

Honolulu, Hawaii

MAR 24 , 2026

RE: S.B. No. 2325
S.D. 1
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 Human Services & Homelessness, to which was referred S.B. No. 2325, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO JUVENILE OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to allow a court to modify the sentences of juvenile offenders if the court finds that, after consideration of certain factors, the defendant is not a danger to the safety of any person or the community and the modification is in the interests of justice.

Your Committee received testimony in support of this measure from the Judiciary; Office of the Public Defender; Officer of Hawaiian Affairs; Human Rights for Kids; Campaign for the Fair Sentencing of Youth; National Life Without Parole Leadership Council; and American Civil Liberties Union of Hawai'i.

Your Committee finds that there are developmental differences between youth and adults, and that these differences must be taken into account when children are being sentenced for adult crimes. As the United States Supreme Court has noted, developments in psychology and brain science continue to show fundamental differences between juvenile and adult minds, meaning adolescents generally have diminished culpability, greater capacity for



change, heightened vulnerability to negative influences and outside pressures, and lack the ability to extricate themselves from horrific, crime-producing settings.

Your Committee further finds that recent research shows that children tried as adults have often been victims of physical, emotional, and sexual abuse, and come from broken homes where domestic violence, substance abuse, mental illness, and incarceration are common. This measure is therefore intended to create a mechanism for individuals sentenced as adults for offenses committed in their youth to seek review and modification of their sentences, consistent with the recognized developmental characteristics of youth.


However, your Committee notes the concerns raised in testimony by the Judiciary regarding whether the language proposed by this measure is sufficient to fulfill its stated intent. The Judiciary noted that because the State currently has a true indeterminate sentencing scheme for felony offenses, a new statutory framework, which is not present in this measure, would be necessary to replace the current scheme with a graduated or range of determinate and indeterminate term sentencing scheme. Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, to consider the Judiciary's testimony and consider if this measure could be amended in a way that complements the State's existing sentencing guidelines for juveniles convicted as adults.

Your Committee has amended this measure by 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 Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2325, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2325, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,



LISA MARTEN, Chair



