

Honolulu, Hawaii

FEB 17, 2012

RE: H.B. No. 2235  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2235, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROSTITUTION,"

begs leave to report as follows:

The purpose of this measure is to create a process for a person convicted of committing the offense of prostitution or an offense related to prostitution to file a motion to vacate the judgment under certain circumstances and to establish procedures for the motion to vacate.

Polaris Project and four individuals testified in support of this measure. The Department of the Attorney General and Department of the Prosecuting Attorney of the City and County of Honolulu testified in opposition to this measure. The Office of the Public Defender, Honolulu Police Department, IMUAlliance, Harm Reduction Hawaii, Pacific Alliance to Stop Slavery, Tahirih Association, and two individuals provided comments.

Your Committee has amended this measure by:


- (1) Deleting references to victimization under Hawaii Revised Statutes Section 712-1203 and 18 United States Code section 2422, section 2423(a) and section 2425 as an avenue to qualify for relief;



- (2) Changing the term "local government agency" to "local law enforcement agency" to clarify those who can provide official documentation of a person's status as a victim of trafficking; and
- (3) Narrowing the list of those qualified to provide official documentation of a person's status as a victim of trafficking.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2235, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2235, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
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GILBERT KEITH-AGARAN, Chair



