

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 1984
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1984 entitled:

"A BILL FOR AN ACT RELATING TO CONVICTION DATA,"

begs leave to report as follows:

The purpose of this bill is to balance the different interests relating to public access to criminal conviction data by:

- (1) Limiting the dissemination of conviction data on the Internet to felony convictions; and
- (2) Providing that conviction data for offenses of a misdemeanor or lower grade will remain accessible at the Hawaii Criminal Justice Data Center and the county police departments.

The American Civil Liberties Union of Hawaii testified in support of this bill. The Attorney General and the Office of the Public Defender opposed this measure.

Your Committee has amended this bill by deleting its contents and inserting provisions requiring a review committee of the Judicial Council to:

- (1) Investigate the current status of Internet access to state criminal conviction data;


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- (2) Recommend action necessary to protect the privacy interest of offenders balanced against the public interest in access to criminal conviction data; and
- (3) Report its findings and recommendations to the Legislature prior to the Regular Session of 2007.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1984, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1984, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


for SYLVIA LUKE, Chair



