STAND. COM. REP. NO. 3042

Honolulu, Hawaii

MAR 23 2006

RE: H.B. No. 1984

H.D. 1 S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 1984, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONVICTION DATA,"

begs leave to report as follows:

The purpose of this measure is to require a review committee of the judicial council to investigate the current status of internet access to criminal conviction data.

Testimony in support of this measure was submitted by the American Civil Liberties Union of Hawaii, the Community Alliance on Prisons, and an individual. The Attorney General submitted testimony in opposition to the measure.

Your Committee finds that a review committee is necessary to examine the methods of collecting, and the sources of, conviction data that is made available on the Internet. A review committee is also necessary to examine whether further limitations on internet access to conviction data is necessary to ensure its proper use for promoting public safety.

Your Committee has amended this measure to:

(1) Delete the reference to the privacy interests of offenders in accordance with testimony from the Department of the Attorney General that privacy does not extend to criminal conviction data; and

2006-2151 SSCR SMA.doc

(2) Clarify that the investigation of the review committee shall not include a review of the sex offender registry pursuant to chapter 846E, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1984, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1984, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

## The Senate Twenty-Third Legislature State of Hawaii

## Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* HB 1984 HD1	Committee Re	ferral:	Date: 3 17 10 6		
The committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments (2312) (2311)			Hold Recommit (2310) (2313)		
Members		Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)					
HEE, Clayton (VC)					
CHUN OAKLAND, Suzanne					
ENGLISH, J. Kalani					
IHARA, Jr., Les					
WHALEN, Paul		/			
TOTAL		6	0	O	0
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy					

<sup>\*</sup>Do <u>not</u> list more than one measure per Record of Votes.