

Honolulu, Hawaii

**MAR 30**, 2026

RE: S.B. No. 2688  
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 Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2688, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a compassionate release protocol for certain ill or seriously debilitated incarcerated persons.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Community Alliance on Prisons; and Hawaii Disability Rights Center. 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 City and County of Honolulu; Department of the Prosecuting Attorney of the County of Maui; and three individuals. Your Committee received comments on this measure from the Department of the Attorney General; Crime Victim Compensation Commission; Hawai'i Correctional System Oversight Commission; Office of the Public Defender; Ohana Hoopakele; Hawai'i Friends of Restorative Justice; FAMM; Native Hawaiian Legal Corporation; and five individuals.



Your Committee finds that the State's correctional facilities are experiencing rising medical and custodial challenges due to an aging and medically complex incarcerated population, resulting in significant increases in health care costs and operational strain. Your Committee further finds that many seriously ill or debilitated individuals no longer meaningfully benefit from incarceration and often require a level of care that the correctional system is unable to provide without extraordinary expense. Your Committee believes that creating a formal compassionate release process promotes dignity, reduces costs, and ensures that individuals with severe medical needs can receive appropriate care in community settings.

Your Committee finds that H.B. No. 1628, H.D. 2 (Regular Session of 2026), a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1628, H.D. 2, a measure that:
  - (A) Substitutes a definition of "debilitating or irreversible condition" for the definition of "debilitating, chronic, or irreversible condition";
  - (B) Amends the definition of "incarcerated person";
  - (C) Increases the number of criteria by which an incarcerated person may be considered for compassionate release;
  - (D) Specifies that with respect to the initiation of an application for compassionate release, an incarcerated person's representative must be from outside the Department of Corrections and Rehabilitation;
  - (E) Specifies the notice requirements for the administrative hearing that the Hawaii Paroling Authority must hold to consider an application for compassionate release;

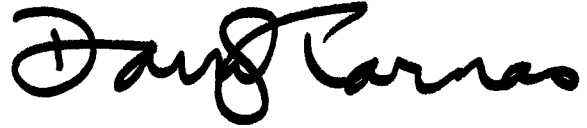


- (F) Clarifies the requirements that must be met, if the Hawaii Paroling Authority denies an application for compassionate release, before an incarcerated person, or the incarcerated person's representative, can reapply or be reconsidered for compassionate release;
  - (G) Clarifies the criteria of an individual's condition that must be considered with respect to the revocation of compassionate release;
  - (H) Specifies a reporting deadline for the Department of Corrections and Rehabilitation's annual report regarding compassionate release; and
  - (I) Establishes within the Department of Corrections and Rehabilitation for administrative purposes, in collaboration with the Hawaii Paroling Authority and Hawaii Correctional System Oversight Commission, a temporary working group to develop initial administrative rules to implement the compassionate release protocol;
- (2) Changing its effective date to July 1, 3000, to encourage further discussion; and
  - (3) 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 S.B. No. 2688, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2688, S.D. 1, H.D. 1, and be referred to your Committee on Finance.



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



---

DAVID A. TARNAS, Chair



