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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONDUCT A STUDY EVALUATING THE FEASIBILITY OF CREATING A DOMESTIC VIOLENCE REGISTRY THAT WOULD BE USED SIMILARLY TO THE SEX OFFENDER REGISTRY.

1           WHEREAS, the State requires sex offenders and offenders  
2 against minors, as defined in section 846E-1, Hawaii Revised  
3 Statutes, to register with the Attorney General whenever the  
4 offender remains in the State for more than ten days or an  
5 aggregate period exceeding thirty days in one calendar year; and  
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7           WHEREAS, the State maintains separate registries for sex  
8 offenders and offenders against minors whenever the offender's  
9 public information is made publicly accessible; and  
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11           WHEREAS, public information under chapter 846E, Hawaii  
12 Revised Statutes, means the offender's names; year of birth;  
13 physical description; actual address; street name and zip code  
14 of employment or description of the place of work; professional  
15 licenses; names and addresses of educational institutions with  
16 which the offender is affiliated; vehicle description; a  
17 statement of covered offenses; judgment of conviction,  
18 acquittal, or judicial determination of unfitness to proceed;  
19 the provision of law defining the criminal offense for which the  
20 offender is registered; and a recent photograph; and  
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22           WHEREAS, to facilitate community notification, after a  
23 covered offender registers or updates a registration, the  
24 Attorney General may provide public information in the registry  
25 about that offender to any organization, company, or individual  
26 who requests such notification pursuant to procedures  
27 established by the Attorney General; and  
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1 WHEREAS, state law also requires the Attorney General to  
2 provide public access to a covered offender's public  
3 information; and  
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5 WHEREAS, the Department of Human Services is also required  
6 to maintain a central registry of reported child abuse or  
7 neglect cases and is authorized to conduct criminal history  
8 record checks pursuant to section 846-2.7, Hawaii Revised  
9 Statutes, sex offender registry checks, child abuse record  
10 checks, and adult abuse perpetrator checks as part of its  
11 background check process; and  
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13 WHEREAS, West Virginia established a domestic violence  
14 registry in 2009 as a tool to communicate domestic violence  
15 protective orders to law enforcement, while Indiana has created  
16 and implemented a statewide Protection Order Registry which  
17 makes judicial orders available to local, state, and national  
18 law enforcement agencies at no cost; and  
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20 WHEREAS, Kansas maintains a website established by its  
21 Bureau of Investigation to facilitate public access to  
22 information about persons who have been convicted of certain  
23 sex, violent, and drug offenses, as set forth in the Kansas  
24 Offender Registration Act; this information is made available to  
25 the public and law enforcement in the interest of public safety;  
26 and  
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28 WHEREAS, in 2013, the Texas House of Representatives was  
29 the first in the country to pass a bill to create a domestic  
30 violence offender registry, with the intent to bring an  
31 additional layer of vigilance to the state; and  
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33 WHEREAS, State Senators in New York have been pursuing  
34 similar legislation, called "Brittany's Law" to define domestic  
35 violence offenses and offenders and require offenders to  
36 register with the Division of Criminal Justice Services; and  
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38 WHEREAS, this body finds that, in the interest of public  
39 health and safety, a registry database of domestic violence  
40 offenders that can be accessed by the public and used in ways  
41 similar to the existing sex offender registry, may be helpful to  
42 communities; now, therefore,



# H.C.R. NO. 95

1  
2 BE IT RESOLVED by the House of Representatives of the  
3 Thirty-second Legislature of the State of Hawaii, Regular  
4 Session of 2023, the Senate concurring, that the Department of  
5 the Attorney General is requested to conduct a study evaluating  
6 the feasibility of creating a domestic violence registry that  
7 would be used similarly to the sex offender registry; and

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9 BE IT FURTHER RESOLVED that this study is requested to:

- 10  
11 (1) Encompass those domestic violence offenses deemed  
12 appropriate by the Department of the Attorney General;  
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14 (2) Evaluate whether a registry modeled after chapter  
15 846E, Hawaii Revised Statutes, or another system, is  
16 feasible;  
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18 (3) Consider any legal or constitutional obstacles to the  
19 establishment and maintenance of a domestic violence  
20 registry; and  
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22 (4) Consider the logistics, cost implications, enforcement  
23 mechanisms, and utility of a domestic violence  
24 registry, and any other issues deemed relevant by the  
25 Department; and  
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27 BE IT FURTHER RESOLVED that the Department of the Attorney  
28 General is requested to submit a report of its findings and  
29 recommendations, including any proposed legislation, to the  
30 Legislature no later than twenty days prior to the convening of  
31 the Regular Session of 2024; and  
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33 BE IT FURTHER RESOLVED that a certified copy of this  
34 Concurrent Resolution be transmitted to the Attorney General.  
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OFFERED BY:



MAR 10 2023

