



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

ON THE FOLLOWING MEASURE:

S.B. NO. 2212, S.D. 1, H.D. 1, RELATING TO CRIME.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Tuesday, March 25, 2008 **TIME:** 4:05 PM

LOCATION: State Capitol Room 325
Deliver to: Committee Clerk, Room 302, 5 copies

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

Chair Waters and Members of the Committee:

The Department of the Attorney General supports this bill, but recommends two amendments.

This bill facilitates the prosecution of human trafficking related crimes by creating a new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution laws, and adding sexual exploitation of a minor to the definition of racketeering activity. This bill also eliminates the distinction between minors under 18 and minors under 16 for purposes of promoting prostitution.

As currently written, the new offense of sexual exploitation of a minor set out in section 1 of the bill could potentially preclude private conduct between a man and his 17-year-old girlfriend. To address this concern, we propose amending the definitions of "exotic or nude dancer" and "erotic or nude massager" on page 2, lines 13-17, so that they read as follows:

"Exotic or nude dancer" means a person performing, dancing, or entertaining in the nude for which the person or another receives a fee or other compensation, and includes patrons of a business establishment or enterprise participating in a contest or receiving instruction in nude dancing.

"Erotic or nude massager" means a nude person providing
massage services with or without a license for which the
person or another receives a fee or other compensation.

These amendments will narrow the scope of the offense to situations in which the minor or another person, such as an adult controlling or managing the minor, receives compensation for the services.

We are also concerned about the amendment to section 11 of the bill, concerning the offense of promoting prostitution in the second degree, which replaces "prostitutes" with "prostituted persons" on page 11, lines 2-4. The committee that made this amendment explained that it did so "because trafficking victims are not deemed to be 'prostitutes' voluntarily." As amended, this could be interpreted to make the offense of promoting prostitution in the second degree only apply to situations involving persons who are not engaged in prostitution activity voluntarily. To address this concern, we recommend adding a subsection (3) to section 712-1203, Hawaii Revised Statutes, that would read:

(3) As used in this section, "prostituted person" means any
person who engages in, or agrees or offers to engage in, sexual
conduct with another person for a fee.

We respectfully urge the Committee to pass this bill with the recommended amendments.

Testimony on behalf of the
Office of the Public Defender, State of Hawai'i
to the House Committee on Judiciary

March 25, 2008

RE: S.B. 2212, S.D.1, H.D.1: Relating To Crime.

Representative Waters and Members of the Committee:

S.B. 2212, SD1, HD1 seeks to create a new offense of "human trafficking". We are unclear what specific conduct in our community this legislation is designed to address that is not already covered by offenses in the Hawaii Penal Code.

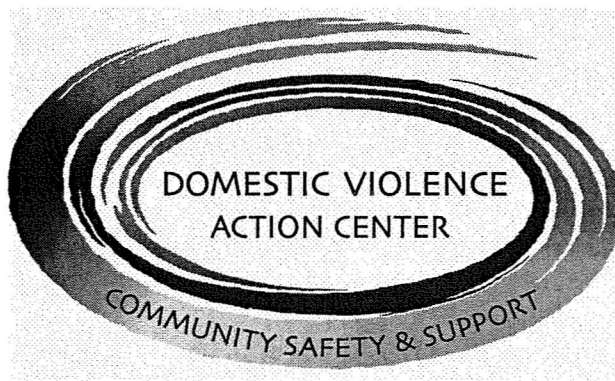
As drafted, this legislation appears to address conduct already covered by current statutes. We do not see the need to dismantle the structure of the Hawaii Penal Code in order to draft statutes to mirror federal counterparts.

Also, in Section 3, it seeks to add the newly created offense of "sexual exploitation of a minor" and the existing offense of "promoting prostitution in the first degree" to the list of "violent offenses" under section 351-32. While taking no issue with the seriousness of the conduct sought to be addressed by these offenses, the offenses are not "violent" under the standard definition of violence. We open a Pandora's box when we start adding offenses that are not violent, per se, to such a list.

For these reasons, we cannot support this legislation in its current form.

Thank you for the opportunity to comment on this bill.

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To: Chair Tommy Waters
Vice Chair Blake Oshiro
Members of the Committee on Judiciary

From: Nanci Kreidman, M.A.
Executive Director

RE: S.B. 2212, S.D. 1, H.D. 1

Hawaii is not exempt from the human trafficking epidemic. The intent of S.B. 2212, S.D. 1, H.D. 1 is commendable but there are concerns regarding the bill's proposal to create a new offense, "Sexual exploitation of a minor." This seems to go beyond the scope of trafficking.

Another concern is the characterization of sexually trafficked persons as "prostitutes" which is inaccurate. Victims are not only forced into prostitution but have also been placed in strip bars and clubs which are part of the sex industry. The term prostitute carries tremendous stigma in our society, and it is important that the already traumatized victim is not further victimized by that social stigma.

In the attempt to protect trafficking victims and ensure that those who commit trafficking crimes are appropriately prosecuted some parts of this bill steps beyond the bounds of trafficking. A majority of states that have adopted human trafficking laws have followed models from the U.S. Department of Justice which focuses exclusively on human trafficking.

Thank you for inviting input about this issue through the hearing of S.B. 2212, S.D 1, H.D. 1

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A JOINT LEGISLATIVE EFFORT

E-Mail to: JUDtestimony@Capitol.hawaii.gov
Regarding: House JUD hearing
Hearing on: March 25, 2008 @ 4:05 p.m. in room 325

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Date: March 20, 2008

To: House Committee on Judiciary
The Honorable Tommy Waters, Chair
The Honorable Blake Oshiro, Vice Chair

From: Kelly M. Rosati, JD
Executive Director, Hawaii Family Forum
Lobbyist, Roman Catholic Church in the State of Hawaii

Re: Support for SB 2212 SD 1 HD 1 Relating to Crime

Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in Hawaii, which under the leadership of Bishop Larry Silva, represents over 210,000 Catholics in Hawaii.

We strongly support efforts to stop the abomination of human trafficking. Hawaii Family Forum was involved years ago in the successful efforts at the city and state levels to better protect victims of commercial sexual exploitation, which has a particularly adverse impact upon young women and girls. This type of exploitation is often associated with human trafficking as girls are literally bought, sold and transported against their will for the purpose of commercial sexually exploitation.

We defer to the appropriate legal authorities on the details of SB 2212 SD 1 HD 1 as it involves complicated criminal law provisions. We hope consensus can be developed to support efforts to strengthen laws against human trafficking.

Mahalo for the opportunity to testify.

**VOLUNTEER
STAFF**

(Girl Fest)

Kathryn Xian
*Non-Executive Director*Jessmaya Morales
*Co-Director, Bay Area*Nikki Stevens
*Technical Director*Nohen Marsh
*Coordinator*Katherine Shulock
*Coordinator*Jolivette Mccenas
*Film Coordinator*Christy Warner
*Education Coordinator***BOARD OF
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*Author/Scholar*Jessica McUwith
*Equality Now*Derek Ellerman
*Polaris Project*Puanani Burgess
*PW's Foundation*Dr. Kathy Ferguson
*UHM Women's Studies*Melanina Meyer
*Filmmaker/Artist*Dr. Susan Hippensteel
*UHM Women's Studies***BOARD OF
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*Peace Corps*Jennifer Jones
*Musicien*Harry Ramos
*Post*Hina'eimoana Wong
*Hawaiian Instructor*Meredith Ing
*Middle School Teacher*Jaymee Carvajal
*Zeng Pictures, San Diego*Wosten Willard
High School Teacher

THE SAFE ZONE FOUNDATION



ATTN: COMMITTEE ON JUDICIARY
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 Rep. Cynthia Thielen

HEARING DATE: Tuesday, March 25th 2008
HEARING TIME: 4:05pm
PLACE: Conference Room 325
MEASURE TITLE: **SB 2212 HD1 SD1 RELATING TO CRIME**
REPORT TITLE: HUMAN TRAFFICKING

Enables prosecution of human trafficking under Hawaii law by creating new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution offenses, and including sexual exploitation of a minor in definition of racketeering. Eliminates distinction between minors under 18 and minors under 16 for purposes of promoting prostitution. Makes victims of sexual exploitation of a minor and promoting prostitution in the first degree eligible for crime victim compensation. Eff. July 1, 2050. (HD1)

**Please submit 5 copies plus 1 original to Room 302 or
 Fax: (808) 586-9456**

Dear COMMITTEE MEMBERS:

On behalf of the Safe Zone Foundation and Girl Fest Hawaii, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it "for free." Local legislation must be passed to effectively address this growing problem, save victims, and bring traffickers to justice.

In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour

The Safe Zone Foundation 4224 Waiialae Ave. #248 Honolulu, HI 96816
 Tel & Fax 808.599.3931 Email: safezonehonolulu@cs.com URLs: general/ www.girlfesthawaii.org

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massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution.

The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

In 2005, two trafficking rings involving more than 30 women and girls, some as young as 12 years of age, was broken. If local Hawaii authorities had uncovered these child prostitution/trafficking cases they would be limited by current state law to bringing charges against the traffickers for merely promoting prostitution. We would also like to remind you of the very recent case this last January of a 20 year old woman who was invited to a party in a Waikiki hotel and who was subsequently raped, held against her will, then forced into prostitution in that room by two pimps named La Shawn R. Adams and Jonathan Payne. She was rescued by a hotel worker. SB2212 HD1 SD1 would allow the State to enforce stiffer penalties that fit the crimes that Human Traffickers commit on a daily basis and give victims of this heinous crime the services they need to heal.

The United States government has acknowledged the need to prosecute more traffickers and to rescue more victims and has called on each State to help. To date over 25 states have done so.

The Safe Zone Foundation is the non-profit organization responsible for Girl Fest Hawaii, a program whose mission is to prevent violence against women and girls. We know and work with trafficking survivors and other abused and disenfranchised women caught in the modern-day slave trade called Human Trafficking. Women who survive sex-trafficking suffer extreme physical and psychological abuse at the hands of their "owners" who sell their bodies and treat them as sub-human.

It is crucial to support and to ensure the existence of appropriate and severe penalties for this modern form of slavery by passing SB2212. Under current law, traffickers may only serve a few years time for the incredible psychological, physical, and spiritual abuse they inflict on women and children caught in this illegal trade. Human Trafficking commands a much higher penalty for traffickers of women and children than the Mann Act, which has a sentence of 5 years and a \$5000 fine, or our current laws whose penalties do not fit the severity of the crime yet.

Hawaii has a proud history of upholding values such as Ohana and Aloha through trying times. Human trafficking has taken root in Hawaii, threatening values we hold dear. This modern-day slave trade requires our immediate attention to stop its proliferation. It is of the utmost importance that Hawaii addresses this burgeoning global problem pro-actively and preventatively to protect women and girls in our home State, and those of us fighting against the rise of traffickers, urge you to pass this bill. Thank you sincerely for your time and consideration in this matter.

Mahalo nui loa,



Kathryn Xian, President, The Safe Zone Foundation & Girl Fest Hawaii;
National Education Association Ellison S. Onizuka Human & Civil Rights Award Recipient

The Safe Zone Foundation 4224 Waiialae Ave. #248 Honolulu, HI 96816
Tel & Fax 808.599.3931 Email: safezonehonolulu@cs.com URLs: general www.girlfestsouthhawaii.org

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SOROPTIMIST

Best for Women

ATTN: COMMITTEE ON JUDICIARY
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HEARING DATE: Tuesday, March 25th 2008
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Please submit 5 copies plus 1 original to Room 302 or Fax: (808) 586-9456

Dear COMMITTEE MEMBERS:

On behalf of Soroptimist International and its 203 members in Hawaii, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for

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instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it "for free." Local legislation must be passed to effectively address this growing problem, save victims, and bring traffickers to justice.

In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution. The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

In 2005, two trafficking rings involving more than 30 women and girls, some as young as 12 years of age, was broken. If local Hawaii authorities had uncovered these child prostitution/trafficking cases, current state law to bringing charges against the traffickers for merely promoting prostitution would limit them. We would also like to remind you of the very recent case this last January of a 20 year old woman who was invited to a party in a Waikiki hotel and who was subsequently raped, held against her will, then forced into prostitution in that room by two pimps named La Shawn R. Adams and Jonathan Payne. A hotel worker rescued the woman. SB2212 HD1 SD1 would allow the State to enforce stiffer penalties that fit the crimes that Human Traffickers commit on a daily basis and give victims of this heinous crime the services they need to heal.

The United States government has acknowledged the need to prosecute more traffickers and to rescue more victims and has called on each State to help. To date over 25 states have done so.

Slavery is a harsh reality for millions of people the world over who find themselves trapped in an exploitative and abusive system, bought and sold like objects, and treated with no dignity or human decency. Soroptimist International is a non-profit organization whose mission is to improve the lives of women and girls. Soroptimist has over 100,000 members in 120 countries. *Soroptimist STOP Trafficking* is an identifying project of Soroptimist International to bring public awareness of this travesty to our local communities.

It is crucial to support and to ensure the existence of appropriate and severe penalties for this modern form of slavery by passing SB2212. Under current law, traffickers may only serve a few years time for the incredible psychological, physical, and spiritual abuse they inflict on women and children caught in this illegal trade. Human Trafficking commands a much higher penalty for traffickers of women and children than the Mann Act, which has a sentence of 5 years and a \$5000 fine, or our current laws whose penalties do not fit the severity of the crime yet.

Hawaii has a proud history of upholding values such as Ohana and Aloha through trying times. Human trafficking has taken root in Hawaii, threatening values we hold dear. This modern-day slave trade requires our immediate attention to stop its proliferation. It is of the utmost importance that Hawaii addresses this burgeoning global problem pro-actively and preventatively to protect women and girls in our home State, and those of us fighting against the rise of traffickers, urge you to pass this bill. Thank you sincerely for your time and consideration in this matter.

Mahalo nui loa,

Judy Lee

Judy Lee, Director
District VI, Founder Region
Soroptimist International of the Americas

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SOROPTIMIST

Best for Women

SI Central Oahu
P.O. Box 893102
Mililani, Hawaii
96789-3102

ATTN: COMMITTEE ON JUDICIARY
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Dear COMMITTEE MEMBERS:

On behalf of Soroptimist International of Central Oahu and its 23 members, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it

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"for free." Local legislation must be passed to effectively address this growing problem, save victims, and bring traffickers to justice.

In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution. The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

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The United States government has acknowledged the need to prosecute more traffickers and to rescue more victims and has called on each State to help. To date over 25 states have done so.

Slavery is a harsh reality for millions of people the world over who find themselves trapped in an exploitative and abusive system, bought and sold like objects, and treated with no dignity or human decency. Soroptimist International is a non-profit organization whose mission is to improve the lives of women and girls. Soroptimist has over 100,000 members in 120 countries. *Soroptimist STOP Trafficking* is an identifying project of Soroptimist International to bring public awareness of this travesty to our local communities.

It is crucial to support and to ensure the existence of appropriate and severe penalties for this modern form of slavery by passing SB2212. Under current law, traffickers may only serve a few years time for the incredible psychological, physical, and spiritual abuse they inflict on women and children caught in this illegal trade. Human Trafficking commands a much higher penalty for traffickers of women and children than the Mann Act, which has a sentence of 5 years and a \$5000 fine, or our current laws whose penalties do not fit the severity of the crime yet.

Hawaii has a proud history of upholding values such as Ohana and Aloha through trying times. Human trafficking has taken root in Hawaii, threatening values we hold dear. This modern-day slave trade requires our immediate attention to stop its proliferation. It is of the utmost importance that Hawaii addresses this burgeoning global problem pro-actively and preventatively to protect women and girls in our home State, and those of us fighting against the rise of traffickers, urge you to pass this bill. Thank you sincerely for your time and consideration in this matter.

Mahalo nui loa,

Jane Murakami

Jane Murakami, President
SI Central Oahu

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SOROPTIMIST

Best for Women

SI Honolulu
P.O. Box 3341
Honolulu, Hawaii 96801

ATTN: COMMITTEE ON JUDICIARY
Rep. Tommy Waters, Chair
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Dear COMMITTEE MEMBERS:

On behalf of **Soroptimist International of Honolulu** and its 23 members, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it "for free." Local legislation must be passed to effectively address this growing problem, save victims, and bring traffickers to justice.

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Mahalo nui loa,

Claudia Quiles

Claudia Quiles, President
SI Honolulu

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SOROPTIMIST

Best for Women

SI Kona
P.O. Box 5196
Kailua-Kona, Hawaii
96745

ATTN: COMMITTEE ON JUDICIARY
Rep. Tommy Waters, Chair
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Dear COMMITTEE MEMBERS:

On behalf of Soroptimist International of Kona and its 36 members, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

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In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution. The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

In 2005, two trafficking rings involving more than 30 women and girls, some as young as 12 years of age, was broken. If local Hawaii authorities had uncovered these child prostitution/trafficking cases, current state law to bringing charges against the traffickers for merely promoting prostitution would limit them. We would also like to remind you of the very recent case this last January of a 20 year old woman who was invited to a party in a Waikiki hotel and who was subsequently raped, held against her will, then forced into prostitution in that room by two pimps named La Shawn R. Adams and Jonathan Payne. A hotel worker rescued the woman. SB2212 HD1 SD1 would allow the State to enforce stiffer penalties that fit the crimes that Human Traffickers commit on a daily basis and give victims of this heinous crime the services they need to heal.

The United States government has acknowledged the need to prosecute more traffickers and to rescue more victims and has called on each State to help. To date over 25 states have done so.

Slavery is a harsh reality for millions of people the world over who find themselves trapped in an exploitative and abusive system, bought and sold like objects, and treated with no dignity or human decency. Soroptimist International is a non-profit organization whose mission is to improve the lives of women and girls. Soroptimist has over 100,000 members in 120 countries. *Soroptimist STOP Trafficking* is an identifying project of Soroptimist International to bring public awareness of this travesty to our local communities.

It is crucial to support and to ensure the existence of appropriate and severe penalties for this modern form of slavery by passing SB2212. Under current law, traffickers may only serve a few years time for the incredible psychological, physical, and spiritual abuse they inflict on women and children caught in this illegal trade. Human Trafficking commands a much higher penalty for traffickers of women and children than the Mann Act, which has a sentence of 5 years and a \$5000 fine, or our current laws whose penalties do not fit the severity of the crime yet.

Hawaii has a proud history of upholding values such as Ohana and Aloha through trying times. Human trafficking has taken root in Hawaii, threatening values we hold dear. This modern-day slave trade requires our immediate attention to stop its proliferation. It is of the utmost importance that Hawaii addresses this burgeoning global problem pro-actively and preventatively to protect women and girls in our home State, and those of us fighting against the rise of traffickers, urge you to pass this bill. Thank you sincerely for your time and consideration in this matter.

Mahalo nui loa,

Kelly Shaw

Kelly Shaw, President
SI Kona

000186



SOROPTIMIST

Best for Women

SI Maui
P.O. Box 1514
Kahului, Hawaii 96733

ATTN: COMMITTEE ON JUDICIARY
Rep. Tommy Waters, Chair
Rep. Blake K. Oshiro, Vice Chair
Rep. Cindy Evans
Rep. Joseph M. Souki
Rep. Josh Green, M.D.
Rep. Cliff Tsuji
Rep. Ken Ito
Rep. Ryan I. Yamane
Rep. Sylvia Luke
Rep. Kyle T. Yamashita
Rep. Angus L.K. McKelvey
Rep. Barbara C. Marumoto
Rep. Hermina M. Morita
Rep. Kymberly Marcos Pine
Rep. Alex M. Sonson
Rep. Cynthia Thielen

HEARING DATE: Tuesday, March 25th 2008
HEARING TIME: 4:05pm
PLACE: Conference Room 325
MEASURE TITLE: **SB 2212 HD1 SD1 RELATING TO CRIME**
REPORT TITLE: HUMAN TRAFFICKING

Enables prosecution of human trafficking under Hawaii law by creating new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution offenses, and including sexual exploitation of a minor in definition of racketeering. Eliminates distinction between minors under 18 and minors under 16 for purposes of promoting prostitution. Makes victims of sexual exploitation of a minor and promoting prostitution in the first degree eligible for crime victim compensation. Eff. July 1, 2050. (HD1)

Please submit 5 copies plus 1 original to Room 302 or Fax: (808) 586-9456

Dear COMMITTEE MEMBERS:

On behalf of Soroptimist International of Maui and its 28 members, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it "for free." Local legislation must be passed to effectively address this growing problem, save victims, and bring traffickers to justice.

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In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution. The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

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The United States government has acknowledged the need to prosecute more traffickers and to rescue more victims and has called on each State to help. To date over 25 states have done so.

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It is crucial to support and to ensure the existence of appropriate and severe penalties for this modern form of slavery by passing SB2212. Under current law, traffickers may only serve a few years time for the incredible psychological, physical, and spiritual abuse they inflict on women and children caught in this illegal trade. Human Trafficking commands a much higher penalty for traffickers of women and children than the Mann Act, which has a sentence of 5 years and a \$5000 fine, or our current laws whose penalties do not fit the severity of the crime yet.

Hawaii has a proud history of upholding values such as Ohana and Aloha through trying times. Human trafficking has taken root in Hawaii, threatening values we hold dear. This modern-day slave trade requires our immediate attention to stop its proliferation. It is of the utmost importance that Hawaii addresses this burgeoning global problem pro-actively and preventatively to protect women and girls in our home State, and those of us fighting against the rise of traffickers, urge you to pass this bill. Thank you sincerely for your time and consideration in this matter.

Mahalo nui loa,

Traci Giordano-Silva

Traci Giordano-Silva, President
SI Maui

000188



SOROPTIMIST

Best for Women

SI Waikiki, Inc.
P.O. Box 8696
Honolulu, Hawaii
96830-0696

ATTN: COMMITTEE ON JUDICIARY
Rep. Tommy Waters, Chair
Rep. Blake K. Oshiro, Vice Chair
Rep. Cindy Evans
Rep. Joseph M. Souki
Rep. Josh Green, M.D.
Rep. Cliff Tsuji
Rep. Ken Ito
Rep. Ryan I. Yamane
Rep. Sylvia Luke
Rep. Kyle T. Yamashita
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HEARING DATE: Tuesday, March 25th 2008
HEARING TIME: 4:05pm
PLACE: Conference Room 325
MEASURE TITLE: SB 2212 HD1 SD1 RELATING TO CRIME
REPORT TITLE: HUMAN TRAFFICKING

Enables prosecution of human trafficking under Hawaii law by creating new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution offenses, and including sexual exploitation of a minor in definition of racketeering. Eliminates distinction between minors under 18 and minors under 16 for purposes of promoting prostitution. Makes victims of sexual exploitation of a minor and promoting prostitution in the first degree eligible for crime victim compensation. Eff. July 1, 2010. (HD1)

Please submit 5 copies plus 1 original to Room 302 or Fax: (808) 586-9456

Dear COMMITTEE MEMBERS:

On behalf of Soroptimist International of Waikiki, Inc. and its 64 members, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it

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"for free." Local legislation must be passed to effectively address this growing problem, save victims, and bring traffickers to justice.

In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution. The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

In 2005, two trafficking rings involving more than 30 women and girls, some as young as 12 years of age, was broken. If local Hawaii authorities had uncovered these child prostitution/trafficking cases, current state law to bringing charges against the traffickers for merely promoting prostitution would limit them. We would also like to remind you of the very recent case this last January of a 20 year old woman who was invited to a party in a Waikiki hotel and who was subsequently raped, held against her will, then forced into prostitution in that room by two pimps named La Shawn R. Adams and Jonathan Payne. A hotel worker rescued the woman. SB2212 HD1 SDI would allow the State to enforce stiffer penalties that fit the crimes that Human Traffickers commit on a daily basis and give victims of this heinous crime the services they need to heal.

The United States government has acknowledged the need to prosecute more traffickers and to rescue more victims and has called on each State to help. To date over 25 states have done so.

Slavery is a harsh reality for millions of people the world over who find themselves trapped in an exploitative and abusive system, bought and sold like objects, and treated with no dignity or human decency. Soroptimist International is a non-profit organization whose mission is to improve the lives of women and girls. Soroptimist has over 100,000 members in 120 countries. *Soroptimist STOP Trafficking* is an identifying project of Soroptimist International to bring public awareness of this travesty to our local communities.

It is crucial to support and to ensure the existence of appropriate and severe penalties for this modern form of slavery by passing SB2212. Under current law, traffickers may only serve a few years time for the incredible psychological, physical, and spiritual abuse they inflict on women and children caught in this illegal trade. Human Trafficking commands a much higher penalty for traffickers of women and children than the Mann Act, which has a sentence of 5 years and a \$5000 fine, or our current laws whose penalties do not fit the severity of the crime yet.

Hawaii has a proud history of upholding values such as Ohana and Aloha through trying times. Human trafficking has taken root in Hawaii, threatening values we hold dear. This modern-day slave trade requires our immediate attention to stop its proliferation. It is of the utmost importance that Hawaii addresses this burgeoning global problem pro-actively and preventatively to protect women and girls in our home State, and those of us fighting against the rise of traffickers, urge you to pass this bill. Thank you sincerely for your time and consideration in this matter.

Mahalo nui loa,

Sandra Simms

Sandra Simms, President
SI Waikiki

000190



SOROPTIMIST

Best for Women

SI West Maui
P.O. Box 672
Lahaina, Hawaii
96797-0672

ATTN: COMMITTEE ON JUDICIARY
Rep. Tommy Waters, Chair
Rep. Blake K. Oshiro, Vice Chair
Rep. Cindy Evans
Rep. Joseph M. Souki
Rep. Josh Green, M.D.
Rep. Cliff Tsuji
Rep. Ken Ito
Rep. Ryan I. Yamane
Rep. Sylvia Luke
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HEARING DATE: Tuesday, March 25th 2008
HEARING TIME: 4:05pm
PLACE: Conference Room 325
MEASURE TITLE: **SB 2212 HD1 SD1 RELATING TO CRIME**
REPORT TITLE: HUMAN TRAFFICKING

Enables prosecution of human trafficking under Hawaii law by creating new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution offenses, and including sexual exploitation of a minor in definition of racketeering. Eliminates distinction between minors under 18 and minors under 16 for purposes of promoting prostitution. Makes victims of sexual exploitation of a minor and promoting prostitution in the first degree eligible for crime victim compensation. Eff. July 1, 2010. (HD1)

Please submit 5 copies plus 1 original to Room 302 or Fax: (808) 586-9456

Dear COMMITTEE MEMBERS:

On behalf of Soroptimist International of West Maui and its 22 members, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it

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In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution. The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

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It is crucial to support and to ensure the existence of appropriate and severe penalties for this modern form of slavery by passing SB2212. Under current law, traffickers may only serve a few years time for the incredible psychological, physical, and spiritual abuse they inflict on women and children caught in this illegal trade. Human Trafficking commands a much higher penalty for traffickers of women and children than the Mann Act, which has a sentence of 5 years and a \$5000 fine, or our current laws whose penalties do not fit the severity of the crime yet.

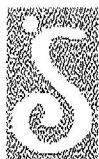
Hawaii has a proud history of upholding values such as Ohana and Aloha through trying times. Human trafficking has taken root in Hawaii, threatening values we hold dear. This modern-day slave trade requires our immediate attention to stop its proliferation. It is of the utmost importance that Hawaii addresses this burgeoning global problem pro-actively and preventatively to protect women and girls in our home State, and those of us fighting against the rise of traffickers, urge you to pass this bill. Thank you sincerely for your time and consideration in this matter.

Mahalo nui loa,

Shelley Hec

Shelley Hec, President
SI West Maui

000192



SOROPTIMIST

Best for Women

SI Windward Oahu
P.O. Box 1859
Kailua, Hawaii 96734

ATTN: COMMITTEE ON JUDICIARY
Rep. Tommy Waters, Chair
Rep. Blake K. Oshiro, Vice Chair
Rep. Cindy Evans
Rep. Joseph M. Souki
Rep. Josh Green, M.D.
Rep. Cliff Tsuji
Rep. Ken Ito
Rep. Ryan I. Yamane
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Rep. Cynthia Thielen

HEARING DATE: Tuesday, March 25th 2008
HEARING TIME: 4:05pm
PLACE: Conference Room 325
MEASURE TITLE: **SB 2212 HD1 SD1 RELATING TO CRIME**
REPORT TITLE: **HUMAN TRAFFICKING**

Enables prosecution of human trafficking under Hawaii law by creating new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution offenses, and including sexual exploitation of a minor in definition of racketeering. Eliminates distinction between minors under 18 and minors under 16 for purposes of promoting prostitution. Makes victims of sexual exploitation of a minor and promoting prostitution in the first degree eligible for crime victim compensation. Eff. July 1, 2050. (HD1)

Please submit 5 copies plus 1 original to Room 302 or Fax: (808) 586-9456

Dear COMMITTEE MEMBERS:

On behalf of Soroptimist International of Windward Oahu and its 16 members, I am writing in support of SB2212 HD1 SD1. Girls as young as nine years old have been forced into prostitution. According to the Department of Justice, at the heart of "trafficking in persons" is the denial of liberty by one person or entity over another person. Business transactions/commerce and travel are secondary descriptions that may describe other characteristics included with the crime.

It is important to note that Anti-Trafficking proponents have been trying to reauthorize the federal TVPA this year because no one can use it to prosecute traffickers. It's almost impossible to prove "fraud," for instance. Also, in a cash-based illegal industry, traffickers could easily argue that the victim was doing it "for free." Local legislation must be passed to effectively address this growing problem, save victims, and bring traffickers to justice.

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In Hawaii, many Asian girls and women trapped in sex-trafficking are housed in 24-hour massage parlors as "massagers." Also, a growing number of teenaged boys have committed crimes of pimping out their girlfriends, forcing or coercing them into prostitution. The lack of adequate laws to bring traffickers to justice has only enabled the trend of sex-trafficking to grow. And, now it affects our island's youth culture.

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Mahalo nui loa,

Lorna Awana

Lorna Awana, President
SI Windward Oahu

000194

March 25, 2008

ATTN: COMMITTEE ON JUDICIARY
Rep. Tommy Waters, Chair
Rep. Blake K. Oshiro, Vice Chair
Rep. Cindy Evans
Rep. Josh Green, M.D.
Rep. Ken Ito
Rep. Sylvia Luke
Rep. Angus L.K. McKelvey
Rep. Hermina M. Morita
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Rep. Joseph M. Souki
Rep. Clift Tsuji
Rep. Ryan I. Yamane
Rep. Kyle T. Yamashita
Rep. Barbara C. Marumoto
Rep. Kymberly Morcos Pine
Rep. Cynthia Thielen

From: Grace Martin
[REDACTED]
Honolulu, HI 96822

HEARING DATE: Wednesday March 25, 2008

HEARING TIME: 4:05 am

PLACE: Conference Room 325

MEASURE TITLE: **SB 2212 Relating to Crime**

REPORT TITLE: HUMAN TRAFFICKING

Enables prosecution of human trafficking under Hawaii law by creating new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution offenses, and including sexual exploitation of a minor in definition of racketeering. Eliminates distinction between minors under 18 and minors under 16 for purposes of promoting prostitution. Makes victims of sexual exploitation of a minor and promoting prostitution in the first degree eligible for crime victim compensation.

Please submit 3 copies plus 1 original to Room 326

Dear COMMITTEE ON HUMAN SERVICES & HOUSING:

I am writing in support of SB 2212.

My name is Grace Martin. I am a Bachelor of Social Work student at Hawaii Pacific University and I am currently doing my Practicum with Hawaii and American Samoa Anti-Trafficking Services of The Salvation Army.

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Over the course of this semester, I have been able to learn more about Human Trafficking and the impact it has on our world and in Hawaii. It is a problem on such a large scale, that it often feels like too big of an issue to tackle.

I was recently talking to someone who once worked in a small town in the Philippines where thousands of young women were trafficked from smaller provinces. Unfortunately, there were not many programs to help the women at that time. Today, living in Hawaii, I feel that we are blessed with resources and programs to help women who are caught up in similar circumstances. We are also blessed with a legal process that is created to protect the victims and prosecute the victimizers.

If SB2212 is passed it will not only make a way to better prosecute traffickers, but it will provide trafficking victims with the protection and resources they need to make a better life for themselves.

Thank you for your time and efforts in passing this bill,

Grace Martin

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