

JAN 25 2017

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# SENATE RESOLUTION

REQUESTING THE FEDERAL GOVERNMENT AND THE ATTORNEY GENERAL OF  
THE STATE TO EXAMINE WAYS TO REMOVE DEFAMATORY STATEMENTS  
FROM THE INTERNET.

1           WHEREAS, slander and libel can defame a person's reputation  
2 and standing in the person's family and community, and can even  
3 affect the person's ability to work; and  
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5           WHEREAS, defamatory statements can affect the profitability  
6 of an honest business, which can affect the ability of its  
7 employees to make a living; and  
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9           WHEREAS, no one has a constitutional right to maliciously  
10 and knowingly make or spread false and defamatory statements;  
11 and  
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13           WHEREAS, while the Internet is a useful tool in sharing  
14 helpful and truthful information, it can also be a detrimental  
15 and devastating tool in spreading false and defamatory  
16 statements; and  
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18           WHEREAS, even after a victim of defamation sues and obtains  
19 a judgment in a court of competent jurisdiction against a  
20 slanderer or libeler, the victim's reputation can still be  
21 damaged by the republication of the defamatory comment on the  
22 Internet; and  
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24           WHEREAS, websites and individuals are often not aware that  
25 the statements they are republishing are false and defamatory;  
26 and;  
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28           WHEREAS, it would be unduly burdensome to require victims  
29 to return to court to file suit against everyone who republishes  
30 a false and defamatory statement about the victim on the  
31 Internet; and  
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33           WHEREAS, Internet search engines are a primary gateway to  
34 the dissemination of webpage links on the Internet; now,  
35 therefore,



# S.R. NO. 8

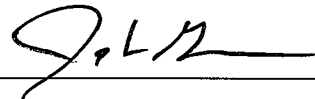
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BE IT RESOLVED by the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017, that the United States Congress; the United States Department of Justice; the Federal Communications Commission; and the Department of the Attorney General, State of Hawaii are requested to examine ways to remove statements and other materials from the Internet after victims obtain judgments from courts of competent jurisdiction that find the statements and other materials to be defamatory; and

BE IT FURTHER RESOLVED that the foregoing authorities are requested to place particular emphasis on Internet search engine results and the possible removal from those results of hyperlinks to webpages with defamatory statements and materials; and;

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Majority Leader of the United States Senate; the Speaker of the United States House of Representatives; Hawaii's congressional delegation; the Attorney General of the United States; the Chairman of the Federal Communications Commission; and the Attorney General of the State of Hawaii.

OFFERED BY:



Michelle D. Telani

