

STAND. COM. REP. NO. 1615

Honolulu, Hawaii

April 14, 2011

RE: H.C.R. No. 5
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.C.R. No. 5, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON WHETHER THE GOALS AND OBJECTIVES OF HAWAII'S SEX OFFENDER LAWS ARE BEING MET AND WHETHER SEX OFFENDER LAWS ARE BEING IMPLEMENTED IN THE WAY THEY WERE INTENDED,"

begs leave to report as follows:

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau (LRB) conduct a study on the objectives and implementation of Hawaii's sex offender laws by addressing whether the goals and objectives of the state sex offender laws are being met and whether state sex offender laws are being implemented in the way they were intended.

LRB provided comments on this concurrent resolution.

Your Committee has consulted with LRB and amended this measure by:

- (1) Narrowing the scope of LRB's study to identifying measures that can be used to determine whether the objectives and implementation of Hawaii's sex offender registration laws are being achieved by:

HCR5 HD2 HSCR JUD HMS 2011-3718



- (A) Researching studies that may have identified ways to measure whether sex offender registration laws have met their goals and objectives;
 - (B) Researching studies that may have established a correlation between the adoption of sex offender registration laws and a reduction in sexual offenses; and
 - (C) Researching measures that may have been used by other jurisdictions to determine whether sex offender registration laws have met their goals and objectives;
- (2) Changing the deadline for LRB to submit its study to the Legislature to October 1, 2011;
 - (3) Adding the requirement that the Department of the Attorney General:
 - (A) Determine whether Hawaii's sex offender registration laws are being implemented by law enforcement as intended; and
 - (B) Apply the measures identified by LRB to criminal justice data on registered sex offenders and determine whether Hawaii's sex offender registration laws are meeting their goals and objectives;
 - (4) Amending its title to read: "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO IDENTIFY MEASURES USED TO DETERMINE WHETHER SEX OFFENDER REGISTRATION LAWS ARE ACHIEVING THEIR GOALS AND OBJECTIVES AND REQUESTING THE ATTORNEY GENERAL TO APPLY THE IDENTIFIED MEASURES TO CRIMINAL JUSTICE DATA ON REGISTERED SEX OFFENDERS IN HAWAII AND DETERMINE WHETHER HAWAII SEX OFFENDER REGISTRATION LAWS ARE BEING IMPLEMENTED IN THE WAY THEY WERE INTENDED AND ARE MEETING THEIR GOALS AND OBJECTIVES"; and
 - (5) Making technical, nonsubstantive changes for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 5, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 5, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



GILBERT KEITH-AGARAN, Chair



HSCR 1615

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HCR 5, HDZ	Committee Referral: HUS, JUD	Date: 4/7/22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)	✓			
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.	✓			
5. CARROLL, Mele				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. ITO, Ken				✓
9. LUKE, Sylvia	✓			
10. McKELVEY, Angus L.K.				✓
11. OSHIRO, Blake K.				✓
12. SOUKI, Joseph M.	✓			
13. TSUJI, Clift	✓			
14. FONTAINE, George R.	✓			
15. MARUMOTO, Barbara C.	✓			
16. THIELEN, Cynthia	✓			
TOTAL (16)	12	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Hal Abroad</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				