
Criminal Justice Research Institute, Hawai`i

Testimony to the Thirty-Second Legislature, 2023 Regular Session

House Committee on Judiciary and Hawaiian Affairs

Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair

Tuesday, February 28, 2023 at 2:00 p.m.
State Capitol, Conference Room 325
VIA VIDEOCONFERENCE

WRITTEN TESTIMONY ONLY

by:

Dr. Erin Harbinson
Director, Criminal Justice Research Institute

Bill No. and Title: House Bill No. 100 – Relating to Criminal Justice Data Sharing

Purpose: Establishes a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.

The Criminal Justice Research Institute respectfully submits the following comments on HB 100:

HB 100 seeks to establish a data working group to create a centralized repository of information to improve data sharing across criminal justice agencies. The Criminal Justice Research Institute is tasked with creating a centralized statewide pretrial database and reporting system that has kept us engaged with several agencies to assess the data landscape of the state's criminal justice system. As such, we are familiar with many of the information systems criminal justice agencies use and the barriers to sharing this information and using it for research. As acknowledged in HB 100, there is no centralized repository of information. To some extent, this may be appropriate because of the operational nature of these systems, in which case it may be appropriate for certain information to be kept confidential or separate from other agency users. However, this disconnect results in barriers for better information sharing and for research purposes. To overcome these barriers, it would require a cooperative effort among multiple agencies to balance information and research goals with operational goals.

House Committee on Judiciary and Hawaiian Affairs
House Bill No. 100, Relating to Criminal Justice Data Sharing
February 28, 2023

The Criminal Justice Research Institute met with the Honolulu Prosecutor's office to ensure that our work is not duplicative, and it is our understanding that this initiative would be a separate endeavor to improve information sharing. More centralized information could improve the ability for researchers to analyze criminal justice data, but we defer to the agencies involved and the Legislature to establish these priorities within the operational and resource constraints that currently exist. We are committed to collaborating on efforts designed to improve criminal justice data, and will share our work in this area to support any initiatives like this should they move forward.

Thank you for the opportunity to comment on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

H.B. NO. 100, RELATING TO CRIMINAL JUSTICE DATA SHARING.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Tuesday, February 28, 2023 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Philip D. Higdon, Acting Administrator,
Hawaii Criminal Justice Data Center

Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) offers the following comments.

The purpose of this bill is to establish a criminal justice data-sharing working group to make recommendations for a statewide criminal justice data repository.

Pursuant to chapter 846, Hawaii Revised Statutes, the Hawaii Criminal Justice Data Center (Data Center) of the Department is statutorily responsible for collecting, storing, and disseminating adult criminal history in the State of Hawaii. Each state and county criminal justice agency is required to submit pertinent criminal justice data to the Data Center's Criminal Justice Information System via direct data entry or interfaces to their records/case management systems. The pertinent criminal justice data includes, but is not limited to, arrest, prosecution, adjudication, probation, parole, and custody information. The Department believes that the Criminal Justice Information System may be expanded to include additional information as recommended on page 5, line 14, through page 12, line 2, under section 2(h) of this bill and does not recommend the creation of a new repository.

The Department believes in the importance of data sharing among criminal justice agencies and currently participates in committees and groups, including the Hawaii Integrated Justice Information Sharing (HIJIS) executive committee, whose

goals are to find solutions to allow the sharing of data securely and efficiently to improve public safety and homeland security while respecting citizens' privacy.

The HIJIS program is designed to build real-time criminal justice information sharing throughout the State to achieve greater efficiency, security, accuracy, and completeness of data sharing, reduce duplicate data entry, and speed up the processing and access to justice information. The HIJIS is governed by the HIJIS executive committee comprised of agency executives and leaders, including the majority of the agencies listed in section 2(b), page 3, line 4, through page 4, line 8. The Attorney General is the chairperson of the HIJIS executive committee.

The HIJIS program has an established agreement between partnering agencies through an executed memorandum of agreement as recommended in section 2(a)(1), page 2, lines 10-13. Operational and policy drivers are laid out in the HIJIS Strategic Plan and Tactical Plan as recommended in section 2(a)(2), page 2, lines 14-16. The Tactical Plan is revisited annually to assess priorities for the planning and development of the HIJIS program. The HIJIS program mandates privacy policies for partnering agencies and user access to safeguard information. The HIJIS executive committee meetings target data collection and sharing concerns and promote discussion on current issues and possible solutions as recommended in section 2(a)(3), page 2, lines 17-19.

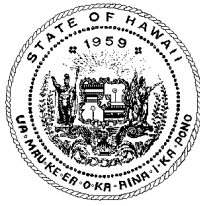
The HIJIS query currently allows authorized users to request criminal history, bench warrant, and statewide firearm information in a single search. In order to reduce duplicate data entry, booking data from arresting agencies is being electronically shared with prosecutors, Judiciary, intake service centers, and correctional facilities. And for a decade, the HIJIS subscription/notification service has been working to alert supervision agencies when any pertinent persons are rearrested. The HIJIS program is working to develop capabilities to share (1) police department incident information via the query, (2) prosecutor information via the query, and (3) disposition data from the prosecutors to criminal justice agencies.

The Department is eager to continue its efforts to improve criminal justice data collection and information sharing amongst state and county agencies. The Department

recommends expanding the HIJIS program and its resources with the added support of the Legislature to emphasize the importance of data sharing and its impact on the criminal justice community. The Department also recommends an expansion of the HIJIS executive committee instead of creating a separate working group to continue finding solutions for data sharing. In addition, the Department fully supports a report being submitted to the Legislature detailing efforts by each agency to share data and recommend further actions to be taken. This promotes the accountability of agencies for their active participation in data-sharing initiatives.

The Department appreciates the opportunity to provide comments on this bill.

JOSH GREEN, M.D.
GOVERNOR



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF PUBLIC SAFETY
Ka 'Oihana Ho'opalekana Lehulehu
1177 Alakea Street
Honolulu, Hawaii 96813

TOMMY JOHNSON
DIRECTOR

Melanie Martin
Deputy Director
Administration

Michael J. Hoffman
Acting Deputy Director
Corrections

William F. Oku
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 100
RELATING TO CRIMINAL JUSTICE DATA SHARING

by
Tommy Johnson, Director

House Committee on Judiciary and Hawaiian Affairs
Representative David A. Tarnas, Chair
Representative Gregg Takayama, Vice Chair

February 28, 2023; 2:00 p.m.
State Capitol Conference Room 325 and Via Video Conference

Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

The Department of Public Safety (PSD) **supports** House Bill (HB) 100, which proposes to establish a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.

PSD believes that a centralized criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository would potentially improve the entire criminal justice system, as long as all stakeholders share their data, and that all relevant stakeholders have access to the repository. Such a repository could identify factors associated with criminal behavior and recidivism, and result in improved interventions and programs to reduce the crime and recidivism rates in Hawai'i.

Thank you for the opportunity to present this testimony in support of HB 100.



STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
235 S. Beretania Street, 16th Floor
HONOLULU, HAWAII 96813
(808) 587-4160

TO: The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama, Vice Chair
House Committee on Judiciary and Hawaiian Affairs

FROM: Mark Patterson, Chair
Hawaii Correctional System Oversight Commission

SUBJECT: House Bill 100, Relating to Criminal Justice Data Sharing
Hearing: Tuesday, February 28, 2023; 2:00 p.m.
State Capitol, Room 325

Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (the Commission) **supports the intent** of House Bill 100, Relating to Criminal Justice Data Sharing, with the goal to develop a Criminal Justice Data repository that can be accessed by statewide criminal justice agencies. Creating a common data system will improve the timely sharing of information between police, prosecutors, attorneys, and the Courts in processing cases through the criminal justice system. This data will also help the counties and State analyze the factors driving criminal justice trends, develop and adopt policies addressing these factors, and measure the impact of policy changes.

We request this Committee be mindful that this proposal does not conflict with Chapter 614, HRS, entitled Criminal Justice Research Institute (CJRI). Established by Act 179, SLH 2019, CJRI is charged with establishing a “centralized statewide criminal pretrial justice data reporting and collection system.” We defer to Institute Director Erin Harbinson, Ph.D., for discussion and recommendations concerning any possible crossover with this measure.

Thank you for the opportunity to testify on the important matter.

Charlotte A. Carter-Yamauchi
Director

Shawn K. Nakama
First Assistant

Research 808-587-0666
Revisor 808-587-0670
Fax 808-587-0681



LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Comments

HB100

RELATING TO CRIMINAL JUSTICE DATA SHARING.

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the House Committee on Judiciary and Hawaiian Affairs

Tuesday, February 28, 2023, 2:00 p.m.
Room 325 & Via Videoconference

Chair Tarnas and Members of the Committee:

Good afternoon Chair Tarnas and members of the Committee, my name is Charlotte Carter-Yamauchi, and I am the Director of the Legislative Reference Bureau (Bureau). Thank you for providing the opportunity to submit written **comments** on H.B. No. 100, Relating to Criminal Justice Data Sharing.

The purpose of this City and County of Honolulu Package bill is to:

- (1) Establish a criminal justice data sharing working group to address the complexities of statewide data sharing in the criminal justice system and:
 - (A) Develop a formal memoranda of agreement to be executed by participating agencies to ensure the program's continued operation and coordinated planning and development;
 - (B) Identify operational and policy drivers that will influence development priorities for the program in the short and long term;
 - (C) Identify policy, legislative, and operational issues associated with the planning, development, and implementation of the program; and

- (D) Formulate recommendations for changes in policy, operations, and legislation to facilitate data sharing;
- (2) Authorize the working group to:
 - (A) Hold informational briefings and listening sessions to gather input from the public on issues related to criminal justice data sharing within the State; and
 - (B) Request assistance and feedback from subject matter experts, as needed, to enable the working group to carry out its work;
 - (3) Require the working group to provide the Legislature:
 - (A) Periodic update reports, including recommendations for any legislative or administrative action the working group deems appropriate to address data sharing concerns or to enable the working group to carry out its work; and
 - (B) No later than twenty days prior to the convening of the Regular Session of 2026, a final report, including recommendations for further actions to be implemented over the following two years, for a program start date of July 1, 2028;
 - (4) Request the Bureau to provide staff, research, and drafting assistance to the working group;
 - (5) Require the working group to convene no later than August 1, 2023;
 - (6) Specify the types of data that may be shared between departments; and
 - (7) Establish an unspecified sunset date for the working group.

The Bureau takes no position on the merits of this measure but submits the following comments for your consideration.

As to the request of the Bureau to provide staffing and research and drafting services to the working group made in the measure, the Bureau believes that it may be of assistance for drafting proposed legislation. However, we note that the Bureau possesses no additional staff or other resources to assign to the working group. Further, the frequency and timing of the periodic reports are unspecified, which makes the projected workload unpredictable, and may interfere with our ability to provide services to the Legislature during both the interims and Regular Sessions.

If the Committee still wishes to keep the Bureau involved with this measure, we recommend that it be amended to limit the Bureau's involvement to only the drafting of proposed legislation for the working group, and that the working group be required to timely submit requests for proposed legislation drafting to the Bureau by no later than October 1st of each year. If these requested amendments are made, then the Bureau believes that the services requested under the measure would be manageable, provided that the Bureau's interim workload is not adversely impacted by too many other studies or additional responsibilities, such as conducting studies, writing or finalizing other reports, drafting legislation, or any combination of these for the Legislature or for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for the opportunity to submit written comments.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515

STEVEN S. ALM
PROSECUTING ATTORNEY



THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Thirty-Second State Legislature
Regular Session of 2023
State of Hawai`i

February 28, 2023

RE: H.B. 100; RELATING TO CRIMINAL JUSTICE DATA SHARING.

Chair Tarnas, Vice-Chair Takayama and members of the House Committee on Judiciary and Hawaiian Affairs, the Department of the Prosecuting Attorney, City and County of Honolulu (“Department”), submits the following testimony in **strong support** of H.B. 100

The purpose of this bill is to establish a criminal justice data sharing working group, to make recommendations for a statewide criminal justice data repository that provides real-time data sharing between agencies. The working group proposed under H.B. 100 would include the four county police and prosecutor departments, as well as the Judiciary, the Office of the Public Defenders, probation, prison and parole.

Currently, the various state and county agencies involved in Hawaii’s criminal justice system all plan, design, procure, implement and operate their own individual databases and case tracking systems. For the most part, these databases work independently of one another, with little to no interface or means of transferring data between systems. This lack of data sharing creates inefficiencies, as staff are required to re-do data entry that was previously done by prior agencies (within the prior agency’s database), some agencies utilize the same terminology with different definitions, and very little information can be merged efficiently from one system to the next.

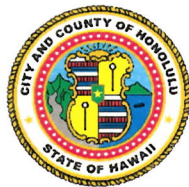
Seeing the need for efficient, real-time data flow between agencies, the Department recently met with the Crime Justice Research Institute (CJRI), which was created by the Legislature in 2019 through Act 179. As it turns out, the data repository system that would be contemplated by the working group is completely separate and apart from the data system that CJRI is currently developing. While CJRI’s system is designed to accurately aggregate and compile data for research and evaluation purposes, the working group would be designing a data system that can be utilized by various agencies within the criminal justice system—in real time—which would increase efficiency and accuracy, minimize duplication of work, and provide reliable information for

decision-making , starting from the time an officer first makes contact with an individual. In addition, the system that is ultimately created by the working group could be designed to feed directly and efficiently into the database being built by CJRI, potentially improving the quality of their data.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **strongly supports** the passage of H.B. 100. Thank you for the opportunity to testify on this matter.

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: www.honolulu.gov



RICK BLANGIARDI
MAYOR

MICHAEL D. FORMBY
MANAGING DIRECTOR
KRISHNA F. JAYARAM
DEPUTY MANAGING DIRECTOR

February 27, 2023

The Honorable David A. Tarnas, Chair
The Honorable Gregg Takayama, Vice Chair
And Members of the House Committee on Judiciary and Hawaiian Affairs
Hawaii State Capitol
415 S. Beretania Street
Honolulu, HI 96813

Dear Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

SUBJECT: HB 100 Relating to Criminal Justice Data Sharing

The City and County of Honolulu strongly supports HB100. This measure is part of the City and County of Honolulu's legislative package and would establish a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.

First, we would like to acknowledge the great work the Hawaii Intergraded Justice Information Sharing group has done in this area, our hope with this bill is to expand this project and provide resources and facilitate discussions to reduce redundancies that have caused concern during the processing of criminals from the point of initial detention through their release and probationary periods.

The development of a shared, real-time, data system will not only help with reducing time wasted with repetitive data entry, but also provide criminal justice officers with the resources they need make informed decisions when dealing with suspects, defendants, inmates, and parolees throughout the many jurisdictions.

This is an ambitious undertaking and we recognize that it will take a considerable amount of time to develop. However, we believe that these efforts must start as soon as possible. Thank you for scheduling this bill and for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Formby", written over a horizontal line.

Michael D. Formby
Managing Director

THE CIVIL BEAT
LAW CENTER FOR THE PUBLIC INTEREST

700 Bishop Street, Suite 1701
Honolulu, HI 96813

Office: (808) 531-4000
Fax: (808) 380-3580
info@civilbeatlawcenter.org

House Committee on Judiciary & Hawaiian Affairs
Honorable David A. Tarnas, Chair
Honorable Gregg Takayama, Vice Chair

RE: Testimony Commenting on H.B. 100, Relating to Criminal Justice Data Sharing
Hearing: February 28, 2023 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote governmental transparency. Thank you for the opportunity to submit testimony **commenting on H.B. 100**.

This bill would form a working group to make recommendations on a statewide criminal justice data repository. This data is an important source of information for the public to understand our criminal justice system. It is critical for the working group to consider and make recommendations regarding public access to the data repository.

The Law Center respectfully requests that this Committee amend the proposal to: (1) require that the working group consider issues of public access; and (2) add a member to the working group who represents a community organization with an interest in the criminal justice system.

Thank you again for the opportunity to provide comments on H.B. 100.

HB-100

Submitted on: 2/26/2023 9:04:44 PM

Testimony for JHA on 2/28/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JASPER CLARKE- AGOSTO	Individual	Support	Written Testimony Only

Comments:

They are good people and helpful to the people