

JAN 19 2022

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# A BILL FOR AN ACT

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RELATING TO CHILD TORTURE.

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

1       SECTION 1. Chapter 709, Hawaii Revised Statutes, is  
2       amended by adding a new section to be appropriately designated  
3       and to read as follows:

4       "§709-       Child torture; penalty.   (1) A person commits  
5       the offense of child torture if the person is a parent or legal  
6       guardian of, resides in the same home with, or has recurring  
7       access to, a minor and intentionally, knowingly, or recklessly  
8       tortures the minor, with intent to cause or knowledge of  
9       causing, or in reckless disregard of the substantial and  
10       unjustifiable risk of causing, mental anguish to the minor.

11       (2) As used in this section, "torture" of a minor includes  
12       the following:

13       (a) Inflicting, or threatening to inflict, bodily injury  
14       upon the minor;

15       (b) Threatening the minor with imminent death;



1       (c) Threatening the minor that another person, or a pet,  
2       will imminently be subjected to death, serious bodily  
3       injury, or substantial bodily injury;

4       (d) Withholding from the minor adequate food, clothing,  
5       shelter, psychological care, physical care, medical  
6       care, or supervision;

7       (e) Forcing the minor to ingest:

8           (i) Feces;

9           (ii) Toxic substances; or

10          (iii) Any substance in quantities that expose the minor  
11          to the risk of bodily injury; and

12       (f) Physically restraining the minor under circumstances  
13       that expose the minor to the risk of bodily injury.

14       (3) Child torture is a class A felony."

15       SECTION 2. This Act does not affect rights and duties that  
16       matured, penalties that were incurred, and proceedings that were  
17       begun before its effective date.

18       SECTION 3. New statutory material is underscored.



1           SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

*M. P. M.*

By Request



# S.B. NO. 2092

**Report Title:**

Honolulu Prosecuting Attorney's Office Package; Criminal  
Offenses; Child Torture

**Description:**

Adds a new section to Chapter 709, HRS, to establish the class A  
felony offense of child torture.

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

