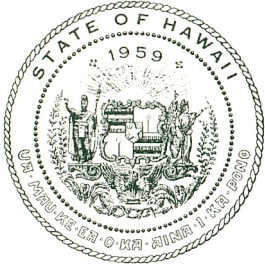


HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

SHERRY CAMPAGNA
CYD HOFFELD
JUDY KERN
MARILYN LEE
AMY MONK
LISA ELLEN SMITH

Executive Director
Cathy Betts, JD

Email:
Catherine.a.betts@hawaii.gov
Visit us at:
humanservices.hawaii.gov
/hscsw/

235 S. Beretania #407
Honolulu, HI 96813
Phone: 808-586-5758
FAX: 808-586-5756

February 2, 2016

LATE

Testimony in Support of HB 1902, Relating to Sex Trafficking

To: Representative Karl Rhoads, Chair
Representative Joy San Buenaventura, Vice Chair
Members of the House Committee on Judiciary

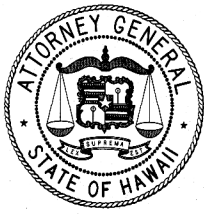
From: Cathy Betts, Executive Director
Hawai'i State Commission on the Status of Women

Re: Testimony in Support of HB 1902

On behalf of the Hawaii State Commission on the Status of Women, I would like to provide testimony in support of HB 1902, which would define the crimes of sex trafficking and promoting prostitution while strengthening enforcement of laws and penalties against sex traffickers. Additionally, HB 1902 proposes to strengthen protections, civil remedies, and services for victims.

Children are the most at risk demographic for sex trafficking. The average age of entry into prostitution is between 12 and 13 years old. Hawaii law currently makes it very difficult for a victim to escape sex trafficking by likening victims to willing participants in a criminal act. HB 1902 seeks to amend our penal code such that victims of sex trafficking, especially child victims, would not be labeled and treated as criminals. Further, it would reduce barriers that prevent victims of sex trafficking from obtaining resources, support, and treatment services.

Its time that Hawaii passes a comprehensive, victim centered, anti trafficking law. The Commission strongly supports the language in HB 1902 and respectfully urges this Committee to pass this bill. Thank you for the opportunity to testify in support.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2016**

LATE

ON THE FOLLOWING MEASURE:
H.B. NO. 1902, RELATING TO SEX TRAFFICKING.

BEFORE THE:
HOUSE COMMITTEE ON JUDICIARY

DATE: Tuesday, February 2, 2016 **TIME:** 2:00 p.m.
LOCATION: State Capitol, Room 325
TESTIFIER(S): Douglas S. Chin, Attorney General, or
Lance M. Goto, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General recommends a few friendly amendments to this bill, but otherwise supports this bill.

The purpose of this bill is to rename the offense of Promoting Prostitution in the First Degree to "Sex Trafficking," classify it as a violent crime for purposes of the Crime Victim Compensation laws, and make a Sex Trafficking offender strictly liable when the person subjected to prostitution was less than eighteen years old. The bill provides that the offense of prostitution, when committed by a person younger than eighteen years of age, is a violation. It expands the Department of the Attorney General's Statewide Witness Program to include Sex Trafficking; and it amends laws relating to civil liability for cases of coercion into prostitution to include Sex Trafficking. The bill also adds Sex Trafficking to the list of covered offenses subject to the forfeiture laws and the list of offenses for which an investigating agency might obtain court approval to intercept communications. And finally, the bill makes the offense of Sex Trafficking a tier 2 offense under the sex offender registration laws.

The Department has concerns about the proposed amendments to the Prostitution law on pages 8-10 of the bill. The bill on page 8, lines 3-9, defines what constitutes the offense of Prostitution. The current amendment on lines 5-6 requires that the offender be eighteen years of age or older. But it is clear from the bill, on page 10, lines 8-14, that it intends that the Prostitution offense apply to all offenders, including juveniles. Therefore, the age provision on page 8, lines 5-6, should be deleted such that the new subsection (1)(a) should read as follows:

The person engages in, or agrees or offers to engage in, sexual conduct with another person for a fee.

The age provision should be placed on line 14, in the penalty subsection, such that subsection (3) should read as follows:

Prostitution is a petty misdemeanor, except when a person commits a violation of subsection (1)(a) and is less than eighteen years of age, then prostitution is a violation.

With these revisions, subsection (6) on page 10 of the bill, at lines 8-14, should be amended to read as follows:

A person less than eighteen years of age, who commits a violation of subsection (1)(a), shall be subject to the jurisdiction of the family court that shall handle the matter as a criminal offense pursuant to section 571-11(1), including for the purposes of custody, detention, diversion, and access to services and resources.

Justin F. Kollar
Prosecuting Attorney

Jennifer S. Winn
First Deputy



Rebecca A. Vogt
Second Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Lihu'e, Hawai'i 96766
808-241-1888 ~ FAX 808-241-1758
Victim/Witness Program 808-241-1898 or 800-668-5734

LATE

TESTIMONY IN OPPOSITION TO
HB 1902 – RELATING TO SEX TRAFFICKING

Justin F. Kollar, Prosecuting Attorney
County of Kaua'i

House Committee on Judiciary
February 2, 2016, 2:00 p.m., Conference Room 325

Chair Rhoads, Vice-Chair San Buenaventura, and Members of the Committee:

The County of Kaua'i, Office of the Prosecuting Attorney, SUPPORTS HB 1902 – Relating to Sex Trafficking.

The intent of the Bill is to adopt a victim- and survivor-centered approach to prosecution of these terrible crimes and bring Hawai'i into line with the other forty-nine U.S. States that have adopted comprehensive anti-sex trafficking legislation.

The proposed Bill adequately addresses the concerns raised by the Governor in his veto message concerning the Sex Trafficking Bill passed in the previous legislative session. It balances the various factors articulated by the various stakeholders around this issue and offers an appropriate approach to dealing with sex trafficking in Hawai'i.

Accordingly, we SUPPORT HB 1902. We request that your Committee PASS the Bill.

Thank you very much for the opportunity to provide testimony on this Bill.

LATE

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-Eighth State Legislature
Regular Session of 2016
State of Hawai`i

February 2, 2016

RE: H.B. 1902; RELATING TO SEX TRAFFICKING.

Chair Rhoads, Vice Chair San Buenaventura and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in opposition to House Bill 1902, particularly to Sections 12 and 14.

The Department strongly believes that Hawaii’s current statutes regarding Promoting Prostitution (in the First and Second Degree) are already very strong tools for deterring and prosecuting all forms of “sexual human trafficking.” As-is, the Department has been successful in prosecuting offenders of Promoting Prostitution cases, and has been a strong advocate for holding offenders accountable to the fullest extent of the law. In 2011, the Department also submitted legislative bills—which were ultimately enacted—to heighten protections for victims of these crimes, and to increase the penalties for perpetrators. Since then, the Department has used these laws to successfully prosecute and convict a multitude of offenders, with more cases currently pending prosecution.

Given the current strength of our laws, any changes—such as those proposed in Section 14 of this bill—could negatively impact our prosecution of these cases, and could negatively impact the way our juries and courts apply and interpret this statute in trial. We are particularly concerned about the proposal to include multiple states of mind in Section 712-1202, Hawaii Revised Statutes (“HRS”), which could lead to unintended court interpretations or consequences. To address this issue, we would recommend that the word “knowingly” be deleted from page 11, line 4, then added separately to lines 5 and 9.

The Department also opposes Section 12 of this bill, as it purports to treat any offense of prostitution—if committed by a minor—as a violation (i.e. non-crime). While additional language attempts to give Family Court the authority to treat these cases as “law violations” (i.e.

crimes) for “purposes of custody, detention, diversion, and access to services and resources,” such language would be entirely unique and unprecedented within the juvenile justice system, and there are no assurances that our Family Court, juvenile detention facilities, service providers, etc would indeed be able to utilize these provisions as intended. While we are not intimately familiar with the numerous rules, regulations, or liability concerns that these various bodies and service providers must abide by, such issues are of great concern to our department, as we strongly believe that minors who are involved in prostitution—generally speaking—are in great need of treatment and counseling on a mandatory, extended, residential basis. This is not available for minors who commit violations (i.e. non-crimes), and it is unclear whether the proposed language—making this one charge the sole exception—would effectively empower all involved parties to act otherwise.

On a technical note, the proposed language makes no mention of whether Family Court could impose probation—the mechanism by which the court requires a minor to comply with the court’s orders. Also, as currently written, the language on page 8, line 5, appears to exclude minors entirely from the offense of prostitution. Thus, the plain language of this amendment may essentially make it legal for minors to commit the offense noted in HRS 712-1200(1)(a).

Given the huge uncertainty of whether the proposed language would have the desired effects, we do not agree that this risk outweighs the need to ensure access to treatment for these minors. As HRS 712-1200 currently stands, minors can be held and provided treatment as necessary, without this uncertainty; indeed, the greatest need is actually for appropriate residential programs to properly treat these minors. We would also emphasize that all juvenile justice records are sealed upon the minor reaching 18 years old, and those records are not disclosed thereafter. Thus, being adjudicated for law violations as a juvenile has minimal impact on a person’s future educational or occupational prospects.

Despite our disagreement with this bill, we appreciate the work of the various advocates and will continue to aggressively pursue all cases involving sexual exploitation of victims. We will also continue to identify and divert victims of promoting prostitution from the criminal process and refer them to needed services.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes House Bill 1902. Thank you for the opportunity to testify on this matter.



Randy Perreira
President

HAWAII STATE AFL-CIO

345 Queen Street, Suite 500 • Honolulu, Hawaii 96813

LATE

Telephone: (808) 597-1441
Fax: (808) 593-2149

The Twenty-Eighth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Judiciary

Testimony by
Hawaii State AFL-CIO
February 2, 2016

H.B. 1902 – RELATING TO SEX
TRAFFICKING

The Hawaii State AFL-CIO supports H.B. 1902 which replaces the offense of Promoting Prostitution in the First Degree with Sex Trafficking to be classified as a violent crime and makes Sex Trafficking a class A felony and a strict liability offense if a minor is the victim of sex trafficking.

Sex trafficking is a horrific crime that no child should have to endure. Classifying sex trafficking as a violent crime and a class A felony if the victim is a minor will hopefully lead to fewer children being coerced or forced to perform commercial sex acts and ultimately lead to the end of an industry that exploits, manipulates and traumatizes children as young as 12 years old.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President



THE SEX ABUSE TREATMENT CENTER

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

LATE

Executive Director
Adriana Ramelli

Advisory Board
President
Mimi Beams
Vice President
Peter Van Zile

Joanne H. Arizumi
Mark J. Bennett
Andre Bisquera
Marilyn Carlsmith

DATE: February 2, 2016

TO: The Honorable Karl Rhoads, Chair
The Honorable Joy San Buenaventura, Vice Chair
House Committee on Judiciary

FROM: The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women and Children

RE: Testimony in Support of H.B. 1902
Relating to Sex Trafficking

Senator
Suzanne Chun Oakland
Monica Cobb-Adams

Good afternoon Chair Rhoads, Vice Chair San Buenaventura, and members of the House Committee on Judiciary.

Donne Dawson
Dennis Dunn
Councilmember
Carol Fukunaga
David I. Haverly
Linda Jameson
Michael P. Matsumoto
Robert H. Pantell, MD

The Sex Abuse Treatment Center (SATC) supports H.B. 1902, which defines the crimes of sex trafficking and promoting prostitution; makes sex trafficking a class A felony; makes sex trafficking a strict liability offense if a minor is victimized; provides that the offense of prostitution for a minor is a violation; expands the Department of the Attorney General's statewide witness program to include victims of sex trafficking; provides survivors with access to crime victim compensation and a cause of action against traffickers; and strengthens enforcement of laws and penalties against sex traffickers.

Gidget Ruschetta
Joshua A. Wisch

Sex trafficking, the commercial sexual exploitation of a minor or the coercive commercial sexual exploitation of any person, remains a serious humanitarian and public health issue in Hawaii. While no demographic or socio-economic group is immune, children are especially at risk of being targeted by traffickers. One study found that 1 in 3 teens on the street in the United States are lured towards prostitution within 48 hours of leaving home. Moreover, the average age of entry into prostitution is between 12 and 13 years old.

Among other violent means employed to instill fear and maintain control, 13% of victims are subjected to sexual assault by their traffickers, while 90% of victims reported sexual violence from all sources while they were being trafficked, including johns and others in addition to their traffickers.

Hawaii law currently makes a victim's daunting task of escaping sex trafficking and rebuilding their life more difficult by conflating victims—especially minor victims—with willing participants in their own exploitation and punishing them as such. Moreover, survivors of sex trafficking are not allowed access to some programs and systems that help other victims of violent crime in our state.

H.B. 1902 would reverse this harmful narrative by amending the penal code to no longer label child victims of sex trafficking as criminal prostitutes and allowing victims of any age who are unjustly convicted of prostitution a path to having those convictions vacated. It would further reduce barriers that prevent victims of sex trafficking from obtaining important advocacy and treatment services by allowing them to access Hawaii's crime victim compensation funds. Moreover, H.B. 1902 would allow victims the possibility of obtaining damages from their traffickers through a civil suit, which could also include as co-plaintiffs multiple victims of the same trafficker.

Rather than blaming and punishing victims, H.B. 1902 enhances Hawaii's ability to hobble the true source of sex trafficking, the traffickers themselves. This measure would allow law enforcement an additional tool to build stronger cases against traffickers through the interception of their spoken and electronic communications. Moreover, once traffickers are convicted, H.B. 1902 would ensure that the community be aware of their identities by requiring that they remain on sex offender registries for no less than 25 years.

By shifting Hawaii to a more victim-considerate approach to address sex trafficking, H.B. 1902 offers the opportunity for our state to meaningfully help survivors, while holding traffickers to account for the illegal and abusive sex trade.



250 Vineyard Street
Honolulu, Hawaii 96813
(808) 521-9531

FamilyProgramsHawaii.com

TO: Rep. Karl Rhoads, Chair
Rep. Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

HEARING: Tuesday, February 2, 2016
2:00 PM
Conference Room 325

FROM: C. Kent Coarsey
Vice President of Development and Communications

RE: HB1902 - Relating to Sex Trafficking

Thank you for the opportunity to testify, Family Programs Hawaii strongly supports HB1902.

Hawaii is the only state in the union that does not have a comprehensive sex trafficking bill. This needs to change, as the sex trafficking of American children is one of the most shocking and hidden crimes against our nation's youth.

Approximately 83% of confirmed sex trafficking victims in this country are United States citizens, and 40% of cases involve children. According to the U.S. Justice Department, National Center for Missing and Exploited Children, a pimp can make \$150,000-\$200,000 per child each year and the average pimp has 4 to 6 children working for them.

In 2013, 60 percent of the child sex trafficking victims recovered as part of the FBI nationwide raid from over 70 cities were children from foster care or group homes. (<http://www.npr.org/templates/story/story.php?storyId=207901614>) This issue is very important to our agency, as Family Programs Hawaii's mission is to help youth in foster care create a bright and healthy future.

Thank you for this opportunity to support HB1902.

We help kids



250 Vineyard Street
Honolulu, Hawaii 96813
(808) 521-9531

FamilyProgramsHawaii.com

TO: Rep. Karl Rhoads, Chair
Rep. Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

HEARING: Tuesday, February 2, 2016
2:00 PM
Conference Room 325

FROM: Judith Wilhoite
Family Advocate
It Takes An Ohana

RE: HB1902 - Relating to Sex Trafficking

Thank you for the opportunity to testify. I am the Family Advocate for Family Program Hawaii's It Takes An Ohana (ITAO) program and a resource caregiver, formerly referred to as foster parent. I, along with my Advisory Committee, strongly support HB1902.

Statistics from the Department of Justice show that the average age of entry for girls into sex trafficking is between 12 to 14 years. We're not talking about young women here, we are talking about children! Even more horrifying to a foster mother are reports that 50% of children sold into trafficking in California are foster care children and 60% of children reported missing to the National Center for Missing and Exploited Children who are likely sex trafficking victims were in foster care or group homes when they ran away .

Some factors that make Hawai'i a prime location for sex trafficking are:

- High occurrence of runaways
- International travel destination
- Business and trade conferences
- Military hub
- Tourism
- High rate of intra-familial sexual abuse
- High rate of suicide

Let us all join together to help these young people find support and healing, with opportunities for a new, better life. Passing HB1907 is a good place to start.

Thank you for this opportunity to voice strong support for HB1902.

We help kids



ONLINE TESTIMONY SUBMITTAL
House Committee on Judiciary
Hearing on Tuesday, February 2, 2016 @2:00 p.m.
Conference Room #325

DATE: February 1, 2016

TO: House Committee on Judiciary
Rep. Karl Rhoads, Chair
Rep. Joy San Buenaventura, Vice Chair

FROM: Eva Andrade, President

RE: Support for HB 1902 Relating to Sex Trafficking

Aloha and thank you for the opportunity to submit testimony in support of this measure. 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 support this bill that replaces the offense of "Promoting Prostitution in the First Degree" with "Sex Trafficking" to be classified as a violent crime.

The U.S. State Department estimates that thousands of human beings, many of them children, are trafficked each year into the United States to work in the sex trade or as slave labor. Women and children have been forced to work in prostitution and child pornography rings, and even coerced into different types of manual labor, without pay or protection. As a faith-based community, we care deeply about the family, especially the sexual exploitation of our children. Passage of this bill would make sex trafficking a class A felony with a strict liability offense if it relates to a minor.

In Hawaii, many child victims of human trafficking commonly seek to escape their personal struggles with the hope of finding opportunity and a brighter future. It is in these types of environments that human traffickers flourish, promising these precious keiki an opportunity to travel, at no immediate expense, for employment and housing. What they find instead, is coercion, abuse, entrapment, and sexual exploitation in a brothel, a massage parlor, or even an agricultural outpost. By the time they are rescued, if ever, they are shattered by physical, mental, and psychological abuse. Many become ill and some have even lost their lives.

Hawaii Family Forum worked hard to protect children from sexual exploitation (our organization was instrumental in the raising of the age of consent in Hawaii from 14 to 16) and we appreciate the hard work of other advocacy organizations that have fought for more protections for victims. Protection of our keiki from sexual exploitation must continue to be a top priority for Hawaii and providing needed support and services to these victims is crucial!

Mahalo for the opportunity to support this measure.



January 30, 2016

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair
Rep. Joy A. San Buenaventura, Vice Chair
Rep. Della Au Belatti
Rep. Dee Morikawa
Rep. Tom Brower
Rep. Mark M. Nakashima
Rep. Richard P. Creagan

Rep. Gregg Takayama
Rep. Mark J. Hashem
Rep. Justin H. Woodson
Rep. Derek S.K. Kawakami
Rep. Bob McDermott
Rep. Chris Lee
Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Tuesday, February 2, 2016
TIME: 2:00pm
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

**RE: IN STRONG SUPPORT OF HB1902
RELATING TO SEX TRAFFICKING**

Dear Committee on Judiciary:

The Pacific Alliance to Stop Slavery (PASS) strongly supports **HB1902**. Since the Governor's veto of last year's sex trafficking bill, lawmakers, the Attorney General's office, and the Honolulu Prosecutor's Office met with state and private service providers to draft HB1902 and its companion SB2322, using language everyone agreed upon. HB1902 is the culmination of that collaborative work, which lasted from the end of the 2015 legislative session until the end of that year.

Hawaii currently remains the only state in the nation lacking a comprehensive, victim-centered sex trafficking law.

The struggle to establish a sex-trafficking law began in 2005 and the implementation of this statute is long overdue. A strong sex-trafficking definition would allow the state to move forward progressively in effective combatting human trafficking in a victim-centered way. Simply relying upon the current promoting prostitution statutes are not enough to protect survivors of sex trafficking from re-victimization in seeking justice.

PASS respectfully urges you to support and pass this bill, and its companion SB2322. Thank you for your time and leadership.

Sincerely,

Kathryn Xian
Executive Director
Pacific Alliance to Stop Slavery

TESTIMONY

The Libertarian Party of Hawaii
c/o 1658 Liholiho St #205
Honolulu, HI 96822

RE: HB 1902 to be heard Tuesday February 2, at 2PM in conference room 325

OPPOSE

To the Members of the House Committee on Judiciary"

This bill goes in the wrong direction. It continues to follow the pattern of attempts to set up a two tiered system for people guilty of the same crime. If persons under 18 are to be guilty of only a violation why are adults to be subjected to jail? Why give minors a competitive advantage in prostitution if the goal is to limit them from participating in this activity? And why send adults to jail? You could simply make the penalty for 712-1200 a violation for everyone, or better yet make it no crime at all.

This legislation is not necessary to the ability of prosecutors to obtain convictions for persons who for purely political reasons must now be described as "sex traffickers". It continues the process of handing out penalties for persons who cannot be shown to have harmed anyone. It flies in the face of public policy aimed at reducing our prison populations. . Why is the penalty for 712-1203 a class B felony when there is not minor or coercion involved? Why should we send people to "intervention classes" other than to put money in the pockets of the people presenting them?

The people behind this have been roundly criticized. The information circulated by the Polaris Project and others about human trafficking and what to do about it has been questioned and opposed by Amnesty International, the United Nations, the Global Alliance Against Trafficking Women, and increasingly by mainland media.

We have a good group of professional people in Hawaii in public health, social services, and out University who have very different ideas on these issues. Don't you think the legislature should take an interest in their points of view?

Sincerely:



Tracy Ryan, Chair

LATE



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

TESTIMONY FOR HOUSE BILL 1902, RELATING TO SEX TRAFFICKING

House Committee on Judiciary
Hon. Karl Rhoads, Chair
Hon. Joy A. San Buenaventura, Vice Chair

Tuesday, February 2, 2016, 2:00 PM
State Capitol, Conference Room 325

Honorable Chair Rhoads and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 350 local members. On behalf of our members, we offer this testimony **in strong support of, with proposed amendments for** HB 1902, relating to sex trafficking.

It's time. A half-decade after our state enacted its first human trafficking law, the moment has come to ban sex trafficking in Hawai'i. In the last five years, policymakers and anti-trafficking activists have made numerous changes to the islands' prostitution code to curb sexual exploitation. In 2011, we increased the grade of offense for promoting prostitution violations to class A and B felonies, subjecting abusive pimps to lengthy jail sentences. In 2012, we made it possible for trafficking survivors to vacate prostitution convictions that were the result of coercion. In 2013, we attacked demand for the sexual exploitation of children by criminalizing solicitation of minors for prostitution. We also required our state's approximately 150 high-risk sex-trafficking establishments, like strip clubs and hostess bars, to put up a poster with the National Human Trafficking Hotline number, and took away the ability for johns to get out of jail free by deferring their sentences. Last year, we closed a loophole that allowed law enforcement to have sex with trafficking survivors during prostitution busts. Equally importantly, we removed the "mistake of age" defense for criminals who buy sex with kids, permitted reverse stings to catch child predators, and raised fines and fees for prostitution charges to make perpetrators pay for the rehabilitation of their victims.

Yet, the progress we've made isn't enough. Hawai'i is the only state in the nation without a comprehensive, victim-first sex trafficking ban (Virginia, the only other state without a ban, passed a sex trafficking law last February). Put simply, we still haven't outlawed slavery on our shores. Make no mistake, sexual slavery is what we're targeting. Victims of sex trafficking are no more in control of their actions than Africans oppressed under chattel slavery. According to the U.S. Department of Health and Human Services, sex trafficking survivors experience "terrorizing physical and sexual violence," as well as "multiple layers of trauma, including psychological damage from captivity and

fear of reprisals if escape is contemplated, brainwashing, and for some, a long history of family, community, or national violence.” Studies show that 80 percent of prostituted persons report being raped and as many as 95 percent report being physically assaulted, according to the U.S. Department of State, which notes that such statistics are likely lower than reality because of heightened victim traumatization. Moreover, nearly 90 percent of prostituted women reported a strong desire to escape in a 2003 study published in the *Journal of Trauma Practice*, a number that's made more urgent by the fact that the average age of entry into the American commercial sex industry is 13-years-old.

Victims of sexual and psychological terror should not be called criminals. Rather, they should be provided with the services needed to restore their health and dignity. When we hoist the “prostitution” label on sex trafficking survivors, as Hawai'i's promoting prostitution laws inherently do, we brand them with a unjust code that impedes their ability to obtain housing, higher education, and employment. Branding is a way that pimps mark their victims as property. It has no place in the restoration of human rights. This legal circumstance is exacerbated by the fact that, under HRS §712-1200, johns and prostitutes are criminalized under the same law, creating a mind-boggling legal mess in which sex trafficking victims are penalized with the men who finance their subjugation (and creating a situation in which strengthening penalties for johns concurrently hardens sentences for victims, who are frequently misidentified as voluntary prostitutes and prosecuted for selling sex).

Hawaii is also at high risk of sex trafficking that is expedited by the internet, also known as “cybertrafficking.” Each year, pimps post roughly 110,000 ads for Hawai'i-based prostitution online, using the adult services sections of websites like Backpage.com. High-risk sex trafficking businesses, like massage parlors and escort services, use advertisements featuring nude and semi-nude images to sell sexual exploitation to johns. Legitimate relaxation enterprises are unlikely to risk being mistaken for houses of prostitution by featuring pornographic images in their ads, but brothel owners rely on this kind of commercial deception to peddle sexual subjugation. All too frequently, these businesses, along with pimps using the Internet to cloak street- or hotel-based prostitution, escape accountability for their crimes because of a lack of clarity in our promoting prostitution statutes.

To prevent our sands from being sullied by sexual servitude, lawmakers must approve HB 1902, establishing a sex trafficking statute, while recognizing sex trafficking as a violent offense whose victims should be eligible for crime victim compensation to cover medical and psychological care. Admittedly, implementing a sweeping sex trafficking ban won't cure the islands of sexual slavery. It will lift the label of prostitution off of survivors' heads, though, and allow victims to be accurately identified and placed within a coordinated social services network that unites governmental resources with nongovernmental trauma response expertise.

We additionally note that this bill rectifies concerns raised by the Honolulu Prosecutor that led to the Gov. David Ige's veto of Senate Bill 265, last year's version of the sex trafficking ban. Specifically, HB 1902 leaves intact the lesser offense of “promoting prostitution” for prosecutors to use when handling difficult cases (such as cases involving reluctant witnesses) and the arrangement of plea deals. This draft also eliminates language giving rise to the unintended consequence of requiring prosecutors to prove that a pimp or trafficker knew the exact age of their victim in cases involving either “sex trafficking” or “promoting prostitution,” while holding traffickers strictly liable

for the exploitation of minors and respecting prosecutorial discretion in cases involving the trafficking of adults—with the latter cases being prosecuted as “sex trafficking” if evidence of “force, fraud, threat, or coercion” can be presented. Problematic language enumerating specific violent crimes as means of compelling a person into or profiting from sex trafficking—for example, kidnapping under §707-720, sexual assault under §707-731 and §707-732, or unlawful imprisonment under §707-721 and §707-722—moreover, have been stricken from this draft, safeguarding against law enforcement and prosecutors having to prove the facts of a specific violent crime *before* prosecuting a sex trafficking case.

That said, **we encourage you to amend this bill to make solicitation of sex from a person in reckless disregard that the person is a victim of sex trafficking a felony offense.** IMUAlliance regularly engages in direct intervention on behalf of sex trafficking victims, often in the places at which trafficking occurs—strip clubs, massage parlors, hostess bars, relaxation therapy establishments, and local street “tracks.” Within the context of our outreach efforts, we regularly see johns purchase sexual services from victims who have just been beaten, raped, or otherwise assaulted, with the attacks frequently occurring in plain view and, at times, in conjunction with money being given to the assailant. Similarly, johns will frequently purchase sex from a victim being advertised as a minor or after having been told by a pimp, trafficker, or mamasan that a girl is foreign, speaks limited English, or is new to the sex industry. These circumstances, among others, should be enough for a reasonable individual to suspect that a prostituted person is likely to be a victim of trafficking. For johns who disregard visible and apparent evidence of sex trafficking, we feel that the penalty for engaging in prostitution should be higher than for johns who pay \$200 for a casual sexual encounter in which force, fraud, threat, or intimidation are never evinced. Our requested amendment can be achieved by amending §712-1200(3) to read: “Prostitution is a petty misdemeanor~~[-];~~ **provided that it is a class C felony if the person who paid, agreed to pay, or offered to pay a fee to engage in sexual conduct with another person did so in reckless disregard of the fact that the other person was or is a victim of sex trafficking.**”

While stopping sex trafficking is an ambitious goal, passing this proposal will signal our common commitment to that cause. It will send the message that slavery will not be tolerated on our watch. Not in our neighborhoods. Not on our islands. Not anymore. Mahalo for the opportunity to testify **in strong support** of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance



LATE

February 1, 2016

To: House Committee on Judiciary
Representative Karl Rhoads, Chair
Representative Joy A. San Buenaventura, Vice Chair

From: Michelle Rocca, Training and Technical Assistance Director
Hawaii State Coalition Against Domestic Violence

Re: Testimony in Support of HB 1902

Good afternoon Representative Rhoads, Vice Chair San Buenaventura, and members of the committee. On behalf of the Hawaii State Coalition Against Domestic Violence we thank you for the opportunity to share our testimony in **support of HB 1902** relating to sex trafficking.

The Hawaii State Coalition Against Domestic Violence (HSCADV) supports H.B. 1902, which defines the crimes of sex trafficking and promoting prostitution; makes sex trafficking a class A felony; makes sex trafficking a strict liability offense if a minor is victimized; provides that the offense of prostitution for a minor is a violation; expands the Department of the Attorney General's statewide witness program to include victims of sex trafficking; provides survivors with access to crime victim compensation and a cause of action against traffickers; and strengthens enforcement of laws and penalties against sex traffickers.

H.B. 1902 would significantly improve our systematic response to sex trafficking by amending the penal code to no longer label child victims of sex trafficking as criminal prostitutes and allowing victims of any age who are unjustly convicted of prostitution a path to having those convictions vacated. Additionally, H.B. 1902 would allow victims the possibility of obtaining damages from their traffickers through a civil suit, which could also include as co-plaintiffs multiple victims of the same trafficker. Ultimately, this measure is a victim centered response to the heinous act of sexually exploiting humans, which is emphasized by the bill's capacity to place responsibility on the traffickers themselves and hold offenders of this crime accountable for their actions.

Thank you for your consideration and for the opportunity to provide testimony on this matter.



COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Joy A. San Buenaventura, Vice Chair

DATE: Tuesday, February 02, 2016

TIME: 2:00 p.m.

PLACE: Conference Room 325

STRONG SUPPORT FOR HB1902 relating to sex trafficking

Aloha Chair Rhoads, Vice Chair San Buenaventura and members,

The Coalition is in strong support of this bill. Sex trafficking, the commercial sexual exploitation of a minor or the coercive commercial sexual exploitation of any person, remains a serious humanitarian and public health issue in Hawaii.

Hawaii law currently makes it very difficult for victims to escape sex trafficking and rebuild their lives, at least in part, because victims — especially minor victims — are treated as willing participants in their own exploitation and then punished for it. Moreover, survivors of sex trafficking are not allowed access to some programs and systems that help other victims of violent crime in our state.

HB1902 would reverse this terrible trend by amending the penal code to no longer label child victims of sex trafficking as criminal prostitutes and allowing victims of any age who are unjustly convicted of prostitution a path to having those convictions vacated. It would further reduce barriers that prevent victims of sex trafficking from obtaining important advocacy and treatment services by allowing them to access Hawaii's crime victim compensation funds.

Moreover, H.B. 1902 would allow victims the possibility of obtaining damages from their traffickers through a civil suit, which could also include as co-plaintiffs multiple victims of the same trafficker.

Rather than blaming and punishing victims, H.B. 1902 enhances Hawaii's ability to hobble the true source of sex trafficking, the traffickers themselves. This measure would allow law enforcement an additional tool to build stronger cases against traffickers through the interception of their spoken and electronic communications. Moreover, once traffickers are convicted, HB1902 would ensure that the community is aware of their identities by requiring that they remain on sex offender registries for no less than 25 years.

By shifting Hawaii to a more victim-considerate approach to address sex trafficking, HB 1902 offers the opportunity for our state to meaningfully help survivors, while holding traffickers accountable for the illegal and abusive sex trade.

Keep in mind that it's children who are the most vulnerable to this modern-day slave trade. One study found that 1 in 3 teens on the street in the United States are lured towards prostitution within **48 hours of leaving home**. Moreover, the average age of entry into prostitution is between 12 and 13 years old.

Among other violent means employed to instill fear and maintain control, 13% of victims are subjected to sexual assault by their traffickers, while 90% of victims reported sexual violence from all sources while they were being trafficked, including johns and others in addition to their traffickers. We need to do something to address this all-too-prevalent problem.

Please pass this important bill out of committee.

Mahalo for the opportunity to testify,
Ann S. Freed Co-Chair, Hawai'i Women's Coalition
Contact: annsreed@gmail.com Phone: 808-623-5676

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 9:54 PM
To: JUDtestimony
Cc: susan.wurtzburg@gmail.com
Subject: *Submitted testimony for HB1902 on Feb 2, 2016 14:00PM*

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Susan J. Wurtzburg	American Association of University Women, Hawaii	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE



February 2, 2016

HOUSE COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair
Rep. Joy A. San Buenaventura, Vice Chair
Rep. Della Au Belatti
Rep. Tom Brower
Rep. Richard P. Creagan
Rep. Mark J. Hashem
Rep. Derek S.K. Kawakami

Rep. Chris Lee
Rep. Dee Morikawa
Rep. Mark M. Nakashima
Rep. Gregg Takayama
Rep. Justin H. Woodson
Rep. Bob McDermott
Rep. Cynthia Thielen

Testimony by Linda Smith, Founder and President, Shared Hope International
Washington State Rep. (1983-87), Senator (1987-94), U.S. Congress (1995-99)
Re: SUPPORT OF HB 1902 RELATING TO SEX TRAFFICKING.

DATE: Tuesday, February 2, 2016

TIME: 2:00 p.m.

PLACE: Conference Room 325, State Capitol, 415 South Beretania Street

Dear House Committee on Judiciary:

Shared Hope International is a non-profit organization dedicated to combating the egregious crime and human rights violations incurred by the prevalent sex trafficking of children within the United States. By pursuing comprehensive, victim-centered approaches and working alongside first responders and policymakers to fight domestic minor sex trafficking, we have found that children from all types of home environments and socioeconomic statuses are vulnerable to the manipulative approaches used by traffickers who pose as boyfriends, recruiters for modeling agencies, and the like.

Under the Protected Innocence Challenge, Shared Hope has outlined the minimum legal components essential to protect children from sex trafficking and also to ensure access to justice and provision of services to those exploited. Annually, we measure each state's laws against this framework and issue a report card. In 2015, Hawaii received a "D" grade, largely resulting from the absence of a human trafficking law that clearly identifies and defines sex trafficking as a distinct criminal offense, establishing that the exploitation of minors under 18 through prostitution, pornography or sexual performance is a crime and providing comprehensive victim services and protections.

House Bill 1902 provides a necessary cornerstone to combat the sex trafficking of minors and provide avenues to justice for victims in Hawaii. Accordingly, House Bill 1902 deserves this Committee's wholehearted approval.

House Bill 1902 would specifically criminalize the sex trafficking of minors without requiring proof of force, fraud or coercion. Sex trafficking offenses should be defined to include all instances in which a minor is bought or sold for commercial sex, regardless of whether force or threats are proven, so that those who exploit children's vulnerabilities may be better held accountable. Since the offense, as outlined in this bill, would not require proof that the perpetrator knew a minor victim's age in order to pursue heightened penalties as a child sex trafficking offense, this bill does not increase prosecutors' burdens.

House Bill 1902 also would allow victims of sex trafficking to bring their own civil lawsuits. Ensuring that victims are afforded their day in court to pursue justice against their perpetrators and avenues for compensation, which may fund needed restorative services, is vital, as the harms suffered by sex trafficking victims and, thereby, the resulting healing processes may be extensive. Undoubtedly, sex trafficking survivors are entitled to seek needed, just remedies in both civil and criminal courts.

We encourage you to vote for this bill to remove system barriers that currently prevent victims of sex trafficking from receiving the protections they need and deserve.

Sincerely,



Founder and President, Shared Hope International
Washington State Rep. (1983-87), Senator (1987-94), U.S. Congress (1995-99)

February 2, 2016

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair
Rep. Joy A. San Buenaventura, Vice Chair
Rep. Della Au Belatti
Rep. Tom Brower
Rep. Richard P. Creagan
Rep. Mark J. Hashem
Rep. Derek S. K. Kawakami
Rep. Chris Lee
Rep. Dee Morikawa
Rep. Mark M. Nakashima
Rep. Gregg Takayama
Rep. Justin H. Woodson
Rep. Bob McDermott
Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Tuesday, February 02, 2016
TIME: 2:00 p.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

RE: TESTIMONY IN STRONG SUPPORT OF HB1902
RELATING TO SEX TRAFFIKING

Dear Committee on Judiciary,

I am a Licensed Social Worker and Behavioral Health Specialist providing counseling and related social services for local children in the State of Hawaii. Together with the Pacific Alliance to Stop Slavery, I strongly urge your support of HB 1902.

Out of our 50 states in the nation, all but 1 have passed a comprehensive victim-centered sex-trafficking ban. The last and final state to pass legislation to protect victims, increase penalties for perpetrators, and fight to end the epidemic of human trafficking is the state of Hawaii. HB 1902 is a response to this concern, compiling the efforts of lawmakers, non-profits, law enforcement, and concerned community members alike.

While often confused with prostitution, sex-trafficking involves individuals who are unwilling, but forced, coerced, or manipulated into performing sexual acts in exchange for profit that which they do not keep. Over 90% of “prostituted” persons are controlled by a pimp or trafficker in terms of their location, movement, sexual acts, food, clothing, and relationships. Furthermore, all “prostituted minors” are defined by U.S. Trafficking

Victims Protection Act (TVPA) as *victims of sex trafficking*. Modern day sexual slavery, (i.e. sex-trafficking), clearly lacks the legislative attention it deserves by often being mislabeled as prostitution. As the world's fastest growing criminal enterprise, the trafficking of individuals is here to stay, unless we take legislation such as HB1902 seriously.

HB1902 is the comprehensive bill the State of Hawaii needs to meet the rest of our nation at both a prevention and rehabilitative stance. It only makes sense that the commercial, sexual exploitation of an individual (which in essence, comes in the form of promoted rape for profit) would at least be classified in the same violent crimes as sexual assault in the fourth degree. Thus, increasing penalties for perpetrators would contribute to a more acute, swift, and thorough prosecution of pimps and perpetrators.

HB 1902 further addresses the issue of sex-trafficking in Hawaii from a rehabilitative stance by providing victims with access to criminal injury compensation. Regardless of the amount of time a victim is exploited, the psychological and physical trauma of sex trafficking can last a lifetime. Adding the financial burden of paying for rehabilitative services such as counseling and medical fees, often leaves recovery out of the question altogether. Providing victim compensation to survivors of this crime expedites their journey toward recovery, preventing further criminalization and victimization.

It is time for the state of Hawaii to catch up with the rest of our nation and start taking the issue of sex-trafficking seriously. I urge your support of HB1902.

Thank you for your consideration.

Respectfully,

Sarah Marie Schick, MSW, LSW
Behavioral Health Specialist
State of Hawaii, Department of Education

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 9:17 AM
To: JUDtestimony
Cc: kbfitmaui@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Strauss	Individual	Support	No

Comments: I am not opposed to prostitution when it is done in a legal manner that protects both the prostitute and customer. Public Safety is critical and necessary and you don't want to drive this sort of industry further underground with rules and regulations.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 9:13 AM
To: JUDtestimony
Cc: tsymons@fsswh.org
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Symons	Individual	Support	No

Comments: In strong support of HB1902. We have seen these problems occurring with our runaway and homeless youth in West Hawaii. Please support our youth!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 11:26 AM
To: JUDtestimony
Cc: burgharc@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	No

Comments: How can we be the last state to take action on sex trafficking? It certainly makes me wonder about our priorities. By nature of us being islands and the number of people who come and do, we HAVE to have greater penalties and stricter enforcement.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 8:44 AM
To: JUDtestimony
Cc: breaking-the-silence@hotmail.com
Subject: *Submitted testimony for HB1902 on Feb 2, 2016 14:00PM*

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

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

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 8:00 AM
To: JUDtestimony
Cc: wilika_2000@yahoo.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM
Attachments: testimont (5).rtf

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Wilda Asimont	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



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

TESTIMONY FOR HOUSE BILL 1902, RELATING TO SEX TRAFFICKING

House Committee on Judiciary
Hon. Karl Rhoads, Chair
Hon. Joy A. San Buenaventura, Vice Chair

Tuesday, February 2, 2015, 2:00 PM
State Capitol, Conference Room 325

Honorable Chair Rhoads and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 350 local members. On behalf of our members, we offer this testimony in strong support of, with proposed amendments for HB 1902, relating to sex trafficking.

It's time. A half-decade after our state enacted its first human trafficking law, the moment has come to ban sex trafficking in Hawai'i. In the last five years, policymakers and anti-trafficking activists have made numerous changes to the islands' prostitution code to curb sexual exploitation. In 2011, we increased the grade of offense for promoting prostitution violations to class A and B felonies, subjecting abusive pimps to lengthy jail sentences. In 2012, we made it possible for trafficking survivors to vacate prostitution convictions that were the result of coercion. In 2013, we attacked demand for the sexual exploitation of children by criminalizing solicitation of minors for prostitution. We also required our state's approximately 150 high-risk sex-trafficking establishments, like strip clubs and hostess bars, to put up a poster with the National Human Trafficking Hotline number, and took away the ability for johns to get out of jail free by deferring their sentences. Last year, we closed a loophole that allowed law enforcement to have sex with trafficking survivors during prostitution busts. Equally importantly, we removed the "mistake of age" defense for criminals who buy sex with kids, permitted reverse stings to catch child predators, and raised fines and fees for prostitution charges to make perpetrators pay for the rehabilitation of their victims.

Yet, the progress we've made isn't enough. Hawai'i is the only state in the nation without a comprehensive, victim-first sex trafficking ban (Virginia, the only other state without a ban, passed a sex trafficking law last February). Put simply, we still haven't outlawed slavery on our shores. Make no mistake, sexual slavery is what we're targeting. Victims of sex trafficking are no more in control of their actions than Africans oppressed under chattel slavery. According to the U.S. Department of Health and Human Services, sex trafficking survivors experience "terrorizing physical and sexual violence," as well as "multiple layers of trauma, including psychological damage from captivity and fear of reprisals if escape is contemplated, brainwashing, and for some, a long history of family,

community, or national violence.” Studies show that 80 percent of prostituted persons report being raped and as many as 95 percent report being physically assaulted, according to the U.S. Department of State, which notes that such statistics are likely lower than reality because of heightened victim traumatization. Moreover, nearly 90 percent of prostituted women reported a strong desire to escape in a 2003 study published in the *Journal of Trauma Practice*, a number that's made more urgent by the fact that the average age of entry into the American commercial sex industry is 13-years-old.

Victims of sexual and psychological terror should not be called criminals. Rather, they should be provided with the services needed to restore their health and dignity. When we hoist the “prostitution” label on sex trafficking survivors, as Hawai'i's promoting prostitution laws inherently do, we brand them with a unjust code that impedes their ability to obtain housing, higher education, and employment. Branding is a way that pimps mark their victims as property. It has no place in the restoration of human rights. This legal circumstance is exacerbated by the fact that, under HRS §712-1200, johns and prostitutes are criminalized under the same law, creating a mind-boggling legal mess in which sex trafficking victims are penalized with the men who finance their subjugation (and creating a situation in which strengthening penalties for johns concurrently hardens sentences for victims, who are frequently misidentified as voluntary prostitutes and prosecuted for selling sex).

Hawaii is also at high risk of sex trafficking that is expedited by the internet, also known as “cybertrafficking.” Each year, pimps post roughly 110,000 ads for Hawai'i-based prostitution online, using the adult services sections of websites like Backpage.com. High-risk sex trafficking businesses, like massage parlors and escort services, use advertisements featuring nude and semi-nude images to sell sexual exploitation to johns. Legitimate relaxation enterprises are unlikely to risk being mistaken for houses of prostitution by featuring pornographic images in their ads, but brothel owners rely on this kind of commercial deception to peddle sexual subjugation. All too frequently, these businesses, along with pimps using the Internet to cloak street- or hotel-based prostitution, escape accountability for their crimes because of a lack of clarity in our promoting prostitution statutes.

To prevent our sands from being sullied by sexual servitude, lawmakers must approve HB 1902, establishing a sex trafficking statute, while recognizing sex trafficking as a violent offense whose victims should be eligible for crime victim compensation to cover medical and psychological care. Admittedly, implementing a sweeping sex trafficking ban won't cure the islands of sexual slavery. It will lift the label of prostitution off of survivors' heads, though, and allow victims to be accurately identified and placed within a coordinated social services network that unites governmental resources with nongovernmental trauma response expertise.

We additionally note that this bill rectifies concerns raised by the Honolulu Prosecutor that led to the Gov. David Ige's veto of Senate Bill 265, last year's version of the sex trafficking ban. Specifically, HB 1902 leaves intact the lesser offense of “promoting prostitution” for prosecutors to use when handling difficult cases (such as cases involving reluctant witnesses) and the arrangement of plea deals. This draft also eliminates language giving rise to the unintended consequence of requiring prosecutors to prove that a pimp or trafficker knew the exact age of their victim in cases involving either “sex trafficking” or “promoting prostitution,” while holding traffickers strictly liable for the exploitation of minors and respecting prosecutorial discretion in cases involving the

trafficking of adults—with the latter cases being prosecuted as “sex trafficking” if evidence of “force, fraud, threat, or coercion” can be presented. Problematic language enumerating specific violent crimes as means of compelling a person into or profiting from sex trafficking—for example, kidnapping under §707-720, sexual assault under §707-731 and §707-732, or unlawful imprisonment under §707-721 and §707-722—moreover, have been stricken from this draft, safeguarding against law enforcement and prosecutors having to prove the facts of a specific violent crime *before* prosecuting a sex trafficking case.

That said, **we encourage you to amend this bill to make solicitation of sex from a person in reckless disregard that the person is a victim of sex trafficking a felony offense.** IMUAlliance regularly engages in direct intervention on behalf of sex trafficking victims, often in the places at which trafficking occurs—strip clubs, massage parlors, hostess bars, relaxation therapy establishments, and local street “tracks.” Within the context of our outreach efforts, we regularly see johns purchase sexual services from victims who have just been beaten, raped, or otherwise assaulted, with the attacks frequently occurring in plain view and, at times, in conjunction with money being given to the assailant. Similarly, johns will frequently purchase sex from a victim being advertised as a minor or after having been told by a pimp, trafficker, or mamasan that a girl is foreign, speaks limited English, or is new to the sex industry. These circumstances, among others, should be enough for a reasonable individual to suspect that a prostituted person is likely to be a victim of trafficking. For johns who disregard visible and apparent evidence of sex trafficking, we feel that the penalty for engaging in prostitution should be higher than for johns who pay \$200 for a casual sexual encounter in which force, fraud, threat, or intimidation are never evinced. Our requested amendment can be achieved by amending §712-1200(3) to read: “Prostitution is a petty misdemeanor~~[-];~~ **provided that it is a class C felony if the person who paid, agreed to pay, or offered to pay a fee to engage in sexual conduct with another person did so in reckless disregard of the fact that the other person was or is a victim of sex trafficking.**”

While stopping sex trafficking is an ambitious goal, passing this proposal will signal our common commitment to that cause. It will send the message that slavery will not be tolerated on our watch. Not in our neighborhoods. Not on our islands. Not anymore. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 1:38 AM
To: JUDtestimony
Cc: shakazine@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Davidson	Individual	Comments Only	No

Comments: I oppose this bill because whoever wrote this either doesn't recognized there are major distinctions between sex work and sex trafficking, or wants to confuse the two, for some reason. Studies by Amnesty International, The United Nations, Human Rights Watch and others have shown that criminalizing "prostitution" does not help the people engaged in the act of sex work. It further marginalizes them, and disempowers them with law enforcement, and in their future (jobs, housing, education). And the Global Alliance Against Traffic in Women (GAATW) found that criminalizing the clients of sex workers, makes it harder for people to leave the sex trade, and makes the job itself more dangerous, especially for street-based workers. They have to work further underground, spend less time screening clients before getting into their cars, and are usually more likely to encounter a dangerous client who is undeterred by harsher penalties. Many surveys of sex workers identify law enforcement as the worst perpetrators of violence against them. This bill does nothing to empower people in the sex trade, and just strengthens police dominance over them. Decriminalizing sex work in New Zealand has created a safer relationship between cops and sex workers. In Hawaii there are some sex workers who have access to or relationships with people who might be trafficked. But since sex work is criminalized, people in the sex trade (and their clients) are disempowered from helping to end someone's bad experience. This bill shows little understanding of sex work, yet focuses on it. And the bill's supposed to be about trafficking, yet doesn't show any depth of comprehension on the topic, or ways to combat it. Lumping consensual sex workers with people who've been sex-trafficked is not a good basis for legislation intending to help either population.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

February 1, 2016

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair

Rep. Joy A. San

Buenaventura, Vice

Chair

Rep. Della Au Belatti

Rep. Dee Morikawa

Rep. Tom Brower

Rep. Mark M.

Nakashima

Rep. Richard P. Creagan

Rep. Gregg Takayama

Rep. Mark J. Hashem

Rep. Justin H. Woodson

Rep. Derek S.K.

Kawakami

Rep. Bob McDermott

Rep. Chris Lee

Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Tuesday, February 2, 2016

TIME: 2:00pm

PLACE: Conference Room 325

State Capitol

415 South Beretania Street

RE: SUPPORT OF HB1902 RELATING TO SEX TRAFFICKING

Dear Committee on Judiciary:

My name is Shaylin Chock, M.D. and I am writing as a private citizen and as a psychiatrist who is trained in child, adolescent, adult, and forensic psychiatry. I am writing in support of HB1902. I have personally worked, and continue to work, with patients who struggle with the long-term soliloquy of sex trafficking. My interest is especially focused on the child and adolescent population here in Hawaii. I also strongly support HB1902 as Hawaii currently remains the only state in the nation lacking a comprehensive, victim centered sex trafficking law.

Furthermore, simply relying upon the current promoting prostitution statutes are not enough to protect survivors of sex trafficking from re-victimization in seeking justice, especially when considering situations when minors are involved.

Again, I strongly support HB1902. Thank you for your time and leadership.

Sincerely,

Shaylin Chock, M.D.

Assistant Professor, Department of Psychiatry

University of Hawaii, John A. Burns School of Medicine

This testimony is my personal opinion and I do NOT claim to represent my employer or the University of Hawaii.

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 30, 2016 10:14 AM
To: JUDtestimony
Cc: memarkley1@me.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 1/30/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Maryellen Markley	Individual	Support	No

Comments: As a psychologist who has worked with young local women who have been targeted by traffickers, I can tell you that this is not just a problem involving visitors or immigrants. This Bill will help protect Hawaii's own young women from the incomparable horrors of sexual exploitation. Please support this very important Bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 4:42 PM
To: JUDtestimony
Cc: Prairiemelody@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Melody Stone	Individual	Support	No

Comments: I am part of a human trafficking task force/coalition on the big island. I have read the proposed bills relating to sex trafficking and am in support of this bill moving forward and becoming a law in Hawaii. This bill will protect minors as victims and insure that traffickers will be prosecuted with stiffer penalties. It is imperative that we have effective sex trafficking laws in Hawaii in order to decrease this growing problem on our islands. Mahalo! Respectfully Submitted, Melody Stone

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 1:15 AM
To: JUDtestimony
Cc: kiersten.reyes@mililanihs.k12.hi.us
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/2/2016
Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kiersten Reyes	Individual	Support	No

Comments: Judiciary Committee Subject: HB1902 February 2, 2016 My name is Kiersten Reyes and I am a senior at Mililani High School. I am testifying in support of HB1902. This issue of sex/human-trafficking was brought to my attention through a club I am in, the National Honor Society. It was shocking to know that Hawaii is the only state without a law regarding this issue. It was also concerning to find out sex-trafficking occurred to my community. By supporting this bill, I hope that this cruel treatment of people will cease, victims can easily seek help, and we can create safer communities for everyone. Sincerely, Kiersten Reyes kiersten.reyes@mililanihs.k12.hi.us

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 11:20 PM
To: JUDtestimony
Cc: mvplreece@gmail.com
Subject: *Submitted testimony for HB1902 on Feb 2, 2016 14:00PM*

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lindsey-Reece Gano	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 10:53 PM
To: JUDtestimony
Cc: 2018burgosa@mililanihs.k12.hi.us
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Burgos	Individual	Support	No

Comments: My name is Andrew Burgos and I am concerned Mililani High School student. I am testifying in support of H.B. 1902. This bill will help the victims of sex trafficking because it removes the criminal label from victims of sex trafficking by changing Hawaii's "promoting prostitution in the first degree" statute to a "sex trafficking" law in general. Thank you for the opportunity to testify in strong support on this matter of great importance for our future generations.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

Chair Rhoads of the House Judiciary Committee

Subject: House Bill 1902 Relating to Sex Trafficking

February 1, 2016

My name is Ryane Sergent and I am a senior at Mililani High School. I am testifying in support of HB1902.

This bill will help the citizens of Hawai'i who are victims of sex trafficking. Victims are typically minors because their innocence can be exploited by the pimps. This bill will provide relief for the minors and their families instead of branding them as prostitutes. I have a sister who is twelve years of age. I am in support of this bill because if she were ever forced to commit sexual acts, I would not want to see her potential wasted due to a charge of prostitution against her.

These victims go through psychological and physical trauma during their captivity, and then instead of helping them, the court charges them with a crime they did not willingly commit. This bill will allow for victims of sex trafficking to recover from their experiences and start a new life. This bill will also provide a safe way for victims to reveal their pimps and testify against them.

Thank you for the opportunity to testify in strong support on this matter of great importance for my generation.

Ryane Sergent
95-1018 Kihene St
Mililani, HI 96789
(573) 355-3558

LATE

Subject: House Bill 1902 Relating to Sex Trafficking

February 2, 2016

My name is Tyler LaBonte and I am sixteen years old, a junior at Mililani High School. I am testifying in support of HB 1902.

I believe this bill to be crucial to the future of Hawaii and to how we combat travesties like sex trafficking. Victims of sex trafficking have come from all over the state, and even from my own school. Nobody should have to endure that kind of physical and psychological torture, and we must throw our full support behind those who have. Hawaii is, embarrassingly, the only state without a victim-centered sex trafficking ban. Can we bear to pass over this chance to rectify that? I think not. Please consider voting in support of this bill – it is the right thing to do, in terms of both morality and legality.

Thank you for the opportunity to testify in strong support on this matter of great importance.

Tyler LaBonte
94-208 Kiaha Loop
Mililani, HI 96789
(808) 597-0493

LATE

Subject: House Bill 1902 Relating to Sex Trafficking Ban

February 1, 2016

My name is Airi Morita and I am a student at Mililani High School in the National Honors Society who is passionate about serving the community to the best of my ability. I am testifying in support of HB 1902.

This bill will help rid the social implications that victims of sex trafficking are criminals. The victims go through unfathomable experiences, placing the blame on them would only allow the criminal to get away with their crimes that they have committed.

Thank you for the opportunity to testify in strong support on this matter of great importance for our future generations.

Airi Morita
95-1025 Mo'ohale street,
Mililani HI 96789
(808) 222-8791

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 9:08 PM
To: JUDtestimony
Cc: elizabethb808@gmail.com
Subject: *Submitted testimony for HB1902 on Feb 2, 2016 14:00PM*

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Baker	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

02/01/2016

I, Shonoline Domingo, as an individual residing in the State of Hawaii, am in full support of House Bill 1902.

Children are the most vulnerable victims, because of their natural inability to defend themselves. In the United States there are at least 100,000 children who fall victim to commercial sexual exploitation and trafficking every year, and 40% of sex trafficking cases, involve children. Those who are sexually exploited are not criminals, willingly participating in sexual acts in exchange for money, but rather they are victims. They are victims that are trapped physically, psychologically, and financially by their exploiters who use manipulation and force to keep them suppressed and in these horrible situations.

The State of Hawaii is not immune to the horrible sexual exploitation industry either. Hawaii is a prime location for sex trafficking for numerous reasons. These include: high occurrence rate of runaways, high rates of intra-familial physical and sexual abuse, as well as Hawaii being a hub for international trade, military affairs, and tourism. Hawaii is one of the few states left that has not passed a law in regards to sex trafficking. By passing a law regarding sex trafficking, we will be able to protect the victims of these horrible crimes, and hold responsible the victimizers, and others who engage in the act of sexual exploitation of children. By promising protection to the victims, it is the hope that more victims will give testify against and turn in their “pimps” and “Johns”, so as to ensure that these people face the punishment they deserve, without the victims being fearful of repercussions.

It is in the best interest of the State of Hawaii, to pass House Bill 1902, to protect victims of sexual exploitation, and reprimand those who engage in these atrocious behaviors.

Shonoline Domingo

LATE

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 8:45 PM
To: JUDtestimony
Cc: camille.nevarez1739@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM
Attachments: HB 1902 Testimony .pages

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Camille Nevarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 8:25 PM
To: JUDtestimony
Cc: schillertimothy@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Timothy Schiller	Individual	Support	No

Comments: My name is Timothy Schiller and I am a concerned citizen. I am testifying in support of H.B. 1902. This bill will help sex trafficking victims seeking help, and will offer harsher punishments on the abusers. Thank you for the opportunity to testify in strong support on this matter of great importance for our future generations. Timothy Schiller 95-217 Kaela Place Mililani, HI 96789 (808) 721-8685

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 5:35 PM
To: JUDtestimony
Cc: katie.usam@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Katelyn Usam	Individual	Support	No

Comments: Subject: HB 1902 Sex Trafficking Ban February 1, 2016 My name is Katelyn Usam and I am a concerned student from Mililani High School testifying in support of HB 1902 Sec Trafficking Ban. This bill concerns me and would effectively address this problem because people in my specific age group, especially females, are affected by this ongoing issue. I especially agree with the fact that victims of such a crime are not criminals, but are survivors. I strongly believe that the move from a criminal-centered model to a victim-centered model, in which requisite intervention services were to be provided for the victim would extremely benefit the victims by promoting their psychological health and their overall demeanor, which can be expected to be severely impacted. The importance of promoting the overall well-being of the victim should be one of the first things that should be done because they need to feel safe disclosing such information and such horrific experiences without it being pushed aside. Thank you for the opportunity to testify in strong support on this matter of tremendous importance for our future generations.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 5:24 PM
To: JUDtestimony
Cc: bjpwalker@comcast.net
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Walker	Individual	Support	No

Comments: We must do everything we can to end the horror of Human Trafficking.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 5:23 PM
To: JUDtestimony
Cc: joyamarshall0416@gmail.com
Subject: *Submitted testimony for HB1902 on Feb 2, 2016 14:00PM*

HB1902

Submitted on: 2/1/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 8:09 AM
To: JUDtestimony
Cc: kaleoskaleos@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/2/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kaleo Schneider	Individual	Support	No

Comments: I am in support of HB 1902 and hope to see this measure makes it though and is signed into law this year. I am a teacher and I see what is happening in the school system in terms of sex trafficking. We need to do more to protect our children. Please, I urge you to take positive steps to move this bill forward. Aloha Kaleo Schneider

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 9:40 AM
To: JUDtestimony
Cc: jodyallione39@gmail.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/2/2016

Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jody Allione	Individual	Support	No

Comments: This bill is needed in Hawaii. The young victims of sex trafficking must be protected. This is the first step to identification and assessment of children who are caught up in this life and need support to recover and be restored to a normal life.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

Testimony in support of HB1902/SB2322

I strongly support the passage of HB1902/SB2322 to address the issue of sex trafficking in the Hawaiian islands, a human rights issue that has gone without a legislative solution for too long.

Victims of such trafficking need the assistance of the state in breaking free from the coercion and intimidation of traffickers.

The state is urged to consider the definition of this kind of coercion closely. Any individual who has been reduced to selling their body for survival is making a decision of desperation and should be treated justly, in order to assist them in their pursuit of a dignified and free life. The bill as it currently stands could use stronger wording to define this kind of coercion in favor of the victim.

I hope this is the first of legislative efforts by the state to assist victims of trafficking. More needs to be done to assist women and children who come to these islands under such duress including housing, funding, and programs to rehabilitate.

Thank you.

Sincerely,

Sara Johnson-Steffey

75-5775 Oleka Place

Kailua-Kona, Hawaii

LATE

I am writing to urge your support for HB1902, which strengthen Hawaii's ability to combat sex trafficking.

35 Years ago I was a victim of sex trafficking, my life would have been different if the laws protected me when I was 15 years old. Please change to laws to protect our children.

If I had been identified and received services and treatment, I may not have struggled for 20 years, with drug addiction , alcohol abuse, domestic violence and sexual re-exploitation. Please pass this bill to help empower the lives of those who have been sexually exploited in Hawaii.

Sincerely,
Tammy Bitanga

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 10:13 AM
To: JUDtestimony
Cc: jancook@HappinessHawaii.com
Subject: Submitted testimony for HB1902 on Feb 2, 2016 14:00PM

HB1902

Submitted on: 2/2/2016
Testimony for JUD on Feb 2, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Cook	Individual	Support	Yes

Comments: I am in strong support of HB1902.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

TO: Introducers; MATSUMOTO, BELATTI, EVANS, FUKUMOTO CHANG, HAR,
ICHIYAMA, C. LEE, LOPRESTI, LOWEN, LUKE, MIZUNO, MORIKAWA,
RHOADS, THIELEN, DeCoite

HEARING: Tuesday, February 2, 2016
2:00PM
Conference Room 325

FROM: Teresa Corkins

RE: HB 1902 - RELATING TO SEX TRAFFICKING

Thank you for the opportunity to testify. My name is Teresa Corkins and I strongly support HB1902.

For the past two years, I have worked directly with minor victims of sex trafficking. The Post Traumatic Stress Disorder (PTSD) symptoms these children display is a clear indication that they have indeed suffered from the violent crime of sex trafficking. Perpetrators must be held accountable in accordance to the severity of the crime which is indeed violent and deserving of felony classification. No child would choose to be raped repeatedly, and the criminals who gain from the heinous act of selling a child for sex should face much higher penalties than current laws allow. I believe that the fine people who serve in law enforcement wish to do more in the battle against sex trafficking, but are partially thwarted by lack of resources and limits of the law. At the very least, the need for aiding victims must be addressed. Allowing them access to criminal injury compensation would provide a good start to getting the help they need for healing, restoration, and social reintegration.

I appreciate this opportunity to testify in strong support of HB1902, thank you.

Teresa Corkins
Terry.corkins@hoolanapua.org

LATE

DATE: Feb. 2, 2016

TO: JUD, FIN

FROM: Dianne Bowen-Coleman, Volunteer Director Ho'ola Na Pua
3650 Waaloa Place, Honolulu, HI 96822
808-224-84121
dianne.bc@hoolanapua.org

RE: TESTIMONY IN **STRONG SUPPORT OF HB1902**
RELATING TO SEX TRAFFICKING.

Replaces the offense of Promoting Prostitution in the First Degree with Sex Trafficking to be classified as a violent crime. Makes Sex Trafficking a class A felony and a strict liability offense if a minor is the victim of sex trafficking. Provides that the offense of prostitution for a person younger than eighteen years of age is a violation. Expands the Department of the Attorney General's Statewide Witness Program to include sex trafficking; provides victims with access to criminal injury compensation; and amends laws relating to civil liability for cases of coercion into prostitution. Makes amendments to strengthen enforcement of laws and increase penalties against the sex trafficker.

Aloha ,

I am writing on behalf of myself as a local citizen and as the Volunteer Director for Ho'ola Na Pua, Refuge & Renewal for Trafficked Girls in **strong support** of HB1902.

Sex Trafficking IS a violent crime. Sex Trafficking of minors under the age of 18 IS horrific and should be penalized to the fullest extent of the law. Children do NOT choose this life. It is chosen for them. These sex trafficked children are victims and should be rescued, given a place of refuge, renewal, healing, and the shown the pathway to reintegration to family and society; NOT prosecuted. Besides prosecuting the sex traffickers, the 'johns' should also be prosecuted. These 'johns' increase the demand for sex trafficked victims, many of whom are underage victims. Other states have a 'John School', and that should be started here on our own islands where Sex Trafficking IS a major problem.

Please prosecute the sex trafficker and the 'john'. Please rescue and support the victims of sex trafficking instead of prosecuting and persecuting them. Please educate our law enforcement agencies on how they can best support the victims of sex trafficking **.Please continue to strengthen the law to protect these victims of all ages and to prosecute those promoting sex trafficking.**

Please do not defer HB1902. Please pass HB1902.

Thank you for this opportunity to provide written testimony.

Sincerely,

Dianne Bowen-Coleman
Volunteer Director Ho'ola Na Pua