
HOUSE CONCURRENT RESOLUTION

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.

1 WHEREAS, in 1996, the federal government enacted what has
2 become known as "Megan's Law," requiring states to collect and
3 release relevant information necessary to protect the public
4 from sex offenders; and
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6 WHEREAS, in 1997, the Legislature passed Hawaii's own
7 Megan's Law, codified as chapter 846E, Hawaii Revised Statutes,
8 and currently entitled "Registration of Sex Offenders and Other
9 Covered Offenders and Public Access to Registration
10 Information"; and
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12 WHEREAS, among other things, chapter 846E, Hawaii Revised
13 Statutes, requires that individuals convicted of certain
14 offenses against children and certain sexual offenses register
15 with a sex-offender registry by providing information relating
16 to their identity, residence, employment, education, medical
17 treatment, and vehicle; and
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19 WHEREAS, chapter 846E, Hawaii Revised Statutes, also allows
20 for public notification through the public release of certain
21 registration information; and
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23 WHEREAS, over the years since their enactment, Hawaii's sex
24 offender registration laws have been amended to address
25 constitutional issues raised by the Hawaii Supreme Court as well
26 as to comply with federal law; and



1 WHEREAS, while previous studies have been undertaken to
2 consider possible revisions to Hawaii's sex offender
3 registration laws, no study has been conducted to identify
4 measures to determine whether the goals and objectives of the
5 state sex offender registration laws are being met, or whether
6 state sex offender registration laws are being implemented in
7 the way they were intended; and
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9 WHEREAS, pursuant to chapter 846E, Hawaii Revised Statutes,
10 the enactment of which was principally advocated by the Attorney
11 General, the statewide sex offender registry is administrated
12 and maintained by the Hawaii Criminal Justice Data Center of the
13 Department of the Attorney General; now, therefore,
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15 BE IT RESOLVED by the House of Representatives of the
16 Twenty-sixth Legislature of the State of Hawaii, Regular Session
17 of 2011, the Senate concurring, that the Legislative Reference
18 Bureau is requested to conduct a study to identify measures that
19 can be used to determine whether objectives and implementation
20 of Hawaii's sex offender registration laws are being achieved;
21 and
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23 BE IT FURTHER RESOLVED that in the study the Legislative
24 Reference Bureau is requested to research:
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- 26 (1) Studies that may have identified ways to measure
27 whether sex offender registration laws have met their
28 goals and objectives;
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- 30 (2) Studies that may have established a correlation
31 between the adoption of sex offender registration laws
32 and a reduction in sexual offenses; and
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- 34 (3) Measures that may have been used by other
35 jurisdictions to determine whether sex offender
36 registration laws have met their goals and objectives;
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38 and
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40 BE IT FURTHER RESOLVED that the Legislative Reference
41 Bureau is requested to submit its findings to the Legislature by
42 October 1, 2011; and



1 BE IT FURTHER RESOLVED that the Department of the Attorney
2 General is requested to:

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4 (1) Determine whether Hawaii's sex offender registration
5 laws are being implemented by police, prosecutors, the
6 courts, and the Hawaii Criminal Justice Data Center in
7 the way in which they were intended; and

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9 (2) Apply the measures identified by the Legislative
10 Reference Bureau to criminal justice data on
11 registered sex offenders and determine whether
12 Hawaii's sex offender registration laws are meeting
13 their goals and objectives;

14
15 and

16
17 BE IT FURTHER RESOLVED that the Department of the Attorney
18 General is requested to submit its findings and recommendations,
19 including any recommended legislation, to the Legislature no
20 later than twenty days prior to the convening of the Regular
21 Session of 2012; and

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23 BE IT FURTHER RESOLVED that certified copies of this
24 Concurrent Resolution be transmitted to the Acting Director of
25 the Legislative Reference Bureau and the Attorney General.

