

STAND. COM. REP. NO.

2548

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2662
S.D. 2

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

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2662, S.D. 1, 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:

- (1) Extend the prohibition against promoting pornographic material to minors to include disseminating pornographic material to a minor known to be younger than eighteen or another person who represents himself or herself to be a minor; and
- (2) Add the offense of promoting child abuse in the third degree to the information charging law.

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 amendments for the purposes of accuracy in the statutory language.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2662, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2662, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,



BRIAN T. TANIGUCHI, Chair



