

---

---

## A BILL FOR AN ACT

RELATING TO CHILD ABUSE.

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

1           SECTION 1. The legislature finds that due to a lack of  
2 dedicated resources, only about two per cent of known child  
3 exploitation offenders are being investigated. Alicia's Law is  
4 an initiative that builds state capacity to combat crimes  
5 against children by seeking funding for internet crimes against  
6 children task forces. Alicia's Law was named for Alicia  
7 Kozakiewicz, who was abducted by an internet predator and  
8 sexually abused.

9           The purpose of this Act is to create a special fund  
10 dedicated to investigating and prosecuting child pornographers  
11 and other perpetrators of internet facilitated crimes against  
12 children, to promote education on internet safety to the public  
13 and to minors, to rescue child victims from abuse and  
14 exploitation, and to require the attorney general to submit a  
15 report to the legislature.

16           SECTION 2. The Hawaii Revised Statutes is amended by  
17 adding a new chapter to be appropriately designated and to read  
18 as follows:



1 "CHAPTER

2 INTERNET CRIMES AGAINST CHILDREN

3 § -1 Short title. This chapter shall be known as and  
4 may be cited as "Alicia's Law".

5 § -2 Definitions. As used in this chapter, unless the  
6 context otherwise requires:

7 "Child" means a person who is under eighteen years of age.

8 "Child pornography" has the same meaning as in section  
9 707-750.

10 "Internet crimes against children" means the promotion of  
11 or solicitation of child abuse, including promoting child abuse  
12 in the first degree under section 707-750, promoting child abuse  
13 in the second degree under section 707-751, promoting child  
14 abuse in the third degree under section 707-752, or performing  
15 indecent electronic display to a child under section 707-759.

16 "Victim" means a person who is harmed, injured, or killed  
17 by any act or omission of any other person coming within the  
18 criminal jurisdiction of the State.

19 § -3 Internet crimes against children fee. The court  
20 shall impose and collect a fee of \$10 upon every defendant for  
21 each felony or misdemeanor conviction. All fees collected



1 pursuant to this section shall be deposited into the internet  
2 crimes against children special fund.

3       **§ -4 Internet crimes against children special fund;**

4 **established.** (a) There is established in the state treasury  
5 the internet crimes against children special fund, into which  
6 shall be deposited:

- 7       (1) All fees collected pursuant to section -3;
- 8       (2) Moneys appropriated by the legislature to the fund;
- 9       (3) Other grants and gifts made to the fund; and
- 10      (4) The income and capital gains earned by the fund.

11       (b) Moneys in the internet crimes against children special  
12 fund shall be expended by the department of the attorney general  
13 for the following purposes:

- 14      (1) To provide training and equipment for local law  
15           enforcement agencies' use in investigating and  
16           prosecuting internet crimes against children,  
17           including funding to increase the forensic capacity of  
18           digital evidence;
- 19      (2) To enable internet crimes investigators to follow the  
20           trail of child pornography traffic to locate children  
21           in need of protection; and



1           (3) To expressly support the work of the State's internet  
2           crimes against children task force and its affiliate  
3           agencies.

4           (c) All unexpended and unencumbered moneys remaining in  
5 the internet crimes against children special fund at the close  
6 of each fiscal year shall carry over to the following fiscal  
7 year. Moneys accrued and deposited into the fund shall not  
8 revert back to the general fund or be diverted to other  
9 activities."

10           SECTION 3. The attorney general shall submit a report to  
11 the legislature no later than twenty days prior to the convening  
12 of the regular session of 2015 that includes:

13           (1) All statistical data as reported to the United States  
14           Department of Justice and the Office of Juvenile  
15           Justice and Delinquency Prevention, in compliance with  
16           the federal Internet Crimes Against Children Task  
17           Force requirements;

18           (2) The annual number of arrests involving internet crimes  
19           against children;

20           (3) The annual number of child victims rescued and  
21           identified;



# H.B. NO. 2550


- 1 (4) Proposed legislation for reducing internet crimes  
2 committed against children; and  
3 (5) Any additional resources needed by the department of  
4 the attorney general or any Internet Crimes Against  
5 Children Task Force affiliate law enforcement office  
6 in the State, to further assist in the identification  
7 of internet crimes against children and increased  
8 rescue of children.

9 SECTION 4. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before the effective date of this Act.

12 SECTION 5. This Act shall take effect on July 1, 2014.

13

INTRODUCED BY:

  
\_\_\_\_\_

JAN 23 2014



# H.B. NO. 2550

**Report Title:**

Internet Crimes Against Children Fund; Department of the Attorney General; Alicia's Law

**Description:**

Establishes an internet crimes against children fee for each felony or misdemeanor conviction. Requires deposit of the fees into an internet crimes against children special fund to provide training and resources for local law enforcement agencies' and investigators' use in investigating and prosecuting internet crimes against children. Requires the attorney general to submit a report to the legislature no later than twenty days prior to the convening of the regular session of 2015.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

