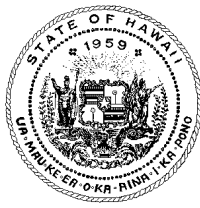


JOSH GREEN, M.D.
GOVERNOR



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 SENATE BILL 210
RELATING TO CRIMINAL JUSTICE DATA SHARING

by
Tommy Johnson, Director

Senate Committee on Public Safety and Intergovernmental
and Military Affairs
Senator Glenn Wakai, Chair
Senator Brandon J.C. Elefante, Vice Chair

Wednesday, February 1, 2023; 3:00 p.m.
State Capitol Conference Room 225 and Via Video Conference

Chair Wakai, Vice Chair Elefante, and members of the Committee:

The Department of Public Safety (PSD) strongly supports Senate Bill 210.

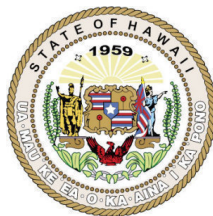
This bill establishes a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.

Currently, the Hawai'i Criminal Justice Data Center (HCJDC) administered by the Attorney General operates the criminal history record information system, the statewide Automated Fingerprint Identification System, the statewide Sex offender and Other Covered Offender Registry, and the Adult Criminal Conviction Information Web Site. However, the criminal justice data elements and systems identified in this bill are not generally shared among law enforcement agencies in the state. The working group is needed to help guide state and county law enforcement agencies as they work to meet ever-increasing demands on law enforcement agencies to share information and develop law enforcement operations and analysis-related systems capable of sharing essential information among the law enforcement agencies in the State.

The PSD strongly recommends that the bill be amended to specify the Attorney General, which administers the HSCJD, as the chair of this working group.

Thank you for the opportunity to testify in support of this bill.

JOSH GREEN
GOVERNOR



JORDAN LOWE
DIRECTOR

MICHAEL S. VINCENT
Deputy Director
Administration

STATE OF HAWAII | KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'opalekana Lehulehu

1177 Alakea Street
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(808) 587-2562

Vacant
Deputy Director
Law Enforcement

No.

TESTIMONY ON SENATE BILL 210
RELATING TO CRIMINAL JUSTICE DATA SHARING
Before the Senate Committee on Public Safety
and Intergovernmental and Military Affairs
Wednesday, February 1, 2023; 3:00 p.m.
State Capitol Conference Room 225, Via Videoconference

WRITTEN TESTIMONY ONLY

Chair Wakai, Vice Chair Elefante, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports Senate Bill 210.

This bill establishes a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.

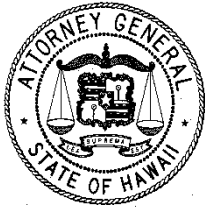
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DLE Testimony on Senate Bill 210
RELATING TO CRIMINAL JUSTICE DATA SHARING
January 30, 2023
Page 2

The DLE strongly recommends that the bill be amended to specify the Attorney General, which administers the HSCJD, as the chair of this working group.

Thank you for the opportunity to testify in support of this bill.

DLE Testimony on Senate Bill 210
RELATING TO CRIMINAL JUSTICE DATA SHARING
January 30, 2023
Page 3



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

S.B. NO. 210, RELATING TO CRIMINAL JUSTICE DATA SHARING.

BEFORE THE:

SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND
MILITARY AFFAIRS

DATE: Wednesday, February 1, 2023 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 225

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

Chair Wakai and Members of the Committee:

The Department of the Attorney General (Department) appreciates the intent of the bill and 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 (HRS), the Hawaii Criminal Justice Data Center (HCJDC) of the Department is statutorily responsible for collecting, storing, and disseminating adult criminal history in the State of Hawaii. Each state criminal justice agency is required to submit pertinent criminal justice data to the HCJDC's Criminal Justice Information System (CJIS-HI) 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 HCJDC believes in the importance of data sharing among criminal justice agencies and currently participates in committees and groups 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.

Two of the committees that the HCJDC is heavily involved in are the Hawaii Integrated Justice Information Sharing (HIJIS) program and its executive committee and the Gun Violence and Violent Crimes Commission (GVVCC).

The HIJIS 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 Attorney General, police departments, prosecutors, the Judiciary, the Department of Public Safety, and the Office of Enterprise Technology (ETS). The HIJIS committee is tasked with providing leadership, creating the vision, setting the overall direction, and providing the necessary resources for criminal justice information sharing through the HIJIS program. The committee can be expanded as necessary.

The GVVCC was established in 2020, pursuant to section 134C-1, HRS, to address gun violence and violent crimes in Hawaii and provide coordination, facilitation, and planning among state, county, and federal agencies and other partners.

The National Incident-Based Reporting System (NIBRS), overseen by the Department's Crime Prevention and Justice Assistance Division was created by the Federal Bureau of Investigations to improve the overall quality of crime data collected by law enforcement agencies. NIBRS captures details on each single crime incident and separate offenses within the same incident, including information on victims, known offenders, relationships between victims and offenders, arrestees, and property involved in crimes. The HCJDC has begun an internal discussion within the Department on the possibilities of retrieving the data within NIBRS so that it can be accessible to law enforcement agencies through CJIS-HI.

The Department is eager to continue its efforts to improve criminal justice data collection and sharing in collaboration with other state and county agencies. The HIJIS, GVVCC, and NIBRS are examples of existing groups whose efforts are in progress and share similar goals as outlined in this bill.

For the efficient and effective use of the limited state resources, the Department recommends expanding the HIJIS program and its executive committee instead of creating another working group.

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



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

TO: The Honorable Glenn Wakai, Chair
The Honorable Brandon J.C. Elefante, Vice Chair
Senate Committee on Public Safety and Intergovernmental and Military Affairs

FROM: Mark Patterson, Chair
Hawaii Correctional System Oversight Commission

SUBJECT: Senate Bill 210, Relating to Criminal Justice Data Sharing
Hearing: Wednesday, February 1, 2023; 3:00 p.m.
State Capitol, Room 225

Chair Wakai, Vice Chair Elefante, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (the Commission) **supports the intent** of Senate Bill 210, 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 are concerned, though, with this proposal conflicting with Chapter 614, HRS, entitled Criminal Justice Research Institute. Established by Act 179, SLH 2019, the Institute 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 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

SB210

RELATING TO CRIMINAL JUSTICE DATA SHARING.

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the Senate Committee on Public Safety and Intergovernmental and Military
Affairs

Wednesday, February 1, 2023, 3:00 p.m.
Room 225 & Videoconference

Chair Glenn Wakai and Members of the Committee:

Good afternoon Chair Wakai 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 S.B. No. 210, Relating to Criminal Justice Data Sharing.

The purpose of this measure 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.

SB-210

Submitted on: 1/30/2023 8:14:50 AM

Testimony for PSM on 2/1/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Rich	Testifying for Women's Prison Project	Support	Written Testimony Only

Comments:

COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL
AND MILITARY AFFAIRS

Senator Glenn Wakai, Chair

Senator Brandon J.C. Elefante, Vice Chair

Wednesday, February 1, 2023

3:00 PM

Conference Room 225 & Videoconference State Capitol

STRONG SUPPORT OF SB210 RELATING TO CRIMINAL JUSTICE DATA SHARING.

Women's Prison Project strongly supports SB210 because a comprehensive, shared data system is vital to accomplishing coordinated, data driven planning and policy decisions throughout the criminal justice system.

Having complete shared data and data analysis supports the development of a more effective system with shared goals and improved efficiency.

Hawaii's Judiciary, along with various other segments of the criminal justice system, cannot operate in silos if Hawaii is to succeed in establishing a coordinated system that reduces recidivism and develops policies and programs that are effective, efficient, and make our

communities safer. We believe that a shared and collaborative data system is essential for progress.

Thank you for this opportunity to testify in strong support of SB210.

Linda Rich

On behalf of Women's Prison Project

THE CIVIL BEAT
LAW CENTER FOR THE PUBLIC INTEREST

700 Bishop Street, Suite 1701
Honolulu, HI 96813

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

Senate Committee on Public Safety and
Intergovernmental and Military Affairs
Honorable Glenn Wakai, Chair
Honorable Brandon J.C. Elefante, Vice Chair

RE: Testimony Commenting on S.B. 210, Relating to Criminal Justice Data Sharing
Hearing: February 1, 2023 at 3:00 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 S.B. 210**.

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 S.B. 210.

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 GLENN WAKAI, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY AND
INTERGOVERNMENTAL AND MILITARY AFFAIRS
Thirty-Second State Legislature
Regular Session of 2023
State of Hawai'i

February 1, 2023

RE: S.B. 210; RELATING TO CRIMINAL JUSTICE.

Chair Wakai, Vice-Chair Elefante and members of the Senate Committee on Public Safety and Intergovernmental and Military Affairs, the Department of the Prosecuting Attorney, City and County of Honolulu (“Department”), submits the following testimony in **strong support** of S.B. 210.

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 S.B. 210 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 S.B. 210. Thank you for the opportunity to testify on this matter.