



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

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2520, S.D. 1, RELATING TO HABITUAL VIOLENT CRIME.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY

**DATE:** Tuesday, February 24, 2026      **TIME:** 10:00 a.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):**      **WRITTEN TESTIMONY ONLY.**  
(For more information, contact Mark S. Tom,  
Deputy Attorney General, at (808) 586-1160)

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill.

Act 213, Session Laws of Hawaii 2024, established the offense of habitual violent crimes, codified as section 707-712.2, Hawaii Revised Statutes (HRS), and provided for the repeal of that section on June 30, 2027. This bill would repeal the sunset date and require the Criminal Justice Research Institute to submit a one-time report to the Legislature before the 2031 Regular Session. The bill would also require the Attorney General to continue submitting annual reports to the Legislature on the effectiveness of section 707-712.2, HRS. These changes allow additional time to evaluate the statute's effectiveness, recognizing the time required for cases to progress through the criminal justice system.

This bill was submitted by unanimous agreement of the Hawaii Law Enforcement Coalition (LEC), whose membership includes the Attorney General, the Chief of Police and Prosecutor of each county, and the Director of Law Enforcement.

The Department respectfully requests the passage of this bill.



*The Judiciary, State of Hawai'i*  
*Ka 'Oihana Ho'okolokolo, Moku'āina 'o 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, February 24, 2026, 10:00 a.m.  
State Capitol, Conference Room 016 & Videoconference

By

Dr. Erin E. Harbinson  
Director, Criminal Justice Research Institute

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** Senate Bill No. 2520, Senate Draft 1, Relating to Habitual Violent Crime.

**Purpose:** Amends Act 213, SLH 2024, by repealing its sunset date and requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature before the Regular Session of 2031. Requires the Department of the Attorney General, in consultation with the Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature.

**The Criminal Justice Research Institute's Position:**

The Criminal Justice Research Institute (CJRI), which is administratively attached to the Judiciary, respectfully offers **comments** on Senate Bill No. 2520, Senate Draft 1, which amends Act 213, SLH 2024, by requiring CJRI to submit a one-time report to the Legislature prior to the Regular Session of 2031. Additionally, it amends the annual reporting requirement by directing CJRI to work in consultation with the Department of the Attorney General.

CJRI was established by Act 179 (2019) and is authorized to study all areas of the criminal justice system. CJRI will work with the Department of the Attorney General, Judiciary, and other necessary criminal justice agencies in the State to analyze data and produce a one-time report to the Legislature on the effectiveness of Hawai'i Revised Statute ("HRS") § 707-712.2 in reducing habitual violent crime. Furthermore, CJRI will consult with the Department of the Attorney



Senate Bill No. 2520, SD1, Relating to Habitual Violent Crime  
Senate Committee on Judiciary  
Tuesday, February 24, 2026 at 10:00 a.m.  
Page 2

General to assist with their annual reports to the Legislature on the ongoing effectiveness of HRS § 707-712.2 in addressing repeat violent crime in the State. Based on current resources, CJRI can provide research support for both requirements by applying their knowledge of statewide criminal justice data and research analysis. Currently, CJRI has access to data to fulfill their obligations by working in consultation with the Department of the Attorney General for the annual reporting requirements. CJRI may need to request data from other agencies such as the Judiciary or law enforcement at a later date to conduct the evaluation of the bill's effectiveness.

Additionally, in line with research methodology best practices, CJRI research staff finds the bill's timelines adequate for the report to the Legislature that analyzes the effectiveness of the Act in reducing violent crime, due twenty (20) days prior to the start of the 2031 regular session. This due date allows sufficient time to produce a reliable and valid assessment of the effectiveness of HRS § 707-712.2 in reducing habitual violent crime in the State. Best practices in social science indicate that at least five years of data should be collected before and after to identify policy effectiveness. The timeframe outlined in the bill allows for at least five years for offenders to be charged under this statute, criminal case processing, and data collection to facilitate analysis of the law's effectiveness.

Thank you for the opportunity to comment on Senate Bill No. 2520, Senate Draft 1.

**DEPARTMENT OF THE PROSECUTING ATTORNEY  
KA 'OIHANA O KA LOIO HO'OPI'I  
CITY AND COUNTY OF HONOLULU**

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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**

February 24, 2026

**REGARDING S.B. 2520, S.D.1; RELATING TO HABITUAL VIOLENT CRIME.**

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 **strong support** of S.B.2520, S.D.1.

As prosecutors, we witness firsthand the devastating impact of repeat violent offenders on our communities. Act 213 (2024) was an essential step to addressing habitual violent crime, including sexual assault, domestic violence, and assaults against police officers. But the statute’s approaching sunset provision threatens to prematurely end this important tool before we can properly assess its effectiveness.

The habitual violent crime statute targets a narrow category of serious repeat offenders: those who have three or more violent crime convictions within five years. This is not a broad net, but rather a focused tool for the most persistent violent criminals. In practice, the statute has been used sparingly and responsibly.

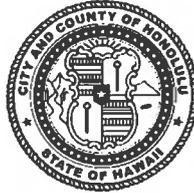
The current sunset date leaves insufficient time to evaluate Act 213’s effectiveness. First, felony cases take significant time to progress through the courts. Violent felony cases can take two years or more before trial, let alone sentencing and appeal. Second, best practices in research methodology require longitudinal data. As the bill preamble notes, experts recommend collecting five years of data to understand how a law works in practice. Third, deterrence takes time. It relies on both publicity and predictability: the law must be seen and seen to work. Two years is too short to assess this deterrent effect.

The Department fully supports the reporting requirements.

Thank you for the opportunity to testify.

HONOLULU POLICE DEPARTMENT  
KA 'OIHANA MĀKA'I O HONOLULU  
**CITY AND COUNTY OF HONOLULU**

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AARON TAKASAKI-YOUNG  
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INTERIM DEPUTY CHIEFS  
NA HOPE LUNA NUI MĀKA'I KŪIKAWA

OUR REFERENCE **PO-JK**

February 24, 2026

The Honorable Karl Rhoads, Chair  
and Members  
Committee on Judiciary  
State Senate  
415 South Beretania Street, Room 016  
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

**SUBJECT: Senate Bill No. 2520, S.D. 1, Relating to Habitual Violent Crime**

I am Major Paul Okamoto of District 6 (Waikīkī) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 2520, S.D. 1, Relating to Habitual Violent Crime. Act 213, Session Laws of Hawaii 2024, has enabled law enforcement to protect the community from those violent offenders who habitually choose to inflict violence upon their victims. People who routinely resort to the use of physical violence to resolve conflict or victimize others are the most dangerous among us. Many times, the criminal offenders who commit the most heinous crimes have a long history of a propensity towards violence. Senate Bill No. 2520, S.D. 1, allows law enforcement to apply sufficient consequences for this antisocial behavior. Repealing the sunset date will ensure that law enforcement will continue to have the proper tools to address these crimes.

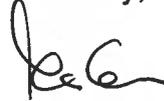
Also, statistics have shown that Act 213 has not been overly used to prosecute people, nor has it dramatically increased incarcerations. Rather, it has been used judiciously to identify those who may escalate to more violent criminal offenses and to prosecute the worst offenders.

The Honorable Karl Rhoads, Chair  
and Members  
February 24, 2026  
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The HPD urges you to support Senate Bill No. 2520, S.D. 1, Relating to Habitual Violent Crime.

Thank you for the opportunity to testify.

Sincerely,



Paul Okamoto, Major  
District 6

APPROVED:



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Rade K. Vanic  
Interim Chief of Police



DEREK S.K. KAWAKAMI, MAYOR  
REIKO MATSUYAMA, MANAGING DIRECTOR

# POLICE DEPARTMENT COUNTY OF KAUA'I



ELLIOTT K. KE, CHIEF OF POLICE  
MARK T. OZAKI, DEPUTY CHIEF OF POLICE

February 19, 2026

The Honorable Senator Karl Rhoads, Chair  
And Honorable Members of the Committee on Judiciary  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

**RE: Testimony in Support of SB 2520 SD1, Relating to Habitual Violent Crime**

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

On behalf of the Kaua'i Police Department, I am submitting testimony in **support of SB 2520 SD1**, which amends Act 213, Session Laws of Hawai'i 2024 (the habitual violent crime statute) by removing its sunset date, and by requiring comprehensive reporting on the law's effectiveness in reducing violent crime.

Act 213 was enacted to address habitual offenders who commit violent crimes — including sexual assault, abuse of family or household members, and assaults against law enforcement officers — by increasing the offense to a Class C felony when a person has three or more prior violent convictions within five years. However, the law is currently set to sunset, and more time is needed to fully evaluate its impact given the length of time felony cases take to travel through the criminal justice system.

SB 2520 SD1 thoughtfully extends the framework of Act 213 by repealing the sunset date, ensuring that the statute remains in effect. The bill will also require the Criminal Justice Research Institute (CJRI) to submit a one-time evaluation report prior to the 2031 Regular Session, and require annual data reporting from the Attorney General in consultation with CJRI on habitual violent crime outcomes going forward.

This reporting structure will provide the Legislature, law enforcement, and the public with valuable data on how habitual violent offender provisions are working in practice — including arrests, prosecutions, and case outcomes — which is essential to meaningful policy evaluation and informed legislative decision-making.

For these reasons, I respectfully ask the Committee to pass SB 2520 SD1. Thank you for the opportunity to testify.

Respectfully submitted,

Elliott K. Ke  
Chief of Police  
Kaua'i Police Department

**KELDEN B.A. WALTJEN**  
PROSECUTING ATTORNEY

**SHANNON M. KAGAWA**  
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## OFFICE OF THE PROSECUTING ATTORNEY

### TESTIMONY IN SUPPORT OF SENATE BILL 2520, SD1

A BILL FOR AN ACT  
RELATING TO HABITUAL VIOLENT CRIME

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

Tuesday, February 24, 2026 at 10:00 a.m.  
Via Videoconference  
State Capitol Conference Room 016  
415 South Beretania Street

Honorable Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee on Judiciary: The County of Hawai'i, Office of the Prosecuting Attorney submits the following testimony **in support** of Senate Bill 2520, SD1.

The purpose of SB 2520, SD1, is to provide more time to evaluate the effectiveness of the offense of Habitual Violent Crime that was established by Act 213, SLH 2024, by repealing its sunset date and requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature prior to the Regular Session of 2031. It also requires the Attorney General, in consultation with Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature.

The offense of habitual violent crime targets only those offenders who have proven themselves to be a safety risk to our communities by accruing multiple misdemeanor convictions for unlawful physical violence. Currently, the availability of this offense to prosecute repeat violent offenders will sunset in 2027. We are concerned that, given the complexity and length of felony criminal cases, there has been inadequate time to evaluate the success of this measure in curbing habitual unlawful violence. SB 2520, SD1, will solve this by repealing the sunset date and providing ongoing reports to the Legislature.

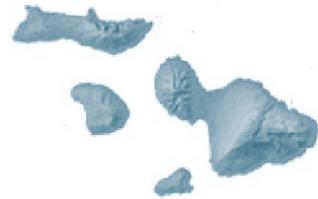
SB 2520 was introduced as a part of the Hawai'i Law Enforcement Coalition ("LEC") Package. The LEC is comprised of the four county police departments and prosecuting attorneys' offices, the Department of Law Enforcement, and the Department of the Attorney General. In order for a bill to be included within the LEC package, a bill must be unanimously supported by all LEC member agencies.

For the foregoing reasons, the County of Hawai'i, Office of the Prosecuting Attorney **supports** the passage of SB 2520, SD1. 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**  
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TESTIMONY ON  
S.B. 2520 SD1  
RELATING TO HABITUAL VIOLENT CRIME

February 24, 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 support of S.B. 2520 SD1, Relating to Habitual Violent Crime**. This bill protects public safety by removing the sunset date for the Habitual Violent Crime offense in HRS §707-712.2 and requiring annual reports on the effectiveness of this offense in addressing repeat violent crime.

We support this bill because it preserves a law that allows violent offenders to be charged with a felony for repeatedly committing misdemeanor-level violent crimes such as Abuse of a Family or Household Member. Violent repeat offenders who continually victimize our community need to be appropriately punished for their behavior, and retaining HRS §707-712.2 as an offense helps us do that.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports S.B. 2520 SD1**. 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.

**LATE**

**SB-2520-SD-1**

Submitted on: 2/23/2026 4:56:38 PM

Testimony for JDC on 2/24/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Loirenn Walker	Testifying for Hawai'i Friends of Restorative Justice	Oppose	Written Testimony Only

Comments:

**TESTIMONY OF [HAWAII FRIENDS OF RESTORATIVE JUSTICE](#) IN OPPOSITION TO S.B. 2520, S.D. 1 Relating to Habitual Violent Crime**

Hawai'i Friends of Restorative Justice (HFRJ) respectfully opposes S.B. 2520, which would permanently remove the sunset date on Act 213's habitual violent crime enhancement and lock Hawai'i into a punitive sentencing approach that decades of research shows does not reduce violent crime.

The evidence is clear: enhanced sentences do not improve public safety.

The National Research Council concluded that lengthy prison sentences produce only modest deterrent effects at best, and are an inefficient approach to preventing crime by incapacitation. ([National Academies Press, 2014](#)) The Vera Institute's analysis of over one hundred studies found that custodial sentences do not prevent reoffending, and can actually increase it. Incarceration destabilizing people's lives, severs family bonds, and reduces future employment prospects. ([Vera Institute, 2021](#)) A meta-analysis of 50 studies published by Public Safety Canada found no evidence for a deterrent function of longer prison sentences. ([Public Safety Canada](#)) The National Institute of Justice reached the same conclusion in 2016: prison sentences, and long sentences in particular, do little to deter future crime. ([NIJ on recidivism](#))

Habitual offender laws have a documented history of failure on their own terms. A national study found that such laws do not achieve their stated purpose of ensuring special sentences for repeat offenders, only a small fraction of eligible individuals are sentenced as such, while prosecutors use them extensively as leverage in plea negotiations. ([NIJ Final Report](#)) California's three-strikes law contributed to a dramatic surge in incarceration with no commensurate reduction in violent crime. ([Britannica](#))

Removing the sunset is premature and defeats the purpose of evidence-based policymaking.

The legislature wisely included a sunset precisely because it recognized the need for rigorous evaluation. Act 213 has been in effect less than two years. Felony cases take years to resolve; most people affected by this law have not yet been sentenced, served time, or been released. Repealing the sunset now, before any meaningful data can be analyzed, forecloses the very

accountability mechanism the legislature built in. The bill's own rationale, that five years of data are needed, is an argument for keeping the sunset, not removing it.

The cost to Hawai'i is real.

Every additional year of incarceration costs Hawai'i taxpayers approximately \$60,000–\$70,000 per person. Those resources could fund education, mental health treatment, reentry services, and community-based violence prevention, and interventions with an actual evidence base. Other states have reduced both incarceration rates and crime rates simultaneously, demonstrating that public safety and reduced imprisonment are not in conflict. ([Vera Institute, Prison Paradox](#))

HFRJ urges the committee to retain the sunset provision, allow the data to be gathered as the legislature originally intended, and resist the pressure to permanently embed a sentencing enhancement that the evidence does not support.

Respectfully submitted, Lorenn Walker, JD, MPH, Director, Hawai'i Friends of Restorative Justice

**SB-2520-SD-1**

Submitted on: 2/23/2026 3:53:25 AM

Testimony for JDC on 2/24/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John Deutzman	Individual	Support	Written Testimony Only

Comments:

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

**As a strong original advocate of the Habitual Violent Felony law when it was passed in 2024, I am urging you to extend the sunset date. The original opponents of the bill were concerned about it putting more people in jail. It has not put anyone in jail yet.**

**Most felonies take several years to percolate through the system, and the original three-year sunset is not enough time to properly evaluate the law’s effectiveness. The law targets a very small but very dangerous subset of the criminal population who have a frightening habit of attacking and hurting innocent people.**

**Although the State has failed to provide data related to this measure, my research through the HPD data dashboard shows an 8 percent decrease in assault in the third degree between 2024 and 2025, as follows :**

**2024 6825**

**2025 6299**

**Down 526 cases= -8%**

**Assault in the third degree was the initial target crime of this legislation.**

**Here is the relevant part of my testimony from 2024, when this was called SB 2347:  
“Regarding worries about ‘mass incarceration’ Based on my data, there are fewer than a handful of individuals in my neighborhood who would qualify for felony prosecution under 2347, and likely not too many who would face felony charges in the entire state. However, the individuals who do qualify are dangerous enough to warrant this surgical approach to target the worst of the worst.**

**Additionally, this is not a “three strikes you’re out” law. SB 2347 allows prosecutors to use discretion to charge the felony.**

**John Deutzman Waikiki**

**SB-2520-SD-1**

Submitted on: 2/22/2026 6:27:58 PM

Testimony for JDC on 2/24/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gregory Misakian	Individual	Support	Written Testimony Only

Comments:

I support SB2520 SD1.

Gregory Misakian