

Honolulu, Hawaii

MAR 06, 2026

RE: H.B. No. 1963
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1963, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO IMAGE-BASED SEXUAL ABUSE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the felony offense of nonconsensual disclosure of intimate images or private images; and
- (2) Amend the criteria for an extended term of imprisonment to include an offender whose act of attempting to commit or committing the nonconsensual disclosure of intimate images or private images against a minor or vulnerable adult resulted in the victim's death.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission; Department of the Prosecuting Attorney of the City and County of Honolulu; Honolulu Police Department; The Sex Abuse Treatment Center; Imua Alliance; Hawai'i State Coalition Against Domestic Violence; and numerous individuals. Your Committee received comments on this measure from the Office of the Public Defender.



Your Committee finds that image based sexual abuse is an increasingly common and devastating form of technology facilitated harm in which predators coerce, manipulate, or extort victims by threatening to disclose intimate or private images, often leading to profound emotional trauma, social isolation, financial loss, and in some cases self-harm or suicide. Your Committee further finds that minors and vulnerable adults are particularly susceptible to online predators who exploit anonymity and digital platforms to pressure victims into providing additional images, creating cycles of abuse with severe and sometimes fatal consequences. This measure provides law enforcement the necessary tools to hold perpetrators accountable and helps protect individuals from this growing form of digital exploitation.

Your Committee has amended this measure by:

- (1) Including an intent to affect a family court proceeding to which a person depicted in an intimate image or private image is a party as an element of the offense of nonconsensual disclosure of intimate images or private images;
- (2) Clarifying the causal connection between the actual or attempted nonconsensual disclosure of intimate images or private images and the death of the person depicted in the intimate image or private image;
- (3) Inserting definitions for "affect" and "family court" proceeding;
- (4) Amending the definition of "intimate image" to delete language relating to "state of undress";
- (5) Amending the definitions of "intimate image" and "private image" to include computer-generated images and videos; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1963, H.D. 1, as amended herein, and recommends that it



pass Third Reading in the form attached hereto as H.B. No. 1963,
H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



