
HOUSE RESOLUTION

REQUESTING THE OFFICE OF THE PROSECUTING ATTORNEY OF EACH COUNTY
TO COLLECT CERTAIN SOCIOECONOMIC DATA FOR EACH CASE
PROSECUTED BY THE OFFICE.

1 WHEREAS, the Offices of the Prosecuting Attorney of the
2 respective counties in the State execute impactful discretion in
3 the enforcement of the State's criminal justice system; and
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5 WHEREAS, prosecuting attorneys decide whether to charge
6 individuals arrested, and with what crimes and determine,
7 virtually unilaterally, whether individuals will be diverted
8 from the criminal system, thereby avoiding criminal records and
9 attendant collateral consequences; and
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11 WHEREAS, prosecuting attorneys also make influential
12 recommendations regarding pretrial detention, bail, and
13 sentencing, which have a lasting impact on people accused of
14 crime, victims, families, communities, and the State's economy;
15 and
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17 WHEREAS, basic information and data about the Offices of
18 the Prosecuting Attorney and their practices, while publicly
19 available to some extent, are difficult to obtain and are not
20 readily available in a format that is easy to analyze or
21 understand; and
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23 WHEREAS, data on the practices of each county Prosecuting
24 Attorney can help the prosecutors manage their offices
25 efficiently and measure progress toward goals; and
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27 WHEREAS, data can also help increase transparency about
28 prosecutorial decision making, the constraints prosecutors
29 navigate, and how their decisions link to broader justice and
30 public safety outcomes; and



1 WHEREAS, such data could help assist the Legislature in
2 crafting legislative policy in regard to the Penal Code and
3 broader criminal justice system; and

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5 WHEREAS, all individuals deserve comprehensive access to
6 this data that is not otherwise protected from disclosure by a
7 recognized privilege or statutory exemption; and

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9 WHEREAS, disclosure of information and data by the Offices
10 of the Prosecuting Attorney will help identify the causes of
11 mass incarceration and racial disparities in the criminal
12 justice system, improve accountability, and produce fairer
13 outcomes in individual criminal cases, including better-informed
14 plea negotiations and potential rehabilitative pathways; and

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16 WHEREAS, the county Offices of the Prosecuting Attorney can
17 increase transparency and serve the public interest by
18 collecting and publishing certain socioeconomic data for each
19 case prosecuted by the offices; now, therefore,

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21 BE IT RESOLVED by the House of Representatives of the
22 Thirty-second Legislature of the State of Hawaii, Regular
23 Session of 2023, that the Office of the Prosecuting Attorney of
24 each county is requested to collect certain socioeconomic data
25 for each case prosecuted by the office; and

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27 BE IT FURTHER RESOLVED that the Offices of the Prosecuting
28 Attorney are requested to collect and maintain a record of the
29 following data:

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31 (1) Defendant's race;
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33 (2) Defendant's gender;
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35 (3) Defendant's highest level of education;
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37 (4) Defendant's job status;
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39 (5) District or neighborhood of arrest; and
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41 (6) Amount of time the person has been living in Hawaii;
- 42 and



H.R. NO. 70

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BE IT FURTHER RESOLVED that each Office of the Prosecuting Attorney is requested to post all deidentified data on the Office's website; and

BE IT FURTHER RESOLVED that each Office of the Prosecuting Attorney is requested to submit a report to the Legislature, no later than twenty days prior to the convening of the Regular Session of 2024, on the status of its data collection efforts; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Prosecuting Attorney of the City and County of Honolulu, Prosecuting Attorney of the County of Maui, Prosecuting Attorney of the County of Hawai'i, and Prosecuting Attorney of the County of Kaua'i.

OFFERED BY:



MAR - 9 2023

