
A BILL FOR AN ACT

RELATING TO DOMESTIC VIOLENCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 571, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§571- Database of offenders. (a) The family court
5 shall maintain a computerized database accessible via an
6 internet website containing information regarding covered
7 offenders. For purposes of this section, "covered offender"
8 means a person who has at least three convictions for abuse of a
9 family or household member under section 709-906. A conviction
10 shall not be included for purposes of determining whether a
11 person is a covered offender, if the records of that conviction
12 have been expunged.

13 (b) The family court shall make the following database
14 information accessible to the public via the internet website:

15 (1) The covered offender's full name, each alias used by
16 the covered offender, and the covered offender's date
17 of birth;

18 (2) The covered offender's last known address;



1 (3) A physical description and recent photograph of the
2 covered offender;

3 (4) A list of offenses for which the covered offender was
4 convicted of abuse of a family or household member,
5 the date of conviction for each offense, and the
6 sentence prescribed for each offense; and

7 (5) Information on whether the covered offender was
8 discharged, placed on probation, or released on parole
9 following the conviction for each offense.

10 (c) The following information shall not be made available
11 to the public:

12 (1) The covered offender's social security number,
13 driver's license number, or telephone number; and

14 (2) Information that would identify a victim of the
15 offense for which the covered offender was convicted
16 under section 709-906.

17 (d) The family court shall permit a covered offender whose
18 name is included in the database established under this section
19 to petition the family court for removal of the covered
20 offender's name from the database, and the family court shall
21 remove the covered offender's name from the database in response
22 to the petition if:



- 1 (1) The covered offender has less than three convictions
2 under section 709-906, due to an expungement of
3 records; or
- 4 (2) During the seven-year period preceding the date of the
5 petition, the covered offender has not been convicted
6 of an offense under section 709-906.
- 7 (e) The family court shall include on the internet website
8 information regarding the:
- 9 (1) Manner in which a covered offender may petition the
10 family court for removal of the covered offender's
11 name from the database; and
- 12 (2) Circumstances under which the family court will grant
13 the petition."

14 SECTION 2. The database mandated under section 571- ,
15 Hawaii Revised Statutes shall be designed and implemented no
16 later than January 1, 2013.

17 SECTION 3. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.



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1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

3 INTRODUCED BY:

John M. Marino
Didi R. Curbish
Tom Brown
Jimmy King
W. A. ...
John ...
David ...

JAN 18 2012



Report Title:

Database of Offenders; Abuse of a Family or Household Member

Description:

Requires the family court to maintain a computerized database containing information regarding covered offenders who have at least three convictions of abuse of a family or household member. Specifies information the database must contain. Allows a covered offender whose name is included in the database to petition for removal of the covered offender's name under certain circumstances.

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