



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 1319, S.D. 1, RELATING TO IDENTIFICATION PROCESSING.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Tuesday, March 11, 2025

TIME: 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Elyse C.N. Oyama, Deputy Attorney General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill and offers the following comments.

The purposes of this bill are: (1) to require the Hawaii Criminal Justice Data Center (HCJDC) to obtain and maintain data regarding criminal convictions, deferred acceptance of guilty or nolo contendere pleas, and conditional discharges, in misdemeanor, petty misdemeanor, or violation level cases that were initiated via citation; and (2) to require that courts facilitate this process by ordering identification processing in such cases.

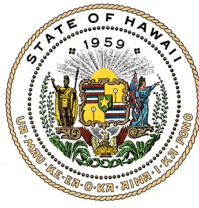
Hawaii's courts, law enforcement agencies, and other entities within the criminal justice system routinely use and rely upon information collected by HCJDC, to provide complete and accurate criminal history record information. Currently, section 846-2.5(b), Hawaii Revised Statutes (HRS), requires and authorizes HCJDC to collect such information in cases initiated by arrest or penal summons, but does not account for any convictions from misdemeanor, petty misdemeanor, or violation level cases that were initiated by citation. As a result, none of those convictions has ever been included in HCJDC's data, and the courts and other authorized entities have unintentionally been operating based on an incomplete criminal history for many individuals.

The proposed amendment to section 846-2.5(b), HRS, would ensure that all convictions and sentences handed down by our court system are accurately processed

and recorded by HCJDC. This change will enhance the accuracy and reliability of Hawaii's criminal history record information.

We respectfully ask the Committee to pass this bill. Thank you for the opportunity to testify on this matter.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON SENATE BILL 1319, SENATE DRAFT 1
RELATING TO IDENTIFICATION PROCESSING
Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS
Tuesday, March 11, 2025, 2:00 p.m.
State Capitol Conference Room 325 & Videoconference
WRITTEN TESTIMONY ONLY

Chair Tarnas, Vice Chair Poepoe, and members of the Committee:

The Department of Law Enforcement (DLE) supports Senate Bill 1319, Senate Draft 1. This bill requires the Attorney General's identification system to include criminal cases initiated via citations that resulted in conviction, deferred acceptance of guilty or nolo contendere plea, or conditional discharge. It mandates court-ordered identification processing in such cases.

The amendment to Hawaii Revised Statutes Section 846-2.5 would significantly enhance the comprehensiveness and effectiveness of our criminal identification databases, addressing an important gap in our current system. Currently, many cases initiated by citation rather than physical arrest may not be properly captured in the state's identification system, leading to incomplete criminal history records.

This bill would strengthen law enforcement capabilities by ensuring a more complete criminal history database, which is critical for effective background checks, investigations, and public safety operations. The inclusion of court-ordered identification

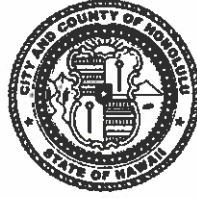
processing would establish clear procedures for ensuring compliance, including provisions that failure to comply constitutes criminal contempt.

Additionally, the bill appropriately balances law enforcement needs with privacy concerns by including provisions for managing and purging electronic fingerprint records, particularly for youth offenders whose fingerprint records would be purged at age 25.

The DLE believes this legislation represents a necessary advancement in our criminal justice data management infrastructure and would promote uniform identification systems statewide.

Thank you for the opportunity to testify in support of this bill.

HONOLULU POLICE DEPARTMENT
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OUR REFERENCE CL-DNK

March 11, 2025

The Honorable David A. Tarnas, Chair
and Members
Committee on Judiciary and
Hawaiian Affairs
House of Representatives
415 South Beretania Street, Room 325
Honolulu, Hawaii 96813

Dear Chair Tarnas and Members:


SUBJECT: Senate Bill No. 1319, S.D. 1, Relating to Identification Processing

I am Carlene Lau, Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 1319, S.D. 1, Relating to Identification Processing. The HPD recognizes the importance of accurately maintaining a criminal history database. This bill allows for a more complete criminal history database maintained by the State by identifying persons who were convicted of a criminal offense after being cited or granted a deferred acceptance of guilt or nolo contendere plea or conditional discharge, to include fingerprinting.

The HPD urges you to support Senate Bill No. 1319, S.D. 1, Relating to Identification Processing, and thanks you for the opportunity to testify.

APPROVED:


Arthur J. Logan
Chief of Police

Sincerely,


Carlene Lau, Major
Records and Identification Division

DEPARTMENT OF THE PROSECUTING ATTORNEY
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THE HONORABLE DAVID TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-Third State Legislature
Regular Session of 2025
State of Hawai'i

March 10, 2025

RE: S.B. 1319 S.D. 1; RELATING TO IDENTIFICATION PROCESSING.

Chair Tarnas, Vice Chair Poepoe, and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney for the City and County of Honolulu submits the following testimony in support of S.B. 1319 S.D. 1.

This bill addresses criminal cases initiated by citation. It requires identification processing upon disposition of a criminal case by conviction, acceptance of a guilty or nolo contendere plea, or conditional discharge. Doing so ensures accurate records for these offenses. It also facilitates effective prosecution of frequent recidivists.

Under the current law, officers have discretion to issue citations in lieu of arrest for non-felony offenses where the officer is reasonably satisfied that the person:

- (1) Will appear in court at the time designated;
- (2) Has no outstanding arrest warrants which would justify the person's detention or give indication that the person might fail to appear in court;
- (3) That the offense is of such nature that there will be no further police contact on or about the date in question, or in the immediate future.¹

These defendants range from minor first-time offenders to habitual scofflaws. Effective and just law enforcement should distinguish between these cases. But that requires accurate, uniform records. In cases initiated by arrest, we obtain fingerprints at booking. For citations, it makes sense to require fingerprinting upon termination of the case by conviction, deferral, or conditional discharge.

Thank you for the opportunity to testify.

¹ HRS § 803-6(b).