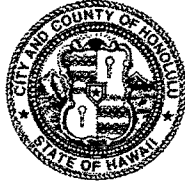


SB 844

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

MUFI HANNEMANN
MAYOR



BOISSE P. CORREA
CHIEF

PAUL D. PUTZULU
KARL A. GODSEY
DEPUTY CHIEFS

OUR REFERENCE SN-NTK

February 11, 2009

The Honorable David Y. Ige, Chair
and Members
Committee on Health
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ige and Members:

Subject: Senate Bill No. 844, Relating to the Disclosure of Vital Statistics Records to Law Enforcement Officers

I am Sean C. Naito, Captain of the Criminal Investigation Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports Senate Bill No. 844, Relating to the Disclosure of Vital Statistics Records to Law Enforcement Officers. This bill authorizes the Department of Health to provide public health records to law enforcement to facilitate criminal investigations. Providing these records to law enforcement would allow investigations to be conducted in a timely manner. Increased efficiency and effectiveness of investigations are beneficial to the public and the entire criminal justice system.

The Honolulu Police Department urges you to support Senate Bill No. 844, Relating to Disclosure of Vital Statistics Records to Law Enforcement Officers.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Sean C. Naito".

SEAN C. NAITO, Captain
Criminal Investigation Division

APPROVED:

for: A handwritten signature in black ink that reads "Boisse P. Correa".
BOISSE P. CORREA
Chief of Police



**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FIFTH LEGISLATURE, 2009**

ON THE FOLLOWING MEASURE:

S.B. NO. 844, RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS.

BEFORE THE:

SENATE COMMITTEE ON HEALTH

DATE: Wednesday, February 11, 2009 **TIME:** 3:00 PM

LOCATION: State Capitol, Room 016

TESTIFIER(S): Mark J. Bennett, Attorney General
or Lance M. Goto, Deputy Attorney General

Chair Ige and Members of the Committee:

The Attorney General strongly supports this bill.

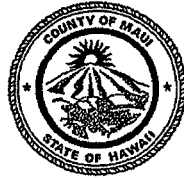
The purpose of this bill is to amend section 338-18(b), Hawaii Revised Statutes, to authorize the Department of Health to permit law enforcement officers to inspect public health statistics records and for the Department of Health to issue a certified copy of any such record or part thereof to law enforcement.

During the course of investigating or prosecuting a crime, law enforcement officers may need access to vital statistics records. For example, in a homicide investigation, access to a death certificate may help determine what charge, if any, to bring against a suspect. Another example is the need to access birth certificates in sexual assault cases to ascertain the age of the victim or suspect.

Permitting law enforcement officers access to public health statistics records - provided that the officer submits a signed statement verifying, under penalty of criminal prosecution, that the vital statistics records are needed as evidence in a criminal investigation - will allow for more timely investigation of crimes when such records are needed, while protecting the privacy of the records.

We respectfully request passage of this measure.

CHARMAINE TAVARES
Mayor



BENJAMIN M. ACOB
Prosecuting Attorney
PETER A. HANANO
First Deputy Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
150 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7777 • FAX (808) 270-7625

February 9, 2009

HONORABLE DAVID Y. IGE, CHAIR
HONORABLE JOSH GREEN, M.D., VICE CHAIR
COMMITTEE ON HEALTH

HOUSE OF REPRESENTATIVES
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009
STATE OF HAWAII

TESTIMONY OF BENJAMIN M. ACOB,
PROSECUTING ATTORNEY FOR THE COUNTY OF MAUI,
IN SUPPORT OF S.B. NO. 844
RELATING TO THE DISCLOSURE OF VITAL STATISTICS
RECORDS TO LAW ENFORCEMENT OFFICERS.

The Honorable Chairpersons and Committee Members:

The Department of the Prosecuting Attorney for the County of Maui supports S.B. 844 Relating to the Disclosure of Vital Statistics Records to Law Enforcement Officers.

This proposed bill seeks to statutorily allow law enforcement officers access to certain public health records in order to facilitate criminal investigations. This type of information is needed, for example, when the age of the victim is relevant in determining the appropriate charge(s) to file.

In addition, the information may also be needed when an accused who is now deceased, still has pending charges outstanding. Under this circumstance, our Department would not dismiss any charges until we receive confirmation via the death certificate.

In closing, we strongly recommend passage of this bill as it provides law enforcement the much needed authority to obtain these types of records. Accordingly, our Department supports S.B. 844. Thank you for the opportunity to testify.

(S.B. 844, Relating to the Disclosure of Vital Statistics Records to Law Enforcement Officers)

From: Decaires, Letha [ldecaires@honolulu.gov]
Sent: Monday, February 09, 2009 3:39 PM
To: HTHTestimony
Cc: Hashimoto, Clarice; Nakamura, Iris; Bader, Sue Ellen N.
Subject: Committee on Health

Categories: Blue Category

Committee on Health
February 11, 2009 1500 hours
SB844, Relating to the Disclosure of Vital Statistics Records to Law Enforcement Officers, Support

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