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# A BILL FOR AN ACT

RELATING TO CRIMINAL JUSTICE DATA SHARING GROUPS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that there are several  
2 working groups and commissions that focus on gun violence,  
3 violent crime, and criminal data sharing, including the  
4 governor's commission on crime, criminal justice data sharing  
5 working group, and gun violence and violent crimes commission.  
6 Each of these groups' purposes have some overlap with one  
7 another, and the membership of these working groups and  
8 commissions all include the county prosecutors, county police  
9 chiefs, and the attorney general. As such, each of these public  
10 servants attend multiple and overlapping meetings.

11           Accordingly, the purpose of this Act is to increase the  
12 efficiency and effectiveness of the data sharing working groups  
13 in the State by establishing the criminal justice data sharing  
14 and research group, which consolidates the efforts of the  
15 criminal justice data sharing working group established in  
16 Act 157, Session Laws of Hawaii 2023, and the gun violence and



1 violent crimes commission codified under chapter 134C, Hawaii  
2 Revised Statutes.

3 SECTION 2. Chapter 134C, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 " [{}]CHAPTER 134C[{}]

6 ~~GUN VIOLENCE AND VIOLENT CRIMES COMMISSION~~ CRIMINAL JUSTICE

7 DATA SHARING AND RESEARCH GROUP

8 [{}]~~§134C-1~~[{}] ~~Gun violence and violent crimes commission;~~

9 Criminal justice data sharing and research group; established.

10 There [is] shall be established [~~the gun violence and violent~~  
11 ~~crimes commission that shall be placed~~] within the department of  
12 the attorney general for administrative purposes only[~~-~~] the  
13 criminal justice data sharing and research group.

14 ~~§134C-2~~ [~~Gun violence and violent crimes commission;~~

15 Criminal justice data sharing and research group; membership.

16 (a) The attorney general or the attorney general's designee  
17 shall coordinate and serve as the [~~chair~~] chairperson of the  
18 [~~gun violence and violent crimes commission.~~] criminal justice  
19 data sharing and research group.



1 (b) The following individuals, or their designees, shall  
2 serve as members of the ~~[gun violence and violent crimes~~  
3 ~~commission;]~~ criminal justice data sharing and research group:

4 (1) The chief justice of the supreme court of Hawaii;

5 (2) The director of ~~[health;]~~ corrections and  
6 rehabilitation;

7 (3) The director of law enforcement;

8 (4) ~~[A county prosecuting attorney to be selected by the~~  
9 ~~chair of the commission;]~~ The administrative director

10 of the courts;

11 (5) The public defender;

12 (6) The prosecuting attorney of each county;

13 ~~[(6)]~~ (7) The chief of police of each county;

14 ~~[(7) The administrator of the Hawaii state hospital;]~~

15 (8) The dean of the college of social sciences at the  
16 University of Hawaii at Manoa;

17 (9) The dean of the John A. Burns school of medicine;

18 ~~[(10) One representative from a group that advocates for~~  
19 ~~stricter gun safety laws; and~~

20 ~~[(11) One representative from a firearm advocacy group.]~~



1       (10) The chair of the senate standing committees with  
2           primary jurisdiction over public safety and  
3           intergovernmental and military affairs; and

4       (11) The chair of the house of representatives standing  
5           committees with primary jurisdiction over corrections,  
6           military, and veterans.

7       (c) ~~[The chair of the gun violence and violent crimes~~  
8 ~~commission may request the participation or input of experts in~~  
9 ~~gun violence and violent crimes; county, state, and federal~~  
10 ~~officials; members of the public; and other persons as~~  
11 ~~necessary.]~~ The criminal justice data sharing and research group  
12 shall select a vice chairperson from among its members.

13       (d) The members of the ~~[gun violence and violent crimes~~  
14 ~~commission]~~ criminal justice data sharing and research group  
15 shall serve without compensation but may be reimbursed for their  
16 actual and necessary expenses, including travel expenses,  
17 incurred in carrying out their duties.

18       ~~[+]§134C-3[ - Gun violence and violent crimes commission;~~  
19 **Criminal justice data sharing and research group; powers and**  
20 **duties.** (a) The purpose of the ~~[gun violence and violent~~  
21 ~~crimes commission]~~ criminal justice data sharing and research



1 group shall be to address [~~gun violence and violent crimes in~~  
2 ~~Hawaii.~~] the complexities of statewide data sharing in the  
3 criminal justice system and make recommendations for the  
4 implementation of a statewide criminal justice data repository  
5 by July 1, 2028.

6 [~~(b) The gun violence and violent crimes commission shall~~  
7 ~~provide coordination, facilitation, and planning among state and~~  
8 ~~county agencies, federal agencies, and other partners as~~  
9 ~~appropriate to carry out its purpose.~~

10 ~~(e)]~~ (b) The [~~gun violence and violent crimes commission~~]  
11 criminal justice data sharing and research group shall [~~endeavor~~  
12 ~~to~~]:

13 (1) Develop a formal memorandum of agreement to be  
14 executed by participating departments and agencies to  
15 ensure the repository's continued operation and  
16 coordinated planning and development;

17 (2) Identify operational and policy drivers that will  
18 influence development priorities for the repository in  
19 the short and long term;



1        (3) Identify policy, legislative, and operational issues  
2                associated with the planning, development, and  
3                implementation of the repository;

4        (4) Formulate recommendations for changes in policy,  
5                legislation, and operations to facilitate data  
6                sharing;

7        [~~(1)~~] (5) Identify relevant data that may be used to reduce  
8                gun violence and violent crimes;

9        [~~(2)~~] (6) Identify areas in which relevant data that may be  
10                used to reduce gun violence and violent crimes is not  
11                available;

12        [~~(3)~~] (7) Maximize the sharing between the departments and  
13                agencies represented on the [commission] group and  
14                other appropriate stakeholders of data relevant to  
15                reducing gun violence and violent crimes; and

16        [~~(4)~~] (8) Coordinate and conduct research on gun violence  
17                and violent crimes.

18        [~~(d) The gun violence and violent crimes commission may~~  
19 ~~work with and engage stakeholders for the purposes of this~~  
20 ~~chapter.]~~



1        (c) The criminal justice data sharing and research group  
2 may:

- 3        (1) Hold informational briefings and listening sessions to  
4 gather input from the public on issues related to  
5 criminal justice data sharing within the State; and  
6        (2) Request assistance and feedback from subject matter  
7 experts, as needed, to enable the group to carry out  
8 its work.

9        (d) The data to be shared between departments and agencies  
10 may include:

- 11        (1) For each criminal case:  
12            (A) Pre-charging information;  
13            (B) Case number;  
14            (C) Date the alleged offense occurred;  
15            (D) County in which the offense is alleged to have  
16 occurred;  
17            (E) Date the defendant was taken into physical  
18 custody by a law enforcement agency or was issued  
19 a notice to appear on a criminal charge, if the  
20 date is different than the date on which the  
21 offense is alleged to have occurred;



- 1            (F) Date that the criminal prosecution of a defendant
- 2            was formally initiated, either by the state
- 3            attorney filing an information with the clerk of
- 4            the court, or an indictment issued by a grand
- 5            jury;
- 6            (G) Arraignment date;
- 7            (H) Attorney assignment date;
- 8            (I) Attorney withdrawal date;
- 9            (J) Case status; and
- 10           (K) Disposition date;
- 11        (2) For each defendant:
- 12           (A) Name;
- 13           (B) Date of birth;
- 14           (C) Age;
- 15           (D) Race, ethnicity, and national origin;
- 16           (E) Gender;
- 17           (F) Address of primary residence;
- 18           (G) Primary language;
- 19           (H) Citizenship;
- 20           (I) Immigration status, if applicable;



1           (J) Whether the defendant has been found by a court  
2           to be indigent;

3           (K) Information related to any formal charges filed  
4           against the defendant, including:

5           (i) Charge description;

6           (ii) Charge modifier, if applicable; and

7           (iii) Drug type for each drug charge, if known;

8           (L) Qualifications for any flag designation,  
9           including flags for domestic violence, gang  
10           affiliation, sexual offenses, habitual offenses,  
11           or pretrial release violations;

12           (M) Information related to bail or bond and pretrial  
13           release determinations, including:

14           (i) All monetary and nonmonetary conditions of  
15           release;

16           (ii) Any modification of bail or bond conditions  
17           made by a court having jurisdiction to try  
18           the defendant or by the circuit court,  
19           including modifications to any monetary or  
20           nonmonetary conditions of release;



- 1            (iii) Cash bail or bond payment, including whether
- 2                            the defendant utilized a bond agent to post
- 3                            a surety bond; and
- 4            (iv) Any bail or bond revocation due to a new
- 5                            offense, failure to appear, or violation of
- 6                            the terms of bail or bond, if applicable;
- 7            (N) Information related to sentencing, including:
- 8                            (i) Date that a court entered a sentence against
- 9                            a defendant;
- 10                          (ii) Charge sentenced to, including charge
- 11                            sequence number, charge description,
- 12                            statute, type, and charge class severity;
- 13                          (iii) Sentence type and length imposed by the
- 14                            court, including the total duration of
- 15                            imprisonment in a court detention facility
- 16                            or state correctional institution or
- 17                            facility, and conditions for probation or
- 18                            community control supervision; and
- 19                          (iv) Amount of time that the defendant has served
- 20                            in custody that is related to the reported
- 21                            criminal case and will be credited at the



1 time of the case's disposition to reduce the  
2 actual length of time the defendant will  
3 serve on the term of imprisonment that the  
4 court orders at disposition; and

5 (O) Any restitution ordered, including the amount  
6 collected by the court and the amount paid to the  
7 victim;

8 (3) For each victim, the relationship to the offender, if  
9 any;

10 (4) For each inmate:

11 (A) Date and reason the defendant was processed into  
12 the county detention facility subsequent to an  
13 arrest for a new violation of law, probation, or  
14 community control;

15 (B) Qualifications for any flag designation,  
16 including flags for domestic violence, gang  
17 affiliation, sexual offenses, habitual offenses,  
18 or pretrial release violations;

19 (C) Identification number assigned by the reporting  
20 department or agency;

21 (D) Number of children;



- 1           (E) Education level, including any vocational  
2           training;
- 3           (F) Date the inmate was admitted to the custody of  
4           the reporting department or agency;
- 5           (G) Current institution placement and the security  
6           level assigned to the institution;
- 7           (H) Custody level assignment;
- 8           (I) Whether the reason for admission to the reporting  
9           department or agency was for a new conviction or  
10           a violation of probation, community control, or  
11           parole. For an admission of probation, community  
12           control, or parole violation, whether the  
13           violation was technical or based on a new  
14           violation of law;
- 15           (J) Specific statutory citation for which the inmate  
16           was committed to the department or agency,  
17           including an inmate convicted of drug  
18           trafficking;
- 19           (K) Length of sentence or concurrent or consecutive  
20           sentences served;
- 21           (L) Tentative release date;



- 1           (M) Any prior incarceration within the State;
- 2           (N) Any disciplinary violation and action; and
- 3           (O) Any participation in rehabilitative or
- 4           educational programs while in the custody of the
- 5           department or agency; and
- 6       (5) For persons supervised by the reporting department or
- 7       agency for probation or community control:
- 8           (A) Name;
- 9           (B) Date of birth;
- 10          (C) Race, ethnicity, and national origin;
- 11          (D) Gender;
- 12          (E) Department- or agency-assigned case number;
- 13          (F) Length of probation or community control sentence
- 14          imposed and amount of time that has been served
- 15          on the sentence;
- 16          (G) Projected termination date for probation or
- 17          community control; and
- 18          (H) Any revocation of probation or community control
- 19          due to a violation, including whether the
- 20          revocation is due to a technical violation of the



1 conditions of supervision or a new violation of  
2 law.

3 (e) The criminal justice data sharing and research group  
4 members and their respective departments and agencies shall  
5 protect the information and data that may be shared as part of  
6 the group. The protection of individually identifiable criminal  
7 justice data shall be an authorized purpose under section 92-  
8 5(a) for the criminal justice data sharing and research group to  
9 hold an executive meeting that is closed to the public pursuant  
10 to section 92-4.

11 ~~[(e)]~~ (f) The ~~[gun violence and violent crimes commission]~~  
12 criminal justice data sharing and research group shall submit [a  
13 ~~report of its findings and recommendations,~~ annual updates,  
14 including ~~[any proposed legislation,~~ recommendations for any  
15 legislative or administrative action the group deems appropriate  
16 to address data sharing concerns or to enable the group to carry  
17 out its work, to the legislature no later than ~~[forty]~~ twenty  
18 days prior to the convening of the regular session of ~~[2022]~~  
19 2025 and each regular session thereafter~~[, on policy relating to~~  
20 ~~preventing gun violence and violent crimes].~~



1        (g) The legislative reference bureau, upon request of the  
2 chairperson of the criminal justice data sharing and research  
3 group may draft proposed legislation for the group no later than  
4 October 1st of each year."

5        SECTION 3. Act 157, Session Laws of Hawaii 2023, is  
6 repealed.

7        SECTION 4. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9        SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Department of the Attorney General; Criminal Justice Data  
Sharing Groups; Consolidation

**Description:**

Establishes the Criminal Justice Data Sharing and Research Group  
to consolidate the efforts of the Criminal Justice Data Sharing  
Working Group and the Gun Violence and Violent Crimes  
Commission. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

