



The PACIFIC ALLIANCE
to STOP SLAVERY

LATE TESTIMONY

Supporters

American Association of
University Women

Bluewater Mission

Catholic Diocese
of Honolulu

Equality Now

Hawaii State Commission
on the Status of Women

Imago Dei
Christian Community

International Justice Mission

Kumulani Chapel
(Lahaina, Maui)

Not For Sale

Pacific Survivor Center

Soroptimists International
of Waikiki Foundation

Women Helping Women
(Wailuku, Maui)

DATE: Saturday, April 2, 2011

ATTN: Senate Committee on Judiciary

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senator Les Ihara, Jr.
Senator Mike Gabbard
Senator Sam Slom

HEARING DATE: Monday, April 4, 2011

HEARING PLACE: Conference Room 016 - State Capitol –
415 South Beretania Street

TIME: 9:00am

RE: **HB242 HD1- RELATING TO PROMOTING
PROSTITUTION – IN OPPOSITION**

Dear Committee on Judiciary:

We are supportive of Prosecutor Kaneshiro's efforts to end the demand for prostitution. However, this bill would further criminalize women who may be victims of sex-trafficking, as this bill would put them in prison for up to 5 years as a Class C felony.

Section 1, 1(a); Section 2, 1(a); Section 2, 2(a); and Section 712- Habitual Solicitation of Prostitution Subsection 2(a) and 2(b), if passed, will condemn and further victimize victims of sex-trafficking with a stamp of approval from the state.

The bill in its original form HB242 was adequate in addressing the demand for prostitution. But this bill HB242 HD1 threatens to imprison sex-trafficking victims with a Class C felony. We now oppose the bill, strongly.

Furthermore, we ask that you revert this bill to its original form as the recommendations by the House Judiciary committee for the HB242 HD1 version is not justified according to their own Committee Report.

The committee report "justifies" amendments to Speaker Say in amending HB242 for the purposes of:

1) Including those persons who pay, agree to pay, or offer to pay a fee to another person in the offense of prostitution and street solicitation of prostitution in designated areas;



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2) Amending the offense of habitual solicitation to penalize those who pay, agree to pay or offer to pay a fee.

These amendments do not do that but rather add the provision to also criminalize the women trapped in prostitution against their will. Furthermore, the original bill HB242 already established persons "who pay, agree to pay, or offer to pay a fee..." to be the focus of this legislation, i.e. the habitual patrons NOT the victims.

COMMITTEE REPORT

http://www.capitol.hawaii.gov/session2011/CommReports/HB242_HD1_HSCR628_.HTM

This amended bill also unnecessarily narrows the scope of the law on page 2, 712-____ subsections (a) and (b)

We are urging the Senate Judiciary Committee that the bill be reverted to its original language in HB242 introduced by Prosecutor Kaneshiro as there is no justification for the HD1 version as stated in the House Jud Committee report.

Sincerely,

Fawn Jade Koopman
Pacific Alliance to Stop Slavery

LATE TESTIMONY

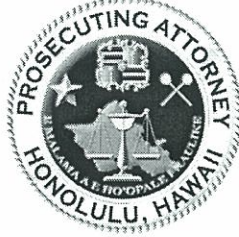
DEPARTMENT OF THE PROSECUTING ATTORNEY

CITY AND COUNTY OF HONOLULU

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**THE HONORABLE CLAYTON HEE, CHAIR
SENATE COMMITTEE ON JUDICIARY AND LABOR
Twenty-sixth State Legislature
Regular Session of 2011
State of Hawai'i**

April 4, 2011

RE: H.B. 242, HD1; RELATING TO PROMOTING PROSTITUTION.

Chair Hee, Vice-Chair Shimabukuro and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney submits the following testimony in support of House Bill 242, HD 1. The original bill was part of the Department's 2011 Legislative Package.

The purpose of this bill is to amend Act 192, Session Laws of Hawaii 2008, by increasing the offense of "habitual solicitation of prostitution" from a misdemeanor to a Class C felony. It also amends Act 95, Session Laws of Hawaii 2010, by deleting the repeal of this law that is to take place on June 30, 2012.

Basic economics tells us that there are always two sides to any commercial market: supply and demand. Thus, no matter how actively prosecutors pursue the supply-side of the prostitution "industry," it is logical to conclude that this type of activity will continue so long as-- and to the extent that-- there is a demand for such services. In order to attack the problem of prostitution and sexual human trafficking in Hawaii from both ends, we must find new ways to decrease demand on the part of patrons/customers.

Individuals who repeatedly seek out and receive prostitution services knowingly support and perpetuate the prostitution industry, ultimately strengthening incentives for people to continue rendering prostitution services, or continue profiting from, assisting, and/or compelling others to do so. The Department of the Prosecuting Attorney maintains that H.B. 242, H.D. 1 would present a significantly stronger deterrent to those who would contemplate soliciting prostitution services, thereby decreasing the demand for such services.

For these reasons the Department of the Prosecuting Attorney of the City and County of Honolulu strongly supports this bill. Thank you for the opportunity to testify on this matter.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 8:16 PM
To: JDLTestimony
Cc: fawnjade@traffickjamming.org
Subject: Testimony for HB241 on 4/4/2011 9:00:00 AM
Attachments: TESTIMONY HB242- PASS.doc

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB241

Conference room: 016
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Fawn Jade Koopman
Organization: Individual
Address:
Phone:
E-mail: fawnjade@traffickjamming.org
Submitted on: 4/3/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 04, 2011 8:03 AM
To: JDLTestimony
Cc: fawnjade@traffickjamming.org
Subject: Testimony for HB242 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB242

Conference room: 016
Testifier position: support
Testifier will be present: Yes
Submitted by: Fawn Jade Koopman
Organization: Individual
Address:
Phone:
E-mail: fawnjade@traffickjamming.org
Submitted on: 4/4/2011

Comments:

I retract my earlier testimony, and apologize for the misunderstanding.

I fully support this measure.