

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR
THE HONORABLE KARL RHOADS, VICE CHAIR
HOUSE COMMITTEE ON JUDICIARY
Twenty-sixth State Legislature
Regular Session of 2011
State of Hawai'i

February 22, 2011

RE: H.B. 240; RELATING TO PROMOTING PROSTITUTION
HEARING: FEBRUARY 22, 2011, 2:00 P.M., CONFERENCE ROOM 325

Good afternoon, Chair Keith-Agaran, Vice-Chair Rhoads and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney submits the following testimony in strong support of House Bill 240.

The purpose of House Bill 240 is to amend Hawaii Revised Statutes, Section 28-101, to require that the Attorney General give "greatest priority" to cases involving promoting prostitution, when determining whether to provide or fund witness security and protection. This amendment would make promoting prostitution witnesses an equal priority as those witnesses testifying in cases of organized crime, racketeering, or career criminal matters.

The Department of the Prosecuting Attorney has placed, and will continue to place, a strong emphasis on vigorously pursuing the prosecution of individuals who profit from the sexual exploitation of women and children. The success of those prosecutions, however, depends on the ability to secure and maintain the cooperation of those individuals who have suffered at the hands of those who reap financial benefits off the misery of the victims of prostitution. Many of the prostituted persons in our community are subject to constant violence, threats, and intimidation. At the very core of prostitution is a vicious theory of ownership by its perpetrators, who frequently terrorize their victims not only with threats of personal harm, but also with promises to commit acts of violence against the victim's family and friends. Prostitution, with its virulent blend of domestic violence and sexual assault tactics commonly isolates and immobilizes its victims. To help level the playing field and insure the ability to keep the victims of prostitution and other witnesses to these crimes safe, extraordinary measures may be required.

The State of Hawaii's Witness Security and Protection Program is designed to provide the type of assistance needed by witnesses who are the subject of potential or actual threats and intimidation. Few prospective witnesses fit this category better than those who are needed for the successful investigation and prosecution of crimes related to Promoting Prostitution. The financial beneficiaries of prostitution thrive off of the type of conduct meant to be thwarted by the provisions of the Witness Security and Protection Program. The Program provides witnesses with temporary housing and per diem costs as well as relocation when needed. These witness resources can easily spell the difference between success and failure in pursuing those responsible for the sexual slavery of women children.

The passage of the provisions in H.B. 240 will provide a critical component in our Department's efforts to successfully prosecute prostitution profiteers. Please support this measure and insure that that we have the tools necessary to effectively respond to the insidious effects of prostitution in our communities. Thank you for your time and consideration.



Supporters

American Association of
University Women

Bluewater Mission

Catholic Diocese
of Honolulu

Equality Now

Hawaii State Commission
on the Status of Women

Imago Dei
Christian Community

International Justice Mission

Kumulani Chapel
(Lahaina, Maui)

Not For Sale

Pacific Survivor Center

Soroptimists International
of Waikiki Foundation

Women Helping Women
(Wailuku, Maui)

DATE: Friday, February 18, 2011

ATTN: House Committee on Judiciary

Rep. Gilbert Keith-Agaran, Chair

Rep. Karl Rhoads, Vice-Chair

Rep. Blake K. Oshiro

Rep. Tom Brower

Rep. Rida T.R. Cabanilla

Rep. Mele Carroll

Rep. Robert N. Herkes

Rep. Ken Ito

Rep. Sylvia Luke

Rep. Angus L.K. McKelvey

Rep. Hermina M. Morita

Rep. Joseph M. Souki

Rep. Clift Tsuji

Rep. George R. Fontaine

Rep. Barbara C. Marumoto

Rep. Cynthia Thielen

HEARING DATE: Tuesday, February 22, 2011

HEARING PLACE: Conference Room 302 - State Capitol –
415 South Beretania Street

TIME: 2:00pm

RE: **HB240- RELATING TO PROMOTING PROSTITUTION –
IN SUPPORT**

Dear Committee on Judiciary:

We are in support of HB240 and applaud Prosecutor Kaneshiro's efforts to protect victimized prostituted persons. We urge the committee to pass this bill.

The Pacific Alliance to Stop Slavery is one of the few organizations that focuses on holistically healing survivors of sex-trafficking and prostitution.

We would like to ideally see these kinds of policy changes to fully recognize victims as victims, free of criminalizing these women and girls as "prostitutes." This is perhaps a goal we can all collaboratively work to strive for in the future.



Sincerely,

Kathryn Xian, Executive Director
Pacific Alliance to Stop Slavery

JUDtestimony

From: Lynne Matusow [lynnehi@aol.com]
Sent: Monday, February 21, 2011 6:09 PM
To: JUDtestimony
Subject: Downtown Neighborhood Board 13 Testimony in Favor of HB 240, public hearing Tuesday Feb. 22, 2 pm

Feb. 21, 2011

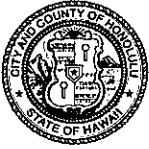
Dear Chair Agaron and Committee Members:

At its monthly meeting on February 3, the Downtown Neighborhood Board voted to endorse the legislative package submitted by Honolulu Prosecuting Attorney Keith Kaneshiro. Included in that package was HB 240, Relating to giving highest priority to prostitution cases when determining whether to place a witness in a protective program. We urge you to pass this bill.

Thank you for the opportunity to submit testimony.

Sincerely,

Alvin Au, Chair
Downtown Neighborhood Board
60 N. Beretania St., #PHA-2
Honolulu, HI 96817
alvinau1945@hotmail.com
536-7997



DOWNTOWN NEIGHBORHOOD BOARD NO. 13

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

**Testimony of
Thomas Smyth, Vice Chair**

**Before the
House Committee on Judiciary
Tuesday, February 22, 2011, 2:00 pm Room 302
On
HB 240 Relating to Promoting Prostitution**

Chair Keith-Agaran, Vice Chair Rhoads and Members of the Committee:

The Downtown Neighborhood Board strongly supports HB 240 that requires the Attorney General to give greater priority to investigations involving witness protection for prosecution related to the promotion of prostitution.

It is our understanding that witness protection in cases of this type are now not treated as importantly as are those involving organized crime or racketeering activity. We believe that prostitution is frequently related to organized crime and racketeering, however loosely those terms are defined. Certainly promotion of prostitution has long been related to drug dealing which is often an organized crime activity.

In the recent past, we are aware that prostitution in the Downtown and Chinatown areas has involved gangs known to be pursuing crime in other neighborhoods and are certainly benefiting from the human trafficking and drug promotion that organized crime figures have been involved with in the past.

The Honolulu Police Department commits much of their limited resources to vice activities, including prostitution, and often related narcotics trafficking. Those who may be called as witnesses in these cases should be given as much protection and security as there can be.

This measure would be one more step in the increasing effort to combat this very dangerous criminal activity. Witness protection priority would help ensure more effective prosecution of those who are involved in these activities and help convict them at the increased penalty levels also being considered at today's hearing.

Thank you for the opportunity to provide testimony.



National Association of Reformed Criminals

1765 Ala Moana Blvd. #1388

Honolulu, Hawaii, 96815

February 22, 2011

COMMITTEE ON THE JUDICIARY

Rep. Gilbert S. C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Tuesday February 22, 2011

2:00 PM

Room 325

HB 240 - RELATING TO PROMOTING PROSTITUTION

OPPOSE

Prostitution crimes are trivial compared to murder-for-hire, and Police protection isn't that difficult to find, especially in high profile prostitution areas such as Waikiki.

We oppose this bill as an unnecessary expense.

Mahalo,

Andy Botts



February 22, 2011

Representative Gilbert S.C. Keith-Agaran, Chair
House Judiciary Committee
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: Strong Support for HB 44, HB240, HB241, HB 242 Relating to Anti-Prostitution Measures

Dear Chair Keith-Agaran and Members of the Committee:

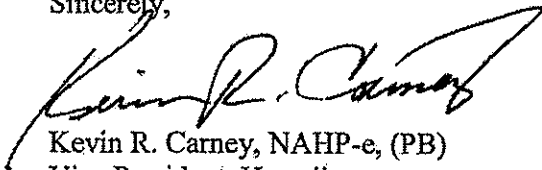
Thank you for this opportunity to submit testimony in strong support of HB 44, HB240, HB 241 and HB 242, all of which will help to discourage the promotion and solicitation of prostitution in our communities.

EAH Housing is a non-profit public benefit corporation that owns and manages 859 low-income rental apartments in the downtown Honolulu area. For those who live or work downtown, particularly in the Chinatown area, prostitution is not a hidden occupation. We see those who work in this "business" everyday on our street corners and in our alley ways. Our children see them when they leave for school in the mornings and when they come home in the afternoons. They see them when they go out to play every day. Take a drive along Aala Street, Kukui Street, Maunakea Street or River Street to name a few and you can spot them. It is nearly impossible to avoid them. And our children and young families are exposed to them every single day. No, they are not hidden. They are there every day and we need to do something about it.

These bills are not aimed at the prostitutes themselves but the human traffickers, pimps and johns that promote and support prostitution. EAH strongly believes that increased penalties are needed to help to curtail this very pervasive problem in our communities. We believe that reducing prostitution will also reduce crimes related to prostitution such as crimes involving drugs, assault, battery and robbery.

Please help us improve the living conditions in our neighborhoods and protect the children in our communities from exposure to this "business" by supporting these proposed bills.

Sincerely,



Kevin R. Carney, NAHP-e, (PB)
Vice President, Hawaii