

STAND. COM. REP. NO. **3287**

Honolulu, Hawaii

**MAR 30 2026**

RE: H.B. No. 2494  
H.D. 1  
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 Judiciary, to which was referred H.B. No. 2494, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish factors under which officers may arrest and detain persons without a warrant for petty misdemeanors and violations, and require officers to document the justification for the arrests;
- (2) Amend the circumstances under which officers may issue citations in lieu of arrest;
- (3) Require 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;
- (4) Require the Judiciary to promulgate a standardized citation form and update the required information for citations; and



- (5) Require the Criminal Justice Research Institute to submit reports.

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, Policing Project at the New York University School of Law, Law Enforcement Action Partnership, ACLU Hawai'i, and three individuals.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kaua'i, Honolulu Police Department, Maui Police Department, Kaua'i Police Department, State of Hawaii Organization of Police Officers, Kohala Coast Resort Association, Fairmont Orchid, Hawai'i Hotel Alliance, and one individual.

Your Committee received comments on this measure from the Judiciary and Criminal Justice Research Institute.

Your Committee finds that unnecessary custodial arrests for petty misdemeanors and violations contribute directly to correctional system overcrowding in the State. Many individuals arrested for low-level offenses do not pose a significant public safety risk, yet arrests often result in pretrial detention due to inability to afford bail. Even short periods of incarceration increase correctional population pressures, strain staffing and facility resources, and contribute to system inefficiencies. This measure will preserve correctional system resources for individuals who present genuine risks to public safety by reducing the number of people who unnecessarily enter into correctional facilities.

Your Committee has amended this measure by:

- (1) Requiring the Judiciary to promulgate a standardized citation form and update the required information for citations by January 1, 2028, rather than July 1, 2027;



- (2) Specifying that the standardized citation form is required to include information on available options for citation resolution for violations or infractions;
- (3) Requiring citations be visible on the offender's criminal record;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2494, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2494, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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




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KARL RHOADS, Chair



The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

Record of Votes  
 Committee on Judiciary  
 JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2999 HD1	JDL.WAM	3/29/26		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	4	—	1	—
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