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# SENATE CONCURRENT RESOLUTION

REQUESTING THE JUDICIARY, IN COOPERATION WITH THE POLICE DEPARTMENT OF EACH COUNTY AND PROSECUTOR OF EACH COUNTY, TO ANNUALLY COMPILE AND REPORT ON STATISTICS REGARDING ARRESTS, CHARGES, AND CONVICTIONS OR OTHER DISPOSITIONS BASED ON THE OFFENSE OF ABUSE OF A FAMILY OR HOUSEHOLD MEMBER.

1 WHEREAS, domestic violence is a serious social issue in  
2 Hawaii; and  
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4 WHEREAS, despite a number of state laws that protect  
5 victims of domestic violence, aim to prevent future incidents of  
6 domestic violence, and penalize and provide assistance to  
7 domestic violence offenders, the rates of domestic violence  
8 occurring in Hawaii have not decreased; and  
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10 WHEREAS, of greater concern is the number of domestic  
11 violence incidents committed by repeat domestic violence  
12 offenders; and  
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14 WHEREAS, advocates for stronger domestic violence laws  
15 contend that part of the problem is that existing law is being  
16 circumvented, resulting in a lack of any real consequences on  
17 domestic violence offenders, and consequently, no change in  
18 their behavior; and  
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20 WHEREAS, it is necessary to obtain accurate data, from  
21 arrest to final judicial action, in order to determine if more  
22 tailored laws are necessary to ensure that domestic violence  
23 offenders receive appropriate consequences and services for  
24 offenders to change their behavior and reduce repeat offenses;  
25 and  
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27 WHEREAS, current uniform crime statistics data do not focus  
28 on abuse of a family or household member, and therefore it is



1 necessary for the criminal justice system to provide specific  
2 insight on how arrests, charges, and convictions or other  
3 dispositions based on the offense of abuse of a family or  
4 household member are currently handled by the police, county  
5 prosecutors, and courts in order to establish and implement more  
6 tailored laws that prevent domestic violence; now, therefore,  
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8 BE IT RESOLVED by the Senate of the Twenty-ninth  
9 Legislature of the State of Hawaii, Regular Session of 2017, the  
10 House of Representatives concurring, that the Judiciary, in  
11 cooperation with the police department of each county and  
12 prosecutor of each county, is requested to annually compile and  
13 report on statistics regarding arrests, charges, and convictions  
14 or other dispositions based on the offense of abuse of a family  
15 or household member; and  
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17 BE IT FURTHER RESOLVED that in compiling this annual  
18 statistical report, the Judiciary is requested to collect the  
19 following information from the police department of each county:  
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- 21 (1) The number of arrests made pursuant to section 709-  
22 906, Hawaii Revised Statutes;
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- 24 (2) The number of cases based on arrests made pursuant to  
25 section 709-906, Hawaii Revised Statutes, referred to  
26 the county prosecutor;
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- 28 (3) The number of investigations relating to section 709-  
29 906, Hawaii Revised Statutes, that are pending on  
30 June 30, 2017, 2018, and 2019; and
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- 32 (4) The number of cases relating to section 709-906,  
33 Hawaii Revised Statutes, that were closed and not  
34 referred to the county prosecutor for further action;  
35 and  
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37 BE IT FURTHER RESOLVED that in compiling this annual  
38 statistical report, the Judiciary is requested to collect the  
39 following information from the prosecutor of each county:  
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- 1 (1) The number of cases based on arrests made pursuant to
- 2 section 709-906, Hawaii Revised Statutes, that were
- 3 referred by the police department for charging;
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- 5 (2) The number of felony charges based on section 709-906,
- 6 Hawaii Revised Statutes;
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- 8 (3) The number of misdemeanor charges based on section
- 9 709-906, Hawaii Revised Statutes;
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- 11 (4) The number of charges made pursuant to section 709-
- 12 906, Hawaii Revised Statutes, that were amended,
- 13 including an amended charge of a lesser included
- 14 offense of section 709-906, Hawaii Revised Statutes,
- 15 or other criminal offense charge, and a description of
- 16 the amendments made to those charges;
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- 18 (5) The number of cases based on arrests made pursuant to
- 19 a criminal offense other than section 709-906, Hawaii
- 20 Revised Statutes, that were referred by the police
- 21 department for charging and subsequently charged with
- 22 section 709-906, Hawaii Revised Statutes;
- 23
- 24 (6) The number of cases relating to section 709-906,
- 25 Hawaii Revised Statutes, that are pending on June 30,
- 26 2017, 2018, and 2019; and
- 27
- 28 (7) The number of cases relating to section 709-906,
- 29 Hawaii Revised Statutes, that were closed or no
- 30 further action was taken by the prosecutor; and
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32 BE IT FURTHER RESOLVED that the Judiciary is requested to  
33 provide in this annual statistical report:

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- 35 (1) A compilation and analysis of the statistics received
- 36 from the police department of each county and the
- 37 prosecutor of each county;
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- 39 (2) The number of cases that resulted in felony
- 40 convictions of section 709-906, Hawaii Revised
- 41 Statutes, were dismissed, or resulted in any other
- 42 disposition;

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- 2 (3) The number of cases that resulted in misdemeanor
- 3 convictions of section 709-906, Hawaii Revised
- 4 Statutes, were dismissed, or resulted in any other
- 5 disposition; and
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- 7 (4) The number of cases that resulted in a conviction of a
- 8 lesser included offense of section 709-906, Hawaii
- 9 Revised Statutes, or other criminal offense, were
- 10 dismissed, or resulted in any other disposition,
- 11 including a deferred acceptance of guilty plea or nolo
- 12 contendere plea of that lesser included offense of
- 13 section 709-906, Hawaii Revised Statutes; and
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15 BE IT FURTHER RESOLVED that the Judiciary is requested to  
 16 submit a written report of its findings and recommendations,  
 17 including any proposed legislation, to the Legislature no later  
 18 than twenty days prior to the convening of the Regular Sessions  
 19 of 2018, 2019, and 2020; and

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21 BE IT FURTHER RESOLVED that certified copies of this  
 22 Concurrent Resolution be transmitted to the Chief Justice of the  
 23 Supreme Court of Hawaii, Administrative Director of the Courts,  
 24 Chief of Police of the City and County of Honolulu, Chief of  
 25 Police of the County of Hawaii, Chief of Police of the County of  
 26 Maui, Chief of Police of the County of Kauai, Prosecutor of the  
 27 City and County of Honolulu, Prosecutor of the County of Hawaii,  
 28 Prosecutor of the County of Maui, and Prosecutor of the County  
 29 of Kauai.

