

Hawaii Family Forum

December, 2002

'Keep Higher Age of Consent' Says Government Task Force: Prosecutor's Office Reverses Position – Now Supports New Law

In what can only be described as a remarkable turn of events, a majority of members of the legislatively created age of consent task force voted December 10, 2002 to recommend the Legislature make permanent the higher age of consent bill passed in 2001.

The age of consent issue became part of Hawaii history in July of 2001 when the Legislature, for the first time since statehood, overrode a Governor's veto. In May 2001, the Legislature voted unanimously to pass the HFF supported bill to raise Hawaii's lowest in the nation age of consent from 14 to 16. This removed Hawaii's disgraceful distinction of being the only state in the nation where adults of any age were free to have so-called consensual sex with 14 and 15 year old minors. Governor Cayetano's subsequent veto of the proposal appeared to end the issue. However, after strong urging by the public, and much lobbying behind the scenes, the Legislature made history July 10, 2001 by overriding the veto.

In addition to raising the age of consent, the legislation dictated the new law would expire or 'sunset' in 2003, forcing the legislature to revisit the discussion. To that end, the legislation created a task force to examine the issues surrounding the age of consent and charged task force members with making a recommendation to the legislature by December 2002.

Task force member Kelly Rosati, Executive Director of HFF, described the final outcome as 'stunning' and a 'vindication' for all those community members who worked so hard to raise the age of consent. The Task Force held its last meeting December 10, 2002. During that final meeting, 11 members voted to make the higher age of consent permanent in the law while 6 others voted to extend the law for one more year in order to further examine the issue. Only 1 member voted to return Hawaii's age of consent back to 14.

The most encouraging aspect of the task force's work was the report from the law enforcement community regarding the impact of the law. Thalia Murphy, sex crimes prosecutor in the Honolulu prosecutor's office told task force members that the law was 'an extremely useful tool in holding perpetrators accountable for sexual exploitation of minors.' She reported that her office has prosecuted 16 cases under the new law and that about the same number of cases are pending prosecution. Neighbor island prosecutors have also used the law with several cases pending on Maui, Hawaii and Kauai.

The Legislature must pass a bill in 2003 to implement the task force recommendation and maintain 16 as the age of consent. If the Legislature fails to act in this area, the age of consent will revert back to age 14.

Maintaining Hawaii's higher age of consent will be an HFF priority during the 2003 Legislative session. Call us at (808) 230-2100 if you have any questions.

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Issues Update

Highlights of 2002 Efforts of Hawaii Family Forum

- ◆ **PHYSICIAN-ASSISTED SUICIDE:** Stopped the effort to legalize physician-assisted suicide in Hawaii. The battle is not over—proponents will be back in force in 2003.
- ◆ **COMMERCIAL SEXUAL EXPLOITATION:** Worked with Sisters Offering Support to enact a law protecting minors from commercial sexual exploitation and strip clubs and nude massage parlors.
- ◆ **GAMBLING:** Helped stop the effort to legalize gambling in the State of Hawaii. Hawaii remains only one of two states without any form of legalized gambling.
- ◆ **VOTERS' GUIDE:** Conducted a state-wide voter education and registration drive. Over 45,000 copies of the 2002 voters guide were hand-delivered during the primary and general election. In addition, thousands of copies were distributed via individual churches, and over 60,000 people received copies of the voters guide via the *Hawaii Catholic Herald*.
- ◆ HFF continued to coordinate the efforts of **Hawaii's Partnership for Appropriate & Compassionate Care (HPACC)** a coalition which includes the Hawaii Medical Association and various other medical, disability rights, and pro-life groups.
- ◆ **TRAINING WORKSHOP:** Conducted a physician-assisted suicide training day at Kaimuki Christian Church. Over 50 people attended.

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