A BILL FOR AN ACT

RELATING TO PROSTITUTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that individuals who may
be in violation of a law relating to prostitution may often be
witnesses to crimes or victims of crimes. Their status as
potential law violators may impede them from coming forward and
reporting criminal activity in which they have been victimized
or regarding which they may provide material evidence.

The legislature further finds that despite growing public
concerns about persons who purchase sex, these persons are in
fact often in the best position to identify and report instances
of sex trafficking. Therefore, the legislature believes that
there is a need to protect both buyers and sellers of sexual
services who may report crimes to law enforcement.

The purpose of this Act is to provide immunity from
prosecution for prostitution for certain potential violators.

SECTION 2. Chapter 712, Hawaii Revised Statutes, is
amended by adding a new section to part I to be appropriately
designated and to read as follows:
§712—Prostitution offender witness; immunity from prosecution. Notwithstanding any law to the contrary, if a person reports criminal activity to law enforcement or serves as a witness in a judicial proceeding that may reasonably lead to the investigation, prosecution, or conviction of another person for a felony, the reporting person or witness shall be immune from prosecution for a misdemeanor or lesser offense under this part if, as a result of the reporting person's or witness's provision of a truthful statement or truthful testimony of material fact for the alleged felony, it is revealed that the person committed the misdemeanor or lesser offense under this part."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2019.
Report Title:
Crimes; Prostitution; Witnesses; Immunity; Prosecution

Description:
Provides immunity for certain violators of prostitution laws if they report or serve as witnesses to the commission of felony offenses by others.

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