

**Electronically Filed
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SCPW-20-0000509

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN THE MATTER OF INDIVIDUALS IN CUSTODY
OF THE STATE OF HAWAI'I

ORIGINAL PROCEEDING

ORDER GRANTING RESPONDENT STEVEN S. ALM'S
MOTION TO AMEND THE AUGUST 27, 2020 ORDER RE: PETTY MISDEMEANOR,
MISDEMEANOR, AND FELONY DEFENDANTS

(By: Recktenwald, C.J., Nakayama, and McKenna, JJ.,
and Chief Judge Ginoza, assigned by reason of vacancy,
with Wilson, J., dissenting)

Upon consideration of respondent Steven S. Alm's
"Motion to Amend the August 27, 2020 Order Re: Petty
Misdemeanor, Misdemeanor, and Felony Defendants" ("Motion to
Amend"), filed on March 17, 2021, the responses to the Motion to
Amend by petitioner Office of the Public Defender and
respondents Department of Public Safety and Hawai'i Paroling
Authority, filed on March 22, 2021 and March 24, 2021,
respectively, and the record,

IT IS HEREBY ORDERED that the Motion to Amend is granted:

1. Paragraph 2.a. of the August 27, 2020 "Order Re: Petty Misdemeanor, Misdemeanor, and Felony Defendants" ("August 27, 2020 Order") is amended to include all offenses in HRS chapter 707, which includes all sexual offenses set forth in HRS chapter 707, part V. Paragraph 2.a. shall now read as follows:

2. For purposes of this order, the following are "excluded offenses":

a. all offenses in HRS chapter 707;

The provisions of the August 27, 2020 Order remain in effect in all other respects.

2. For any individual charged with an "excluded offense" as defined under the August 27, 2020 Order, and as amended herein, the trial judges retain discretion to set bail and conditions of release.

DATED: Honolulu, Hawai'i, March 31, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Lisa M. Ginoza

