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## SENATE RESOLUTION

REQUESTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN,  
IN COLLABORATION WITH THE OFFICE OF THE LEGISLATIVE  
REFERENCE BUREAU AND DEPARTMENT OF THE ATTORNEY GENERAL, TO  
ESTABLISH A WORKING GROUP AND PROVIDE A REPORT TO THE  
LEGISLATURE ON WAYS TO STRENGTHEN PROTECTIONS FOR SURVIVORS  
OF IMAGE-BASED SEXUAL ABUSE.

1           WHEREAS, image-based sexual abuse involves the sharing, or  
2 threat of sharing, explicit images or videos of another person  
3 without their consent, often with the intent to harm the  
4 victim's health, safety, mental wellness, employment, financial  
5 condition, reputation, or personal relationships; and  
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7           WHEREAS, image-based sexual abuse is included as a class C  
8 felony under existing state law, which covers offenses that  
9 constitute a violation of privacy in the first degree; and  
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11           WHEREAS, the National Center on Sexual Exploitation  
12 recognizes nine different forms of image-based sexual abuse,  
13 including nonconsensual distribution of sexually explicit  
14 material, collection of nonconsensual distributed sexually  
15 explicit materials, recorded sexual violence, sexual extortion,  
16 sexual violence in virtual or augmented reality, tech-  
17 facilitated sexual coercion, video voyeurism, and multiple forms  
18 of computer-generated or artificial intelligence-generated  
19 abuse; and  
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21           WHEREAS, a 2017 study by the Cyber Civil Rights Initiative  
22 found that 12.8 percent of respondents reported being survivors  
23 of image-based sexual abuse; and  
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25           WHEREAS, estimates of prevalence rates for image-based  
26 sexual abuse, like sexual assault, are widely believed to be low  
27 because of the social stigma, personal shame, and emotional and  
28 financial repercussions of reporting such abuse; and  
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1 WHEREAS, a study published in 2019 in the academic journal,  
2 *Psychology of Violence*, found that seventy-three percent of  
3 survivors of image-based sexual abuse did not turn to anyone for  
4 help after discovering the abuse, in part because of legal  
5 challenges obtaining pathways to justice for the trauma they  
6 endured; and

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8 WHEREAS, emergent technologies, including artificial  
9 intelligence and virtual and augmented reality, are making the  
10 facilitation of image-based sexual abuse easier for  
11 perpetrators; and

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13 WHEREAS, a 2019 report by Sensity, a company that detects  
14 and monitors sexual deepfakes, found that ninety-five percent of  
15 all online deepfake videos are nonconsensual sexual deepfakes,  
16 with ninety percent of those videos targeting women; and

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18 WHEREAS, the State has a responsibility to ensure, to the  
19 greatest extent possible, that gender violence is not further  
20 enabled by the rise of new technologies; now, therefore,

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22 BE IT RESOLVED by the Senate of the Thirty-third  
23 Legislature of the State of Hawaii, Regular Session of 2026,  
24 that the Hawaii State Commission on the Status of Women, in  
25 collaboration with the Office of the Legislative Reference  
26 Bureau and Department of the Attorney General, is requested to  
27 establish a working group comprised of gender-based violence  
28 service providers and survivors of gender-based violence to  
29 conduct a review of statutes and policies nationwide to evaluate  
30 possibilities for policy or program enhancements to protect  
31 survivors of image-based sexual abuse that can be adapted from  
32 other states and incorporated into Hawaii law; and

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34 BE IT FURTHER RESOLVED that the Hawaii State Commission on  
35 the Status of Women, in collaboration with the Office of the  
36 Legislative Reference Bureau and Department of the Attorney  
37 General, is requested to submit a report of its findings and  
38 recommendations, including any proposed legislation on ways to  
39 strengthen protections for survivors of image-based sexual  
40 abuse, to the Legislature no later than forty days prior to the  
41 convening of the Regular Session of 2028; and

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1 BE IT FURTHER RESOLVED that certified copies of this  
2 Resolution be transmitted to the Governor, Lieutenant Governor,  
3 Attorney General, Executive Director of the Hawaii State  
4 Commission on the Status of Women, Director of the Office of the  
5 Legislative Reference Bureau, and prosecuting attorney of each  
6 county.

