

Honolulu, Hawaii  
**FEB 29**, 2024

RE: H.B. No. 1927  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1927 entitled:

"A BILL FOR AN ACT RELATING TO INDECENT EXPOSURE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Raise the criminal penalty for the offense of indecent exposure from a petty misdemeanor to a misdemeanor if the victim is less than sixteen years of age; and
- (2) Provide that the state of mind requirement is not applicable to the fact that the victim is less than sixteen years of age and that the actor is strictly liable with respect to the attendant circumstance that the victim was less than sixteen years of age.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Office of the Prosecuting Attorney for the County of Kaua'i; Department of the Prosecuting Attorney of the City and County of Honolulu; and one individual.

Your Committee finds that indecent exposure is a form of sexual violence, which, when perpetrated upon minors, has been



correlated with higher levels of depression and other social and psychological problems. While the existing criminal statute fails to account for the additional harm and trauma that occurs when a person intentionally exposes the person's genitals to a minor, this measure raises the criminal penalty for the offense from a petty misdemeanor to a misdemeanor if the victim is less than sixteen years of age.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1927, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1927, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



