

STAND. COM. REP. NO. 2381

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 2256
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Human Services and Judiciary and Labor, to which was referred S.B. No. 2256 entitled:

"A BILL FOR AN ACT RELATING TO JUVENILE PROSTITUTION,"

beg leave to report as follows:

The purpose and intent of this measure is to aid victimized and exploited juvenile prostitutes by creating a specialty juvenile prostitution court as a pilot program.

Your Committees received testimony in support of this measure from the Judiciary, Pacific Alliance to Stop Slavery, IMUAlliance, Courage Worldwide Hawaii, Courage House Hawaii, and forty-two individuals. Your Committees received testimony in opposition to this measure from the Department of the Prosecuting Attorney, City and County of Honolulu.

Your Committees find that, too often, sex-trafficking victims are re-traumatized by the criminal justice system, branded as juvenile offenders, and treated as though their crimes were self-motivated. Your Committees further find that it is crucial to provide aid to vulnerable youth when they first become trapped in the subculture of prostitution because adult prostitutes often were troubled youth who remained victimized and trapped by the subculture of the street, by those who control their activities, and by a lack of other skills and economic resources. This measure seeks to provide vulnerable youth who have become trapped in the subculture of prostitution by providing rehabilitative, educational, vocational, medical, and psychological services to

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ensure that the youth have every opportunity to overcome crimes committed against their person and to lead successful adult lives.

Your Committees have amended this measure by:

- (1) Adding language to clarify that the juvenile prostitution court will have authority over non-violent offenses committed by a juvenile during the period of victimization of the juvenile in the promotion of prostitution;
- (2) Deleting language that would have required the Chief Justice and senior judge of the Family Court to select the assigned judge for the juvenile prostitution court;
- (3) Amending language to allow, rather than mandate, certain support services and resources for the juvenile prostitution court;
- (4) Substituting the word "juveniles" for the word "offenders" throughout the measure because the term "offenders" is most often used to apply to adults, and substituting the word "juveniles" for the word "victims" where appropriate;
- (5) Deleting language that would have required the resource coordinator and on-site child advocate to be licensed as social workers;
- (6) Inserting language authorizing the court to contract with victim services organizations to implement the juvenile prostitution court;
- (7) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2256, as amended herein, and recommend that it pass Second Reading in the form attached hereto



as S.B. No. 2256, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Human Services and Judiciary and Labor,



CLAYTON HEE, Chair



SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 2256	Committee Referral: HMS/JDL, WAM	Date: 2-10-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, M.D., Josh (VC)				✓
KIDANI, Michelle N.		✓		
TANIGUCHI, Brian T.				✓
SLOM, Sam		✓		
TOTAL	1	2		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2256	HMS/JDL,WAM	2/10/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood				✓
IHARA, Jr., Les				✓
SOLOMON, Malama		✓		
SLOM, Sam		✓		
TOTAL	3	2	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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