SENATE CONCURRENT
RESOLUTION

REQUESTING THE FEDERAL GOVERNMENT AND THE ATTORNEY GENERAL OF
THE STATE TO EXAMINE WAYS TO REMOVE DEFAMATORY STATEMENTS
FROM THE INTERNET.

WHEREAS, slander and libel can defame a person's reputation
and standing in the person's family and community, and can even
affect the person's ability to work; and

WHEREAS, defamatory statements can affect the profitability
of an honest business, which can affect the ability of its
employees to make a living; and

WHEREAS, no one has a constitutional right to maliciously
and knowingly make or spread false and defamatory statements;
and

WHEREAS, while the Internet is a useful tool in sharing
helpful and truthful information, it can also be a detrimental
and devastating tool in spreading false and defamatory
statements; and

WHEREAS, even after a victim of defamation sues and obtains
a judgment in a court of competent jurisdiction against a
slanderer or libeler, the victim's reputation can still be
damaged by the republication of the defamatory comment on the
Internet; and

WHEREAS, websites and individuals are often not aware that
the statements they are republishing are false and defamatory;
and;

WHEREAS, it would be unduly burdensome to require victims
to return to court to file suit against everyone who republishes
a false and defamatory statement about the victim on the
Internet; and
WHEREAS, Internet search engines are a primary gateway to the dissemination of webpage links on the Internet; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017, the House of Representatives concurring, that the United States Congress; the United States Department of Justice; the Federal Communications Commission; and the Department of the Attorney General, State of Hawaii are requested to examine ways to remove statements and other materials from the Internet after victims obtain judgments from courts of competent jurisdiction that find the statements and other materials to be defamatory; and

BE IT FURTHER RESOLVED that the foregoing authorities are requested to place particular emphasis on Internet search engine results and the possible removal from those results of hyperlinks to webpages with defamatory statements and materials; and;

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Majority Leader of the United States Senate; the Speaker of the United States House of Representatives; Hawaii's congressional delegation; the Attorney General of the United States; the Chairman of the Federal Communications Commission; and the Attorney General of the State of Hawaii.