
SENATE CONCURRENT RESOLUTION

REQUESTING THE ATTORNEY GENERAL TO SUBMIT REPORTS ON THE
REPORTING, INVESTIGATION, AND PROSECUTION OF HATE CRIMES IN
THE STATE.

1 WHEREAS, hate crimes are defined as any criminal act in
2 which the perpetrator intentionally selected a victim because of
3 hostility toward the actual or perceived race, religion,
4 disability, ethnicity, national origin, gender identity or
5 expression, or sexual orientation of any person; and
6

7 WHEREAS, the Department of the Attorney General is
8 responsible for the collection, storage, dissemination, and
9 analysis of all hate crime data from all agencies that have
10 primary investigative, action, or program responsibility for
11 adult or juvenile offenses, including the county police
12 departments, the county prosecutors, the family courts, and the
13 departments or agencies responsible for administering any
14 correctional facilities; and
15

16 WHEREAS, the Department of the Attorney General currently
17 only includes data based on convictions in its annual report of
18 hate crime data submitted to the Governor, Judiciary, Department
19 of Public Safety, and Legislature; and
20

21 WHEREAS, based on this rendering of statistics, only two
22 hate crimes were reported for the State in the most recent
23 annual report; and
24

25 WHEREAS, hate crime data acquired by the county police
26 departments indicates that the number of crimes initially
27 flagged as hate crimes greatly exceeds the number reported by
28 the Attorney General; and
29

30 WHEREAS, there appears to be a disconnect between the
31 number of crimes initially reported as hate crimes and those



1 that are eventually included in the Attorney General's report;
2 and

3
4 WHEREAS, current reporting lacks data to explain the
5 process whereby crimes initially flagged as hate crimes lose the
6 hate crime element during the investigation and prosecution
7 periods; and

8
9 WHEREAS, the reporting of hate crimes is a requirement for
10 the National Incident-Based Reporting System version of the
11 nationwide Uniform Crime Reporting Program, and the Department
12 of the Attorney General is currently overseeing a statewide
13 transition to the National Incident-Based Reporting System; now,
14 therefore,

15
16 BE IT RESOLVED by the Senate of the Thirtieth Legislature
17 of the State of Hawaii, Regular Session of 2020, the House of
18 Representatives concurring, that the Attorney General is
19 requested to submit a report to the Legislature on the
20 reporting, investigation, and prosecution of hate crimes in the
21 State; and

22
23 BE IT FURTHER RESOLVED that the report is requested to
24 include:

- 25
26 (1) The status of the implementation of the National
27 Incident-Based Reporting System;
28
29 (2) Areas where the reporting of hate crimes has been
30 identified as lacking, insufficient, or inaccurate;
31
32 (3) The status of the progression of hate crime
33 investigations and prosecutions from the initial
34 police report to the closing of the case, including
35 identification of and explanation for the removal of
36 the hate crime element from the case; and
37
38 (4) Recommendations on improvements to be made in the
39 prosecution and reporting of hate crimes; and
40

41 BE IT FURTHER RESOLVED that the Attorney General is
42 requested to submit a preliminary report of its findings and



1 recommendations, including any proposed legislation, to the
2 Legislature no later than forty days prior to the convening of
3 the Regular Session of 2021 and a final report to the
4 Legislature no later than forty days prior to the convening of
5 the Regular Session of 2022; and

6
7 BE IT FURTHER RESOLVED that certified copies of this
8 Concurrent Resolution be transmitted to the Governor, Attorney
9 General, Prosecuting Attorney of each county, and Chief of
10 Police of each county.

