

JAN 28 2011

SENATE CONCURRENT RESOLUTION

REQUESTING THE ATTORNEY GENERAL TO CONDUCT A STUDY ON WHETHER
THE GOALS AND OBJECTIVES OF HAWAII'S SEX OFFENDER LAWS ARE
BEING MET AND WHETHER SEX OFFENDER LAWS ARE BEING
IMPLEMENTED IN THE WAY THEY WERE INTENDED.

1 WHEREAS, in 1996, the federal government enacted what has
2 become known as "Megan's Law," requiring states to collect and
3 release relevant information necessary to protect the public
4 from sexual offenders; and

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6 WHEREAS, in 1997, the Legislature passed Hawaii's own
7 Megan's Law, codified as Chapter 846E, Hawaii Revised Statutes,
8 and currently entitled "Registration of Sex Offenders and Other
9 Covered Offenders and Public Access to Registration
10 Information," requiring that individuals convicted of certain
11 offenses against children and certain sexual offenses register
12 with a sex-offender registry by providing information relating
13 to their identity, residence, employment, education, medical
14 treatment, and vehicle; and

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16 WHEREAS, Chapter 846E also allows for public notification
17 through the public release of certain registration information;
18 and

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20 WHEREAS, over the years since their enactment, Hawaii's sex
21 offender laws have been amended to address constitutional issues
22 raised by the Hawaii Supreme Court as well as to comply with
23 federal law; and

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25 WHEREAS, while previous studies have been undertaken to
26 consider possible revisions to Hawaii's sex offender laws, no
27 study has been conducted to determine whether the goals and
28 objectives of the state sex offender laws are being met, or
29 whether state sex offender laws are being implemented in the way
30 they were intended; and



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WHEREAS, pursuant to Chapter 846E, the statewide sex offender registry is administrated and maintained by the Hawaii Criminal Justice Data Center of the Department of the Attorney General; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2011, the House of Representatives concurring, that the Department of the Attorney General is requested to conduct a study on the objectives and implementation of Hawaii's sex offender laws; and

BE IT FURTHER RESOLVED that, in its study, the Department of the Attorney General is requested to address:

- (1) Whether the goals and objectives of the state sex offender laws are being met; and
- (2) Whether the state sex offender laws are being implemented in the way they were intended; and

BE IT FURTHER RESOLVED the Department of the Attorney General is requested to submit its findings and recommendations, including any recommended legislation, to the Legislature no less than twenty days prior to the convening of the Regular Session of 2012; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Attorney General.

OFFERED BY:

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