

Hawaii Legislature Unanimously Passes Reforms to Protect Kids from Inhumane Treatment in the Criminal Justice System

Lawmakers Send 2 Groundbreaking Bills to Gov. Green Which Will End Mandatory Minimum Sentences for Children Tried as Adults & the Prosecution of Kids Under 12

WASHINGTON, DC, UNITED STATES, April 18, 2025 /EINPresswire.com/ -- In a historic move that puts Hawaii at the forefront of youth justice reform in the United States, lawmakers have passed two transformative bills—SB544 and SB691—that will dramatically change how children are treated in the criminal justice system.

“

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“We must do better for our keiki,” said Senator Mike Gabbard, lead sponsor of the bills. “No child should be treated like a criminal before they even reach their teenage years. This bill ensures that our response to youth

misconduct reflects the values of aloha—a Hawaiian principle rooted in love, compassion, and mutual respect.”

SB691 sets a bright-line minimum age of 12 for prosecuting or adjudicating children delinquent, with no exceptions. Hawaii now joins just two other states—Massachusetts and Vermont—that offer this level of protection for young children, and becomes the 17th state nationwide to establish a minimum age of at least 10.

The establishment of a minimum age for criminal prosecution is required under international human rights law, but because the United States has not ratified the UN Convention on the Rights of the Child, children as young as 6 and 7 years old have been arrested and subject to prosecution on the islands.

SB544 requires judges to consider a child’s full history—including trauma, abuse, and other Adverse Childhood Experiences (ACEs)—at sentencing. The bill also ends the use of mandatory minimums for children, giving courts the discretion to impose developmentally appropriate, individualized sentences rooted in rehabilitation, not retribution. Hawaii becomes the fifth state to eliminate the application of mandatory minimum sentences for children tried as adults.

“These reforms are rooted in common sense, compassion, and the understanding that

unaddressed childhood trauma is the reason why kids commit crime in the first place,” said James Dold, Founder and CEO of [Human Rights for Kids](#), which worked closely with Senator Gabbard to help pass the bills. “The research is clear: kids tried as adults are almost always victims of abuse or parental neglect which explains why they develop behavioral issues in adolescence. Hawaii is at the forefront of creating trauma-informed accountability to youth crime where kids are met with understanding and given a chance to heal.”

Hawaii’s legislative victories come amid growing recognition nationwide that the justice system has too often failed to protect children from further harm. Research shows that early exposure to incarceration and harsh sentencing increases the risk of reoffending, worsens trauma, and disrupts healthy brain development.

“Arrest and incarceration are deeply traumatic, punitive, and expensive responses to childhood behavior,” said Jolene Forman, Chief Program and Advocacy Officer of [The Just Trust](#), a national funder of criminal justice reform. “We applaud any state seeking alternative models of accountability for kids to reduce future harm for individuals, their families, and broader communities.”

With these reforms Hawaii is set to overtake California as the best state in the country when it comes to protecting the human rights of children in the criminal justice system.

About Human Rights for Kids

Human Rights for Kids is a non-profit organization dedicated to the promotion and protection of the human rights of children. We use an integrated, multi-faceted approach which consists of research & public education, coalition building & grassroots mobilization, and policy advocacy & strategic litigation to advance critical human rights on behalf of children in the United States and around the world.

Human Rights for Kids is particularly grateful to our partner, The Just Trust, for supporting our state-level advocacy on behalf of children around the country.

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