Honolulu, Hawaii

Mark 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,

SYLVIA LUKE, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

HSCR 814-06

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Date:	120	121	
нв 1984	Date: 2/28/06			
Committee Referral: JUD	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	Pass, with amendments			
☐ Hold	☐ Recommit			
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. OSHIRO, Blake K. (VC)		-		
3. CALDWELL, Kirk				
4. KANOHO, Ezra R.				
5. KARAMATSU, Jon Riki				
6. MORITA, Hermina M.	✓			
7. SONSON, Alex M.				
8. SOUKI, Joseph M.				
9. MARUMOTO, Barbara C.				
10. THIELEN, Cynthia				
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TOTAL	A	0	D	2
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The recommendation is:				
☐ Not Adopted				
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If joint referral,	nmittee acronym(ort recommendation	·
Con	minute delonym			
Vice Chair's or designee's signature:				
vice Chair's or designed a signature.				
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