



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 994, H.D. 1, RELATING TO THE OFFENSE OF PROMOTING PORNOGRAPHY FOR MINORS.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Tuesday, March 18, 2025

TIME: 9:45 a.m.

LOCATION: State Capitol, Room 016

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) strongly supports this bill and offers the following comments.

The purpose of this bill is to enhance the effectiveness of Act 244, Session Laws of Hawaii 2024 (Act 244), by allowing a charge for the offense under section 712-1215, Hawaii Revised Statutes (HRS), Promoting Pornography for Minors, to be instituted by written information.

The Department of the Attorney General's Internet Crimes Against Children Task Force, 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 on the Internet to engage in sexual activities.

Undercover officers often receive pornographic materials during these operations, and in response, the Legislature passed Act 244, specifically extending the criminal offense of Promoting Pornography for Minors to persons who disseminate pornographic materials to an undercover law enforcement officer who poses as a minor. Act 244 will be instrumental in holding offenders accountable, however, expeditious charging is crucial during these large-scale operations. In addition to the offense of Promoting Pornography for Minors, individuals arrested during these operations are

commonly charged with the offenses of Electronic Enticement of a Child (sections 707-756 and 707-757, HRS) and Commercial Sexual Exploitation of a Minor (section 712-1209.1, HRS), both of which can be instituted by way of written information. Therefore, to enhance the effectiveness of Act 244, this bill seeks to amend section 806-83(a), HRS, to allow a charge of Promoting Pornography for Minors to be instituted via written information.

We respectfully ask the Committee to pass this bill. Thank you for the opportunity to provide comments on this bill.

HB-994-HD-1

Submitted on: 3/14/2025 8:42:24 AM

Testimony for JDC on 3/18/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Llasmin Chaine	Testifying for Hawaii State Commission on the Status of Women	Support	Written Testimony Only

Comments:

Standing in support of SB994 HD1.

DEPARTMENT OF THE PROSECUTING ATTORNEY
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LATE

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THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Thirty-Third State Legislature
Regular Session of 2025
State of Hawai'i

March 18, 2025

**RE: H.B. 994 H.D. 1; RELATING TO THE OFFENSE OF PROMOTING
PORNOGRAPHY FOR MINORS.**

Chair Rhoads, Vice Chair Gabbard, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney for the City and County of Honolulu submits the following testimony in **strong support** of H.B. 994.

H.B. 994 permits the prosecution to charge Promoting Pornography for Minors by written information. This offense is already defined by law as a Class C felony.¹ Information charging requires a judge to review both a sworn declaration and attached exhibits supporting the charge.²

Progressively exposing children to pornography is one method used by child molesters to groom victims.³ During sting operations, predators sometimes transmit pornography to undercover officers, believing the officer is actually a child. Sting cases are often charged by information to ensure swift and efficient prosecution of identified predators. This bill would enhance current efforts to intercept child molesters intent on harming real children.

The Department strongly urges passage of H.B. 994.

Thank you for the opportunity to testify.

¹ HRS § 712-1215(3).

² HRS § 806-84 (declaration and exhibits); § 806-85 (probable review by judge).

³ See, e.g., Diana E.H. Russell & Natalie J. Purcell, *Exposure to Pornography as a Cause of Child Sexual Victimization* in HANDBOOK OF CHILDREN, CULTURE, AND VIOLENCE 59-84 (Nancy E. Dowd, et al. eds., 2006)

HB-994-HD-1

Submitted on: 3/12/2025 5:00:29 PM

Testimony for JDC on 3/18/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Support	Written Testimony Only

Comments:

I support this initiative.

HB-994-HD-1

Submitted on: 3/17/2025 7:17:48 PM

Testimony for JDC on 3/18/2025 9:45:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in Support