
HOUSE 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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29 WHEREAS, state law also requires the Attorney General to
30 provide public access to a covered offender's public
31 information; and



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2 WHEREAS, the Department of Human Services is also required
3 to maintain a central registry of reported child abuse or
4 neglect cases and is authorized to conduct criminal history
5 record checks pursuant to section 846-2.7, Hawaii Revised
6 Statutes, sex offender registry checks, child abuse record
7 checks, and adult abuse perpetrator checks as part of its
8 background check process; and
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10 WHEREAS, West Virginia established a domestic violence
11 registry in 2009 as a tool to communicate domestic violence
12 protective orders to law enforcement, while Indiana has created
13 and implemented a statewide Protection Order Registry which
14 makes judicial orders available to local, state, and national
15 law enforcement agencies at no cost; and
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17 WHEREAS, Kansas maintains a website established by its
18 Bureau of Investigation to facilitate public access to
19 information about persons who have been convicted of certain
20 sex, violent, and drug offenses, as set forth in the Kansas
21 Offender Registration Act; this information is made available to
22 the public and law enforcement in the interest of public safety;
23 and
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25 WHEREAS, in 2013, the Texas House of Representatives was
26 the first in the country to pass a bill to create a domestic
27 violence offender registry, with the intent to bring an
28 additional layer of vigilance to the state; and
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30 WHEREAS, State Senators in New York have been pursuing
31 similar legislation, called "Brittany's Law" to define domestic
32 violence offenses and offenders and require offenders to
33 register with the Division of Criminal Justice Services; and
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35 WHEREAS, this body finds that, in the interest of public
36 health and safety, a registry database of domestic violence
37 offenders that can be accessed by the public and used in ways
38 similar to the existing sex offender registry, may be helpful to
39 communities; now, therefore,
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41 BE IT RESOLVED by the House of Representatives of the
42 Thirty-second Legislature of the State of Hawaii, Regular



1 Session of 2023, that the Department of the Attorney General is
2 requested to conduct a study evaluating the feasibility of
3 creating a domestic violence registry that would be used
4 similarly to the sex offender registry; and

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

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8 (1) Encompass those domestic violence offenses deemed
9 appropriate by the Department of the Attorney General;
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11 (2) Evaluate whether a registry modeled after chapter
12 846E, Hawaii Revised Statutes, or another system, is
13 feasible;
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15 (3) Consider any legal or constitutional obstacles to the
16 establishment and maintenance of a domestic violence
17 registry; and
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19 (4) Consider the logistics, cost implications, enforcement
20 mechanisms, and utility of a domestic violence
21 registry, and any other issues deemed relevant by the
22 Department; and
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24 BE IT FURTHER RESOLVED that the Department of the Attorney
25 General is requested to submit a report of its findings and
26 recommendations, including any proposed legislation, to the
27 Legislature no later than twenty days prior to the convening of
28 the Regular Session of 2024; and

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30 BE IT FURTHER RESOLVED that a certified copy of this
31 Resolution be transmitted to the Attorney General.
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OFFERED BY: _____



MAR 10 2023

