
A BILL FOR AN ACT

RELATING TO GUN VIOLENCE PREVENTION.

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

1 SECTION 1. The legislature finds that gun violence is a
2 significant public health and safety problem. Nationwide, there
3 are thirty thousand deaths related to gun violence annually. In
4 Hawaii gun deaths are attributable to suicide, accidents, and
5 crime.

6 Across the nation, rates of fatal gun violence have
7 remained essentially unchanged for more than a decade, as
8 declines in homicide have been offset by increases in suicide.
9 Suicide is the leading cause of fatal injury in Hawaii, with one
10 person dying by suicide every two days. While suicides by
11 overdose or poison are fatal only two per cent of the time and
12 suicides by jumping are fatal only thirty-four per cent of the
13 time, suicides by gun are fatal ninety per cent of the time.

14 The legislature further finds that without proper training
15 or accountability, guns are often lost, stolen, or left by
16 owners unsecured and end up falling into the wrong hands. This
17 results in numerous accidental deaths, including children.



1 Furthermore, insufficient training or accountability results in
2 guns entering the black market and being acquired by criminals.

3 The legislature further finds guns are being increasingly
4 used in violent crimes, but current and historical data of gun
5 purchases, transfers, theft, and use in crimes has not been
6 meaningfully combined and analyzed to track these firearms or
7 determine exactly where and how guns are being trafficked.
8 Other jurisdictions have combined similar data sets to enable
9 tracking of specific firearms, providing law enforcement a
10 clearer picture of how guns end up in the hands of criminals and
11 allowing them to target black market actors accordingly.

12 The legislature further finds that too little is known
13 about gun violence and its prevention. According to a study
14 published in the Journal of the American Medical Association,
15 between 2004 and 2015, research related to gun violence was
16 substantially underfunded and understudied compared with other
17 leading causes of death. In addition, medical and mental health
18 information has not been connected in a meaningful way to
19 provide a complete picture of the circumstances that pose the
20 highest risk for gun violence among those with medical or mental
21 health issues.



1 Since the federal government has largely halted research
2 relating to gun violence, both the federal and state governments
3 lack the capacity to connect and analyze law enforcement and
4 mental health data to track black market guns used in crimes,
5 identify at-risk or unstable individuals who may be armed, and
6 develop evidence-based policies that can save lives.

7 The purpose of this Act is to prevent gun violence and save
8 lives by establishing the Hawaii gun violence prevention center
9 within the University of Hawaii with a mission to bring law
10 enforcement and medical stakeholders together to analyze related
11 data and develop evidence-based strategies to prevent gun
12 violence in Hawaii.

13 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
14 amended by adding a new subpart to part IV to be appropriately
15 designated and to read as follows:

16 " . Hawaii Gun Violence Prevention Center
17 §304A-A Hawaii gun violence prevention center;
18 established. (a) There is established within the University of
19 Hawaii the Hawaii gun violence prevention center. The center
20 shall be directed and managed by an administrator appointed by
21 the president of the University of Hawaii subject to chapter 76.



1 (b) The Hawaii gun violence prevention center shall work
2 with law enforcement, the medical community, policy makers, and
3 other stakeholders to collect and analyze data, conduct
4 research, and make recommendations for prevention of gun-related
5 violence.

6 (c) The Hawaii gun violence prevention center may
7 coordinate with other institutions working on this issue.

8 (d) The Hawaii gun violence prevention center shall work
9 on a continuing basis with the State and counties to identify,
10 implement, and evaluate innovative gun violence prevention
11 policies and programs.

12 (e) To help ensure a long-term and successful effort to
13 understand and prevent gun violence, the Hawaii gun violence
14 prevention center may recruit and provide specialized training
15 opportunities for staff members.

16 (f) As a supplement to its own research, the Hawaii gun
17 violence prevention center may administer grants for research on
18 gun violence. All research funds shall be awarded on a basis of
19 scientific merit as determined by an open, competitive peer
20 review process that assures objectivity, consistency, and high
21 quality.



1 (g) The peer review process for the selection of grants
2 awarded by the Hawaii gun violence prevention center shall be
3 modeled on the process used by the National Institutes of Health
4 in its grantmaking process.

5 (h) The Hawaii gun violence prevention center shall submit
6 an annual report to the governor and legislature on its
7 research, findings, and recommendations. The report shall
8 include a financial report on the center's expenditures, grants
9 made, and pending grants.

10 (i) State agencies and entities, including but not limited
11 to the department of the attorney general, department of health,
12 department of public safety, department of defense, and
13 department of human services, shall cooperate with the
14 University of Hawaii and Hawaii gun violence prevention center
15 and shall provide to the center, upon proper request, the data
16 necessary for the center to conduct its research.

17 (j) The Hawaii gun violence prevention center and all
18 recipients of grants shall provide copies of their research
19 publications to the governor, legislature, and agencies
20 supplying data used in the conduct of that research as soon as
21 is practicable following publication.



1 §304A-B Hawaii gun violence prevention center special
2 fund. (a) There is established in the state treasury a special
3 fund to be designated as the Hawaii gun violence prevention
4 center special fund to carry out the purposes of the center.
5 The following moneys shall be deposited into the Hawaii gun
6 violence prevention center special fund:

7 (1) Appropriations made by the legislature for deposit
8 into the special fund;

9 (2) Donations and contributions made by private
10 individuals or organizations;

11 (3) Proceeds from forfeitures pursuant to chapter 712A;
12 and

13 (4) Grants provided by governmental agencies or any other
14 source, except for funds that may not be used for the
15 purposes of the special fund pursuant to federal law.

16 (b) The Hawaii gun violence prevention center special fund
17 may be used by the Hawaii gun violence prevention center for one
18 or more of the following purposes:

19 (1) Planning, designing, developing, implementing, and
20 reporting on gun violence prevention policies pursuant
21 to this subpart;



1 (2) Providing grants to nongovernmental organizations for
2 gun violence prevention in projects subject to this
3 subpart; and

4 (3) Administrative costs."

5 SECTION 3. Section 712A-16, Hawaii Revised Statutes, is
6 amended by amending subsection (4) to read as follows:

7 "(4) There is established in the department of the
8 attorney general a revolving fund to be known as the criminal
9 forfeiture fund, hereinafter referred to as the "fund" in which
10 shall be deposited one-half of the proceeds of a forfeiture and
11 any penalties paid pursuant to section 712A-10(6). All moneys
12 in the fund shall be expended by the attorney general and are
13 appropriated for the following purposes:

14 (a) The payment of any expenses necessary to seize,
15 detain, appraise, inventory, safeguard, maintain,
16 advertise, or sell property seized, detained, or
17 forfeited pursuant to this chapter or of any other
18 necessary expenses incident to the seizure, detention,
19 or forfeiture of such property and such contract
20 services and payments to reimburse any federal, state,



1 or county agency for any expenditures made to perform
2 the foregoing functions;

3 (b) The payment of awards for information or assistance
4 leading to a civil or criminal proceeding;

5 (c) The payment of supplemental sums to state and county
6 agencies for law enforcement purposes;

7 (d) The payment of expenses arising in connection with
8 programs for training and education of law enforcement
9 officers;

10 (e) The payment of expenses arising in connection with
11 enforcement pursuant to the drug nuisance abatement
12 unit in the department of the attorney general; and

13 (f) The payment of expenses arising in connection with the
14 law enforcement officer independent review board in
15 the department of the attorney general[-];

16 provided that the attorney general may use moneys in the fund
17 for deposit into the Hawaii gun violence prevention center
18 special fund established pursuant to section 304A-B."

19 SECTION 4. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2020-2021 to be



1 deposited into the Hawaii gun violence prevention center special
2 fund to carry out the purposes of this Act.

3 SECTION 5. There is appropriated out of the Hawaii gun
4 violence prevention center special fund the sum of \$
5 or so much thereof as may be necessary for fiscal year 2020-2021
6 for the establishment of three or more full-time permanent
7 positions to carry out the provisions of this Act.

8 The sum appropriated shall be expended by the University of
9 Hawaii for the purposes of this Act.

10 SECTION 6. In codifying the new sections added by section
11 2 of this Act, the revisor of statutes shall substitute
12 appropriate section numbers for the letters used in designating
13 the new sections in this Act.

14 SECTION 7. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect on July 1, 2020;
17 provided that the amendments made to section 712A-16, Hawaii
18 Revised Statutes, by section 3 of this Act shall not be repealed
19 when that section is reenacted on June 30, 2022, pursuant to
20 section 7 of Act 161, Session Laws of Hawaii 2016.



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H.B. NO. 2744

Report Title:

Gun Violence Prevention; Research; Special Fund; Appropriation

Description:

Establishes the Hawaii Gun Violence Prevention Center to assist law enforcement, analyze data, and conduct research necessary to help reduce gun violence. Creates a special fund to support the Center. Appropriates funds.

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