

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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THE HONORABLE CLAYTON HEE, CHAIR
SENATE COMMITTEE ON JUDICIARY AND LABOR
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawai`i

February 15, 2013

RE: S.B. 194; RELATING TO CRIMINAL PROCEDURE.

Chair Hee, Vice-Chair Shimabukuro and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in support of Senate Bill 194.

S.B. 194 would prohibit a defendant from receiving deferred acceptance of guilty plea ("DAG") for petty misdemeanor offenses, if he or she was already on DAG for another criminal charge, at the time of committing the current offense. There is already a similar exception for misdemeanor offenses.

Currently, there is no limit to the number of times a defendant may get DAG for petty misdemeanor offenses. Even if he or she was already on DAG for another offense, defense attorneys are requesting, and courts are granting, DAG for intervening petty misdemeanors. While petty misdemeanors are considered the lowest level of criminal offense, they are still criminal, and include offenses such as harassment (with or without physical contact), criminal property damage (4th degree), theft (4th degree), and prostitution.

When the court grants a DAG, the defendant is essentially given a "second chance," an opportunity to show the court that this offense should not become part of their permanent record, because they have learned a lesson and will not re-offend. While there are certain policy-reasons behind such an allowance, one would reasonably expect defendants to be on their utmost "good behavior" while a DAG is in effect, and not partake in criminal activity during this time.

For the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of S.B. 194. Thank you for the opportunity to testify on this matter.



EQUALITY NOW

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February 14, 2013

MEMORANDUM IN SUPPORT OF SB 192 AND SB 194

Committee: Senate Committee on Judiciary and Labor

Hearing Date: February 15, 2013 (10:00 a.m.)

Place: Conference Room 016
State Capitol
415 South Beretania Street

Honorable Chair Sen. Clayton Hee and Committee Members:

Equality Now is an international human rights organization that works to protect and promote the rights of women and girls throughout the world. Among issues of concern to Equality Now are human trafficking, which disproportionately affects women and girls, sex tourism and other practices that promote the commercial sexual exploitation of women and girls. In the past we have worked with our partners at the Pacific Alliance to Stop Slavery on Hawaii's sex tourism law and subsequent legislation, which outlawed labor trafficking and strengthened existing anti-prostitution laws.

Equality Now endorses the "3P's" approach to combat trafficking, prevention, protection and prosecution. We believe that passage of SB 192 and SB 194 would represent significant advances in Hawaii's anti-trafficking efforts by making prosecutions of those who create the demand for the trafficked persons by soliciting prostitution more tenable, and thus preventing trafficking to and within Hawaii.

SB 192 would make solicitation of a minor for prostitution a crime. SB 194 will prevent purchasers of sex from having their records expunged after six months. Both of these bills accord with Equality Now's belief that the primary goal of law enforcement

concerned about sex trafficking should be prevention, and the most effective and least costly method of achieving this is reducing the demand for prostitution. Preventing sex trafficking by the sustained efforts of law enforcement towards those who buy humans for sexual use is far less costly and time consuming than the long, expensive and personnel-intensive investigations that typify sex trafficking cases. The savings in lives and resources by preventing trafficking as opposed to rescuing victims once trafficked into prostitution is incalculable.

Both statistical and anecdote evidence suggest that patronizing prostituted persons is a crime of opportunity that can be easily deterred.

The report of the award-winning project of the Buffalo Police Department, "Workable Solutions to the Problem of Street Prostitution Buffalo", demonstrates this.¹ The Buffalo project adopted the strategy of arresting people buying sexual services rather than the people selling services, because analysis revealed that arrest was a deterrent for buyers but not for sellers.² Statistics gathered by the Buffalo Police Department showed that 66% of those arrested for prostitution were repeat offenders but only 8% of the patrons were.³ As the report concluded:

"For Johns, though, arrest is a more effective deterrent. Over 50 percent of johns interviewed indicated that arrest was their most significant fear."⁴

The report stated that "once the demand was reduced, prostitution was reduced."⁵

¹ Winner of The 2001 Herman Goldstein Award Winners, Excellence in Problem Orientated Policing, The Prostitution Task Force, Workable Solutions to the Problem of Street Prostitution in Buffalo (1999), available at, NY. [http://www.popcenter.org/problems/street_prostitution/PDFs/Workable%20Solutions, pdf](http://www.popcenter.org/problems/street_prostitution/PDFs/Workable%20Solutions.pdf)

² Ibid p. 15

³ Id at p. 17

⁴ Id. at p. 17

⁵ Id. at p. 23

Conclusions from the experience in Buffalo are supported by a more recent study in Chicago.⁶ In this study, 113 purchasers of sex were asked, "What would deter you from buying sex"?⁷ Eighty-three percent responded that jail time would. Forty-six percent said that they would be deterred by jail time of a day or less.⁸ The study concluded that, "if potential buyers witness and experience that they are being targeted often, and arrests are increasing, they will be deterred from buying sex."⁹

The statistical evidence is supported by the numerous and continuous stream of postings on websites where patrons exchange detailed information about individual prostituted women and about prostitution locations.¹⁰ Even casual monitoring of these sites reveals that avoiding arrest is a high priority for prostitution patronizers. Numerous postings warn of law enforcement ("LE") or suspected law enforcement activity and prostituted persons who arouse the suspicion of patronizers as possible under-cover officers. Newspaper articles that report patronizing prostitution arrests are posted and receive numerous comments, usually expressing relief that the writer wasn't at the location when the arrests were made and speaking of those arrested in empathetic terms.

One such thread on the website www.bestgfe.com titled "Spotting LE" was begun with a post that read:

"I just wanted to make this post in an effort to compile the knowledge of people on this site. When I am cruising any website looking for girls my #1 concern is always le but how do you spot an ad posted by le any knowledge you have on this please share as I have no idea and always feel very p'noid about it..."¹¹

⁶ Chicago Alliance Against Sexual Exploitation, *Effective Demand Deterrence Strategies*, (March 2009).

⁷ Id. at p.3

⁸ Id. at p. 3

⁹ Id at p. 4

¹⁰ For such an example see www.bestgfe.com

¹¹ www.bestgfe.com, BestGFEForums, >New York>Escorts-NYC "Discussion Spotting LE, Ashman 537, June 2, 2009, 11:28 AM, viewed on June 5, 2010.

This post resulted in 43 responses in an eight-day period. This thread had been viewed almost 3,000 times.

Indeed, the effectiveness of demand side approaches to limit prostitution are increasingly recognized as key to diminishing sex trafficking. This approach has been adopted by such diverse actors as the governments of Sweden, Norway, Finland and South Korea, the City of Atlanta and the United States Department of Defense.¹² Recognizing the importance of attacking demand, The Trafficking Victims Protection Reauthorization Act of 2005 authorized the Attorney General of the United States to make grants to states and local law enforcement agencies to establish programs to investigate and prosecute persons who engage in the purchase of commercial sex acts.¹³

These efforts recognize the efficacy of what has been termed the "Swedish Model". The Swedish Model proceeds from the premise that the demand for women and children is an important root cause of human trafficking. Swedish law implemented in 1999 recognizes that the purchaser of sex should be criminalized, not the prostituted women or child. The Swedish government reports that since the implementation of its demand side efforts in 1999, "...There has been a dramatic drop in the number of individuals in street prostitution..." and that "there are clear indications that the law that prohibits the purchase of sexual services has had direct and positive effects on the trafficking in human beings for sexual purpose to Sweden and that Sweden no longer is an attractive market for

¹² For a more comprehensive list of government action against the demand for prostitution, see *Confronting the Demand for Sex Trafficking, a Handbook for Law Enforcement*, CATW & UNIFEM (July 2007) at 87-92.

¹³ Trafficking Victims Protection Reauthorization Act of 2005, Public Law No. 109-164, Sec. 204(a)(1)(B).

traffickers.¹⁴ Equality now believes that passage and enforcement of SB 192 and SB 194 will have the same result in Hawaii.

Equality Now, therefore strongly urge passage of both of these bills.

¹⁴ Ekberg, Gunilla; statement of the Swedish Government at the Regional Preparatory Meeting on the 10-year review of the Beijing Platform for Action: Theme 3-Trafficking of Women in the Context of Migratory Movements, Geneva, Switzerland, December 15, 2004.

Courage House Hawai'i

Hale O' Mana'o i'o

Senate Committee on Judiciary and Labor

Friday, February 15, 2013

Testimony supporting the intent of SB 192, 194 relating to prostitution

Aloha Chair Hee, Vice Chair Shimabukuro, and members of the Committee:

I am writing in support of SB 192 and 194, which will strengthen Hawaii's ability to combat domestic minor sex trafficking. I am currently the volunteer director for the Courage House Hawaii project. Our focus is to provide a residential facility to underage victims of sexual exploitation in our state. Sadly, our state is known as being a "sex tourism" destination and with a large military and business community, Hawaii is a prime location for traffickers to exploit children. These individuals who are exploiting these children are receiving minimal punishment for this horrendous crime. The buyers of these services are essentially engaging in sex acts with minors. It is concerning to me that buying sexual services from a child is not considered absolutely wrong and clearly punishable. I believe that no child should be sold for sex despite any sort of social circumstances.

Share Hope has spent years researching domestic minor sex trafficking in the US, the protected innocence legislative framework was designed to establish a minimum legal fabric for the protection of children from sex trafficking and access to justice for those exploited. November 29, 2012 marked the releases of the 2012 report card for every state. Hawaii received a failing grade. We can change this! These bills address several components of the Protected Innocence Challenge and are critical to closing the gaps in the safety net for past, present, and future young victims of sexual exploitation.

SB 192 Combats the demand of sexual exploitation is several ways:

- Adds the offense of solicitation of a minor under 18 for prostitution, increasing the penalty for buying sex with a minor from a petty misdemeanor under the prostitution laws to a Class C felony. SB 192 subjects defendants convicted under this new law to asset forfeiture, providing an important financial penalty further deter demand.
- to put the community on notice of the potential risk posed by those who buy sex with minors, SB 192 requires buyers convicted under this new offense to register as a sex offender.

SB 194 prevents the court from deferring the prison sentence applicable to buyers convicted under prostitution and solicitation of prostitution laws.

Thank you for taking the time to hear testimony on these extremely important bills

Jessica Munoz, Courage house Hawaii Project Director



PO Box 401 Haleiwa, Hawaii 96712 www.courageworldwide.org/hawaii couragehousehawaii@courageworldwide.org



SENATE COMMITTEE ON JUDICIARY AND LABOR

Friday, February 15, 2013 – 10:00 a.m. – Room 016

Testimony Supporting the Intent of SB 194 Relating to Prostitution

Aloha Chair Hee, Vice Chair Shimabukuro and Members of the Committee:

My name is Jody Allione and I represent Courage House Hawaii. I have been involved in this industry over the past year when I became aware of the reality of this problem in Hawaii and how it endangers our young girls in this state as well as other cities on the mainland. It is tragic that Hawaii is becoming known as a sex tourism destination and strong measures must be incurred to stop this crime against children.

I am writing to urge your support for Senate Bills 192, and 194, which will strengthen Hawaii's ability to combat domestic minor sex trafficking.

Based on years of specialized research on domestic minor sex trafficking in the United States, the Protected Innocence Legislative Framework was designed by Shared Hope to establish a minimum legal fabric for the protection of children from sex trafficking and access to justice for those exploited. On November 29, 2012 Shared Hope International released the 2012 report card for every state. Hawaii received an F. I would like to see Hawaii raise that grade. These bills address several components of the Protected Innocence Challenge and are critical to closing the gaps in the safety net for past, present and potential future young victims of sex trafficking.

Issues addressed in these bills include:

SB 194 combats demand for sex trafficking in several ways:

- Adds the offense of solicitation of a minor under 18 for prostitution, increasing the penalty for buying sex with a minor from a petty misdemeanor under the prostitution laws to a Class C felony. SB 192 subjects defendants convicted under this new law to asset forfeiture, providing an important financial penalty to further deter demand;
- To put the community on notice of the potential risk posed by those who buy sex with minors, SB 192 requires buyers convicted under this new offense to register as a sex offender.

SB 194 prevents the court from deferring the prison sentence applicable to buyers convicted under prostitution and solicitation of prostitution laws.

These bills take important steps towards addressing the issue of domestic minor sex trafficking in Hawaii. Thank you for the opportunity to provide this testimony.
Sincerely,

Jody Allione
Site Development Director
Courage House Hawaii

February 12th 2013

COMMITTEE ON JUDICIARY AND LABOR

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senator Les Ihara, Jr.
Senator Sam Slom
Senator Mike Gabbard

NOTICE OF HEARING

DATE: Friday, February 15, 2013
TIME: 10:00 a.m.
PLACE: Conference Room 016
State Capitol
415 South Beretania Street

**RE: TESTIMONY IN STRONG SUPPORT OF SB194
RELATING TO CRIMINAL PROCEDURE**

Excludes certain offenses from eligibility to be granted a deferred acceptance of guilty plea.

Dear Committee on Judiciary and Labor:

The Pacific Alliance to Stop Slavery (PASS) firmly supports SB194. We kindly urge you to exclude patrons who buy other persons for sex from the ability to expunge their records after 6 months of good behavior if they plead no contest. According to the Prosecutor's Office, these defendants may also use their DAG/DANC repeatedly. We would also like to apprise you to facts relating to patrons or "johns" expressed in this testimony.

Studies from Sweden and Norway, countries that have criminalized the purchasing of persons for sex, have seen significant reductions in violence against prostituted persons since the laws have passed. Conversely, Hawaii has almost no serious penalties nor methods of public accountability for patrons of prostitution and sex trafficking, which allows them to worsen in their deviant paraphilic behavior against women who do not have the ability to speak out due to societal bias and fear of retaliation and are under duress to feign compliance.

Attached to this testimony are real posts from patrons of prostitution to give your committee an idea of how these "johns" treat and view women. Please note that the language is very graphic. These johns, in our society, hide from public view— they are cowards—avoiding the accountability of their wives, daughters, friends, and other family members; calling prostitution "consenting sex" with "legitimate prostitutes" when we as outreach workers and others that heal prostituted persons know that prostitution is a violent and harmful offense against all women in society. This is clear from the real posts from an arrogant patron attached to this testimony.

PASS and Imua are imploring lawmakers to End the Demand for Prostitution and Sex Trafficking and have amassed nearly 5000 petitioners to support this cause. <http://www.change.org/petitions/pass-safe-harbor-end-demand-for-prostitution-laws-in-hawaii>

PASS serves victims of Human Trafficking for sex or labor in the state of Hawaii and has a support base of over 7000 persons.

PASS is one of Hawaii's few services that helps heal survivors of human trafficking. We testify that there are no specific services tailored to the survivors of this crime. As a result, survivors fall through the cracks or are often re-victimized and criminalized as either "prostitutes" if they are sex trafficked victims or "illegal immigrants" if they are labor trafficked victims. Hawaii must accurately and effectively address the handling of human trafficking survivors.

Earlier this year, Shared Hope International rated Hawaii second worst in the nation in protecting child victims of sex trafficking by law. Since there is no sex trafficking statute in Hawaii, statistics from law enforcement are unavailable as they are combined with general prostitution statistics but other sources of information are very helpful in assessing the great need for services specific to child victims of sex trafficking. Such information states:

- Hawaii's incarceration rate of juvenile girls exceeds national average¹.
- Of the girls incarcerated, 35% are runaways, a high-risk criteria for trafficking².
- Hawaii has the third highest attempted teen suicide rate³.
- Hawaii has one of the highest rates of intrafamilial sexual abuse (incest)⁴.

All of these statistics significantly contribute to the proliferation of sex trafficking. Since 2009, PASS alone has assisted 96 victims of human trafficking. The need to expand anti trafficking services is very severe.

Thank you for hearing this much needed legislation.

Sincerely,



Kathryn Xian
Executive Director
Pacific Alliance to Stop Slavery

¹ Hawaii Department of the Attorney General, Research and Statistics Branch Crime Prevention and Justice Assistance Division. (May 2006). *The Female Juvenile Offender in Hawaii: Understanding Gender Differences in Arrests, Adjudications, and Social Characteristics of Juvenile Offenders*

² Ibid.

³ Hawaii State Department of Health (2010)

⁴ Dunn, A. Girl Fest Hawaii Conference on Youth. (2012). Deputy Prosecutor, Honolulu City Prosecutor's Office

POSTS FROM JOHNS "INTERNET CHAT BOARDS"

09-24-12 18:46 #80

Playboy54 ◦
Senior Member
Reports: 197

CHERiatVIP

I woke up and said what is worse than shitty service, shitty service from a girl over 26. Went to VIP. Said give me the youngest chick in this brothel. Mama sent in Cheri. Big boobs, hot body and 23. Her service was shitty, so I fucked her hard and talked pretty nasty and demeaning to her. To my surprise. She appeared to like it.

Playboy54.

Don't brag unless it's bareback!

Report Post Reply With Quote

Today 16:15 #4

Playboy54 ◦
Senior Member
Reports: 197

VIP and Michelle

Went to VIP. Hoping for a hottie. Mama sends in Michelle about 36 (refused to give her age). Should have walked but was pressed for time. Good table shower and massage. Told me straight up no kissing, DATY, and all condom. I said no problem. Because I am going to fuck real hard then. Banged the shit out of her. Locked my arms around her thighs and lifted her hips up and said. Your going to regret using a condom because I won't cum for awhile. She was was trying to get out of the lock. But I had her good. I said you ain't going anywhere. I my surprise she then locked her thighs on me and starting getting loud. I stopped and said. You not having a good time on my dime. Took off the condom and fucked her tits and blew on her neck. I actually don't like it rough at all. But said might as well let her know how much I hate condoms physically. I have no idea how tight or loose she is. Because I don't feel shit with a condom. Skull fucked her good so she can get the full taste of that condom. Won't repeat. When I left she said I like it rough also.

Playboy54.

I think I was number 4 customer today.

Report Post Reply With Quote



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

TESTIMONY FOR SENATE BILL 194, RELATING TO CRIMINAL PROCEDURE

Senate Committee on Judiciary and Labor
Hon. Clayton Hee, Chair
Hon. Maile S.L. Shimabukuro, Vice Chair

Friday, February 15, 2012, 10:00 AM
State Capitol, Conference Room 016

Honorable Chair Hee and committee members:

I am Kris Coffield, representing the IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in strong support of, with proposed amendments for SB 194, relating to criminal procedure.

In 2011, lawmakers passed HB 141 and HB 240, the former of which outlawed labor trafficking in the islands and the latter of which strengthened existing anti-prostitution laws by expanding witness protection for victims and targeting repeat offenders, particularly pimps and johns. Both bills were important steps in rectifying Hawaii's poor image and record with regard to anti-trafficking statutes. Importantly, these new laws focus on demand for labor and sex trafficking, signaling our state's move toward combating those most responsible for trafficking violations—pimps, johns, owners and managers of prostitution houses, and traffickers themselves—while protecting those who are most vulnerable. In 2012, policymakers passed a “vacating convictions” bill, for the first time allowing persons who have been wrongfully convicted of prostitution-related offenses and can demonstrate that their offenses were coerced to petition to have these convictions vacated from their record, so that they can matriculate into healthy, sustainable, fruitful lifestyles.

The IMUAlliance lauds the State Legislature's efforts, during the last two sessions. At the same time, we call upon lawmakers to continue the fight against human trafficking by hearing and advancing bills that increase penalties for victimizers. To that end, the IMUAlliance strongly supports the enactment of criminal procedure reform that adds solicitation of prostitution-related offenses (johns) to the state's list of offenses that are not subject to deferred acceptance of a guilty or no contest plea, including prostitution under 712-1200(b), street solicitation of prostitution under 712-1207(b), solicitation of prostitution near schools or public parks under 712-1209, and habitual solicitation of prostitution under 712-1209.5. We would also support

restricting the number of allowable DAG and DANC pleas for any crime, including petty misdemeanor offenses, to one for life, though such a move may be deemed too strict for modern criminal jurisprudence.

We understand that DAG and DANC pleas are useful prosecutorial tools, allowing prosecutors to plead out cases that might otherwise add to an already lengthy judiciary backlog. Prosecutors argue that removing DAG and DANC pleas for prostitution charges will adversely impact conviction and dismissal rates in district courts by increasing the volume of cases handled by deputy prosecutors to an unmanageable level. Similarly, prosecutors contend that most defendants facing prostitution charges are first-time offenders, who are eager to plead out to avoid heightened penalties. While we empathize with the possibility of DPAs having to take more cases to trial, but are not convinced that the increased caseload will result in prostitution cases being “congested out” to the point that Rule 48—under which cases must go to trial within six months or a year or be dismissed—will become problematic. Despite being graded as petty misdemeanors, however, cases involving johns should not be looked upon as nonviolent crimes. Studies have shown that 80-90 percent of prostituted persons wish to cease being commercially and sexually exploited. Yet, the majority of these individuals won't do so, at least not with celerity, because of physical coercion from pimps and johns, emotional coercion, blackmail, immigration or financial fraud, debt bondage, or social stigmatization—in other words, force, fraud, threat, or intimidation. And of the two dozen exploited persons to whom IMUAlliance has provided direct outreach, every individual has described being subjected to physical and sexual abuse by pimps, prostitution promoters, traffickers, and/or johns, including being beaten, choked, burned, and repeatedly raped. Put simply, solicitation of prostitution is not, or at least should not be assumed to be, a nonviolent crime, but should instead be viewed as a financial imperative in a nefarious cycle of victimization and oppression. (Also, for what it's worth, prosecutors mostly encounter first-time offenders because their arrest model relies upon street stings—only an extremely drunk john would solicit the same cop twice, and we doubt that law enforcement has a large stable of women posing as undercover prostitutes.)

An alternative, stricter proposal, though, would be to grant persons charged with a crime only one DAG or DANC plea for life, to be used at the discretion of the defendant and his or her counsel. This could be adopted by employing the following language: **§853-4 Chapter not applicable; when.** This chapter shall not apply when:

(11) The defendant has been charged with a felony, misdemeanor, or petty misdemeanor offense and has been previously granted deferred acceptance of guilty plea status for a prior offense, regardless of whether the period of deferral has already expired[;].

~~(12) The defendant has been charged with a misdemeanor offense and has been previously granted deferred acceptance of guilty plea status for a prior felony, misdemeanor, or petty misdemeanor for which the period of deferral has not yet expired;~~

~~[(13) The defendant has been charged with a petty misdemeanor offense and has been previously granted deferred acceptance of guilty plea status for a prior felony, misdemeanor, or petty misdemeanor for which the period of deferral has not yet expired;]- REMOVE FROM BILL~~

Finally, this bill may be a better vehicle than our 'end demand' bill (SB 192) for expanding the available investigative tools for law enforcement and prosecutors by eliminating the adversarial hearing required for employment of wiretapping evidence in the course of a prosecution, which, according to conversations with the Attorney General's Office and Honolulu Prosecutor's Office currently disincentivizes use of wiretapping at the state and county level: **803-46: (i)(1)** ~~Any aggrieved person in any trial, hearing, or proceeding in or before any court, department, officer, agency, regulatory body, or other authority of this State, or a political subdivision thereof, may move to suppress the content of any intercepted wire, oral, or electronic communication, or evidence derived therefrom, on the grounds that:~~

~~(A) The communication was unlawfully intercepted;~~

~~(B) The order of authorization or approval under which it was intercepted is insufficient on its face; or~~

~~(C) The interception was not made in conformity with the order of authorization or approval.~~

~~Such motion shall be made before the trial, hearing, or proceedings unless there was no opportunity to make such motion or the person was not aware of the grounds of the motion. If the motion is granted, the contents of the intercepted wire, oral, or electronic communication, or evidence derived therefrom, shall be treated as having been obtained in violation of this part. The court, or other official before whom the motion is made, upon the filing of the motion by the aggrieved person, may make available to the aggrieved person or the aggrieved person's counsel for inspection portions of the recording that contain intercepted communications of the defendant or evidence derived therefrom, the applications, orders, transcript of testimony, and such additional evidence as the court determines to be in the interest of justice.~~

~~[(2)] In addition to any other right to appeal the State shall have the right to appeal:~~

~~(A) From an order granting a motion to suppress made under paragraph (1) of this subsection if the attorney general or prosecuting attorney of a county, or their designated representatives, shall certify to the designated judge or other official granting the motion that the appeal shall be taken within thirty days after the date the order of suppression was entered and shall be diligently prosecuted as in the case of other interlocutory appeals or under such rules as the supreme court may adopt;~~

~~[(B)] From an order denying an application for an order of authorization or approval, and such an appeal shall be in camera and in preference to all other pending appeals in accordance with rules promulgated by the supreme court.~~

Again, the IMUAlliance thanks you for your hard work to stem human trafficking on our shores. Room for improvement remains, however, and we feel that the measure in question, with proposed amendments, will consecrate last year's momentum into a concerted movement. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,
Kris Coffield
Legislative Director
IMUAlliance

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 13, 2013 9:13 AM
To: JDLTestimony
Cc: launahele@yahoo.com
Subject: Submitted testimony for SB194 on Feb 15, 2013 10:00AM

SB194

Submitted on: 2/13/2013

Testimony for JDL on Feb 15, 2013 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Pang	Individual	Oppose	No

Comments: We should not protect johns and victimizers of women.

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

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 10:10 AM
To: JDLTestimony
Cc: dallen8@my.hpu.edu
Subject: Submitted testimony for SB194 on Feb 15, 2013 10:00AM

SB194

Submitted on: 2/14/2013

Testimony for JDL on Feb 15, 2013 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Danielle Allen	Individual	Support	No

Comments: I am a student in the social work program and I support this bill to exclude patrons of sex trafficking from the ability to expunge their record after 6 months of good behavior. This would help in increasing the penalty for purchasers and hopefully discouraging it, adding some protection for the victims. Please support this 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

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 13, 2013 8:16 AM
To: JDLTestimony
Cc: mustbethemani@gmail.com
Subject: Submitted testimony for SB194 on Feb 15, 2013 10:00AM
Attachments: Sex trafficking testimony SB192.odt

SB194

Submitted on: 2/13/2013

Testimony for JDL on Feb 15, 2013 10:00AM in Conference Room 016

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

Comments: Hawaii really needs to change its laws to protect the innocent and to put those accused of this crime behind bars.

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

I am writing to urge your support for Senate Bills 192, and 194, which strengthen Hawaii's ability to combat domestic minor sex trafficking.

Based on years of specialized research on domestic minor sex trafficking in the United States, the Protected Innocence Legislative Framework was designed by Shared Hope to establish a minimum legal fabric for the protection of children from sex trafficking and access to justice for those exploited. On November 29, Shared Hope International released the 2012 report card for every state. Hawaii received an F. I would like to see Hawaii raise that grade. These bills address several components of the Protected Innocence Challenge and are critical to closing the gaps in the safety net for past, present and potential future young victims of sex trafficking.

Issues addressed in these bills include:

SB 192 combats demand for sex trafficking in several ways:

- Adds the offense of solicitation of a minor under 18 for prostitution, increasing the penalty for buying sex with a minor from a petty misdemeanor under the prostitution laws to a Class C felony. SB 192 subjects defendants convicted under this new law to asset forfeiture, providing an important financial penalty to further deter demand;

- To put the community on notice of the potential risk posed by those who buy sex with minors, SB 192 requires buyers convicted under this new offense to register as a sex offender.

SB 194 prevents the court from deferring the prison sentence applicable to buyers convicted under prostitution and solicitation of prostitution laws.

These bills take important steps towards addressing the issue of domestic minor sex trafficking in Hawaii.