STAND. COM. REP. NO. 2864

Honolulu, Hawaii

MAR 2 1 2012

RE: H.B. No. 2226

H.D. 2 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred H.B. No. 2226, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM,"

begs leave to report as follows:

The purpose and intent of this measure is to establish an automated victim information and notification system to notify victims or members of the community of certain status updates of an offender and to establish the automated victim information and notification special fund to support the system.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of the Attorney General, Crime Victim Compensation Commission, Hawaii Paroling Authority, Honolulu Prosecuting Attorney, Hawaii County Prosecuting Attorney, Maui County Prosecuting Attorney, Kauai County Prosecuting Attorney, The Sex Abuse Treatment Center, Hawaii State Coalition Against Domestic Violence, and one individual. Comments were received from the Department of Budget and Finance and the Judiciary.

Your Committee finds that chapter 801D, Hawaii Revised Statutes, provides crime victims and witnesses with the right, upon request, to be notified of changes in the custody status of the offender. However, due to a lack of timely notice, numerous

2012-1588 SSCR SMA.doc

crime victims have been unable to exercise their right to speak at the offender's parole hearing and have been further traumatized psychologically and emotionally. Many of these victims have also been in danger of being further victimized when the defendant was paroled or had escaped.

This measure enables the statewide automated victim identification and notification system to become permanent and establishes a special fund as a source of dedicated funding from a percentage of revenue from inmate commissary purchases, as well as inmate phone usage revenues.

Your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 2581, S.D. 2, Regular Session of 2012, a substantially similar measure that differs mainly in the composition of the automated victim information and notification system governance committee and in the effective date. Additional amendments were made to the definitions of "offender" and "victim", on the recommendation of the Judiciary.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2226, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2226, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Public Safety, Government Operations, and Military Affairs,

WILL ESPERO, Chair

The Senate Twenty-Sixth Legislature State of Hawai'i

Record of Votes Committee on Public Safety, Government Operations, and Military Affairs PGM

HB 2226, HD2 PGM,	Referral: Date: 3-13-12			
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:				
The Recommendation is:				
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)				
KIDANI, Michelle N. (VC)				
BAKER, Rosalyn H.				
RYAN, Pohai				
SLOM, Sam				
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TOTAL	Н	0	0	
Recommendation: Adopted Not Adopted				
Chair's or Designee's Signature huhille A. Kulin'				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes