

Hawaii Family Forum

Monthly MEMOs

May 6, 2001

2001 Legislature Adjourns

Age of Consent Bill Passes Legislature

Hawaii would no longer have the lowest age of consent in the nation under a bill passed by both the House and Senate in the last week of the 2001 legislative session. Raising Hawaii's age of consent was Hawaii Family Forum's number one legislative agenda item during the 2001 session.

In a bi-partisan vote, members of the House and Senate unanimously agreed to raise Hawaii's age of consent from 14 to 16. Passage of the measure represents a huge victory for Hawaii's families and children.

Many capitol observers were stunned by the bill's passage because of the unrelenting opposition by the bill's opponents including Honolulu Prosecutor Peter Carlisle, the Sex Abuse Treatment Center, the Women's Coalition and many other organizations and individuals with considerable legislative clout.

Involvement from members of the public made all the difference on this issue as legislators worried about the potential political repercussions of voting against a higher age of consent. While passage of the bill is an important step forward, certain aspects of the bill are less than optimal. The key provisions are as follows:

- The bill prohibits adults from having so-called consensual sexual relations with 14 or 15 year-old minors if the adult is at least 5 years older and not married to the minor.
- The bill 'Sunsets' in 2 years. Unfortunately, this means the law will expire and have to be passed again during the 2003 legislative session.
- The bill creates a task force to study the effectiveness of the law. Hawaii Family Forum is named as a task force participant.

One Final Hurdle – Governor's Approval Uncertain

One significant concern remains: Governor Ben Cayetano may veto the bill. The bill's opponents are likely to push for a veto and the Governor has previously expressed reservations about raising the age of consent.

The Governor's reservations concern mandatory penalties associated with raising the age of consent. HB236 does provide for harsh mandatory penalties for adults who sexually exploit minors.

Hawaii Family Forum believes this is appropriate because it is the adults in the community who should bear the responsibility of ensuring their sex partners are not minors. It is the adults who must be held accountable for their actions – for the sexual exploitation of Hawaii's minors.

Additionally, because the Prosecutor has shown such strong opposition to the measure, overzealous or inappropriate prosecution can't be cited as a serious concern.

The Governor has 45 days to either sign or veto the bill. If he does nothing, it will become law without his signature. If the measure is vetoed, we will be back to square one next legislative session because a legislative override of the veto is virtually impossible.

ACTION NEEDED

- Please pray that Governor Cayetano will sign this legislation into law. Ask others to pray as well.
- Please contact the Governor's office at 586-0034 and politely encourage him to support raising Hawaii's age of consent to better protect our youth from adult sexual exploitation. (HB 236)