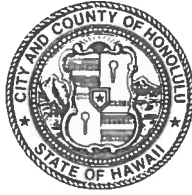


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE GK-BL

February 10, 2017

The Honorable Michelle N. Kidani, Chair
and Members
Committee on Education
State Senate
State Capitol, Room 228
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Kidani and Members:

SUBJECT: Senate Bill No. 688, Relating to Schools

I am Major Gerald Kaneshiro of District 7 (East Honolulu) of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department (HPD) opposes the passage of Senate Bill No. 688, Relating to Schools. This bill amends Section 708-813 of the Hawaii Revised Statutes relating to criminal trespass in the first degree. The HPD is opposed to the added language found on page 2, lines 5 through 18, prohibiting persons from entering or remaining on a public street, sidewalk, or public right-of-way situated immediately adjacent to school property.

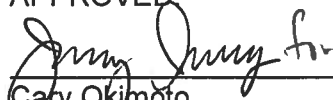
The HPD feels that the proposed amendment is vague and subjective. This may subject persons to unwarranted police contact based on appearance or presence without reasonable suspicion that a crime has been committed or is about to be committed. It could also be applied to those participating in constitutionally protected activities in public areas adjacent to school property.

Thank you for the opportunity to testify.

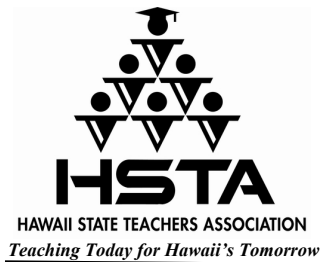
Sincerely,


Gerald Kaneshiro, Major
District 7

APPROVED:


Cary Okimoto
Acting Chief of Police

Serving and Protecting With Aloha



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

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Vice President
Amy Perruso
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON
EDUCATION

RE: SB 688 - RELATING TO SCHOOLS.

FRIDAY, FEBRUARY 10, 2017

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Kidani and Members of the Committee:

The Hawaii State Teachers Association **supports SB 688**, relating to schools.

Student success demands school safety. At some public schools, especially those adjacent to public parks, drug dealers loiter near public school property, harassing children as they enter and exit campus. Similarly, individuals residing at homeless encampments that exist in close proximity to public schools sometimes trespass on public school property during school hours, particularly on the West side of O'ahu.

To be clear, we do not see this bill as or want it to become an anti-homeless initiative. HSTA fully endorses Housing First and support services that meet the basic needs of our state's houseless population and opposes state laws and city ordinances that criminalize poverty. At the same time, we note that this bill specifically targets actions that disrupt school operations, campus peace and safety, and orderly conduct.

For the sake of our students' safety, the Hawaii State Teachers Association asks your committee to **support** this bill.



Committee: Committee on Education
Hearing Date/Time: Friday, February 10, 2017, 2:45 p.m.
Place: Room 229
Re: Testimony of the ACLU of Hawaii in **Opposition** to S.B. 688, Relating to Schools

Dear Chair Kidani, Vice Chair Kahele, and Committee Members:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in opposition to S.B. 688, which would criminalize free speech activity on public sidewalks adjacent to schools within one hour of regular school hours or school activities.

If this measure were to be enacted, a teacher union peacefully protesting unfair wages or conditions by holding signs on the sidewalk next to a school could be cited for criminal trespass in the first degree. This would violate the teachers’/protestors’ right to free speech. A public sidewalk is a traditional public forum for speech, and therefore any content-neutral restriction still must be narrowly tailored to further a legitimate government interest. As written, S.B. 688 seems to criminalize mere presence — and not just an individual’s intentional actions — on a public sidewalk adjacent to a school and would thus impose criminal penalties for a number of constitutionally protected activities. The ACLU of Hawaii urges the Committee to defer this measure.

Thank you for this opportunity to testify.

Mandy Finlay
Advocacy Coordinator
ACLU of Hawaii

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for 50 years.

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

TESTIMONY FOR SENATE BILL 688, RELATING TO SCHOOLS

Senate Committee on Education
Hon. Michelle N. Kidani, Chair
Hon. Kaiali'i Kahele, Vice Chair

Friday, February 10, 2017, 2:45 PM
State Capitol, Conference Room 229

Honorable Chair Kidani and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 350 members. On behalf of our members, we offer this testimony in support of Senate Bill 688, relating to schools.

Sex traffickers prey on our state's school children, often hovering around public school campuses to target our children. Traffickers are experts in observing and selecting their victims, and often infiltrate public schools by using students to recruit their peers. One of the largest child sex trafficking rings discovered on Hawai'i's shores was unearthed in 2014. It included 16 students, most whom were students at Mililani High School and Moanalua High School, two of our state's top performing schools.

IMUAlliance is one of the state's largest victim service providers for survivors of sex trafficking. Over the past 10 years, we have provided direct intervention services to 130 victims, successfully emancipating them from slavery and assisting in their restoration. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily bonded to her pimp that while under his grasp, she couldn't remember her own name.

Sex trafficking is a profoundly violent crime. The Average age of entry into commercial sexual exploitation is 13-years-old, with 60 percent of sex trafficked children being under the age of 16. Approximately 150 high-risk sex trafficking establishments are operational in Hawai'i. An estimated 1,500-2,500 women and children are victimized by sex traffickers in our state annually. Over 110,000 advertisements for Hawai'i-based prostitution are posted online each year, a number that has *not* decreased with the recent shuttering of Backpage.com's "adult services" section.

With regard to mental health, sex trafficking victims are twice as likely to suffer from PTSD as a soldier in a war zone. Greater than 80 percent of victims report being repeatedly raped and 95 percent of report being physically assaulted, numbers that are underreported, according to the United States Department of State and numerous trauma specialists, because of the inability of many victims to recognize sexual violence as such. As one underage victim—now a survivor—told IMUAlliance prior to being rescued, “I can’t be raped. Only good girls can be raped. I’m a bad girl. If I *want* to be raped, I have to *earn* it.”

Accordingly, we support this measure’s attempt to improve public school safety by expanding first degree criminal trespass under HRS §708-813 to include disrupting the orderly operation, safety, or peaceful conduct of activities on school campuses. We must do all we can to protect our children from the perpetrators of our state’s prolific slave trade. That said, we hope that this measure is not used to further criminalize the homeless population, which includes runaway youth. Roughly 30 percent runaway children will be approached for commercial sexual exploitation within 48 hours of being on the run, with over 80 percent being approached for the sex trade during the course of their time on streets. A federal study found that an estimated 38,600 runaway youth have been sexually assaulted, in the company of someone known to be sexually abusive, or engaged in sexual activity in exchange for money, food, or shelter. Runaways are easy targets for sex traffickers because they lack stable shelter, a supportive environment, and financial resources, placing them at greater risk of forced prostitution and sexual servitude.

Traffickers exploit our limited number of available shelter beds to lure young people into exploitation. As the homeless childcare provider Covenant House observes, traffickers tell homeless youth that shelters are full and ask, “Where are you going to go? Why don’t you come with me? I’ll take care of you.” Coupled with threats of and enacted physical and sexual violence against the victims or their families, these coercive techniques compel runaway youth to remain enslaved. LGBTQ youth, who comprise an estimated 40 percent of the runaway and homeless youth population in the United States, are exponentially more likely to fall prey to human traffickers because of discrimination, family and community trauma, and a longing for comfort and acceptance (an estimated 26 percent of LGBTQ adolescents are rejected by their families and put out of their homes simply for being open and honest about who they are). In providing care for victims of human trafficking, IMUAlliance has heard their stories hundreds of times.

Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance