
SENATE CONCURRENT RESOLUTION

CONVENING A TASK FORCE TO EXAMINE THE IMPLEMENTATION OF AN
AUTOMATED VICTIM NOTIFICATION SYSTEM.

1 WHEREAS, under chapter 801D, Hawaii Revised Statutes,
2 victims are entitled to be informed as to the final disposition
3 of a case and as to any changes in the custodial status of the
4 offender; and
5

6 WHEREAS, the current process of notifying victims of the
7 custody status of offenders is inefficient and does not function
8 to fulfill the purposes of chapter 801D; and
9

10 WHEREAS, the Department of the Attorney General and the
11 Department of the Prosecuting Attorney for the City and County
12 of Honolulu have researched and have created a pilot project for
13 an automated victim notification system; now, therefore,
14

15 BE IT RESOLVED by the Senate of the Twenty-third
16 Legislature of the State of Hawaii, Regular Session of 2006, the
17 House of Representatives concurring, that a task force be
18 convened to examine the implementation of a automated victim
19 notification system; and
20

21 BE IT FURTHER RESOLVED that the members of the task force
22 shall be comprised of:
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- 24 (1) The Attorney General, or the Attorney General's
25 designee;
26
27 (2) A member from the Hawaii State Judiciary;
28
29 (3) The Director of Public Safety, or the Director's
30 designee;
31
32 (4) The Director of the Hawaii Paroling Authority, or the
33 Director's designee;
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- 1 (5) A commissioner from the Crime Victim Compensation
2 Commission or the commissioner's designee;
3
- 4 (6) A member from each county's prosecuting attorney's
5 office;
6
- 7 (7) An attorney from the Office of the Public Defender;
8
- 9 (8) The chief of police from each county's police
10 department, or the chief's designee;
11
- 12 (9) The Director of the Sex Abuse Treatment Center, or the
13 Director's designee;
14
- 15 (10) The Director of the Domestic Violence Clearinghouse
16 and Legal Hotline, or the Director's designee;
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- 18 (11) A representative of Mothers Against Drunk Driving; and
19
- 20 (12) A crime victim to be appointed by the Governor from a
21 list of crime victims compiled by the Department of
22 the Attorney General;

23
24 and

25
26 BE IT FURTHER RESOLVED that the Attorney General or the
27 Attorney General's designee shall be the chairperson and
28 facilitator of the task force for organizational purposes; and
29

30 BE IT FURTHER RESOLVED that the task force's missions shall
31 be to:

- 32
- 33 (1) Continue to work on the implementation of the
34 notification system currently being developed by the
35 Department of the Prosecuting Attorney for the City
36 and County of Honolulu in cooperation with the
37 Department of the Attorney General;
38
- 39 (2) Determine which state and county agencies shall be
40 required to participate in the automated victim
41 notification system program;
42
- 43 (3) Create a plan for the expansion of an automated victim
44 notification system to all counties within the State;



- 1 (4) Determine what types of federal money can be used to
- 2 implement an automated victim notification system;
- 3
- 4 (5) Review the current victim notification provisions in
- 5 the Hawaii Revised Statutes; and
- 6
- 7 (6) Conduct any other business deemed necessary to carry
- 8 out the purpose of this resolution;
- 9

10 and

11

12 BE IT FURTHER RESOLVED that the task force shall provide

13 the Legislature with a copy of its report, including any

14 proposed legislation, at least twenty days prior to the

15 convening of the Regular Session of 2007; and

16

17 BE IT FURTHER RESOLVED that certified copies of this

18 Concurrent Resolution be transmitted to the Attorney General,

19 the Chief Justice, the Director of Public Safety, the Director

20 of the Hawaii Paroling Authority, each county's prosecuting

21 attorney's office, the Office of the Public Defender, the

22 commissioner of each county's police department, the Director of

23 the Sex Abuse Treatment Center, the Director of the Domestic

24 Violence Clearinghouse and Legal Hotline, and the Governor.



Honolulu, Hawaii

APR 11 2006

RE: S.C.R. No. 89
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which
was referred S.C.R. No. 89 entitled:

"SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO
EXAMINE THE ISSUE OF CHANGES TO THE HAWAII PENAL CODE FOR THE
SENTENCING OF REPEAT OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to convene a task force to
examine the issue of changes to the Hawaii Penal Code for the
sentencing of repeat offenders.

Your Committee received testimony in support of this measure
from the Department of the Attorney General (Attorney General) and
the Department of the Prosecuting Attorney for the City and County
of Honolulu.

During the 2006 Regular Session, a measure was introduced
which sought to:

- (1) Expand the types of offenses subject to higher maximum
terms for repeat offenders;
- (2) Change the method of calculating the period of
eligibility of repeat offender sentencing; and
- (3) Add twenty class B and class C felonies to the list of
offenses for which a deferred acceptance of plea (DAG or
DANC) is not permitted.



Your Committee finds that these proposed changes to the Hawaii Penal Code may have serious implications and that such significant changes require further in-depth review and examination through a task force study.

Your Committee has amended this measure in accordance with the testimony received from the Attorney General to explicitly state that this resolution does not require the task force to examine Hawaii's three strikes law. The Attorney General wished to make clear that this resolution is not to be used to "backdoor" any additional amendments to the three strikes law.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 89, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 89, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Hawaiian Affairs,



COLLEEN HANABUSA, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Judiciary and Hawaiian Affairs
(Bills and Resolutions)

| | | |
|-----------|---------------------|---------|
| Measure:* | Committee Referral: | Date: |
| SCR 89 | JHW | 3-24-06 |

The committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is to:

Pass, unamended (2312) Pass, with amendments (2311) Hold (2310) Recommit (2313)

| Members | Ayes | Ayes(WR) | Nays | Excused |
|-----------------------|------|----------|------|---------|
| HANABUSA, Colleen (C) | / | | | |
| HEE, Clayton (VC) | / | | | |
| CHUN OAKLAND, Suzanne | / | | | |
| ENGLISH, J. Kalani | / | | | |
| IHARA, Jr., Les | | | | / |
| WHALEN, Paul | / | | | |
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| TOTAL | 5 | 0 | 0 | 1 |

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *[Signature]*

Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy

*Do not list more than one measure per Record of Votes.