
A BILL FOR AN ACT

RELATING TO HABITUAL VIOLENT CRIME.

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

1 SECTION 1. The legislature finds that Act 213, Session
2 Laws of Hawaii 2024 (Act 213), was enacted to deter certain
3 habitual violent crimes such as sexual assaults, abuse of family
4 or household members, and assaults against law enforcement
5 officers, by increasing the offense to a class C felony if the
6 person had three or more prior convictions for a violent crime
7 within a five-year period.

8 The legislature further finds that Act 213 sought to
9 protect the public from habitual violent criminal offenders but,
10 as a caution against the increased numbers of incarcerations,
11 also included a provision to repeal the offense of habitual
12 violent crime on June 30, 2027, pending an assessment of its
13 effectiveness. Given the amount of time it takes for felony
14 cases to travel through our criminal justice system, more time
15 is needed to evaluate Act 213's effectiveness in reducing
16 habitual violent crimes. For a valid assessment, best practices



1 in research methodology recommend that data be collected for at
2 least five years both before and after the law was passed.

3 Accordingly, the purpose of this Act is to:

4 (1) Require the attorney general, in consultation with the
5 criminal justice research institute, to submit ongoing
6 annual reports to the legislature; and

7 (2) Amend Act 213 by:

8 (A) Requiring the criminal justice research institute
9 to submit a one-time report to the legislature
10 regarding the effectiveness of Act 213 in
11 reducing violent crime prior to the regular
12 session of 2031; and

13 (B) Extending its sunset date.

14 SECTION 2. Chapter 28, Hawaii Revised Statutes, is amended
15 by adding a new section to part I to be appropriately designated
16 and to read as follows:

17 "§28- Habitual violent crime; reports. (a) The
18 department of the attorney general, in consultation with the
19 criminal justice research institute, shall submit an annual
20 report to the legislature no later than twenty days prior to the
21 convening of the regular session of 2027, and every year



1 thereafter, on the effectiveness of section 707-712.2 in
2 addressing repeat violent crime in the State. Each report shall
3 include data for that calendar year that includes but is not
4 limited to:

5 (1) The number of persons arrested or cited for an offense
6 listed under section 707-712.2 who are also habitual
7 violent crime perpetrators;

8 (2) The number of habitual violent crime offenders from
9 paragraph (1) who have been arrested or cited for an
10 offense listed under section 707-712.2(1) more than
11 once since July 5, 2024;

12 (3) The number of cases charged under section 707-712.2;
13 and

14 (4) The outcomes of the cases charged under section
15 707-712.2 such as the number of cases that led to a
16 trial, plea agreement, conviction, deferred acceptance
17 of guilty or nolo contendere plea, incarceration, or
18 probation.

19 (b) The data included in the reports required by this
20 section shall contain only information in aggregate form and not
21 include any personally identifiable information. Nothing in



1 this section shall be construed to require disclosure of
2 information that is confidential under state or federal law or
3 protected by court order.

4 (c) No later than December 1 of 2026 and every year
5 thereafter, the prosecuting attorney of each county shall
6 provide the department of the attorney general with the data to
7 enable the department to complete the report under subsection
8 (a)."

9 SECTION 3. Act 213, Session Laws of Hawaii 2024, is
10 amended as follows:

11 1. By adding a new section to read:

12 "SECTION 3A. The criminal justice research institute shall
13 analyze data on the effectiveness of this Act in reducing
14 violent crime and submit a report to the legislature no later
15 than twenty days prior to the convening of the regular session
16 of 2031. The department of attorney general, judiciary, and
17 other criminal justice agencies as needed shall provide data to
18 the criminal justice research institute to complete the report."

19 2. By amending section 6 to read:

20 "SECTION 6. This Act shall take effect upon its approval,
21 and shall be repealed on June 30, [~~2027.~~] 2031."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2055.



Report Title:

Hawaii Law Enforcement Coalition Package; Habitual Violent Offenders; Criminal Justice Research Institute; Reports

Description:

Requires the Attorney General, in consultation with Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature. Amends Act 213, SLH 2024, by requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature prior to the Regular Session of 2031 and extending its sunset date to 6/30/2031. Effective 7/1/2055.
(SD2)

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