

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

S.B. NO. 3037, RELATING TO PROMOTING PORNOGRAPHY FOR MINORS.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Thursday, February 15, 2024 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 016 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Albert Cook, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) supports this bill.

The purpose of this bill is to enable prosecution of those who disseminate pornographic materials to an undercover law enforcement officer who represents himself or herself to be a minor in an undercover operation by amending section 712-1215(1), Hawaii Revised Statutes (HRS).

The Hawaii Internet Crimes Against Children Task Force (ICAC), run by the Department, in collaboration with various federal and county law enforcement agencies, regularly conducts undercover operations where undercover law enforcement officers pose as minors on the internet to identify, locate, arrest, and prosecute offenders who solicit minors to engage in sexual activities.

During these undercover operations, offenders often send pornographic materials via the internet to officers whom they believe to be minors. The existing offense of promoting pornography for minors only allows for prosecution if the pornographic material is sent to an actual minor. It does not consider the scenario in which an undercover law enforcement officer is posing as a minor. Therefore, under the current wording of section 712-1215, HRS, if the undercover law enforcement officer identifies an offender who is promoting pornography to the officer, whom the offender falsely believes is a minor, that conduct is not currently covered by section 712-1215, HRS.

This bill will enhance law enforcement's efforts to combat crimes against children by allowing prosecution of those who disseminate pornographic materials to undercover law enforcement officers who pose as minors.

The Department respectfully requests the passage of this bill.

SB-3037

Submitted on: 2/9/2024 5:20:26 PM

Testimony for JDC on 2/15/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch	Testifying for Rainbow Family 808	Support	Written Testimony Only

Comments:

Rainbow Family 808 supports SB3037. Please pass this bill.

Mike Golojuch, Secretary/Board Member

POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: honolulu.police.org



RICK BLANGIARDI
MAYOR
MEIA

ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **ML-HR**

February 15, 2024

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
415 South Beretania Street, Room 016
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: Senate Bill No. 3037, Relating to Promoting Pornography for Minors

I am Mike Lambert, Major of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu.

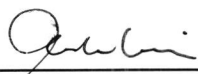
The HPD supports Senate Bill No. 3037, Relating to Promoting Pornography for Minors.

Child pornography is an atrocious crime that subjects children to trauma which may lead to destructive behavior. The negative effects of being a victim of child pornography affect not only the victim's mental and emotional well-being but also their relationships, self-worth, and trust in others. The HPD supports all legislation that increases the ability of law enforcement to apprehend sexual predators and hold them accountable for their actions.

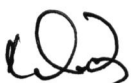
The HPD urges you to support Senate Bill No. 3037, Relating to Promoting Pornography for Minors. Thank you for the opportunity to testify.

APPROVED:

Sincerely,

for 

Arthur J. Logan
Chief of Police

for 
Mike Lambert, Major
Narcotics/Vice Division