

STAND. COM. REP. NO. 1887-26

Honolulu, Hawaii

APR 09 , 2026

RE: H.R. No. 138
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.R. No. 138, H.D. 1, entitled:

"HOUSE RESOLUTION URGING THE PROHIBITION OF THE USE OF
"EXCITED DELIRIUM", OR SIMILAR PSEUDOSCIENTIFIC CONCEPTS, AS
A MEDICAL DIAGNOSIS, CAUSE OF DEATH, OR LEGAL THEORY IN THE
STATE OF HAWAII,"

begs leave to report as follows:

The purpose of this measure is to urge the prohibition of the use of "excited delirium", or similar pseudoscientific concepts, as a medical diagnosis, cause of death, or legal theory in the State, and to encourage that medical determinations, official records, and legal proceedings be grounded in scientifically valid and medically recognized principles. This measure would also be transmitted to the Mayors of the counties of Maui, Kauai, Hawaii; the Mayor of the City and County of Honolulu; and the Chairpersons of the Maui County Council, Kauai County Council, and Hawaii County Council; and Chairperson of the Honolulu City Council.

Your Committee has received testimony in support of this measure from Aloha Independent Living Hawaii, ACLU of Hawaii, and eight individuals.

Your Committee finds that even though most major national and international medical organizations have disavowed the use of the

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term "excited delirium" in clinical, forensic, or legal contexts, it is still being used by law enforcement in cases where force is used, and a death occurs. Your Committee also finds that this term was enough of an explanation to allow the Honolulu Police Department to prevail against a civil suit brought against them in the case of Sheldon Haleck. Your Committee believes that disallowing the use of this term in official capacities will close a large hole which exists in the justice system, which has so far left a viable excuse for the use of excessive force by police departments.

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 concurs with the intent and purpose of H.R. No. 138, H.D. 1, and recommends its adoption.

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



DAVID A. TARNAS, Chair



