

A BILL FOR AN ACT

RELATING TO HABITUAL VIOLENT CRIME.

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

1 PART I

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

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

5 (A) Requiring the criminal justice research institute
6 to submit a one-time report to the legislature
7 before the regular session of 2031; and

8 (B) Repealing its sunset date; and

9 (2) Require the attorney general, in consultation with the
10 criminal justice research institute, to submit ongoing
11 annual reports to the legislature.

12 PART II

13 SECTION 2. Act 213, Session Laws of Hawaii 2024, is

14 amended by adding a new section to read as follows:

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



1 SECTION 3. Act 213, Session Laws of Hawaii 2024, is
2 amended by amending section 6 to read as follows:

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4 ~~and shall be repealed on June 30, 2027]~~]."

5 PART III

6 SECTION 4. Chapter 28, Hawaii Revised Statutes, is amended
7 by adding a new section to part I to be appropriately designated
8 and to read as follows:

9 "§28- Habitual violent crime; reports. (a) The
10 department of the attorney general, in consultation with the
11 criminal justice research institute, shall submit an annual
12 report to the legislature no later than twenty days prior to the
13 convening of the regular session of 2027, and every year
14 thereafter, on the effectiveness of section 707-712.2 in
15 addressing repeat violent crime in the State. Each report shall
16 include data for that calendar year that includes, but is not
17 limited to:

18 (1) The number of persons arrested or cited for an offense
19 listed under section 707-712.2(1) who are also
20 habitual violent crime offenders;





1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 7. This Act shall take effect upon its approval.



Report Title:

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

Description:

Amends Act 213, SLH 2024, by repealing its sunset date and requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature before the Regular Session of 2031. Requires the Department of the Attorney General, in consultation with the Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature. (SD1)

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