

Honolulu, Hawaii
MAR 05, 2026

RE: H.B. No. 2494
H.D. 1

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

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2494 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL JUSTICE REFORM,"

begs leave to report as follows:

The purpose of this measure is to reduce unnecessary arrests in criminal cases by:

- (1) Amending the factors under which officers may arrest and detain persons without a warrant for petty misdemeanors and violations, and requiring officers to document the justification for the arrests;
- (2) Amending the circumstances under which officers may issue citations in lieu of arrest;
- (3) Requiring officers to issue citations in lieu of arrest for certain petty misdemeanors and violations, unless public safety or flight risks are present or the alleged offense involves operating a vehicle under the influence of an intoxicant or the abuse of family or household members; and
- (4) Improving court appearance rates through a redesigned citation form and updated required citation information.



Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Office of the Public Defender; Maui Police Department; ideas42; R Street Institute; Policing Project of the New York University School of Law; ACLU of Hawai'i; Drug Policy Forum of Hawai'i; and five individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General; Office of the Prosecuting Attorney of the County of Hawai'i; Department of the Prosecuting Attorney of the County of Maui; Department of the Prosecuting Attorney of the City and County of Honolulu; Honolulu Police Department; and numerous individual. Your Committee received comments on this measure from the Judiciary and Hawai'i Correctional System Oversight Commission.

Your Committee finds that requiring citations in lieu of arrest for most petty misdemeanors and violations, while preserving officer discretion for public safety, flight risk, DUI, and domestic abuse cases, will reduce unnecessary custodial arrests and associated harms. Your Committee further finds that clarifying arrest factors, requiring documentation of arrest justifications, and modernizing citation forms to improve court appearance rates will promote fairer, more efficient use of limited law enforcement and correctional resources without compromising public safety.

Your Committee has amended this measure by:

- (1) Restoring language that requires the last four digits of the offender's social security number to be included on the citation, if available;
- (2) Requiring the Criminal Justice Research Institute to submit reports to the Legislature before the Regular Sessions of 2027, 2028, and 2029 on the use of criminal citations, and requiring criminal justice agencies to provide the necessary data for the reports;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2494, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2494, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



