



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

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**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 JUDICIARY AND GOVERNMENT OPERATIONS

**DATE:** Monday, March 2, 2009 **TIME:** 10:30 AM

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** WRITTEN TESTIMONY ONLY. For more information, contact Lance Goto, Deputy Attorney General, at 586-1160.

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Chair Taniguchi 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.