

**DEPARTMENT OF THE PROSECUTING ATTORNEY  
KA 'OIHANA O KA LOIO HO'OPI'I  
CITY AND COUNTY OF HONOLULU**

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**THE HONORABLE JOY A. SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawai'i**

January 27, 2026

**RE: S.B. 277; RELATING TO SEXUAL OFFENSES AGAINST MINORS.**

Chair San Buenaventura, Vice Chair McKelvey, and members of the Senate Committee on Health and Human Services, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in **strong support** of S.B. 277.

S.B. 277 amends the offense of promoting minor-produced images in the first degree to make it a Class C felony when the adult and minor are more than three years apart in age. Current law makes it only a misdemeanor for an adult of any age to encourage or persuade a minor to send nude photographs of the minor.

In 2022, the FBI reported that more than 3,000 minors had been targeted across the United States in sextortion schemes.<sup>1</sup> Posing as someone of a similar age, online predators might contact naïve minors and feign romantic interest. After convincing the minor to send compromising photographs, the predator then threatens to distribute the pictures unless further demands are met. At least a dozen cases have reportedly resulted in the suicide of the minor.<sup>2</sup>

Sextortion schemes have increasingly targeted Hawai'i children and teens.<sup>3</sup> Under current law, if the predator demands money, a prosecution for extortion can proceed.<sup>4</sup> But in some cases, the only motive appears to be the sexual gratification of the predator. These cases cannot be

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<sup>1</sup> UNITED STATES DEPARTMENT OF JUSTICE, *FBI and Partners Issue National Public Safety Alert on Financial Sextortion Schemes*, available at <https://www.fbi.gov/news/press-releases/fbi-and-partners-issue-national-public-safety-alert-on-financial-sextortion-schemes>.

<sup>2</sup> *Id.*

<sup>3</sup> See, e.g., Peter Boylan, *Sextortion of Children Rising in Hawaii and Nation, Authorities Say*, HAWAII TRIBUNE HERALD (Mar. 3, 2024), available at <https://www.hawaiitribuneherald.com/2024/03/25/hawaii-news/sextortion-of-children-rising-in-hawaii-and-nationauthorities-say/>.

<sup>4</sup> HRS §§ 707-764 through 707-769.

prosecuted under the child-pornography statute.<sup>5</sup> By the *Modica* rule, where two crimes have exactly the same elements, but different sentences, the more lenient penalty applies.<sup>6</sup>

H.B. 384 also extends the probationary term for felony obscenity offenses involving minors from four years to five years, in keeping with other sexual offenses against minors. This provision only applies to felony offenses such as promoting pornography for minors. Exposing children to pornography is a common grooming tool used by child molesters.

H.B. 384 adds these offenses, as well as promoting minor-produced images in the first degree, to the category of covered offenses mandating sex offender registration. Sexual abuse of children is a crime that occurs in secrecy. Many predators are skilled at hiding their crime, avoiding detection for years and accountability for even longer. Sex offender registration is an important tool for keeping the community safe from sexual predators.

The Department strongly encourages passage of H.B. 384

Thank you for the opportunity to testify.

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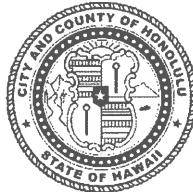
<sup>5</sup> Producing child pornography is a Class A felony. HRS § 707-750.

<sup>6</sup> *State v. Sasai*, 143 Hawai‘i 285, 295, 429 P.3d 1214, 1224 (2018) (“A defendant may not be convicted of an offense that carries a harsher penalty than another offense containing the same elements[.]”); *State v. Modica*, 58 Haw. 249, 250-51, 567 P.2d 420, 421-22 (1977).

HONOLULU POLICE DEPARTMENT  
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**LATE**

RICK BLANGIARDI  
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RADE K. VANIC  
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AARON TAKASAKI-YOUNG  
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INTERIM DEPUTY CHIEFS  
NĀ HOPE LUNA NUI MĀKA'I KŪIKAWĀ

OUR REFERENCE **VL-RZ**

January 28, 2026

The Honorable Joy A. San Buenaventura, Chair  
and Members  
Committee on Health and Human Services  
State Senate  
415 South Beretania Street, Room 225  
Honolulu, Hawai'i 96813

Dear Chair San Buenaventura and Members:

**SUBJECT:** Senate Bill No. 277, Relating to Sexual Offenses Against Minors

I am Vince Legaspi, Captain of the Criminal Investigation Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 277, Relating to Sexual Offenses Against Minors. Taking into account the grievous and traumatic lifetime effects of sexual offenses on minor victims, it is appropriate that the penalty for Promoting Minor-Produced Sexual Images in the First Degree be modified to a Class C Felony. Additionally, extending the probationary term and statute of limitations and requiring sex offender registration for offenders will inhibit repeat offenses.

The HPD urges you to support Senate Bill No. 277, Relating to Sexual Offenses Against Minors

Thank you for the opportunity to testify.

APPROVED:

  
Rade K. Vanic  
Interim Chief of Police

Sincerely,

  
Vince Legaspi, Captain  
Criminal Investigation Division

**LATE**

**RICHARD T. BISSEN, JR.**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First Deputy Prosecuting Attorney



## **DEPARTMENT OF THE PROSECUTING ATTORNEY**

COUNTY OF MAUI  
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### **TESTIMONY ON S.B. 277 RELATING TO SEXUAL OFFENSES AGAINST MINORS**

January 27, 2026

The Honorable Joy A. San Buenaventura  
Chair  
The Honorable Angus L. K. McKelvey  
Vice Chair  
and Members of the Committee on Health and Human Services

Chair San Buenaventura, Vice Chair McKelvey, and Members of the Committee:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of S.B. 277, Relating to Sexual Offenses Against Minors**. This bill enhances protection for minors manipulated into transmitting nude images of themselves to adults by *inter alia*: 1) tolling the statute of limitations for related offenses until the minor reaches the age of eighteen; 2) increasing the penalty for Promoting Minor-Produced Sexual Images in the First Degree to a class C felony if the offender is three or more years older than the minor; and 3) including Promoting Pornography for Minors and Promoting Minor-Produced Sexual Images in the First Degree in the list of offenses that require sex offender registration in Chapter 846E.

We support this bill because of the increasing amount of children that are exploited in this manner. Child victims of image-based sexual abuse ("IBSA") suffer psychologically and emotionally due to the shame, fear, guilt and other lasting traumatic effects of these crimes. There have been a number of high-profile cases involving IBSA, including an Oahu offender charged federally in December 2025 with conspiring to create IBSA content using online platforms to target and coerce children. Our laws need to be updated to reflect the severity of these offenses and facilitate effective prosecution in state courts.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports S.B. 277**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill.

**SB-277**

Submitted on: 1/27/2026 10:56:31 AM  
Testimony for HHS on 1/28/2026 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Austin "Shiloh" Martin	Testifying for Libertarian Party of Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Chair Aquino, Vice Chair Shimabukuro, and committee members. I am Austin Martin, Chair of the Libertarian Party of Hawaii, testifying with qualified support for SB 277 (Crimes Against Minors).

SB 277's provisions penalizing exploitation and predation of minors seem to appropriately align with protecting innocent individuals from rights violations through focused criminal sanctions.

Evidentiary standards must remain rigorous to avoid abuse. I recommend advancing with amendments that preserve judicial discretion and prioritize direct restitution to victims over mechanical punitive enhancements.

Mahalo for your kokua to this important matter.

Austin Martin

Libertarian Party



JANUARY 28, 2026

## SENATE BILL 277

CURRENT REFERRAL: HHS

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Kris Coffield,  
*President*

David Negaard,  
*Director*

Mireille Ellsworth,  
*Director*

Justin Salisbury,  
*Director*

Eileen Roco,  
*Director*

Beatrice DeRego,  
*Director*

Corey Rosenlee,  
*Director*

Amy Zhao,  
*Policy and Partnerships Strategist*

### POSITION: SUPPORT

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Imua Alliance supports SB 277, relating to sexual offenses against minors, which increases the penalty for promoting minor-produced sexual images to a felony if the person is more than 3 years older than the minor; extends the probationary term for felony obscenity offenses; tolls the statute of limitations for obscenity offenses during a victim's minority; and requires sex offender registration for felony obscenity offenses involving minors.

Imua Alliance is a Hawai'i-based organization dedicated to ending sexual exploitation, gender-based violence, and digital abuse, and to ensuring survivors have access to healing, justice, and dignity. We appreciate the legislature's ongoing commitment to strengthening protections for minors and holding perpetrators accountable.

Sexual exploitation of minors—especially in the digital age—is a rapidly evolving and deeply harmful form of abuse. Hawai'i data demonstrates the scope of this crisis. In 2024, a report found that Hawai'i's five Children's Justice Centers tracked 1,839 cases involving child sex abuse, child sex trafficking, internet crimes against children, and other serious forms of maltreatment, and experts estimate the true number of victims may be as much as double due to underreporting. Sexual assault remains the most prevalent form of child abuse in Hawai'i.

Digital exploitation is an increasing concern for our society. Hawai'i law enforcement reports a growing number of online enticement and sextortion cases involving youth, reflecting national trends and underscoring the need for modernized legal protections. These cases often involve minors being coerced or groomed into producing sexual images of themselves, which can then be shared, sold, or used for extortion. Our organization has worked with many such survivors over the past decade, with our own statistics reflecting the growing problem of digital abuse in the islands.

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National data shows that online child sexual exploitation is widespread and increasing. In 2024, the National Center for Missing and Exploited Children (NCMEC) received reports involving more than 62 million images of suspected child sexual abuse material and over 546,000 reports of online enticement, including sextortion.

Importantly, research from the U.S. Department of Justice's Office of Justice Programs shows that youth-produced sexual images are a major driver of this crisis. Studies indicate that 86% of child sexual image abuse episodes involve images produced by youth themselves, often through coercion, grooming, or peer pressure, and 7.2% of young adults report having created self-produced sexual images as minors. These images can be redistributed indefinitely, causing lifelong trauma.

SB277 strengthens penalties for those who promote sexual images of minors, enhances accountability for felony obscenity offenses, and extends the statute of limitations to reflect the reality that many survivors are unable to disclose or pursue justice until adulthood. Survivors frequently need years—sometimes decades—to process trauma, feel safe enough to report, and navigate complex legal systems. Tolling the statute of limitations during a victim's minority is a crucial step toward ensuring justice remains accessible.

Additionally, requiring sex offender registration for felony obscenity offenses involving minors improves community safety and transparency. Registration is not solely punitive; it is a preventive tool that helps communities and institutions better protect children.

SB277 recognizes that harm occurs not only through physical contact, but through digital and image-based abuse that can follow survivors for life. This bill modernizes Hawai'i's legal framework to address these harms and aligns our state with best practices for protecting minors in the digital era.

Mahalo for the opportunity to testify in strong support of this measure.

With aloha,

*Kris Coffield*

President, Imua Alliance

**SB-277**

Submitted on: 1/24/2026 11:30:32 AM  
Testimony for HHS on 1/28/2026 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Support	Written Testimony Only

**Comments:**

I support said changes.

Cecilia Wang, MD, FACS  
General Surgery and Surgical Critical Care

Hearing Date/Time: January 28, 2026, Wednesday at 1:30 pm  
Hawaii State Capitol, Room 225 and Videoconference

## **SENATE BILL 277 RELATING TO SEXUAL OFFENSES AGAINST MINORS**

Good afternoon, Chair Joy San Buenaventura, Vice Chair Angus McKelvey, and Members of the Senate Committee on Health and Human Services.

I respectfully submit testimony in STRONGEST SUPPORT of SB277. This bill increases protection for minors against those older than them who seek to exploit them through the production of sexual images. This bill rightly makes this exploitation a Class C felony instead of a misdemeanor. It also tolls the statute of limitations, extends probation, and requires sex offender registration for felony obscenity offenses involving minors.

As a physician, I served for six years as the medical director for the nonprofit New Reality International, an organization dedicated to preventing human exploitation around the globe. That work was the precursor to the founding of the Traffickinghub movement by founder Laila Mickelwait. More than 2.3 million people worldwide signed the Traffickinghub petition to hold Pornhub accountable for hosting and profiting from child sexual abuse material. Laila's book, *Takedown: Inside the Fight to Shut Down Pornhub for Child Abuse, Rape, and Sex Trafficking*, documents that movement.

Over the years, I have witnessed unimaginable harm inflicted on children. In Hawai'i, I volunteer with Ho'ola Na Pua, whose mission is to stop and prevent child sex trafficking statewide. Child sex trafficking remains a serious and persistent problem in Hawai'i. It is most prevalent on the Big Island, where the average age of first exploitation is reported to be around eight years old.

SB277 reflects something our laws need to say clearly. When a child is exploited through sexual images, the harm does not stop at the moment the image is created. Every time that content is promoted or shared, the victim is harmed again. This bill strengthens accountability in several important ways.

SB277 helps stop exploitation, and it helps protect Hawai'i's children.

Thank you for the opportunity to submit testimony. I respectfully urge you to PASS SB277.

**SB-277**

Submitted on: 1/26/2026 2:00:26 PM  
Testimony for HHS on 1/28/2026 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Alec Marentic	Individual	Support	Written Testimony Only

**Comments:**

Dear Chair, Co-Chair, and Members of the Committee,

As a resident of the big island, and as an educator, I strongly support enhancing consequences for sexual offenses, such as what is outlined in this bill, against minors. I suggest the "3-year age difference" requirement is struck from the bill. The statutory consequences for this kind of abuse should apply to all adults who perpetuate this kind of abuse, regardless of how close they are to the minor in age.

Mahalo for considering this testimony,

Alec Marentic

**SB-277**

Submitted on: 1/27/2026 1:23:41 PM  
Testimony for HHS on 1/28/2026 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Daisy Tuulaupua	Individual	Support	Written Testimony Only

**Comments:**

Testimony in Support of S.B. No. 277

Honorable Senators and Committee Members,

My name is Daisy Tuulaupua, and I am a resident of Honolulu, Hawaii. I am also a social work student pursuing my Master's degree, dedicated to advocating for vulnerable populations, especially children. I am writing to express my strong support for Senate Bill No. 277, which aims to strengthen the legal protections for minors against sexual offenses.

As a future social worker, I have seen firsthand the profound impact that abuse can have on a child's mental, emotional, and physical well-being. This legislation is a critical step in ensuring that victims of such heinous crimes have the time and legal support necessary to seek justice. Specifically, the bill:

- Toll the statute of limitations during a victim's minority, acknowledging that minors may not be able to report abuse promptly but still deserve ongoing legal recourse.
- Extend probation periods for certain felony offenses, ensuring offenders are monitored appropriately and held accountable.
- Require sex offender registration for felony obscenity offenses involving minors, which enhances community safety.

Protecting our children must always be a top priority. By passing S.B. No. 277, we take an important step toward safeguarding the well-being of minors and reinforcing our commitment to justice and accountability.

Thank you for your consideration.

Respectfully, Daisy Tuulaupua daisytuu@hawaii.edu

**SB-277**

Submitted on: 1/27/2026 2:14:11 PM  
Testimony for HHS on 1/28/2026 1:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicholas Zehr	Individual	Support	Written Testimony Only

**Comments:**

I submit testimony in support of SB277. SB277 appropriately prioritizes the protection of minors, who cannot meaningfully consent, while preserving core due-process safeguards. Tolling statutes of limitation while a victim is under eighteen recognizes the reality that coercion, fear, and dependency often delay reporting. This reform aligns accountability with moral responsibility without eliminating limitations altogether or retroactively reopening closed cases.

The bill also improves proportionality. By distinguishing age gaps in offenses involving minor-produced sexual images, SB277 avoids overcriminalization of near-peer conduct while imposing stronger penalties on predatory behavior by significantly older offenders. This tailoring reflects a libertarian commitment to precise laws that punish real harm rather than sweeping, blunt instruments.

Clarifying probation terms and maintaining judicial discretion for early discharge reinforces individualized sentencing over one-size-fits-all mandates. Courts retain flexibility to reward compliance and rehabilitation, reducing unnecessary state supervision while focusing resources where they are most needed.

Finally, the bill's careful updates to registration tiers and offense definitions strengthen public safety without expanding state power beyond legitimate bounds. By focusing on demonstrable risk and allowing pathways to relief after sustained compliance, SB277 balances community protection with the principle that punishment should not be perpetual absent ongoing harm.

In short, SB277 advances justice by protecting children, targeting genuine predators, preserving due process, and respecting proportional limits on state power. For these reasons, I urge passage of SB277.