RELATING TO ANIMALS.

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

SECTION 1. The legislature finds that animal abuse in our society cannot be tolerated. While abuse of defenseless animals in and of itself is despicable, there is also growing evidence of the link between animal abuse and crimes such as rape, spousal and child abuse, homicide, and illegal firearms possession. Studies have shown that violent offenders often have histories of animal abuse as children and adolescents.

In a 1997 survey of forty-eight of the largest shelters for victims of domestic violence and child abuse in the United States, sixty-three per cent of the shelters stated that children who went to the shelters reported incidents of animal abuse, while more than eighty-five per cent of the shelters stated that women who went to the shelters reported this type of abuse. Moreover, in another study, twenty-five per cent of battered women reported that they delayed removing themselves from abusive relationships because they feared what would happen to the family pets.
In 2010, Suffolk County in New York established the first registry of animal abusers in the United States, similar to sex offender registries. Since then, similar legislation providing for animal abuser registration and community notification has been introduced in a number of states. The legislature finds that a registry of animal abusers in this State would be an appropriate component of the State's laws protecting animals against violence.

The purpose of this Act is to establish a registry of animal abusers, to require registration by abusers, and to provide public access to information about registered abusers.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"CHAPTER

REGISTRATION OF ANIMAL ABUSERS

§ -1 Definitions. As used in this chapter:

"Convicted" means a judgment on the verdict has been entered, or a finding of guilt has been made after a plea of guilty or nolo contendere, excluding the adjudication of a minor.
"Covered offender" means a person who is or has been convicted at any time of a covered offense.

"Covered offense" means an offense that is set forth in section 711-1108.5 or 711-1109.3.

"Registration information" means the information specified in section -2(c) and (d).

§ -2 Registration requirements. (a) A covered offender who remains in the State for more than ten consecutive days, before the end of the eleventh day in the State, shall register with the chief of police of the county in which the covered offender resides or is present.

(b) A previously-registered covered offender shall reregister with the chief of police where the covered offender is located no later than ten days after moving to a new location within the State.

(c) Registration for each covered offender shall include a signed statement by the covered offender containing:

(1) The name, all prior names, nicknames and pseudonyms, and all aliases used by the covered offender or under which the covered offender has been known;

(2) The date of birth of the covered offender;

(3) The social security number of the covered offender;
(4) The actual address and telephone number of the covered offender's residence or any current, temporary address where the covered offender resides, or if an address is not available, a description of the place or area in which the covered offender resides for at least thirty nonconsecutive days within a sixty-day period, and for each address or place where the covered offender resides, how long the covered offender has resided there;

(5) The actual address or description of the place or area, the actual length of time of the stay, and telephone number where the covered offender is staying for a period of more than ten days, if other than the stated residence;

(6) Names and, if known, actual business addresses of current and known future employers, including information for any place where the covered offender works as a volunteer or otherwise works without remuneration, and the starting and ending dates of any such employment; and
(7) All covered offenses for which the covered offender has been convicted, along with the date and place of the conviction.

(d) The following information shall also be included in the registry for each covered offender:

(1) A current photograph of the covered offender;

(2) Digitized fingerprints and palm prints of the covered offender; and

(3) A physical description of the covered offender, including a description of particular identifying characteristics such as scars or tattoos.

(e) In addition to any other requirement to register under this section, each covered offender shall annually renew the covered offender's registration with the appropriate chief of police prior to December 31 of each subsequent calendar year for a period of fifteen years from the date of conviction.

§ -3 Failure to comply with covered offender registration requirements. A covered offender commits a class C felony by intentionally or knowingly:

(1) Failing to comply with the registration requirements under this chapter; or
(2) Providing false information when complying with the registration requirements under this chapter.

§ -4 Chief of police; duties. (a) Each chief of police shall maintain a local registry of covered offenders in the chief's jurisdiction who are required to register under this chapter.

(b) Each chief of police shall forward all registration information obtained under this chapter to the attorney general.

(c) Within ten days of receiving initial registration information from a covered offender, the chief of police shall contact every residence, school, humane society, animal shelter, and any other business within a half mile radius of the covered offender's residence or location and provide them with the covered offender's registration information, with the exception of the covered offender's social security number.

§ -5 Attorney general; duties; public access. (a) The attorney general shall maintain a central registry of all covered offenders required to register under this chapter; provided that records of each covered offender's registration shall be maintained for the duration of the fifteen year period in which the covered offender is required to be registered.
(b) All information contained in the central registry, with the exception of the covered offender's social security number, shall be made available to the public through internet access, telephone access, written access, and on-site access; provided that on-site public access shall be provided for each covered offender at the Hawaii criminal justice data center and at one or more designated police stations in each county, to be designated by the attorney general, between the hours of 8:00 a.m. and 4:30 p.m. on weekdays, excluding holidays."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $ or so much thereof as may be necessary for fiscal year 2013-2014 and the sum of $ or so much thereof as may be necessary for fiscal year 2014-2015 for the establishment and ongoing operational costs of the registration of animal abusers program required under this Act, including the hiring of necessary staff. The legislature finds that the appropriations made under this section satisfy the requirements established under article VIII, section 5 of the Constitution of the State of Hawaii.
The sums appropriated shall be expended by the counties and the department of the attorney general for the purposes of this Act.

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. This Act shall take effect on January 1, 2014.

INTRODUCED BY: Suzanne Chun Okamoto
Report Title:
Animal Abuse; Registry

Description:
Creates registry of felony animal abusers and authorizes public access to the registry. Establishes the violation of registration requirements as a class C felony. Effective 1/1/2014.

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