JAN 2 1 2022

A BILL FOR AN ACT

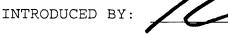
RELATING TO PROSTITUTION.

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

- 1 SECTION 1. The legislature finds that persons involved in
- 2 buying or selling sexual services may often be witnesses to
- 3 crimes or victims of crimes. Their status as potential
- 4 criminals themselves may be an impediment for them to come
- 5 forward and report criminal activity in which they have been
- $oldsymbol{6}$ victimized or in which they can provide material evidence. The
- 7 decision to prosecute these individuals is currently left to the
- 8 discretion of the prosecuting authority. The legislature seeks
- 9 to codify protections for these individuals so they may more
- 10 readily participate in the justice system.
- 11 The legislature further finds that despite growing public
- 12 concerns about persons who purchase sex, that they are in fact
- 13 often in the best position to identify and report instances of
- 14 sex trafficking.
- 15 Therefore, the purpose of this Act is to offer protections
- 16 to both buyers and sellers of sexual services who report crimes

- to law enforcement that lead to the investigation of potential
- 2 felonies.
- 3 SECTION 2. Chapter 712, Hawaii Revised Statutes, is
- 4 amended by adding a new section to be appropriately designated
- 5 and to read as follows:
- 6 "§712- Prostitution witnesses; immunity.
- Notwithstanding any other law to the contrary, any person who 7
- 8 may otherwise be subject to criminal prosecution for non-
- 9 felony offenses under sections 712-1200, 712-1206, 712-1207,
- 10 or 712-1209, who reports criminal activity that leads to an
- 11 investigation of potential felonies, and in doing so may
- 12 expose themselves to the offenses listed herein shall have
- 13 legal immunity from any such prosecution against them. This
- 14 section shall apply to both buyers and sellers of sexual
- 15 services."
- 16 SECTION 3. New statutory material is underscored.
- 17 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 2867

Report Title:

Prostitution; Witness; Immunity; Prosecution; Felonies

Description:

Offers legal immunity to persons who buy or sell sexual services who report criminal activity that leads to an investigation of potential felonies.

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