

STAND. COM. REP. NO.

2864

Honolulu, Hawaii

MAR 21 2012

RE: H.B. No. 2226
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred H.B. No. 2226, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM,"

begs leave to report as follows:

The purpose and intent of this measure is to establish an automated victim information and notification system to notify victims or members of the community of certain status updates of an offender and to establish the automated victim information and notification special fund to support the system.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of the Attorney General, Crime Victim Compensation Commission, Hawaii Paroling Authority, Honolulu Prosecuting Attorney, Hawaii County Prosecuting Attorney, Maui County Prosecuting Attorney, Kauai County Prosecuting Attorney, The Sex Abuse Treatment Center, Hawaii State Coalition Against Domestic Violence, and one individual. Comments were received from the Department of Budget and Finance and the Judiciary.

Your Committee finds that chapter 801D, Hawaii Revised Statutes, provides crime victims and witnesses with the right, upon request, to be notified of changes in the custody status of the offender. However, due to a lack of timely notice, numerous



crime victims have been unable to exercise their right to speak at the offender's parole hearing and have been further traumatized psychologically and emotionally. Many of these victims have also been in danger of being further victimized when the defendant was paroled or had escaped.

This measure enables the statewide automated victim identification and notification system to become permanent and establishes a special fund as a source of dedicated funding from a percentage of revenue from inmate commissary purchases, as well as inmate phone usage revenues.

Your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 2581, S.D. 2, Regular Session of 2012, a substantially similar measure that differs mainly in the composition of the automated victim information and notification system governance committee and in the effective date. Additional amendments were made to the definitions of "offender" and "victim", on the recommendation of the Judiciary.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2226, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2226, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Government Operations, and
Military Affairs,



WILL ESPERO, Chair



