



**Office of the Public Defender
State of Hawaii
Timothy Ho, Chief Deputy Public Defender**



**Testimony of the Office of the Public Defender,
State of Hawaii to the House Committee on Judiciary**

March 12, 2013 2:00 p.m.

S.B. No. 192: RELATING TO PROSTITUTION

Chair Rhoads and Members of the Committee:

Our office has concerns about four of the proposed changes to the Hawaii Penal Code regarding soliciting a minor for prostitution. Our first concern is the creation of a new offense of the solicitation of a minor for prostitution, a class C felony. Our second concern is regarding the increase of the fines for prostitution from five hundred dollars to a range of five hundred to a thousand dollars for each conviction. Another concern is the inclusion of the offense of soliciting a minor for sex as a covered offense in the criminal forfeiture statute. Finally, we have concerns about the requirement that the person convicted of soliciting a minor for sex register with the sex offender registry.

The Office of the Public Defender opposes S.B. 192.

While at first blush, a separate felony offense of solicitation of a minor for prostitution may seem like a good way to provide additional protection for minors, we believe that singling out customers for harsh treatment is misguided, and should be directed at pimps and sex traffickers. The prosecution of “johns” for solicitation of a minor for prostitution would most likely involve reverse-sting operations, with officers holding themselves out as under-aged prostitutes. Short of demanding to see the identification of the prostitute, there is no way for a customer to determine if the prostitute is a minor. What would happen if a “john”, who did not believe the claims of a prostitute to be under the age of eighteen, continued on with the transaction thinking that he was dealing with an adult? How would the state prove that he knew that the prostitute was a minor? What would happen if the “john” were an eighteen year old man, offering to pay for sex with a seventeen year old prostitute? Should this eighteen year old face a felony charge, and be subject to lifetime reporting as a sex offender? The focus should not be on cutting off the demand for prostitution, but on its supply. Pimps or traffickers who force minors into prostitution should receive harsh punishment. Their actions are heinous, and intentional. Customers who do not have a preference for minors may be entrapped or enticed to commit this offense.

A conviction of the offense of prostitution carries a mandatory five hundred dollar fine. The proposal in this measure to increase the possible fine to a range of five hundred to a thousand dollars makes no sense. The current five hundred dollar fine is the highest

mandatory fine for a petty misdemeanor in the district court. The only other offense with a mandatory five hundred dollar fine is for driving without no-fault insurance. The high fine was imposed to encourage people to pay for motor vehicle insurance. The majority of people convicted of prostitution are prostitutes, not their customers. A high mandatory fine encourages them to get back on the street to earn more money to pay their fines.

The principle behind criminal forfeiture statutes is to seize the property of criminals who use that property to further their criminal enterprise. Property purchased with money earned from a criminal enterprise is also subject forfeiture. For example, a person who sells drugs out of their cars could have it forfeited. A drug dealer's stash of jewelry and other property may also be forfeited. To enable the state to seize the property of a person engaged in prostitution would be similar to allowing the forfeiture of a drug addict. The property seized must have a causal relationship to the criminal enterprise. The prostitution "john" is not the person fostering the criminal enterprise. Promoting prostitution and promoting pornography are crimes that are considered "covered offenses" that are subject to the forfeiture laws. We believe that it is appropriate to forfeit the property of those are the individuals.

Lastly, the requirement of lifetime registry with the sex offender registry is oppressive, and unduly harsh. These individuals may not be sexual predators and child molesters, yet will have to recourse to petition the court for removal from the sex offender registry. People convicted of sexual assault in the third and fourth degree, promoting child abuse in the third degree, violation of privacy in the first degree and promoting prostitution in the first and second degree are allowed to petition the court for removal from the registry after ten years. Even certain individuals convicted of sexual assault in the first and second degree and kidnapping are permitted to petition the court for removal from the registry after twenty-five years. It makes no sense that the "johns" convicted of soliciting a minor for prostitution would be treated more harshly than the people convicted of the more serious crimes listed above.

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

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
PROSECUTING ATTORNEY



ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawai'i

March 12, 2013

RE: S.B. 192; RELATING TO PROSTITUTION.

Chair Rhoads, Vice-Chair Har, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of S.B. 192.

The purpose of S.B. 192 is to:

1. Make solicitation of a minor for prostitution a crime.
2. Increase the statute of limitations to bring a cause of action for coercion into prostitution from two to six years.
3. Clarify the fine for a person convicted of committing the offense of prostitution.
4. Add the offenses of solicitation of a minor for prostitution, habitual solicitation of prostitution, and solicitation of prostitution near schools and public parks, under the State's forfeiture laws.
5. Amend the definition of "sexual offense" under the sexual offender registry laws, to include solicitation of a minor for prostitution.

The Department has been maintaining communication and working with advocates who work to protect females lured or forced into prostitution. Aside from prosecuting criminal cases, the Department is a strong advocate for promoting public safety via education, prevention, and rehabilitation programs, and will continue to support programs that address prostitution and prostitution-related issues for our community. We believe the legislative proposals in S.B. 192 would work alongside existing laws to further decrease the demand for prostitution.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports S.B. 192. Thank you for the opportunity to testify on this matter.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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LATE

KIRK W. CALDWELL
MAYOR



LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE JI-TA

March 12, 2013

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

Subject: Senate Bill No. 192, Relating to Prostitution

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

The Honolulu Police Department supports Senate Bill No. 192, Relating to Prostitution.

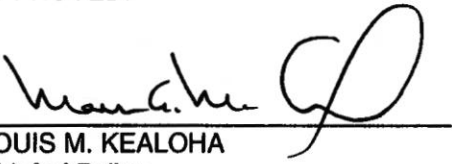
Since children are vulnerable and deserve additional protection, it is reasonable to strengthen statutes and penalties for crimes that exploit our youth. We also recognize that the victims of such cases experience intense physical and mental trauma. Extending the statute of limitations from two to six years would allow them greater time to get assistance without relinquishing their right to seek justice.

The additional changes amending the State of Hawaii's forfeiture and sexual offender registry laws would ensure that the registry remains consistent with current statutes. This sends a strong message to individuals willing to engage in prostitution activity.

We urge you to support Senate Bill No. 192, Relating to Prostitution.

Thank you for the opportunity to testify.

APPROVED:


LOUIS M. KEALOHA
Chief of Police

Sincerely,


JERRY INOUE, Major
Narcotics/Vice Division

March 8, 2013

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Sharon E. Har, Vice Chair

Rep. Della Au Belatti

Rep. Chris Lee

Rep. Tom Brower

Rep. Clift Tsuji

Rep. Rida T.R. Cabanilla

Rep. Jessica Wooley

Rep. Mele Carroll

Rep. Bob McDermott

Rep. Ken Ito

Rep. Cynthia Thielen

Rep. Derek S.K. Kawakami

NOTICE OF HEARING

DATE: Tuesday, March 12, 2013

TIME: 2:00 p.m.

PLACE: Conference Room 325

State Capitol

415 South Beretania Street

**RE: TESTIMONY IN STRONG SUPPORT OF SB192
RELATING TO PROSTITUTION**

Makes solicitation of a minor for prostitution a crime. Increases the statute of limitations to bring a cause of action for coercion into prostitution from two to six years. Clarifies the minimum and maximum fine for a person convicted of committing the offense of prostitution. Adds the offenses of solicitation of a minor for prostitution, habitual solicitation of prostitution, and solicitation of prostitution near schools and public parks under the State's forfeiture laws. Amends the definition of "sexual offense" under the sexual offender registry laws to include acts that consist of the solicitation of a minor who is less than eighteen years of age for prostitution.

Dear Committee on Judiciary and Labor:

The Pacific Alliance to Stop Slavery (PASS) strongly supports SB192. We seek to increase penalties for patrons of prostitution, which currently is a petty misdemeanor equal in penalty to remaining over hours at a city park.

Studies from Sweden and Norway, countries that have criminalized the purchasing of persons for sex, have seen significant reductions in violence against prostituted persons since the laws have passed. Conversely, Hawaii has almost no serious penalties nor methods of public accountability for patrons of prostitution and sex trafficking, which allows them to worsen in their deviant paraphilic behavior against women who do not have the ability to speak out due to societal bias and fear of retaliation and are under duress to feign compliance.

Attached to this testimony are real posts from patrons of prostitution to give your committee an idea of how these "johns" treat and view women. Please note that the language is very graphic. These johns, in

our society, hide from public view— they are cowards—avoiding the accountability of their wives, daughters, friends, and other family members; calling prostitution “consenting sex” with “legitimate prostitutes” when we as outreach workers and others that heal prostituted persons know that prostitution is a violent and harmful offense against all women in society. This is clear from the real posts from an arrogant patron attached to this testimony.

PASS and Imua are imploring lawmakers to End the Demand for Prostitution and Sex Trafficking and have amassed nearly 5000 petitioners to support this cause. <http://www.change.org/petitions/pass-safe-harbor-end-demand-for-prostitution-laws-in-hawaii>

We also strongly urge the committee to amend the bill to increase the penalty for soliciting sex from a minor from a Class C felony to a Class B felony offense in parallel with the state laws on the internet enticement of minors.

PASS serves victims of Human Trafficking for sex or labor in the state of Hawaii and has a support base of over 7000 persons. PASS is one of Hawaii’s few services that helps heal survivors of human trafficking. We testify that there are no specific services tailored to the survivors of this crime. As a result, survivors fall through the cracks or are often re-victimized and criminalized as either “prostitutes” if they are sex trafficked victims or “illegal immigrants” if they are labor trafficked victims. Hawaii must accurately and effectively address the handling of human trafficking survivors.

Earlier this year, Shared Hope International rated Hawaii second worst in the nation in protecting child victims of sex trafficking by law. Since there is no sex trafficking statute in Hawaii, statistics from law enforcement are unavailable as they are combined with general prostitution statistics but other sources of information are very helpful in assessing the great need for services specific to child victims of sex trafficking. Such information states:

- Hawaii's incarceration rate of juvenile girls exceeds national average¹.
- Of the girls incarcerated, 35% are runaways, a high-risk criteria for trafficking².
- Hawaii has the third highest attempted teen suicide rate³.
- Hawaii has one of the highest rates of intrafamilial sexual abuse (incest)⁴.

All of these statistics significantly contribute to the proliferation of sex trafficking. Since 2009, PASS alone has assisted 96 victims of human trafficking. The need to expand anti trafficking services is very severe. Thank you for hearing this much needed legislation.

Sincerely,

Kathryn Xian
Executive Director
Pacific Alliance to Stop Slavery

¹ Hawaii Department of the Attorney General, Research and Statistics Branch Crime Prevention and Justice Assistance Division. (May 2006). *The Female Juvenile Offender in Hawaii: Understanding Gender Differences in Arrests, Adjudications, and Social Characteristics of Juvenile Offenders*

² Ibid.

³ Hawaii State Department of Health (2010)

⁴ Dunn, A. Girl Fest Hawaii Conference on Youth. (2012). Deputy Prosecutor, Honolulu City Prosecutor’s Office

POSTS FROM JOHNS "INTERNET CHAT BOARDS"

09-24-12 18:46 #80

Playboy54 ◦
Senior Member
Reports: 197
Playboy54

CHERIatVIP

I woke up and said what is worse than shitty service, shitty service from a girl over 26. Went to VIP. Said give me the youngest chick in this brothel. Mama sent in Cheri. Big boobs, hot body and 23. Her service was shitty, so I fucked her hard and talked pretty nasty and demeaning to her. To my surprise. She appeared to like it.

Playboy54.

Don't brag unless it's bareback!

Report Post Reply With Quote

Today 16:15 #4

Playboy54 ◦
Senior Member
Reports: 197
Playboy54

VIP and Michelle

Went to VIP. Hoping for a hottie. Mama sends in Michelle about 36 (refused to give her age). Should have walked but was pressed for time. Good table shower and massage. Told me straight up no kissing, DATY, and all condom. I said no problem. Because I am going to fuck real hard then. Banged the shit out of her. Locked my arms around her thighs and lifted her hips up and said. Your going to regret using a condom because I won't cum for awhile. She was was trying to get out of the lock. But I had her good. I said you ain't going anywhere. I my surprise she then locked her thighs on me and starting getting loud. I stopped and said. You not having a good time on my dime. Took off the condom and fucked her tits and blew on her neck. I actually don't like it rough at all. But said might as well let her know how much I hate condoms physically. I have no idea how tight or loose she is. Because I don't feel shit with a condom. Skull fucked her good so she can get the full taste of that condom. Won't repeat. When I left she said I like it rough also.

Playboy54.

I think I was number 4 customer today.

Report Post Reply With Quote



HAWAII CATHOLIC CONFERENCE

6301 Pali Highway
Kaneohe, HI 96744-5224

Online Submittal: JUDTestimony@Capitol.hawaii.gov

Hearing on: March 12, 2013 @ 2:00 p.m.
Conference Room # 325

DATE: March 9, 2013
TO: House Committee on Judiciary
Rep. Karl Rhoads, Chair
Rep. Sharon Har, Vice Chair
From: Walter Yoshimitsu, Executive Director
Re: Support for SB 192 Relating to Prostitution

Mahalo for the opportunity to testify. I am Walter Yoshimitsu, **representing the Hawaii Catholic Conference**. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in the State of Hawaii under the leadership of Bishop Larry Silva.

The Hawaii Catholic Conference strongly supports efforts to protect minor children from sexual abuse and exploitation. SB 192 takes the extra step of protecting children from perpetrators near schools and public parks. This added language will allow the police department to expand their ability to ensure that these areas are safe from predators.

The Catholic Church teaches that the human body shares in the dignity of the image of God (Catechism of the Catholic Church 364). That dignity leads us to foster in every person the belief and awareness that as a person of God they are deserving of love and respect. Dignity is a gift given by God at birth. Abuse of all kind is harmful to that dignity. Children being among the most vulnerable require us to protect that dignity.

We appreciate the opportunity to do what we can to support legislation that will further protect children from the heinous crime of sexual exploitation.



ONLINE SUBMITTAL

Hearing on: Tuesday, March 12, 2013
Conference Room #325

DATE: March 9, 2013

TO: House Committee On Judiciary
Rep. Karl Rhoads, Chair
Rep. Sharon Har, Vice-Chair

FROM: Eva Andrade, Executive Director

RE: Support for SB 192 Relating to Prostitution

Honorable Chair and members of the House Committee on Judiciary, I am Eva Andrade, **representing the Hawaii Family Forum**. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. We represent a network of various Christian Churches and denominations. **We strongly support legislative efforts that better protect Hawaii's youth from sexual exploitation and prostitution. As such, we support SB 192 which makes solicitation of a minor for prostitution a crime.**

Years ago, Hawaii Family Forum worked to educate the community about the commercial sexual exploitation and abuse of Hawaii's youth. These victims were underage girls (14-15) who were often lured into prostitution first through exploitation in strip bars, phony escort services and nude massage parlors. In 2001, because of our strong commitment to help protect children from sex abuse, we fought very hard to increase the age of consent in Hawaii from 14 to 16 years of age to combat this very problem.

Hawaii must continue to take steps to better protect our minor children. We truly appreciate all efforts to help local law enforcement do whatever they need to do to stop perpetrators from soliciting our keiki near schools or public parks. Our minors deserve the right to be protected, both by the community, and by the law.

Our laws should guarantee victims the treatment they deserve and ensure swift prosecution of the perpetrators who far too often face no consequences. We strongly urge your passage of this measure.

Mahalo nui loa for your kind consideration.



March 11, 2011

IN STRONG SUPPORT OF SB 192

Attn: Committee on Judiciary: Chairman Karl Rhoads, Vice Chair Rep Sharon Har, & Committee members

Courage House Hawaii is committed to building a house to rehabilitate and rebuild the lives of underage victims of sex trafficking. We have spent the past three years understanding the depth of the problem in the state of Hawaii. It is widespread and prevalent and poses a growing problem for our at risk youth in the state.

We also strongly urge the committee to amend the bill to increase the penalty for soliciting sex from a minor from a Class C felony to a Class B felony offense in parallel with the state laws on the internet enticement of minors.

Earlier this year, Shared Hope International rated Hawaii second worst in the nation in protecting child victims of sex trafficking by law. Since there is no sex trafficking statute in Hawaii, statistics from law enforcement are unavailable as they are combined with general prostitution statistics but other sources of information are very helpful in assessing the great need for services specific to child victims of sex trafficking. Such information states:

- Hawaii's incarceration rate of juvenile girls exceeds national average¹.
- Of the girls incarcerated, 35% are runaways, a high-risk criteria for trafficking².
- Hawaii has the third highest attempted teen suicide rate³.
- Hawaii has one of the highest rates of intrafamilial sexual abuse (incest)⁴

All of these statistics significantly contribute to the proliferation of sex trafficking. The need to expand anti trafficking services is very severe. Thank you for hearing this much needed legislation

Aloha and Mahalo,

Jody Allione

Jody Allione

Site Development Director
Courage House Hawaii



TAHIRIH ASSOCIATION

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Phone (808) 262-6533

www.TahirihAssociation.org
info@TahirihAssociation.org

8306 Wilshire Blvd., Suite 81
Beverly Hills, CA 90211
Phone (323) 935-5090



March 8, 2013

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair	Rep. Sharon E. Har, Vice Chair
Rep. Della Au Belatti	Rep. Chris Lee
Rep. Bob McDermott	Rep. Clift Tsuji
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Rep. Derek S.K. Kawakami	Rep. Jessica Wooley
Rep. Rida T.R. Cabanilla	Rep. Cynthia Thielen
Rep. Tom Brower	

NOTICE OF HEARING

DATE: Tuesday, March 12, 2013
TIME: 2:00 p.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

RE: TESTIMONY IN STRONG SUPPORT OF SB192 RELATING TO PROSTITUTION

Makes solicitation of a minor for prostitution a crime. Increases the statute of limitations to bring a cause of action for coercion into prostitution from two to six years. Clarifies the minimum and maximum fine for a person convicted of committing the offense of prostitution. Adds the offenses of solicitation of a minor for prostitution, habitual solicitation of prostitution, and solicitation of prostitution.

Dear Committee on Judiciary and Labor:

The Tahirih Association strongly supports SB192. We believe that penalties should be increased for those are patrons of prostitution. As of now, this charge is considered a petty misdemeanor. Consequently, these patrons "johns" are able to enjoy a level of undeserved privacy. We would appreciate the Committee on Judiciary and Labor amending the bill to increase the penalty for soliciting sex from a minor from a Class C felony to a Class B felony offense in parallel with the state laws on the internet enticement of minors. The reasons are many, but most significantly is that without punitive measures sex patrons will continue to perpetrate this negative behavior and possibly escalate their deviant and abnormal activities. Sexual acts against vulnerable girls, boys, women and men only undermines the development of our society and only benefits the perpetrator. Those who are sexually exploited often suffer the fear of retaliation and are under duress to feign compliance. In addition, there is strong bias against them.

Sex patrons can often avoid having to account for their exploitive and secretive conduct, and further blame the sexually exploited as prostitutes or hookers, a label that shifts the blame away from the perpetrator. In reality, prostitution is a violent and harmful offense against all genders in our society.

Others nations have criminalized the purchase of persons for sex, and realized reductions in violence against prostituted persons. Hawaii has almost no serious penalties nor methods of public accountability for patrons of prostitution or those who are sex trafficked. This encourages sex patrons while those who are exploited lack the ability to stand up for themselves.

The Tahirih Association educates and empowers girls and women around the world to better their lives. Prostitution and any form of sexual exploitation, cannot do this. Therefore, we laud the efforts of other like-minded groups like the Pacific Alliance to Stop Slavery (PASS), and join them in imploring lawmakers to End the Demand for Prostitution and Sex Trafficking. We are pleased to be among the thousands of supporters of PASS as they serve victims of human trafficking for sex or labor in the state of Hawaii. They are one of few servicers that can help survivors of human trafficking in Hawaii so it is important for our State to provide services adapted to the needs of these survivors. We cannot afford, from an economic or social perspective to continue having survivors fall through the cracks, be re-victimized, or worse, criminalized as sex or labor trafficked victims. Sadly, Hawaii has no sex trafficking statute. Consequently, statistics from law enforcement are unavailable because they are combined with general prostitution statistics.

I am sure that the citizens of Hawaii do not want to see a proliferation of sex or labor trafficking. We have much to be proud for, but we need to promote anti trafficking awareness, and also expand needed services that can treat the problem and not the symptom. Thank you for considering this much-needed legislation.

Mahalo nui loa for your attention in this matter,

A handwritten signature in cursive script that reads "Tadia Rice".

Tadia Rice
Executive Director



THE SEX ABUSE TREATMENT CENTER

A Program of Kapi'olani Medical Center for Women & Children

Executive Director
Adriana Ramelli

Advisory Board

President
Mimi Beams

Vice President
Peter Van Zile

Joanne H. Arizumi

Mark J. Bennett

Andre Bisquera

Marilyn Carlsmith

Senator
Suzanne Chun Oakland

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Donne Dawson

Dennis Dunn

Councilmember
Carol Fukunaga

David I. Haverly

Linda Jameson

Michael P. Matsumoto

Phyllis Muraoka

Gidget Ruscetta

DATE: March 12, 2013

TO: The Honorable Karl Rhoads, Chair
The Honorable Sharon E. Har, Vice Chair
House Committee on Judiciary

FROM: Alana Peacott-Ricardos, Policy Research Associate
The Sex Abuse Treatment Center

RE: S.B. 192
Relating to Prostitution

Good afternoon Chair Rhoads, Vice Chair Har and members of the House Committee on Judiciary. My name is Alana Peacott-Ricardos and I am the Policy Research Associate of the Sex Abuse Treatment Center (SATC), a program of the Kapi'olani Medical Center for Women & Children (KMCWC), an affiliate of Hawai'i Pacific Health.

SATC supports S.B. 192 to make solicitation of a minor for prostitution a crime and require a person convicted of the crime to register with the sexual offender registry. S.B. 192 also increases the statute of limitations to bring a cause of action for coercion into prostitution and adds certain solicitation offenses to the State's forfeiture laws.

Children are inherently vulnerable. S.B. 192 targets those who prey upon this group and who use children to seize upon exploitation opportunities. Minors may become trapped in the commercial sex industry to meet their basic survival needs such as food, shelter and clothing. These children are often runaways or "throwaways" with histories of sexual and physical abuse and who are usually controlled and manipulated by a pimp or another person making it difficult for them to leave the situation.

This bill will help to combat the sexual exploitation of minors by discouraging the demand for prostitution.

We urge you to support S.B. 192, as it strengthens the protections afforded to minors against sexual exploitation.

Thank you for the opportunity to testify.



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, Board Member**

**Before the
House Committee on Judiciary
Tuesday, March 12, 2013, 2:00 pm Room 325
On
SB 192 Relating to Prostitution**

Chair Rhoads, Vice Chair Har and Members of the Committee:

The Downtown Neighborhood Board strongly supports SB 192 that clarifies the minimum and maximum fines for conviction of prostitution, among other things. We particularly support increasing the penalties for soliciting prostitution within 750 feet of a school or public park. This bill is a companion to HB 1066 as introduced and which was heard by this committee and subsequently amended.

As we testified previously when penalties were increased for various offenses related to prostitution, any measures that can reduce the actions of patrons of prostitution will help reduce the incidence of these activities.

As we have stated before, those who live, work, and visit, in the Downtown and Chinatown areas are greatly concerned with the impact of prostitution on themselves and their children. Prostitution is not a “victimless crime” and may well have a direct impact on us and our families. Prostitution frequently involves assault, robbery and related violent activities.

We are certainly willing to restrict legal adult businesses from locations near schools. Surely we should be able to do the same for illegal activities. These activities often take place during daylight hours when children are either in school or traveling to and from school and are playing in designated parks in our area. They should not have to witness these illegal activities or see the discarded materials often associated with these activities.

This measure would continue the communities’ efforts to balance the penalties between prostitutes and those who seek their services.

Thank you for the opportunity to provide this testimony.





46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

TESTIMONY FOR SENATE BILL 192, RELATING TO PROSTITUTION

**House Committee on Judiciary
Hon. Karl Rhoads, Chair
Hon. Sharon E. Har, Vice Chair**

**Tuesday, March 12, 2013, 2:00 PM
State Capitol, Conference Room 325**

Honorable Chair Rhoads and committee members:

I am Kris Coffield, representing the IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in strong support of, with proposed amendments for SB 192, relating to prostitution.

In 2011, lawmakers passed HB 141 and HB 240, the former of which outlawed labor trafficking in the islands and the latter of which strengthened existing anti-prostitution laws by expanding witness protection for victims and targeting repeat offenders, particularly pimps and johns. Both bills were important steps in rectifying Hawaii's poor image and record with regard to anti-trafficking statutes. Importantly, these new laws focus on demand for labor and sex trafficking, signaling our state's move toward combating those most responsible for trafficking violations—pimps, johns, owners and managers of prostitution houses, and traffickers themselves—while protecting those who are most vulnerable. In 2012, policymakers passed a “vacating convictions” bill, for the first time allowing persons who have been wrongfully convicted of prostitution-related offenses and can demonstrate that their offenses were coerced to petition to have these convictions vacated from their record, so that they can matriculate into healthy, sustainable, fruitful lifestyles.

The IMUAlliance lauds the State Legislature's efforts, during the last two sessions. At the same time, we call upon lawmakers to continue the fight against human trafficking by hearing and advancing bills that increase services afforded to victims. To that end, the IMUAlliance strongly supports the enactment of “end demand” legislation that targets those persons responsible for financing commercial sexual exploitation, namely pimps and johns. Though it may sound callous to the casual ear, sex-trafficking is a business, albeit an illicit one. As such, it operates on the principles of free enterprise. When profits disappear, problematic establishments follow suit. One of the most efficient means of stifling the commercial sex trade, then, is to target

the “johns” who provide the monetary incentive for criminal activity. Comprehensive “end demand” legislation increases the penalties associated with paying for sex, thereby hiking the opportunity cost of soliciting prostitution. In Hawaii, this should include, at the very least, clarifying the financial penalty range for soliciting prostitution to be no less than \$500 and no more than \$1,000, while subjecting habitual perpetrators and those who solicit prostitution near schools and public parks to asset forfeiture procedures.

Additionally, in nearly every facet of the law, minors are given special status. This is especially clear with regard to high-publicity sex crimes that are predicated upon age of consent, like statutory rape. Despite having criminalized electronic enticement of a child in 2002, however, Hawaii currently lacks enhanced penalties for predators who offer to pay minors for sexual conduct, leading, in part, to Shared Hope International giving our state an 'F' grade regarding protections for victims of commercial sexual exploitation. In theory, electronic enticement regulations could be used to prosecute solicitation of prostitution from a minor, provided that the defendant used an electronic device (typically, a computer or cell phone) to communicate his or her intent. Not all solicitation is transmitted electronically, though, nor are electronic communications easy to track. Thus, the most sensible solution is a broad policy covering, and severely penalizing, any solicitation of minors, no matter what form it takes—exactly as included in this bill, which creates the offense of “soliciting a minor for prostitution,” currently graded as a class C felony in the proposed measure, punishable by five years in prison and a mandatory \$2,000 fine. That said we encourage you to amend the newly crafted “solicitation of prostitution from minors” law by upgrading the law's felony classification to a class B felony, which would be consonant with our state's first degree electronic enticement law (HRS 707-756), currently graded as a class B felony *if it involves the intent to commit a sex crime* (a crime punishable by forced enrollment on the state's sex offender registry). Similarly, we urge you to make the proposed statute applicable to persons who represent themselves to be under the age of eighteen, thus allowing law enforcement to maximally enforce the law by conducting stings in which an undercover officer claims to be a minor during the course of solicitation. These changes can be implemented as follows: **“§712- Solicitation of a minor for prostitution.** (1) A person commits the offense of solicitation of a minor for prostitution if the person offers or agrees to pay a fee to a minor, **or another person who represents that person to be a minor**, to engage in sexual conduct.

(2) Solicitation of a minor for prostitution is a class ~~C~~ **B** felony.

(3) A person convicted of committing the offense of solicitation of a minor for prostitution shall be imposed a fine of not less than \$2,000; provided that \$2,000 of the imposed fine shall be credited to the general fund.

(4) For purposes of this section:

"Minor" means a person who is less than eighteen years of age.

"Sexual conduct" has the same meaning as in section 712-1200(2)."

We also respectfully request that the bill be used as a vehicle for making a claim of coerced prostitution an affirmative defense to the crime of prostitution under 712-1200(1)(a), which refers to engaging in, or agreeing or offering to engage in, sexual conduct with another person for a fee, but *excludes* solicitation from johns. The creation of affirmative defenses for sex trafficking victims, either by way of coercion or sexual assault, has led to increased arrest rates of traffickers nationwide, since victims are more likely to acknowledge coercion or assault after the point of arrest. Information and evidence used to assert an affirmative defense can, in turn, be employed by law enforcement to arrest and prosecute traffickers, placing the blame on those who sexually exploit others for profit, rather than victims themselves. We propose that the following language be used to create an affirmative defense for prostitution: Section 712-1200 is amended by adding a new subsection (d) to read as follows: **(d) Affirmative defense:**

(1) In any prosecution for an offense described in section 712-1200(1)(a), a defendant may assert the affirmative defense that the prostitution activity in question was compelled or induced by force, threat, fraud, or intimidation.

(2) If the defendant asserts the affirmative defense, the defendant shall have the burden of going forward with evidence to prove the facts constituting such defense unless such facts are supplied by the testimony of the prosecuting witness or circumstance in such testimony, and of proving such facts by a preponderance of evidence.

(3) As used in this section:

"Fraud" means making material false statements, misstatements, or omissions.

"Threat" means any of the actions listed in section 707-764(1).

Finally, we urge you to maintain the bill's language regarding increasing the statute of limitations under HRS 663J-7, the state's liability for coercion into prostitution law (regardless of age). While the limitation period is currently tolled during the minority of an individual engaging in prostitution or anytime there is a criminal investigation or indictment being pursued against the defendant, increasing the limitation period from two to six years will bring the liability for coercion into prostitution into consonance with the period of limitation enacted in Hawaii's vacating convictions law, thereby making it easier for victims to handle multiple claims simultaneously and allowing more time for traumatized victims to seek civil remedies. Sex-trafficking victims require a great deal of time and care to recover from their victimization, which often includes repeated rape, beatings, threats against their personhood and families, etc. Treatment and rehabilitation programs can take two years or more, involving detoxification therapy, counseling, and medical care for injuries and ailments suffered during the period of abuse. Often, victims are only able to manage court procedures—including depositions and

cross-examinations about their abuse—after receiving treatment. Civil remedies may be empowering for victims and a means of redressing financial injury, and we feel that granting victims the time necessary to obtain the physical and psychological security necessary to obtain court-ordered remuneration increases the likelihood of successful transition from victimhood into personal stability.

Again, the IMUAlliance thanks you for your hard work to stem human trafficking on our shores. Room for improvement remains, however, and we feel that the measure in question, with proposed amendments, will consecrate last biennium's momentum into a concerted movement. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,
Kris Coffield
Legislative Director
IMUAlliance

Submitting testimony to back bill SB 192. It is hard to believe that sex trafficking of minors happens in our country much less our state. Please pass this bill to create a better deterrent to the perpetrators who are preying on young girls.

Mahalo,
Alex Ress
171A Kihapai St
Kailua, HI 96734

Dear Sir or Madam,

In this the 21st century, it is despicable Child Trafficking or any type of abuse receive a blind eye. Please levy the heaviest of punishments upon the monsters who submit our children to such atrocities.

Sincerely,
Annette Kunz
Carmel, California

Sent from my iPad

Testimony from April Dekker in support of SB192

In the late 1970s and early 1980s, I was married to Dennis S. (I will not give his full name, as I do not have Dennis's permission to do so). His widowed mother, Mrs. S., had a weakened place in her brain that was inoperable and would, in the doctor's opinions, eventually lead to a deadly aneurism. Therefore, even though she was only in her early fifties, we knew our time with this wonderful lady was limited. Dennis had one sibling, a sister who, for the sake of her privacy, I will give the false name of Mandy. Mandy was a very sweet, loving, and quite pretty.

Dennis and I lived in another state, which left Mandy in the care of her frail mother. We did offer to take Mandy to live with us, but she did not want to leave her friends and change schools, and Mrs. S. wanted as much time with Mandy as possible, since she did not know how long she might live.

Unfortunately, Mrs. S. wasn't really up to keeping an adequate watch on a teenage girl. When Mandy was fifteen, she started dating an older teen, but kept it a secret from her mother. When she started acting up, Mrs. S. at first attributed the behavior to the normal teenage issues. It was not until we visited that Christmas that Dennis realized that something was badly wrong with his sister.

It turned out that Mandy's boyfriend had addicted her to drugs with the purpose of then prostituting her. It was a terrible battle to free Dennis's sister from her addiction, and from the increasing violence of her boyfriend/pimp. We moved Mandy and her mother out of state, but Mandy had told her boyfriend where we lived and he followed us. The police were of limited help, telling us we would have to wait until the boyfriend actually committed some act of violence against us. We owned our own home, but had to leave it and move into an apartment in a different part of town. With no one in our home, the boyfriend broke windows, threw paint on our doors, walls, and walkways. With no proof, the police could not hold him for any length of time.

Eventually, he tired of his harassment and moved on, probably to prostitute some other innocent girl. Mandy's life was devastated, of course, and she has had difficulties trusting men, or developing healthy relationships. She will always have to contend with the haunting realities of being an addict, and has had a few slips over the years, but has generally managed to stay clean. She will probably never be able to free herself of the many negative consequences of this terrible experience.

Mrs. S.'s health was negatively impacted, and she was never the same after this. Eventually, she died of the aneurism. It is still a bitter thought that, with so little time left, she had to go through this terrible ordeal.

The strain on Dennis was almost as bad. As the man of the family, he felt that he should have been able to better protect his mother and sister. He could not easily deal with his sense of failure, and ended up having an affair that destroyed our marriage.

Most if not all of this physical and emotional damage to our family and especially to Mandy could have been avoided had there been adequate laws and punishments in effect to deal with the issue of underage prostitution. To take a child and make her into a prostitute is to not only devastate that

child's life, but to also devastate her family. Multiply the long term consequences to the individual family and you can begin to see the cost to society. It is our duty to protect our children, not treat them like criminals when someone misleads them, addicts them, or threatens them into becoming prostitutes. They are the victims, and the men who pimp them and the men who purchase their services are the real criminals, and must be treated as such. We fail our children and our society if we do not make the punishment fit the crime. For a few minutes or hours of selfish pleasure, a customer is willing to inflict life-long emotional scars, not to mention the possibility of permanent physical damage and disease.

This is not a small crime against any child, and to say that child prostitutes, who have already been victimized into becoming prostitutes should be any less protected than other children is not only wrong, but also foolish. These things do not just happen in "bad" neighborhoods, or to the children of "bad" parents. Ours was a solid middle verging on upper middle class family. Yet that did not protect Mandy.

Nor can we solely count on the training we have given our children to keep them safe. Mandy was taught right from wrong. Her mother and Dennis had the talk with her about the dangers of drugs. Dennis also talked to her quite frankly about what to expect from teenage boys, while I gave added my own female perspective. But the teens are a time of hormonal flux, a time when children must differentiate themselves from their parents and create their own identities. It is a natural time of exploration and rebellion—a time when teens pay far more attention to the opinions of their peers than those of their family members. Teens also see themselves as being deserving of adult freedoms but do not yet possess adult judgment. None of this is going to suddenly change, so it is our job as a society to make sure that our children are safeguarded during these challenging and potentially very dangerous periods in their lives.

Dear Sir or Madam,

In regard to human trafficking in Hawaii,

pass legislation to help child trafficking victims to proper rehabilitative and healing services rather than to incarceration (SB1105/HB874).

**pass an End Demand Bill
(SB192/HB1066)**

thank you for your attention.

Hawaii must support SB 192. Teenage sex trafficking in Hawaii is a scourge on our humanity that many would like to ignore. However, we can not allow this illegal activity to continue.

Law enforcement needs better tools. We can't let profit motive enslave vulnerable teenagers.

SUPPORT SB192

Aloha, Bob Ress

March 9, 2013

Representative Rhoads, Representative Har and the House Committee on Judiciary,

I am writing in support of Senate Bill 192. I am honestly flabbergasted that soliciting children for sex is NOT already against the law. This is shameful and creates a horrifying market in an already unpleasant illegal business. Those who solicit prostitutes create demand. Period. There will always be exploiters who will try to fill that demand. The predators must be stopped.

Please help make purchasing a person just as illegal as purchasing illegal drugs. Please support SB192 relating to prostitution.

Respectfully,

Carlynn Wolfe
Makiki

To All Who Have the Authority to Take a Stand:

Please know that I fully support with great concern the SB192 Relating to Prostitution. I want to see the solicitation of a minor for prostitution become a crime. This bill has many components:

It would increase the statute of limitations to bring a cause of action for coercion into prostitution from two to six years.

It would clarify the minimum and maximum fine for a person convicted of committing the offense of prostitution.

It would add the offenses of solicitation of a minor for prostitution, habitual solicitation of prostitution, and solicitation of prostitution near schools and public parks under the State's forfeiture laws.

It would amend the definition of "sexual offense" under the sexual offender registry laws to include acts that consist of the solicitation of a minor who is less than eighteen years of age for prostitution.

Please hear my voice say, 'I want to stop child sex trafficking in Hawaii..and around the US!'

Thank you,
Cindy Gaskins
3407 Oahu Ave
Honolulu 96822
cwgaskins@gmail.com

SB192

Submitted on: 3/9/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Don V. Lax	Individual	Support	No

Comments: There is no question about this. Pass the law.

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SB192

Submitted on: 3/11/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ian Forester	Individual	Support	No

Comments:

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Rep. Karl Rhoads, Chair
Rep. Sharon E. Har, Vice Chair
Committee on Judiciary

I write in support of SB 192. It is hard to believe that solicitation of a minor for prostitution is not considered a crime in this state. Clearly, Hawaii's laws protecting children from sex trafficking clearly need strengthening.

Please pass SB 192.

Thank you,

Janet Morse
333 Aoloa Street, #317
Kailua, HI 96734
Phone: 808 262-4694
janetmorse@earthlink.net

I live in Portland, Oregon. I hope that you pass **SB192** to protect all minors from having to submit to prostitution. It would certainly help to include support services for minors so that they do not feel obligated to perform sex acts to support themselves or their families.

Jeffrey M. Cohen, M.S.W.
2952 NE Hoyt St
Portland, OR 97232-2439

971-998-6550

I wholely support [SB192 Relating to Prostitution](#).

Karen Dionne

Kina Poulos

Tuesday, March 12, 2013

2:00 PM, Conference Room

Representative Rhoads, Representative Har, and the Committee on Judiciary,

I am strongly in support of this bill. I have 15-year old sister whom I love dearly, and it would be absolutely heartbreaking if she were to be coerced into the sex trade. It would devastate her physically, mentally, and spiritually. Not only would it ruin her, such treatment also would deeply grieve and hurt the rest of the family.

Because of my relationship with her, I sympathize strongly with girls her age who are trapped in prostitution. They are not only abused physically. Being treated like a piece of property to be sold and exploited at will degrades any confidence or self-worth they possess. God has created all humans in His image, and He does not make junk. Everyone is precious in His eyes. Because of this, nothing can justify treatment that says, "You are nothing, and deserve nothing."

Thank you for considering laws that will protect Hawaii's most vulnerable, and further punish those who believe these precious and valuable children do not deserve to be treated like people. Thank you for your consideration.

I am writing to urge your support for Senate Bills 192, and 194, which strengthen Hawaii's ability to combat domestic minor sex trafficking.

Based on years of specialized research on domestic minor sex trafficking in the United States, the Protected Innocence Legislative Framework was designed by Shared Hope to establish a minimum legal fabric for the protection of children from sex trafficking and access to justice for those exploited. On November 29, Shared Hope International released the 2012 report card for every state. Hawaii received an F. I would like to see Hawaii raise that grade. These bills address several components of the Protected Innocence Challenge and are critical to closing the gaps in the safety net for past, present and potential future young victims of sex trafficking.

Issues addressed in these bills include:

SB 192 combats demand for sex trafficking in several ways:

- Adds the offense of solicitation of a minor under 18 for prostitution, increasing the penalty for buying sex with a minor from a petty misdemeanor under the prostitution laws to a Class C felony. SB 192 subjects defendants convicted under this new law to asset forfeiture, providing an important financial penalty to further deter demand;

- To put the community on notice of the potential risk posed by those who buy sex with minors, SB 192 requires buyers convicted under this new offense to register as a sex offender.

SB 194 prevents the court from deferring the prison sentence applicable to buyers convicted under prostitution and solicitation of prostitution laws.

These bills take important steps towards addressing the issue of domestic minor sex trafficking in Hawaii.

SB192

Submitted on: 3/10/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Leanne Kojima	Individual	Support	No

Comments:

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SB192

Submitted on: 3/11/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lindsay Forester	Individual	Support	No

Comments: These minors are children. We won't let them vote or consume alcohol but they are currently treated the same as an adult when they are victimized in prostitution. These men are assaulting pedophiles and should be punished as such.

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Please support SB 192 Relating to Prostitution. This bill is a a step in right direction toward protecting victims of this growing crime.

--

Marisa Nguyen

Courage House Hawaii Volunteer

<http://www.courageworldwide.org/Hawaii>

P.O. 401

Haleiwa, HI 96712

"Anyone who thinks that the word 'slavery' is hyperbole, needs to meet someone whose life has belonged to pimps and traffickers." --Nicholas D. Kristof

Children are indeed our most precious resource. Please do ALL that you can to treat the victims of these heinous crimes as the children they are and not the criminals that are presumed to be. As humans, we are compelled to treat each other with kindness and care. As moral and ethical beings we have no choice. Thank you.

Dear Sir or Madam,

The only way to stop trafficking is to criminalize the purchase of sex. We must follow the Swedish model of this! If you do not, then you are practically giving the pimps and johns free reign over women's souls. You are sending the message to the pimps and johns that their business is welcome and that leads to the decay of society. Not just for minors but for everyone. Most of these women are brainwashed. This is not the way to help the economy, this is the way to destroy it!

Sincerely,
Mitchel VerHage

Please support [SB192 Relating to Prostitution](#).

This bill makes solicitation of a minor for prostitution a crime. Increases the statute of limitations to bring a cause of action for coercion into prostitution from two to six years. Clarifies the minimum and maximum fine for a person convicted of committing the offense of prostitution. Adds the offenses of solicitation of a minor for prostitution, habitual solicitation of prostitution, and solicitation of prostitution near schools and public parks under the State's forfeiture laws. Amends the definition of "sexual offense" under the sexual offender registry laws to include acts that consist of the solicitation of a minor who is less than eighteen years of age for prostitution.

We need to protect the Children! Thankyou

The only way you would NOT vote for this bill is if you didn't know enough about what is going on. Ignorance is no excuse. Email if you need more information and pass SB192

Paula Ress
Kailua, HI
261-9438

I advocate your earliest possible deliberations and passing SB192 out of committee, ideally with full unanimity, on March 12, 2013.

All of the provisions which have been made known to me are important to our community as a whole; please support them to the maximal level of their intentions and, if additional equally stringent measures are advanced, consider them as well:

- making solicitation of a minor for prostitution a crime.
- increasing the statute of limitations to bring a cause of action for coercion into prostitution from two to six years.
- clarifying the minimum and maximum fine for a person convicted of committing the offense of prostitution.
- adding these abhorrent, criminal acts as prosecutable offenses under the state's forfeiture laws:
 - solicitation of a minor for prostitution,
 - habitual solicitation of prostitution, and
 - solicitation of prostitution near schools and public parks.
- amending the definition of "sexual offense" under the sexual-offender registry laws to include acts that constitute the solicitation of a minor who is less than eighteen years of age for prostitution.

A recent KITV news report by Lara Yamada dealt with (i) the truth about child trafficking in Hawaii and (ii) the state's recent evaluation by Shared Hope International that gave Hawaii's laws protecting child-sex-trafficked victims the grade of "F" – now for two consecutive years. We as a state are in the spotlight; you as legislators can direct that light onto principled efforts toward ending the scourge of child prostitution. Please do so by passing SB192!

Sincerely,

Robert H. Stiver
98-434 Hoomailani Street
Pearl City 96782
Tel. 455-9823

SB192

Submitted on: 3/10/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Support	No

Comments: I am writing to support this bill. Hawaii is not doing enough to protect women and children.

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SB192

Submitted on: 3/10/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shirley Trieu	Individual	Support	No

Comments: Dear Committee on Judiciary and Labor: I live in Hawaii and I support, SB192. We need to increase regulations in sex trafficking and abolish solicitation of children for sex. Children belong in schools and not on the streets. State of Hawaii needs to take steps in protecting our children and this can be one of them. As a citizen, I support this bill for the betterment of our society. And as a neighbor, I support this bill for the children of Hawaii. Shirley Trieu 2127 Dole Street Honolulu, HI 96822

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Please Pass Hawaii SB192

March 10, 2013

From Suzanne Sullivan

Home: 370 Mc Nary Ridge Road, Burbank, Wa. 99323

Hawaii: 1777 Ala Moana Blvd, Honolulu, Hi 96815 (Annual Seasonal Vistor)

This bill is very important...It is a start to solve two huge issues.

1. **Punish the Johns....eliminate the demand.**

It Hawaii has unwritten laws to allow the sex trafficking trade to exist in Waikiki. As a seasonal visitor I see the young girls and their pimps hanging around the corners, if I am out late at night. I have seen them in the day too; girls with drugged, glazed over eyes being lead by their pimps. It is so obvious, but what am I to do. I am a grandmother of 9 grandgirls, and the reality of this happening to one is not impossible.

The cops cruise by, but seem to always look the other way? They know what is going on!!!!!!

Today with low punishment for this crime, the local boys groom the young girls and get more money than if selling drugs and less punishment for involvement. Just encourage a 11-14 year old girl to go to a party; drug them, gang rape and video. The young girls are shocked, beaten and told they cannot go home because no one wants them now. They are now the pimps! The young minds (not developed) are warped and the little girls are now out selling their bodies to make their quota. Sick, yes.

The Johns fuel the demand. Punish the Johns, publish the names and curbing the demand is a way to eliminate the profitability of this horrific crime.

Why the young girls...well the internet/pornography fills the eyes of men and they want to act out their fantasies. They are so detached from reality and the need to have their gratification; they buy a young girl.....and may even have a daughter at home this age. SICK!

When discussing this with a local who reads Japanese, he told me the girls are advertised 'For Sale' opening in the tourist papers, but Americans cannot read it. Why is this happening? Curb the demand.

2. **Save the girls; treat them like the victims they are and not criminals.**

You can never convince me that the young girls want to be out selling their bodies, having sick, old, stinking men crawl all over them and ask for discussing acts, to fulfill their 'needs' . This is not natural.

No man wants their daughter or granddaughter out selling their body. Every girl happens to be related to someone, and now they feel they cannot go home since they are damaged goods. Some one is home crying over the lost child and they do not know their whereabouts.

They are not controlled by the pimps; they are duped and doped into believing this is all they are worth now...to sell their body. And when they get sick or....they are discarded or eliminated!

I have meet with some women who have been sold; and no one wants to be abused this way, by Johns and their Pimps. Yes abuse in all forms. Sick and horrific to think that in a civilized society in 2013 little girls are disappearing and being sold! For money...yes for money and to fill sick needs.

More discussing is to think that the little girls are being punished also by the cops and government, since they are presumed guilty. The pimps tell them the cops will not help them, but punish them...but not as much as the pimps if they snitch.

Give the young girls some grace so they can heal and recover, and not treat them like a criminal. Save the girls, save our society from becoming so sick, we allow girls to be tortured into selling their bodies.

Have the police enforce the laws, train the police and agencies on how to deal with human slavery or sexual trafficking, especially with minors.

AND- make/support shelters for those rescued!

Summary:

1. Punish the Johns. When we have the laws with teeth, enforce them, publicize the offenders and take a tough stance against human sexual trafficking, especially of minors, the demand will decline.
2. Change the view point of the young girls from being criminal to victims; treat the victims and get them to a safe place.

Plus pass more legislation:

3. IF the girls are victims, then they need help and safe houses to recover from the mental and physical impact of being sold and their bodies being used.
Healing is a long term process and not a week, month or year process. Typically 2-3 years to make them feel whole again, productive and have the possibility of being accepted back in to society with your every one looking at them as 'goods'.
There are drug dependencies, diseases, abortions gone wrong and mental issues to deal with.
There is no quick Band-Aid or drug to restore a broken spirit and body.

The best cure to solve this crime is to STOP It; but save those who have been caught in the snare before the trap was set!

Sincerely,
Suzanne Sullivan

Please support SB192 relating to child prostitution - the trauma that sexual abuse gives children is a lifelong burden and deserves extremely strong punishment for the perpetrators and great support for the victims.

~ Suzanne

IN STRONG SUPPORT OF SB 192

Dear Committee,

Please amend the bill to increase the penalty for soliciting sex from a minor from a Class C felony to a Class B felony offense in parallel with the state laws on the internet enticement of minors.

Earlier this year, Shared Hope International rated Hawaii second worst in the nation in protecting child victims of sex trafficking by law. Since there is no sex trafficking statute in Hawaii, statistics from law enforcement are unavailable as they are combined with general prostitution statistics but other sources of information are very helpful in assessing the great need for services specific to child victims of sex trafficking. Such information states:

- Hawaii's incarceration rate of juvenile girls exceeds national average¹.
- Of the girls incarcerated, 35% are runaways, a high-risk criteria for trafficking².
- Hawaii has the third highest attempted teen suicide rate³.
- Hawaii has one of the highest rates of interfamilial sexual abuse (incest)⁴

All of these statistics significantly contribute to the proliferation of sex trafficking. Since 2009, PASS alone has assisted 96 victims of human trafficking. The need to expand anti trafficking services is very severe. Thank you for hearing this much needed legislation

32 Years ago I was a victim of Sex Trafficking, my life would be different today if the laws protected me. Please make laws to protect our children.

Mahalo ~

Tamara Bitanga

Tamara Bitanga

Bookkeeper for

Koshiba Price Gruebner & Mau

1003 Bishop Street, Suite 2600

Honolulu, HI 96813

Phone: (808) 523-3900

Fax: (808) 526-9829

Email: tammy@koshibalaw.com

SB192

Submitted on: 3/11/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments: Dear Chair Rhoads, Vice-Chair Har & Members of the House Judiciary Committee, Please support this very important piece of legislation that will provide more protection for our youth. Frighteningly, we are now in a technological age where elementary school-aged children can easily access pornography through the internet DESPITE parental controls, precautions and preventive measures. The sexual images circulating on the internet for all to see are not simple nude bodies but are people engaged in extreme sexual acts and dehumanized sexual relationships to include the promotion of prostitution and the use of children in sexual acts. Observing such acts leads the viewers to believe that such practices are normal and acceptable - particularly for children - where the foundation for what they perceive sex and sexual relationships to be are formed. Pornography doesn't illustrate how to have a respectful, meaningful intimate relationship; it shows the viewer that if you want it, you can take it and if the one you're with won't do what you want, you can always go to a prostitute. Pornography, prostitution, exploitation and abuse are all inter-related and ultimately affect us all if you really take a good look at all the consequences of it. We need to provide increased protection and long-term resources for the victimized, find effective treatment and correction for abusers as well as shut down sources that would promote and profit from such criminal behavior, inappropriate sexual relationships and unnatural acts. This bill is a step in the right direction. Please support it unanimously and help to end such human exploitation in Hawaii. Thank you for your time and consideration. Respectfully, Dara Carlin, M.A. Domestic Violence Survivor Advocate

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Testifiers:

Tahiti Huetter

Rex Huetter

Kaleo Schneider

Kendra Schneider

Barbara Yeackel

Alexandria Crighton

Jan Cook

Jill Cullinan

Mahealani Schneider

Whitney Schneider-Furuya

Christian Schneider

Linda Weiland

Mary Witthans

Stanley Yeackel

Jenifer Schneider

Elsa Souza

IN STRONG SUPPORT OF SB 192

Dear Committee,

We also strongly urge the committee to amend the bill to increase the penalty for soliciting sex from a minor from a Class C felony to a Class B felony offense in parallel with the state laws on the internet enticement of minors.

Earlier this year, Shared Hope International rated Hawaii second worst in the nation in protecting child victims of sex trafficking by law. Since there is no sex trafficking statute in Hawaii, statistics from law enforcement are unavailable as they are combined with general prostitution statistics but other sources of information are very helpful in assessing the great need for services specific to child victims of sex trafficking. Such information states:

- Hawaii's incarceration rate of juvenile girls exceeds national average¹.
- Of the girls incarcerated, 35% are runaways, a high-risk criteria for trafficking².
- Hawaii has the third highest attempted teen suicide rate³.
- Hawaii has one of the highest rates of intrafamilial sexual abuse (incest)⁴

All of these statistics significantly contribute to the proliferation of sex trafficking. Since 2009, PASS alone has assisted 96 victims of human trafficking. The need to expand anti trafficking services is very severe. Thank you for hearing this much needed legislation

Aloha

LATE

SB192

Submitted on: 3/11/2013

Testimony for JUD on Mar 12, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Spencer Toyama	Individual	Support	No

Comments: I strongly support this bill.

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03/12/2013, 2:00PM, House Conference Room #325

LATE

To: Committee on Judiciary
Rep. Karl Rhoads, Chair
Rep. Sharon E. Har, Vice Chair

From: Casey Hewes

Re: Support Bill SB192

I am writing as an individual in strong support of SB192.

I am the proud uncle of two beautiful sixteen-year-old nieces. Unfortunately they live in a troubled time. Much older males approach them frequently and proposition them for sex while walking back and forth to Moanalua High School.

I am truly disturbed that the state of Hawaii does not take a much tougher position on those who take advantage of young females. The state of Hawaii can play a much more prominent role in protecting these young women. There is evidence that show if these young women are exploited the psychological trauma will prevent them from becoming the future teachers and nurses Hawaii needs and are more likely to become dependent on state support.

I have had the opportunity to work in the Hawaii correction system and I assure you these offenders are aware of harsh penalties and they do serve as strong deterrents. Repeated criminals are generally familiar with the law and SB 192 will serve as a strong message to this demographic this behavior is unacceptable in the great state of Hawaii.

Thank you for the opportunity to submit testimony.

Sincerely,



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