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 6

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 10

11 WHEREAS, public information under chapter 846E, Hawaii Revised Statutes, means the offender's names; year of birth; 12 physical description; actual address; street name and zip code 13 14 of employment or description of the place of work; professional licenses; names and addresses of educational institutions with 15 which the offender is affiliated; vehicle description; a 16 statement of covered offenses; judgment of conviction, 17 acquittal, or judicial determination of unfitness to proceed; 18 the provision of law defining the criminal offense for which the 19 offender is registered; and a recent photograph; and 20

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 28



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WHEREAS, state law also requires the Attorney General to 1 provide public access to a covered offender's public 2 3 information; and 4 5 WHEREAS, the Department of Human Services is also required to maintain a central registry of reported child abuse or 6 neglect cases and is authorized to conduct criminal history 7 record checks pursuant to section 846-2.7, Hawaii Revised 8 9 Statutes, sex offender registry checks, child abuse record checks, and adult abuse perpetrator checks as part of its 10 11 background check process; and 12 WHEREAS, West Virginia established a domestic violence 13 registry in 2009 as a tool to communicate domestic violence 14 protective orders to law enforcement, while Indiana has created 15 and implemented a statewide Protection Order Registry that makes 16 judicial orders available to local, state, and national law 17 enforcement agencies at no cost; and 18 19 20 WHEREAS, Kansas maintains a website established by its Bureau of Investigation to facilitate public access to 21 22 information about persons who have been convicted of certain sex, violent, and drug offenses, as set forth in the Kansas 23 24 Offender Registration Act; this information is made available to the public and law enforcement in the interest of public safety; 25 26 and 27 28 WHEREAS, in 2013, the Texas House of Representatives was the first in the country to pass a bill to create a domestic 29 30 violence offender registry, with the intent to bring an additional layer of vigilance to the state; and 31 32 33 WHEREAS, state senators in New York have been pursuing similar legislation called "Brittany's Law" to define domestic 34 35 violence offenses and offenders and require offenders to register with the Division of Criminal Justice Services; and 36 37 38 WHEREAS, this body finds that in the interest of public health and safety, a registry of domestic violence offenders 39 that can be accessed by the public and used in ways similar to 40 the existing sex offender registry may be helpful to 41 communities; now, therefore, 42



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1 2 3 4 5 6 7 8	Thirty-se Session o the Attor the feasi	BE IT RESOLVED by the House of Representatives of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2024, the Senate concurring, that the Department of the Attorney General is requested to conduct a study evaluating the feasibility of creating a domestic violence registry that would be used similarly to the sex offender registry; and	
9	BE I	T FURTHER RESOLVED that this study is requested to:	
10 11 12 13	(1)	Encompass those domestic violence offenses deemed appropriate by the Department of the Attorney General;	
14 15 16	(2)	Evaluate whether a registry modeled after chapter 846E, Hawaii Revised Statutes, or another system, is feasible;	
17 18 19 20	(3)	Consider any legal or constitutional obstacles to the establishment and maintenance of a domestic violence registry; and	
21 22 23 24 25 26	(4)	Consider the logistics, cost implications, enforcement mechanisms, and utility of a domestic violence registry and any other issues deemed relevant by the Department; and	
26 27 28 29 30 31	General i recommend Legislatu	BE IT FURTHER RESOLVED that the Department of the Attorney General is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025; and	
32 33 34 35	BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to the Attorney General.		
36 37		OFFERED BY: CCCCE	

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