriously ill, and dying individuals pose little threat to public safety, yet remain incarcerated. These incarcerated individuals are often held under conditions that are medically complex, emotionally painful, and inhumane. Compassionate release would allow these individuals to spend their final months with family, preserving dignity at the end of life while ensuring careful review standards, eligibility requirements, and public safety.

Additionally, compassionate release would reduce costs incurred through the incarceration of elderly, seriously ill, and dying individuals. For example, the costs to provide care for critically ill incarcerated individuals can exceed \$900,000 in a single year. In extreme cases involving emergency medical evacuation and hospitalization, these costs can rise dramatically, leading to expenses exceeding \$2,000,000. Compassionate release as established by this measure would substantially reduce these costs.

Your Committee notes that the companion to this measure, S.B. No. 2688, S.D. 1, which was previously passed by the Senate, is a substantially similar measure that also establishes a protocol for compassionate release for certain ill or seriously debilitated incarcerated persons.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. 2688, S.D. 1 (2026), a substantially similar measure, which:



- (A) Establishes a protocol for compassionate release for certain ill or seriously debilitated incarcerated persons;
 - (B) Appropriates funds; and
 - (C) Includes an effective date of July 1, 2050; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes the testimony of the Department of Corrections and Rehabilitation and Hawaii Paroling Authority expressing concerns that this measure may infringe on the Governor's authority to commute sentences and interfere with court-imposed mandatory minimum terms of imprisonment. Your Committee finds that these issues raise concerns that merit further consideration and requests further examination by your Committees on Judiciary and Ways and Means, should they 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. 1628, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1628, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety and
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.:* HB1628 HD2	Committee Referral: PSM, JDL / WAM	Date: 3/25/26		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> 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: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes