

STAND. COM. REP. NO.

2176

Honolulu, Hawaii

FEB 11 2010

RE: S.B. No. 2662
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 2662 entitled:

"A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN,"

begs leave to report as follows:

The purpose of this measure is to extend the prohibition against disseminating pornographic material to minors to include disseminating pornographic material to another person who represents himself or herself to be a minor; and to add the offense of promoting child abuse in the third degree to the information charging law.

Testimony in support of this measure was submitted by the Honolulu Police Department, the City and County of Honolulu Department of the Prosecuting Attorney, the County of Maui Department of the Prosecuting Attorney, and one individual. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that in this age of electronic communication, children are in need of greater protection from predators. Your Committee also finds that grooming is a key aspect of this predatory behavior, and it usually involves conduct to gain the child's trust and develop a relationship. Often times the predator sends the child pornographic images to start the grooming process. Your Committee further finds that law enforcement is supportive of stricter laws to protect children



from internet predators and those attempting to disseminate pornography to them.

Your Committee also finds that by giving law enforcement the ability to use the information charging process for the offense of promoting child abuse in the third degree, this measure will conserve judicial, prosecutorial, and police resources.

Your Committee has amended this measure by making technical, nonsubstantive stylistic changes.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2662, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2662, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Human Services
HMS

| | | |
|---|--|------------------------|
| Bill / Resolution No.:* SB 2662 | Committee Referral: HMS, J60 | Date: 2/9/10 |
|---|--|------------------------|

The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

| Members | Aye | Aye (WR) | Nay | Excused |
|---------------------------|----------|----------|----------|----------|
| CHUN OAKLAND, Suzanne (C) | ✓ | | | |
| IHARA, Jr., Les (VC) | ✓ | | | |
| GREEN, M.D., Josh | ✓ | | | |
| HEMMINGS, Fred | | | | ✓ |
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| TOTAL | 3 | 0 | 0 | 1 |

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes