



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 2413, H.D. 1, S.D. 1, RELATING TO PRETRIAL REFORM.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Tuesday, April 7, 2026

TIME: 10:15 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Michelle M.L. Puu,
Deputy Attorney General, at (808) 586-1160)

Chair Rhoads and Members of the Committee:

The Department of the Attorney General respectfully opposes this bill.

This bill purports to create a pretrial release standard for criminal courts "that is fairer to the arrestee and focuses on ensuring safety and compliance, rather than penalizing an isolated failure to appear" (page 4, lines 5-8), by eliminating the use of monetary bail and generally requiring defendants to be released on their own recognizance for all traffic offenses, violations, nonviolent petty misdemeanor offenses, nonviolent misdemeanor offenses, and nonviolent class C felonies. While the bill creates exceptions for a defendant who presents a "specific, real, and present threat" (page 6, lines 1-2), or high likelihood of "wilful flight" (page 6, line 3; and definition on page 8, lines 6-14), it is unclear what these terms mean.

2025 PENAL CODE REVIEW COMMITTEE

The Department opposes this bill as it proposes sweeping changes to the pretrial bail system, with no indication that such changes were desired or contemplated by the 2025 Penal Code Review Committee.

Act 245, Session Laws of Hawaii (SLH) 2024, required the Judicial Council to appoint a committee to examine revisions to the Hawaii Penal Code. Thereafter, the Hawai'i State Judiciary convened a Penal Code Review Committee (PCRC) comprised of over sixty representatives from the Office of the Public Defender, Prosecutors,

members of the Legislature, and various other stakeholders, divided by cross-sections into eight subcommittees.

Notably, one of the subcommittees was dedicated solely to reviewing chapter 804, HRS, which contains the bail provisions. That subcommittee and the larger PCRC took a more measured approach, rather than making broad amendments, and only proposed two specific revisions to sections 804-7 and 804-7.1, HRS,¹ which are now contained in H.B. No. 2414 (2026), part X (see page 38, line 1, to page 41, line 21). Given the comprehensive membership of these committees, awareness of the prior pretrial bill passed by the 2022 Legislature in H.B. No. 1567, H.D. 1, S.D. 1, C.D. 1, which was similar to the present bill, was likely. However, the PCRC gave no indication of the need for the type of extensive changes being proposed in this bill.

UNCLEAR EFFECT OF 2019 CHANGES

To date, there has been no report, study, audit, or other formal assessment of any data or changes resulting from Act 179, SLH 2019. In 2019, the Legislature passed changes to Hawaii's bail system under H.B. No. 1552 (2019), which was enacted as Act 179, SLH 2019. These changes were derived from recommendations made by a criminal justice pretrial task force convened by the Hawaii State Judiciary. The creation of that task force was prompted by House Concurrent Resolution No. 134 (2017), which directed the task force to:

- (1) Examine and, as needed, recommend legislation and revisions to criminal pretrial practices and procedures to increase public safety while maximizing pretrial release of those who do not pose a danger or a flight risk; and
- (2) Identify and define best practices metrics to measure the relative effectiveness of the criminal pretrial system, and establish ongoing

¹ See "Final Report of the 2025 Advisory Committee on Penal Code Review," pp. 54-56 and 65-65. Available online at <https://www.courts.state.hi.us/wp-content/uploads/2025/12/RPT-2025-Penal-Code-Review-Committee-FINAL.pdf>; last accessed February 17, 2026. Although there was a contemplated need to define "least restrictive conditions," on page 64, this bill does not attempt to define that term and goes far beyond defining any existing terms found in chapter 804.

procedures to take such measurements at appropriate time intervals[.]

H.C.R. No. 134, 29th Leg., Reg. Sess. (2017).

Among other major changes, the resulting Act 179, SLH 2019:

- Amended sections 804-5 and 804-7.1, HRS, to expressly require that courts "impose the least restrictive [financial and/or non-financial] conditions required **to ensure the defendant's appearance and to protect the public.**" See Act 179, sections 17 and 19 (emphasis added);
- Created section 804-9.5, HRS, which allows courts to release defendants upon the execution of unsecured financial bonds; and
- Created the Criminal Justice Research Institute (CJRI), which is responsible for, among other things, establishing and maintaining a centralized statewide criminal pretrial justice data reporting and collection system, and developing and tracking indicators that accurately reflect the effectiveness of the State's criminal pretrial system.

While this bill asserts that "Defendants [should be] released based on the risks they present for non-appearance and recidivism, rather than their financial circumstances" (page 3, lines 3-5), there is no clear indication that the courts are making pretrial release decisions based on anything other than the risks that people present for non-appearance and recidivism (i.e., if recidivism equates to "protect[ing] the public," as required by sections 804-5, and 804-7.1, HRS). And while financial circumstances are still considered by the courts, this is being done at the express instruction of the Legislature, which amended section 804-9, HRS, under Act 179 (2019), to provide that bail "shall be set in a reasonable amount based upon all available information, including . . . the defendant's financial ability to afford bail."

RECOMMENDATIONS OF THE CRIMINAL PRETRIAL TASK FORCE IN 2018

Section 1 of this bill describes how the Hawaii Judiciary conducted the most comprehensive recent statewide efforts to improve the pretrial system, which culminated in the final report of the Criminal Pretrial Task Force in 2018. That two-hundred-fifty-page report outlined twenty-five recommendations to improve the pretrial

system. For purposes of this bill, the Legislature considered one of the most important recommendations to be eliminating the use of monetary bail. (page 2, line 10, to page 3, line 7). However, the proposed legislation deviates from many of the other important recommendations of the task force²:

- The task force's recommendation, quoted in section 1 of this bill, **did not include class C felonies**, and was limited to "traffic offenses, violations, non-violent petty misdemeanor and non-violent misdemeanor offenses" (see page 2, lines 19-21);
- In addition to exempting the specific offenses enumerated on page 6, lines 10-21), the task force recommended an express exclusion for "any other crime of violence"³;
- The task force recommended an exclusion when "the defendant has a history of non-appearance within the past 24 months" not "wilful flight," as proposed on page 6, line 3, and page 8, lines 6-14)⁴;
- The task force recommended an exclusion when "the defendant presents a risk of danger to any other person or the community" not a "specific, real, and present threat to any other persons or the community"⁵; and
- This bill failed to include the exclusion when "the defendant has at least one prior conviction for a misdemeanor or felony crime of violence"⁶.

While the Department opposes this bill, if it is the Committee's intent to implement the recommendations of the 2018 criminal pretrial task force, their recommended safeguards should be maintained.

ENSURE THE DEFENDANT'S APPEARANCE AND PROTECT THE PUBLIC

Finally, mandating that anyone arrested for a "nonviolent" petty misdemeanor, misdemeanor, or class C felony offense be released on their own recognizance, undermines the court's ability to thoughtfully "ensure the defendant's appearance and to

² "Recommendations of the Criminal Pretrial Task Force to the Thirtieth Legislature of the State of Hawaii," December 2018, pp. 88-89. Available online at https://www.courts.state.hi.us/wp-content/uploads/2018/12/POST_12-14-18_HCR134TF_REPORT.pdf; last accessed April 3, 2026.

³ *Id.*, p. 88.

⁴ *Id.*, p. 88.

⁵ *Id.*, p. 89.

⁶ *Id.*, p. 88.

protect the public" under sections 804-5 and 804-7.1, HRS. Although the bill provides exceptions for certain enumerated offenses, there is no consideration given to other important factors, such as arrestees who were:

- Known to have a history of non-appearance; or
- Convicted offenders with a history of violent crimes.

As discussed above, these concerns were also contemplated and accounted for in the recommendations of the 2018 criminal pretrial task force.

Currently, courts have the discretion to review the totality of circumstances and consider all relevant information in deciding that they are imposing the least restrictive conditions required to ensure a defendant's appearance and to protect the public.

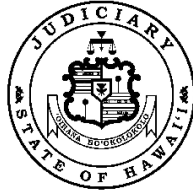
Removing that discretion presents a risk of non-appearance and a risk to public safety that the Department cannot support.

In addition, there is some confusion as to whether it is the bill's intent to excuse "an isolated failure to appear" (page 4, line 7-8), or "recurring or patterned conduct to evade prosecution or by a failure to take affirmative steps to communicate regarding or remedy missed court dates." (page 8, lines 9-11). Again, the 2018 criminal pretrial task force recommended a much clearer exclusion when "the defendant has a history of non-appearance within the past 24 months."⁷

Rather than rushing to impose such sweeping changes to the bail system, without any apparent support or recommendation for such changes from the Penal Code Review Committee, without sufficient data to support such changes, and without appropriate safeguards to ensure public safety and the appearance of defendants at court, the Department strongly recommends that this bill be held.

Thank you for considering our testimony.

⁷ *Id.*, p. 88.



The Judiciary, State of Hawai‘i

Testimony to the Thirty-Third Legislature, 2026 Regular Session

Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Tuesday, April 7, 2026, 10:15 a.m.

State Capitol, Conference Room 016

by

Jennifer Awong

Staff Attorney, First Circuit Criminal Administrative Division and Judiciary Administration

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 2413, H.D. 1, S.D. 1, Relating to Pretrial Reform

Purpose: Requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions. Establishes exclusions for specified offenses, threats to public safety, and certain other circumstances. Requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted. Requires prosecutors to notify victims of pretrial decisions. Effective 7/1/3000. (SD1)

Judiciary's Position:

The Judiciary supports the intent of the proposed legislation and notes that any pretrial bail reform should be tailored to the presumption of innocence, ensuring the appearance of the defendant, minimizing the risk of danger to the community, and ensuring the equal treatment of individuals regardless of race, wealth, or social class. The legislation seeks to ensure the release at arraignment of defendants who were initially arrested and held for violations, traffic offenses, and nonviolent petty misdemeanors, misdemeanors, and class “C” felony offenses subject to certain conditions. The Judiciary appreciates the amendments made by the Senate Committee on Public Safety and Military Affairs addressing some of the concerns and comments in the Judiciary’s previous testimony and offers the following comments for the Committee’s additional information and consideration.



First, subsection (f)¹ requires the consideration of bail at every subsequent appearance of the defendant after arraignment without the necessity of the filing of a motion by the defendant. The Judiciary would simply note that operationally, due to existing statutory provisions absent a motion from the defendant, a pretrial bail report from the Intake Service Center will not be available to the court for those defendants who remained in custody after arraignment. The court will likely have to rely solely on the prior bail report, if any, and any additional evidence produced by the State and defense.

Second, the Judiciary respectfully suggests that the definition of “wilful flight” in subsection (h) be amended to include the failure to maintain contact with counsel. Specifically, the Judiciary proposes that subsection (h) state (changes are underlined):

(h) For the purposes of this section, “wilful flight” means intentional conduct undertaken with the purpose of thwarting the judicial process to avoid prosecution. “Wilful flight” may be evidenced by recurring or patterned conduct to evade prosecution or by a failure to take affirmative steps to communicate with counsel, including regarding court dates or remedying missed court dates. “Wilful flight” does not include isolated instances of nonappearance in court where good cause is shown by the defendant for the nonappearance.

Finally, the Judiciary respectfully notes that the requirement in subsection (f) that the court enter written findings as opposed to placing its findings on the record, as it currently does during the HRS § 804-7.5 hearings, may negatively impact the efficient operation of the courts, may cause undue delay in all bail proceedings, and may ultimately require additional judicial resources for each circuit. The issue is significant in all circuit and district courts and is compounded in the District Court of the First Circuit where there are approximately 170 initial appearances and/or arraignments for defendants held in custody every week.² A bail hearing is held for each of these defendants and determinations of bail are made on the record.³ This bill will require the district court to draft and file a significant number of written orders every week when the findings and determinations were already made on the record in the presence of the defendant and their counsel, and even in cases where those defendants are being held for other offenses. The drafting of written findings in these instances would have little impact on the case when oral findings are already made on the record and the later portion of subsection (f) requires a review and consideration and determination of bail at all subsequent hearings. Further, given the additional provisions set forth in subsection (b), the current language in subsection (f) regarding the findings the court must make (“the court shall make written findings explaining why less restrictive conditions would not reasonably assure: (1) The safety of any person or the

¹ The first line of subsection (f) implies that the court can detain a defendant without bail under subsection (e), however subsection (e) only permits the court to set monetary bail.

² There were 8859 initial appearance hearings and/or arraignments in the District Court of the First Circuit in 2024 where the defendant was in custody.

³ These rulings on matters of bail are immediately appealable.



House Bill No. 2413, H.D. 1, S.D. 1, Relating to Pretrial Reform
Senate Committee on Judiciary
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community; or (2) The defendant's appearance in court.") would not fully encompass those additional exclusions.⁴

Thank you for the opportunity to testify on House Bill No. 2413.

⁴ For example, should the defendant ask that monetary bail be set, or if the defendant is on parole or being held under Chapter 704 of the Hawai'i Revised Statutes, those findings would not be applicable, as bail will likely be set for the purposes of pretrial detention credit or simply because the defendant asked.



OFFICE OF HAWAIIAN AFFAIRS

‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai

TESTIMONY IN SUPPORT OF HOUSE BILL 2413 HD1 SD1

RELATING TO PRETRIAL REFORM

Ke Kōmike ‘Aha Kenekoa o ka Ho‘okolokolo

(Senate Committee on Judiciary)

Ke Kapitala ‘o Hawai‘i

(Hawai‘i State Capitol)

‘Apelila 7, 2026

10:15 AM

Lumi 016

Aloha e Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB2413 HD1 SD1** which requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions, establishes exclusions for specified offenses, threats to public safety, and certain other circumstances, requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and requires prosecutors to notify victims of pretrial decisions.

OHA supports policies that promote fairness and proportionality in the pretrial process while maintaining public safety and court appearance requirements. Cash bail systems can result in individuals being detained pretrial solely due to poverty rather than risk. Even short periods of pretrial detention are associated with increased likelihood of job loss, housing instability, and family disruption, which can in turn worsen long-term outcomes and increase system involvement.

Native Hawaiians are disproportionately represented in Hawai‘i’s criminal legal system and are more likely to experience economic vulnerability, making proportionality especially important to avoid inequitable outcomes for OHA beneficiaries and their ‘ohana. This bill establishes guardrails, so bail functions as intended: to reasonably assure court appearance, without becoming an unintended driver of wealth-based detention.

For these reasons, the Office of Hawaiian Affairs respectfully urges this Committee to **PASS HB2413 HD1 SD1**. Mahalo nui for the opportunity to provide testimony on this important measure.

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April 1, 2026

HB 2413 HD1, SD1: RELATING TO PRETRIAL REFORM

Chair Karl Rhoads, Vice Chair Mike Gabbard and Members of the Senate Committee on Judiciary

The Office of the Public Defender (OPD) **strongly supports HB 2413 HD1, SD1 with comments.**

The purpose of HB 2413 HD1, SD1 is to aid in the fulfillment of the goals laid out by the Criminal Pre-Trial Task Force of 2018 and the hope of Act 179 of 2019. As stated in the preamble, regardless of past efforts, little change has occurred for those that are currently being held pre-trial and thus HB 2413 HD1, SD1 needs to be passed to rectify these oversights. The OPD can verify that statutory help is needed to compel the pre-trial release of those defendants covered by HB 2413 HD1, SD1. Furthermore, the safeguards listed in HB 2413 HD1, SD1 would ensure public safety and at the same time secure release for those that do not need to be punished before adjudication. Lastly, passage of HB 2413 HD1, SD1 would lead to significant monetary savings for those agencies that are tasked with holding pre-trial detainees and those tasked with continually litigating the issue of release.

HB 2413 HD1, SD1 ensures the pre-trial release of those charged with violations of law, traffic offenses, nonviolent petty misdemeanor, and misdemeanor offenses and non-violent class C felony offenses. It is important for the legislature to use the proposed language of HB 2413 HD1, SD1: “shall be ordered by the court to be released” so that the intent of said legislation is clear, unambiguous, and allows judges to state, on the record, that the law compels the release when all conditions are met.

Furthermore, the language of HB2413 HD1, SD1 has included ample safeguards for public safety, including the ability of law enforcement to set bail upon arrest, a list of ten specific offenses for which this bill would not apply, eight circumstances under which this bill would not apply and the ability of the prosecutor or pre-trial officer to file application for a violation of the release order which would result in the arrest of the defendant.

The OPD does have concerns regarding two parts of this bill:

First, subsection (d) of the proposed section 804 would allow for a criminal charge for the violation of a release order. We assume that the charge would take the form of an allegation of contempt of court. Currently, in the First Circuit Court contempt is rarely charged under these circumstances, as the most efficient means of re-arresting a defendant for a violation of a release order is the issuance of a verified application of violation of pre-trial release as allowed under proposed subsection (i). The threat of returning to custody is ample deterrence to secure compliance with a release order, and thus the addition of a criminal charge for said violation is unnecessary and punitive.

Second, subsection (f) requires the court, upon a denial of release, to make written findings explaining its decision. The OPD supports the idea of written findings so the record is clear as to the denial of release, but in practical terms this would become onerous for the court. Furthermore, it is possible that the court would require counsel to submit the proposed written findings for each case, which would also be onerous for counsel. The OPD suggests that the language of subsection (f) simple require that findings be made orally on the record, and that said findings be promptly included in the minutes of the case and in the online record known as JEFS/JIMS for public access.

The OPD feels that HB 2413 HD1, SD1 is a major step in the right direction to end pre-trial incarceration for those who can be safely released into the community. Furthermore, HB 2413 HD1, SD1 allows for the court to exercise some level of discretion by listing exceptions to release to protect the public from possible harm or non-appearance at subsequent court hearings. However, it must always be noted that any person held in custody on a pre-trial basis is still presumed to be innocent.

HB 2413 HD1 would be a first occasion wherein pre-trial release would be the default, and pre-trial incarceration the exception.

Thank you for the opportunity to comment on this measure.

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**THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Thirty-Third State Legislature
Regular Session of 2026
State of Hawai'i**

April 7, 2026

REGARDING H.B. 2413, H.D. 1, S.D. 1 — RELATING TO PRETRIAL REFORM.

Chair Rhoads, Vice-Chair Gabbard, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in opposition to H.B. 2413, H.D. 1, S.D. 1.

This measure continues to require courts to release on recognizance a broad category of defendants—including those charged with nonviolent misdemeanors and certain nonviolent class C felonies—subject to enumerated exceptions. While the Committee has made several amendments to narrow eligibility, the bill still significantly restricts judicial discretion at the earliest stage of a case and raises ongoing public safety and operational concerns.

The Department acknowledges and appreciates the amendments made by the Committee. In particular, the bill now excludes from mandatory release defendants who are pending trial or sentencing, on probation or other forms of supervision, or arrested on additional offenses. These are important safeguards. However, even with these changes, the measure remains problematic for the following reasons:

First, the bill continues to create a presumption of mandatory release that shifts decision-making away from a fully individualized assessment. Although courts may deny release where there is a “specific, real, and present threat” or a “high likelihood of wilful flight,” these determinations must be made at arraignment. Bail determinations are most effective when courts retain full discretion to consider not only the available records, but also the totality of the circumstances as they develop. By imposing a statutory presumption of release, this measure constrains that discretion and may result in release decisions that do not fully account for public safety concerns.

Second, while the Committee has clarified the definition of “wilful flight,” the standard remains overly narrow and difficult to apply in practice. The definition focuses on intentional

conduct and patterned behavior and excludes isolated failures to appear where good cause is shown. In practice, however, even a single missed court appearance can delay proceedings, inconvenience victims, and strain judicial resources. The narrowed definition limits the court's ability to consider meaningful indicators of nonappearance risk.

Third, although additional exclusions have been added, the bill still applies to a wide range of offenses labeled "nonviolent," including certain class C felonies. As prosecutors, we routinely see that so-called nonviolent offenses—particularly repeat property crimes, drug offenses, and crimes involving vulnerable victims—can present significant risks to the community. Public safety cannot be adequately assessed based solely on statutory offense classifications, and courts should retain full discretion to evaluate the totality of circumstances without a statutory mandate favoring release.

Fourth, the measure continues to impose a broad and unfunded mandate on prosecutors to notify victims of decisions made at all stages of a defendant's pretrial case, notwithstanding chapter 801D. This language is expansive and undefined and may require notification after nearly every court event without clarifying scope, timing, or method of compliance.

Equally important, however, is that victim notification is not the same as meaningful victim input. Victims often have critical information regarding the defendant's behavior, history, safety concerns, and risk to the community—information that may not be immediately available in police reports or criminal history at the time of arraignment. By requiring rapid release decisions while simultaneously expanding notification obligations, this bill does not ensure that victims have a meaningful opportunity to be heard before those decisions are made. Victim input is a critical component of informed, fair, and safe pretrial determinations, and this bill does not adequately preserve that role.

Finally, this bill represents a substantial structural change to Hawaii's pretrial system, despite prior reforms under Act 179 (2019). Before further limiting judicial discretion and eliminating monetary bail in broad categories of cases, the Legislature should ensure that reforms are guided by comprehensive Hawaii-specific data, including impacts on failure-to-appear rates, recidivism, and victim safety.

The Department appreciates the Committee's efforts to refine this measure. However, H.B. 2413, H.D. 1, S.D. 1 still shifts the balance too far away from judicial discretion, creates practical challenges at the arraignment stage, and imposes significant unfunded mandates on prosecutors while failing to ensure meaningful victim input.

For these reasons, the Department of the Prosecuting Attorney respectfully urges this Committee to defer this measure.

Thank you for the opportunity to testify.

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OFFICE OF THE PROSECUTING ATTORNEY

TESTIMONY IN OPPOSITION TO HOUSE BILL 2413, HOUSE DRAFT 1, SENATE DRAFT 1

A BILL FOR AN ACT
RELATING TO PRETRIAL REFORM

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Tuesday, April 7, 2026 at 10:15 a.m.
Via Videoconference
State Capitol Conference Room 415
415 South Beretania Street

Honorable Chair Tarnas, Vice-Chair Poepoe and Members of the Committee on Judiciary and Hawaiian Affairs: The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony **in opposition** to House Bill 2413, House Draft 1, Senate Draft 1.

Although our office appreciates the intent of this legislation, we are concerned about the potential effects of this legislation on community safety and crime victims. We believe that judges should continue to have discretion to set bail based upon all available information in each individual case.

HB 2413, HD1, SD1, would establish a general rule that would require judges to release all defendants charged with covered offenses on their own recognizance and would forbid judges from setting monetary bail. The measure would cover all defendants charged with "nonviolent" class C felonies, misdemeanors, petty misdemeanors, traffic offenses, and violations. The measure includes an extensive number of exceptions, listing specific conditions that can allow judges to set reasonable bail only if the judge makes a specific finding.¹

¹ Exceptions allow bail to be set for offenses involving assault, terroristic threatening, sexual assault, abuse of family or household members, violations of a temporary restraining order, of an order for protection, or of another restraining order or injunction, OVUII, or negligent homicide. The measure also allows bail to be set if the judge finds a "specific, real, and present threat" to any other person or to the community, or if the judge finds the defendant has "a high likelihood of wilful flight," defining "wilful flight" as "intentional conduct undertaken with the purpose of thwarting the judicial process to avoid prosecution" but not "isolated instances of nonappearance in courts." Additional exceptions added in subsequent drafts allow bail to be set in cases of stalking, defendants on parole, defendants charged with a petty misdemeanor (but not a misdemeanor or class C felony) who are awaiting a hearing to determine fitness to proceed, defendants who request bail to be set, defendants pending trial or sentencing,

We are concerned that HB 2413, HD1, SD1, would require categorically different treatment of “nonviolent” offenses without regard to the actual nature or facts of the offense. Many “nonviolent” class C felony or misdemeanor offenses, either by their nature or in their specific facts, show a clear risk of harm to individual victims, a threat to public safety, or of interference with the justice system that may amply justify the imposition of bail.

Some of the serious and dangerous “nonviolent” offenses that would be covered by this measure are: unlawful possession of firearms, unlawful possession of ghost guns or explosives, possession of child pornography, electronic enticement of a child, extortion, endangering the welfare of a minor, escape from a jail or prison, promoting prison contraband, bail jumping on a felony offense, bribery of witnesses or jurors, and juror intimidation.² This measure would make setting bail in such cases difficult or impossible, even where the facts of the case would clearly justify bail.

We are very concerned about the unintended effect of HB 2413, HD1, SD1, on the standard under HRS § 804-7.1 for a judge to deny release upon a showing of “a danger that a defendant will commit a serious crime or will seek to intimidate witnesses, or will otherwise unlawfully interfere with the orderly administration of justice.” This measure would likely make the denial of release impossible for any defendant charged with a covered offense, including many “nonviolent” offenses directly related to intentional interference with the justice system under HRS § 804-7.1.

HB 2413, HD1, SD1, would apparently operate without regard to the wealth or poverty of an individual criminal defendant, and may unintentionally mandate release on recognizance to those who profit from crime, including organized criminal enterprises, or to the wealthy who could easily post bail or bond without hardship.

HB 2413, HD1, SD1, would create additional requirements for courts and prosecutors in every criminal case, without any benefit for public safety or accountability. The measure would require judges to make written findings to support their decision any time they set bail, increasing the judiciary’s workload despite recordings of every hearing already being part of the record in each case. The measure would require courts to reconsider bail and/or release conditions at every single subsequent court hearing, as well as “at any time without requiring new information or changed circumstance.” This provision would also apparently allow judges to release defendants without notice or an opportunity to be heard. The criminal justice system is an adversarial system, and the prosecution plays an irreplaceable role in bringing important facts to the attention of the court that should not be discarded.

The prosecution also plays an important role in bringing voice to the concerns of crime victims. However, this measure would override Chapter 801D concerning the rights of victims in criminal cases and place the responsibility entirely on the prosecutor to “notify any victim of

defendants on probation, deferral, or conditional release, and defendants arrested, charged, or held for another offense.

² HRS §§ 134-7; 134-8; 134-10.2; 707-752; 707-757; 707-766; 707-767; 709-903.5; 710-1021; 710-1023; 710-1024; 710-1070; 710-1071; 710-1073.

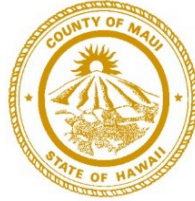
decisions made in the case.” We are concerned that by overriding Chapter 801D and allowing reconsideration of release status and release conditions without notice and an opportunity to be heard, this measure would represent a large step backwards in the rights of crime victims in Hawai‘i.

Ultimately, judges are best positioned to determine the appropriate course of action in each case that comes before them, on a case-by-case basis. Judges should be empowered to use their discretion, not restricted from doing so. For the foregoing reasons, the County of Hawai‘i, Office of the Prosecuting Attorney respectfully **opposes** the passage of House Bill 2413, House Draft 1, Senate Draft 1. Thank you for the opportunity to testify on this matter.

RICHARD T. BISSEN, JR.
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

SHELLY C. MIYASHIRO
First Deputy Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

TESTIMONY ON
H.B. 2413 HD1 SD1
RELATING TO PRETRIAL REFORM

April 6, 2026

The Honorable Karl Rhoads
Chair
The Honorable Mike Gabbard
Vice Chair
and Members of the Committee on Judiciary

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in opposition to H.B. 2413 HD1 SD1, Relating to Pretrial Reform, and requests that this measure be deferred.** This bill would, *inter alia*, require the release on recognizance of persons arrested for violation, nonviolent petty misdemeanor, nonviolent misdemeanor and nonviolent class C felony offenses.

Although we appreciate the Legislature's efforts to address public safety concerns via offense-specific exceptions to the requirement of release on recognizance, in our view these exceptions and the bill's language do not adequately address public safety concerns. For example, the bill does not define "nonviolent" or "threat" and thus may not cover certain types of conduct that would ordinarily result in bail being set. Harassment offenses (a petty misdemeanor per HRS §711-1106) can involve striking, shoving, kicking or otherwise touching another person in an offensive manner, but it is unclear whether offensive touching that doesn't cause pain or other bodily injury (such as an unwanted shoulder massage) is considered "nonviolent" or constitutes a "threat". Similarly, the lack of a clear definition of "threat" makes it unclear whether an offender that shoplifts alcohol twice from two different stores or returns to those stores despite being previously banned constitutes a "threat" to the community.

We would also note that the 2025 Penal Code Review Committee established by Act 245 of the Session Laws of Hawaii had the opportunity to recommend these types of changes to

Chapter 804, but does not appear to have done so or given any clear indication of a need for such an amendment. In the absence of such a recommendation, we believe that the proposed amendments are unnecessary.

Finally, we are concerned about the scope and clarity of the victim notification requirement on pp. 8-9, lines 20-21 and 1-2. As drafted, the notification requirement appears to be overbroad and would arguably apply to **every** decision made in every case by any party at any pretrial proceeding, not just a court's rulings on pretrial release of a defendant. This would have the unintended consequence of not only requiring notification of scheduling decisions for matters where a victim's appearance is often unnecessary, such as a status hearing to determine a new briefing deadline or whether motions in limine would be heard one week or two weeks before a rescheduled trial date, but also trial strategy decisions such as whether witnesses other than the victim will testify and the intended scope of those witness' examination at trial.

Further, the amount of prosecution resources necessary to notify every victim in every case of every decision would be enormous, especially in courts with high case volume such as the District Courts that deal with thousands of traffic and misdemeanor/petty misdemeanor cases every year. The notification requirement is also unnecessary given the existing notification requirements in HRS 801D-4, especially when HRS 801D-4 already requires the prosecution to notify a victim of a defendant's release from custody and major case developments.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **opposes H.B. 2413 HD1 SD1 and requests that it be deferred**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill.

C. Kimo Alameda, Ph.D.
Mayor



LATE
ina
Sherry D. Bird
Deputy Police Chief

William V. Brillhante Jr.
Managing Director

County of Hawai`i

POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998
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April 7, 2026

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
And Members
Committee on Judiciary
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Senators Rhoads and Gabbard and Members:

RE: HOUSE BILL 2413 HD1 SD1 RELATING TO PRETRIAL REFORM
DATE: APRIL 7, 2026
TIME: 10:15 A.M.
PLACE: CONFERENCE ROOM 016 & VIDEOCONFERENCE

The Hawai`i Police Department (HPD) respectfully submits this testimony in strong opposition to HB2413 HD1 SD1.

HPD appreciates the amendments made in the current version, including additional exceptions for stalking, parole status, pending trial or sentencing, pending fitness examinations, and situations in which the defendant or counsel requests monetary bail. These changes improve clarity, but they do not address our fundamental concerns regarding public safety, judicial discretion, and officers' ability to maintain public order.

Across Hawai`i Island, officers frequently make arrests for certain misdemeanors and petty misdemeanors not as punishment, but as a critical tool to de-escalate volatile situations and prevent further harm. These incidents often involve heated disputes, harassment, intoxication, repeated disturbances, or emotionally charged encounters where tensions are high. Removing an individual from the scene is often the only reliable method to restore order and protect everyone involved—including victims, bystanders, and the individuals being arrested.

HB2413 HD1 SD1 continues to mandate that courts shall release defendants on their own recognizance at arraignment and plea for a broad category of offenses. While arraignment may occur 48 hours or more after arrest, this does not resolve our concerns. Many conflicts—especially ongoing neighbor disputes, repeated trespassing incidents, or persistent disorderly conduct—remain volatile even after the initial cooling-off period. Courts must retain the discretion to determine whether release is appropriate based on the facts of each case.

HOUSE BILL 2413 HD1 SD1 RELATING TO PRETRIAL REFORM

DATE: APRIL 7, 2026

TIME: 10:15 A.M.

PLACE: CONFERENCE ROOM 016 & VIDEOCONFERENCE

Although HB2413 HD1 SD1 allows courts to impose conditions of release, this authority is limited because the court is still required to release the defendant in most cases. Conditions are helpful, but they are not substitutes for judicial discretion. In many situations, conditions alone may not adequately address the safety risks or the likelihood of renewed conflict once an individual returns to the same location or the same individuals involved.

The bill's expanded exceptions remain too narrow to capture the broad range of real-world circumstances officers encounter. Many situations involving ongoing confrontation, repeat disturbance calls, or individuals with mental-health or substance-induced impairments do not fall within the statutory exclusions but still pose clear risks of escalation if a defendant is required to be released.

Finally, while victim notification is important, notification alone does not ensure safety. Bail and tailored release conditions often provide critical protective boundaries that help shield victims from renewed contact or retaliation. Mandating release removes important mechanism courts have to impose such safeguards.

For these reasons, the Hawai'i Police Department respectfully requests that the Committee defer HB2413 HD1 SD1.

Thank you for the opportunity to testify.

Na'u Me Ka Ha'aha'a,

A handwritten signature in black ink, appearing to be 'R. Mahuna', with a long horizontal stroke extending to the right.

REED K. MAHUNA
POLICE CHIEF



Aloha Chair Rhoads and Members of the Committee:

On behalf of the Hawai'i Community Safety Coalition, I am writing in support of H.B. 2413 relating to pretrial reform. Our coalition is comprised of organizations and individuals across the state of Hawai'i with expertise in public safety, criminal justice, and public health.

Supporters of this bill have **presented extensive data, including evidence showing that states that have enacted pretrial reform did not experience an increase in crime.** Opponents, by contrast, have largely relied on fear-based arguments and have provided very little supporting data. To demonstrate this asymmetry in evidence, **please see here a list of major studies on the impacts of pre-trial reform, with key takeaways.**

Pretrial Reform & Public Safety: What the Evidence Shows

Bottom Line

- Criminal Justice Research Institute Hawai'i (CJRI) Pretrial Performance Measures Report concluded that most defendants released during pretrial **did not get charged for new crimes.** (p. 61) <https://cjrighawaii.com/metrics/>
- Rigorous, multi-state and multi-city research consistently finds that **pretrial (bail) reform does *not* increase overall crime.** <https://www.brennancenter.org>
- Early release in Hawai'i during Covid (Hawai'i Supreme Court initiative) resulted in population of correctional facilities falling by 800 people **with no appreciable increase in crime.** [Hawai'i Appleseed Outbreak report.](#)
- Yet, CJRI Report found average pretrial **detention in Hawai'i has increased by 24 days in past 12 years.** 32% of people held pre-trial for petty misdemeanors and 56% of people held for misdemeanors **spent between 90 days to a year in jail awaiting trial.** <https://cjrighawaii.com/metrics/>
- There is **no credible body of evidence showing that pretrial reform increases crime.** There is substantial evidence that it can improve fairness and maintain safety at the same time.

1) No Link Between Bail Reform and Rising Crime

- Large-scale studies comparing dozens of cities find **no statistically significant relationship between bail reform and crime rates.**

- Brennan Center for Justice (2023): Analysis of 33 cities found **no statistically significant link between bail reform and crime trends**. <https://www.brennancenter.org>
- MacArthur Justice Center: Multi-site evaluations show **no impact on overall crime rates**. [Safety and Justice Challenge findings on jail reduction and public safety](#)
- Data Collaborative for Justice: **No significant increase in overall re-arrest rates** after bail reform in New York <https://datacollaborativeforjustice.org>
- Arnold Ventures: **Risk-based pretrial systems show low re-arrest rates for low-risk individuals** [Overview of Safety and Justice Challenge and related research](#)
- **Pretrial Justice Institute**: Cash bail does not reliably predict public safety risk [Overview of pretrial reform principles and bail limitations](#)

2) Proven in Real-World Implementation

- Reform jurisdictions (e.g., New Jersey, Washington, D.C., Illinois) show:
 - **Stable or declining crime**
 - **High court appearance rates (~80–90%+)**¹
 - **Low pretrial re-arrest rates**
- New Jersey Judiciary: ~90% appearance; most not re-arrested [Criminal Justice Reform Reports \(annual data\)](#)
- District of Columbia Courts: ~88% appearance; ~89% no re-arrest [Copy of FY25 Key Data and Operational Info](#)
- [Hawai'i Pretrial Reform Task Force Report 2018:](#)
 - Once a defendant is released Intake Services Center provides pretrial services to supervise defendant and monitor adherence to terms and conditions of release.
 - Pretrial services minimize risk of nonappearance at court hearings while maximizing public safety by supervising defendants in the community.

Key Performance Metrics from Specific Jurisdictions

| Jurisdiction | Reform Type | Outcome |
|---|----------------------------------|--|
| New Jersey https://www.prisonpolicy.org/blog/2023/07/06/bail-reform/ | Virtual elimination of cash bail | 50% decrease in pretrial population; violent crime fell significantly (e.g., homicides -32%); 82% of released persons people were not rearrested for new charges in 2023 |

¹<https://www.njcourts.gov/sites/default/files/courts/criminal/criminal-justice-reform/cjr-report-2022-2024.pdf> pp. 13-15)

| | | |
|---|--|---|
| Washington, D.C. https://www.prisonpolicy.org/blog/2023/07/06/bail-reform/ | Risk-based release (no cash bail) | 93% of released individuals were not rearrested for any crime. |
| Cass County, IN https://www.advancingpretrial.org/story/small-county-big-results/ | Reduced reliance on cash bail as a release condition and focus on risk | 96% court attendance rate; 90% arrest-free rate; and 80% reduction in pretrial detention |
| Harris County, TX https://www.prisonpolicy.org/blog/2023/07/06/bail-reform/ | Misdemeanor bail reform | Stable rearrest rates; no evidence of increased crime. Public safety: Re-arrest rates decreased from 23% to 21%. |
| Philadelphia, PA https://www.phila.gov/media/20210208131831/SJC-full-sustainability-application-20200925.pdf?utm_source=chatgpt.com | No cash bail for most misdemeanors | Decrease in the percentage of people rearrested while pretrial. |

Pretrial reform is a public safety strategy—not a risk.

A policy that **eliminates bail for low-level, non-violent offenses**:

- Targets the **lowest-risk population**
- Is **fully consistent with the strongest research findings**
- Represents a **measured, evidence-based reform with minimal risk + clear benefits**

As the state moves forward with plans for a **new and larger \$1 billion expanded-bed superjail to replace OCCC**, overcrowding has been cited as a key justification. The reality is that the vast majority of people in our overcrowded jails are accused but not convicted of any crime and remain incarcerated simply because they cannot afford money bail as low as \$50. (Note: **At least 40% of all people held at OCCC are homeless**, according to DCR Intake Services Center Data for 2024.)

This fact is captured by DCR Director Tommy Johnson in the following statement (**WAM-PSM, WAM-AEN Informational Briefings, 01-07-2025**).

"Our pre-trial misdemeanant population here in the state is 87% when you compare to our sentenced felon population. So what that tells us is we have we have people in our custody who

probably should be on supervised release in the community who would be better served, and we're spending approximately \$307 a day to keep people in custody who may have a \$50 bail. We have people in our custody who clearly have mental health issues who if it weren't for their mental health illness probably would not be involved in the criminal justice system and the jails are the worst place for these folks because it's the least effective most and costly. There needs to be some type of intermediate placement in the community where they can receive the services housing and the help they need instead of coming to jail which again, is \$307 a day."

We support H.B. 2413 based on the evidence above and because:

- Pretrial release should not be based on wealth.
- The bill aligns with best practices regarding pretrial detention, including recommendations from Hawai'i's Pretrial Task Force Report.

It is a moderate, data-driven reform already adopted in numerous Republican- and Democratic-led states, where it has been successful and has not led to an increase in crime.

Mahalo,

Liam Chinn

Public Safety Consultant and Facilitator of the Hawai'i Community Safety Coalition



April 2, 2026

Senator Karl Rhoads
Senator Mike Gabbard
Senate Committee on Judiciary
Hawaii State Legislature

Opposition to HB2413 HD1 SD1

Dear Senator Rhoads, Senator Gabbard and Members of the Committee on Judiciary,

Thank you for the opportunity for the Kohala Coast Resort Association (KCRA) to provide comments opposing HB2413 HD1 SD1.

The directors of security for each of our properties are members of the Hawaii Island Safety and Security Professionals Association (HISSPA). HISSPA serves hotels, resorts, commercial properties, private educational institutions, and public-facing hospitality environments across Hawaii Island. Our members work in close partnership with law enforcement, first responders, civil defense, and other county and state entities to safeguard hotel workers, guests, visitors, students, and the broader community. Our collective goal is to maintain the safe, welcoming environment that Hawaii's tourism economy and our community members rely on.

While this bill addresses the pretrial and enforcement process, taken together with HB1515 and HB2494, they represent a significant shift toward mandatory release and citation, with reduced discretion for judges and law enforcement officers.

From the perspective of frontline professionals responsible for safety and coordination with emergency response partners, this shift raises serious concerns regarding public safety, repeat offenders, and operational impact in public-facing environments.

We believe HB2413 HD1 SD1 limits the ability of judges to fully consider criminal history, repeat behavior, and victim safety when making pretrial release decisions.

Hospitality security teams frequently deal with individuals who have been lawfully trespassed due to disruptive, threatening, or criminal behavior. Many of these individuals return repeatedly, in violation of trespass warnings. Pre-trial release would exacerbate that problem, allowing lawfully trespassed individuals to cycle through properties with little deterrence. This places hotel workers, security staff, guests, visitors and members of the community at risk and shifts the burden of managing these situations onto private security teams and frontline employees, often requiring repeated coordination with public safety partners.

Hawaii's hospitality industry relies on safe, orderly environments to support worker safety, visitor confidence, and economic stability. When repeat offenders are released without effective accountability, hotel employees and public safety partners are often the first to experience the consequences. This often entails repeated calls for service, escalation, and preventable emergencies.

Policies that limit meaningful intervention undermine not only safety, but also the perception of Hawaii as a safe destination for residents and visitors alike.

KCRA and HISSPA support balanced, data-driven criminal justice reform. However, HB2413 HD1 SD1 moves Hawaii's pretrial framework in a direction that reduces accountability, limits professional discretion, and increases risk in public-facing environments.

We respectfully urge you to defer or reject this measure.

Please continue working collaboratively with law enforcement, the judiciary, victim advocates, emergency responders, and security professionals across sectors to develop reforms that:

- Preserve judicial and officer discretion
- Address repeat offenses and escalation
- Prioritize worker, victim, and responder safety
- Reflect the operational realities of hospitality, tourism, and public safety

Sincerely,



Stephanie Donoho, Administrative Director

Craig Anderson, Mauna Kea Resort – President
Charlie Parker, Four Seasons Hualalai – Vice President
Pete Alles, Mauna Lani Auberge Resorts Collection – Treasurer
Mark Goldrup, Waikoloa Beach Marriott – Secretary
Samantha Jones, Fairmont Orchid – Board of Directors
Scott Head, Waikoloa Land Company – Board of Directors
Nicholas Kuhns, Hilton Waikoloa Village – Board of Directors
Rob Gunthner, Hilton Grand Vacations – Board of Directors
Pat Fitzgerald, Hualalai and Mauna Lani Resorts – Board of Directors
Daniel Scott, Rosewood Kona Village – Board of Directors

HB-2413-SD-1

Submitted on: 4/1/2026 4:34:50 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------|---|---------------------------|------------------------|
| CHU LAN SHUBERT-KWOCK | Testifying for Chinatown Business & community Association | Oppose | Written Testimony Only |

Comments:

Chinatown suffers greatly from this type of Class C non violent crimes from habitual repeat criminals often let out without bail to commit crimes again!

Our community gets enough of these criminals leaving victims of crime helpless - locking them up or making them pay for bail is a deterrence in a limited way until they are found guilty is doing something to protect our community against criminals.

Using no jail space is not good enough to protect our community against these criminals who act like the law allows them to continue to commit the same crimes and be out!

It becomes a joke to them. These criminals can keep stealjngbuobti \$19,900 without staying in jail- this is no justice for victims who often cannot afford insurance in Chinatown!

HB2413 does not protect small businesses - it cannot pass because if it did you are lacking in your responsibility to protect the little people who are working hard and struggling to make a living and paying taxes.

please kill HB2413

Mahalo!

Chu Lan Shubert- Kwock

CBCA



ABC Stores
766 Pohukaina Street
Honolulu, Hawaii 96813-5391
www.abcstores.com

Telephone: (808) 591-2550
Fax: (808) 591-2039
E-mail: mail@abcstores.com

April 1, 2026

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Committee Members on Judiciary

Re: HB2413 HD1 SD1 Relating to Pretrial Reform

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the committee,
On behalf of ABC Stores, we respectfully submit **our opposition to HB2413 HD1 SD1**.

ABC Stores operates in high-traffic visitor areas, including Waikiki, where public safety, accountability, and reliable court attendance are essential to protecting our employees, customers, and the broader community. We have serious concerns that this measure moves Hawai'i in the wrong direction.

Specifically, HB2413 HD1 SD1:

- Mirrors prior bail reform legislation that was vetoed in 2022 following significant public concern.
- Is unnecessary, as judges already possess discretion under existing law to release defendants without bail when appropriate.
- Restricts judicial discretion, replacing individualized risk-based decisions with a rigid framework that does not adequately consider criminal history, failure-to-appear patterns, or case-specific circumstances.
- Focuses narrowly on whether an offense is classified as violent, despite the reality that non-violent offenses can still pose significant public safety and economic risks, particularly in retail and tourism districts.
- Conflicts with established risk assessment research, which shows that prior conduct and court appearance history are more reliable predictors of compliance than offense classification alone.
- Relies on outdated jail overcrowding data. As of March 30, 2026, Department of Corrections data shows that OCCC is operating below capacity, a stark contrast to conditions cited in earlier reform efforts.

In closing, ABC Stores remains concerned that the premature release of certain offenders, particularly those charged with **Class C felony offenses**, may contribute to heightened public safety risks. Recent incidents in Waikiki, including multiple reported assaults on Honolulu Police Department officers, underscore the need for caution. Policies that



*The
Store
With
Aloha*

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E-mail: mail@abcstores.com

further limit judicial discretion risk exacerbating these challenges in high-density visitor and retail areas, placing law enforcement, employees, and the public at greater risk.

We respectfully urge the Committee to defer or reject HB2413 HD1 SD1 and consider more targeted approaches that address court appearance and safety concerns without unintended consequences.

We appreciate the opportunity to submit testimony.

Mahalo,

John Mark Mageo
Employee Relations & Government Affairs Manager
ABC Stores



TESTIMONY OF DAVE ERDMAN
INTERIM PRESIDENT & CEO
RETAIL MERCHANTS OF HAWAI'I

**IN OPPOSITION TO H.B. 2413, H.D. 1, S.D. 1
RELATING TO PRETRIAL REFORM**

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Tuesday, April 7, 2026
10:15 a.m.
Conference Room 016 & Videoconference

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

My name is Dave Erdman, and I serve as Interim President and CEO of the Retail Merchants of Hawai'i (RMH), a statewide nonprofit trade association representing retailers, shopping centers, restaurants located in retail establishments and shopping centers, and allied businesses across Hawai'i.

Retail Merchants of Hawai'i respectfully opposes H.B. 2413, H.D. 1, S.D. 1.

While RMH understands the intent of reducing unnecessary pretrial detention, we are concerned that requiring release on recognizance for a broad range of offenses may create unintended impacts on retailers, employees, customers, and the broader community. Many offenses categorized as “nonviolent” in statute—including repeat shoplifting, vehicle break-ins, burglary, trespass, and property damage—can still create significant disruption, financial loss, and safety concerns within retail environments.

Retail businesses across Hawai'i continue to experience ongoing challenges related to repeat theft, organized retail crime, and property-related offenses. These incidents often involve escalation, intimidation of employees, and repeated activity at the same locations. When individuals are repeatedly released during the pretrial period without sufficient judicial discretion, businesses and employees may feel less protected, and public confidence may be weakened.

RMH is particularly concerned that the measure may limit judicial flexibility by creating a presumption of release on recognizance for a wide range of offenses. Judges are best positioned

to evaluate individual circumstances, including criminal history, repeat conduct, community safety concerns, and likelihood of reappearance. Maintaining this discretion is important in balancing fairness with accountability and public safety.

Retailers operate on thin margins and already face increasing costs related to theft prevention, security, insurance, and staffing. Policies that may unintentionally increase repeat offending or reduce accountability during the pretrial period can further strain local businesses, particularly small retailers and neighborhood shopping centers.

RMH appreciates that the measure includes certain exclusions and conditions; however, we remain concerned that the overall framework may shift too heavily toward mandatory release for offenses that can still have meaningful impacts on businesses, employees, and the community.

For these reasons, **Retail Merchants of Hawai‘i respectfully opposes H.B. 2413, H.D. 1, S.D. 1.**

Thank you for the opportunity to testify.

HB-2413-SD-1

Submitted on: 4/3/2026 9:49:15 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|-------------------------------------|---------------------------|------------------------|
| laurel brier | Testifying for Kauai Women's Caucus | Support | Written Testimony Only |

Comments:

HB2413 Protects the presumption of innocence by reducing detention based solely on ability to pay and **Reduces jail overcrowding** - about **50-70% of people in Hawai'i jails are pretrial detainees. Saves taxpayer dollars** - jail costs over **\$300 per person per day**, while community supervision costs far less **Supports safer communities** by avoiding unnecessary pretrial detention **Follows successful reforms** in states like Illinois and New Jersey that reduced jail populations without increasing crime. **Let's do it!**

Fairmont Orchid

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April 3, 2026

Karl Rhoads
Mike Gabbard
Senate Committee on Judiciary
Hawaii State Legislature
Opposition to HB2413 HD1 SD1

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

I am writing as the Director of Security for the Fairmont Orchid in opposition to **HB2413 HD1 SD1**.

In my role, I oversee day-to-day safety operations for a large resort environment and regularly work alongside law enforcement and other security leaders across Hawaii Island. My perspective is based on direct, repeated interactions with incidents involving trespass, disorderly conduct, and individuals who cycle through multiple properties.

HB2413 HD1 SD1 raises concern from an operational standpoint because it may limit how fully pretrial decisions can account for repeat behavior and prior incidents.

In a resort setting, individuals who are trespassed for disruptive or unsafe behavior frequently return—sometimes multiple times in a short period. These are not isolated events. My team manages ongoing patterns involving the same individuals, requiring repeated responses, documentation, and coordination with police.

When there is limited ability to account for that pattern of behavior in pretrial decisions, it can result in individuals returning to the same environments with little interruption. This creates a continuous loop that frontline teams must manage.



From a practical standpoint, this has several impacts:

- Increased repeat calls for service
- Greater strain on police and emergency response resources
- Escalation in behavior when there are no meaningful interruptions
- Heightened safety concerns for employees and guests

Our employees—many of whom are not security professionals—are often the first to encounter these situations. The expectation that they repeatedly navigate interactions with the same individuals, without effective intervention, raises real workplace safety concerns.

The visitor industry depends heavily on maintaining environments where both employees and guests feel safe. When repeat incidents are not effectively disrupted, it affects not only operations but also overall confidence in those spaces.

The Fairmont Orchid supports thoughtful and balanced approaches to reform. However, from what we see on the ground, **HB2413 HD1 SD1 may unintentionally contribute to repeat cycles of behavior that are difficult for frontline teams to manage safely.**

For these reasons, I respectfully ask that you **defer or reject this measure**, and continue working with stakeholders who are directly involved in managing these situations on a daily basis.

Mahalo for your time and consideration.

Mahalo,
Tammy Laflamme
Director of Security

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: [\(808\) 927-1214](tel:(808)927-1214) / kat.caphi@gmail.com

Today's Inmate; Tomorrow's Neighbor



COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Tuesday, March 17, 2026

9:55 AM

Room 016 and VIDEOCONFERENCE

SUPPORT for HB 2413 HD1, SD1 - PRETRIAL REFORM

Aloha Chair Rhoads, Vice Chair Gabbard and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for almost three decades. This testimony is respectfully offered on behalf of the 3,626 Hawai'i individuals living behind bars¹ and under the "care and custody" of the Department of Corrections and Rehabilitation on March 23, 2026. We are always mindful that 795 of Hawai'i's imprisoned male population are serving their sentences abroad -- thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons appreciates this opportunity to share our **SUPPORT for HB 2413 HD1, SD1** that requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions. It establishes exclusions for specified offenses, threats to public safety, and certain other circumstances and requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted. Requires prosecutors to notify victims of pretrial decisions. Effective 7/1/3000. (SD1)

Community Alliance on Prisons appreciates the opportunity to SUPPORT HB 2413 HD1, SD1. The primary purpose of bail is to ensure the released person's later appearance in court for further proceedings. Detaining an arrestee before a court has determined guilt

¹ DCR Weekly Population Report, March 23, 2026
[Pop-Reports-Weekly-2026-03-23.pdf](#)

contradicts the fundamental principle of “innocent until proven guilty.” More than one hundred thirty years ago, the United States Supreme Court affirmed that “[t]he principle that there is a presumption of innocence in favor of the accused is the undoubted law, axiomatic and elementary, and its enforcement lies at the foundation of the administration of our criminal law” (Coffin v. United States, 156 U.S. 432, 453 (1895)).

Community Alliance on Prisons asserts that HB 2413 HD1, SD1 addresses the issues raised during testimony on this bill in the prior committees and the concerns raised about public safety while still following the legal intent of bail, which is to ensure that the defendant will show up in court and protection of the community.

We know that incarcerating people for relatively lower level crimes does not serve the public interest. It disrupts lives, hurts families, and, as research has shown, can open up a path to the criminal legal system for a person who is struggling to make ends meet for themselves and their families.

Hawai`i needs to do a better job identifying what's contributing to crime and making sure we hold people accountable in a way that addresses that root cause.

We, therefore, hope that the committee understands that incarceration is not the answer for addressing low level crimes and passes HB 2413 HD1, SD1.

Mahalo for this chance to share our mana`o and experience on this important subject.

HB-2413-SD-1

Submitted on: 4/4/2026 12:26:24 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------------------------|--------------------|------------------------|
| Lisa Darcy | Testifying for Share Your Mana | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

Please **SUPPORT H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform**. As a nonprofit who assists those in poverty who are caught in the criminal justice system cycle, it is not only costly for each taxpayer, it is cruel and unfair to those who lack financial means to navigate an imbalanced process. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Passing H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform is fiscally responsible and brings equity to those caught in harmful cycles.

Mahalo plenty,

Lisa Darcy, Maui, Kula, HI

April 5, 2026

Testimony of Universal Fire & Casualty Insurance Company

In Opposition to HB 2413, H.D.1

Before the Senate Committee on Judiciary

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

Universal Fire & Casualty Insurance Company respectfully submits testimony in opposition to HB 2413, H.D.1, S.D.1.

Universal provides surety bail throughout most of the United States, including as a proud corporate citizen in Hawai'i. We work closely with courts, licensed bail agents, and justice system stakeholders to support accountability and ensure defendants return to court as required.

While we appreciate the Legislature's continued interest in improving the pretrial system, the current version of HB 2413 represents a significant shift in how release decisions are made in Hawai'i — particularly as it relates to the role of the judiciary.

Under this measure, courts are required to release defendants on their own recognizance for a broad range of offenses — including nonviolent misdemeanors and certain class C felonies — unless specific exceptions apply. In practice, this changes the starting point of judicial decision-making. Judges are no longer simply evaluating the facts before them; they are beginning from a statutory presumption of release and must justify any departure from it.

This is not a minor policy shift. It is a structural change that places statutory constraints around a function that has traditionally been entrusted to the judiciary — the individualized assessment of risk, appearance, and appropriate conditions of release.

The bill itself acknowledges that risk varies. It includes carve-outs for certain offenses and allows courts to consider whether a defendant presents a specific threat or a risk of flight. However, by broadly mandating release across multiple categories, the measure limits the ability of judges to weigh those risks in real time based on the full set of facts presented in each case.

If risk is individualized — as the bill recognizes — then the decision-making process should remain individualized as well.

The measure also narrows how courts evaluate nonappearance by adopting a “willful flight” standard that excludes isolated failures to appear. In practice, this reduces accountability for missed court dates and may make it more difficult for courts to respond to early signs of noncompliance.

Pretrial policy should focus not only on release, but on successful release — ensuring that defendants both remain in the community when appropriate and return to court as required. Maintaining that balance requires flexibility and the ability to respond to the circumstances of each case.

Hawai‘i’s current framework already provides courts with a range of options, including recognizance release, non-monetary conditions, and secured bail. This system allows judges to tailor decisions to the facts before them while preserving both liberty and accountability.

For these reasons, Universal respectfully urges the Committee to hold HB 2413, H.D.1, S.D.1 for further study, or amend the measure to preserve full judicial discretion in determining appropriate conditions of pretrial release.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

Christopher Blaylock
Senior Vice President, Advocacy and Distribution
Universal Fire & Casualty Insurance Company
616-662-3900 ext. 684

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April 5, 2026

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary
The Senate
33rd Legislature, State of Hawai`i

via: <http://www.capitol.hawaii.gov>

Dear Committee leadership and members,

Re: **SUPPORT FOR AND COMMENT ON HB2413, HD1 SD1 RELATING TO PRETRIAL REFORM**

DATE: Tuesday, April 7, 2026
TIME: 10:15 a.m.
PLACE: Conference Room 016 & Videoconference
State Capitol
415 South Beretania Street

This bill proposes amending chapter 804 by requiring trial court judges to release on their own recognizance persons that are arrested and held for an alleged violation, traffic offense, nonviolent petty misdemeanor, nonviolent misdemeanor, or nonviolent Class C felony offense, while also setting forth specific appropriate exceptions.

As a practicing criminal defense attorney in the Third Circuit, I support this proposed legislation as consonant with the State Constitution's due process requirements as expressed in the bill's statement of intent and legislative findings. "Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted." Haw. const. Art. 1, §12. **That which expressly is not found by the legislature is what requires enactment of this legislation: the fact of "atrocious" and "shocking" conditions of confinement in county jails.** See, e.g., "*Seeing Is Believing' When It Comes To 'Atrocious' Conditions At The Hilo Jail*", Honolulu Civil Beat, available at: <https://www.civilbeat.org/2023/03/judge-seeing-is-believing-when-it-comes-to-atrocious-conditions-at-the-hilo-jail/>, where Judge Robert D. S. Kim, ret., discusses what he witnessed during his tour of Hawai`i Community Correctional Center in Hilo.

Please also I offer comment on two amendments first appearing in HD1 that are retained in SD1.

1) **Section 2(b)** exclusions include: “(5) The defendant is charged with a petty misdemeanor and is pending an examination under section 704-404 or 704-421[.]”. Based upon my experience in arraignment proceedings and Ch. 704 proceedings, this provision appears to rely on §704-404(2)(a):

In cases where the defendant is charged with a petty misdemeanor not involving violence or attempted violence, if a court-based certified examiner is available, the court shall appoint the court-based certified examiner to examine and provide an expedited report solely upon the issue of the defendant's capacity to understand the proceedings against the defendant and defendant's ability to assist in the defendant's own defense.

HRS § 704-404(2)(a).

But the court must order the examination and the earliest that would happen is at arraignment, not at the time of arrest. Furthermore, that same subsection goes on to provide: “The court-based certified examiner shall file the examiner's report with the court within two days of the appointment of the examiner, *or as soon thereafter is practicable*. A hearing shall be held to determine if the defendant is fit to proceed within two days of the filing of the report, *or as soon thereafter as is practicable*.” Id. (emphasis added). It appears the drafters believe the fitness determination is going to be made within four days of the examiner’s report. Given the standing supply-side deficiency of certified court examiners amidst growing demand for their services across all jurisdictions and offense classifications, it is right to presume to delivery to the court of a report “as soon as practicable” and that means several weeks.

Maybe instead what actually is intended is: *The defendant is pending an examination under section 704-404 or 704-421 at the time of arrest*. See, e.g., the preceding proposed Section 2 amendment (4) (“The defendant was on parole at the time of arrest.”) This clarifies that the accused is charged in a different case wherein the court had ordered a Ch. 704 examination. If that is indeed the actual intent of this amendment, there is no reason limiting its application to petty misdemeanor cases. Accordingly, please consider replacing Section 2(b)(5) with, “*The defendant is pending an examination under section 704-404 or 704-421 at the time of arrest*.”

2) **Section (i)** also requires attention. “Nothing in this section shall prohibit the prosecuting attorney or pretrial officer from filing a verified application of a violation of condition of release in accordance with section 804-7.2, imposing a sanction, or imposing financial conditions under section 804-7.3.” But the prosecuting attorney and pretrial officer are not authorized to impose sanctions or financial conditions, the trial court is. “**After hearing**, and upon finding that the defendant has intentionally violated reasonable conditions imposed on release on bail, recognizance, or supervised release, **the court may impose different or additional conditions upon defendant's release or revoke defendant's release on bail, recognizance, or supervised release.**” HRS § 804-7.3. In the verified application for revocation

of release, the prosecutor or pretrial services officer may request that the court impose sanctions and/or financial conditions. *Whereas the proper restatement of this proposed subsection (i) is already provided for in §805-7.3, supra, please consider removing it.*

Thank you for your consideration of my testimony. Aloha.

/s/ Georgette A. Yaindl
GEORGETTE ANNE YAINDL



APRIL 7, 2026

HOUSE BILL 2413 HD1 SD1

CURRENT REFERRAL: JDC

808-679-7454
kris@imuaalliance.org
www.imuaalliance.org
@imuaalliance

Kris Coffield,
President

David Negaard,
Director

Mireille Ellsworth,
Director

Justin Salisbury,
Director

Eileen Roco,
Director

Beatrice DeRego,
Director

Corey Rosenlee,
Director

Amy Zhao,
*Policy and Partnerships
Strategist*

POSITION: SUPPORT

Imua Alliance supports HB 2413 HD1 SD1, relating to pretrial reform, which requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, establishes exclusions for specified offenses, threats to public safety, and certain other circumstances; requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted; and requires prosecutors to notify victims of pretrial decisions.

Imua Alliance is a Hawai'i-based organization dedicated to ending sexual exploitation and gender violence. We support this proposal on behalf of survivors of sex trafficking and gender abuse who have been incarcerated for acts committed because of their trauma, often without the monetary means to defend themselves or secure their release. This measure would implement important reforms to Hawai'i's pretrial incarceration practices, reduce unnecessary detention, and strengthen community safety.

Pretrial incarceration is a statewide issue with significant human and economic costs. According to the Vera Institute of Justice, Hawai'i's pretrial incarceration rate has been consistently above the national average. Per recent nationwide data (2022–2023), Hawai'i jails held individuals pretrial at a rate exceeding 470 per 100,000 residents, compared to the overall U.S. average of approximately 180–200 per 100,000. Many people remain in jail not because they pose a public safety risk, but simply because they cannot afford bail or lack access to community supervision options. These disparities exacerbate racial and economic inequity and place undue burdens on families and communities.

Pretrial detention destabilizes lives and undermines fairness. National research shows that people jailed pretrial are more likely to lose employment, housing, and custody of children than those released pretrial,

even when charges are similar and risk levels are low. According to the Pretrial Justice Institute, individuals incarcerated pretrial are more likely to plead guilty—regardless of actual guilt—because detention limits their ability to prepare a defense, meet with counsel, or participate meaningfully in their case. This dynamic pressures innocent or low-risk people into pleas that can have lifelong consequences.

This proposal keeps communities safer by focusing detention on real risk, not financial status. This bill aligns with best practices endorsed by national public safety advocates. The National Institute of Justice and the Council of State Governments Justice Center have documented that risk-based pretrial systems—those that assess danger and flight risk rather than ability to pay—reduce unnecessary detention, lower jail populations, and do not increase crime. Jurisdictions that have implemented evidence-based pretrial reforms, such as Kentucky and Washington State, report significant reductions in pretrial jail populations (20–40% or more) without increases in new criminal activity or failures to appear in court.

The economic and racial justice case for reform is strong. A 2024 analysis of Hawai'i's criminal justice system found that pretrial incarceration disproportionately affects Native Hawaiian, Pacific Islander, and low-income communities. People unable to post bail spend weeks or months in jail—even for non-violent offenses—while wealthier defendants are released. This creates two systems of justice and exacerbates inequality. Thus, this bill takes an important step toward remedying this disparity by reducing reliance on cash conditions of release, promoting pretrial services, and expanding non-custodial supervision that supports compliance and community connections.

Public safety and public confidence are improved with sensible pretrial policy. Evidence from multiple states shows that reducing unnecessary pretrial detention leads to better outcomes: fewer jail bookings, reduced recidivism among low-risk populations, and more resources for monitoring higher-risk individuals. According to the Vera Institute, jurisdictions with pretrial reform strategies have seen declines in jail populations by 15–40%, improved court appearance rates, and increased use of community support services. Pretrial reform represents a data-driven approach to public safety that aligns with Hawai'i's values and its commitment to equitable access to justice for all residents.

With aloha,

Kris Coffield

President, Imua Alliance

Testimony in Opposition of HB 2413

Chair, Vice Chair, and Members of the Committee,

While we understand and appreciate the intent behind efforts to improve fairness in the pretrial system, we respectfully believe this measure goes too far in creating a broad presumption of release for a large category of criminal defendants and may unduly limit judicial discretion in cases where public safety, repeat offending, victim safety, neighborhood impacts, and court appearance reliability remain legitimate concerns.

Although the bill contains exceptions for certain offenses and circumstances, the overall framework still shifts the balance too strongly toward mandatory release. In practice, many offenses categorized as “nonviolent” can still create serious harm to communities, businesses, residents, and visitors, especially when committed repeatedly or in connection with broader patterns of criminal behavior. Judges should retain fuller discretion to consider the totality of the circumstances rather than operating under a statutory mandate that release is the default in such a wide range of cases.

We are also concerned that this measure does not adequately reflect the reality of how intervention often occurs on the ground for individuals who are chronically struggling with homelessness, untreated mental illness, or substance use. In Waikiki and other impacted communities, partners such as the Institute for Human Services (IHS) and Waikiki Health often rely on the pretrial custody period as a critical window to engage individuals, stabilize them, connect them with medication, and intervene from a coordinated social services perspective. That brief period of custody can create an opportunity for holistic intervention that is often not possible when someone is immediately released back to the street without structure, follow-up, or support.

In many cases, this window is not simply punitive — it is one of the few moments where service providers, outreach teams, and public safety partners are able to meaningfully connect with a person in crisis and begin moving them toward treatment, services, and longer-term stabilization. Releasing individuals too quickly may undermine the progress we have made in helping vulnerable people get off the street and into a continuum of care. For communities that have worked hard to build coordinated systems between law enforcement, health providers, and social service organizations, this bill risks weakening one of the few intervention points that currently exists.

For these reasons, I respectfully urge the Committee to **defer H.B. 2413**.

Mahalo,



Trevor Abarzua
President
Waikiki Business Improvement District

April 6, 2026, 2026



Chair Karl Rhoads

Vice Chair Mike Gabbard

Members of the Senate Committee on Public Safety and Military Affairs

Hearing Date: April 7, 2026

Hearing Time: 3:00 p.m.

Measure: HB2413 HD1 SD1

Relating to Criminal Pretrial Reform

Position: STRONG OPPOSITION

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members,

I am the creator of Stolen Stuff Hawaii, an anti-crime community across Facebook and Instagram comprising over 290,000 Hawaii-based followers, and I strongly oppose HB2413. This bill represents another attempt at sweeping bail reform that would dramatically change how offenders are released after arrest in Hawaii. Similar efforts in 2022 generated overwhelming public opposition and were ultimately vetoed by the Governor. Unfortunately, HB2413 appears to push even further in the same direction.

While the intent of HB2413 may be to address concerns about fairness in the bail system and reduce reliance on monetary bail, the practical effect will be a dramatic increase in the release of offenders who are arrested for a wide range of nonviolent crimes that nonetheless have devastating impacts on victims and communities. The bill establishes a presumption that many individuals arrested for violations, petty misdemeanors, misdemeanors, and even certain nonviolent class C felonies must be released on their own recognizance. In reality, this will mean that individuals arrested for crimes such as theft, auto theft, vehicle break-ins, burglary of businesses, identity theft, and other property crimes will frequently be released within hours of arrest.

Having operated Stolen Stuff Hawaii for over a decade, I work directly with victims of these crimes every single day. The number one concern that victims express is not just the initial crime committed against them, but the constant revolving door of offenders who repeatedly commit the same crimes with little or no accountability. Victims often report seeing the same individuals arrested over and over again, only to be released almost immediately and return to the same neighborhoods to commit additional crimes.

Although these crimes may be categorized as “nonviolent,” the harm they cause to victims and communities is very real. A stolen vehicle can cost a family their ability to get to work. Repeated retail theft threatens the survival of small businesses. Vehicle break-ins and burglary incidents create an atmosphere where residents feel unsafe in their own neighborhoods. In Hawaii, where we rely heavily

on tourism and small local businesses, the economic and social damage from these crimes should not be underestimated.

In addition, this bill undermines the discretion of judges who are already empowered under Hawaii's constitution to release individuals on their own recognizance when appropriate. Judges currently can weigh the nature of the offense, the defendant's criminal history, prior failures to appear in court, and the overall risk to the community. HB2413 unnecessarily shifts this balance by creating a presumption of release for broad categories of offenses, effectively limiting the ability of the courts to consider the real-world patterns of repeat offending that many of us see daily.

From my perspective running Stolen Stuff Hawaii, repeat offenders are a significant driver of crime in our communities. Many of the individuals committing property crimes today have long criminal histories and outstanding warrants for failure to appear in court. Increasing the number of automatic releases without meaningful accountability will only embolden these offenders further.

This revolving door of crime also has a direct impact on law enforcement. Police officers repeatedly respond to the same individuals committing the same crimes, knowing that their efforts often result in immediate release. This dynamic creates frustration and undermines morale within departments that are already facing staffing shortages and heavy workloads.

Small businesses are also heavily affected by these policies. Many business owners in our community report organized retail theft rings that repeatedly target their stores. Offenders know the thresholds that keep their crimes categorized as lower-level theft offenses and return again and again to steal merchandise. Expanding policies that guarantee release for many of these crimes will only make this problem worse.

Finally, there is a broader concern regarding the safety and reputation of our islands. Hawaii depends on tourism and a strong sense of community safety. When visitors and residents alike experience theft, burglary, vehicle break-ins, or other criminal activity without meaningful consequences for offenders, it damages the trust people place in our justice system.

For all of these reasons, I respectfully urge the committee to oppose HB2413. While reforming parts of the justice system may be a worthy goal, policies that reduce accountability and increase the likelihood that repeat offenders are immediately returned to our neighborhoods will ultimately harm the very communities we are trying to protect.

Criminals make a conscious choice to commit these acts. The victims of those choices should not be the ones who continue to bear the consequences. With no accountability, there is no change, and policies that expand the revolving door of crime will only make the situation worse.

Thank you for this opportunity to testify.

A handwritten signature in black ink, appearing to read 'MK', is written over the text of the signature block.

Michael J. Kitchens
Founder & Administrator, Stolen Stuff Hawaii
mikek@stolenstuffhawaii

LATE



April 7, 2026

Senate Committee on Judiciary

Opposition to HB 2413, HD1, SD1, – Relating to Pretrial Reform

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The **State of Hawai'i Organization of Police Officers (SHOPO)** respectfully submits testimony in **opposition to HB 2413, HD1, SD1**, which, requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions. It establishes exclusions for specified offenses, threats to public safety, and certain other circumstances and requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted.

While we recognize the goal of reducing unnecessary pretrial detention, SHOPO has serious concerns that the bill makes changes to the State's existing pretrial bail framework without sufficient study, stakeholder consensus, or recommendation from the recent penal code review process. We share the concern expressed by the Department of the Attorney General that the proposal represents a significant policy shift that may undermine both accountability and community safety.

Nonviolent felony offenses can still present significant risks to public safety, and the classification of an offense as "nonviolent" does not necessarily mean that the circumstances surrounding the crime are harmless. Many felony property crimes involve high-value theft, repeat offenders, organized criminal activity, or situations where the presence of a weapon increases the potential for harm even if no physical injury occurred. For example, a person committing a burglary, theft, or other serious property offense while in possession of a firearm creates a situation that can quickly escalate into violence. The presence of a weapon increases the risk to victims, witnesses, and responding officers, and should be a factor that courts are able to consider when determining appropriate pretrial release conditions.

We recognize that changes have been made in the previous committee. Our concerns remain. Should this measure move forward, we want to ensure that law enforcement officers can advance charges, when appropriate, for persons released on parole.

Page Two

The more than 2,700 law enforcement officers who are members of SHOPO risk their lives every day to keep our islands safe. SHOPO is dedicated to protecting public safety. We strive to work in partnership with community members because, together, we can build stronger and safer neighborhoods. Thank you for the opportunity to provide testimony on this measure.

Respectfully submitted,

State of Hawai'i Organization of Police Officers (SHOPO)

Committee: Judiciary
Hearing Date/Time: Tuesday, April 7, 2026, at 10:15am
Place: Conference Room 016 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of HB2413, HD1 SD1 Relating to Pretrial Reform**

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

The ACLU of Hawai'i **supports HB2413 HD1 SD1**, which requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to certain conditions. The bill also establishes exclusions for specified offences and requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted.

This is an important step towards achieving a justice system that does not perpetuate wealth inequality.

In *U.S. v. Salerno*, 481 U.S. 739 (1987), the U.S. Supreme Court held that “in our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.”

Currently more than half of Hawai'i's jail population is pretrial.¹ **Seventy-four percent of the people held at the OCCC jail are pretrial.**² These individuals have not been convicted of any crime but remain behind bars largely due to an outdated reliance on cash bail and a lack of alternative pretrial systems. Reducing the pretrial detention population also is a clear first step to address problems of overcrowding given that the total number of people incarcerated in Hawai'i is decreasing over time, but our pretrial population is increasing.

The evidence suggests that pretrial detention reforms do not have negative impacts on public safety and has little impact on court appearances.³ A study by the Prison Policy Initiative found that releasing individuals pretrial does not negatively affect public safety.⁴

¹ Department of Corrections and Rehabilitation, End of Month Population Report, January 31, 2026.
<https://dcr.hawaii.gov/wp-content/uploads/2026/02/Pop-Reports-EOM-2026-01-30.pdf>

² Ibid Note 1.

³ Insha Rahman, Undoing the Bail Myth: Pretrial Reforms to End Mass Incarceration, 46 Fordham Urb. L.J. 845 (2019). Available at: <https://ir.lawnet.fordham.edu/ulj/vol46/iss4/2>

⁴ Prison Policy Initiative, Releasing people pretrial doesn't harm public safety, July, 6 2023.
<https://www.prisonpolicy.org/blog/2023/07/06/bail-reform/>

The study considered pretrial reforms in New Jersey, New Mexico, Kentucky, and New York. It also considered local reforms in SF (CA), Washington (DC), Philadelphia (PA), Santa Clara (CA), Cook County (IL), Yakima County (Wash), New Orleans (LA), Harris County (TX), and Jefferson County (CO). Re-offense or rearrest rates did not increase after pretrial reforms, and in some cases declined.

- Harris County, Texas: approximately tens of thousands of people charged with misdemeanors have avoided pretrial incarceration since the County ended cash bail (according to independent federal data).⁵
- New Jersey’s 2017 cash bail reform law “substantially reduced the pretrial population... without harming community safety.”⁶
- Cass County, Indiana: Prior to reform, the average jail population was nearly 50% over capacity, with approximately 70% of people pre-trial. In 2018 the county adopted several pre-trial diversion programs such as voluntary referrals to support services, decreased reliance on monetary bonds, and data transparency on pretrial outcomes. In 2022, the pretrial population had decreased by 80%, saving nearly \$1 million in detention costs.⁷

Holding people unnecessarily in pretrial detention **contributes to overcrowding, staffing issues, and worsening facility conditions.** Concerningly, it also has been found to have a criminogenic effect. One study from October 2024 found that pretrial detention increases the odds for someone to miss a court appearance or be arrested by roughly 50% and increases the odds of convictions by 36%.⁸

Other research has found that even a short period of pretrial detention can have “cascading effects” on an individual, including threatening employment, housing stability, child custody, and health care access. These may contribute to increased likelihood of further involvement with the criminal justice system.⁹

⁵ WBUR, Breaking the Bond: A look at bail reform in Harris County, Texas, September 16, 2024.

<https://www.wbur.org/hereandnow/2024/09/16/breaking-the-bond#>

⁶ Drexel News, New Jersey’s Cash Bail Reform Reduced Incarceration Without Increasing Gun Violence, May 30, 2024. <https://drexel.edu/news/archive/2024/May/New-Jersey-Cash-Bail-Reform-Reduced-Incarceration>

⁷ Advancing Pretrial Policy & Research, Small County. Big Results., October 24, 2023.

<https://www.advancingpretrial.org/story/small-county-big-results/>

⁸ DeMichele, Matthew and Silver, Ian and Labrecque, Ryan, Locked Up and Awaiting Trial: A Natural Experiment Testing the Criminogenic and Punitive Effects of Spending a Week or More in Pretrial Detention (June 2, 2023).

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4467619

⁹ See: Laura & John Arnold Foundation., *Pretrial Criminal Justice Research*

(2013), available at https://static.prisonpolicy.org/scans/ljaf/LJAF_Report_state-sentencing_FNL.pdf; Megan

Stevenson, *Distortion of Justice: How the Inability to Pay Bail Affects Case Outcomes* 22 (Working Paper, 2016),

available at <https://www.law.upenn.edu/cf/faculty/mstevens/workingpapers/Distortion-of-Justice-April->

Though we support efforts to reduce pretrial detention for those who do not pose a threat to the community, we believe the current version of this bill goes too far in narrowing eligibility. **Please consider restoring the language in the HD1.**

Adopting HB2413 HD1 SD1 is a step toward ensuring the freedom of individuals is not determined by their ability to afford bail.

Mahalo,

Josh Frost

Josh Frost
Policy Assistant
ACLU of Hawai‘i
jfrost@acluhawaii.org

With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai‘i is to protect the fundamental freedoms enshrined in the United States and Hawai‘i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai‘i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai‘i has been serving our communities in Hawai‘i for over 60 years.

[2016.pdf](#); Heaton et al., *The Downstream Consequences of Misdemeanor Pretrial Detention 3* (July 2016), available at <http://ssrn.com/abstract=2809840>;
<https://vera-institute.files.svdcdn.com/production/downloads/publications/Justice-Denied-Evidence-Brief.pdf>



LATE

TO: Honorable Senator Karl Rhoads,
Chair, Senate Committee on Judiciary

Honorable Mike Gabbard,
Vice Chair, Senate Committee on Judiciary

FROM: Connie Mitchell, Executive Director
IHS, The Institute for Human Services, Inc.

RE: HB2413 HD1 SD1 - Relating to Pretrial Reform.

DATE: April 6, 2026

POSITION: IHS opposes the passing of HB2413 HD1 SD1.

As Hawaii's most comprehensive human services agency focused exclusively on ending or preventing homelessness, we engage with many homeless individuals deemed 'high utilizers' of the emergency services, including law enforcement and the judiciary. IHS, The Institute for Human Services, opposes the passage of HB2413 HD1 SD1. We appreciate the reform's intent; however, we also understand that courts already have the authority to adjust bail based on income level. For many of the charges that HB2413 is intended to address, Cell Block is currently able and does release individuals without pretrial detention, even scheduling their hearings in Community Outreach Court and connecting them to supportive services; for other individuals, detention is warranted to protect public and individual safety.

As currently written, this measure does not explicitly require the court to consider a defendant's criminal history when determining whether release on recognizance is appropriate. Individuals may be charged with a nonviolent offense at the time of arrest but may have an extensive criminal history demonstrating a pattern of failing to appear in court, repeatedly committing new offenses while on release, or violating court-ordered conditions. Not considering patterns of arrests prior to release is concerning, as it prioritizes release over accountability, but more so, it reinforces a revolving door for high utilizers to continue behaviors without true intervention. Without consequences, there is little external motivation for high utilizers to change their behavior and improve. Moreover, nonviolent felony offenses does not mean that harm was not committed. Many felony property crimes involve high-value theft, as previously mentioned, repeat offenders, organized criminal activity, or situations where the presence of a weapon increases the potential for harm, even if no physical injury occurred.

IHS supports diversion and rehabilitation services. Our continuum includes a successful Community Re-Entry program that provides housing for 50 men exiting the justice system, and a Homeless Triage and Treatment Center that aids diversion from incarceration, providing substance use withdrawal and mental health stabilization referred by public defenders and parole officers, ahead of inpatient program enrollment. That said, IHS has witnessed an increase in conflicts and threats of bodily harm in our community among homeless individuals with substance use disorders and mental illnesses, and we believe it should be up to the courts to determine detainment based on current charges and history, including offenses and failures to appear before the court.



Testimony of the Reimagining Public Safety in Hawai'i

LATE

Committee: Judiciary
Hearing Details: Tuesday, April 7, 2026, 10:15 AM
Place: Conference Room 016 & Via Videoconference
Re: **Testimony in SUPPORT of HB2413, HD1 SD1**

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

On behalf of the Reimagining Public Safety in Hawai'i Coalition, I am writing **in support of HB2413, HD1 SD1 Relating to Pretrial Reform.**

The Reimagining Public Safety (RPS) in Hawai'i Coalition is a diverse group of local organizations and community members advocating for common-sense public safety policies. Instead of making our communities safer, the existing cash bail system criminalizes poverty. RPS supports HB2413 because people who are not a threat to public safety should not sit in Hawai'i's overcrowded jails simply because they cannot afford cash bail.

An individual's financial standing does not inherently reflect their guilt or the danger they pose to the community. Despite the fact that they have not been convicted of the crime they were arrested for, individuals may be held in pretrial detention for weeks, months, or years in horrific, overcrowded¹ conditions just because of their inability to pay bail. Some leave jail traumatized, and incarceration has harmful cascading effects. The story of Sefo Fatai, who spent nearly three years in OCCC, is illustrative.² Although legally innocent, Mr. Fatai and others like him can lose their jobs, housing, and support systems. HB2413 will reduce unnecessary periods of incarceration, benefiting individuals and the broader community.

Pretrial reform is also a cost-saving measure. It costs over \$300 a day to incarcerate someone in Hawai'i.³ Imagine those funds invested in *proven, preventative* public safety measures: youth programming, permanent supportive housing, and mental health care services. Critics of HB2413 say that it will make Hawai'i less safe, but **HB2413 ensures that judges retain discretion to keep violent individuals incarcerated while awaiting trial.**

¹ More than half of Hawai'i's jail population is pretrial, and 74% percent of the people at OCCC are pretrial. Department of Corrections and Rehabilitation, *End of Month Population Report* (Jan. 2026), <https://dcr.hawaii.gov/wp-content/uploads/2026/02/Pop-Reports-EOM-2026-01-30.pdf>.

² Caitlin Thompson, *It's Your Money: Honolulu To Pay \$2.1 Million To End Wrongful Arrest Lawsuit*, CIVIL BEAT (May 14, 2025), www.civilbeat.org/2025/05/honolulu-pays-2-1-million-end-wrongful-arrest-lawsuit/.

³ Hawai'i State Senate, *WAM-PSM Informational Briefing - Statement of Hawai'i Director of Corrections and Rehabilitation Tommy Johnson at 4:35*, YOUTUBE (Jan. 7, 2025), www.youtube.com/live/YNmzV6OMQM.



Testimony of the Reimagining Public Safety in Hawai'i Coalition

Committee: Judiciary
Hearing Details: Tuesday, April 7, 2026, 10:15 AM
Place: Conference Room 016 & Via Videoconference
Re: **Testimony in SUPPORT of HB2413, HD1 SD1**

Some important facts:

- **Cash bail is a policy of mass incarceration:** In the United States, pretrial detention increased 433% from 1970 to 2015 in large part due to the increased use of money bail.⁴ Although we lack similar data reporting specific to Hawai'i, America has exported its mass incarceration system of cash bail to Hawai'i.
- **Reforms can reduce recidivism rates:** In New York City, after pretrial bail reform measures were implemented, people released under reform had significantly lower rates of overall re-arrest (57% vs. 66%), felony re-arrest (33% vs. 40%), and violent felony (VFO) re-arrest (20% vs. 25%).⁵ In suburban and upstate New York areas, no effects in recidivism rates were noted.
- **Fears over bail reform are unfounded and anecdotal:** In an analysis of 33 cities, researchers found no statistically significant relationship between bail reform and crime rates.⁶ In a study of fatal violence against women in jurisdictions that have enacted pretrial fairness bail reforms, researchers similarly observed no significant worsened outcomes.⁷

HB2413 aims to create a justice system is truly just, reducing the number of legally innocent people held in jail *without* compromising public safety. **Please help us reimagine public safety in Hawai'i by supporting HB2413.**

Mahalo,

Emily Sarasa

Facilitator | [Reimagining Public Safety in Hawai'i Coalition](https://reimaginingpublicsafety.com)
emily@reimaginingpublicsafety.com

⁴ *Bail Reform*, VERA INSTITUTE, www.vera.org/ending-mass-incarceration/criminalization-racial-disparities/bail-reform (last accessed Apr. 7, 2026).

⁵ René Ropac, *Testing the Long-Term Impact of Bail Reform Across New York State: A Quasi-Experimental Evaluation*, DATA COLLABORATIVE FOR JUSTICE AT JOHN JAY COLLEGE (Oct. 2025), https://datacollaborativeforjustice.org/wpcontent/uploads/2025/10/Longterm_Recidivism_Report.pdf.

⁶ Terry-Ann Craigie & Ames Grawert, *Bail Reform and Public Safety*, BRENNAN CENTER FOR JUSTICE (Aug. 2024), www.brennancenter.org/our-work/research-reports/does-bail-reform-impact-crime.

⁷ Taylor Riley et al., *Examining Changes in Fatal Violence Against Women After Bail Reform in New Jersey*, 68 AMERICAN JOURNAL OF PREVENTIVE MEDICINE (Apr. 2025), <https://doi.org/10.1016/j.amepre.2025.01.007>.



Date: April 6, 2026

To: Sen Karl Rhoads, Chair
Sen Mike Gabbard, Vice Chair
Members of the Senate Committee on Judiciary

From: Lynn Costales Matsuoka, Executive Director
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony on HB 2413, HD 1, SD1
Relating to Pre-Trial Bail Reform

Hearing: April 7, 2026, Conference Room 016, 10:15 am

Good morning, Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary. Thank you for the opportunity for the Sex Abuse Treatment Center to provide comment on the HB 2413, HD1, SD1 relating to Pre-Trial Bail Reform.

The Sex Abuse Treatment Center provides comment on this bill, recognizing the sexual assault offenses would be excluded from automatic release considerations of pre-trial detainees. Understanding the importance of the bill and its intention to reduce the number of pre-trial detainees, the Sex Abuse Treatment Center remains concerned over the lack of victim engagement under HB2413, HD1,SD1.

As written, the measure requires release at the time of arraignment and plea, for essentially non-violent traffic, petty misdemeanor, misdemeanor and class C offenses. It further provides that pre-trial release be continually revisited at every stage of the criminal justice process and victims be notified by the prosecution once a bail decision is made by the court.

As this Committee is aware, HRS 801D outlines statutory requirements relating to victim rights, a law that has not been particularly efficient to support victims. This bill as well as 801D do not afford victim engagement, only that victims be notified. There is no language that allows victims to **participate** in proceedings and provide valuable input. Here, it is important to highlight that in most offenses there are 2 very specific individuals involved. The accused and victim. Both are tied to the criminal justice process. Both with competing interests to be served by the criminal justice system. Given that release would happen at the initial phase of the court process, it would behoove the court to have input from victims who were directly impacted by the crime and have the most to lose by early release of the offender.

Given that notification happens after a court decision is made, victims are left with little to no time to safety plan. Victims are also left with no opportunity to provide critical information as to their safety and the impact of the offense. Many victims are likely the only ones with intimate details or information surrounding the offense and the accused. Information that could support or oppose pre-trial release.

This bill does not require victims to be notified of the date, time and place of the arraignment and plea, nor does it provide them with any information as to how to provide input or engage in proceedings, should they choose. As written, there is no suggestion that they are encouraged or invited to participate.

At this phase of the court proceedings, victim advocates are not assigned to cases, and their capacity to engage with victims, is limited even if they were. While the State does have an automated notification system, that is triggered by the holding facility, Department of Corrections and Rehabilitation, once they are informed of release. It does not extend to the judiciary or police departments. The automated SAVIN system is simply not available at this phase of proceedings. Presumably, a detainee who qualifies for release under this bill would be released from the courthouse, yet notification to that victim by the prosecution would only come after court is concluded. The bill does not say when notification must be made, only that it be made at some point by the prosecution.

Bail hearings are critical to the safety of victims and the general public. While early release is the goal of pre-trial bail reform, it is important that it be done with thoughtful and measured consideration for not only the detainee but victims as well. In most circumstances the crime likely committed, within 1-3 days, while emotions are high. Detainees will likely return to the victim or the place of the offense, victims still dealing with the aftermath of their victimization. Pre-trial bail reports would not be available at this stage, further emphasizing the need for victims to have the ability to engage and be provided with some level of support to minimize any fear of retaliation since release, under this bill, would essentially be inevitable.

We respectfully ask that this Committee consider expanding SAVIN to the pre-trial phase to include when the offender is held by police with or without bail, and the Judiciary during the initial appearance and arraignment phase.

Similarly, we ask that the victim notification and input be required prior to any decision made by the court.

For these reasons we ask this Committee to consider building stronger safeguards for victims so they are not an afterthought, but rather an important part of the process in developing a comprehensive and successful pre-trial bail system for our community.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 7:45:16 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|------------------|---|--------------------|------------------------|
| Jillian Anderson | Testifying for Waikiki Neighborhood Board | Oppose | Written Testimony Only |

Comments:

The Waikiki Neighborhood Board OPPOSES HB2413, and on behalf of our community, urges its deferral by the Senate Committee on Judiciary.

The Waikiki Neighborhood Board appreciates the intent of this measure and the careful analysis and studies from which it was based. Nonetheless, the bill's language *requiring* a defendant's release on recognizance, overtaking a judge's discretion, causes for concern in a community such as ours which struggles with habitual offenders.

While this bill excludes violent offenses, it still would impact those who inflict harm upon people and property, including cases involving theft, shoplifting, vandalism, credit card fraud, reckless driving, and harassment.

Mahalo for your thoughtful consideration of this measure's potential negative effects and for seeking ways to improve our justice system without blanket requirements.

HB-2413-SD-1

Submitted on: 4/1/2026 2:54:23 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| William Caron | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in **strong support** of HB2413, a measured, evidence-based step toward a more fair and effective pretrial justice system in Hawai‘i. However, I must express serious concern about amendments made in the previous committee that significantly narrow the bill's reach and undermine its core purpose. I urge this committee to restore the original language.

The Problem: Wealth, Not Risk, Determines Freedom

Currently, too many people remain in jail before trial not because they pose a danger to the community or a flight risk, but simply because they cannot afford to pay for their freedom. This is not justice—it is a wealth-based detention system that undermines the presumption of innocence and penalizes poverty.

The consequences of even a few days in jail are devastating and well-documented. People lose their jobs, their housing, and custody of their children. They miss medications, fall behind on bills, and are cut off from family support. These disruptions do not make our communities safer. In fact, research shows that unnecessary pretrial detention increases the likelihood of future arrests, creating a cycle of incarceration that harms individuals and strains public resources.

The Fiscal Reality: We Cannot Afford the Status Quo

Hawai‘i's jails are overcrowded, with an estimated 50–70% of the incarcerated population consisting of pretrial detainees—individuals who are legally presumed innocent. Housing one person in custody costs the state more than **\$300 per day**, while pretrial supervision and other community-based options cost a fraction of that amount.

Nearly 40 percent of people incarcerated in Hawai‘i's correctional facilities were homeless prior to incarceration. Using jail as a de facto housing system is among the most expensive, and least effective, responses to homelessness. Every dollar spent detaining a low-risk, nonviolent individual awaiting trial is a dollar we cannot spend on housing stability, behavioral health supports, and services that actually strengthen community safety.

The Evidence: Reform Works

HB2413 is not an experiment—it builds on proven models from other jurisdictions. States that have implemented similar reforms have seen positive results without compromising public safety:

- **Illinois** became the first state to completely eliminate cash bail in 2023. Since then, violent crime dropped **7%** and property crime fell **14%**.
- **New Jersey** enacted bipartisan pretrial reforms in 2017. By 2020, violent crime was down **20%**, the jail population plummeted, and court appearance rates remained high.
- **Harris County, Texas**, one of the largest counties in the nation, ended cash bail for most misdemeanors and saw **no corresponding increase in violent crime**.

A 2024 analysis by the Brennan Center confirmed what these jurisdictions have demonstrated: there is **no statistically significant relationship between bail reform and crime rates**. Violent crime trends after reforms present no clear or obvious pattern, and researchers have found no evidence that bail reform increases crime.

What HB2413 Originally Did—And What the Previous Committee Changed

The original version of HB2413 was carefully crafted and did not eliminate judicial discretion or ignore public safety concerns. It:

- Created a presumption of release for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to reasonable conditions.
- Established clear exclusions for specified serious offenses, threats to public safety, and other circumstances where detention was warranted.
- Required courts to make findings on the record when bail or detention was imposed, ensuring transparency and accountability.
- **Mandated ongoing review of continued detention and a prompt hearing if bail could not be posted**, protecting individuals from languishing in jail simply because they cannot afford to pay.
- Required prosecutors to notify victims of pretrial decisions, ensuring their voices are heard.

However, the previous committee made two significant changes that I strongly object to and urge be removed:

1. New Exclusions That Undermine the Presumption of Release

The committee added exclusions for:

- Defendants pending trial or sentencing at the time of arrest;
- Defendants on probation, deferral, or conditional release at the time of arrest; and
- Defendants arrested, charged, or held on another offense arising from the same or a separate incident .

These exclusions carve out a massive swath of individuals who would otherwise be eligible for release. People pending trial or on probation are still legally presumed innocent—or have already been adjudicated and are under supervision, not necessarily a threat. Treating them as categorically ineligible for release undermines the presumption of innocence and presumes guilt based on status, not risk. This is contrary to the evidence-based approach the bill was designed to advance.

2. Deletion of the Prompt Hearing Requirement

The committee deleted language that would have required a prompt hearing for defendants unable to post bail. This is a critical protection. Without it, individuals who cannot afford bail have no guarantee that their detention will be reviewed in a timely manner. They can languish in jail for days, weeks, or longer—simply because they are poor. The original language ensured that the system would not leave people behind. Removing it guts one of the most important safeguards in the bill.

Restore the Original Language

The bill's original language derived from the recommendations of the 2018 Criminal Pretrial Task Force convened by the Judiciary, reflecting years of careful study and stakeholder input. It created a "willful flight" standard that is fairer to the arrestee and focused on ensuring safety and compliance, rather than penalizing isolated failures to appear.

The Hawai'i State Judiciary has testified in support of similar legislation, noting that "any pretrial bail reform should be tailored to the presumption of innocence, ensuring the appearance of the defendant, minimizing the risk of danger to the community, and ensuring the equal treatment of individuals regardless of race, wealth, or social class."

The Office of Hawaiian Affairs also supported companion legislation, emphasizing that the changes do not eliminate judicial discretion or remove consideration of offense severity or public safety.

HB2413 is a thoughtful, data-driven reform that will reduce unnecessary incarceration, save taxpayer dollars, and protect the presumption of innocence—all while maintaining public safety. But the amendments made by the previous committee weaken the bill significantly. I urge this committee to **remove the new exclusions and restore the prompt hearing requirement**, ensuring that HB2413 remains the strong, effective reform our justice system needs.

Mahalo for the opportunity to testify.

HB-2413-SD-1

Submitted on: 4/1/2026 2:55:30 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| John Deutzman | Individual | Oppose | Written Testimony Only |

Comments:

Aloha Senators Rhoads, Gabbard, and members of the Senate Committee on Judiciary,

As a crime victim, witness, and a person who's been studying more than three thousand arrests and their outcomes in Waikiki. I strongly oppose HB2413 because the bill:

-Is opposed by most agencies in charge of public safety, which include the Attorney General, prosecutors, and police.

-Is similar to a bill that was vetoed in 2022 by Governor Ige after it triggered public outrage.

-Bail reform already exists in Hawaii; judges can currently release people without bail if they believe a person will return to court.

-Strips judges of discretion to release based on the unique nature and circumstances of each case and the unique history and characteristics of each defendant.

-Replaces judicial discretion with a political philosophy that limits release decisions based solely on whether or not the crime committed is violent, when in fact all crimes can be dangerous.

-Conflicts with scientific research and risk assessment tools that prioritize the risk of release based on the defendant's criminal history and history of not appearing in court.

-Was created in a vacuum of research about failure rates. My own two-year study in Waikiki showed thatb 73% of misdemeanor defendants failed to appear in court, and dozens beat the charges because they were never picked up on warrants.

-Based on jail overcrowding from eight years ago, when, in fact, jails are no longer overcrowded. As of March 30th, 2026 per Department of Corrections data, OCCC is 56 inmates UNDER operational capacity. In 2018, when a task force recommended bail reform, OCCC had 245 inmates OVER operational capacity

Mahalo for your time,

John Deutzman

Waikiki

HB-2413-SD-1

Submitted on: 4/1/2026 3:18:52 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Gaye Johnston | Individual | Oppose | Written Testimony Only |

Comments:

Na

HB-2413-SD-1

Submitted on: 4/1/2026 3:22:05 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jocelyn Kimura | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill!

HB-2413-SD-1

Submitted on: 4/1/2026 3:30:57 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Blaine De Ramos | Individual | Oppose | Written Testimony Only |

Comments:

I oppose

HB-2413-SD-1

Submitted on: 4/1/2026 3:45:30 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Ryan Lager | Individual | Oppose | Written Testimony Only |

Comments:

To those in a position to vote on this matter, I urge you to vote against this measure. I work in downtown and also interact with HPD. I can see the frustration that everyone in downtown feels when crime goes unpunished and criminals run free. I can see how demoralizing it is for our officers to risk their lives and livelihood due to liability every time they make an arrest, just to have the criminal released the next day or within hours. You have a duty to serve the regular, tax paying citizens of our city, not just the donors or the special interests who for some reason want these clearly disturbed people to be free to do harm. The small business owners who have to be afraid when they find someone sleeping in their doorway each day or when someone comes into their store with intent to steal, harm or destroy. This is not compassion to allow humans to live in their own filth, this is not compassion to allow people to cause harm to others while they really need medical help and drug rehab. And this is not compassion towards the normal everyday tax paying, working, contributing citizen. This is criminal to allow this to continue in the name of compassion. Those sponsoring this bill should be ashamed of themselves. Once people have committed enough crime to actually be charged, they usually have dozens of prior arrests and have already committed who knows how many crimes. I want them to stay locked up. Yes, I want better drug use prevention, treatment, and psychological care, but until then they cannot be on the street. Their freedom ends where another's freedom begins. This is the core principle of a liberal society and for the government to let them free to continue to harm is against the main reason we even have a government- the ensure our natural rights and to facilitate the common good. This does neither. Thank you.

HB-2413-SD-1

Submitted on: 4/1/2026 4:14:15 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| DEBRA DELA CRUZ | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this bill mandating release on recognizance for a broad range of offenses, including nonviolent Class C felonies, misdemeanors, and traffic violations.

While the intent to reduce unnecessary pretrial detention is understandable, this measure goes too far and risks undermining public safety, judicial discretion, and accountability within our legal system.

First, requiring release on recognizance for such a wide category of offenses removes the ability of judges to evaluate each case individually. Not all “nonviolent” offenses are low-risk. Many involve repeat offenders, substance abuse, or escalating patterns of behavior that pose real risks to the community. A one-size-fits-all mandate limits the court’s ability to consider the full context of an individual’s history and circumstances.

Second, this bill may unintentionally increase recidivism and failure-to-appear rates. Without meaningful pretrial conditions or financial accountability, there is less incentive for defendants to comply with court requirements. This places additional strain on law enforcement and the judicial system.

Third, the administrative burden created by required findings, ongoing detention reviews, and expedited hearings may overwhelm already stretched court resources. Instead of improving efficiency, this could delay justice for victims and defendants alike.

While the bill includes exclusions for threats to public safety, these determinations can be subjective and inconsistent, potentially leading to uneven application and unintended consequences.

Finally, victims deserve assurance that their safety and concerns are prioritized. Although the bill requires notification, it does not adequately address the real risks that premature release may pose to victims, particularly in cases involving repeat offenders or ongoing disputes.

In conclusion, I urge lawmakers to reconsider this legislation and pursue a more balanced approach that preserves judicial discretion, ensures accountability, and protects public safety while addressing concerns about pretrial detention.

Thank you for the opportunity to provide testimony.

HB-2413-SD-1

Submitted on: 4/1/2026 4:17:07 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Christiana Cortes | Individual | Oppose | Written Testimony Only |

Comments:

I'm opposed to this bill, because it's criminal-friendly and does not consider the consequences to the community.

HB-2413-SD-1

Submitted on: 4/1/2026 4:40:08 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------|---------------------|---------------------------|---------------------------|
| Tiffany Wdzieczkowski | Individual | Oppose | Written Testimony Only |

Comments:

I oppose because this does not take into account victims of crimes and does nothing to prevent repeat criminals from committing more crimes.

HB-2413-SD-1

Submitted on: 4/1/2026 4:42:31 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Troy Takahashi | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB2413!

HB-2413-SD-1

Submitted on: 4/1/2026 4:45:47 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Chris | Individual | Oppose | Written Testimony Only |

Comments:

I completely oppose the bill to bail reform. All politicians that vote for bail reform will be remembered on ALL upcoming elections. We the people of Hawaii will not forget despite fake news, fake press conferences or cheesy IG reels with 5 minutes on a chalkboard.

THE SENATE
KA 'AHA KENEKOA

THE THIRTY-THIRD LEGISLATURE
REGULAR SESSION OF 2026

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, April 7, 2026
TIME: 10:15 AM
PLACE: Conference Room 016 & Videoconference
State Capitol
415 South Beretania Street
TIMESLOT: JDC

PHOTO ID REQUIRED FOR ENTRANCE TO THE STATE CAPITOL
BUILDING HOURS: 7AM TO 5PM, MONDAY - FRIDAY

A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

A G E N D A

The following measure(s) were previously heard in their respective subject matter committees:

HB 2413, HD1, SD1

(SSCR3230)

Status & Testimony

RELATING TO PRETRIAL REFORM.

PSM, JDC

Requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions. Establishes exclusions for specified offenses, threats to public safety, and certain other circumstances. Requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted. 7/1/3000. (SD1)

TESTIMONY IN OPPOSITION TO HB2413 HD1 SD1

Submitted by James Waldron Lindblad

Dear Chair and Members of the Committee:

I have worked in pretrial justice for over 50 years, beginning in pretrial services in 1974 and continuing in Hawai'i since 1980 as a licensed bail agent and surety bond producer. I was born in Honolulu and have called Hawai'i home since returning in 1980. Over the years, I have assisted more than 25,000 individuals and their families through the court process. My concern is that, as drafted, this measure may unintentionally limit judicial discretion and reduce the likelihood of successful release in practice.

I support the goal of reducing unnecessary pretrial detention for those who cannot afford bail. Detaining someone solely because they are unable to pay is not justice.

However, HB2413 HD1 SD1 approaches that goal in a way that may create more problems than it solves. The bill establishes a broad, categorical presumption of release on recognizance across multiple classes of offenses. While well-intentioned, this approach shifts decision-making away from individualized judicial assessment and toward fixed statutory categories.

Pretrial decisions are not abstract—they are case-specific judgments. Judges are in the best position to evaluate the individual before them: their history, prior failures to appear, probation status, community ties, and the specific circumstances of the case. That kind of assessment cannot be replicated in statute without losing critical nuance.

The structure of the bill reflects this tension. It attempts to determine risk based on categories of offenses—such as nonviolent misdemeanors and Class C felonies—while simultaneously carving out exceptions for certain offenses such as DUI, domestic violence, and stalking. Those carve-outs acknowledge what is already evident: risk does not turn solely on the label of the charge.

Once that is recognized, the question becomes why those judgments should be made categorically in statute at all, rather than by judges in real time. The result is a system that is both rigid and inconsistent—mandating release in broad categories while selectively reintroducing discretion through exceptions.

The narrowed “willful flight” standard further limits judges’ ability to respond to repeated or predictable patterns of non-appearance that may not meet a strict intent standard but still undermine the integrity of the court process. How will our courts respond to patterns of non-appearance that, while not rising to intentional evasion, still disrupt court proceedings and burden victims?

Hawai‘i’s Constitution provides that all persons shall be bailable by sufficient sureties, except in limited circumstances, a principle reflected in HRS §804-1, which defines bail as release upon sufficient surety. That framework preserves judicial discretion to determine appropriate conditions of release based on the individual case—whether recognizance, supervised release, unsecured bond, or surety. It is a system built on flexibility, accountability, and judgment.

HB2413 departs from that framework by replacing individualized judicial discretion with categorical mandates based primarily on the charge rather than the person before the court. It directs outcomes in broad categories of cases where judges are already entrusted to make individualized decisions. Judges are appointed to evaluate people and circumstances—not just charges—and that function should not be displaced by statute.

I share the concern that individuals should not remain in custody before conviction solely due to inability to pay.

In practice, however, much of what appears to be “detention” is often the result of timing gaps, processing delays, and lack of access to timely release mechanisms. Hawai‘i is already a leader in pretrial justice. Our courts routinely use recognizance release, supervised release, and other non-financial conditions where appropriate, supported by the work of the Intake Service Center in providing timely information to the court. The

system is active, balanced, and generally fair, with multiple pathways to support release while maintaining accountability.

The issue, therefore, is not a lack of tools, but how those tools are applied. Discussions of court appearance rates and public safety often rely on aggregated data that combines very different forms of release—recognizance, supervised release, unsecured bail, and surety—without distinguishing how they function. Judges already tend to release lower-risk individuals on recognizance while applying additional structure or accountability where appropriate. Comparing raw outcomes across these different groups can therefore be misleading.

Cash alone does not supervise, intervene, or assist when someone begins to fail. At most, it creates a passive financial incentive. By contrast, sufficient surety introduces a third party—family or a licensed agent—with both the incentive and ability to help ensure compliance.

If the goal is to increase successful release, improve appearance rates, and maintain public safety, I would respectfully suggest strengthening the existing system rather than replacing it. Measures such as SB2279 and SB2280 offer targeted, practical improvements but have not yet received hearings.

For these reasons, I respectfully urge the Committee to hold HB2413 for further study or amend it to preserve meaningful judicial discretion. Pretrial reform should focus not only on release, but on successful release—grounded in accountability and individualized decision-making.

P.S.

If the Legislature truly believes risk can be determined by charge category alone, then the law should treat every misdemeanor and every Class C felony exactly the same — no carve-outs whatsoever. Sauce for the goose must be sauce for the gander. The very presence of exceptions for DUI, domestic violence, stalking, and other offenses proves the bill's own internal contradiction: risk is not determined by the label of the charge. Either draw a clean, uniform line that applies equally to all defendants, or return full

individualized discretion to judges as our constitution has always required. A hybrid system that pretends to be categorical while secretly preserving discretion for the “serious” cases is neither fair nor consistent.

I understand the concern about holding individuals in custody before conviction; I share that concern, and nothing in this approach seeks to expand detention. The question is not whether people are released, but whether they are **successfully released**—that is, whether they return to court and comply with conditions. If appearance and public safety matter, then the focus should be on preserving tools that promote accountability in practice, rather than limiting judicial discretion based on charge alone.

Thank you for your time and consideration.

Respectfully,

James Waldron Lindblad

Honolulu, Hawai'i

james.lindblad@gmail.com

808-780-8887

Hawai'i M4.1 04012026 17:10

HB-2413-SD-1

Submitted on: 4/1/2026 5:14:58 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| David N | Individual | Oppose | Written Testimony Only |

Comments:

Bail reform will hurt the tourism industry, especially as it puts businesses in Waikiki and Tourists under increasing vulnerability to criminals, as they are let go due to being "low" level crimes.

HB-2413-SD-1

Submitted on: 4/1/2026 5:56:17 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Justin Cunningham | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this because I'm sick of criminals being let off so easy in Hawaii. When will our legislators protect our residents from crime?

We need to stop criminals from being released time and time again only to reoffend. Allowing this to go forward will only tell criminals it's ok to commit a crime here because we will let you off without any punishment.

HB-2413-SD-1

Submitted on: 4/1/2026 6:11:16 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Darrell Tanaka | Individual | Oppose | Written Testimony Only |

Comments:

If you trying to help criminals make more victims of innocent people, then you are doing a great job at the expense of our safety. You are supposed to protect the people from criminals, hence, we should file a lawsuit against you for aiding and abetting criminals. I'm going to research the state constitution to see if you are violating it by protecting criminals.

HB-2413-SD-1

Submitted on: 4/1/2026 6:42:59 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Cody A Koanui | Individual | Oppose | Written Testimony Only |

Comments:

This bill is absolutely a bad idea. We need to hold criminals accountable for their actions.

HB-2413-SD-1

Submitted on: 4/1/2026 7:29:25 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Patrick Lui | Individual | Oppose | Written Testimony Only |

Comments:

This bill releases criminals back into community to further commit more crimes without being punish. This is not acceptable. Crimes in our neighborhood has gotten worse in the last 10 years. We don't need bills like this to tell criminals that it is okay to commit crimes over and over again.

HB-2413-SD-1

Submitted on: 4/1/2026 7:55:06 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Chelsea Kentris | Individual | Oppose | Written Testimony Only |

Comments:

The criminals are already getting away with their crimes as is because they are not held accountable for their actions. Law enforcement cannot force the judges and prosecutors to do their job and continually make their arrests and cases that are tossed out or reduced charges. It's a never ending cycle that shows that the criminals have all the rights and no consequences. Now they want to take away any accountability financially??? How do they think this is gonna go for the law abiding citizens and law enforcement? The message this sends to folks with no moral compus is that we are gonna make even easier for them to violate our rights. I Absolutely oppose this bill.

HB-2413-SD-1

Submitted on: 4/1/2026 8:38:30 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Caitlin Torres | Individual | Oppose | Written Testimony Only |

Comments:

This will only worsen crime as it has done in every city that has passed this type of bail reform. It does not disincentivize people to commit crimes and actually only further incentivizes them to victimize others/commit crimes as they will only be turned back on the streets as quickly as they are arrested. Turning criminals back to the streets just as quickly as they commit these crimes will also put officers at risk as they will be stretched even thinner than they already are with their shortage to have to deal with more crime while also being discouraged to arrest people knowing they will only be released shortly after. This is not a solution to any of the problems we are currently experiencing and will only compound it.

HB-2413-SD-1

Submitted on: 4/1/2026 8:57:34 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Patrick Lee | Individual | Oppose | Written Testimony Only |

Comments:

i oppose this bill. there is too much crime in the state with violent crimes increasing. our law enforcement works hard to put these guys in jail. releasing them only. perpetuates the cycle of crime. Ask yourself if you would be ok if someone stole from your family and was released from custody and stole from you again. When is it enough?

HB-2413-SD-1

Submitted on: 4/1/2026 9:33:13 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jonathan Nguyen | Individual | Oppose | Written Testimony Only |

Comments:

I have no words on why we want to follow California's footprint on this terrible path. I deeply oppose this bill because I value the safety of myself, my family, and my community.

HB-2413-SD-1

Submitted on: 4/1/2026 10:56:40 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Rafia Hasina | Individual | Oppose | Written Testimony Only |

Comments:

I am concerned this bill removes judicial discretion and applies a one-size-fits-all approach that does not consider a person's criminal history or failure to appear in court. Judges already have the authority to release individuals when appropriate.

This bill risks reducing accountability and may impact public safety.no bail , no supervision ,HB 2413 put communities in danger. I urge you to vote NO.

HB-2413-SD-1

Submitted on: 4/2/2026 1:54:03 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Brandon Chun | Individual | Oppose | Written Testimony Only |

Comments:

Judges already have discretion to release defendants without bail, and this bill removes a judge's ability to consider a person's criminal record or history of failing to appear in court. Public safety agencies including police and prosecutors are opposed. Concerns have also been raised about failure-to-appear rates and repeat offenders being released.

HB-2413-SD-1

Submitted on: 4/2/2026 1:59:51 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ginger Tolbert | Individual | Oppose | Written Testimony Only |

Comments:

This puts the entire community at risk for more dangerous/violent crimes and leaves every law-abiding citizen at risk for being hurt or worse because the state wants an easy/cheap way out, rather than punishing all criminals based on crimes committed, rather than a simple slap on the wrist and released back into the community to continue their reign of crimes.

HB-2413-SD-1

Submitted on: 4/2/2026 6:37:05 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kaysha Clutter | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill as it does not put into consideration the law abiding citizens of the community that are victims of nonviolent crimes. Furthermore, there is no accountability for crimes committed after someone is released back into the communities.

HB-2413-SD-1

Submitted on: 4/2/2026 7:00:32 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Pamela | Individual | Oppose | Written Testimony Only |

Comments:

Opposed

HB-2413-SD-1

Submitted on: 4/2/2026 8:24:13 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| Ilima DeCosta | Individual | Oppose | Written Testimony Only |

Comments:

Aloha and mahalo to the Chair, Vice Chair and Committee Members, for reading this testimony in STRONG OPPOSITION to HB2413.

I am very concerned that - during a public hearing where public testimony could heard, **not one survivor of crime has been or will be heard from in oral testimony. Not one.** That is a miscarriage of the system.

I am voicing my protest to this senate rule, as it undermines public engagement and survivor rights under the law.

I would also like to thank the multiple law enforcement agencies and Dennis Dunn, retired Victims Witness Kokua advocate, for his testimony. I am so grateful to these entities, including the AG, the Prosecutor's offices from across the islands, various local law enforcement, and SHOPO; each of them articulating the reasons why this proposed measure will make Hawai'i and victims of crime less safe.

It seems that many of the non profits and individuals testifying in support of this measure have never personally experienced crime and don't fully comprehend what it feels like to be in my shoes.

Prior to losing my daughter to domestic related gun violence and experiencing intimate partner violence, myself, I also supported "cash less bail".

My ability to safely flee from domestic violence was only made possible because a judge required my ex to post bail - not after the second DV charge, but after my ex called me immediately upon exiting jail.

My ex violated a stay away order.

We have a system of justice that seems to serve the accused and is failing targets of crime.

I received \$20 for witness testimony and \$100 for surviving; no compensation for wage loss or job placement help, and zero support with relocation expenses. I am an kanaka 'oiwi who can no longer live in Honolulu.

My ex receives taxpayer funded housing, medical, food, career placement and counseling services, and a promise enshrined in law that HIS criminal record will never be held against him. My ex is not kanaka 'oiwi, was born in Japan and is required to stay in Honolulu - at taxpayer expense - during his two year probation.

How backwards.

Please defer HB2413 and shelve any measures containing legal loopholes that perpetrators could use to inflict additional violence, including domestic violence and violation of a stay away order.

Mahalo piha

HB-2413-SD-1

Submitted on: 4/2/2026 10:00:45 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Donna Heinrich | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose, we desperately need order in our town. We have experienced 85 visits thus far from the police due to out of control trespassers on private property without any consequences

HB-2413-SD-1

Submitted on: 4/2/2026 10:22:59 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Edward Conna | Individual | Oppose | Written Testimony Only |

Comments:

As someone who currently is being terrorized by a known felon who repeatedly is let off with lax judgements, IF they even prosecute at all, I can say, from experience, this bill is a horrible idea.

1-2% of the population commits over 90% of all crimes. These criminals START with minor "non violent offenses" and when theres no penalty for them, they progress and get worse over time.

The PROCESS of being arrested, posting bail, etc, IS part of the deterrent. My crazy neighbor actually said to me, "You wanna go to court? They not going to do nothing" and he was right. over 30 incidents of harassing by stalking. nothing. Over 100 restraining order violations, NOTHING. He got caught and charged with a felon in posession of a firearm, mind you, while he had TWO active restraining orders against him... was released in 12 hours, and back to the harassment. Judge found him guilty, and gave him 4 years of probation. He has firearms again, goes hunting regularly, continues to harass, and is now harboring a wanted fugitive who is his friend, because he knows, this state won't do anything until he kills someone...maybe. (He's already the suspect in at least 2 murders).

It's time Hawaii realize these liberal soft on crime policies don't help, they make crime WORSE.

PLEASE, kill this bill. Enact bail that's appropriate, and start putting criminals where they belong... in prison.

Over the last year, NUMEROUS people have been killed because of Hawaii's lax laws. The guy who killed a grandmother and infant baby on Saddleback road on the big island, the guy who killed the 16 year old in a crosswalk, and many others, all have the same thing in common.

LONG criminal history, where they continually get let off, with low or no bail, and even when found guilty, get a slap on the wrist.

One day, that person getting killed by one of these criminals, may just be a lawmaker's family member. Then you'll wish you had killed this bill.

HB-2413-SD-1

Submitted on: 4/2/2026 11:20:26 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Eric Wong | Individual | Oppose | Written Testimony Only |

Comments:

Are we allowing low level criminals to be caught and released?

Are you expecting a criminal caught stealing, shoplifting \$\$\$\$ merchandise, breaking into a car, who are prematurely released without resources and expecting them to succeed is not just misguided, it's also dangerous to the rest of the community.

Conversely, we need stricter laws to prevent crime not be laxing the law. For the greater good of our community we need to stand in opposition to HB 2413 HD1 SD1.

HB-2413-SD-1

Submitted on: 4/2/2026 11:55:29 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| David Abraham | Individual | Oppose | Written Testimony Only |

Comments:

Aloha Chair Tanas, Vice Chair Poepoe, and Members of the Committee,

My name is David Abraham and I'm opposed to HB 2413, because it's criminal-friendly and does not consider the consequences to the community. I believe this bill WILL NOT benefit the State of Hawaii.

I urge this committee to stop HR 2314.

Thank you for the opportunity to testify.

Respectfully,
David Abraham
kaauabraham@gmail.com
(808) 495-7672

HB-2413-SD-1

Submitted on: 4/2/2026 1:54:24 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Sharie Ono | Individual | Oppose | Written Testimony Only |

Comments:

Oppose

HB-2413-SD-1

Submitted on: 4/2/2026 3:14:01 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|---------------------------|
| Carla Allison | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

My name is Carla Allison, a Hawai'i resident and voter deeply concerned for the public safety and civil liberties of all the people of Hawai'i. I **strongly support H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.**

Data overwhelmingly shows that pretrial reform will NOT lead to increased crime. The \$112,500 spent annually to incarcerate an adult could be better used for housing and care.

Well directed resources have been proven to make communities safer!

Please vote YES and pass H.B. 2413, H.D. 1 S.D. 1 to help reduce unnecessary incarceration while maintaining community safety.

Thank you,
Carla Allison – Honolulu

HB-2413-SD-1

Submitted on: 4/2/2026 3:24:37 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|----------------------|---------------------|---------------------------|---------------------------|
| Eng Ming Richard Yeo | Individual | Oppose | Written Testimony Only |

Comments:

Today, I believe crime is increasing and becoming more prevalent because criminals are not receiving substantive consequences for their actions that harm the general law abiding public. Crime statistics are being skewed to show positive improvements, while the reality faced by citizens is that more crime is occurring, but the state is failing to prosecute and hold criminals accountable. Harsher penalties and mandatory jail time is needed to deter and discourage criminals and would-be criminals.

HB-2413-SD-1

Submitted on: 4/2/2026 3:59:19 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Leo Nahe Smith | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Leo, Nu'uano

Town, Island

HB-2413-SD-1

Submitted on: 4/2/2026 4:14:04 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| kimdonghyeon | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It’s time for Hawai’i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial “best practices.”

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

kimdonghyeon

HB-2413-SD-1

Submitted on: 4/2/2026 4:18:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Megan Deets | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

I work in the legal system and have seen firsthand the harm that comes from unnecessary pretrial incarceration, and the inequity of the current system of pretrial incarceration.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Megan Deets, Kapaa

HB-2413-SD-1

Submitted on: 4/2/2026 4:22:06 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------|---------------------|---------------------------|------------------------|
| Hayley Peter-Contesse | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of **H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform**. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail. Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices." This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Hayley Peter-Contesse

Mākaha

HB-2413-SD-1

Submitted on: 4/2/2026 4:28:39 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Susan Douglas | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of **H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial**

Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It’s time for Hawai’i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial“best practices.”

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you

HB-2413-SD-1

Submitted on: 4/2/2026 4:29:21 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| John C Wert III | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of **H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform**. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Prof John C Wert

Wailuku, Maui

HB-2413-SD-1

Submitted on: 4/2/2026 4:43:51 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ruta Jordans | Individual | Support | Written Testimony Only |

Comments:

Please support release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions. Money is again getting in the way of justice. A nonviolent defendant's treatment should not be dependent on ability to pay bail. Please support HB2413.

HB-2413-SD-1

Submitted on: 4/2/2026 4:46:37 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Ann Dorsey | Individual | Support | Written Testimony Only |

Comments:

Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I urge you to support **H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform**. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court.

It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices." This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you

HB-2413-SD-1

Submitted on: 4/2/2026 5:00:15 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Tien | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee,

I am writing in support of H.B. 2413, H.D. 1 S. D. 1 Relating to Pretrial Reform.

Too many people are being held in overcrowded jails because they are unable to afford bail. The bail system keeps people detained not because they are a danger to communities but because they cannot afford their freedom. There is ample evidence that pretrial jail can have detrimental impacts on someone's employment, housing, and even custody of their children.

Instead of perpetuating this harmful system, Hawai'i should invest in pretrial services within communities for example, text or phone reminders for court hearings to reduce failure-to-appear rates, supportive services to help meet basic needs, and assessments to determine the level of supervision one might need rather than implementing bail.

The passage of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform paves the way to increase fairness in our legal system, save taxpayer dollars (over \$300 per person per day), and support community safety.

Thank you,

Tien

HB-2413-SD-1

Submitted on: 4/2/2026 5:18:27 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Lindsay Roth | Individual | Support | Written Testimony Only |

Comments:

I am writing as a Hawai‘i resident and Licensed Clinical Social Worker to express my support for HB2413.

In my work, I regularly see how structural barriers—particularly those tied to income—shape people’s access to stability, care, and opportunity. Our current reliance on cash bail often results in individuals being held pretrial not because they pose a risk to public safety, but because they cannot afford release. This has meaningful consequences for mental health, employment, housing, and family stability, even before a case is resolved.

HB2413 represents a thoughtful and evidence-aligned shift toward a more equitable system. By prioritizing release for individuals charged with low-level, nonviolent offenses, the bill helps ensure that pretrial detention is reserved for cases where there is a clear risk to community safety or likelihood of nonappearance—rather than financial limitation alone.

From a clinical perspective, unnecessary pretrial detention can exacerbate trauma, destabilize treatment progress, and increase long-term system involvement. Policies that reduce avoidable incarceration while maintaining judicial discretion support both individual wellbeing and broader community health.

I appreciate that HB2413 preserves the ability of judges to assess risk and impose appropriate conditions when needed. This balance between accountability and fairness is critical.

I respectfully urge you to support HB2413 as a step toward a more just, effective, and humane pretrial system in Hawai‘i.

Thank you for your time and for your service to our community.

Sincerely,
Lindsay Roth, LCSW
Makawao, Hawai‘i

HB-2413-SD-1

Submitted on: 4/2/2026 5:30:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| B.A. McClintock | Individual | Support | Written Testimony Only |

Comments:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial

Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up

while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Mahalo.

HB-2413-SD-1

Submitted on: 4/2/2026 5:48:19 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ted Bohlen | Individual | Support | Written Testimony Only |

Comments:

SUPPORT!

HB-2413-SD-1

Submitted on: 4/2/2026 6:21:58 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Martha Evans | Individual | Support | Written Testimony Only |

Comments:

Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Often, people accused but not convicted of any crime are imprisoned simply because they cannot afford the bail fee.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while they await their day in court.

It's time for Hawai'i to take action and make pono changes to the two-tiered system of justice based on wealth. I urge you to implement pretrial "best practices" that treat all people equally regardless of their financial status. This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Martha Evans

Honolulu, O'ahu

HB-2413-SD-1

Submitted on: 4/2/2026 6:33:36 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Faleiva C Hut | Individual | Oppose | Written Testimony Only |

Comments:

This bill is criminal-friendly and ignores the community's consequences, which is why I oppose it. Mahalo nui for your time.

HB-2413-SD-1

Submitted on: 4/2/2026 6:47:05 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| marie silva | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it is criminal friendly and does not protect the victims. With the rise in crimes i do not support this bill and feel that there will only be negative consequences for the community and the innocent.

HB-2413-SD-1

Submitted on: 4/2/2026 6:59:53 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Robin Leachman | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose just releasing a person who has committed a crime be it assault, burglary, car jacking, theft, or property crimes with no bail! All crimes especially violent ones need accountability! A Judge who has all the past crimes would have their hands tied to just release a repeat offender. We have seen the debacle in other states that this has caused and should learn from their bad example! Please please please, do not pass this bill!!!

HB-2413-SD-1

Submitted on: 4/2/2026 7:09:13 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Kimberly Cardwell | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by

investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Concerned Citizen

Kimberly Cardwell

HB-2413-SD-1

Submitted on: 4/2/2026 9:05:59 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kathy Shimata | Individual | Support | Written Testimony Only |

Comments:

My name is Kathy Shimata & I live in Honolulu.

I urge you to support HB2413 because it is fair.

HB 2413 is a step toward a **more fair, evidence-based pretrial system in Hawai'i**. Many people remain in jail before trial not because they are dangerous, but because they **cannot afford bail**. Even a short time in jail can cause people to lose jobs, housing, or custody of their children and can increase the likelihood of future arrests.

The bill would **prioritize release for eligible nonviolent offenses while maintaining judicial discretion and public safety protections**. It does **not eliminate bail**, but encourages courts to use non-monetary conditions when appropriate.

Mahalo,

Kathy Shimata

HB-2413-SD-1

Submitted on: 4/2/2026 9:10:36 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Pearson Ahuna | Individual | Oppose | Written Testimony Only |

Comments:

I oppose

HB-2413-SD-1

Submitted on: 4/2/2026 11:00:21 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Inam Rahman | Individual | Support | Written Testimony Only |

Comments:

Testimony in Support with Amendments – HB2413

Re: H.B. 2413, H.D. 1, S.D. 1 – Relating to Pretrial Reform

Senate Committee on Judiciary

Hearing: April 7, 2026 | 10:15 AM

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

My name is Dr. Inam Rahman, MD, a physician and longtime resident of West O‘ahu. I am writing in support of H.B. 2413, H.D. 1, S.D. 1, with targeted safeguards to ensure both fairness and public safety.

As a physician, I have seen firsthand how social instability—loss of housing, employment, or family support—directly impacts health outcomes. Even a few days of unnecessary pretrial detention can destabilize a person’s life. Many individuals in our jails today have not been convicted of a crime but remain detained solely because they cannot afford bail. This undermines the fundamental principle of presumption of innocence and creates a two-tiered system of justice based on income.

Hawai‘i’s correctional facilities are also operating under significant strain, with a large proportion of inmates held pretrial. Reducing unnecessary detention is not only a matter of fairness—it is also a matter of fiscal responsibility. Community-based supervision costs far less than incarceration and can achieve comparable or better outcomes when properly implemented.

I commend this measure for prioritizing release for eligible nonviolent offenses while preserving judicial discretion to detain individuals who pose a genuine risk to public safety or are likely to flee.

However, to ensure the success and public trust of this reform, I respectfully recommend the following targeted safeguards:

1. Strengthen Pretrial Services Infrastructure

Allocate dedicated funding to expand pretrial services, including:

- Risk assessment and supervision personnel
- Court reminder systems (calls/texts)
- Case management and support services

Without adequate infrastructure, even well-intended reforms may fall short.

2. Require Transparent Data Reporting

Mandate regular public reporting on:

- Failure-to-appear (FTA) rates

- Pretrial re-arrest rates
- Jail population trends

This ensures accountability and allows policymakers to adjust based on evidence.

3. Ensure Risk Assessment Accountability

Require that any risk assessment tools used are:

- Periodically validated for accuracy
- Reviewed for potential bias
- Transparent in methodology

This will help maintain fairness across all communities.

4. Provide Judicial Training and Guidelines

Support training for judges to:

- Apply non-monetary conditions effectively
- Make consistent, evidence-based decisions

This will promote uniform application across the state.

5. Include a Sunset Review or Evaluation Clause

Consider a 3–5 year review period to:

- Evaluate outcomes
- Identify unintended consequences
- Make necessary adjustments

In conclusion, H.B. 2413 represents a meaningful step toward a more just and effective pretrial system in Hawai‘i—one that protects both community safety and individual rights. With the safeguards outlined above, this reform can deliver better outcomes for our residents while strengthening trust in our justice system.

I respectfully urge the Committee to pass this measure with these considerations.

Mahalo for the opportunity to testify.

Respectfully submitted,

Dr Inam Rahman, MD

Waipahū, O‘ahu

Physician | Community Advocate | Former Hawai‘i Medical Association President

HB-2413-SD-1

Submitted on: 4/2/2026 11:12:19 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Cheryl Rzonca | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB2413.

HB-2413-SD-1

Submitted on: 4/2/2026 11:17:42 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Alisen Celestyne | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Alisen Celestyne

HB-2413-SD-1

Submitted on: 4/2/2026 11:25:22 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Kristen Young | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

I believe that this bill is a needed step toward a more just pretrial system and public safety for our wholecommunity. Many people locked up in our overcrowded jails are accused but have not been convicted of any crime; they are simply there because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It’s time for Hawai’i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial “best practices.” This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety. It is extremely costly to the state (over \$200 a day) to lock up one person who is legally innocent, awaiting trial. We could use that money to invest in things like social services that bring about true public safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,
Kristen Young
Makiki/Punchbowl, Hawai’i 96813

HB-2413-SD-1

Submitted on: 4/2/2026 11:26:25 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Josh Fowler | Individual | Oppose | Written Testimony Only |

Comments:

Position: STRONG OPPOSITION

Bill: H.B. 2413, H.D. 1, S.D. 1 — Relating to Pretrial Reform

-
- **Mandates release for broad categories of offenders**
 - Shifts default from judicial discretion to automatic release in many cases
 - **Removes a core enforcement tool without a proven replacement**
 - Eliminates cash bail as a compliance mechanism
 - Relies on supervision systems that require significant capacity and resources
 - **Expands pretrial exposure to risk**
 - Increasing the number of individuals released pretrial inherently increases the total number of potential reoffenses
 - Even low individual risk scales with volume
 - **Evidence from other states is inconclusive, not reassuring**
 - Multiple national studies find **no clear relationship between bail reform and crime rates**
 - This means there is **no reliable evidence that policies like this improve public safety outcomes**
 - **Real-world outcomes show variability and uncertainty**
 - Some jurisdictions report no increase in crime, while others report high re-arrest rates among certain populations
 - Policymakers are operating under **uncertainty, not proven success**
 - **Reduces judicial flexibility in risk management**
 - Judges must meet higher thresholds and procedural burdens to detain or impose conditions
 - Limits ability to act on pattern-based or emerging risks
 - **Policy risk is asymmetric**
 - If the policy fails, the cost is borne by the public through increased crime and reduced deterrence
 - If it succeeds, the primary benefit is reduced detention, not necessarily improved safety
-

Conclusion

This bill removes a key tool, mandates release in broad circumstances, and relies on a policy approach that has not demonstrated consistent or reliable public safety benefits across other states. It introduces material risk under uncertainty and should be rejected.

HB-2413-SD-1

Submitted on: 4/3/2026 12:39:09 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Stephanie Ruiz | Individual | Oppose | Written Testimony Only |

Comments:

This is dangerous for our community. Innocent citizens should be protected and criminal activity should be punished.

HB-2413-SD-1

Submitted on: 4/3/2026 6:20:10 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Hilary Smith | Individual | Support | Written Testimony Only |

Comments:

As a Hawaii taxpayer, it drives me crazy that we are paying to keep people in jail before their trials. This is a huge waste of money and so unfair. It's not right that people with money can just bail out, while people with limited means must sit in jail and potentially lose their jobs, housing, and whatever stability they might have had. Right now, Hawaii essentially has a two-tier justice system based on wealth. In 2026, this is a disgrace! Please pass this bill.

HB-2413-SD-1

Submitted on: 4/3/2026 7:48:24 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Rick Gerding | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail. Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices." This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

HB-2413-SD-1

Submitted on: 4/3/2026 7:49:58 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Lisa Galloway | Individual | Support | Written Testimony Only |

Comments:

Please pass this bill. It is the right thing to do.

HB-2413-SD-1

Submitted on: 4/3/2026 8:18:24 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Fred Flores | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Peleke Flores

Waimea, Kaua'i

HB-2413-SD-1

Submitted on: 4/3/2026 8:24:11 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Melissa Barker | Individual | Support | Written Testimony Only |

Comments:

Honorable Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing to ask that you support of HB 2413 HD1 SD1 relating to pretrial reform. Enacting pretrial reforms will save taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court.

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Thank you for your attention and consideration.

Melissa Barker

Kapaa, HI

HB-2413-SD-1

Submitted on: 4/3/2026 8:54:17 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Nelson Char | Individual | Oppose | Written Testimony Only |

Comments:

The most important role of government is to protect and provide safety for its citizens. This Bill absolutely does not do this. It is giving more rights to the accused and actual criminals than protecting the property, safety, and rights of the general population.

As an example, California created a very similar law as well as sanctuary cities and crime soared out of control. In November 2024, their citizens voted via Proposition 36 to get tough on crime.

What makes you think that Hawaii is any different? Crime has increased consistently here in Hawaii. Why is the Rail or a new Stadium more important than a bigger Jail ? You are all operating with closed eyes, in a darkened glass bubble if you think that Hawaii is safer now than in the past. You should all be ashamed of yourselves. I am fully in opposition of this Bill advancing another minute. Respectfully submitted, Nelson Char.

HB-2413-SD-1

Submitted on: 4/3/2026 9:16:10 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Summer Yadao | Individual | Support | Written Testimony Only |

Comments:

Aloha Chairs and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial

Reform.

Our overcrowded jails are filled with those accused but not convicted of any crime simply because they cannot afford bail.

Pretrial services in the community instead of locking people up while awaiting their day in court, would be a more efficient way for Hawai'i to make needed changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

There is a need for fairness in our criminal legal system and to reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Summer Yadao

Ke'ei, Hawai'i

HB-2413-SD-1

Submitted on: 4/3/2026 9:18:11 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Leah Laramee | Individual | Support | Written Testimony Only |

Comments:

Aloha,

This bill is about keeping our community whole while the justice system catches up with major backlog. the intention of the justice system is to ensure safty and order for our communities but the current system challanges this by removing potentially innocent nonvilolent individuals from their roles in the community. This not only hurts the individual but, taxpayers and the community as a whole. This bill advances our judicial system to a more logcial, compassionate and equitable syste, advancing the implentation of innocent until proven guilty. Please pass this bill.

Mahalo for the oppportunity to testify on this measure.

Aloha,

Leah Laramee

HB-2413-SD-1

Submitted on: 4/3/2026 10:01:58 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Cassandra Chee | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the committee,

I am writing in strong **SUPPORT** of **HB 2413 HD1 SD1** because it is one step towards decriminalizing poverty. People should not be incarcerated in overcrowded, understaffed facilities simply because they can not afford their bail. Instead of spending millions of dollars on a new correctional facility, we must move to immediately decrease the numbers in our jails.

Mahalo,

Cassie Chee

HB-2413-SD-1

Submitted on: 4/3/2026 10:45:58 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Shay Chan Hodges | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

HB-2413-SD-1

Submitted on: 4/3/2026 11:25:41 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Regina Gregory | Individual | Support | Written Testimony Only |

Comments:

strong support

HB-2413-SD-1

Submitted on: 4/3/2026 12:13:04 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Jennifer Lum | Individual | Support | Written Testimony Only |

Comments:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial

Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Mahalo,

Jen Lum, 'Ewa Beach

HB-2413-SD-1

Submitted on: 4/3/2026 1:25:06 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Dita Škalic | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of **H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial**

Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Dita Škalič

HB-2413-SD-1

Submitted on: 4/3/2026 1:27:20 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Georgia L Hoopes | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Georgia Hoopes, Kalaheo

HB-2413-SD-1

Submitted on: 4/3/2026 6:22:09 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| KEALA FUNG | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Keala Fung

Honolulu, Oahu

HB-2413-SD-1

Submitted on: 4/3/2026 10:16:37 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Catherine Macomber | Individual | Oppose | Written Testimony Only |

Comments:

My name is Catherine and I am a Hawaii resident and small business owner. I am writing in strong opposition to HB 2413.

As someone who operates a business in our community, public safety directly affects my livelihood, my employees, and my customers. This bill would mandate the release of individuals charged with serious offenses including auto theft, burglary, habitual property crime, and drug possession regardless of their criminal history or prior failures to appear in court.

I urge the committee to consider the following:

Judges already have this authority. Hawaii judges can and do release defendants without bail when appropriate. This bill removes judicial discretion entirely, the very discretion that allows our courts to make case-by-case decisions based on a defendant's full record.

Public safety agencies oppose this bill. Law enforcement and prosecutors, the people on the front lines of community safety, are opposed. Their concerns deserve serious weight.

There is no data to support this change. No state research has been done on failure-to-appear rates. We would be making a sweeping policy change with no evidence of how many released defendants will simply not show up to court.

Jails are not overcrowded. The premise that this bill is necessary to relieve jail capacity does not hold. OCCC had 56 open beds just last week.

Property crimes harm real people. Auto theft, break-ins, and theft up to \$19,999 are classified as "non-violent," but they devastate families and small businesses. Treating them as low-consequence undermines the real harm caused to victims.

I respectfully ask the committee to oppose HB 2413 and preserve the ability of our judges to protect communities by weighing the full context of each case.

Mahalo for your time and service.

Catherine

HB-2413-SD-1

Submitted on: 4/4/2026 3:51:34 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Kencho Gurung | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial

Reform.

Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Kencho Gurung, Hilo

HB-2413-SD-1

Submitted on: 4/4/2026 5:51:58 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Alice Abellanida | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill. More laws and regulations in order to generate cash for the state. Oppose this bill.

HB-2413-SD-1

Submitted on: 4/4/2026 6:29:24 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Teresa Parmenter | Individual | Oppose | Written Testimony Only |

Comments:

This bill is not acceptable. I oppose this bill.

HB-2413-SD-1

Submitted on: 4/4/2026 7:19:14 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Priscilla Stuckey | Individual | Support | Written Testimony Only |

Comments:

Aloha, Chair and Members of the Committee,

I support H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail. Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up. It's time for Hawai'i to make similar changes to implement pretrial "best practices." People should not be locked up just because they can't pay to get out. They are presumed innocent until convicted, so they should not be held in custody.

This bill will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Mahalo,

Priscilla Stuckey, Kihei, Maui

HB-2413-SD-1

Submitted on: 4/4/2026 9:30:51 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Charles Arista | Individual | Oppose | Written Testimony Only |

Comments:

I as a native Hawaiian completely oppose bill HB2413 which will damage the Aina and its people.

HB-2413-SD-1

Submitted on: 4/4/2026 1:52:24 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jessica Kuzmier | Individual | Support | Written Testimony Only |

Comments:

Aloha, I am writing in support of HB2413 because I believe it will introduce more fairness into our criminal legal system. Mahalo for your consideration.

HB-2413-SD-1

Submitted on: 4/4/2026 3:16:57 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Erin Hagan | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices."

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Mahalo,

Erin Hagan, Waialua

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

HEARING:

Tuesday, April 7, 2026 at 10:15 am
Conference Room 016 & Videoconference

TESTIMONY IN **SUPPORT** OF HB 2413, HD1, SD1 - RELATING TO PRETRIAL REFORM.

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Christine Andrews. I am a long-term resident of Wailuku, Maui and an attorney licensed in Hawaii for over 25 years. I write you today in **strong support of HB 2413, HD 1, SD1, Relating to Pretrial Reform**, which requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions, and establishes exclusions for specified offenses, threats to public safety, and certain other circumstances. House Bill 2413, HD1, SD1 also requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted, and requires prosecutors to notify victims of pretrial decisions.

As a Maui resident, I will focus on the impacts of the current pretrial system on Maui County. According to the Criminal Justice Research Institute Hawaii 2025 Annual Report, in the Second Circuit, Maui County, there were 3,941 arrests in Fiscal Year 2025. There were an average of **328 arrests** per month. The most serious offense in an arrest was most frequently misdemeanors (37%), followed by class C felonies (29%), petty misdemeanors (22%), class B felonies (9%), and class A felonies (3%).¹ The raw numbers are 563 petty misdemeanors, 733 misdemeanors, 385 class C felonies, 93 class B felonies, and 16 class A felonies.

There were 1,984 **criminal case filings** in the Second Circuit, Maui County in Fiscal Year 2025. There were an average of 165 case filings per month. The most serious offense in a case was most frequently misdemeanors (30%), followed by class C felonies (29%), petty misdemeanors (27%), class B felonies (11%), and class A felonies (3%).² The raw numbers are 527 petty misdemeanors, 604 misdemeanors, 577 class C felonies, 222 class B felonies, and 54 class A felonies.

For cases filed in the Circuit Court of the Second Circuit in Fiscal Year 2025, 32% of defendants were released at the conclusion of the **first pretrial hearing**, 52% were in custody, and 16% were out of custody. For cases in which the most serious offense was a:

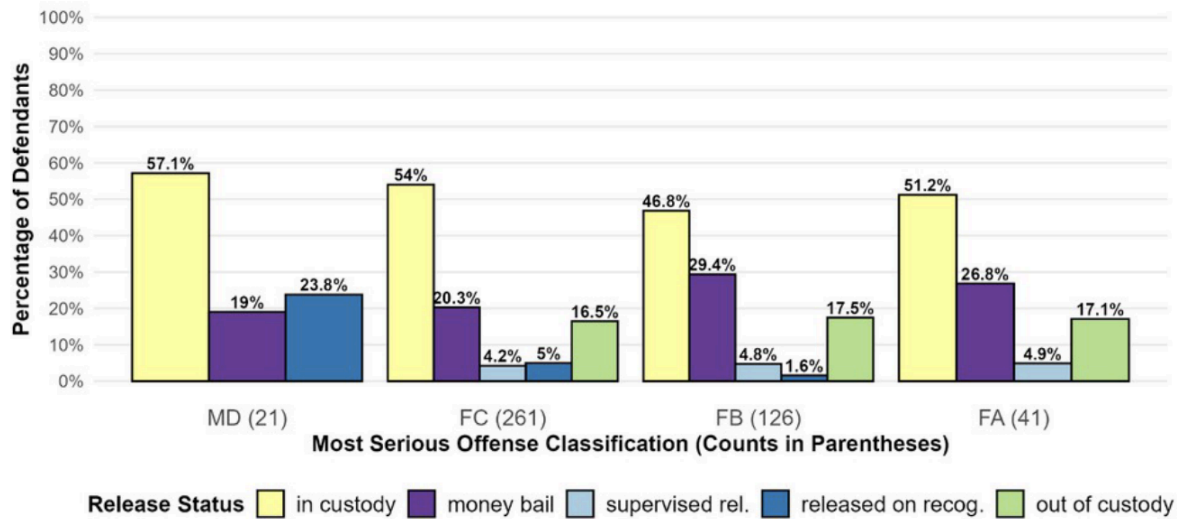
- **misdemeanor, 57.1% of defendants in custody**
- class C felony, 54.0% of defendants in custody
- class B felony, 46.8% of defendants in custody
- class A felony, 51.2% of defendants in custody³

¹ Criminal Justice Research Institute Hawaii 2025 Annual Report, p 25. Available at: https://www.courts.state.hi.us/wp-content/uploads/2025/12/RPT-CJRI-Annual-Report-2025_FINAL.pdf#:~:text=The%202025%20annual%20report%20summarizes,data%20and%20research%20to%20criminal

² Ibid at 33.

³ Ibid at 41.

Percentage of Defendants Who Were Released at Their First Hearing by the Most Serious Offense for Second Circuit FY 2025 Circuit Court Cases (Total n = 449)

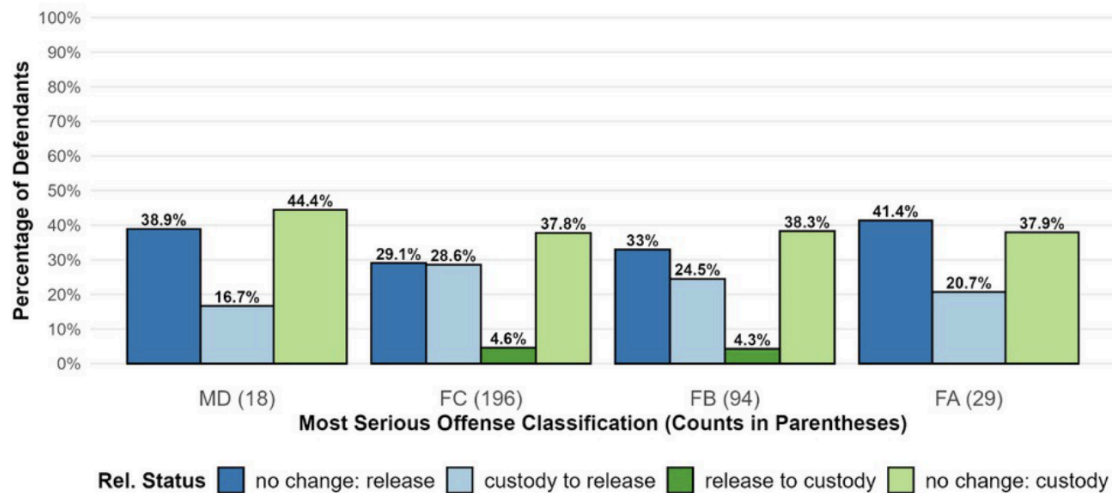


I think that the above graph, from page 41 of the Report, is a significant visual for the purposes of pretrial reform. **There were more people held in custody after their first hearing for misdemeanors (57.1%) than there were for any other offense.** What purpose does this serve other than to criminalize poverty without even a trial? Families torn apart, jobs lost, potentially irreversible economic harm that serves no public purpose and comes with significant incarceration costs.

For cases filed in the Circuit Court of the Second Circuit in Fiscal Year 2025, **38% of defendants remained in custody 90 days after their first pretrial hearing**, 32% remained on release, 26% went from custody to release, and 4% went from release to custody. For cases in which the most serious offense was a:

- **misdemeanor, 44.4% of defendants remaining in custody**
- class C felony, 37.8% of defendants remaining in custody
- class B felony, 38.3% of defendants remaining in custody
- class A felony, 41.4% of defendants remaining in custody⁴

Percentage of Defendants Whose Release Status Changed 3 Months after the First Hearing by the Most Serious Offense for Second Circuit FY 2025 Circuit Court Cases (Total n = 337)



⁴ Ibid at 54.

This image from page 54 of the Report helps visualize that, **in Maui County, three months—90 days—after their first hearing, more people were held in custody with misdemeanors as their highest offense than any other offense type.**

These individuals have not been convicted of any crime, yet they remain incarcerated largely due to the continued reliance on cash bail and limited use of alternative pretrial practices. Reducing the pretrial detention population is a clear first step to address problems of overcrowding given that the total number of people incarcerated in Hawai'i is decreasing over time, yet our pretrial population is increasing.

Research shows that **pretrial detention reforms do not compromise public safety** and have little impact on court appearance rates. **By contrast, unnecessary pretrial detention contributes to overcrowding, staffing issues, and worsening facility conditions.** Studies have also found that **pretrial detention itself can increase the likelihood of future criminal justice involvement.** Even short periods of pretrial detention can have devastating impacts on an individual, including job loss, homelessness or housing instability, loss of child custody, and loss of health care access. These all may contribute to increased likelihood of further involvement with the criminal justice system.

The time for meaningful pretrial reform is now. I request your vote in support of HB 2413, HD1, SD1 to bring justice to the criminal justice system.

Mahalo for your support,

Christine Andrews, JD
Wailuku, Maui

HB-2413-SD-1

Submitted on: 4/4/2026 4:44:58 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| ANDREW ISODA | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It’s time for Hawai’i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial “best practices.”

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Thank you,

Andrew Isoda
Lahaina, Mau’i

HB-2413-SD-1

Submitted on: 4/5/2026 3:21:47 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Jennifer Chiwa | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair Senator Rhoads, Vice Chair Senator Gabbard and Members of the Committee on Judiciary.

Please support HB 2413 HD 1 SD 1 relating to pretrial reform. It's my understanding that this bill would reduce detention based solely on ability to pay bail; save taxpayers money by reducing time in jail which costs more than community supervision; and would allow for release in cases of nonviolent offenses while judicial discretion and public safety are maintained.

Mahalo.

Jennifer Chiwa

Makiki and life long resident of Oahu

HB-2413-SD-1

Submitted on: 4/5/2026 9:09:32 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Deven English | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this bill, this is a joke of a bill, you are not reforming anyone, you are just enabling. Putting more work on all law enforcement by putting repeat offenders back on the streets in a continuous and never ending cycle of reoffending. You all should go work in the cellblocks for a week and see how many of the same names and faces you will see and then you will all know what a joke of a bill this is. Crime will never be controlled as long as you all keep putting g out bills like this, wise up, so tired of this one party state government.

HB-2413-SD-1

Submitted on: 4/5/2026 9:26:54 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kevin Teruya | Individual | Oppose | Written Testimony Only |

Comments:

Honorable Members of the Committee:

I oppose this bill. Please vote no. I join law enforcement's position.

Thank you for your time.

HB-2413-SD-1

Submitted on: 4/5/2026 9:49:56 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| austin gapsis | Individual | Oppose | Written Testimony Only |

Comments:

Crime is out of hand absolutely everywhere on island why would you let people off. You need to go harder. every day a crack head is lighting a car on fire. Meth camps everywhere. Our islands are rotting and this crap is why. You think you're being kind but you're actually being cruel to regular people. Stop putting assholes first.

HB-2413-SD-1

Submitted on: 4/5/2026 2:14:30 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Anela Brickwood | Individual | Oppose | Written Testimony Only |

Comments:

I'm opposed to this bill, because as a victim of an auto theft, those who have been caught breaking and entering into my vehicle and driving it without my authorization will not face the consequences that they deserve. It is not fair to me that I am a hard working civilian with a clean record, and I have to suffer financially and mentally while these losers get away with the crime. This also isn't fair to others who try their best to make a living everyday, all for some idiot criminal to set them back. Many innocent people are victims of crimes but get nothing out of it. Those who have also been caught committing other crimes (burglary, property crime, theft, and drug possession) or are repeat offenders need to take accountability for the crimes they have committed. I have witnessed and seen many crimes occur where the perpetrators are let loose all to commit crimes again. Where the hell is the accountability if you choose to release these criminals? Where are your guys brains to even think of letting these criminals loose? It's almost like you guys would rather protect criminals than the hardworking citizens here in Hawaii. Is it because these crimes haven't occurred to you that you decide to introduce a bill with no brain cell intact and don't consider those who are actually victims of these criminals? Listen to the people of Hawaii, we are sick and tired of these criminals being let go without consequences. What's the issue? No space in jail? Ship these repeat offenders out to the Mainland. Create a system where accountability is taken and the streets are free and clean of these criminals. Are you folks getting that good under the table money and getting paid to protect low lifes? Are you guys trying to protect your own criminal selves or you're aware of someone that you know that you want to be set free? It's ridiculous that this bill was even thought of. Maybe you'll fully understand why this bill is stupid until it happens to you. But even if you don't end up a victim of a crime, maybe just maybe use your common sense and hear the people of Hawaii out.

HB-2413-SD-1

Submitted on: 4/5/2026 2:49:09 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|------------------|--------------|--------------------|------------------------|
| Timothy Eagleson | Individual | Oppose | Written Testimony Only |

Comments:

Written Testimony in Opposition to HB 2413
Relating to Pretrial Reform
Dear Chair and Members of the Committee,

My name is Tim Eagleson , and I am a General Store Manager at Ala Moana mall in Honolulu, Oahu. I have worked in retail in Hawai‘i for 15 plus years , and I am writing today to strongly oppose House Bill 2413.

Retail theft has become a serious and daily problem in our stores. Shoplifting, organized retail crime rings, and repeat offenders cost our business thousands of dollars every month in lost merchandise, damaged property, and increased security costs. These losses directly lead to higher prices for honest customers and make it harder for small and large retailers to stay open and provide jobs in our community.

One of the most effective tools we currently have to protect our employees, customers, and inventory is the ability to issue trespass notices and have repeat offenders arrested and removed from the property. When someone is caught stealing, we document the incident, issue a trespass warning, and, if they return and violate that trespass, law enforcement can arrest them for criminal trespass. This simple measure helps deter repeat theft and keeps known thieves out of our stores.

I believe the answer is to have more deterrents. If the problem is an overloaded jail or prison system make a less violent criminal required for community service that day of incident. I believe if you gave someone something to do for 8 hours a day they would not have time to steal. In turn we could clean up streets and parts of Hawai‘i. This would also spread the word to friends that committing a crime in Hawai‘i means you get to pay your time.

HB 2413 would require the release on recognizance for many nonviolent misdemeanors and even some Class C felonies, including many property crimes such as theft, unauthorized entry into a motor vehicle, burglary in the second degree, and habitual property offenses. In practice, this means many individuals arrested for retail theft or for violating a trespass notice could be released quickly—often the same day—without meaningful consequences.

We already see repeat offenders returning to our stores within hours or days of being arrested. Automatic release would make this problem far worse. It sends a clear message to thieves that there is little risk in continuing to steal from local businesses. Our employees—many of whom are young or working alone—feel increasingly unsafe, and customers are noticing the rise in

open theft and confrontations.

I support smart pretrial reform that distinguishes between truly low-risk individuals and those who pose a real threat to public safety and private property. However, HB 2413 goes too far by creating a strong presumption of release for offenses that directly impact retail workers and businesses every single day. Judges should retain the discretion to hold repeat offenders or those who have shown they will not respect the law or court orders.

I respectfully urge you to oppose HB 2413 in its current form. Please prioritize the safety of Hawai'i's workers, the viability of our local businesses, and the protection of our communities over policies that weaken consequences for property crimes.

Currently we have a group of juveniles that are constantly harassing all the malls on the island. I have pictures and police reports on these juveniles. The answer of kids being kids isn't an answer. Asking for more police for the malls and more punishment for harassing individuals that steal from the community.

Thank you for the opportunity to provide testimony and for your service to the people of Hawai'i. Please make Hawai'i safer.

Sincerely,
Tim Eagleson
General store manager
Shoepalace
Honolulu

HB-2413-SD-1

Submitted on: 4/5/2026 4:52:00 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Jackie Keefe | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary,

My name is Jackie Keefe and I am testifying **in strong support of HB2413 HD1 SD1**, which is a step toward a more fair, evidence-based pretrial system. I am deeply disappointed in our State's legal systems' opposition to this bill, as we are supposed to run our judicial system on a presumption of innocence. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail, while alleged offenders with the means to afford bail do not have to suffer the same fate.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court.

It's time for Hawai'i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial "best practices." This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass HB2413 HD1 SD1.

Mahalo for the opportunity to testify.

Jackie Keefe, Lahaina

HB-2413-SD-1

Submitted on: 4/5/2026 6:07:33 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Evan Fan | Individual | Oppose | Written Testimony Only |

Comments:

Aloha Chair and Members of the Committee,

I respectfully submit testimony in opposition to House Bill 2413.

I oppose this bill because public safety is not an abstract issue to me. It affects real people, real neighborhoods, and real lives. I wake up at 6:00 a.m. every morning to drive my immigrant mother to work because I do not feel comfortable having her walk alone to the bus stop and wait there by herself due to past incidents. This is not politics to me. It is part of my family’s daily routine and a reflection of the fear and concern that many ordinary people carry every day.

On paper, some offenses may be labeled “nonviolent,” but in real life, repeated harassment, intimidation, theft, disorderly conduct, and chronic disregard for the law can still leave someone’s mother, daughter, grandmother, or loved one feeling vulnerable, frightened, and unsafe in her own community. These harms may not always fit the most serious legal labels, but the fear they create is real.

That is why I am concerned that House Bill 2413 moves too far toward presumptive release. My concern is not theoretical. It comes from the reality that a relatively small number of repeat offenders can cause a disproportionate amount of fear, disruption, and harm in the community. When those individuals are repeatedly released, it is not lawmakers who bear the immediate risk. It is ordinary people. It is someone waiting at a bus stop before sunrise. It is someone’s mother coming home from work. It is someone’s daughter walking alone. It is someone’s grandmother trying to feel safe in her own neighborhood.

A charge classified as “nonviolent” does not always mean the situation is truly low-risk. Many residents already believe the system is too quick to release repeat offenders back into the community. For that reason, I am concerned that House Bill 2413 would move the law even further away from public safety.

I understand the goal of fairness in pretrial reform. However, fairness must also include fairness to victims, to working families, and to the mothers, daughters, and grandmothers who deserve to feel safe in their communities.

For these reasons, I respectfully urge the Committee to defer House Bill 2413.

Thank you for the opportunity to submit testimony.

Respectfully,
Evan Fan

HB-2413-SD-1

Submitted on: 4/5/2026 7:16:59 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Cheryl Ho | Individual | Support | Written Testimony Only |

Comments:

Aloha, Chair Rhoads; Vice Chair Gabbard; and Members of the Judiciary Committee!

I STRONGLY SUPPORT HB 2413, which proposes to reform the terms of pre-trial incarceration of persons charge with non-violent crimes. States which have instituted robust pre-trial community services have saved taxpayer dollars, and reduced overcrowding in our prisons. At the same time, careful standards for monitoring community safety have been kept in place.

I urge the Judiciary Committee to move Hawai'i in this direction! As a constituent of Sen. Rhoads Senate District, I know I can count on his leadership to pass this bill.

Mahalo nui!!

Cheryl Ho, Nu'uuanu

HB-2413-SD-1

Submitted on: 4/5/2026 7:38:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jeffrey F Mizuno | Individual | Oppose | Written Testimony Only |

Comments:

Text

HB-2413-SD-1

Submitted on: 4/5/2026 9:00:47 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Grant Woo | Individual | Oppose | Written Testimony Only |

Comments:

I oppose releasing non-violent offenders without bail. Although the term non-violent seems harmless the truth is it deeply hurts communities and families. My family and I owned a retail shop for 11 years, Impact Games, where I ran the bulk of operations. One of the main reasons we were forced to close is because someone broke into our shop, stole a lot of merchandise, and left a lot of damage. This happened in November, right after we spent most of our money to stock up for black friday and Christmas. So now we had nothing to sell and no money to buy new inventory. We contacted our insurance, but it was a lengthy process and after 9 months they gave us only a third of the total value for inventory and repairs. Police were called but there was no result in arrests or finding our property.

That store was my dream and one of my biggest accomplishments, especially considering I was only 24 years old when we opened. All ruined by criminals that would have been considered non-violent.

If you let criminals go free and face no consequences for theft, vandalism, fraud, harassment, etc, then there is no reason for them to stop.

Crime has already increased significantly in the last 5 years. We don't need it to get worse.

Additionally our main income as a state is tourism. If crime runs rampant that will stop. Nobody wants to go to Detroit for vacation. And cities that once thrived with tourist, such as San Francisco, are seeing a steep decline due to crime.

I am Kānaka Maoli, and even the Chinese side of my family goes back 6 generations in Hawaii. I have a 2 year old daughter and my wife and I are trying to have more. I do not want to leave Hawaii because of crime, which is exactly what will happen if criminals are released without bail.

Mahalo for your time.

Grant Woo

HB-2413-SD-1

Submitted on: 4/5/2026 10:19:04 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| Christopher Kam | Individual | Oppose | Written Testimony Only |

Comments:

Aloha,

My name is Christopher Kam. I am strongly opposing house bill HB2413. As a professional first responder serving as a City and County Ocean Safety Lifeguard for many years, I have deeply been affected by the constant release of repeat offenders with multiple violations and offenses that endanger and have harmed our public and first responders. In June 2025, I was threatened, harassed, and nearly assaulted on duty by a repeat criminal that had many misdemeanors and felony offenses named "Jackie Brown". "Jackie" was released again by a judge to wreak havoc on our community again immediately after his release and was arrested again.

On July 28, 2026 while working in Waikiki as a City and County Lifeguard, I was wrongfully arrested by Honolulu Police Department while protecting the public from a **career criminal** named "Tommy Chiles" who was harassing, intimidating and assaulting beachgoers. My partners and I responded to the scene after beachgoers were screaming for help as Tommy a convicted Pedophile who had over 399 arrests 76 Convictions and 34 PENDING Violations was wreaking havoc on our community. Despite countless efforts by the Waikiki Community to have Tommy held accountable for his many crimes, HPD only charged Tommy with "Disorderly Conduct" which is a misdemeanor and HPD tried to Charge me with "Assault of an Elder" which is a FELONY. I was nearly fired for defending the public and myself and am suffering from PTSD, emotional and psychological damage due to this career criminal. Releasing criminals with multiple non-violent offenses and or violent offenses is extremely dangerous as it **emboldens** these career criminals into believing they are untouchable and they become fearless of our public servants and first responders as well as our citizens! Vote NO to SB2413!

HB-2413-SD-1

Submitted on: 4/6/2026 5:09:50 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| David E Shormann | Individual | Oppose | Written Testimony Only |

Comments:

I might say yes if bail was 10K for ANY 2nd arrest in the categories where "release on recognizance" is currently proposed in the Bill. 20K for 3rd arrest, 30K for 4th arrest, etc.

HB-2413-SD-1

Submitted on: 4/6/2026 9:24:52 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Nanea Lo | Individual | Support | Written Testimony Only |

Comments:

Hello Chair Timothy Richards Rhoads, Vice Chair Mike Gabbard, and Members of the Committee:

I am writing in strong support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Many people currently held in Hawai‘i’s overcrowded jails have not been convicted of any crime—they remain incarcerated simply because they cannot afford to pay money bail. This creates a two-tiered system of justice, where outcomes are determined not by risk or public safety, but by a person’s financial means.

Other states have successfully implemented pretrial reforms that prioritize fairness and public safety while reducing unnecessary incarceration. By investing in robust pretrial services—such as supervision, court reminders, and community-based support—jurisdictions have been able to lower jail populations, improve court appearance rates, and save taxpayer dollars.

Hawai‘i has the opportunity to adopt these proven best practices and move toward a more equitable and effective system. Reducing reliance on cash bail will help ensure that legally innocent individuals are not detained simply due to poverty, while still maintaining safeguards that protect community safety.

This bill is an important step toward increasing fairness, reducing overcrowding, and strengthening trust in our justice system.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Me ke aloha ‘āina,
Nanea Lo, 96826
Sierra Club of Hawai‘i Member
Hawai‘i Workers Center Board Member
Clean Elections Hawai‘i Member
Honolulu Tenants Union Member
350 Hawai‘i Member
Carbon Cashback Hawai‘i Member
Hawai‘i Tax Fairness Coalition Member

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 10:19:52 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Keili McEvelly | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

My name is Ke‘ili McEvelly from Kaneohe, I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. Many people locked up in our overcrowded jails are accused but not convicted of any crime simply because they cannot afford money bail.

Other states have successfully enacted pretrial reforms and saved taxpayer dollars by investing in robust pretrial services in the community instead of locking people up while awaiting their day in court. It’s time for Hawai’i to make similar changes to our two-tiered system of justice based on wealth and implement pretrial“best practices.”

This will increase fundamental fairness in our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Mahalo for your time,

Ke‘ili McEvelly

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 10:50:34 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Charles Lopes IV | Individual | Oppose | Written Testimony Only |

Comments:

This bill allows criminals to abuse this to their advantage. They'll just continue to repeat these types of offenses. Make criminals fear prison or they'll walk all over the victims.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 10:54:06 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Riana | Individual | Oppose | Written Testimony Only |

Comments:

This will further ruin our communities and state.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:00:39 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Felecia Grace | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:06:16 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Thomas Deeter | Individual | Oppose | Written Testimony Only |

Comments:

You're all fucking idiots trying to pass this. Lock up criminals when caught, stop releasing them just because retards elected a bunch of liberal fuckwads.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:26:44 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Richard Allgire | Individual | Oppose | Written Testimony Only |

Comments:

I was a reporter with KGMB and KITV for 32 years. I now own my own business in Honolulu that generates \$1.3 million annually, so I pay a lot of General Excise tax and state and local taxes. This idea of letting criminals out with no bail has been tried in other places. It is a VERY BAD idea. Shame on you for even considering it. I've not been involved in politics, but I would be motivated to donate to defeat all of you who support this idiotic bill.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:33:45 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| TERI SAVAIINAEA | Individual | Support | Written Testimony Only |

Comments:

Aloha Chair Rhoads and Members,

I support HB2413, with conditions.

I believe in second chances—but they must be earned, not given without standards. This is personal for me. I have seen both the consequences of poor choices and the power of accountability, rehabilitation, and hard work to turn lives around.

HB2413 recognizes that when people are given a real path forward, our communities are stronger and safer. That matters.

But support cannot come without safeguards.

I urge this Committee to ensure:

- **Clear accountability and demonstrated rehabilitation;**
- **Public safety is never compromised;**
- **No mandates that remove employer or agency discretion;**
- **Measurable outcomes—not just intent.**

Second chances should raise the bar—not lower it.

With these amendments, I support HB2413.

Mahalo for the opportunity to testify.

Respectfully,
Teri Kia Savaiinaea

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:41:44 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Christina Ham | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB2413 because it does not adequately take into consideration public safety.

Testimony in Strong Opposition to HB 2413, H.D. 2, S.D. 1

Relating to Pre-Trial Reform

LATE

Dennis M. Dunn

Kailua, Hawai'i 96734

To: **Senate Committee on Judiciary**

Chair: **Senator Karl Rhoads**

Vice Chair: **Senator Mike Gabbard**

Hearing: **Tuesday, April 7, 2026, 10:15 a.m.**

Good morning, Chair Rhoads, Vice Chair Gabbard, and Members of the Judiciary Committee.

My name is Dennis Dunn. I am the retired Director of the Victim Witness Kokua Services in the Honolulu Prosecuting Attorney's Office. I respectfully submit this testimony in **strong opposition to HB 2413, H.D. 1, S.D. 1**, Relating to Criminal Justice Reform, based on more than fifty years of experience assisting crime victims.

Overview of the Bill and Core Concern

HB 2413, H.D. 1, S.D. 1 would require that individuals charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent Class C felonies be released on their own recognizance at arraignment and plea, subject to the general conditions of release set forth in HRS §804-7.4.

This bill appears to be based on the unsupported belief that Hawai'i judges are failing to properly apply Act 179 and that legislative mandates are therefore necessary to compel broader releases without bail. The bill further penalizes courts that do not follow these mandates by requiring written findings in each case.

My primary concern is that this measure essentially mandates release decisions before courts and law enforcement have sufficient time or information to assess the individual defendant, the facts of the case, or the defendant's criminal history.

Risks to Victim Safety

Many offenses covered by this bill may involve serious underlying conduct, including domestic violence, sexual assault, stalking, or terroristic threatening, even when the charged offense is relatively minor, such as harassment.

In these cases, context matters, including the relationship between the victim and the offender, the offender's prior history of similar conduct, and patterns of escalating or repeated abuse.

Release on recognizance may be entirely inappropriate where victim safety is at risk. Bail and release conditions can be critical tools to prevent further harm to specific victims and to the public at large.

The bill's lack of clarity regarding excluded offenses creates additional risk through inconsistent interpretation, particularly for offenses such as Harassment by Stalking and Violation of Privacy, where ongoing danger to victims is inherent.

Inadequate Time and Resources for Risk Assessment

This bill imposes accelerated timelines that make meaningful risk assessment unrealistic. Law enforcement and intake services would be deprived of adequate time to evaluate a defendant's prior conduct and threat level.

The Intake Service Center is already struggling to meet existing bail report timelines. A further compressed process invites tragic outcomes

Victim Notification Provisions Are Unworkable

Although the bill references victim notification, it fails to require that victim safety concerns be adequately considered before release decisions are made.

The bill appears to dramatically expand victim notification requirements while shifting the entire burden to prosecutors' offices. The SAVIN Victim Notification system is not connected to the Judiciary or police cellblocks, requiring notifications to be handled manually.

These mandates would require significant increases in staffing for Victim Witness Assistance Programs, yet the bill contains no funding appropriation.

Conclusion

To be clear, this measure represents a radical departure from the current process, which allows judicial discretion, informed by adequately timed background information to inform release decisions and terms of release individualized to each offender and each crime. For all these reasons, HB 2413, H.D. 1 is unwise, unworkable, and dangerous to victims' safety. It undermines

individualized judicial decision-making, strains already limited resources, and prioritizes speed over safety.

I respectfully urge the Committee to hold HB 2413, H.D. 2., S.D. 1

Mahalo.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:44:38 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Matthew Hanaoka | Individual | Oppose | Written Testimony Only |

Comments:

I do not support this bill due to lack of consideration to community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:48:58 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Tamara Rogers | Individual | Oppose | Written Testimony Only |

Comments:

Protect the honest people on our island. If there are no consequences, there will be more problems

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:55:01 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ali Arista | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill as it does not consider the impact on community safety. Too many people and businesses are already being impacted and are suffering because of “smaller” crimes and feeling unsafe in their own homes, places of work, and in their communities.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:56:00 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kim Koyanagi | Individual | Oppose | Written Testimony Only |

Comments:

I am opposed to HB 2413 Bail reform. Similar bills in other states have made crime rates higher. As it stands, the crime rate in Hawaii has gone up significantly. It is no longer safe for people, particularly our Kupuna to go out even in the daytime hours.

this bill, if it passes will make our streets unsafe and small business will not be able to survive.

basically, we are in a "catch and release" environment.

HB-2413-SD-1

Submitted on: 4/6/2026 11:58:37 AM

Testimony for JDC on 4/7/2026 10:15:00 AM



| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|---------------------------|
| Keith Rof | Individual | Oppose | Written Testimony Only |

Comments:

Criminal activity is creating unsafe conditions for the community and this bill does not create accountability for accused and lessens community protection.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:08:00 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ambar Guerra | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill as it does not consider the impact it will have on our communities where there is not only many elders and children, but everyone would be at risk of being victim to petty crimes with no repercussions

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:21:13 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Phil Yasuhara | Individual | Oppose | Written Testimony Only |

Comments:

Since judges already have the authority to release arrestees without bail, why eliminate the possibility of their NOT doing so based upon the criminal or other history of the arrestee?

This bill makes on common sense!

Please do not move it forward!

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:25:36 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jason Ly | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:29:09 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| TJ Sumic | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill! Why are we even considering not holding perpetrators accountable for their actions?! Do you really not see all the "petty" crimes occurring? Stores having to lock items up, tourists getting their belongings stolen (your #1 industry), locals like my not even wanting to surf anymore because I worry about my car window getting smashed in. I could go on and on. It just amazes me how elected officials this this bill is a good idea! I was born and raised here on Oahu and can still remember when we could go to sleep at night without locking the front doors or even not locking our car doors in our own garage but because we no longer hold law breakers accountable for their actions look at what "paradise" has turned into! Instead you politicians would rather overburden the people who go to work everyday and pay their taxes instead of those who find it ok to steal and break laws! This is a major reason why I refuse to vote for "incumbents"!!! By the way, maybe the dollar amounts these people steal may seem "small" to you, but to us, the people who work hard for what we have, any loss has a chain affect on our quality of living. Please use your common sense at the very least!

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:43:25 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kristy | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:44:14 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ailima Iosua | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this reform

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:45:09 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Stacey Heino | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does NOT consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 12:56:38 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Paul | Individual | Oppose | Written Testimony Only |

Comments:

I don't not support this bill. If passed, it will jeopardize the safety of tge public.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 1:07:26 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| TANYA WILLIAMS | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 1:12:42 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Glenn Choy | Individual | Support | Written Testimony Only |

Comments:

I strongly support this bill. Thank you.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 1:13:45 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Cyd | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill. Please do NOT release! We have way too much crime with no repercussions!
Mahalo!

LATE

I strongly oppose this bill. Judges already have the discretion to apply bail or not in these circumstances and that power should be within the jurisdiction of judiciary and not mandated by legislation. The judges should have the ability to consider each offense and circumstance and not have their hands tied by a governing body that cannot interpret every situation. Property crimes are just as harmful and traumatizing to the public as violent crimes. Crime is consistently a top issue in Honolulu and this bill will only serve to diminish the will of the people to address these issues. Constant release of offenders to commit crimes and re-offend with no accountability is not the answer. With the immense number of problems facing the people of Honolulu, this should be the least addressed. Again, the courts and judges already possess the ability to employ discretion, so I ask why are we attempting to mandate their actions and broadly limiting their ability to use their experience in making these determinations? This bill should not move forward in any version.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 1:52:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------------------|---------------------|---------------------------|------------------------|
| Torsten Vaivai-Soderberg | Individual | Oppose | Written Testimony Only |

Comments:

While I understand the intent behind this bill, I strongly oppose it because of the real-world impact it will have on accountability and public safety.

There is already a clear and ongoing pattern of individuals repeatedly committing non-violent offenses and being released shortly after, with little to no meaningful consequence. Expanding pretrial release without stronger safeguards will reinforce that pattern. It will send a message that these offenses carry no real repercussions.

When individuals learn that they will be quickly released regardless of repeated behavior, the result is predictable: continued violations, increased strain on the system, and growing frustration within the community.

Risk-based assessments alone are not enough to address this issue. They often fail to capture repeated noncompliance and the cumulative impact of ongoing offenses.

I strongly believe this bill risks doing more harm than good.

I respectfully urge you to oppose HB2413.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:02:24 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Kevin Ching DDS | Individual | Oppose | Written Testimony Only |

Comments:

Strongly oppose, please vote no.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:11:45 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kim Machida | Individual | Oppose | Written Testimony Only |

Comments:

I sttongly oppose this bill because it will greatly reduce public safety, embolden criminals, and reduce the effectiveness and morale of our police officers. Mahalo.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:33:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Joyce Y H Willy | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB 2413 for the following reasons:

- HPD is doing their job, however, the system is failing them by not holding criminals accountable.
- There are too many criminals who are free, awaiting trial after 10-20-30 of the offenses, never show up and defunct on their bail, etc.
- I am frustrated and disgusted that the system fails and I feel unsafe in HI. We are getting to be like the mainland. Where rhe Aloha with all this crime.

Joyce Willy

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:34:01 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| KELVIN AWAYA | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose HB2413. This bill would allow for criminals to be released without punishment for the crimes they've committed. This does not help address any of the present/lingering issues with crime in Hawaii. It only promotes and advocates for those looking to break the law to continue to do so. Because there are no ramifications/punishments for doing so. The general public does not deserve to suffer from the poor decision making that lawmakers propose. To be quite frank, I don't know of any law abiding citizen that would make such a proposal because it's senseless. The fact that this is even on the table is preposterous. This bill needs to be shut down.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:36:53 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Claydine | Individual | Oppose | Written Testimony Only |

Comments:

If this bill is passed there will be more crime and even murders. No one wants to be a victim and will do what needs to be done to protect themselves, family and property. Theft will go up because there is no real consequences and prices will skyrocket and stores will close. Government officials need to stop being lazy and come up with real solutions or you or you family may just be another victim.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:37:55 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Easter K. Logan | Individual | Oppose | Written Testimony Only |

Comments:

Hawaii's laws are already too lenient. Crime is on the rise and we need tougher laws and actual prosecutions.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:42:08 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kainoa | Individual | Oppose | Written Testimony Only |

Comments:

As a law abiding citizen that clawed my way out of poverty. Now I'm barely getting by but doing much better than i once was. Coming from kaimuki high school with nothing to my name. Only to see petty criminals lazily steal rob and harm innocent people to get what they want as well as the epidemic of mental health plaguing our island and our state. This bill only encourages them to continue to do so instead of getting the help they need by slapping their wrist and letting them out again. We all know these people will continue to do petty crimes knowing they'll get away with it and worse case scenario a slap on the wrist. They need a real life event to happen to them for them to really want to change. How long until someone who is fed up with these changes does something more severe as their own form of justice since our system will not provide it?

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:46:24 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| kim santos | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this bill and ask that you would please vote against it. It is important that all priors be made known and considered when decisions are being made. Please think about the safety of our communities and people. Thank you.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:50:43 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Brendan Tottori | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety. No one should get away with Auto theft, breaking into cars, burglary, drug possession, harassment, shoplifting, trespassing disorderly conduct. Protect the community and keep these offenders off the streets and in jail.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:54:52 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Michelle Risa | Individual | Oppose | Written Testimony Only |

Comments:

I do not believe that we should release those in prison simply because their crimes were "nonviolent." If it's okay to steal, for example, that still creates an environment for other crimes. By releasing these inmates, we'll create and promote a society that doesn't feel safe, and also one that isn't held accountable for their actions. There are consequences and repercussions for every crime and theft, not just physically violent ones. This will also lower the bar for law-abiding citizens to feel the pull towards crime, ie if so & so got away with this, then why am I following all these rules?

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 2:56:21 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Gordon Caluya | Individual | Oppose | Written Testimony Only |

Comments:

This is one of the most Ridiculous bills I've ever seen submitted! Criminals are already not punished nearly enough for their crimes and get off with a slap on the wrist! How is this supposed to punish them for their crimes??? So many criminals are repeat offenders, and this bill would put them right back on the streets Immediately! HPD and the Prosecutors office both oppose this bill. What's the sense of arresting criminals if they're not going to be held and are forced to post bail??? Enough of this soft on crime BS!

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:11:07 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Debra | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:12:01 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kimberly Miyahana | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:25:33 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Thomas Tantog | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill due to public safety w crime already at all time high

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:34:12 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Cynthia Ravensberg | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this bill because of the effects that it will have on the community as a small business owner this is very concerning

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:34:43 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Aaron Nagamine | Individual | Oppose | Written Testimony Only |

Comments:

As a tax paying citizen, I believe my hard earned money and property should be protected to the fullest. The law should be made to serve those who actually contribute to society and shoulder the burden of paying taxes for the services of law makers and law enforcement. Make it make sense. Why should these criminals who choose to go against society, and steal from honest, hardworking citizens, be let off with no bail. We all know how long the judicial process can take. Should we allow these criminals to just walk free in the mean time, continuing to terrorize our communities? Allowing them time to flee from the law? I say NO, the answer to crowded jails should not be to let criminals walk free. Please think of the honest, hardworking families of Hawaii, the ones who actually contribute to society, the ones whom you all have sworn to serve, in making your decision regarding this bill. Who does this bill really protect? Who does it benefit? Your tax paying constituents or the people terrorizing them? Make it make sense.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:38:36 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Morris J Paiva | Individual | Oppose | Written Testimony Only |

Comments:

My name is Morris John Paiva Jr. and I firmly stand to oppose HB-2431, for this is by far a very dangerous bill to consider in regards to Public Safety. This will not only promote unacceptable behavior from the individuals this bill will affect but also give time for these individuals to introduce themselves into more serious and potentially life threatening crimes and by that time the community has already been harmed. Don't give these individuals time to make a negative impact to themselves or innocents of the community before necessary actions of the law are held upon them, if a person has committed such crimes, they should be addressed as soon as possible, so that professionals or proper authority's can conduct their jobs correctly and provide the necessary care or justice for this person, ensuring that the persons of these crimes are being corrected and held legally accountable. That is the purpose of "Corrections and Rehabilitation"

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:41:06 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| joseph simpliciano | Individual | Oppose | Written Testimony Only |

Comments:

As a person who works for the State in a public facility I deal with all of the criminals that is released pending their court cases and this is probably the worst idea ever. Criminals should stay locked up or at least sent to the state mental hospital for help because most of them suffer from drug abuse which makes their mental illness worse. Help protect Hawaii residents by keeping criminals locked up. This may help deter criminal activities.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:42:21 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Deborah Key | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this Bill. If there are no consequences for criminal behavior not only will it continue, it will increase. Lawmakers are obligated to protect the interests of their constituents. This Bill does the opposite.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:46:16 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Isaac | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because there have been too many crimes recently in Honolulu with too much lenience and not enough consideration for the public's safety and peace of mind. Don't let this island become like San Francisco.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:50:31 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| chris bowers | Individual | Oppose | Written Testimony Only |

Comments:

Why on earth would you enact a bill that would limit a judges ability to consider past criminal offenses and repeat offenses. To me frankly it sounds like someone doesn't want to be viewed as the bad guys whilst also "cutting" cost by not processing and holding people accountable for their actions. Shows a clear lack of concern for public safety, and I my stands to embolden offenders as they walk away with no immediate consequences. Now they think jeez if I get arrested I'll just be set free, and then the system will drag out and I'll be let off with a wrist slap. I strongly oppose.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:57:15 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Rodd | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill, we don't need to release criminals if they are in jail, regardless if its not serious or it is.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 3:58:15 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Destini Amina | Individual | Oppose | Written Testimony Only |

Comments:

It does not make sense for a bill like this to exist and have police officers respond to keep the peace if the individual will just be released to do it again. Wanting Hawaii to be safe but letting offenses like these slide for what reason? The law is the law, you break the law you pay for it by accepting the consequences that come with the offense. What is so hard to understand about that. Our representatives need to use their heads when thinking about bills that are made, we're supposed to feel safe and no one does. Let's be real!

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 4:14:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Cody Birchenough | Individual | Oppose | Written Testimony Only |

Comments:

To Whom it make Concern:

As a resident of Maui, we have seen an uptick in petty crime. Our law enforcement officers are spread thin and should not have to face rearresting serial offenders due to no-cash bail offers. Everyday I see social media posts from others in the community wanting help addressing theft or property damage by individuals that are known to the system. Why would we make it easier for these individuals to perpetrate more crimes in our community? I also find it outrageous that this legislative body is considering a bill assessing a \$1000 fine for an unspayed cat but an individual can steal \$19,999 with no financial repercussions attached to their arrest. When did pet reproduction pose more of a threat to society than someone arrested for a crime? Please vote no and hold all members of our society responsible for their actions.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 4:15:26 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Mikayla James | Individual | Support | Written Testimony Only |

Comments:

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee:

I am writing in support of H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform. It is important that those who are accused of a crime, especially a non-violent one, who cannot afford bail, do not experience undue harm as they are presumed, under the purview of the law, to be innocent and should not need to worry about their next paycheck, losing their job, losing their housing and material possessions, or becoming estranged from their family.

Not only would bail reform of this manner uphold the humane treatment of accused persons, but it would also significantly reduce the State's issue of chronic jail overcrowding (50-70% of people in Hawai'i jails are pretrial detainees), while saving taxpayer money, which could be put toward community-centered efforts to further reduce and prevent crime.

Other states, such as Illinois and New Jersey, have successfully enacted pretrial reforms and saved taxpayer dollars without increasing crime rates. We cannot allow a two-tier system of justice, where the rich who can afford bail are treated preferentially and the poor and working class living paycheck to paycheck are ignored and harmed, to persist in Hawai'i. Passing this bill will increase fairness and equity within our criminal legal system and reduce the number of legally innocent people held in our jails without compromising community safety.

Please pass H.B. 2413, H.D. 1 S.D. 1 Relating to Pretrial Reform.

Mahalo nui loa for your consideration of my testimony,
Mikayla James
Waipahu, O'ahu

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 4:19:52 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Carlyle Handley | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because the expected result would be an increase in offenses upon the general public as proven by other states that have implemented similar measures. There is empirical evidence that this type of legislation reduces public safety with affording any benefit.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 4:20:29 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Patricia Sarsuelo | Individual | Oppose | Written Testimony Only |

Comments:

This is shameful. Please consider the safety of our citizens. Crime is already rampant here. We need legislator's that care. I'm absolutely disgusted.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 4:24:32 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| THOMAS Y MCKEOWN | Individual | Oppose | Written Testimony Only |

Comments:

Oppose

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 4:44:22 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Sabrina Garcia | Individual | Oppose | Written Testimony Only |

Comments:

I oppose as this does not favor our community.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 4:56:38 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Michaela Alcaraz | Individual | Support | Written Testimony Only |

Comments:

Good Morning/Afternoon Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Michaela, and I live in Hanamā‘ulu, Kaua‘i.

I am in support of, and respectfully urge you to also support, HB 2413.

Mahalo nui loa for your time and consideration.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 5:01:18 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Sammy long | Individual | Oppose | Written Testimony Only |

Comments:

Please do not pass HB2413. DO NOT RELEASED ARRESTED CRIMINALS ON THEIR OWN RECOGNIZANCE!!!! People have been badly injured, killed and raped by crinimlas who are released or are released waiting for 1-3 years in Hawaii for a court date while they are out there committing more crimes!!! Hire more judges, court workers and expand prisons!!! It makes no sense to arrest them and let them go!!!!

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 5:02:33 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Ikaika Smith-Koa | Individual | Oppose | Written Testimony Only |

Comments:

My name is Ikaika Smith-Koa, and I oppose HB2413. My opposition is grounded in the real risk that offenses labeled “nonviolent” do not always remain that way, especially when early warning signs are missed or underestimated. In Hawai‘i, there have been situations where lower-level incidents, such as property crimes, neighborhood disputes, or misdemeanor assaults, have escalated into deadly outcomes. These cases show that what begins as a minor charge can quickly become dangerous when underlying factors like prior behavior, substance use, access to weapons, or ongoing conflicts are not fully considered. Opponents argue that a law requiring default release for broad categories of offenders may limit a judge’s ability to carefully assess these risks on a case-by-case basis, especially in fast-moving court environments where critical details may not yet be fully known.

Looking beyond Hawai‘i, similar concerns have been raised across the U.S. mainland, where individuals initially arrested for nonviolent or low-level offenses were released and later became involved in serious or fatal incidents. Critics point out that these outcomes are often not due to a single failure, but rather a chain of missed judgments, whether by law enforcement, prosecutors, or courts, where warning signs were present but not acted on decisively. They argue that HB2413 could unintentionally increase the likelihood of such scenarios by creating a presumption of release that may override caution in borderline cases. From this perspective, the bill risks prioritizing procedural uniformity over nuanced public safety decisions, potentially exposing communities to harm if even a small number of high-risk individuals are mistakenly categorized as safe for release.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 5:23:55 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Dean Matsui | Individual | Oppose | Written Testimony Only |

Comments:

"Non-violent" does not mean low risk, many crime prey on good citizens without violence. We have Judges to weigh context of a crime against the record of a criminal. Removing that discretion replaces thoughtout decision-making with a blanket rule. If we allow repeat offenders to be released without review, we are removing immediate consequence. Any good parent will tell this is a terrible idea. I grew up with teachings like "crime doesn't pay", well guess what this tells criminals we don't take crime seriously. If people know that certain crimes will lead to automatic release regardless of history, it could unintentionally encourage repeat offenses. Criminal behavior exists on a spectrum and there is no single one-size fits all solutions.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 5:37:54 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kaulana Kaopuiki | Individual | Oppose | Written Testimony Only |

Comments:

If they never learn the first time they gonna keep doing it

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 5:40:02 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Annette Ahuna | Individual | Oppose | Written Testimony Only |

Comments:

Releasing any criminal even those with non-violent crimes will cause these criminals to continue what they're doing. They deeply hurt those who they offend and some have a hard time forgetting what has happened to them. Yet, these criminals don't think about it and go on being criminals and living their life. Do the public a favor and do not release criminals, non-violent or violent, back in our society where most of us are just trying to get by. Keep our communities safe by not passing this bill. Police and prosecutors oppose this bill. This says the people who are trying to help our communities to be safe oppose this bill because it goes against keeping our communities safe.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 6:10:08 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Loreli Thompson | Individual | Oppose | Written Testimony Only |

Comments:

I fully OPPOSE this bill because the impact on community safety would be devastating!

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 6:37:33 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Ian Bishop | Individual | Oppose | Written Testimony Only |

Comments:

Dear Chair and Committee Members,

I am writing as a concerned resident of Kaneohe to strongly oppose HB2413. This bill would create a presumption of release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and certain nonviolent Class C felonies. While the intent may be to reform pretrial practices, I believe it would undermine public safety at a time when Hawaii families are already struggling with rising challenges.

Crime in Hawaii is already on the rise, particularly in categories that affect everyday life such as property crimes, theft, and certain misdemeanors. Recent resident surveys show that a majority of Hawaii residents now rank crime and safety among their top concerns, with many perceiving violent crime as worsening. Releasing more defendants back into the community pretrial—without monetary incentives to ensure court appearances—risks rewarding bad behavior and encouraging repeat offenses. Judges already have discretion to release low-risk individuals; this bill shifts toward a one-size-fits-most approach that could weaken accountability.

We should not follow California's footsteps with policies that resemble aspects of Proposition 47. That state's reforms have been widely criticized for contributing to increased property crime, retail theft, and visible disorder in many communities. Hawaii residents consistently express a desire for a safer Aloha State—not one that imports failed experiments from the mainland.

At the same time, the cost of living in Hawaii remains among the highest in the nation, homelessness rates have climbed sharply (now the highest per capita in the country), and these pressures are interconnected with crime. HB2413 does not address root causes; instead, it risks exacerbating the cycle by reducing consequences for nonviolent offenses that often intersect with quality-of-life issues on our streets. Resources should focus on prevention, enforcement, and support services that actually deter crime rather than appearing to tolerate it.

Hawaii deserves policies that prioritize the safety of law-abiding residents, visitors, and families. I urge the committee to reject HB2413 and instead pursue approaches that hold offenders accountable while protecting our communities.

Thank you for considering my testimony.

Sincerely,

Ian Bishop

Kaneohe, Hawaii

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 6:40:04 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Adrian R DeLeon | Individual | Oppose | Written Testimony Only |

Comments:

This reform bill is too lenient on criminals that commit crime that can affect individuals, whole communities and businesses. There should be no leniency on repeat offenders, we can be compassionate to first time non-violent offenders but a blanket policy as wide as this will be detrimental to the state and its constituents.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 6:45:32 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| PAUL KAYE | Individual | Oppose | Written Testimony Only |

Comments:

Judges need the discretion to NOT release those with many repeat offenses. If they can't, we might as well replace Judges with AI.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 7:04:32 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Tori Madrid | Individual | Oppose | Written Testimony Only |

Comments:

I believe this is unsafe for the state and people of Hawaii. As a parent of 3 children, and have had someone break into our home and have had instances of being harassed I would NOT feel safe knowing these people are released.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 7:05:15 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Stacey Pelesky | Individual | Oppose | Written Testimony Only |

Comments:

Oppose

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 7:23:45 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kali Retzler | Individual | Oppose | Written Testimony Only |

Comments:

This is is turing a blind eye to repeat offenders and crimes that endanger the community. There is no way I support this.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 7:30:00 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Rafael Guzman | Individual | Oppose | Written Testimony Only |

Comments:

To Whom It May Concern,

My name is Rafael Guzman and I am a Deputy Sheriff with the State of Hawai'i. Time and time again, I see repeat offenders go through a revolving door in work and daily life in my community. I am opposed to this bill as it will only further contribute to the existing problem and enable criminals to see even less consequence to their actions. This bill is against the very idea of public safety. Please do not allow this to pass for the sake of safety in the community.

Rafael

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 7:38:01 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Rachael Mendes | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 8:10:12 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Elliott Plourde | Individual | Oppose | Written Testimony Only |

Comments:

Testimony Opposing HB2413 – Bail Reform

Committee: Senate Judiciary

Hearing Date: April 7, 10:15 AM

Position: OPPOSE

Aloha Chair, Vice Chair, and Members of the Committee,

Thank you for the opportunity to submit testimony. I am writing in strong opposition to HB2413.

This bill would require judges to release most arrested individuals on their own recognizance — even when they have extensive criminal histories, repeated failures to appear, or patterns of reoffending. According to public statements from law enforcement and prosecutors, this measure removes essential tools needed to protect community safety.

1. The bill forces release for a wide range of serious offenses

HB2413 mandates release for most non-violent Class C felonies, misdemeanors, and petty misdemeanors. This includes crimes that have major impacts on Hawai‘i residents, such as:

- Auto theft
- Breaking into vehicles
- Burglary in the second degree
- Theft up to \$19,999
- Drug possession, including methamphetamine

- Harassment, shoplifting, trespassing, and disorderly conduct.

These offenses may not be labeled “violent,” but they cause real harm, financial loss, and fear in our neighborhoods. Releasing individuals charged with these crimes without meaningful judicial discretion increases the likelihood of continued victimization.

2. Judges already have the authority to release people without bail

Current law allows judges to release individuals on their own recognizance when appropriate. HB2413 removes the judge’s ability to consider criminal history, repeat offenses, or patterns of non-compliance. This is a significant shift away from individualized assessment and toward automatic release.

3. There is no clear data supporting the need for this bill

Supporters of HB2413 have not provided reliable data showing widespread failure-to-appear problems or overcrowded jails. Without evidence, it is risky to implement a policy that could increase crime and reduce accountability.

4. Community safety must remain the priority

Residents across Hawai‘i are already experiencing increases in property crime, drug-related activity, and repeat offenses. Automatically releasing individuals who repeatedly harm the community undermines public trust and places additional strain on police, prosecutors, and victims.

For these reasons, I respectfully urge the committee to oppose HB2413 and maintain judicial discretion that protects the safety and wellbeing of Hawai‘i’s families.

Mahalo for your consideration.

Elliott Plourde

Elliott Plourde

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 8:17:56 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Le Chang | Individual | Oppose | Written Testimony Only |

Comments:

This is a huge potential concern for our communities

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 8:24:46 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Ezekiel Quemado | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill due to the threat it poses towards the community.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 8:52:35 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Joy Inada | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill. Our laws are too lean and i see it daily while at work for law enforcement and there's no support enforcing penalties so crimes get repeated by same offenders

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 9:15:41 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Joe Walker | Individual | Oppose | Written Testimony Only |

Comments:

I oppose HB2413 because it removes judicial discretion and could release repeat offenders without consideration of criminal history, potentially putting the community at risk. Judges currently have the ability to release individuals on their own recognizance when appropriate, so this blanket approach is unnecessary. Public safety and accountability must remain priorities in our justice system.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 9:18:50 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Grant | Individual | Oppose | Written Testimony Only |

Comments:

Oppose

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 9:23:03 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Rachael Kawamura | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill as it does not consider the impact on community safety. I fear the implications of passing this bill will result in higher crime rates as there will seemingly be no meaningful punishment enforced. Do we not see how this does not work in California? Please think of making Hawai'i a better place to live for the law abiding citizens and not about how to make it easier for criminals.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 9:32:58 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Sheldyn Lejano | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill as we have already witnessed what happened in San Francisco when the laws are relaxed. This bill will impact communities and public safety. Judges should be able to determine whether or not someone is held or released. I believe it is a case by case decision that is needed, not a blanket. Please don't let criminals go unpunished, they will ruin the lives of law abiding citizens.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 9:36:07 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jarred Mier | Individual | Support | Written Testimony Only |

Comments:

I am not blind to the negative behaviors that passing this bill will encourage among nonviolent criminals. But I do believe it provides a chance for those who are reformed outside of the justice system to step back into society without fear of retribution and to handle their pending cases legally without ignoring them and living life trying to fly under the radar when they have left their misguided ways behind. So that they can once again contribute in the way that they were meant to. I support this bill because I personally have known people like this. I have once been someone like that and you could argue most people will take advantage of this. You would be right, but not everybody is the same and for those who want to do it on their own can reintegrate smoothly as opposed to the ones who are forced to change when they don't want to or are not ready.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 9:46:59 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Pamela Almeida | Individual | Oppose | Written Testimony Only |

Comments:

There are already so many violators of laws if the criminal knows there is even less of a chance they would serve time there is nothing to stop them or to at least deter them. I STRONGLY OPPOSE Bill 2413

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 9:57:49 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jeffrey Carpenter | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this because of the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 10:08:50 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Cindy Watanabe | Individual | Oppose | Written Testimony Only |

Comments:

I strongly oppose this bill because there are numerous instances of repeat offenders committing other crimes while out on bail. Look at the Crimestopper PSA's and listen to the "John Smith has 40 prior convictions and is wanted for violating the terms of his HOPE probation". Why is someone like that running free and the HOPE probation doesn't work. If there is no bail, what message does that send to these criminals? Our state is lax on punishment for criminals. Judging by the comments online, there are a lot of people who want our state to turn red because of the increased crime in Hawaii. What I want is a safer community for everyone. It doesn't matter if the criminal has committed a non-violent crime. How do we know that the next crime they commit while awaiting a trial or a court hearing is not going to be a violent one? Who is going to guarantee that this offender's next crime (and yes, chances are high that there is going to be a next crime while out in our communities) is not going to be violent? Who is going to guarantee that he or she is not going to break into someone's home for drug money, or carjack someone, or shoplift in stores where the cost of that theft is passed on to shoppers, or vandalize public/private property while high on drugs? I oppose this bill because it gives criminals more rights than the victims of these criminals. Who is going to guarantee that these criminals show up for their court date if there is no bail? If the prison/jails are overcrowded, send more prisoners to the Arizona prison so there's space for criminals awaiting trial to be locked up here.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 10:17:31 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Leilina Molale-Toro | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety; it does not consider the impact on the families of all HPD officers who are put in the position of "protecting the law" over protecting the community; it does not encourage common sense in terms of what is right and wrong; it does not consider how right punishment is for doing what is wrong; it does not consider that there are more vital things we can put our focus into; it does not consider the consequences; the fact that it is even considered to exist is plain disorderly conduct.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 10:37:01 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Lila Sagon | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill, it will create lawlessness in our state.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 10:40:09 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Michelle Jang | Individual | Oppose | Written Testimony Only |

Comments:

This bill will put our community in a very unsafe and crime friendly environment. Who will want to come to Hawaii?? Crimes such as disorderly conduct are violent!!! People are subject to sustaining injuries. UEMV, burglary, and other crimes are committed by people who will respond with violence when caught in the act. Why are we facilitating crimes?? This bill will ruin Hawaii.

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:16:25 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|------------------------|---------------------|---------------------------|------------------------|
| Robert Swanson-Neitzel | Individual | Support | Written Testimony Only |

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

I am writing in strong support of HB2413, which modernizes our pretrial system, reduces overreliance on cash bail, and ensures fair treatment under the law.

Why HB2413 is needed and how it helps:

Reducing unnecessary incarceration

Why: Many low-risk, nonviolent individuals remain detained simply because they cannot afford bail, creating inequities based on financial status.

How: HB2413 prioritizes release on recognizance for nonviolent offenses, ensuring detention only when there is a clear safety risk. This shifts focus from wealth-based detention to risk-based detention.

Fostering fairness and public trust

Why: The perception that justice depends on ability to pay erodes trust in the system.

How: By mandating written findings when bail is imposed, the bill ensures transparency and accountability, so decisions are based on risk, not resources.

Balancing public safety with rights

Why: Safety must remain a priority, but defaulting to cash bail for minor offenses does not improve public safety.

How: HB2413 focuses on identifying genuine risk factors, ensuring that only those who pose threats are detained, while others remain productive in the community.

Victim notification and safety

Why: Victims deserve to be informed about pretrial decisions affecting their case.

How: The bill mandates victim notification when significant pretrial decisions are made, balancing justice reform with victim rights.

In summary, HB2413 is a thoughtful, balanced approach. It creates a justice system that prioritizes risk, transparency, and fairness, while maintaining safety and victim protection.

I strongly urge the Committee to pass HB2413.

Thank you for your consideration.

Sincerely,

Robert Swanson-Neitzel

LATE

HB-2413-SD-1

Submitted on: 4/6/2026 11:43:04 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Jonathan Bach | Individual | Oppose | Written Testimony Only |

Comments:

Hawaii has one of the worst recidivism rates in the entire nation, with theft, burglary, and robbery being one of the most prevalent crimes here with almost no justice aside from the few caught when they finally got unlucky. When this happens, it's the innocent that suffer and most victims never find justice or get their items back. My house of 4 roommates was burglarized 2 yrs ago, while we were all home. And even when caught on the neighbors camera, the police refused to pursue since playback didn't see them walking out of our house with items. We will never see our items again, and we will never feel safe without security. Our only solace is the belief that these guys are career criminals that may have been caught for something else. And yet, HB2413 seeks to let loose all these career criminals onto the community. The biggest reason these crimes are so prevalent here is because of the stigma that there is no punishment, and that stigma will only be reinforced if this bill is passed

Chair, Vice Chair, and distinguished members of the Committee:

Aloha. I am a longtime resident of Hawaii, and I submit this written testimony in strong support of HB 2413. This bill represents a measured, evidence-based step toward a fairer pretrial system that keeps our communities safer, our jails more efficient, and our people connected to the opportunities that define the Aloha State.

I understand why some may hesitate. Concerns about public safety, repeat offenders, and “being soft on crime” are real and valid. No one wants to see our streets less secure or our families at risk. Yet HB 2413 does not eliminate bail, remove judicial discretion, or open the floodgates. It simply creates a presumption of release on recognizance for low-level, nonviolent offenses—violations, traffic cases, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent Class C felonies—while explicitly preserving detention for violent crimes, sexual assaults, domestic abuse, threats to public safety, or clear flight risks. Judges still decide. Victims are still notified. Failure to appear remains punishable. This is not radical; it is responsible.

To those still skeptical, consider a real-world example that transformed an entire nation. In 2001, Portugal faced a devastating heroin epidemic. Nonviolent drug possession and use were flooding courts and prisons, creating lifelong criminal records that blocked jobs, housing, and hope. Instead of doubling down on punishment, Portugal changed course: it decriminalized personal possession of all drugs and treated it as a health and social issue, handled by expert “dissuasion commissions” focused on treatment, support, and reintegration rather than jail or stigma. No criminal record was created for simple possession. The results were remarkable—not the disaster critics predicted, but a public-health and public-safety success story:

- Drug-related deaths dropped by more than 80%.
- New HIV infections among people who inject drugs fell by over 95%.
- Problematic drug use and drug-related crime declined, while overall recreational use stayed stable or lower than in most European countries.
- Cities like Lisbon saw open drug scenes shrink, overdose emergencies plummet, and resources shift from overcrowded prisons to treatment and prevention.
- Families stayed intact, workers kept their jobs, and society broke the cycle of poverty and recidivism that punishment alone could never touch.

Portugal did not become a “drug haven.” It became healthier, safer, and more compassionate—proving that treating nonviolent, low-level offenses as human problems rather than lifelong criminal stains actually strengthens communities.

HB 2413 applies that same wisdom here in Hawaii. Pretrial detention for nonviolent charges does not make us safer; it often makes problems worse. A parent or worker sitting in jail for weeks or months over a minor offense can lose their job, their housing, and their ability to care for family—even if the charges are later dropped or reduced. That disruption fuels the very

Testimony in Strong Support of HB 2413 – Relating to Pretrial Reform

recidivism and desperation we want to prevent. By contrast, responsible release with non-monetary conditions (check-ins, treatment referrals, or support services) lets people stay productive, address root causes like addiction or poverty, and return to court as required. Evidence from similar reforms across the U.S. and abroad shows failure-to-appear rates do not spike when support is provided—and taxpayer dollars once wasted on unnecessary jail stays can be redirected to mental health, housing, and job programs that truly protect the public. This is not just policy; it is a matter of humanity and the spirit of Aloha. In Hawaii, we value 'ohana, forgiveness, and lifting each other up. We believe people deserve a chance to redeem themselves before they are even proven guilty. HB 2413 honors that by refusing to punish the presumption of innocence with poverty and isolation. It says to the struggling mother, the young person battling addiction, or the worker who made a nonviolent mistake: “We see you as part of our community, not an enemy to be locked away.” That message heals. It builds trust. It makes our islands stronger.

I respectfully urge you to pass HB 2413. Let Hawaii lead with the same courage and compassion that turned Portugal's crisis into a global model. Our state, our people, and our shared future deserve nothing less.

Mahalo nui loa for your time, your service, and your commitment to a better Hawaii.

Sincerely,

Jessica Houtz

LATE

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
April 7, 2026 at 10:15 AM
Conference Room 016

Re: H.B. 2413 H.D. 1 S.D. 1 Relating to Pretrial Reform - SUPPORT

Aloha Chair Fukanaga, Vice Chair Lee and Members of the Committee:

I am writing in support of **H.B. 2413 H.D. 1 S.D.1 Relating to Pretrial Reform**, which requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions.

While a cash bail elimination model is the preferred systems approach to reform our pretrial system and reduce the pretrial population as adopted in Illinois and New Jersey, H.B. 2413 H.D. 1 S.D. 1 is an incremental step in the right direction for the following reasons:

1. It aligns with pretrial practices driven by data, not failed "tough on crime" rhetoric.

- New Jersey [implemented bail reforms](#) and dramatically reduced its jail populations by almost one-half without jeopardizing public safety. Chief Justice Stuart Rabiner of the New Jersey Supreme Court and a former federal prosecutor, has championed these pretrial fairness changes.¹
- Bail reform in [New York](#) led to a substantial reduction in jail incarceration, driven mainly by a [decline in pretrial admissions](#) for low-level and nonviolent charges.
- In Harris County, Texas, bail reform measures that originally passed in 2019 [have spared thousands of low-level offenders from languishing in jail](#), reducing misdemeanor cases from 61,000 in 2015 to 50,000 in 2022. Driven by a federal lawsuit, the reform has also addressed racial disparities by implementing measures to reduce the disproportionate arrest rates of Black residents, who account for 40% of misdemeanor arrests despite making up only 20% of the population.

2. It aligns with the presumption of innocence in our criminal legal system.

- The **presumption of innocence is the primary principle that must guide determinations of pretrial release and detention.** A person may not be convicted of a crime unless and until the government proves guilt beyond a reasonable doubt, without any burden placed on the defendant to prove his or her innocence. [Criminal Pre-Trial Task Force of 2018.](#)
- This presumption was most notably set forth by the United States Supreme Court in its decision in [United States v. Salerno](#), which stated "[i]n our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." The Court determined that pretrial detention may be imposed for arrestees charged with certain

¹ <https://www.njcourts.gov/sites/default/files/starledgercolumn.pdf>

felonies only when the government demonstrates by clear and convincing evidence, after an adversary hearing, that no release conditions “will reasonably assure...the safety of any other person and the community.” [Criminal Pre-Trial Task Force of 2018](#).

3. It reduces reliance on the use of money bond for low-level offenses, and perpetuation of an unjust two-tiered criminal legal system based on wealth.

- According to ACLU of Hawaii’s As Much Justice as You Can Afford Report (2019), about 88% of the time a person accused of a crime must pay cash or bond to be released. This creates a two-tiered system of release where “the wealthy walk free, while the working poor sit in jail.” <https://www.acluhi.org/app/uploads/2018/01/aclu-of-hawaii-bail-report.pdf>; https://www.acluhi.org/app/uploads/drupal/sites/default/files/field_documents/bail-report-summary.pdf

4. It will contribute to reducing the pretrial population in our jails.

- Reducing the pretrial population will reduce overcrowding in two of our jails, due to alarmingly high rates of pretrial detention based on an unjust two-tiered legal system that allows people with wealth to buy a "get out of jail" card.
- Nearly 59% of the people in Hawaii’s jails are pretrial status as of March 2, 2026. OCCC and HCCC, are severely overcrowded, driven by high rates of legally innocent people incarcerated while awaiting their day in court. <https://dcr.hawaii.gov/wp-content/uploads/2026/03/Pop-Reports-Weekly-2026-03-29.pdf>

| Facility | Design Capacity | Operational Capacity | Total Population | Pretrial Felonies & Pretrial Misdemeanors | Pretrial Percentage of Total Population |
|--------------|-----------------|----------------------|------------------|---|---|
| OCCC O’ahu | 628 | 954 | 910 | 670 | 73% |
| HCCC Hawai’i | 206 | 221 | 286 | 167 | 58% |
| MCCC Maui | 209 | 301 | 227 | 107 | 47% |
| KCCC Kauai | 110 | 128 | 84 | 48 | 57% |

5. It recognizes the value of liberty and freedom, and the harms that result from pretrial detention - whether for a day or longer periods of time.

- Pretrial detention harms and punishes people who are legally innocent and their loved ones; separating parents and caregivers from their children.

- Carceral settings are places of violence. In Hawaii’s jails, people held pretrial detention have experienced inhumane overcrowded conditions, death by suicide, assaults, and murder.²
- According to [Vera](#), “people jailed pretrial because they cannot make bail are more likely to *lose their jobs, fall behind on rent, and lose custody of their children.*” Vera also points to studies concluding that “ even two days in jail, as a result of the unjust criminal legal system trapping the most vulnerable, can have detrimental effects to a person's wellbeing, destabilizing them and making it more likely they will be targeted and arrested again in the future.”

6. Pretrial reform makes fiscal sense.

- Reducing the number of people in our jails due to pretrial reforms will reduce the costs of operation for the Department of Corrections, and ultimately the financial burden on taxpayers.
- Hawai'i spends over \$300 a day or \$112,000 to incarcerate one adult annually.
- If an incarcerated person has complex medical needs, the cost to the Department of Corrections and taxpayers increases to an average of \$600,000 to \$900,000 annually.
- The cost of supportive housing³, behavioral health treatment, substance use treatment, job training, education and restorative justice programs in the community are substantially less expensive and more effective than pretrial detention.

For these reasons, I urge you to pass **H.B. 2413 H.D. 1 S.D. 1 Relating to Pretrial Reform**. Thank you for the opportunity to submit testimony to advance sound policies in Hawai'i!

Sincerely,
Carrie Ann Shirota, Esq.
Honolulu, Hawai'i

² <https://www.civilbeat.org/2026/03/state-agrees-to-settle-lawsuit-over-oahu-jail-suicide/>;

<https://www.civilbeat.org/2026/03/state-agrees-to-settle-lawsuit-over-oahu-jail-suicide/>

³<https://www.acluhi.org/app/uploads/2025/09/Reimagining-Public-Safety-Budget-Recommendations-State-of-Hawaii-2025-CITED-Final-031225.pdf>

NEW JERSEY OPINION Chief justice: Bail reform puts N.J. at the forefront of fairness |

Opinion Posted on January 9, 2017 at 9:33 AM Star-Ledger

Guest Columnist By Stuart Rabner

<https://www.njcourts.gov/sites/default/files/starledgercolumn.pdf>

Before signing the Bail Reform Act of 1966, President Lyndon B. Johnson spoke of the need to reform a justice system in which some criminal defendants could post bail and buy their freedom while others would languish in jail before trial -- not because they were guilty or likely to flee, but because they were poor. The scales of justice, Johnson observed, were weighted "not with fact, nor law, nor mercy," but with money.

A half-century later, that problem is still with us. As recently as 2012, a study of New Jersey's county jail population revealed that 1 in 8 inmates were in jail because they couldn't make bail of \$2,500 or less. They didn't pose a risk of danger or flight but sat in jail because they didn't have enough money to post even a modest amount of bail. Meanwhile, defendants who posed serious risks to public safety could be released if they had access to money.

In 2016 -- as in 1966 -- money typically decided who was released before trial and who sat in jail until trial began.

There is a better way.

On Jan. 1, New Jersey's criminal justice system started to adapt to its most significant transformation in decades. We shifted from a system that relied heavily on monetary bail to one that objectively measures the risk defendants pose on two levels: Will they show up for trial? Will they commit a crime on release? Under the new risk-based system, those who present a substantial risk of danger or flight can be detained pending trial. Those who don't will be released on conditions that pretrial services officers will monitor.

Why does this matter? Because whether a defendant is released pretrial is one of the most significant decisions in the criminal justice system. There are real consequences for poor defendants -- often members of minority groups -- who pose little risk but sit in jail for weeks and months while they are presumed innocent. During that period, they may lose jobs when they fail to show up for work. They may lose contact with family members. They may lose custody of children. And the cost to taxpayers to house a low-risk defendant can be \$100 or more a day.

In his speech in 1966, the president cited examples of how the bail system punished people simply for being poor. Johnson recalled a defendant who spent two months in jail and lost his job, his car and his family, only to later win an acquittal. Another defendant spent 54 days in jail because he could not post \$300 bail for a traffic offense that carried a maximum sentence of five days.

Time spent in jail can also become an incentive for a defendant to plead guilty and receive a sentence for time served. Studies show that defendants held pretrial plead guilty more often, are

convicted more often, are sentenced to prison more often and receive harsher prison sentences than those who are released pretrial.

The consequences are equally grave at the other end of the spectrum. Some defendants charged with serious offenses pose a great risk that they will commit new crimes or try to intimidate or retaliate against witnesses. Their pretrial release raises a genuine concern about public safety.

For those and other reasons, a national movement is underway to reform the criminal justice system. For several years, New Jersey has been at the forefront of that change.

Criminal justice reform in our state has had broad-based support. In 2012, Gov. Chris Christie publicly called for an amendment to the state constitution to allow for pretrial detention. In 2013, the Judiciary formed the Joint Committee on Criminal Justice, comprising representatives from all three branches of government. The committee's 33 members included the attorney general and county prosecutors, the public defender and private defense attorneys, counsel for the ACLU, judges and staff. A year later, many of the committee's recommendations were adopted by the Legislature, with the strong backing of Senate President Stephen Sweeney (D-Gloucester) and Assembly Speaker Vincent Prieto (DHudson), and signed into law by the governor.

The public took the next major step. In November 2014, more than 60 percent of New Jersey voters approved a constitutional amendment that gave judges, for the first time, the ability to detain defendants to ensure their appearance in court and protect the safety of the community. [New Jersey Criminal Justice Reform Overview \[link to posted video https://www.youtube.com/watch?v=pKkquuM3-lg\]](https://www.youtube.com/watch?v=pKkquuM3-lg)

Since then, all parts of the criminal justice system have been hard at work to make reform a reality. A risk-assessment tool has been developed in partnership with the Laura and John Arnold Foundation; that tool has been validated with data from thousands of actual New Jersey cases. Pilot programs in three vicinages trained staff and tested new technology. The Supreme Court adopted court rules to implement the law. The attorney general issued guidelines to law enforcement statewide. And the administrative director of the courts, public defender, director of the Division of Criminal Justice and others led 15 seminars for a total of more than 3,000 county officials throughout the state to train stakeholders about the new law and foster coordination across the justice system.

Here's how it will all work. On Jan. 1, the court system began using the risk-assessment tool to help judges make more informed decisions about pretrial release. To predict whether a defendant poses a low, moderate or high level of risk, pretrial services officers now review each defendant's criminal history, record of prior court appearances and other objective information -- as they will in an estimated 70,000 cases per year. Officers then make a recommendation to the judge.

Most defendants will be released pretrial on a range of conditions that will not include money bail. For low-risk defendants, the court may simply direct an officer to send a text message or place a phone call to remind defendants when they must appear in court.

Defendants who pose greater risks may be placed on electronic monitoring. Those considered a serious threat to public safety or risk of flight will be detained. Judges can also modify conditions of release based on new circumstances.

Defendants who are detained will be subject to the new law's speedy trial provisions, which impose time limits for when a defendant must be indicted and when a trial must begin.

In recent years, some jurisdictions have successfully implemented a risk-based approach. In Lucas County, Ohio, for example, nearly twice the number of defendants are being released pretrial on conditions without bail. During that time, the percentage of defendants who skipped a court date has been dramatically reduced, and the number of defendants arrested while on release has been cut in half.

The rate of violent crimes committed by defendants on pretrial release has also gone down. Like all changes, the reforms underway will be hard to achieve. They will succeed only with the continued cooperation among partners throughout the criminal justice system and the continued support of all branches of government.

We have made great strides -- collectively -- so far, and there is more work ahead of us. Together, we can build a better, fairer and safer system of criminal justice in New Jersey.

Stuart Rabner is chief justice of the New Jersey Supreme Court. He chaired the Joint Committee on Criminal Justice. Bookmark NJ.com/Opinion. Follow on Twitter [@NJ_Opinion](https://twitter.com/NJ_Opinion) and find [NJ.com Opinion](https://www.facebook.com/NJ.com/Opinion) on Facebook.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 2:18:01 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Candice Scott | Individual | Oppose | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I respectfully submit testimony in opposition to HB2413.

While I understand the intent to reform pretrial procedures, this bill would require courts to release many defendants charged with nonviolent offenses on their own recognizance rather than allowing judges to fully consider the circumstances of each case. This requirement risks limiting judicial discretion and may allow repeat offenders to be released without sufficient safeguards.

In communities already dealing with persistent property crime and repeat misdemeanor offenses, automatically requiring release could undermine public safety and community confidence in the justice system. Judges should retain the flexibility to determine appropriate pretrial conditions based on the facts of each case, including the defendant's history and potential risk to the community.

For these reasons, I respectfully urge the committee to defer HB2413 and consider approaches that maintain judicial discretion while addressing fairness in the pretrial process.

Mahalo for the opportunity to provide testimony.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 2:20:16 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Corey Strickland | Individual | Oppose | Written Testimony Only |

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I respectfully submit testimony in opposition to HB2413.

While I understand the intent to reform pretrial procedures, this bill would require courts to release many defendants charged with nonviolent offenses on their own recognizance rather than allowing judges to fully consider the circumstances of each case. This requirement risks limiting judicial discretion and may allow repeat offenders to be released without sufficient safeguards.

In communities already dealing with persistent property crime and repeat misdemeanor offenses, automatically requiring release could undermine public safety and community confidence in the justice system. Judges should retain the flexibility to determine appropriate pretrial conditions based on the facts of each case, including the defendant's history and potential risk to the community.

For these reasons, I respectfully urge the committee to defer HB2413 and consider approaches that maintain judicial discretion while addressing fairness in the pretrial process.

Mahalo for the opportunity to provide testimony.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 4:36:51 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Danny Doe | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the safety of the community.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 4:53:28 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Shyla Moon | Individual | Oppose | Written Testimony Only |

Comments:

Strongly oppose. We already have issues with repeat offenders being released and they are not safe for the community. We need stricter enforcement and sentencing in Hawaii. Not the opposite.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 4:54:40 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Isaac Moon | Individual | Oppose | Written Testimony Only |

Comments:

Strongly oppose

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 6:03:41 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Shelby Kananui | Individual | Oppose | Written Testimony Only |

Comments:

Its like saying crimes are okay to do which they're not !!

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 6:35:18 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kayli Vanaken | Individual | Oppose | Written Testimony Only |

Comments:

My husband is a police officer here in Hawaii who works hard to keep the community and property safe. Allowing this to pass would greatly inhibit their ability to help the public and keep crime under control.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 7:28:20 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kristi T Chun | Individual | Oppose | Written Testimony Only |

Comments:

As a 4th generation kamaaina I've witnessed the increase in crime on our streets over decades. It's clearly visible for all to see. Local families no longer feel safe in Hawaii, a place they work so hard to call home. We can't go to our public spaces with our keiki or walk in the city at night. Working families pay some of the highest taxes in Hawaii. Our safety should come first

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 7:31:40 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------|---------------------|---------------------------|---------------------------|
| Patricia Bains-Jordan | Individual | Oppose | Written Testimony Only |

Comments:

We need protection from criminals. I oppose this bill. Please keep us safe and keep criminals off the streets. Follow the full process of the law.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 8:07:39 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Stuart | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because I feel the answer is not to lessen punishment on crime. I want either a better solution then this or to punish crime when it happens not sweep it under the rug by removing bail.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 8:22:16 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|----------------------|---------------------|---------------------------|---------------------------|
| Raelyn Reyno Yeomans | Individual | Support | Written Testimony Only |

Comments:

STRONG SUPPORT

HB-2413-SD-1

Submitted on: 4/7/2026 8:22:41 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

LATE

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Mardani P. Sugai | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not consider the impact on community safety.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 8:25:57 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| John-Bradley Bolson | Individual | Oppose | Written Testimony Only |

Comments:

Aloha All,

This serves as notice of my Adamant Opposition to this bill, it's verbiage and all its proponents.

There is no benefit to the community to pass this bill. This bill if enacted, would harm the community and endanger its citizens.

In the future, please refrain from allowing complete idiots to introduce bills of this nature, saving us the time and effort of having to oppose these absolutely ASANINE measures on behalf of the community.

With all due respect and appreciation for this chamber and its proceedings, please accept this testimony as true and valid.

Mahalo,

John-Bradley Bolson

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 8:46:27 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Melvina Ah Wong | Individual | Oppose | Written Testimony Only |

Comments:

I OPPOSE BILL HB2413 BECAUSE WE JUSTICE REQUIRES THOSE WHO DO EVIL AGAINST OTHERS MUST PAY THE CONSEQUENCE FOR THEIR ACTIONS. A LAWLESS LAND WITHOUT CONSEQUENCE IS CHAOTIC AND DANGEROUS.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 9:01:49 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kyra Ah Sam | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it does not take into consideration the safety of our community.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 9:52:11 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| MaryJane Taufa | Individual | Oppose | Written Testimony Only |

Comments:

I oppose the bill because it does not consider the impact on our communities safety.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 9:52:34 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Cherie Miyasato | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill because it doesn't consider the safety of the community. Once released they go back and do the same things, putting the communities safety in danger.

LATE

HB-2413-SD-1

Submitted on: 4/7/2026 9:58:38 AM

Testimony for JDC on 4/7/2026 10:15:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------------------------|---------------------|---------------------------|---------------------------|
| Centrie Ann Hokulani Carter | Individual | Oppose | Written Testimony Only |

Comments:

I oppose this bill as I have serious concerns about the potential unintended consequences and long-term impacts on our community. This bill places an additional burden on the community, especially during a time when more economic burden and hardships are upon us. It also does not resolve the underlying issue. Please look at an alternative solution.