
A BILL FOR AN ACT

RELATING TO CHILD PORNOGRAPHY.

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

1 SECTION 1. The legislature finds that child pornography is
2 a perennial concern and is only becoming more prevalent with the
3 use of the internet as a means of distribution. To combat this
4 societal scourge, the legislature finds that all tools available
5 must be used to prevent, deter, and help eliminate the creation
6 and dissemination of child pornography. Battling the demand for
7 such material is paramount to eliminating the child pornography
8 industry.

9 The purpose of this Act is to create a mechanism whereby a
10 warning notification will be mailed to any owner of an internet
11 protocol (IP) address found to have participated in the
12 accessing of child pornography to serve as a deterrent against
13 continued access of illegal material.

14 SECTION 2. (a) The Hawaii internet crimes against
15 children task force of the department of the attorney general
16 shall utilize all federal and state tools necessary to identify



1 Hawaii IP addresses of computers that access known child
2 pornography sites.

3 (b) Once a Hawaii IP address has been correlated to a
4 child pornography website, the taskforce shall use all tools
5 necessary to identify the street address associated with the IP
6 address.

7 (c) Once a street address associated with an IP address
8 that accessed child pornography has been obtained, the
9 department of the attorney general shall mail a physical
10 certified letter to the residence stating, but not limited to,
11 the following:

12 "A COMPUTER AT THIS RESIDENCE WITH INTERNET PROTOCOL (IP)
13 NUMBER _____ WAS FOUND TO HAVE ACCESSED A CHILD
14 PORNOGRAPHY WEBSITE. THIS LETTER SERVES AS A WARNING AND ANY
15 FURTHER INCIDENTS MAY RESULT IN FEDERAL AND STATE FELONY
16 CRIMINAL PROSECUTION(S) INCLUDING BUT NOT LIMITED TO CRIMES
17 FOUND IN TITLE 37 OF THE HAWAII PENAL CODE CHAPTER 712, OFFENSES
18 AGAINST PUBLIC HEALTH AND MORALS, SECTION 712-1215, PROMOTING
19 PORNOGRAPHY FOR MINORS."



1 SECTION 3. The department of the attorney general shall
2 adopt rules, pursuant to chapter 91, necessary for the purposes
3 of this Act.

4 SECTION 4. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

Re McEntt

JAN 27 2016



H.B. NO. 2761

Report Title:

Child Pornography; Hawaii Internet Crimes Against Children Task Force; Deterrence.

Description:

Requires the department of the attorney general to mail a certified letter containing a warning notification to the owner of an internet protocol (IP) address found to have accessed child pornography.

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