

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2265
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which
was referred S.B. No. 2265 entitled:

"A BILL FOR AN ACT RELATING TO CRIMES AGAINST MINORS,"

begs leave to report as follows:

The purpose of this measure is to add electronic enticement
of a minor to the group of class C felonies in the Hawaii Penal
Code.

In addition, this measure:

- (1) Mandates at least one year of incarceration for
defendants convicted of promoting child abuse or
convicted of electronic enticement of a minor;
- (2) Eliminates the possibility of a deferred plea for those
who enter a plea of not guilty or nolo contendere to the
crime of promoting child abuse or electronic enticement
of a minor; and
- (3) Adds a new misdemeanor to the Hawaii Penal Code for
electronic enticement of a child in the third degree.

Testimony in support of this measure was submitted by the
Attorney General, the Department of Human Services, the Honolulu
Police Department, the Hawaii Family Forum, the Hawaii Hotel and
Visitor Industry Security Association, the Sex Abuse Treatment



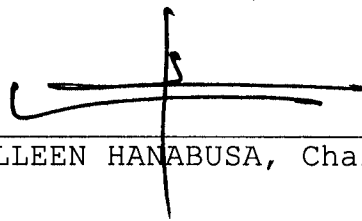
Center, and one individual. The Office of the Public Defender submitted testimony in opposition to this measure.

Your Committee finds that in order to reflect the nature of their crimes, those defendants who prey on children, by disseminating, reproducing, or possessing child pornography, and by using computers to entice and victimize children should always be sentenced to serve at least one year of incarceration and should not be entitled to a deferred acceptance of their plea. This measure will provide a means to ensure the safety of Hawaii's children, enhance enforcement efforts, and impose significant penalties for those who prey on the most vulnerable members of our community.

Your Committee has amended this measure to make nonsubstantive, technical changes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2265, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2265, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Hawaiian Affairs,



COLLEEN HANABUSA, Chair



