



TESTIMONY OF THE STATE ATTORNEY GENERAL TWENTY-FOURTH LEGISLATURE, 2008

ON THE FOLLOWING MEASURE:

H.B. NO. 330, H.D. 1, RELATING TO PROSTITUTION.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Tuesday, March 11, 2008 **TIME:** 9:30 AM

LOCATION: State Capitol Room 016
Deliver to: Committee Clerk, Room 219, 1 copy

TESTIFIER(S): Mark J. Bennett, Attorney General
or Lance M. Goto, Deputy Attorney General

Chair Taniguchi and Members of the Committee:

The Department of the Attorney General appreciates the intent of this bill, but has concerns.

The purpose of this bill is to make third and subsequent offenses of prostitution and loitering for the purpose of engaging in or advancing prostitution class C felonies. This bill also creates mandatory sentencing provisions for the loitering offense.

The main concern is that the bill attempts to create the new felony offenses within the existing prostitution and loitering statutes, and within the subsections that are specifically set up for the sentencing provisions for those offenses.

The creation of new felony offenses should not be done as sentencing provisions. The elements need to be set out clearly for the offenses. The offenses should be clear and distinct. It is preferable to give the new felonies different sections and titles so they are distinguishable for purposes of charging and criminal history record keeping from the existing offenses. This was done in sections 291E-61 and 291E-61.5, Hawaii Revised Statutes, for the offenses of operating a vehicle under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant.

Another concern involves the proposed mandatory sentencing provisions for the offense of loitering for the purpose of engaging in or advancing prostitution in section 2 of the bill, starting on page 3, at line 15. The provisions are inserted into section 712-1206(2), Hawaii Revised Statutes, which involves a loitering offense graded as a violation. The proposed sentencing provisions include thirty days imprisonment and references to a deferred plea under chapter 853, Hawaii Revised Statutes. As provided in section 706-605(4), Hawaii Revised Statutes, a person cannot be sentenced to imprisonment for a violation. And as provided in section 853-1, Hawaii Revised Statutes, deferred plea only may apply to felonies, misdemeanors, and petty misdemeanors, not violations.

It should also be noted that on page 3, starting at line 21, and page 5, lines 5 through 9, the bill provides that in the event of non-contumacious default in the payment of a fine, the court may sentence the person to perform community service. Although the wording is not clear, it appears that the intent is to allow the court to convert the unpaid portion of the fine to community service. If that is the case, then this wording is unnecessary, as such conversion is already authorized under section 706-644(4), Hawaii Revised Statutes.

Finally, we recommend that an amendment be made to section 712-1206, regarding the offense of loitering for the purpose of engaging in or advancing prostitution, which is not reflected in the bill. Subsection (3) of section 712-1206 currently reads:

Any person who remains or wanders about in a public place and repeatedly beckons to, or repeatedly stops, or repeatedly attempts to engage passers-by in conversation, or repeatedly stops or attempts to stop motor vehicles, or repeatedly interferes with the free passage of other persons for the purpose of **committing the crime of advancing prostitution** as that term is defined in section 712-1201(1) is guilty of a petty misdemeanor. [Emphasis added.]

There is no crime of "advancing prostitution." We recommend that the words "committing the crime of" be deleted from subsection (3).

**Testimony of the Office of the Public Defender,
State of Hawaii to the Senate Committee on Judiciary and Labor**

Hrg: Tuesday, March 11, 2008, 9:30 a.m.
1 copy required

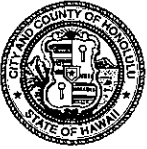
H.B. NO. 330 HD 1: RELATING TO PROSTITUTION

Chair Taniguchi and Members of the Committee:

We oppose H.B. No. 330 HD 1 which seeks to make a third violation of the prostitution and loitering to engage in prostitution laws a Class C felony. We simply feel that prostitution is not a serious crime such that it should be elevated to felony status, even if the defendant is a repeat violator. Essentially, prostitution is a victimless crime. In spite of the evidence that many women who engage in prostitution have difficult histories rooted in abusive childhoods or substance abuse, the offense itself is minor and creates more of a public nuisance than anything else.

Despite what proponents of this bill will argue, increasing the penalties for prostitution will not extinguish the sex industry. Prostitution has existed for ages and will continue to flourish as long as there is a demand for such services. Elevating the offense to a felony will only place more women in our prisons and will create a need for more court services. A felony prostitution case would require an establishment of probable cause, either by judicial review (felony information), preliminary hearing or a grand jury hearing. If probable cause is found a person charged with the felony offense of prostitution would be entitled to a jury trial.

Thank you for the opportunity to comment on this bill.



DOWNTOWN NEIGHBORHOOD BOARD NO. 13

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

Testimony of Thomas Smyth, Chair

**Senate Committee on Judiciary and Labor
Tuesday, March 11, 2008
9:30 a.m. Room 016**

On

HB 330 HD 1 Relating to Prostitution

Chair Taniguchi, Vice Chair Hee, and Members of the Committee:

The Downtown Neighborhood Board supports HB 330 HD 1 that increases the criminal penalties for prostitutes who are repeat offenders.

Prostitution and the almost-always related criminal activities of assault, robbery, theft and drug use and distribution are the primary law and order issues in the Downtown/Chinatown area. Increasing penalties for these crimes will help provide our neighborhood with additional public safety enforcement strategies to help us recover a sense of security as we go about our daily lives in the area where we live and often work.

Our neighborhood has aggressively reacted to the increasing criminal activity associated with street prostitution. Prostitution on our streets includes other criminal activities; we even had a prostitution-related murder in our neighborhood last year. We joined with HPD and City and Federal prosecutors in continuing the enormous task of reducing these crimes. Increasing penalties for prostitutes will certainly help our efforts.

Much of our neighborhood was designated as a "prostitution-free zone" in 2000 but so far that designation and even the federal support provided by the first Weed and Seed area in Hawaii have only slightly reduced prostitution-related criminal activity. Some would say that there is even more prostitution now than before the designation.

Since an underlying symptom of this criminal activity is money, we do feel that increasing penalties for customers of prostitutes would help balance the justice scales and do even more to reduce prostitution.

HB 3002 HD1 which has been referred to this committee, increases penalties for prostitutes but also increases them for their customers. Hopefully, the prostitutes, who often find themselves unable to easily or safely leave, might see that there is a decline in their activity, and they may finally make the difficult effort to move on.

We are committed through our Neighborhood Watch and close cooperation with HPD, prosecutors and the Judiciary to making these increased criminal penalties a part of the overall effort to end the disturbing increase in crime in our neighborhood.

We urge you to pass this measure out, incorporating the additional penalties for customers of prostitutes that are contained in HB 3002 HD 1.

Thank you for the opportunity to provide testimony.





BY EMAIL: testimony@capitol.hawaii.gov
Committee: Committee on Judiciary and Labor
Hearing Date/Time: Tuesday, March 11, 2008, 9:30 a.m.
Place: Room 016
Re: *Testimony of the ACLU of Hawaii in Opposition to HB 330, Relating to Prostitution*

Dear Chair Taniguchi and Members of the Committee on Judiciary and Labor:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in **opposition** to HB 330.

The ACLU opposes state regulation of prostitution. Prostitution laws are a violation of the right of individual privacy because they impose penal sanctions for the private sexual conduct of consenting adults. Whether an adult chooses to engage in sexual activity for purposes of recreation, or in exchange for something of value, is a matter of individual choice, not for governmental interference. Police use of entrapment techniques to enforce laws against this essentially private activity is an unwise use of scarce resources.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Daniel M. Gluck
Senior Staff Attorney
ACLU of Hawaii

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawaii 96801
T: 808.522-5900
F: 808.522-5909
E: office@acluhawaii.org
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COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Suite 203, Honolulu, Hawai`i 96817

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COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Sen. Brian Taniguchi, Chair

Sen. Clayton Hee, Vice Chair

Tuesday, March 11, 2008

9:30 AM

Room 016

OPPOSITION to HB 330 HD1 - RELATING TO PROSTITUTION

Aloha Chair Taniguchi Vice Chair Hee and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working on prison reform and criminal justice issues in Hawai`i for a decade. I respectfully offer our testimony, always being mindful that Hawai`i has more than 6,000 people behind bars with more than 2,000 individuals serving their sentences abroad, thousands of miles away from their homes and their loved ones.

HB 330 HD1 makes a third and subsequent conviction for prostitution and loitering to engage in or advance prostitution a class C felony.

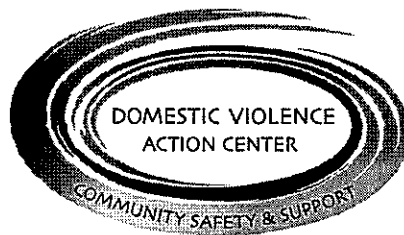
Community Alliance on Prisons is strongly opposed to this measure, which is rife with unintended consequences.

- Enacting this measure into law will further stress the already over-stressed department of public safety by dramatically increasing the prison population with individuals convicted of primarily victimless crimes. Will Hawai`i continue to fill the coffers of Corrections Corporation of America by increasing the growing population of our people banished to the Sonoran desert or the coal pit in Kentucky? Remember that at least 150 people on the US continent are Community Custody and a great number are Minimum Custody inmates who would do much better in community programs that more directly address their needs and assist their transition into the community.
- Enacting this measure will make it more difficult for individuals to reenter the community with a felony on their record. There are certain licenses that are denied to individuals with certain convictions, making it difficult for an individual to find meaningful work that will support their needs and those of their families.
- Enacting this legislation will inflate Hawai`i's crime rate. Why do we want to do that since the state appears to take pride in the fact that Hawai`i is a relatively safe tourist destination?

Does anyone actually believe that criminalizing adults engaging in a consensual agreement will stop prostitution?

Thirty-six years ago Hawai`i had one woman in prison - today Hawai`i incarcerates almost 800 women, 60-70% of whom are mothers and the primary caregivers of their children. This bill would ensure that women with felony records must work in the underground economy to survive. Why would we do this?

Community Alliance on Prisons, therefore, urges the committee to HOLD this unhelpful measure. Mahalo for this opportunity to testify,



TO: Chair Brian Taniguchi
Vice Chair Clayton Hee
Members of the Committee Judiciary and Labor

FR: Nanci Kreidman, M.A.
Executive Director

RE: H.B. 330, H.D. 1

Aloha. We submit this testimony in opposition to H.B. 330, H.D. 1 creating felony for prostitution.

It is tempting to believe that individuals working in the sex industry are chronic criminals, making money and taking advantage of their customers, not to mention creating a blight and risk in the community.

It is very important to factor into our analysis of this social problem that these crimes are "committed" by victims. Their choices for escaping the profession, or ceasing the activity are often not in their hands. Most sex workers are not working on their own, but are in the grips of pimps. The fact that the sex workers are arrested multiple times, does not necessarily mean they are flagrantly violating the law, but conceding to a force more powerful than they are.

We do not have sufficient escape services (safety, healing, employment retraining etc) for sex workers, and have very shallow understanding of the complexity of this problem.

Incarcerating sex workers does not seem like the appropriate solution

Dear Senator Taniguchi:

Last year the Board of the Honolulu Tower Association of Apartment Owners, voted unanimously to support HB 330, H.D. 1 and its concept relating to prostitution. This is a hot button issue in our community. This year's incarnation Senate Bill 2264 is important to us and we would like to see the language of SB 2264 substituted for HB 330.

We are a 396 unit residential condominium located at the corner of Maunakea and Beretania Streets. For years, prostitutes have plied their wares 24/7 in our back yard, on Kukui Street, all the way from A'ala Street to the Pali Highway. This has gone on even though the area is in a Weed and Seed Zone and a Prostitution Free Zone. The police are doing what they can, but they need more tools. The community too has been proactive, especially since the murder of a pimp on Nu'uuanu Street, between Beretania and Kukui Streets. Residents hold signs. The Citizens' Patrol walks the area. But it is not enough. We need HB 330. Right now the prostitutes get a slap on the wrist and return to ply their wares. We need increased penalties. We need to get the prostitutes off our streets permanently.

What may appear to the uninformed as several blocks of high rise buildings, is in reality a residential community of 6,000 people (Honolulu Tower, Kukui Tower, Maunakea Tower, and Kukui Plaza), of all income streams, from infants to nonagenarians. Every day our law abiding residents are accosted by prostitutes as they walk to Zippy's, Long's, Safeway, and Central Middle School. Yes, the impressionable Middle School students are also accosted. Couples and men walking their children are accosted. So are dog walkers.

The press routinely reports about the Kukui Street prostitutes. One Thursday evening last April, at 10:30 p.m., the Honolulu Police Department ran a sting operation, In one hour they arrested six johns ranging in age from 23 to 60 years, who live in various parts of O'ahu.

Please help us by supporting HB 330 and passing it now.

Should you have any questions I can be reached at 531-4260.

Sincerely,

Lynne Matusow, President
Honolulu Tower AOA
60 N. Beretania St., Apt. 1804
Honolulu, HI 96817

Kukui Plaza

Association of Owners
1255 Nu`uanu Avenue • Honolulu, Hawai`i 96813
(808) 524-1255 • Fax (808) 528-4402

March 7, 2008

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and Labor
415 South Beretania Street, Room 219
Honolulu, Hawaii 96813

Re: Support for HB330

Dear Chair Taniguchi,

For many years prostitution and its related criminal activity has posed a threat to families and individuals that live in the Kukui Plaza condominium located at 1255 Nuuanu Avenue. As the general manager of Kukui Plaza, it is my job to help keep our residents safe. At this point, we are doing all we can, but the scope of the problem is larger than we alone can solve. We need legislators to step in and help make our community safer.

Many of our residents are afraid to walk on our block in the evening for fear of harassment and sexual solicitations from prostitutes walking on our streets. These incidents occur even in front of our residents' children. In July 2006, a related disagreement led to a person being murdered right outside of our facility, outside our residents' homes.

We have implemented numerous security measures to rid our area of prostitutes, including every recommendation made by the Honolulu Police Department. We increased exterior lighting and installed additional security cameras. We conduct special security patrols on an hourly basis to report criminal activity to police, and our residents perform weekly citizens' patrols in an attempt to take back our streets.

Unfortunately, these activities are not enough because when individuals are arrested for dealing in prostitution, the penalties are nothing to them. It's a petty misdemeanor and a small fine. They come right back to our streets.

We need you to hear and pass bill HB330. This bill targets the individuals that sell sex as well as those willing to pay for sex. Passing HB330 is one more step to help deter this activity and remind everyone that prostitution is illegal in Hawaii. The police have told us that stiffer penalties are the most effective solution.

Kukui Plaza was built 30 years ago and some of our residents have lived here the entire time. I ask you to imagine that one day your neighborhood is filled with prostitutes on

your streets. Then imagine a murder as a result. Would prostitution seem like a victimless crime then?

Please take this issue seriously. I urge you and the fellow judiciary committee members to please hear and pass HB330. Our management and residents have worked well with the Honolulu Police Department, but as we've seen in other tragedies recently in our state, sometimes it is the law that needs to be improved when everyone else is already doing all they can.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael D. Lakey", is placed over a rectangular area with a fine, dotted grid pattern.

Michael D. Lakey
General Manager

SECURITY CONSOLE ACTIVITY REPORT - EWA / DH

Friday, February 22, 2008

Date	Time	Shift	Officer	Activity	Console
5/14/2007	10:50:25 PM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	EWA
U-10 REPORTED (2) PROSTITUTES AND (2) JOHNS CURRENTLY AT NORTH KUKUI STREET SIDE. CONSOLE MADE CONTACT WITH POLICE DEPARTMENT REGARDING INAPPROPRIATE ACTIVITY. SQUAD CAR SENT					
5/15/2007	12:32:42 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
S-3 CONTACTED POLICE OF (3) PROSTITUTES ON FOOT AT NORTH KUKUI STREET. SQUAD CAR SENT.					
5/15/2007	1:50:39 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
S-3 REPORTED 2 PROSTITUTES AND 2 PIMPS ON THE CORNER OF FORT AND KUKUI STREET. CONSOLE CONTACTED HONOLULU POLICE DEPARTMENT REGARDING ACTIVITY.					
5/18/2007	1:46:11 AM	3	U8 IOANE, JOHN	PROSTITUTION	EWA
CONSOLE CALLED HPD ABOUT THREE PROSTITUTES ON THE CONER OF FT. STREET AND KUKUI STREET REPORTED BY S-3.					
5/22/2007	12:26:49 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
S-3 REPORTED ILLEGAL ACTIVITY AT THE CORNER OF KUKUI & FORT STR. HPD WAS CALLED AND NOTIFIED. OPERATOR STATED, "VICE OFFICERS WERE IN THE AREA MONITORING THE INDIVISUALS."					
5/22/2007	1:46:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
S-3 REPORTED (4) PROSTITUTES AT KUKUI STREET. S-3 NOTIFIED OPERATOR # 84 OF THE ACTIVITY. SQUAD CAR SENT.					
5/22/2007	2:01:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
S-3 WITNESS (2) HONOLULU POLICE SQUAD VEHICLES ON THE CORNER OF KUKUI AND FORT STREET.					

Date	Time	Shift	Officer	Activity	Console
5/24/2007	2:17:43 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
U-8 REPORTED (4) PROSTITUTES ON KUKUI STREET. S-3 CALLED HONOLULU POLICE DISPATCHER #106 REGARDING ACTIVITY. SQUAD CAR SENT.					
5/24/2007	2:26:46 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
U-8 REPORTED HONOLULU POLICE IS ON KUKUI STREET ADDRESSING THIS PROBLEM.					
5/29/2007	2:20:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
[REDACTED] REPORTED TO DIAMOND HEAD CONSOLE OPERATOR, PROSTITUTION ACTIVITY IS OCCURRING. A TOTAL OF (6) FEMALES ON KUKUI STREETSIDE CONSOLE DISPATCH ROVER U-16 TO INVESTIGATE.					
5/29/2007	2:22:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
[REDACTED] CALLED HONOLULU POLICE DEPARTMENT REGARDING THE PROSTITUTION ACTIVITY.					
5/29/2007	2:33:25 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
U-16 REPORTED THREE SUSPICIOUS PEOPLE ON THE CORNER OF KUKUI & FORT STREET. TWO WHITE FEMALES AND 1 MALE. HPD OPERATOR REQUESTED MORE INFORMATION ON ILLGAL ACTIVITIES. SQUAD CAR SENT.					
5/29/2007	2:39:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
[REDACTED] ENROUTE TO MEET WITH HONOLULU POLICE OFFICERS AT THE CORNER OF NORTH KUKUI AND FORT STREET AT THIS TIME.					
5/29/2007	5:06:34 AM	3	U16 AMPON, RIC	PROSTITUTION	EWA
S-3 NO ACTIVITIES ON FORT AND KUKUI STREET					
6/2/2007	10:00:40 AM	3	S1 LENTES, RICH	PROSTITUTION	EWA

TREND: NIGHT-TIME PROSTITUTION HAS BEEN LOWER THAN USUAL FOR THE LAST TWO WEEKS OR SO. POLICE NOTICED MAKING PERIODIC PATROLS OF KUKUI STREET.

Date	Time	Shift	Officer	Activity	Console
6/20/2007	1:58:01 AM	3	U8 IOANE, JOHN	PROSTITUTION	EWA
CONSOLE CALLED HPD REQUESTED BY S-3 ABOUT PROSTITUTION IN THE CONER OF KUKUI AND NUANU AVE.					
6/26/2007	11:08:36 PM	3	U16 AMPON, RIC	PROSTITUTION	EWA
U-16 CONTACTED HONOLULU POLICE DEPARTMENT REGARDING PROSTITUTION. JOHN SEEN PICKING UP WOMAN. SQUAD CAR SENT.					
6/27/2007	1:58:50 AM	3	U8 IOANE, JOHN	PROSTITUTION	EWA
S-3 CALLED HPD TO REPORT PROSTITUTION ON THE CONER OF NUANU AND KUKUI ST, SQUAD CAR SENT.					
6/27/2007	2:38:46 PM	2	U15 YOUNG, BILLY	PROSTITUTION	EWA
JIM BILL CALLED HE SAID TO CHECK OUT A PROSTITUTE HANGING AROUND KUKUI STREET. U-2 RESPONDING.					
6/28/2007	1:32:59 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
U-8 REPORTED A TOTAL OF (4) PROSTITUTIONS ON NORTH KUKUI STREETSIDE CLOSE BY THE DRYGOOD STORE..CONSOLE S-3 NOTIFIED HONOLULU POLICE DEPARTMENT REGARDING ACTIVITY.					
6/28/2007	1:40:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
HONOLULU POLICE OFFICER CHANG BADGE # 2003 ON PROPERTY, CLAIMING THE POLICE ARE TRYING THEIR BEST WITH THIS ONGOING PROBLEM, OFFICER CHANG ALSO MENTIONED THAT HE HAS ASKED THE PROSTITUTES TO LEAVE THE AREA.					
6/29/2007	10:10:02 AM	1	S1 LENTES, RICH	PROSTITUTION	EWA
PROSTITUTES STILL AT A LOW DURING NIGHT SHIFTS. DAY SHIFT HAS NOTICED GROWING NUMBER OF JOHNS/ WOMEN. CALLED HPD REGARDING PROSTITUTION. SQUAD CAR SENT.					
7/4/2007	1:50:00 PM	1	U1 FUA, MIKE	PROSTITUTION	EWA
U9 REPORTED PROSTITUTE ON KUKUI ST TO HPD.					

Date	Time	Shift	Officer	Activity	Console
7/9/2007	10:11:52 AM	1	S1 LENTES, RICH	PROSTITUTION	EWA
TREND: FOR THE LAST TWO WEEKS PROSTITUTION HAS CONTINUED TO BE SPARATIC AT BEST ON BOTH DAY SHIFT AND NIGHT SHIFT.					
7/12/2007	1:12:55 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
U-8 REPORTED FEMALE ON PROPERTY BY S-6 STAIRWELL. WAS ESCORTED OFF PROPERTY.					
7/12/2007	1:24:00 PM	1	U7 GUARNEROS, JOSE	PROSTITUTION	EWA
U9 CALLED HPD FOR PROSTITUTION ACTIVITY.					
7/15/2007	2:06:11 AM	3	U8 IOANE, JOHN	PROSTITUTION	DH
HPD ON DHLZ WERE CALLING BY XXXXXXXXXXXX ABOUT PROSTITUTION MAKING LOUD NOISE ON KUKUI FORT STREET CONER.					
7/22/2007	11:31:48 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
U-17 REPORTED FEMALE WITH MALE FOUND BEHIND 2ND FLOOR ELEVATORS. WERE ESCORTED OFF PROPERTY.					
7/28/2007	6:45:00 AM	1	U15 YOUNG, BILLY	PROSTITUTION	EWA
U9 CALLED 911 TO REPORT PROSTITUTE ON KUKUI ST BETWEEN NUUANU AND FORT					
7/31/2007	2:17:24 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	EWA
U-16 REPORTED THERE IS NONE WHAT SO EVER PROSTITUTION ACTIVITY ON THE OUTSIDE PERIMETER OF KUKUI PLAZA AT THIS TIME.					
8/21/2007	1:09:04 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
S-3 CALLED HPD REPORTED INDIVIDUALS ON THE FORT STREET LOTTERING IN THE AREA. TALKED TO DISPATCH #102.					

Date	Time	Shift	Officer	Activity	Console
8/22/2007	2:43:00 AM	3	U16 AMPON, RIC	PROSTITUTION	DH
U-16 CALL HONOLULU POLICE FOR PROSTITUTION ACTIVITY ON SOUTH AND NORTH KUKUI STREET, TALKED WITH DISPATCH NUMBER 109.					
8/25/2007	7:25:00 AM	1	U15 YOUNG, BILLY	PROSTITUTION	EWA
U9 CALLED POLICE. PROSTITUTE ON FIRE HYDRANT IN FRONT OF LONGS. YELLOW CAP, TWO PIECE OUTFIT. BLACK TOP AND JEANS BOTTOM.					
8/25/2007	11:13:45 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
S-3 REPORTING ILLEGAL ACTIVITY ON THE CORNER OF KUKUI AND FORT STREET. 1 MALE 1 FEMALE. HPD CONTACTED DISPATCHER #34 CASE #1873.					
9/7/2007	10:13:10 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
OWNER REDACTED REPORTED TWO FEMALES SOMCITING ON KUKUI STREET. HPD WAS CALLED OPERATOR #83.					
9/7/2007	11:03:03 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
CONSOLE HAD CALL BACK FROM HPD DISPATCH INFORMING OF A DELAY ON PREVIOUS CALL...					
9/17/2007	6:35:21 PM	2	U5 TIATIA, PESA	PROSTITUTION	EWA
S-3 REPORT THERE'S A PROSTITUTE LOITERING ON KUKUI STREET					
9/21/2007	2:50:47 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
S-3 CALLED AND REPORTED THREE FEMALES AND 1 MALE LOITERING IN THE AREA OF KUKUI AND FORT STREET. STANDING BY FOR HPD UNIT.					
10/5/2007	9:18:49 PM	2	U5 TIATIA, PESA	PROSTITUTION	DH
S-2 CALL AND REPORT A PROSTITUTE ON KUKUI ST. U-5 CALL HPD...					

Date	Time	Shift	Officer	Activity	Console
10/6/2007	3:03:09 PM	2	S2 DOLOR, RICHARD	PROSTITUTION	EWA
<p>Tenant of [REDACTED] on console and states he sees prostitution on Kukui St. in the morning. I told Mr. Belancout of how we deal with them by calling police. I told him that he can also call the police or call security to call HPD for him.</p>					
10/8/2007	2:06:13 AM	3	U16 AMPON, RIC	PROSTITUTION	EWA
<p>S-3 CONTACTED 911 HONOLULU POLICE DEPARTMENT FOR SOUTH, AND NORTH KUKUI STREET PROSTITUTION THE DISPATCH NUMBER IS #70</p>					
10/8/2007	2:16:16 AM	3	U16 AMPON, RIC	PROSTITUTION	EWA
<p>S-3 OFFICERS ON PROPERTY AT NORTH, AND SOUTH KUKUI STREET, AND THE OFFICER BADGED# IS 2659</p>					
10/10/2007	9:15:58 PM	2	U11 LAMBERT, KAOLANA	PROSTITUTION	DH
<p>THERE WAS A LOT OF PROSTITUTION ACTIVITY GOING ON , ON KUKUI STREET AND FORT STREET . S2 WAS AT THE SCENE . U11 CONTACTED 911.</p>					
10/13/2007	4:49:40 PM	2	U8 IOANE, JOHN	PROSTITUTION	EWA
<p>S-2 REPORTED THAT HE CALLED HPD ABOUT PROSTITUTION ON KUKUI STREET . CALLED HPD AND MADE A REPORT.</p>					
10/16/2007	1:44:02 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
<p>S-3 REPORTED HPD UNIT PARKED IN P-2 EXIT DRIVEWAY MONITORING ACTIVITY ACROSS THE STREET.</p>					
10/16/2007	4:07:27 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
<p>RESIDENT [REDACTED] CALLED HPD VIA LINE #7, TO COMPLAIN OF NOISE COMING FROM FORT STREET INDIVIDUALS.</p>					
10/22/2007	3:27:43 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
<p>S-3 REPORTED FEMALES SOLICITING ON CORNER OF KUKUI AND NUANU. HPD WAS CALLED. OPERATOR # 117.</p>					

Date	Time	Shift	Officer	Activity	Console
10/23/2007	4:55:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
[REDACTED] CALLED HONOLULU POLICE DEPARTMENT, REGARDING ACTIVITY ON THE CORNER OF SOUTH AND NORTH KUKUI STREET FROM THE COURTESY PHONE LINE.					
10/23/2007	3:30:08 PM	2	S2 DOLOR, RICHARD	PROSTITUTION	EWA
CONSOLE CALLED H. P. D FOR PROSTITUTE ON KUKUI ST. 1 FEMALE PROSTITUTE WITH MAROON TOP BLACK PANTS HIDE SOME KIND OF BAG ON THE BUSHES, U11 TO MEET H. P. D. ON KUKUI ST.					
10/23/2007	3:42:00 PM	2	S2 DOLOR, RICHARD	PROSTITUTION	EWA
OFFICER P. MAALO BADGE #33224 CAME ON SITE AND PER U11 OFFICER P. MAALO GIVE THE BAG TO THE PROSTITUTE TOLD THEM NOT TO LEAVE PERSONAL THINGS ON PRIVATE PROPERTY, PROSTITUTE LEFT KUKUI ST. AREA.					
10/24/2007	5:28:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	EWA
S3 CONTACT HONOLULU POLICE DEPARTMENT REGARDING ACTIVITY AT NORTH KUKUI STREET. TALKED WITH OPERATOR # 103					
10/24/2007	8:08:00 PM	2	S2 DOLOR, RICHARD	PROSTITUTION	EWA
CECELIA OF CITIZEN PATROL CALLED CONSOLE AND REPORTS OF PROSTITUTE ON THE CORNER OF KUKUI AND FORT ST., CONSOLE CALLED HPD.					
10/26/2007	1:48:48 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
CONSOLE CALLED HPD OPERATOR #117, REPORTING FEMALES AND 1 MALE ON THE CORNER OF NUUANU AND KUKUI SOLICITING. (VIA CAMERA #10)					
10/26/2007	11:17:31 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
CONSOLE DID VISUAL CHECK OF KUKUI STREET. NO ACTIVITY TO REPORT.					
10/27/2007	11:32:53 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
CONSOLE DID VISUAL SCAN OF KUKUI STREET NO ACTIVITY TO REPORT. (RAINING)					

Date	Time	Shift	Officer	Activity	Console
10/30/2007	8:52:10 AM	1	U7 GUARNEROS, JOSE	PROSTITUTION	DH
REPORTED PROSTITUTION TO HPD (GAVE DESCRIPTION OF OFFENDER)					
11/1/2007	3:02:35 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
ACTIVITY ON NORTH KUKUI STREET CLOSE BY LONG DRUGS BACK ENTRANCEWAY CONTACTED HONOLULU POLICE DISPATCHER OPERATOR # 80.					
11/6/2007	12:17:43 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
S-3 REPORTED FEMALES SOLICITING ON KUKUI AND FORT STREET. HPD WAS CALLED AND NOTIFIED. OPERATOR #87					
11/7/2007	1:33:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
DIAMOND HEAD TOWER UNIT # [REDACTED] REPORTED (4) PROSTITUTES BY PEOPLES CAFE ON PALI. S3 CONTACTED / INFORM HONOLULU POLICE DEPARTMENT DISPATCHER # 58 REGARDING ACTIVITY.					
11/8/2007	1:36:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
S3 CONTACTED HONOLULU POLICE DEPARTMENT REGARDING ACTIVITY. THERE ARE (5) IN FRONT OF PEOPLES CAFE AND (2) ON THE CORNER OF PALI AND NORTH KUKUI STREET. DISPATCHER CLAIM HE WILL SEND A LAW OFFICER TO CHECK IT OUT.					
11/8/2007	6:33:53 AM	1	U9 BILL, JIM	PROSTITUTION	DH
TWO PROSTITUTES IN FRONT OF THE MORTUARY THAT IS AT THE CORNER OF NUUANU AND KUKUI STREETS. CONTACTED HPD.					
11/9/2007	1:50:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
[REDACTED] REPORTED ACTIVITY ON NORTH KUKUI STREET CLOSE BY MILLANI MORTUARY. S3 CONTACTED HONOLULU POLICE DEPARTMENT AND INFORMED DISPATCHER # 24 OF ACTIVITY.					
11/12/2007	4:55:36 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
S-3 REPORTING THREE FEMALES SOLICITING ON THE CORNER OF KUKUI AND FORT STREET. HPD WAS CALLED. INFORMATION RELAYED TO OPERATOR #139.					

Date	Time	Shift	Officer	Activity	Console
11/17/2007	2:05:44 AM	3	U16 AMPON, RIC	PROSTITUTION	EWA
U-10 REPORTED 3 FEMALES PROSTITUTION ON NUUANU AND KUKUI STREET THE DISPATCH NUMBER IS 901					
11/17/2007	3:31:33 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
U-8 REPORTED THREE FEMALES SOLICITING ON CORNER OF KUKUI AND FORT STREET. CALLED HPD AND RELAYED INFORMATION TO OPERATOR #40.					
11/18/2007	9:53:37 AM	1	U12 TILDEN YAMAO	PROSTITUTION	EWA
U-15 ON CAMERA 10 NOTICE A PROSTITUTION AT 9:53 IN THE MOURNING U-15 CALLED HPD TO REPORT IT. PERSON WEARING A BLACK TANK TOP WITH A WHITE VERY COLORFUL SHORT PANTS. ON CAMERA 10 AT 9:50 AM ON KUKUI ST. BY LONGS.					
11/19/2007	1:40:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	EWA
U10 REPORTED (2) LOCAL PROSTITUTIONS AT NORTH KUKUI STREET. S3 CONTACTED HONOLULU POLICE DEPARTMENT REGARDING ACTIVITY.					
11/21/2007	4:39:35 PM	2	U11 LAMBERT, KAOLANA	PROSTITUTION	EWA
ROVER S2 CALLED EWA CONSOLE STATING THAT THEIR WERE PROSTITUTION ACTIVITY GOING ON, ON TOP OF KUKUI STREET. S2 STATED THAT THEY WERE STANDING IN THE MIDDLE OF THE STREET FLAGGING CARS DOWN. U11 CALLED POLICE.					
12/3/2007	10:39:00 AM	1	U15 YOUNG, BILLY	PROSTITUTION	EWA
U-15 CALLED 911 FOR A PROSTITUTION / JON ON KUKUI ST HANGING AROUND ON PROPERTY BY CAMERA 11 THEN WALKING DOWN KUKUI ST. BY KUKUI AND NUUANU AVE. WEARING A BLACK TOP BLUE DEIM SHORT PANTS DISPATCHER NUMBER 1120.					
12/11/2007	12:53:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	EWA
S3 CONTACTED HONOLULU POLICE DEPARTMENT DISPATCHER # 115 AND INFORMED HER REGARDING ACTIVITY ON NORTH KUKUI STREET. A TOTAL OF (3) ARE CLOSE BY MILLANI MORTUARY.					
12/13/2007	1:47:00 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
U8 REPORTED ACTIVITY ON NORTH AND SOUTH KUKUI STREET, A TOTAL OF (4) PROSTITUTION CURRENTLY. CONSOLE - S3 CONTACTED HONOLULU POLICE DISPATCHER # 50 REGARDING.					

Friday, February 22, 2008

Date	Time	Shift	Officer	Activity	Console
12/19/2007	7:35:58 PM	2	S2 DOLOR, RICHARD	PROSTITUTION	DH
CONSOLE CALLED POLICE FOR TWO PROSTITUTE AND A PIMP ON THE CORNER OF NUUANU AVE. AND KUKUI ST.					
12/22/2007	11:25:21 PM	3	U16 AMPON, RIC	PROSTITUTION	EWA
U-16 CALL HONOLULU POLICE DISPATCH #145 FOR PROSTITUTION ON SOUTH KUKUI AND NUUANU					
12/23/2007	1:43:00 PM	1	U1 FUA, MIKE	PROSTITUTION	EWA
U9 CALLED HPD.					
12/27/2007	1:22:19 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
U8 REPORTED PROSTITUTIONS ON THE CORNER OF NORTH KUKUI AND PALL. S3 NOTIFIED DISPATCHER # 49 OF THE ACTIVITY.					
12/28/2007	6:35:00 AM	1	U12 DIXON, KELVIEN	PROSTITUTION	EWA
U9 CALLED HPD. PROSTITUTE ACROSS FROM DH IN STORE DOORWAY NEAR CORNER OF KUKUI AND FORT. WINDY AND RAINY.					
12/31/2007	8:13:48 PM	2	U9 BILL, JIM	PROSTITUTION	DH
CALLED HPD. THREE PROSTITUTES ON MORTUARY PROPERTY RIGHT AT CORNER OF NUUANU AND KUKUI (BETWEEN NUUANU AND FORT).					
1/3/2008	1:47:54 AM	3	U17 DEREAS, MARGUESS	PROSTITUTION	EWA
CONSOLE ADVISED BY S-3 TO CALL HPD REGARDING PROSTITUTION ON NORTH KUKUI ST. AND SOME TRANSVESTIDES NEAR MINILANY MORTUARY. OPERATOR NUMBER IS 34					
1/5/2008	5:32:11 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
U-8 REPORTED SEVERAL FEMALES SOLICITING ON THE CORNER OF KUKUI AND FORT STREET. HPD WAS CONTACTED - OPERATOR #54.					

Date	Time	Shift	Officer	Activity	Console
1/5/2008	11:27:37 PM	3	U16 AMPON, RIC	PROSTITUTION	EWA
U-16 CALLED HONOLULU POLICE FOR U-8 REGARDING ON PROSTITUTION OF FEMALES SOLICITING AT SOUTH KUKUI AND NUANU DISPATCH 94					
1/9/2008	6:11:00 AM	1	U12 DIXON, KELVIEN	PROSTITUTION	EWA
U9 CALLED HPD. TWO PROSTITUTES ON KUKUI STREET BETWEEN NUANU AND FORT. BOTH UNDER OR NEAR THE LONGS DRUGS SIGN.					
1/10/2008	1:38:50 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
U8 REPORTED ACTIVITY ON NORTH KUKUI AND NUANU AVENUE. INFORM DISPATCHER # 120 IN REGARDS.					
1/10/2008	6:29:43 AM	1	U9 BILL, JIM	PROSTITUTION	EWA
U9 CALLED HPD. HAD AT LEAST TWO PROSTITUTES ON KUKUI STREET BETWEEN NUANU AND FORT. ONE GOT PICKED UP. THE WOMAN WHO GOT PICKED UP WAS ALSO REPORTED TO HPD YESTERDAY.					
1/10/2008	6:38:58 AM	1	U9 BILL, JIM	PROSTITUTION	EWA
MADE ANOTHER CALL TO HPD. THERE ARE NOW THREE PROSTITUTES AT THE ENTRANCE TO THE LONGS/SAFEMWAY PARKING LOT FROM KUKUI ST.					
1/11/2008	2:31:58 AM	3	U8 IOANE, JOHN	PROSTITUTION	EWA
S-3 REQUESTED TO CALL HPD FOR THREE PROSTITUTION BY LONGS OPERATOR#119.					
1/11/2008	6:45:00 AM	1	U12 DIXON, KELVIEN	PROSTITUTION	EWA
U9 CALLED HPD. SINGLE PROSTITUTE IN FRONT OF LONGS. DARK HAIR, SHORT JEANS SKIRT OR OTHER DARK SKIRT.					
1/13/2008	1:36:04 AM	3	U17 DEREAS, MARGUESS	PROSTITUTION	EWA
U-10 INFORMED CONSOLE TO CALL HPD REGARDING 3 FEMAL AND A MALE ON KUKUI AND FORT ST. ARE SOLICITING. OPERATOR NUMBER IS 94					

Date	Time	Shift	Officer	Activity	Console
1/13/2008	6:55:00 AM	1	U9 BILL, JIM	PROSTITUTION	EWA
CALLED HPD. SINGLE PROSTITUTE WALKING BETWEEN LONGS AND FORT ST ON KUKUI.					
1/14/2008	10:58:48 PM	3	U17 DEREAS, MARQUESS	PROSTITUTION	EWA
U-10 INFORMED CONSOLE TO CALL HPD REGARDING 5 PROSTITUTES ARE SOLICITING ON KUKUI STREET. DISPATCHER NUMBER IS 79					
1/15/2008	3:51:01 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
CAMERA 11 SHOWS HPD UNIT STATIONED ON KUKUI ST.					
1/16/2008	6:25:50 AM	1	U12 DIXON, KELVIEN	PROSTITUTION	EWA
U9 CALLED HPD. TWO PROSTITUTES WORKING KUKUI BETWEEN NUUANU AND FORT.					
1/17/2008	11:15:50 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
U-8 REPORTED TWO FEMALES SOLICITING ON THE CORNER OF KUKUI AND FORT STREET. HPD WAS CALLED OPERATOR #79					
1/19/2008	11:12:15 PM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
RESIDENT - ██████████ COMPLAINED OF ACTIVITY ON KUKUI STREET. HPD WAS CALLED OPERATOR REPORTED OFFICER ON SCENE #118					
1/28/2008	2:08:21 AM	3	U17 DEREAS, MARQUESS	PROSTITUTION	EWA
U-10 REPORTED HPD UNIT IS ON KUKUI STREET					
2/2/2008	6:21:53 AM	1	U12 DIXON, KELVIEN	PROSTITUTION	EWA
U9 CALLED HPD TO REPORT 3 PROSTITUTES ON KUKUI ST BETWEEN NUUANU AND FORT.					

Date	Time	Shift	Officer	Activity	Console
2/7/2008	1:03:02 AM	3	U17 DEREAS, MARGUCESS	PROSTITUTION	EWA
HPD CONTACTED REGARDING PROSTITUTES ON SOUTH KUKUI ST. OPERATOR NUMBER IS 76. CONSOLE ADVISED BY U-8; HPD ON THE WAY					
2/7/2008	6:39:16 AM	1	U9 BILL, JIM	PROSTITUTION	EWA
CALLED HPD. PROSTITUTE ON KUKUI RIGHT IN FRONT OF LONGS					
2/9/2008	7:15:00 AM	1	U15 PATTERSON, NICK	PROSTITUTION	EWA
U9 CALLED HPD. 2 PROSTITUTES ON KUKUI ST BETWEEN NUUANU AND FORT.					
2/10/2008	5:01:02 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	EWA
U-8 REPORTED 3 FEMALES SOLICITING IN FRONT OF THE FUNERAL HOME ON KUKUI STREET. HPD WAS CALLED AND INFORMED.					
2/11/2008	2:15:43 AM	3	U17 DEREAS, MARGUCESS	PROSTITUTION	EWA
U-10 REPORTED 4 PROSTITUTES ON NORTH KUKUI ST. ARE SOLICITING; HPD CONTACTED AND OPERATOR NUMBER IS 76					
2/13/2008	6:20:00 AM	1	U12 DIXON, KELVIEN	PROSTITUTION	EWA
U9 CALLED HPD. 3 PROSTITUTES ON KUKUI BETWEEN NUUANU AND FORT.					
2/14/2008	2:07:56 AM	3	U17 DEREAS, MARGUCESS	PROSTITUTION	EWA
HPD CONTACTED REGARDING PROSTITUTION ON SOUTH KUKUI STREET AND A PIMP. OPERATOR NUMBER IS 2					
2/15/2008	1:47:35 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
RESIDENT COMPLAINT OF NOISE FROM THE KUKUI AND FORT STREET AREA. CALLED HPD TO CHECK ON SUBJECTS IN VEHICLE.					

Date	Time	Shift	Officer	Activity	Console
2/15/2008	2:23:11 AM	3	U10 MORGAN, CHARLES	PROSTITUTION	DH
HPD WAS CALLED BY RESIDENT [REDACTED] REPORTING NOISE ACTIVITY ON THE CORNER OF KUKUI AND FORT. HPD UNIT ON THE SCENE AT THIS TIME.					
2/21/2008	12:31:54 AM	3	S3 KAPUY, FRANCISCO	PROSTITUTION	DH
[REDACTED] CALLED HONOLULU POLICE DEPARTMENT AT DIAMOND HEAD CONSOLE, REGARDING PROSTITUTION'S MAKING LOUD NOISES. CASE 34 AND OPERATOR 26					

testimony

From: Joe Allen [joseph.allen@chaminade.edu]
Sent: Saturday, March 08, 2008 2:14 PM
To: testimony
Subject: Testimony: HB 330 HD1

Chair Taniguchi, Vice-Chair Hee, and Committee Members:

Thank you for taking the time to consider my testimony on HB 330 HD1 – RELATING TO PROSTITUTION.

I am **OPPOSED** to this proposed legislation primarily for the following reason(s):

1. Increased penalties will have little to no impact on those who are coerced into prostitution activities (e.g., pimp).
2. Increased penalties for repeat prostitution offending will likely have no general deterrent impact on prostitution activities overall; it may have some specific deterrent impact on prostitutes, though likely only for those who are not coerced into prostitution activities. But, those who are 'entrenched' in prostitution activities are likely to be best treated with social intervention programs.
3. Increased penalties for prostitution activities will have negative impacts on those seeking to escape the business. A felony record will severely hamper an individual's chances for 'legitimate' employment.
4. Increasing prostitution offenses to a felony level will continue to over-tax our corrections resources (e.g., jail/prison space). I believe these limited resources are best left to those who we as a society truly feel are overtly dangerous to the community (which I do not believe prostitution to be).

If you have any questions about my testimony, please feel free to contact me.

Thank you very much,

Joe Allen

3/10/2008

Joe Allen, Ph.D.
Asst. Professor
Department of Criminology & Criminal Justice
Chaminade University
Behavioral Sciences Building, #109
3140 Waiālae Avenue
Honolulu, Hawaii 96816-1578
ph: 808.735.4879 fx: 808.739.4614
e-mail: joseph.allen@chaminade.edu

Senator Brian T. Taniguchi, Chair
Senator Clayton Hee, Vice Chair
Committee on Judiciary and Labor

March 11, 2008

Strong Support (with amendments) of HB 330 HD1 – Relating to Prostitution

I am in support of the passage of House Bill 330, HD1 Relating to Prostitution and I respectfully request the insertion of language of Senate Bill 2264 into HB 330. As currently drafted, HB 330, HD1 would increase the penalties of those convicted of prostitution while SB 2264 would increase the penalties of persons paying for sex or "johns". Opponents to HB 330 cite that prostitution is a crime against women and I believe that the language found in SB 2264 would mitigate that concern.

For residents at Kukui Plaza, prostitution is a serious problem, specifically on Kukui Street extending from Pali Highway to River Street. Within recent years, it appears that the problem has escalated and has brought more criminal activities including the selling and use of drugs and a shooting death that occurred in July 2006. I no longer feel safe crossing the street to go grocery shopping or for a walk around the neighborhood.

The management of Kukui Plaza, residents and the community continue to make efforts to fight prostitution in our neighborhood. Kukui Plaza management installed new cameras and high-powered lighting and have organized community rallies to increase public awareness of the problem. The Chinatown Citizen's patrol walks the area regularly to deter and report illegal activities. Despite these efforts, prostitution remains a problem. The passage of HB 330 HD1 with the content of SB 2264 would provide another tool in deterring prostitution and subsequent criminal activities in our neighborhood.

I urge the committee to pass HB 330 with the contents of SB 2264. Thank you for this opportunity to testify.

Diane M. Dunphy

55 South Kukui St #2404

Honolulu, HI 96813

COMMITTEE ON JUDICIARY AND LABOR

Sen. Brian Taniguchi, Chair
Sen. Clayton Hee, Vice Chair
Tuesday, March 11, 2008
9:30 a.m. in Room 016

OPPOSE: HB 330 HD1 – RELATING TO PROSTITUTION

Aloha Chair Taniguchi, Vice Chair Hee and Members of the Committee:

My name is Carrie Ann Shirota, and I am writing in opposition to HB 330 HD 1 Relating to Prostitution. My experience as a former Public Defender and Civil Rights Enforcement Attorney, and current staff member of a reentry program on Maui and have shaped my advocacy efforts to promote legislative policies that address the underlying factors that contribute to crime, and provide individuals with the training and support to return to the community as law-abiding, contributing members of their `ohana.

HB 330 HD1 makes a third and subsequent conviction for prostitution and loitering to engage in or advance prostitution a Class C felony. I oppose HB 330 HD 1 for three simple reasons:

1. The prison population in Hawai'i has continued to implode as a direct result of punitive sentencing policies, NOT due to an increase in crime rates. The proposed legislation would elevate a third prostitution conviction to a Class C felony, thereby contributing to overcrowded prison conditions in Hawai'i and the export of our citizens to private for profit prisons on the American continent.

2. Incarceration is costly. Currently, taxpayers foot the bill for imprisonment—spending almost \$40,000 per year to incarcerate a person. This money would be better spent on education, substance abuse and mental health treatment, counseling, vocational training, parenting classes, etc. that would help individuals to find meaningful employment and rebuild their lives.

3. The proposed legislation will further criminalize women and put them at increasing risk. Although well intentioned supporters of this bill may believe that individuals convicted of prostitution will be offered routes out of prostitution, the reality is that this bill is a punitive recipe for locking up more women. Talk of “rehabilitation” falls flat when you consider the lack of funding for rehabilitation services within the corrections budget. Shamefully, Hawai'i imprisons a higher percentage of women than the federal government and other states. This legislation would exacerbate that disgraceful statistic.

Please hold this measure, and focus on other bills that would actually improve justice and public safety in Hawai'i.

Sincerely,

Carrie Ann Shirota

Kahului, Maui, Hawai'i

(808) 269-3858

LORENN WALKER, J.D., M.P.H.

COMMITTEE ON JUDICIARY AND LABOR

Honorable Senator Brian T. Taniguchi, Chair & Honorable Senator Clayton Hee, Vice Chair
Tuesday • March 11, 2008 • 9:30 a.m. • Conference Room 016

Subject: Testimony Regarding HB 330, HD1 RELATING TO PROSTITUTION

I STRONGLY OPPOSE this measure to make third and subsequent prostitution offenses a class C felony.

Harsher criminalization of prostitution is going to increase our prison population; it is not going to deter this crime. Our state spends around \$150 million a year on corrections, adding this new offense is only going to increase costs. Our scarce resources would be better spent on preventing prostitution all together. We know who is likely to become a prostitute. If this legislature is serious about deterring prostitution, it should work for more effective and available drug treatment programs and help young women who come from abusive homes.

I am a public health educator and a former deputy attorney general. I taught administration of justice courses for Honolulu Community College for about ten years. I design, implement, evaluate and write about learning processes that increase peaceful behavior and bring reconciliation to people who have committed crimes, the people who were harmed by the crime and people hurt by social injustice, i.e. foster and homeless youth. The evidence is overwhelming that harsh punishments for crimes like prostitution lead to more violence and crime.

Please vote against this reactionary bill that will hurt our community more than help.

March 10, 2008

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and Labor
415 South Beretania Street, Room 219
Honolulu, Hawaii 96813

Re: Support for HB330

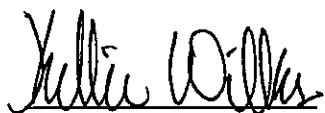
Dear Chair Taniguchi,

It has come to my attention that a bill (HB330) has been submitted in relation to prostitution by making a third and any subsequent conviction of a person dealing in sex a Class C felony. As an employee for the Association of Owners of Kukui Plaza, the state's largest condominium project, I assure you that prostitution has had an extremely negative impact on my place of employment.

I know our company has taken an aggressive approach to try and fight this problem, but only so much can be done without tougher penalties. The police have told our residents and management that existing laws only provide a slap on the wrist if and when offenders are convicted. Basically, there is no real consequence at all.

I would like to urge you and the fellow judiciary committee members to please hear and pass HB330. As an employee, I should not have to witness prostitution on the streets surrounding my place of employment. More importantly, the families living here at Kukui Plaza should not have to either. Thank you for your time and consideration.

Sincerely,



Employee – Association of Owners of Kukui Plaza

March 10, 2008

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and Labor
415 South Beretania Street, Room 219
Honolulu, Hawaii 96813

Re: Support for HB330

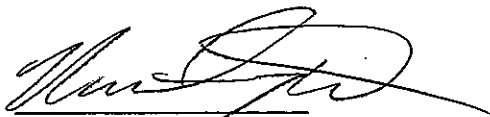
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Sincerely,



Employee – Association of Owners of Kukui Plaza

March 10, 2008

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and Labor
415 South Beretania Street, Room 219
Honolulu, Hawaii 96813

Re: Support for HB330

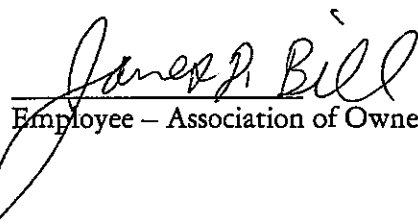
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Sincerely,



Employee – Association of Owners of Kukui Plaza

March 10, 2008

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and Labor
415 South Beretania Street, Room 219
Honolulu, Hawaii 96813

Re: Support for HB330

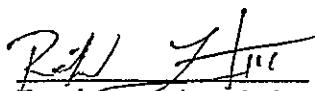
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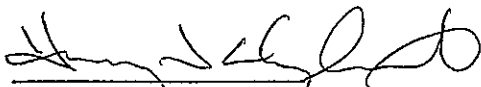
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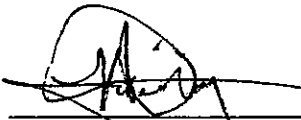
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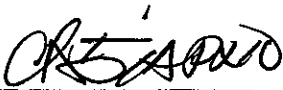
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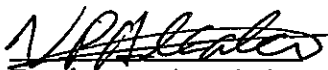
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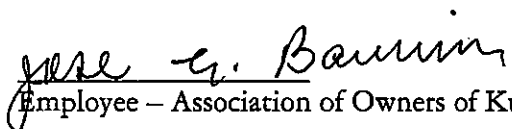
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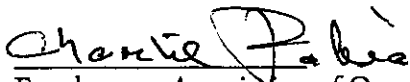
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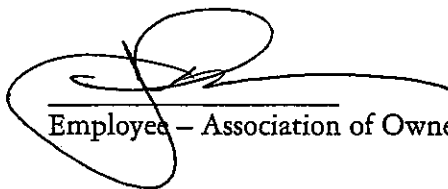
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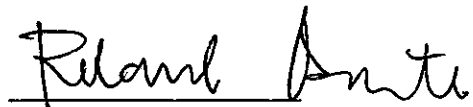
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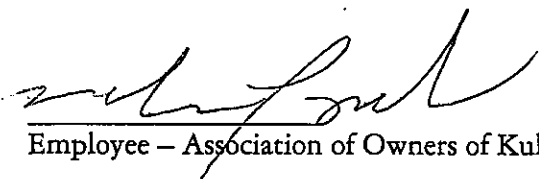
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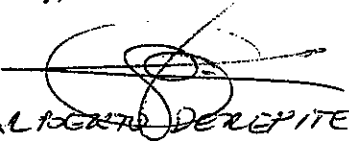
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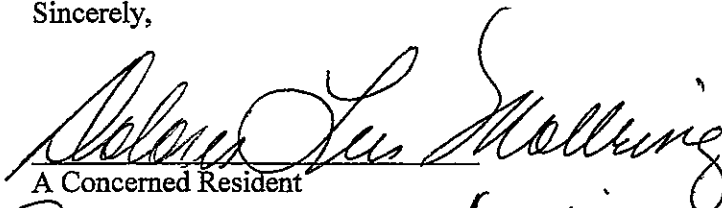
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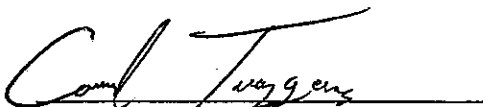
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Over the years, our Association has played a major role in trying to combat this problem. Management has increased exterior lighting and installed additional security cameras. Our security department completes special patrols of Kukui Street to report criminal activity. We also have a group of residents that perform a weekly citizen's patrol. Unfortunately, there is only so much that we as individual citizens can do.

It has come to my attention that a bill (HB330) has been submitted in relation to prostitution by making a third and any subsequent conviction of persons dealing in sex a Class C felony. I believe that providing tougher penalties may be the only solution we have left to combat this ongoing problem. In fact, in past meetings held with law enforcement officials they have stated that without having tougher penalties to back up their convictions there is little or nothing they can do towards eliminating or even decreasing prostitution.

I would like to urge you and the fellow judiciary committee members to please hear and pass HB330. The residents here at Kukui Plaza and throughout the downtown area deserve the same quality of life that citizens living outside the area take for granted. Thank you for your time and consideration.

Sincerely,


A Concerned Resident

March 7, 2008

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary and Labor
415 South Beretania Street, Room 219
Honolulu, Hawaii 96813

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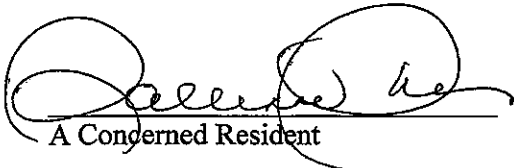
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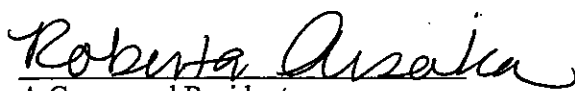
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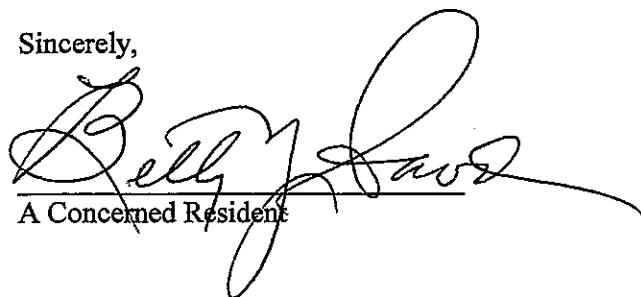
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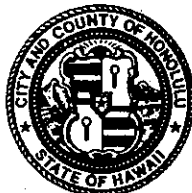
A Concerned Resident

LATE

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org

MUFI HANNEMANN
MAYOR



BOISSE P. CORREA
CHIEF

PAUL D. PUTZULU
~~MICHAEL D. TUCKER~~
DEPUTY CHIEFS

OUR REFERENCE KI-TA

March 11, 2008

The Honorable Brian T. Taniguchi, Chair
and Members
Committee on Judiciary and Labor
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Taniguchi and Members:

Subject: House Bill No. 330, H.D. 1, Relating to Prostitution

I am Kerry Inouye, Acting Major of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports House Bill No. 330, H.D. 1, Relating to Prostitution.

We believe that persons who continue to violate the law despite having been arrested and convicted on prior occasions should be subject to progressively stronger sentencing. Passage of this bill will amend sections 712-1200 and 1206 of the Hawaii Revised Statutes by making a third and subsequent conviction a class C felony.

The Honolulu Police Department urges you to support House Bill No. 330, H.D. 1, Relating to Prostitution.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerry Inouye".

KERRY INOUYE, Acting Major
Narcotics/Vice Division

APPROVED:

A handwritten signature in black ink, appearing to read "Boisse P. Correa".

for BOISSE P. CORREA
Chief of Police

Serving and Protecting With Aloha

LATE

The Honorable Brian T. Taniguchi
Chair, Committee on Judiciary & Labor
415 South Beretania St., Room 219
Honolulu, Hawaii 96813

3/10/08

Re: HB 330

Dear Chair Taniguchi,

I am a resident living in Kukei Plaza. It has come to my attention that a bill (HB 330) has been submitted in regard to prostitution that would make a third and any subsequent conviction of persons dealing in sex a Class C felony. While providing tougher penalties may be one response to this ongoing problem, just filling prisons with people who deal in sex will hardly solve this problem. Prostitution is largely economically driven. Unless the prison experience of such prisoners also involves some real opportunities to learn alternative trades and lucrative occupations, recidivism rates will probably increase. Now our prison system is essentially broken.

We deserve a careful look at alternatives that may work better especially in cases of nonviolent crime, such as the restorative justice experiences of the International Institute for Restorative Practices (P.O. Box 229, Bethlehem, PA 18016, with branches in Australia, Hungary and the U.K.). Also, I should like to take this opportunity to recommend a recent book entitled Beyond Prisons by Laura Magnani and Harmon L. Wray for additional alternative views. As you know, a little aloha can go a long way changing lives.

Thank you for your kind attention.

Mahalo,
Egan Lyle

LATE

Jeanne Y. Ohta
1016 A Hind Iuka Drive
Honolulu, HI 96821

March 11, 2008

To: Senator Brian Taniguchi, Chair
Senator Clayton Hee, Vice Chair and
Members of the Committee on Judiciary and Labor

RE: HB330 HD1 Relating to Prostitution
Hearing: March 11, 2008, 9:30 a.m.

POSITION: OPPOSED

Good morning members of the Committee on Judiciary and Labor. I am testifying today in opposition to this measure. This measure would make a third and subsequent convictions for prostitution and loitering to engage or advance prostitution a Class C felony.

Increasing the penalties for prostitution is not good public policy and creates more harm than the act itself.

A felony conviction would only make it more difficult for someone to transition from a life of prostitution.

Felony convictions would also increase our already out of control incarceration costs and fill our overflowing prisons without providing any increase in public safety.

I urge the committee to hold this measure. Thank you for this opportunity to provide testimony.