

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 702
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Human Services and Technology and the Arts and Judiciary and Labor, to which was referred S.B. No. 702 entitled:

"A BILL FOR AN ACT RELATING TO CHILD ABUSE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish an internet crimes against children fee upon each felony or misdemeanor conviction;
- (2) Require 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; and
- (3) Establish an internet crimes against children advisory committee.

Your Committees received testimony in support of this measure from the Department of the Attorney General; Department of Public Safety; Department of the Prosecuting Attorney, County of Maui; Cyberspace Child Protection Campaign; PROTECT; and two individuals. Your Committees received comments from the Department of Budget and Finance.



Your Committees find that in 2008, USA Today reported that the Internet Crimes Against Children Task Forces had identified 2,297 unique computers in Hawaii trading sadistic images of infants and toddlers being tied up, tortured, and raped. Due to a lack of dedicated resources, only about two percent of known child exploitation offenders are being investigated. Most of these victims are abused by people in their own circle of trust, such as parents, relatives, neighbors, or friends, and most wait for a rescue that will never come due to a sheer lack of resources and manpower.

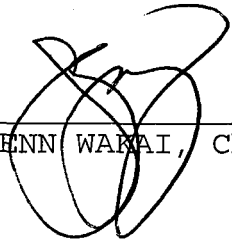
Your Committees have amended this measure by:

- (1) Expanding the list of offenses that constitute "internet crimes against children";
- (2) Clarifying the purpose for the imposition of internet crimes against children fees;
- (3) Changing the expending agency of the internet crimes against children special fund from the Department of Public Safety to the Department of the Attorney General and making a conforming amendment;
- (4) Deleting provisions that would have established an internet crimes against children advisory committee; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Technology and the Arts and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 702, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 702, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Technology and the Arts and
Judiciary and Labor,



GLENN WAKAI, Chair



SUZANNE CHUN OAKLAND, Chair

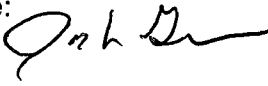


CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 702	HMS/TEC/JDL,WAM	2/12/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, Josh (VC)	✓			
KIDANI, Michelle N.				✓
TANIGUCHI, Brian T.				✓
SLOM, Sam			✓	
TOTAL	2	0	9 gr	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

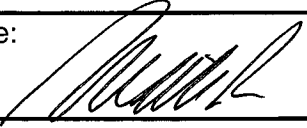
Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 702	HMS/TEC/JDL,WAM	2/12/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	/			
NISHIHARA, Clarence K. (VC)	/			
GABBARD, Mike	/			
TOKUDA, Jill N.	/			
SLOM, Sam				/
TOTAL	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Clarence K Nishihara</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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The Senate
 Twenty-Seventh Legislature
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Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 702	HMS/TEC/JDL,WAM	02.12.2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
TOTAL	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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