

Testimony on behalf of the
Hawai'i State Commission on the Status of Women
Khara Jabola-Carolus, Executive Director

Prepared for the House Committee on Judiciary (JUD)

In Support of HB1355
Wednesday, February 6, 2019, at 2:20 p.m. in Room 325

Dear Chair Lee, Vice Chair San Buenaventura, and Honorable Members,

The Hawai'i State Commission on the Status of Women writes in **support** of HB1355 which would appropriate baseline funds to the Hawai'i State Commission on the Status of Women.

The Commission is the oldest commission of its kind – the very first state women's commission – in the United States. For over 50 years, the Commission has worked toward equality for Hawai'i's women and girls serving as the main consultant to state and local policymakers and the central clearinghouse for women's resources. The Commission has also been instrumental in coordinating the three county commissions on women, producing statewide research, and supporting critical programs for women and girls.

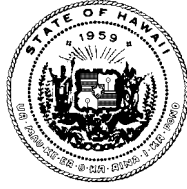
The Commission requests \$15,300 to correct and offset one-time salary increases that occurred in 2017 (executive director) and 2018 (permanent secretary). The amount requested in the bill is less than the \$18,888 needed to correct the salary increases, and will thus require the Commission to use \$3,588 from operating expenses to cover salary. This will leave the Commission with a reduced annual operating budget of \$52,232. To elucidate further, failure to receive any funds would be the equivalent of defunding the Commission.

Due to its small budget, the Commission's ability to fulfill its statutory mandate would be significantly, negatively impacted even by a small difference in amounts. Accordingly, the Commission respectfully urges the Committee to pass HB1355.

Sincerely,

Khara Jabola-Carolus

DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 5, 2019

TO: The Honorable Representative Chris Lee, Chair
House Committee on Judiciary

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 1355 – RELATING TO THE STATE COMMISSION ON THE STATUS OF
WOMEN**

Hearing: Wednesday, February 6, 2019, 2:20 p.m.
Conference Room 325, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill.

PURPOSE: The purpose of the bill is to appropriate funds to the State Commission on the Status of Women.

The State Commission on the Status of Women requires additional funds to better fulfill its statutory mandate defined in section 347-3, Hawaii Revised Statutes. The additional funds will support an annual public awareness campaign, cooperate with national groups to host a conference and trainings around sex trafficking, and assist with the costs of design work, paid media, including radio, bus, and social media promotion. Also, per section 347(3)(5), the commission requires basic funding for transportation of the executive director and the commissioners for quarterly meetings and important state conferences.

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



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COMMITTEE ON JUDICIARY

Rep. Chris Lee, Chair

Rep. Joy A. San Buenaventura, Vice Chair

DATE: Wednesday, February 6, 2019

TIME: 2:20pm

PLACE: Conference Room 325

HB 1355 STATE COMMISSION ON THE STATUS OF WOMEN.

CONCERNS

Aloha Chair Lee, Vice Chair San Buenaventura, and Members of the Committee

Life of the Land is Hawai`i's own energy, environmental and community action group advocating for the people and `aina for 49 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

Life of the Land reviews procurement, contracts, and funding polices across many agencies. The State Commission on Status of Women is promoting a controversial study which we have been unable to find any documentation on. The Commission posted only one agenda and one draft minutes in the past four years, neither of which described the report or its funding.¹

Hawai`i Revised Statutes (HRS) §92-9 requires all commission minutes to be posted on the web "*within forty days after the meeting.*"

¹ <http://humanservices.hawaii.gov/agendas-and-minutes/>

HB-1355

Submitted on: 2/4/2019 12:54:57 PM

Testimony for JUD on 2/6/2019 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

HB-1355

Submitted on: 2/4/2019 6:47:35 PM

Testimony for JUD on 2/6/2019 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments:

Aloha Chair Lee, Vice Chair San Buenaventura and members,

The Coalition is in strong support of robust funding for our sister organization. Without such funding the work of the Coalition, as well as the advancement of women and girls in our state, would be severely compromised,

Mahalo,

Ann S. Freed, Co-Chair, Hawaii Women's Coalition

TESTIMONY ON BEHALF OF HARM REDUCTION HAWAII

c/o 1658 Liholiho St #205
Honolulu, HI 96822

February 2, 2019

RE: HB1355 to be heard Wednesday February 6, in Room 325, at 2:20PM

OPPOSE

To the members of the House Committee on Judiciary.

Dear Committee Members:

We ask that any financial support for the HSCSW be held up until and unless the commission addresses the complaints coming from harm reductionists, academics, sex workers, and others about their ill-conceived anti-trafficking agenda. WE believe the commission should be a clearing house for the women's community and gather input from agencies that are knowledgeable and experienced from the harm reduction field when developing policies. We object to the policy currently being followed and to the exclusion of our expertise from the discussion.

Aloha



Tracy Ryan
For Harm Reduction Hawaii

HB-1355

Submitted on: 2/4/2019 6:00:06 AM

Testimony for JUD on 2/6/2019 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Davidson	SWOP-Hawaii (Sex Workers Outreach Project)	Oppose	No

Comments:

I oppose HB 1355 to fund the Hawaii State Commission on the Status of Women*. I don't believe that at the moment this body lives up to its name, especially in light of the current campaign they've embarked on. Furthermore, if left in the hands of current leadership of Khara Jabola-Carolus and the sex worker exclusionary radical feminist ideology she's imposing, the threat HSCSW* poses to several communities (women, men, lgbt, houseless, migrant, disabled, etc) will be manifest.

The HSCSW* has recently chosen to focus much of its energy on an anti-prostitution agenda, patriarchally without engaging with the women (or anyone) who consensually participates in the sex industry, neither as a service provider nor a client. This is misguided, biased, and hazardous. Instead the Commission has chosen to promote outdated ideas of how the sex trade operates, and inferred that we are all victims of abuse or worse. Their personal and professional social media make reference to consensual sex workers, but mischaracterizes our work and stigmatizes us as unfortunate and/or unwittingly hurting ourselves. (I have been blocked from those pages, but am shown screen shots often).

Countless people from across the gender spectrum and from all walks of life, participate in the sex trade, for just as many reasons. And our experiences are equally as varied. We may choose it because it pays more than other jobs, and provides a flexible schedule, and self-determination. Others may have few choices, and sex work could be a quick fix, or just the best option of less appealing ones. Most of us work other jobs at the same time. Those who hire sex workers could be many things: lonely travelers or differently-abled; recently widowed or single but exploring. Sex workers are just as diverse as our clients. Regardless of why we do it, or how others feel about it, everyone deserves a safe working environment, and basic human rights.

I feel certain that HSCSW* has not consulted with adult consensual sex workers (not even the women) in creation of their agenda, because their Miss leader recently published an op-ed in the Star Advertiser on Xmas Eve 2018, attacking our community. This writer promoted the notion that the best way to help sex workers, was to arrest our clients. It's an idea popularized in Sweden, but has been spreading, often referred to as the Swedish Model, Nordic Model, or End Demand approach. They wanna treat all sex

workers as victims in need of saving (which is insulting and infantilizing). Meanwhile anyone seeking our services will be assumed to be aware of our alleged abuse, arrested and treated thusly. Punishing people for consensual sex helps no one.

For those of us who choose to charge for sexual services, the main reason we do it is for the money. Some of us spend a lot on advertising which includes website and photographer fees, wardrobe and grooming, travel or a place to host. But even those of us who don't self-promote or have much overhead, still wouldn't advocate for removing our source of income. That's self-defeating, and some of us are friends with our clients. Falsely arresting someone who isn't hurting us hurts them unnecessarily, plus it means we also lose the money we've been working for.

Our powers of negotiation are diminished if the prospective customer is the one risking jail time. The fear they'd be under could mean sex workers having to drop our rates to keep a client, or agreeing to do things we normally wouldn't do. Sex worker activists in Sweden and other places with this law report street-based workers are forced to work alone and in less safe, clandestine areas, to protect clients. Or they'll spend less time screening a client through window conversation before getting into a nervous driver's car. The things we do to stay safe are often compromised under laws that criminalize any part of our occupation.

The HSCSW* seems to believe that their actions would be helping people who are forced into sex work. A trafficked person is someone providing labor under force, fraud, or coercion. There is more evidence of this occurring in farming or fashion industries, but there are no calls of action to stop feeding or clothing ourselves. The circumstances under which sex trafficking occurs differ greatly from how it is often depicted in stylish pamphlets with horrific scenes and pleas for donations. But the non-profits and other well-intended misinformed folks are raising money to tackle problems with no insight or foresight. This shortsightedness harms the people purported to be supported by HSCSW* and their cohorts.

True, the common showbiz depiction of a woman trading sex under the control of a "pimp", who gives her a quota she must meet under threat of violence, does exist. These abusive figures don't care how the money is made, as long as they get it. So if HSCSW* is successful in implementing the Swedish Model, less clients equals less money which means more violence. I know two other sex workers who -separately- were affected by trafficking at different times. One didn't make her money, the other got arrested (thus no money). They both were punished by their trafficker afterwards.

<https://youtu.be/roc-cpQIMTg>

Prior to the advent of the internet, negative generalizations of sex work perpetuated by the likes of HSCSW* might be believable as the norm, since stigma against sex workers was (actually still is) so strong, that those in the trade rarely spoke up for themselves, for it would be risking too much. Everything from regular/future employment to migrant status, child custody to housing, scholarships to social standing could be lost if someone admits to being a sex worker. Under the status quo, it's even worse, because

we are arrested and must carry that with us as well. Consequently, so many of us feel disempowered from dispelling myths spread about how we live, and fabricated statistics and stories about our numbers and histories. Thus those who don't represent us can misrepresent us, and cash in at the same time, since they present themselves as our saviors. It's deep and lucrative.

Well sex workers have found their voice online. Anyone interested in the status of women in the sex trades just needs an internet connection. There's websites, podcasts, blogs and video series. And our issues are covered regularly by Vice, Huffpost, The Independent, and others. With such far-reaching communication abilities, more sex worker led organizations have taken hold, and are working toward ensuring our rights are enforced and expanded to cover our health and safety.

Durbar in India was the first sex worker group I heard of. <https://durbar.org>
Empower in Thailand is another sex worker led organization doing a lot of great work for themselves and their communities. http://www.empowerfoundation.org/index_en.html
Pye Jacobsson of Rose Alliance in Sweden has spoken widely on the harms caused by the Swedish Model <https://youtu.be/7D7nOh57-l8>
Even the GAATW (Global Alliance Against Traffic in Women) published a report about how arresting sex worker clients hasn't decreased trafficking, and in fact creates barriers to leaving sex work https://www.gaatw.org/advocacy/Bill_C-36-GAATW_brief.pdf

Here in Hawaii, we just started SWOP-Hawaii, a local chapter of the national Sex Workers Outreach Project. <http://swopusa.org> or <https://twitter.com/swophawaii> or <https://www.instagram.com/swophawaii/>
And we go all the way across the continent to New York based Black Sex Worker Collective <https://www.blacksexworkercollective.org>

Just like the international Sex Worker Rights Movement, SWOP-Hawaii is led by women, but includes and welcomes people of all genders. We've made our presence known, and presented evidence that the approach HSCSW* is taking toward the issue of sex work is harmful:

In one online conversation I was rebutted and mentioned by name. The other sex worker leaving several comments in that Facebook thread was a woman whom Khara did not acknowledge at all. Typically, because I'm a guy, in most debates I am engaged with more often by feminists trying to discredit me. The women I work alongside are usually ignored or dismissed. The victimhood projected onto anyone non-male in the sex trade dehumanizes and disempowers them. And if sex workers dare to fight back, women are usually the most aggressive in their retaliations. It's contrarian.

While I won't use this space to endorse the positions that SWOP-Hawaii and most of our peers support, I want to be clear that we in the sex worker community want to fight abuse in our industry and society in general. We are regular people, and hope to collaborate in productive discussions to find solutions to the many issues facing women and anyone else in the sex trades. Our lives intersect with everyone's, but we are

silenced by current laws that affect us directly, and those who wish to enforce them or create more without our input. The agencies that work with us non-judgmentally have to battle with things like HSCSW* not just to get funding, but to get the truth out there, so we can counteract their counterproductive activities and attitudes.

Until women who work in the sex trades are treated with respect and as equals, by Khara Jabola-Carolus -or whomever assumes the position once she leaves-, with input to how sex workers and our clients are represented and treated by the Hawaii State Commission on the Status of Women*, I must vehemently oppose any support they are offered or asking for.

HB-1355

Submitted on: 2/2/2019 12:31:51 AM

Testimony for JUD on 2/6/2019 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

Waste of Money!!!