

JAN 21 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
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



1 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.

7 Notwithstanding any other law to the contrary, any person who
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.

18

INTRODUCED BY: _____



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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