
A BILL FOR AN ACT

RELATING TO PROTECTIVE ORDERS.

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

1 SECTION 1. Chapter 28, Hawaii Revised Statutes, is amended
2 by adding a new part to be appropriately designated and to read
3 as follows:

4 "PART . HAWAII HOPE CARD PROGRAM

5 §28- Hawaii hope card program. (a) There is
6 established within the department of the attorney general a
7 program to be known as the Hawaii hope card program, which shall
8 be responsible for issuing hope cards to holders of a long term
9 protective order to allow law enforcement to quickly verify the
10 existence of the long term protective order and easily obtain
11 information regarding the long term protective order.

12 (b) A hope card may be requested by any person who has
13 been granted a long term protective order issued by a Hawaii
14 court, Federal court, or other court of competent jurisdiction
15 by submitting an application to the department of the attorney
16 general in a form prescribed by the department of the attorney
17 general. Upon determining that the long term protective order



1 is valid based on data provided by the judiciary or the National
2 Crime Information Center - Protection Order File, the department
3 of the attorney general shall issue the applicant one or more
4 cards as may be necessary:

5 (1) For the applicant to provide the hope card to a school
6 or employer;

7 (2) To enable use of the hope card by any child or other
8 individual covered by the long term protective order;
9 or

10 (3) For the applicant to provide the hope card to the
11 school, day care program, or other similar entity for
12 a child or other individual covered by the long term
13 protective order.

14 (c) A hope card shall be a laminated card, similar in size
15 and shape to a credit card, and shall display a color photograph
16 of the person to be restrained by the long term protective
17 order, if available, and contain essential information about the
18 long term protective order, including:

19 (1) Identifying characteristics of the person to be
20 restrained, including name, date of birth, sex, race,
21 eye and hair color, height, weight, and any
22 distinguishing features such as scars or tattoos;



- 1 (2) The case number and the issuing court of the long term
2 protective order;
- 3 (3) The issue and expiration date of the long term
4 protective order;
- 5 (4) The terms of the long term protective order;
- 6 (5) A website and Hawaii phone number by which law
7 enforcement personnel can access the Hawaii hope card
8 program database to verify the information on the hope
9 card;
- 10 (6) Identifying characteristics of the applicant,
11 including name, date of birth, sex, race, eye and hair
12 color, height, and weight; and
- 13 (7) The names and birth dates of any children or other
14 individuals who are also protected by the long term
15 protective order.
- 16 (d) The department of the attorney general may charge a
17 fee not to exceed \$20 per card for each hope card, after the
18 first card. All moneys collected from the fee shall be
19 transferred to the general fund.
- 20 (e) For the purposes of this part, "long term protective
21 order" means an order granted under section 604-10.5 that is
22 effective for a period exceeding ninety days, or an order



1 granted under chapter 586 that is effective for a period
2 exceeding one hundred eighty days.

3 (f) For purposes of this part, "other court of competent
4 jurisdiction" shall mean a court of a country that:

5 (1) Is a party to the Hague Convention of 5 October 1961
6 Abolishing the Requirement of Legalisation for Foreign
7 Public Documents; and

8 (2) Has enacted laws or established procedures for the
9 issuance and enforcement of permanent restraining
10 orders that are substantially similar to those in this
11 State.

12 **§28- Access to Hawaii hope card program information;**
13 **verification.** (a) The department of the attorney general shall
14 maintain a database of all hope cards issued by the Hawaii hope
15 card program and their related long term protective orders. The
16 records may be incorporated as part of the current Hawaii
17 criminal justice center protective order databases, records, or
18 both. Law enforcement personnel may access the database or the
19 National Crime Information Center-Protection Order File database
20 to verify the existence and scope of a long term protective
21 order.



1 (b) Access to the database by internet and telephone shall
2 be provided twenty-four hours a day, seven days per week for the
3 duration of the long term protective order, for which the
4 department of the attorney general shall maintain a Hawaii phone
5 number; provided that the identity of the applicant shall not be
6 listed where the long term protective order has been obtained
7 under section 604-10.5(e).

8 (c) Public access authorized by this section may be
9 provided in coordination with the Hawaii criminal justice data
10 center established under chapter 846.

11 §28- External agencies; funding. The department of the
12 attorney general may work with outside agencies, local, state,
13 and federal governments and accept gifts, donations, and grants
14 from public agencies and private persons to support the program.

15 §28- Reporting requirements. The department of the
16 attorney general shall submit a report to the legislature no
17 later than twenty days prior to the convening of each regular
18 session to provide a report on the activities and status of the
19 hope card program."

20 SECTION 2. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so much
22 thereof as may be necessary for fiscal year 2015-2016, for the



1 department of the attorney general to establish and administer
2 the Hawaii hope card program including the hiring of staff.

3 The sums appropriated shall be expended by the department
4 of the attorney general for the purposes of this Act.

5 SECTION 3. The department of the attorney general shall
6 develop and implement the Hawaii hope card program established
7 by section 1 of this Act no later than January 1, 2016.

8 SECTION 4. This Act shall take effect on July 1, 2015.



Report Title:

Hawaii Hope Card Program; Protective Orders; Appropriation

Description:

Establishes the Hawaii hope card program within the Department of the Attorney General to issue hope cards upon request to those holding a long term protective order, with specified relevant information about the protective orders and all covered parties. Appropriates funds. (HB58 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

