



To: House Judiciary & Hawaiian Affairs Committee
Re: Testimony in SUPPORT of HB 1682

Dear Chair Tarnas, Vice Chair Poepoe, and the Members of House Judiciary & Hawaiian Affairs Committee,

Members of AAUW of Hawai'i thank you for this opportunity to testify in support of HB 1682, which enacts the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act.

Image-based abuse survivors often suffer from “depression, fear and anxiety as well as damage to reputations, job loss and social isolation. Some survivors have died by suicide after discovering deepfake videos were made with their likeness. No matter what form the abuse takes, it has a devastating effect on survivors that can last for years.” See <https://www.joyfulheartfoundation.org/our-work/policy-and-advocacy/image-based-abuse-initiative/> (retrieved Feb. 6, 2026).

It was found that as of 2023 “98% of deepfake visuals are pornographic in nature, and 99% target women.” See <https://www.securityhero.io/state-of-deepfakes/> (retrieved Feb. 6, 2026). According to University of Virginia School of Law Prof. Danielle Citron, there are at least 9,500 sites ‘devoted to non-consensual intimate imagery.’”

Thus, HB 1682 is necessary to protect the public and provide those harmed with remedies.

Sincerely,

Sandy Ma

AAUW of Hawai'i Public Policy Committee

The American Association of University Women (AAUW) of Hawai'i is an all-volunteer, statewide chapter of a national organization with close to 4,000 members and supporters across all four counties - Hawai'i, Honolulu, Kaua'i, and Maui. AAUW has state chapters in all 50 states and our mission is to advance gender equity through education and advocacy. Economic security for women is our goal.

HB-1682

Submitted on: 2/9/2026 9:16:48 AM

Testimony for JHA on 2/10/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jane Sternecky	Uniform Law Commission	Support	Remotely Via Zoom

Comments:

The Uniform Law Commission strongly supports HB 1682.



February 10, 2026

Members of the House Judiciary & Hawaiian Affairs:

Chair David A. Tarnas
Vice Chair Mahina Poepoe
Rep. Della Au Belatti
Rep. Elle Cochran
Rep. Mark J. Hashem
Rep. Kirstin Kahaloa
Rep. Jackson D. Sayama
Rep. Gregg Takayama
Rep. Diamond Garcia
Rep. Garner M. Shimizu

Re: HB1682 Relating to the Disclosure of Intimate Images

Dear Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary & Hawaiian Affairs:

The Hawai'i State Coalition Against Domestic Violence (HSCADV) mission is to unite Hawai'i to end all forms of domestic violence. We are a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 20 member programs, I respectfully submit testimony in **support of HB1682**. HB1682 enacts the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act. This measure addresses a growing form of technology-facilitated abuse that disproportionately affects women and increasingly occurs within the broader context of gender-based violence.

Contemporary research recognizes nonconsensual disclosure of intimate images, often referred to as image-based sexual abuse, as a tactic frequently used by abusive partners to intimidate, threaten, or maintain power and control, particularly during or after relationship separation.¹ Evidence indicates that image-based abuse often functions as part of a broader pattern of coercive control within intimate partner violence, reinforcing the need for survivor-centered legal remedies that address both safety and accountability.

¹ Henry et al., Image-Based Sexual Abuse as Coercive Control, Violence Against Women (2023): <https://eprints.gla.ac.uk/282876/>

The unauthorized or threatened disclosure of intimate images can have profound and lasting effects on victims' safety, privacy, health, and economic security. Research shows that victims often experience significant psychological harm, including anxiety, depression, trauma-related symptoms, and social withdrawal, as well as reputational damage that can interfere with employment, education, and housing stability.² The digital nature of these harms, in which images can be rapidly replicated and remain permanently accessible, magnifies the severity and duration of the impact compared with offline forms of abuse.³

HB1682 reflects evolving national standards that recognize technology-facilitated abuse as a form of gender-based violence. Large-scale research indicates that image-based sexual abuse is widespread, with multinational studies estimating that more than one in five individuals report experiencing some form of image-based abuse.⁴

For these reasons, we respectfully urge the Legislature to advance HB1682. Adoption of clear civil remedies will help promote survivor safety, reinforce accountability, and ensure Hawaii's legal framework keeps pace with evolving technology and emerging patterns of abuse.

Thank you for the opportunity to testify on this important matter.

Sincerely,
Angelina Mercado, Executive Director

² Mitchell et al., Identifying Subtypes of Image-Based Sexual Abuse, *Journal of Youth and Adolescence* (2026): <https://link.springer.com/article/10.1007/s10964-026-02316-x>

³ Henry et al., Interdisciplinary Analysis of Image-Based Sexual Abuse Impacts (2024): <https://academic.oup.com/bjsw/article-abstract/54/4/1777/7588791>

⁴ Umbach et al., Multinational Prevalence Study (2025): <https://arxiv.org/abs/2503.04988>



**Written Testimony of Blake Oshiro, Uniform Law Commissioner
In Support of HB 1682
Before the Committee on Judiciary and Hawaiian Affairs
February 10, 2026**

Dear Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

Thank you for the opportunity to share my support for HB 1682, which would enact the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act. This bill was crafted by the Uniform Law Commission (ULC), a non-partisan organization of volunteer attorneys appointed by their states. I serve as one of the ULC's commissioners appointed from Hawaii.

To date, this uniform act has been enacted in 10 jurisdictions. Bills are pending in four states this legislative session, with more bill introductions expected in the weeks to come. Notably, there is a related bill under consideration in the legislature this session, SB 2135, Relating to Privacy. SB 2135 creates a criminal penalty for the unauthorized disclosure of intimate images, with a broader scope than the current criminal statute, Haw. Rev. Stat. Ann. § 711-1110.9. HB 1682 demonstrates another valuable step towards protecting Hawaii's residents from revenge porn and other harmful disclosures of intimate images.

Below I offer some details about the benefits HB 1682 can provide to Hawaii's residents.

HB 1682 empowers victims to seek civil remedies in addition to the criminal penalties already recognized under Hawaii's law.

Though Hawaii's existing privacy laws and SB 2135 acknowledge the importance of punishing those who engage in the unauthorized disclosure of intimate images and will hopefully deter this harmful conduct, criminal penalties do not directly address the harms suffered by the victim. HB 1682 creates a civil cause of action for the unauthorized disclosure of an intimate image when there is: (1) an intentional disclosure or threat to disclose; (2) a private; (3) intimate image; (4) of an identifiable individual; (5) without the consent of the depicted individual; (6) by a person who has the requisite awareness; and (7) the disclosure harms the depicted individual.

HB 1682 provides more remedies to victims of unauthorized disclosures

HB 1682 establishes clear remedies available to victims of unauthorized disclosures or threatened disclosures. Under HB 1682, a prevailing plaintiff may recover:

1. The greater of:
 - a. Economic and noneconomic damages caused by the disclosure or threatened disclosure; or
 - b. Statutory damages of \$10,000 against each defendant found liable;

2. An amount equal to the monetary gain made by the defendant from a disclosure; and
3. Punitive damages.

Under HB 1682, the court may also provide reasonable attorney's fees and costs and injunctive relief.

HB 1682 *contains clear exceptions*

Section 4 of the bill provides limited exceptions for certain disclosures, including those made during legal proceedings, medical treatment, or investigations of misconduct. There is also an exception for disclosures relating to matters of public concern or public interest.

Thank you for your consideration of HB 1682, the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act. I urge a favorable committee vote on the bill.

Respectfully Submitted,

Blake Oshiro
Uniform Law Commissioner, Hawaii

HB-1682

Submitted on: 2/9/2026 12:24:08 PM

Testimony for JHA on 2/10/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Kent	Commis	Support	Remotely Via Zoom

Comments:

Aloha,

Thank you for the opportunity to testify in strong support of HB 1682, which would enact the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act. This bill was crafted by the Uniform Law Commission (ULC), a non-partisan organization of volunteer attorneys appointed by their states. I serve as one of the ULC’s commissioners appointed from Hawaii.

This uniform act has been enacted in 10 jurisdictions. Enacting this bill would provide benefits for victims that have had their private images disclosed without their consent.

Victims would be able to seek civil remedies for the unauthorized disclosure of an intimate image.

HB 1682 creates a civil cause of action for the unauthorized disclosure of an intimate image when (1) there is an intentional disclosure or threat to disclose a private intimate image of an identifiable individual without the consent of the depicted individual, (2) the person who is disclosing the image has the requisite awareness that the person did not consent to the disclosure, and (3) the disclosure harms the depicted individual. The disclosure of private images without consent and for no legitimate purpose can cause severe and irreversible harm and this cause of action would address that harm.

Additional remedies would be available to victims of unauthorized disclosures.

HB 1682 establishes clear remedies available to victims of unauthorized disclosures or threatened disclosures. Under HB 1682, a prevailing plaintiff may recover:

1. The greater of:
 1. Economic and noneconomic damages caused by the disclosure or threatened disclosure; or
 2. Statutory damages of up to \$10,000 against each defendant found liable;
1. An amount equal to the monetary gain made by the defendant from a disclosure; and
2. Punitive damages.

Under HB 1682, the court may also provide reasonable attorney's fees and costs and injunctive relief.

Exceptions are included in appropriate circumstances.

Section 4 of the bill provides limited exceptions for certain disclosures, including those made during law enforcement activity, legal proceedings, or medical treatment. There is also an exception for disclosures relating to matters of public concern or public interest.

Thank you for your consideration of HB 1682, the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act, and for the opportunity to testify in strong support of it. I hope Committee members will vote in favor of this bill.

Elizabeth Kent



FEBRUARY 10, 2026

HOUSE BILL 1682

CURRENT REFERRAL: JHA

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Kris Coffield,

President

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Beatrice DeRego,

Director

Corey Rosenlee,

Director

Amy Zhao,

Policy and Partnerships

Strategist

POSITION: SUPPORT

Imua Alliance supports HB 1682, relating to the disclosure of intimate images, which enacts the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act.

Imua Alliance is a Hawai'i-based organization dedicated to ending sexual exploitation and gender violence. Increasingly, our services are being requested by survivors of image-based sexual abuse (IBSA), a growing problem facilitated by the exponential progression of technology and a key issue in battling modern-day exploitation.

IBSA is a widespread and deeply harmful phenomenon. According to a 2020 study in JAMA Network Open, approximately 1 in 5 adults in the U.S. reported having had a nude image shared without their consent, and among those, the majority experienced significant psychological distress. A 2023 report by the Cyber Civil Rights Initiative (CCRI) found that non-consensual pornography survivors experience elevated rates of anxiety, depression, PTSD, and suicidality, and many face practical harms such as job loss, educational disruption, and relationship breakups. These harms can persist indefinitely because sexually explicit images can circulate online without effective removal or accountability.

The National Center for Missing & Exploited Children (NCMEC) has documented dramatic increases in reports of child sexual abuse material (CSAM), much of which includes images originally created by minors or shared without consent. In 2023, NCMEC's CyberTipline received over 36 million reports of suspected child sexual abuse imagery, underscoring both the volume and severity of image-based abuse circulating online. Criminal law alone is often too slow or narrow to address these harms, especially for adult survivors, leaving many without meaningful recourse.

This proposal fills a critical gap by providing a civil cause of action. Survivors of IBSA often face barriers to criminal justice remedies: burden of proof, evidentiary hurdles, and limited prosecutorial resources. A civil remedy

complements criminal law by allowing survivors to pursue accountability, monetary damages, and injunctive relief, including expedited removal orders and prohibitions on further distribution. Civil actions also incentivize platforms and third parties to act responsibly and support removal and takedown efforts.

Civil remedies for IBSA have proven their impact elsewhere. States that have adopted civil remedies for IBSA report greater survivor satisfaction, increased compliance with removal requests, and measurable reductions in reposting and re-sharing of harmful content. Civil causes of action empower survivors to be proactive partners in their own protection, rather than reliant solely on reactive enforcement to obtain justice and restore their dignity.

Prioritizing civil remedies also reduces inequities in justice access. Survivors from marginalized communities—including LGBTQ+ people, women, and young adults—are statistically more likely to be targeted for non-consensual image distribution. According to research published by the Journal of Interpersonal Violence, women and gender minorities reported higher rates of online sexual victimization than men, and survivors with limited financial resources often cannot afford privacy, counseling, or legal assistance without a civil cause of action that can bring damages and attorneys' fees. This bill sets reasonable procedural standards—including statutes of limitations calibrated to modern digital harms, protections for anonymous reporting, and safeguards against frivolous claims—while ensuring that survivors have the tools to protect their privacy.

With aloha,

Kris Coffield

President, Imua Alliance



February 9, 2026

Position: **SUPPORT** of **HB1682**, Relating to the Disclosure of Intimate Images

To: Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

From: Llasmin Chaine, LSW, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in SUPPORT of HB1682, Relating to the Disclosure of Intimate Images

Hearing: Tuesday, February 10, 2026, 2:00 p.m.
Conference Room 325, State Capitol

The Hawaii State Commission on the Status of Women is dedicated to advancing gender equity and safeguarding the rights and dignity of all women and girls in Hawaii. **HB1682**, which enacts the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act, **directly addresses the harm caused by nonconsensual sharing of intimate images, a serious issue that disproportionately affects women and undermines their safety, privacy, health and economic security.**

By establishing clear civil remedies for victims, this bill provides a necessary avenue for recourse and accountability. The unauthorized disclosure of intimate images can result in significant emotional distress, reputational damage, and barriers to employment and education. The proposed **legislation aligns with best practices** recognized nationally for empowering survivors and deterring future violations by clarifying legal standards and remedies.

The Commission respectfully encourages the Legislature to **advance HB1682** and recommends ongoing review of the law's implementation to ensure continued alignment with evolving technology and community needs.

Thank you for this opportunity to submit testimony.

HB-1682

Submitted on: 2/10/2026 12:32:22 PM

Testimony for JHA on 2/10/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Costales Matsuoka	The Sex Abuse Treatment Center	Oppose	In Person

Comments:

The Sex Abuse Treatment Center opposes HB 1682 which suggests that victim would have to explain or justify the sharing intimate image in order to meet the element of "private". As we understand the purpose of the bill is to prohibit osmeone from disclosing or threatening to disclose an intimate image without the victim's consent. Whether the victim shared the image with others, is neither here or there. The element of "privacy" puts the blame on victim who will be left defending their actions, instead focusing on the person who disloed or threatended to disclose it without permission. We oppose this bill.

HB-1682

Submitted on: 2/9/2026 8:44:35 AM

Testimony for JHA on 2/10/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jamie Newalu	Individual	Support	Written Testimony Only

Comments:

February 9, 2026

TO: The Members of the Hawai'i House Judiciary and Hawaiian Affairs Committee

FROM: Jamie Newalu

Private Citizen

SUBJECT: HB1682 Relating to the Disclosure of Intimate Images

I support HB1682 which enacts the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act. This measure addresses a growing form of technology-facilitated abuse that disproportionately affects women and increasingly occurs within the broader context of gender-based violence.

Hearing: Tuesday, February 10, 2026 at 2:00pm

I respectfully submit testimony in **support** of **HB1682**.

As a private citizen and a professional in the field of assisting victims of gender-based violence, I can hereby testify that technology facilitated abuse including releasing non-consensual intimate images of a person, is becoming one of the main ways abusers harass, intimidate, and destroy a person's life. Online image-based abuse can have lasting negative impacts from whomever experiences it, regardless of gender. It can ruin career prospects, reputations, and cause extreme psychological distress. For this reason, I support the advancement of HB 1682. Adoption of clear civil remedies will help promote survivor safety, reinforce accountability, and ensure Hawaii's legal framework keeps pace with evolving technology and emerging patterns of abuse.

Sincerely,
Jamie Newalu

TESTIMONY IN SUPPORT
HOUSE BILL 1682
February 9, 2026
Current Referral: JHA

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Amy Zhao, and I am submitting testimony in strong support of HB1682 as a student who has witnessed how common image based sexual abuse is among my peers, and as someone who has personally experienced image based sexual abuse.

Among young people, the nonconsensual sharing of private sexual images is not rare or hypothetical. I have seen how a single image can cause someone to withdraw from friends, stop coming to school, and feel ashamed for simply existing online. Survivors often carry the consequences in silence while the person who shared the image moves on.

HB1682 is important because it gives survivors a realistic way to seek justice. Criminal cases are not always pursued, and even when they are, survivors still need immediate ways to stop the spread, limit ongoing exposure, and regain a sense of control. A civil remedy gives survivors options. It allows us to seek accountability directly and to address the continuing harm that comes from an image that can be copied, re shared, and weaponized for years.

I also appreciate that HB1682 recognizes how deeply personal this violation is by allowing courts to protect a survivor's identity and privacy during the legal process. Many survivors do not come forward because we fear that seeking help will expose us to even more humiliation and scrutiny. Privacy protections are not a detail. They are what make justice possible.

Civil remedies also matter because survivors often face real costs in trying to respond to a violation, including time spent documenting evidence, contacting platforms, requesting takedowns, and trying to restore a sense of safety. Survivors should not have to pay to clean up harm that we did not cause. HB1682 helps ensure that the person responsible, not the survivor, carries the consequences.

For these reasons, I respectfully urge you to pass HB1682. Survivors deserve a pathway to accountability that is accessible, timely, and centered on restoring our autonomy and privacy.

Mahalo for your time and your commitment to protecting our community.

Sincerely,
Amy Zhao