



# LATE TESTIMONY

STATE OF HAWAII  
**CRIME VICTIM COMPENSATION  
COMMISSION**

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L. DEW KANESHIRO  
Commissioner

THOMAS WATTS  
Commissioner

PAMELA FERGUSON-BREY  
Executive Director

TESTIMONY ON HOUSE BILL 2150  
RELATING TO CRIME

by

Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission

Committee on Public Safety  
Representative Faye P. Hanohano, Chair  
Representative Henry J.C. Aquino, Vice Chair

Thursday, January 28, 2010; 9:45 AM  
State Capitol, Conference Room 309

Good morning Chair Hanohano, Vice Chair Aquino and Members of the House Committee on Public Safety. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify before you today. The Commission supports the passage of House Bill 2150, with amendments. House Bill 2150 amends Chapter 353C, Hawaii Revised Statutes, by adding a new section establishing a prostitution offender education program special fund to be used to support a prostitution offender education program. Section 712-1200, HRS, is amended to provide that first time offenders who patronize prostitutes, or those not convicted within the last five years, shall be sentenced to attend an eight-hour prostitution offender education and counseling program and be assessed a \$500 surcharge to fund the education and counseling program.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay unreimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission. Victims of human

trafficking, including trafficking involving sexual exploitation, are among the categories of violent crime victims who are eligible to receive compensation from the Commission.

The Commission believes that the bill, with the amendments proposed by the Department of the Prosecuting Attorney, would reduce recidivism by offenders who patronize prostitutes and prostitutes. The amendment proposed by the Department of the Prosecuting Attorney would require that in addition to the mandatory education and counseling program for offenders who patronize prostitutes, prostitutes themselves would also be required to receive an assessment and appropriate treatment designed to help them escape a life of sexual exploitation.

In 2005 the National Institute of Justice funded a study to evaluate the impact of educational programs on men arrested for soliciting prostitutes in San Francisco. The evaluation found that the educational program, which educated patrons about the negative consequence of prostitution, served to reduced recidivism by over 50%.

Thank you for providing the Commission with the opportunity to testify in support of SB 2026, with amendments. The Commission believes that as amended, this bill will reduce the number of offenders patronizing prostitutes and the number of prostitutes.

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

# LIVE TESTIMONY

**CLAYTON A. FRANK**  
DIRECTOR

**DAVID F. FESTERLING**  
Deputy Director  
Administration

**TOMMY JOHNSON**  
Deputy Director  
Corrections

**JAMES L. PROPOTNICK**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

**TESTIMONY ON HOUSE BILL 2150  
RELATING TO PUBLIC SAFETY**

by  
**Clayton A. Frank, Director**  
Department of Public Safety

House Committee on Public Safety  
Representative Faye P. Hanohano, Chair  
Representative Henry J.C. Aquino, Vice Chair

Thursday, January 28, 2010; 9:45AM  
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) strongly opposes House Bill 2150 that proposes to implement a prostitution offender education program and requires the Director to administer both the program and the special fund set up to fund the program. This measure assumes that sufficient funds will actually be generated by the proposed legislation to staff and operate the proposed program. Additional staffing would be required to administer the fund, as well as to implement the program. There is little probability that the funds collected for the surcharges referenced in this measure will be sufficient to fund any position, much less all the positions required to implement and administer the proposed program and special fund. Therefore, the implementation of this measure would require pulling other staff from their duties and core functions.

PSD strongly opposes this measure due to its impact on the priorities set forth in the Executive Supplemental Budget for Fiscal Year 2010-2011.

Thank you for the opportunity to provide testimony on this measure.



## **DOWNTOWN NEIGHBORHOOD BOARD NO. 13**

# **LATE TESTIMONY**

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**Testimony of**

**Thomas Smyth, Board Member**

**Before the  
House Committee on Public Safety  
Thursday, January 28, 2010  
9:45 am Room 309  
On  
HB 2150 Relating to Crime**

**Chair Hanohano, Vice Chair Aquino and Members of the Committee:**

**The Downtown Neighborhood Board strongly supports HB 2150 that increases the penalties for the first offense of a prostitution patron. If convicted, the patron would have to attend an educational and counseling program and pay a \$500 surcharge beyond the regular fine.**

**The Downtown and Chinatown areas have a great deal of criminal activity related to prostitution. Many of the crimes involve violence against the prostitutes and certainly patrons are often robbed or assaulted.**

**This measure would help solve the problem by adding penalties for the patrons of the prostitutes. If these penalties would deter patrons, the level of prostitution would likely decrease. Prostitution is very often not a "victimless crime."**

**We urge this committee to move this bill forward, taking into consideration the ability of HPD to enforce it.**

**Thank you for the opportunity to provide this testimony.**

