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# HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONDUCT A STUDY EVALUATING THE FEASIBILITY OF CREATING A DOMESTIC VIOLENCE REGISTRY THAT WOULD BE USED SIMILARLY TO THE SEX OFFENDER REGISTRY.

1           WHEREAS, the State requires sex offenders and offenders  
2 against minors, as defined in section 846E-1, Hawaii Revised  
3 Statutes, to register with the Attorney General whenever the  
4 offender remains in the State for more than ten days or an  
5 aggregate period exceeding thirty days in one calendar year; and  
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7           WHEREAS, the State maintains separate registries for sex  
8 offenders and offenders against minors whenever the offender's  
9 public information is made publicly accessible; and  
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11           WHEREAS, public information under chapter 846E, Hawaii  
12 Revised Statutes, means the offender's names; year of birth;  
13 physical description; actual address; street name and zip code  
14 of employment or description of the place of work; professional  
15 licenses; names and addresses of educational institutions with  
16 which the offender is affiliated; vehicle description; a  
17 statement of covered offenses; judgment of conviction,  
18 acquittal, or judicial determination of unfitness to proceed;  
19 the provision of law defining the criminal offense for which the  
20 offender is registered; and a recent photograph; and  
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22           WHEREAS, to facilitate community notification, after a  
23 covered offender registers or updates a registration, the  
24 Attorney General may provide public information in the registry  
25 about that offender to any organization, company, or individual  
26 who requests such notification pursuant to procedures  
27 established by the Attorney General; and  
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29           WHEREAS, state law also requires the Attorney General to  
30 provide public access to a covered offender's public  
31 information; and



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WHEREAS, the Department of Human Services is also required to maintain a central registry of reported child abuse or neglect cases and is authorized to conduct criminal history record checks pursuant to section 846-2.7, Hawaii Revised Statutes, sex offender registry checks, child abuse record checks, and adult abuse perpetrator checks as part of its background check process; and

WHEREAS, West Virginia established a domestic violence registry in 2009 as a tool to communicate domestic violence protective orders to law enforcement, while Indiana has created and implemented a statewide Protection Order Registry that makes judicial orders available to local, state, and national law enforcement agencies at no cost; and

WHEREAS, Kansas maintains a website established by its Bureau of Investigation to facilitate public access to information about persons who have been convicted of certain sex, violent, and drug offenses, as set forth in the Kansas Offender Registration Act; this information is made available to the public and law enforcement in the interest of public safety; and

WHEREAS, in 2013, the Texas House of Representatives was the first in the country to pass a bill to create a domestic violence offender registry, with the intent to bring an additional layer of vigilance to the state; and

WHEREAS, state senators in New York have been pursuing similar legislation called "Brittany's Law" to define domestic violence offenses and offenders and require offenders to register with the Division of Criminal Justice Services; and

WHEREAS, this body finds that in the interest of public health and safety, a registry of domestic violence offenders that can be accessed by the public and used in ways similar to the existing sex offender registry may be helpful to communities; now, therefore,

BE IT RESOLVED by the House of Representatives of the Thirty-second Legislature of the State of Hawaii, Regular



# H.R. NO. 85

1 Session of 2024, that the Department of the Attorney General is  
 2 requested to conduct a study evaluating the feasibility of  
 3 creating a domestic violence registry that would be used  
 4 similarly to the sex offender registry; and

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 6 BE IT FURTHER RESOLVED that this study is requested to:

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 8 (1) Encompass those domestic violence offenses deemed  
 9 appropriate by the Department of the Attorney General;  
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 11 (2) Evaluate whether a registry modeled after chapter  
 12 846E, Hawaii Revised Statutes, or another system, is  
 13 feasible;  
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 15 (3) Consider any legal or constitutional obstacles to the  
 16 establishment and maintenance of a domestic violence  
 17 registry; and  
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 19 (4) Consider the logistics, cost implications, enforcement  
 20 mechanisms, and utility of a domestic violence  
 21 registry, and any other issues deemed relevant by the  
 22 Department; and  
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24 BE IT FURTHER RESOLVED that the Department of the Attorney  
 25 General is requested to submit a report of its findings and  
 26 recommendations, including any proposed legislation, to the  
 27 Legislature no later than twenty days prior to the convening of  
 28 the Regular Session of 2025; and  
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30 BE IT FURTHER RESOLVED that a certified copy of this  
 31 Resolution be transmitted to the Attorney General.  
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OFFERED BY: 

MAR 07 2024

