

JAN 17 2014

A BILL FOR AN ACT

RELATING TO VICTIMS' RIGHTS.

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

1 SECTION 1. Section 706-673, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§706-673 Notice of escape.** (1) As used in this section,
4 the following terms have the following meanings:

5 "Offense against the person" means any of the offenses
6 described in chapter 707 and includes any attempt to commit any
7 of those offenses.

8 "Prisoner" means a person who has been convicted of an
9 offense against the person.

10 "Surviving immediate family member" means a person who is a
11 surviving grandparent, parent, sibling, spouse or reciprocal
12 beneficiary, child, or legal guardian of a deceased victim.

13 "Victim" means the person who was the victim of the offense
14 against the person for which the prisoner was convicted.

15 (2) Upon written request, the department of public safety
16 shall give notice of the escape of a prisoner, immediately
17 following the escape, by the most reasonable and expedient means
18 available, to each victim or a surviving immediate family member



1 of the victim, through the victim witness assistance program in
2 the county where the crime was committed.

3 (3) The department of public safety shall give notice of
4 the escape of a prisoner who is a domestic violence offender,
5 immediately following the escape, by the most reasonable and
6 expedient means available, to each individual who was:

7 (a) The victim of the domestic violence; or

8 (b) Protected by a restraining order against the escaped
9 prisoner at the time of the arrest or conviction.

10 [~~3~~] (4) Neither the failure of any state officer or
11 employee to carry out the requirements of this section nor
12 compliance with it shall subject the State, the officer, or
13 employee to liability in any civil action. However, such
14 failure may provide a basis for such disciplinary action as may
15 be deemed appropriate by a competent authority."

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 2310

Report Title:

Prisoners; Escape; Domestic Violence; Restraining Order; Victim Rights; Notification

Description:

Requires the Department of Public Safety to give notice of the escape of a prisoner who is a domestic violence offender to each victim of the domestic violence and individuals protected by a restraining order against the escapee, immediately following the escape by the most reasonable and expedient means available.

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