
A BILL FOR AN ACT

RELATING TO CRIMINAL JUSTICE DATA SHARING.

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

1 SECTION 1. The legislature finds that the State lacks a
2 common repository for tracking data related to the criminal
3 justice system. All state and county criminal justice agencies
4 plan, design, procure, implement, and operate their own separate
5 information systems. As such, data sharing consists of one-off
6 solutions, often requiring grants and outside contractors.

7 Accordingly, the purpose of this Act is to establish a
8 criminal justice data sharing working group to make
9 recommendations for a statewide criminal justice data repository
10 to:

- 11 (1) Facilitate collaborative decision-making, coordinated
12 planning, and cooperative implementation among
13 criminal justice agencies and relevant partners;
- 14 (2) Support the fair, efficient, and effective operation
15 of the criminal justice system;
- 16 (3) Promote interoperability through the use of common
17 elements;



- 1 (4) Allow agencies to securely and efficiently share
- 2 appropriate information; and
- 3 (5) Support criminal justice and other purposes, including
- 4 improved public safety and homeland security, while
- 5 respecting the privacy of citizens.

6 SECTION 2. (a) There is established the criminal justice
7 data sharing working group to address the complexities of
8 statewide data sharing in the criminal justice system and make
9 recommendations for a statewide criminal justice data
10 repository. The working group shall:

- 11 (1) Develop a formal memoranda of agreement to be executed
- 12 by participating agencies to ensure the repository's
- 13 continued operation and coordinated planning and
- 14 development;
- 15 (2) Identify operational and policy drivers that will
- 16 influence development priorities for the repository in
- 17 the short and long term;
- 18 (3) Identify policy, legislative, and operational issues
- 19 associated with the planning, development, and
- 20 implementation of the repository; and



- 1 (4) Formulate recommendations for changes in policy,
2 legislation, and operations to facilitate data
3 sharing.
- 4 (b) The working group shall comprise the following
5 members:
- 6 (1) The director of public safety, if applicable, or the
7 director's designee;
- 8 (2) The director of corrections and rehabilitation, if
9 applicable, or the director's designee;
- 10 (3) The director of law enforcement, if applicable, or the
11 director's designee;
- 12 (4) The attorney general, or the attorney general's
13 designee;
- 14 (5) The administrative director of the courts, or the
15 administrator's designee;
- 16 (6) The public defender, or the public defender's
17 designee;
- 18 (7) The prosecuting attorney for each of the counties or
19 the prosecuting attorney's designee;
- 20 (8) The chief of police for each of the counties or the
21 chief's designee;



1 (9) The chair of the house of representatives committee
2 with primary jurisdiction over corrections, military,
3 and veterans, or the chair's designee; and

4 (10) The chair of the senate committee with primary
5 jurisdiction over public safety and intergovernmental
6 and military affairs, or the chair's designee.

7 (c) The working group shall select a chairperson and vice
8 chairperson from among its members.

9 (d) The working group may:

10 (1) Hold informational briefings and listening sessions to
11 gather input from the public on issues related to
12 criminal justice data sharing within the State; and

13 (2) Request assistance and feedback from subject matter
14 experts, as needed, to enable the working group to
15 carry out its work.

16 (e) The working group shall provide to the legislature:

17 (1) Periodic updates, including recommendations for any
18 legislative or administrative action the working group
19 deems appropriate to address data sharing concerns or
20 to enable the working group to carry out its work; and



1 (2) A final report, including recommendations for further
2 actions to be implemented over the following two
3 years, no later than twenty days prior to the
4 convening of the regular session of 2026, for a
5 repository start date of July 1, 2028.

6 (f) The legislative reference bureau is requested to
7 provide staff, research, and drafting assistance to the working
8 group.

9 (g) The working group shall be officially convened at the
10 pleasure of the chairperson and vice chairperson, but no later
11 than August 1, 2023.

12 (h) The data to be shared between departments may include:

13 (1) For each criminal case:

14 (A) Pre-charging information;

15 (B) Case number;

16 (C) Date the alleged offense occurred;

17 (D) County in which the offense is alleged to have
18 occurred;

19 (E) Date the defendant was taken into physical
20 custody by a law enforcement agency or was issued
21 a notice to appear on a criminal charge, if the



- 1 date is different than the date on which the
- 2 offense is alleged to have occurred;
- 3 (F) Date that the criminal prosecution of a defendant
- 4 was formally initiated, either by the state
- 5 attorney filing an information with the clerk of
- 6 the court, or an indictment issued by a grand
- 7 jury;
- 8 (G) Arraignment date;
- 9 (H) Attorney assignment date;
- 10 (I) Attorney withdrawal date;
- 11 (J) Case status; and
- 12 (K) Disposition date;
- 13 (2) For each defendant:
- 14 (A) Name;
- 15 (B) Date of birth;
- 16 (C) Age;
- 17 (D) Race, ethnicity, and national origin;
- 18 (E) Gender;
- 19 (F) Address of primary residence;
- 20 (G) Primary language;
- 21 (H) Citizenship;



- 1 (I) Immigration status, if applicable;
- 2 (J) Whether the defendant has been found by a court
- 3 to be indigent;
- 4 (K) Information related to any formal charges filed
- 5 against the defendant, including:
- 6 (i) Charge description;
- 7 (ii) Charge modifier, if applicable; and
- 8 (iii) Drug type for each drug charge, if known;
- 9 (L) Qualifications for any flag designation,
- 10 including flags for domestic violence, gang
- 11 affiliation, sexual offenses, habitual offenses,
- 12 or pretrial release violations;
- 13 (M) Information related to bail or bond and pretrial
- 14 release determinations, including:
- 15 (i) All monetary and nonmonetary conditions of
- 16 release;
- 17 (ii) Any modification of bail or bond conditions
- 18 made by a court having jurisdiction to try
- 19 the defendant or by the circuit court,
- 20 including modifications to any monetary or
- 21 nonmonetary conditions of release;



- 1 (iii) Cash bail or bond payment, including whether
- 2 the defendant utilized a bond agent to post
- 3 a surety bond; and
- 4 (iv) Any bail or bond revocation due to a new
- 5 offense, failure to appear, or violation of
- 6 the terms of bail or bond, if applicable;
- 7 (N) Information related to sentencing, including:
- 8 (i) Date that a court entered a sentence against
- 9 a defendant;
- 10 (ii) Charge sentenced to, including charge
- 11 sequence number, charge description,
- 12 statute, type, and charge class severity;
- 13 (iii) Sentence type and length imposed by the
- 14 court, including the total duration of
- 15 imprisonment in a court detention facility
- 16 or state correctional institution or
- 17 facility, and conditions for probation or
- 18 community control supervision; and
- 19 (iv) Amount of time that the defendant has served
- 20 in custody that is related to the reported
- 21 criminal case and will be credited at the

- 1 time of the case's disposition to reduce the
2 actual length of time the defendant will
3 serve on the term of imprisonment that the
4 court orders at disposition; and
- 5 (O) Any restitution ordered, including the amount
6 collected by the court and the amount paid to the
7 victim;
- 8 (3) For each victim, the relationship to the offender, if
9 any;
- 10 (4) For each inmate:
- 11 (A) Date and reason the defendant was processed into
12 the county detention facility subsequent to an
13 arrest for a new violation of law, probation,
14 community control, or parole;
- 15 (B) Qualifications for any flag designation,
16 including flags for domestic violence, gang
17 affiliation, sexual offenses, habitual offenses,
18 or pretrial release violations;
- 19 (C) Identification number assigned by the department;
- 20 (D) Number of children;



- 1 (E) Education level, including any vocational
- 2 training;
- 3 (F) Date the inmate was admitted to the custody of
- 4 the department;
- 5 (G) Current institution placement and the security
- 6 level assigned to the institution;
- 7 (H) Custody level assignment;
- 8 (I) Whether the reason for admission to the
- 9 department was for a new conviction or a
- 10 violation of probation, community control, or
- 11 parole. For an admission of probation, community
- 12 control, or parole violation, whether the
- 13 violation was technical or based on a new
- 14 violation of law;
- 15 (J) Specific statutory citation for which the inmate
- 16 was committed to the department, including an
- 17 inmate convicted of drug trafficking;
- 18 (K) Length of sentence or concurrent or consecutive
- 19 sentences served;
- 20 (L) Tentative release date;
- 21 (M) Any prior incarceration within the State;



- 1 (N) Any disciplinary violation and action; and
- 2 (O) Any participation in rehabilitative or
- 3 educational programs while in the custody of the
- 4 department; and
- 5 (5) For persons supervised by the department for probation
- 6 or community control:
 - 7 (A) Name;
 - 8 (B) Date of birth;
 - 9 (C) Race, ethnicity, and national origin;
 - 10 (D) Gender;
 - 11 (E) Department-assigned case number;
 - 12 (F) Length of probation or community control sentence
 - 13 imposed and amount of time that has been served
 - 14 on the sentence;
 - 15 (G) Projected termination date for probation or
 - 16 community control; and
 - 17 (H) Any revocation of probation or community control
 - 18 due to a violation, including whether the
 - 19 revocation is due to a technical violation of the
 - 20 conditions of supervision or a new violation of
 - 21 law.



1 (i) The working group shall cease to exist on .
2 SECTION 3. This Act shall take effect on June 30, 3000.
3



Report Title:

City and County of Honolulu Package; Criminal Justice Data
Sharing; Working Group

Description:

Establishes a criminal justice data sharing working group to
make recommendations for a statewide criminal justice data
repository. Effective 6/30/3000. (HD1)

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

