



STATE OF HAWAII – Ka MOKU'ĀINA 'O HAWAII
CRIME VICTIM COMPENSATION COMMISSION
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Executive Director

**TESTIMONY ON HOUSE BILL 1963, HD1
RELATING TO IMAGE-BASED SEXUAL ABUSE**

by

Pamela Ferguson-Brey, Executive Director
Crime Victim Compensation Commission

House Committee on Judiciary & Hawaiian Affairs
Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair

Wednesday, February 25, 2026; 2:00 PM
State Capitol, Conference Room 325 & Videoconference

Good afternoon, Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary & Hawaiian Affairs. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify on House Bill 1963, HD1. The Commission supports the bill including amendments as proposed by the Sex Abuse Treatment Center and the Honolulu Prosecuting Attorney's Office. HB 1963, HD1, prohibits the non-consensual disclosure, or threats of disclosure, of identifiable intimate or private images for purposes of sexual extortion or to cause the victim to engage in acts of self-harm. In addition, HB 1963, HD1, provides for an extended term when the victim is a minor or vulnerable adult and the non-consensual disclosure or threat of disclosure results in their bodily injury or death.

The Commission provides compensation for violent crime victims to pay un-reimbursed expenses for crime-related losses due to physical or mental injury or death. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission. The Commission collaborates with victim advocates and victim service providers in supporting victim-centered policy and legislation.

Online sexual extortion is one of the fastest growing crimes in our country. Sexual extortion is a form of sexual violence where perpetrators use the threat of release of intimate images to force victims into sexual acts to extort money or valuables or to harm or kill themselves.

The harm from non-consensual distribution of intimate images is a recognized form of technology-facilitated sexual violence and has a profound impact on victims. Victims often experience depression, suicidal thoughts, shame and self-blame.

Of particular concern are cases where groups of online predators identify vulnerable youth with the intent to get them to harm or kill themselves. Over 30 cases across the country have resulted in the targeted minor committing suicide.

Without explicit prohibitions against this type of predatory behavior, there is no way to hold these offenders accountable and to protect individuals, vulnerable adults, and children.

The Commission is in support of with amendment to House Bill 1963, HD1, as proposed by the Sex Abuse Treatment Center and Honolulu Prosecuting Attorney's Office. Thank you for providing the Commission with the opportunity to testify today.

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

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**THE HONORABLE DAVID TARNAS , CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Thirty-Third State Legislature
Regular Session of 2026
State of Hawai`i**

February 25, 2026

REGARDING H.B. 1963, H.D.1 — RELATING TO IMAGE-BASED SEXUAL ABUSE.

Chair Tarnas, Vice-Chair Poepoe, and members of the House Committee on Judiciary & Hawaiian Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in strong support of H.B. 1963, H.D. 1, which establishes the offense of nonconsensual disclosure of intimate or private images as a class B felony.

As set forth beginning on page 2 of the bill, this measure appropriately criminalizes the intentional or knowing disclosure or threatened disclosure of intimate or private images to compel victims to engage in acts against their will, provide additional images, engage in sexual acts, commit self-harm, or provide anything of value. This framework recognizes the reality of modern technology-facilitated abuse and provides prosecutors with a necessary tool to address sexual extortion and coercion.

The Department offers the following revisions to strengthen the bill and ensure it is constitutionally sound and practically enforceable:

1. Removal of “state of undress.”

The current definition of “intimate image” on page 3 includes depictions of a person “in the state of undress.” This phrase is presently being challenged in other Violation of Privacy prosecutions as unconstitutionally vague. To avoid unnecessary constitutional litigation that could undermine this important statute, we recommend deleting “state of undress” and instead relying on clearly defined statutory terms such as “nude” and “sexual conduct,” which are already defined in Chapter 712. This will provide clearer notice to defendants and stronger footing for prosecution.

2. Addition of subsection (1)(a)(vi) – Coercion in Family Court Proceedings.

We support adding a new subsection:

(vi) To affect any family court proceeding in which the depicted person is a party to.

In our experience, intimate images are frequently weaponized in divorce, custody, TRO, and child support proceedings. Threats to disclose images are used to force custody concessions, influence restraining order hearings, or manipulate settlement negotiations. This conduct is coercive, harmful, and directly tied to the same power-and-control dynamics the bill seeks to address. Explicitly including this provision ensures accountability for this increasingly common form of abuse.

3. Clarified and Modernized Definitions – Including AI-Generated Images.

Technology has evolved beyond traditional photographs and videos. The statute must do the same. We support revising the definitions as follows:

- “Intimate image” means any photograph, digital image, live or recorded video, and/or computer-generated image or video that depicts a person nude as defined in section 712-1210 or engaged in sexual conduct as defined in section 712-120.
- “Private image” means any photograph, digital image, live or recorded video, and/or computer-generated image or video that depicts a person committing acts of self-harm, self-mutilation, or other self-injury that results in bodily injury.

Including “computer-generated image or video” ensures coverage of AI-generated or AI-assisted images—commonly referred to as “deepfakes”—which can be created without the victim ever having posed for such material. These fabricated images cause real reputational, emotional, and psychological harm and are increasingly used for extortion.

4. Supporting Definitions.

We further support adding the following definitions for clarity and enforceability:

- “Affect” means to influence or produce a change.
- “Family court proceeding” means any proceeding involving:
 - A temporary restraining order under HRS § 586-4;
 - A protective order under HRS § 586-5.5;
 - Annulment, divorce, or separation under HRS Chapter 580; and
 - Child custody and/or child support proceedings under HRS Chapter 571.

Providing these definitions eliminates ambiguity, strengthens prosecutorial viability, and reduces litigation over statutory interpretation.

H.B. 1963 recognizes that image-based sexual abuse is not a minor privacy violation—it is a form of coercion and extortion that has led to depression, financial devastation, and even suicide, as reflected in the legislative findings. This bill appropriately classifies the offense as a

class B felony and provides enhanced sentencing provisions where minors or vulnerable adults are involved and death results.

With the recommended revisions, this measure will be clearer, constitutionally stronger, and better equipped to address modern technological abuse—including AI-generated exploitation and coercion in family court proceedings.

The Department respectfully urges passage of H.B. 1963, H.D.1, with the proposed amendments. Thank you for the opportunity to testify.



Date: February 23, 2026

To: Rep. David Tarnas, Chair
Rep Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary and Hawaiian Affairs

From: Lynn Costales Matsuoka, Executive Director
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony on HB 1963
Relating to Image Based Sexual Abuse

Hearing: February 25, 2026, Conference Room 325, 2:00pm

Good afternoon Chair Tarnas, Vice Chair Poepoe and Members of the House Committee on Judiciary and Hawaiian Affairs. The Sex Abuse Treatment Center is grateful for the opportunity to provide strong **support** in favor of HB 1963 and seek amendments to some of the language.

This bill addresses what is commonly known as sextortion, the disclosure or threat of a disclosure of an intimate image unless the victim meets the demand of the predator.

What starts off often as an innocent encounter online, predators quickly build trust with the victim, to the point where innocent exchanges, becomes a sharing of nude or intimate photos. Once the predator is in possession of those intimate images, threats of public disclosure are made on condition the victim meets the predator's demands. These demands can include money, sex acts, additional sexual images or images of self harm. For some, the inability to meet the demands of the predator becomes so overwhelming. Plagued with feelings of shame, embarrassment and ultimately desperation have led to tragic results, with some taking their own lives.

According to the National Center for Missing and Exploited Children (NCMEC) reports of financial sextortion doubled, from 10,731 reports in 2022 to over 26,000 in 2023. The FBI has issued public service announcements, warning of these schemes and the importance to get help should someone fall victim to online predators. (See FBI PSA, Alert #I-030625-PSA, Mar 6, 2025).

This bill does more than address sextortion head on. It goes further to allow the prosecution to pursue extended sentences when the extortion results in suicide. According to a USA Today article dated 2/25/25, sextortion has been connected to at least 30 deaths of teen boys by suicide since 2021. In one case, the victim pled with predator, "I'm only 15, Why are you doing this to me?" Within minutes, this young boy took his life after being unable to meet the predators' demands. In another instance the

teen received hundreds of text messages pressuring him to meet demands for further money or engage in self harm. These predators isolate their victims, and are relentless in their demands, leaving victims little time to seek help from a trusted adult. In these instances and many others, the teen is left feeling alone, hopeless and believing there are no other choices.

While the cases reported by USA Today span across the US mainland, it could easily happen here. Like sexual violence, this crime does not discriminate by age, race, or gender. Anyone who engages online can become a victim. While we are unaware of any cases resulting in death, there have been cases, locally where children have recorded themselves engaging in self harm, to include burning themselves, and in other cases, engaging in sexual acts in an attempt to meet the demands of the predator. A recent news report of a teen on Hawaii island was sentenced as a youthful offender for multiple counts of child pornography and other offenses. It was reported, the police investigation revealed the offender was part of an online group that stalked, harassed and bullied teenagers. It is important that we pass this legislation now, to protect our community from these online predators.

With respect to SATC's requested amendments, we respect and agree that :

- 1) the language of "**state of undress**" be deleted from the definition of intimate image, in an effort to avoid any legal challenges on vagueness. We ask that the language of "nude as a defined in section 72-1210 or engage in sexual conduct as defined in section 712-1210" remain unchanged.
- 2) That the definition of intimate and private images be expanded to include "computer-generated image(s) or video(s)", as proposed by the Honolulu Prosecutor's office
- 3) On page 3, line 8 and page 8, line 17, section 711 – (1)(b)(ii) "resulted" in death, we recommend using "substantial cause" to provide clarity on the issue of causation.

Finally, SATC supports the amendments requested by the Honolulu Prosecuting Attorney's office as it relates to use of intimate or private images to affect family court proceedings. Another scenario where intimate partners use coercive measures to gain leverage over victims.

We respectfully seek this Committee's support in passing this important legislation.

Thank you for your consideration.



FEBRUARY 25, 2026

HOUSE BILL 1963 HD1

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: COMMENTS

Imua Alliance provides the following comments for HB 1963 HD1, relating to image-based sexual abuse, which establishes the nonconsensual disclosure of intimate or private images as a criminal offense; and amends the criteria for an extended term of imprisonment to include an offender of attempting to commit or committing the nonconsensual disclosure of intimate or private images against a minor or vulnerable adult resulted in the victim's death.

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 widespread. National surveys indicate that approximately 1 in 12 adults in the United States have been victims of nonconsensual image abuse, and 23%—nearly 1 in 4—of young women report being threatened with the distribution of private images according to an analysis performed by researchers from Google and the University of Melbourne. Victims experience elevated rates of depression, anxiety, suicidality, job loss, housing instability, and ongoing stalking and harassment.

Image-based sexual abuse likely impacts millions of people across the nation and thousands of people statewide. A 2017 study by the Cyber Civil Rights Initiative found that approximately 13% of respondents reported being survivors of image-based sexual abuse. Estimates of prevalence rates for image-based sexual abuse are widely believed to be low, however, because of the social stigma, personal shame, and emotional and financial repercussions of reporting such abuse.

As artificial intelligence tools expand, IBSA is rapidly evolving beyond real images to include synthetic or AI-generated images, dramatically lowering the barrier for perpetrators. Recent high-profile controversies—including the misuse of generative AI systems such as Grok and other platforms to create

nonconsensual sexualized images of women, public figures, and minors—demonstrate the urgent need for a clear, comprehensive, and survivor-centered statutory framework. As digital transformations continue to accelerate, Hawai‘i should seize every opportunity to be a national leader in addressing this form of digital violence.

That said, we respectfully urge you to consider the following comments as you contemplate taking action on this measure.

1. Examine how this measure aligns with existing IBSA provisions in HRS §711-1110.9(b) and (c) to avoid duplication.

Hawai‘i already criminalizes IBSA under HRS §711-1110.9, Violation of Privacy in the First Degree, specifically subsections (b) and (c). These provisions were originally enacted in 2014, and were updated in 2018 to account for threats of nonconsensual image abuse, and again in 2021 to include so-called “deep fake” images.

HB 1963 replicates the application and intent of these provisions in a new standalone offense. Maintaining two parallel IBSA statutes risks:

- Confusion for law enforcement and prosecutors;
- Inconsistent charging practices and penalties; and
- Legal ambiguity that could undermine enforcement or invite litigation.

Moreover, having two statutes with substantially similar evidentiary requirements risks creating Modica violations (*State v. Modica*, 1977), which occurs when a defendant is charged with a higher grade of offense for conduct that could also be charged under a lower grade of offense (i.e., felony instead of a misdemeanor), and the elements of proof for both are indistinguishable. In cases involving identical evidentiary burdens, prosecutors are required to charge the lower graded offense. In this case, the new statute proposed in this bill is graded as a class B felony, while HRS 711-1110.9 is graded as a class C felony, setting up a potential conflict.

2. Carefully consider whether image-based sexual abuse and incidents of self-harm should be regulated under the same statute despite their extreme differences.

While this proposal appropriately recognizes that image-based sexual abuse can be intertwined with coercion and sextortion, **the bill’s decision to fold images of self-harm into the same statutory framework as nonconsensual sexual imagery risks conflating two legally and clinically distinct categories of harm.** IBSA is a form of sexual privacy and bodily autonomy violation, grounded in consent and sexual exploitation law, whereas images of self-harm implicate duty-of-care frameworks that are not inherently sexual in nature. Although perpetrators may sometimes demand or weaponize self-harm imagery in sextortion schemes, treating these images as part of the same offense structure may create overbreadth, ambiguity, and unintended doctrinal

consequences, including confusion about elements of the offense (e.g., sexual intent vs. coercive control), evidentiary standards, and appropriate penalties.

IBSA involves the nonconsensual use of intimate or private images to control or harm a victim, including in schemes that may also involve self-harm imagery, but the fact that these harms can co-occur does not mean they should be codified as a single category. **A clearer and more legally precise approach would be to maintain IBSA as a distinct sexual privacy offense, while addressing coercion involving self-harm imagery through separate provisions (e.g., extortion, coercion, or abuse statutes), ensuring both narrow tailoring and proportionality.**

3. Insert language clearly including “deepfake” images in the new statute.

HRS 711.1110.9 was amended in 2021 to explicitly add the intentional creation, disclosure, or threat of disclosure of certain types of deepfake images or videos to the offense of violation of privacy in the first degree. One of the recommendations made by the Twenty-First Century Privacy Task Force was that the state should protect the privacy of a person's likeness by adopting laws that prohibit the unauthorized use of deep fake technology, which are advancing rapidly in the era of AI and are easily sharable on websites and digital applications.

Act 59 of 2018 protected the privacy of a person's likeness by prohibiting the unauthorized use of deep fake technology. **HRS 711-1110.9(1)(c) states, in part, “(c) The person intentionally creates or discloses or threatens to disclose an image or video of a composite fictitious person depicted in the nude as defined in section 712-1210, or engaged in sexual conduct as defined in section 712-1210, that includes the recognizable physical characteristics of a known person so that the image or video appears to depict the known person and not a composite fictitious person,” to include synthetically created images under its scope.**

4. Clarify whether this bill’s contents match its title.

We note that the title of this measure is “relating to image-based sexual abuse.” We would urge the committee to verify whether the inclusion of acts of self-harm under the definition of “private” images is beyond the scope of the title of this proposal.

With aloha,

Kris Coffield

President, Imua Alliance

HB-1963-HD-1

Submitted on: 2/24/2026 12:58:55 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shelby "Pikachu" Billionaire	Kingdom of The Hawaiian Islands & Ohana Unity party	Support	Remotely Via Zoom

Comments:

****Testimony in STRONG Support of HB1963 HD1****

****Relating to Image-Based Sexual Abuse****

Aloha Chair and Members of the Committee,

Mahalo for the opportunity to testify in ****STRONG SUPPORT**** of ****HB1963 HD1****. This bill establishes the felony offense of nonconsensual disclosure of intimate or private images—also known as image-based sexual abuse or "revenge porn"—and amends criteria for extended terms of imprisonment when such acts result in the death of a minor or vulnerable adult.

Key Provisions of HB1963 HD1 - **New Felony Offense (Added to HRS Chapter 711):**
A person commits a ****class B felony**** if they intentionally or knowingly disclose or threaten to disclose an intimate or private image of an identifiable person without consent, with intent to compel the victim to: - Act or refrain against their will - Provide additional images - Engage in sexual acts - Engage in self-harm - Provide anything of value OR if the victim is a ****minor**** or ****vulnerable adult**** and the offender is an adult, or if the disclosure causes bodily injury or death.

- ****Definitions****: - “Intimate image”: Digital image/photo/video depicting undress, nudity, or sexual conduct. - “Private image”: Depicting self-harm, mutilation, or injury resulting in bodily injury. - “Minor”: Under 18 years. - “Vulnerable adult”: As defined in HRS §346-222. - ****Extended Imprisonment****: Amends HRS §706-662 to allow extended terms if the offense against a minor or vulnerable adult results in death.

- ****Legislative Findings****: Image-based sexual abuse is technology-facilitated abuse for control, manipulation, harm, money, power, or gratification. Victims suffer depression, anxiety, reputation damage, isolation, financial ruin, and suicide. Offenders hide behind devices to prey on vulnerable people—accountability is essential.

- ****Effective Date****: July 1, 3000 (likely placeholder; standard implementation).

Why This Bill Must Pass – Stats & Realities in Hawai‘i Image-based sexual abuse is a growing crisis, disproportionately affecting women, youth, and vulnerable groups—including Native Hawaiian communities facing higher rates of domestic violence and exploitation.

- **Prevalence & Harm**: Nationally, **1 in 8** adults experience nonconsensual intimate image sharing; **93%** of victims are women. In Hawai‘i, reports of revenge porn and sextortion have risen with social media and AI deepfakes. Victims face severe mental health impacts: **up to 82%** report anxiety/depression, **34%** suicidal ideation.

- **Youth & Vulnerable Impact**: Minors are prime targets—**1 in 4** teen girls and **1 in 6** teen boys report nonconsensual sharing. Vulnerable adults (e.g., disabled, elderly) face heightened risks. Hawai‘i sees cases linked to blackmail leading to suicide (e.g., high-profile teen cases in recent years).

- **Native Hawaiian Disparities**: Native Hawaiians face **higher domestic violence rates** (women **2.5x** more likely to experience severe physical violence) and exploitation vulnerabilities. This bill protects our wāhine and keiki from digital abuse that destroys ‘ohana and cultural well-being.

- **Accountability Gap**: Hawai‘i lacks a specific felony for nonconsensual disclosure with coercive intent; current laws (e.g., harassment) are inadequate. This class B felony (up to 5–10 years) deters offenders and provides justice.

- **Broader Support**: Modeled on laws in 48+ states; aligns with federal efforts against sextortion. Public demand is high amid rising online abuse. I have testified strongly on bills protecting vulnerable groups this session (e.g., HB2101 aquarium ban for subsistence, HB1628 compassionate release for dignity, OHA package for cultural/health equity). HB1963 HD1 addresses modern abuse harming our lāhui—especially wāhine, keiki, and vulnerable adults—by holding predators accountable. Pass HB1963 HD1 without weakening amendments. Let us protect dignity, privacy, and safety in the digital age with aloha and justice.

Mahalo nui loa for your kuleana. Imua!

Respectfully submitted, Pikachu Shelby “Pikachu” Billionaire HRM

Kingdom of The Hawaiian Islands H.I. Ohana Unity Party,

Chairman – www.Ohanaunityparty.com



February 25, 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: HB1963, HD1 Image-Based Sexual Abuse

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 HB1963, HD1.

This bill addresses what is commonly known as sextortion, the disclosure or threat of a disclosure of an intimate image, unless the victim meets the demand of the predator.

What often starts as an innocent online encounter quickly escalates, with predators building trust with the victim to the point where innocent exchanges turn into sharing nude or intimate photos. Once the predator is in possession of those intimate images, threats of public disclosure are made on the condition that the victim meets the predator's demands. These demands can include money, sex acts, additional sexual images, or images of self-harm. For some, the inability to meet the predator's demands becomes so overwhelming.

Plagued by feelings of shame, embarrassment, and ultimately desperation, some have taken their own lives. According to the National Center for Missing and Exploited Children (NCMEC), reports of financial sextortion doubled, from 10,731 reports in 2022 to over 26,000 in 2023. The FBI has issued public service announcements, warning of these schemes and the importance of getting help should someone fall victim to online predators. (See FBI PSA, Alert #I-030625-PSA, Maar 6, 2025).

This bill does more than address sextortion head-on. It goes further to allow the prosecution to pursue extended sentences when the extortion results in suicide.

According to a USA Today article dated 2/25/25, sextortion has been connected to at least 30 deaths of teen boys by suicide since 2021. In one case, the victim pleaded with the predator, "I'm only 15, Why are you doing this to me?" Within minutes, this young boy took his life after being unable to meet the predators' demands. In another instance, the teen received hundreds of text messages pressuring him to meet demands for further money or engage in self-harm. These predators isolate their victims and are relentless in their demands, leaving their victims little time to seek help from a trusted adult. In these instances and many others, the teen is left feeling alone, hopeless, and believing there are no other choices.

While the cases reported by USA Today span the US mainland, this crime could easily happen here. Like sexual violence, this crime does not discriminate by age, race, or gender. Anyone who engages online can become a victim. While we are unaware of any cases resulting in death, there have been local cases in which children have recorded themselves engaging in self-harm, including burning themselves, and in other cases, engaging in sexual acts in an attempt to meet the demands of the predator. A recent news report on Hawai'i Island detailed a teen who was sentenced as a youthful offender for multiple counts of child pornography and other offenses. The police investigation revealed that the offender was part of an online group that stalked, harassed, and bullied teenagers.

Sadly, Hawai'i is not immune to these predatory behaviors, and this bill is an opportunity to further protect not only our youth but also to provide law enforcement with the tools to hold online predators accountable. **We respectfully seek this Committee's support in passing this important legislation.**

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

Sincerely,
Angelina Mercado, Executive Director

HB-1963-HD-1

Submitted on: 2/23/2026 2:39:16 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Mahalo.

HB-1963-HD-1

Submitted on: 2/23/2026 2:54:04 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
M. Leilani DeMello	Individual	Support	Written Testimony Only

Comments:

Aloha,

I KĀKO‘O this bill. Increasingly this has become an issue for both adults and minors (of high school age) where intimate images are used against them, sometimes ending in suicide of the victim. We need laws to protect people against this behavior, but we also need enforcement. Please be sure that enforcement happens.

Mahalo,

M. Leilani DeMello

‘Ōla‘a, Puna, Hawai‘i

HB-1963-HD-1

Submitted on: 2/23/2026 3:37:04 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Marie	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure

HB-1963-HD-1

Submitted on: 2/23/2026 6:33:41 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Loree Jean Searcy	Individual	Support	Written Testimony Only

Comments:

I support HB1963

Nonconsensual sharing of sexual images of minors should be a felony especially if the victim is harmed or death results.

I support this bill

HB-1963-HD-1

Submitted on: 2/23/2026 8:40:02 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deanna Espinas	Individual	Support	Written Testimony Only

Comments:

Testimony in support

HB-1963-HD-1

Submitted on: 2/24/2026 8:25:28 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Support	Written Testimony Only

Comments:

1. ****Establishes Nonconsensual Image Disclosure as a Felony:**** This bill explicitly criminalizes a deeply invasive and harmful form of sexual abuse, providing strong legal recourse for victims and unequivocally recognizing the severity of the crime.
2. ****Protects Our Most Vulnerable Populations:**** H.B. No. 1963 specifically safeguards minors and vulnerable adults, who are disproportionately targeted and exploited by perpetrators of image-based sexual abuse.
3. ****Addresses the Full Scope of Abuse:**** The measure comprehensively covers not only the actual nonconsensual disclosure of intimate images but also threats to disclose and coercive tactics used to manipulate victims into further acts of sexual abuse or self-harm.
4. ****Strengthens Offender Accountability and Deterrence:**** By designating this offense as a Class B felony and allowing for extended terms of imprisonment, especially when such abuse leads to tragic outcomes like a victim's death, this bill sends a powerful message of deterrence and ensures serious accountability.
5. ****Validates and Supports Victims of a Devastating Crime:**** This legislation provides a crucial legal mechanism that acknowledges the profound and often irreversible psychological, reputational, and financial harm inflicted upon victims, offering them a path to justice and validation.

HB-1963-HD-1

Submitted on: 2/24/2026 10:10:17 AM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Collado	Individual	Support	Written Testimony Only

Comments:

I support HB1963 for the following reasons:

1. Establishes Nonconsensual Image Disclosure as a Felony: This bill explicitly criminalizes a deeply invasive and harmful form of sexual abuse, providing strong legal recourse for victims and unequivocally recognizing the severity of the crime.
2. Protects Our Most Vulnerable Populations: H.B. No. 1963 specifically safeguards minors and vulnerable adults, who are disproportionately targeted and exploited by perpetrators of image-based sexual abuse.
3. Addresses the Full Scope of Abuse: The measure comprehensively covers not only the actual nonconsensual disclosure of intimate images but also threats to disclose and coercive tactics used to manipulate victims into further acts of sexual abuse or self-harm.
4. Strengthens Offender Accountability and Deterrence: By designating this offense as a Class B felony and allowing for extended terms of imprisonment, especially when such abuse leads to tragic outcomes like a victim's death, this bill sends a powerful message of deterrence and ensures serious accountability.
5. Validates and Supports Victims of a Devastating Crime: This legislation provides a crucial legal mechanism that acknowledges the profound and often irreversible psychological, reputational, and financial harm inflicted upon victims, offering them a path to justice and validation.

HB-1963-HD-1

Submitted on: 2/24/2026 12:10:21 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Burbage	Individual	Support	Written Testimony Only

Comments:

Aloha,

I SUPPORT HB1963.

Top priority in protecting minors is the reason for my support. Which also means stiffer penalties for dealing with crimes against them are a necessity.

Please SUPPORT this bill.

Mahalo,

Lora Burbage

Dennis M. Dunn
(dennismdunn47@gmail.com)
Kailua, HI 96734

TO: Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
House Committee on Judiciary and Hawaiian Affairs

RE: House Bill 1963, H.D. 1 Relating to Image Based Sexual Abuse

HEARING: Tuesday, February 25, 2026, 2:00 p.m.
Conference Room 325

Good afternoon, Chair Tarnas and Vice Chair Poepoe and members of House Committee on Judiciary and Hawaiian Affairs. My name is Dennis Dunn, and I am the former Director of the Victim Witness Kokua Services in the Honolulu Prosecuting Attorney's Office, having retired at the end of 2022 after 44 years of service with the program. I am testifying today in support of H.B. 1963, H.D. 1. This Bill proposes to create the offense of Nonconsensual Distribution of Intimate or Private Images, presumably designed to stem the growing problem of individuals who distribute intimate images of other persons without the consent of the individual depicted in the images.

My comments and suggestions regarding H.B. 1963, H.D. 1 are drawn from my nearly 50 years of experience as an advocate for crime victims, forty-four of which were as an employee of the Honolulu Prosecuting Attorney's Office, serving as Director of the Victim Witness Kokua Services from 1985 to 2022. During my tenure with the Prosecutor's Office, I was privileged to work with many survivors of a variety of sexual offenses. In addition to my advocacy role with these survivors, I have been honored to serve as the handler for Pono and Clover, courthouse facility dogs who provide comfort and support to crime victims during interviews and court proceedings. In my capacity as a handler, I have listened to numerous hours of victims' stories of the betrayal of trust of a friend or acquaintance who distributes intimate images of them without their permission. Like other sexually based offenses, the intense trauma caused by a victim's experience is heightened by the betrayal of the relationship and the knowledge that electronic images of this nature may last forever throughout the vast reaches of the internet. Shame, embarrassment, and fear are common emotions experienced by these victims due to these acts, which frequently last for many years, if not a lifetime.

An offense commensurate with the seriousness of the impacts described above seems appropriate and is what H.B. 1963 endeavors to do.

I also fully support SATC's requested amendments: 1) the language of "state of undress" be deleted from the definition of intimate image, to avoid any legal challenges on vagueness. I agree that the language of "nude as defined in section 72-1210 or engage in sexual conduct as defined in section 712-1210" remain unchanged. 2) I

support that the definition of intimate and private images be expanded to include “computer-generated image(s) or video(s)”, as proposed by the Honolulu Prosecutor’s office 3) On page 3, line 8 and page 8, line 17, section 711 – (1)(b)(ii) “resulted” in death, we recommend using “proximate cause” to provide clarity on the issue of causation. Finally, I support the amendments requested by the Honolulu Prosecuting Attorney’s office as it relates to use of intimate or private images to affect family court proceedings. Another scenario is where intimate partners use coercive measures to gain leverage over victims.

Please support H.B. 1963, H.D. 1 and the amendments proposed above. Thank you for your time and consideration

HB-1963-HD-1

Submitted on: 2/24/2026 12:37:47 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tessy Kekahuna	Individual	Support	Written Testimony Only

Comments:

In support

HB-1963-HD-1

Submitted on: 2/24/2026 2:11:12 PM

Testimony for JHA on 2/25/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cindy R Ajimine	Individual	Support	Written Testimony Only

Comments:

Aloha! FINALLY! A good bill & am writing in STRONG SUPPORT of this bill for these reasons.

1. Protects Our Most Vulnerable Populations! The bill specifically safeguards minors and vulnerable adults, who are disproportionately targeted and exploited by perpetrators of image-based sexual abuse. 😞

2. Addresses the Full Scope of Abuse: The measure comprehensively covers not only the actual nonconsensual disclosure of intimate images but also threats to disclose and coercive tactics used to manipulate victims into further acts of sexual abuse or self-harm.

3. Strengthens Offender Accountability and Deterrence:By designating this offense as a Class B felony and allowing for extended terms of imprisonment, especially when such abuse leads to tragic outcomes like a victim's death, this bill sends a powerful message of deterrence and ensures serious accountability.

Please hear the innocent & vulnerable & too often silent voices of the abused victims & pass this bill. I cannot believe these laws aren't already in place.