

Honolulu, Hawaii

FEB 08 2021

RE: S.B. No. 343
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 343 entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT OF AN ANIMAL,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the offense of bestiality as a class C felony;
and
- (2) Provide that bestiality is a class B felony if the offense subjects a minor to sexual contact with an animal or is committed in the presence of a minor.

Your Committee received testimony in support of this measure from the Prosecuting Attorney of the City and County of Honolulu, Humane Society of the United States, Hawaiian Humane Society, Hawaii Association of Animal Welfare Agencies, Pono Advocacy, Animal Rights Hawai'i, Animal Interfaith Alliance, and sixty-three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that sexual assault on an animal has been significantly linked to the sexual abuse of children, as well as interpersonal violence and other forms of animal cruelty. Your Committee further finds that, although Hawai'i has strong animal



cruelty laws, some acts of sexual assault on animals cannot be prosecuted under animal cruelty laws because they do not cause bodily injury. This measure will allow law enforcement officers to better identify potentially dangerous and violent sexual predators in their communities.

Your Committee has amended this measure by:

- (1) Removing redundant language regarding subjecting an animal to sexual contact in the presence of a minor;
- (2) Replacing the term "bestiality" with "sexual assault on an animal" throughout the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 343, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 343, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



