

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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STATE OF HAWAII  
HONOLULU

DAVID M. HENNING  
CHIEF

DAVID M. HENNING  
MAYOR  
DEPUTY CHIEF

JK-TA

February 20, 2015

The Honorable Gilbert S. C. Keith-Agaran, Chair  
and Members  
Committee on Judiciary and Labor  
State Senate  
Hawaii State Capitol, Room 016  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Keith-Agaran and Members:

SUBJECT: Senate Bill No. 265, Relating to Sex Trafficking

I am Jason Kawabata, Captain of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 265, Relating to Sex Trafficking. This bill seeks, in part, to replace the term "promoting prostitution" with "sex trafficking."

Sex trafficking is widely understood to refer to the use of violence, threats, coercion, or fraud to force people into the commercial sex trade against their will. While there is no doubt that sex trafficking is a serious problem, we have also encountered many people who engage in commercial sex of their own free will. Therefore, we believe that the term "sex trafficking" should be reserved for the specific, more serious form of promoting prostitution as articulated above.

We respectfully suggest that if "sex trafficking" is added as a term in the Hawaii Revised Statutes, its definition should be more consistent with national standards. This would serve to maintain the distinction between the different forms of promoting prostitution and emphasize the seriousness of the offense.

The HPD urges you to oppose Senate Bill No. 265, Relating to Sex Trafficking.

Thank you for the opportunity to testify.

Sincerely,

Jason Kawabata, Captain  
Narcotics/Vice Division

APPROVED:

Louis M. Kealoha  
Chief of Police

**TO:                    COMMITTEE ON JUDICIARY AND LABOR**  
**Senator Gilbert S.C. Keith-Agaran, Chair**  
**Senator Maile S.L. Shimabukuro, Vice Chair**

Date:                February 20, 2015  
Time:               9:00am  
Place:               Conference Room 016

**FROM:                Eliza Rosburg, Hawaii Pacific University, Master of Social Work Student**

**Re:                    SB 265 RELATING TO SEX TRAFFICKING**  
**Position:            SUPPORT WITH AMENDMENTS**

**Dear Chair Keith-Agaran, Vice Chair Shimabukuro, and Members of the Senate  
Committee on Judiciary and Labor:**

I am currently a social work graduate student attending Hawaii Pacific University as well as a mother of a 15-year-old daughter. I recently became aware of the sex trafficking issue in Hawaii and was appalled to find that victims of sex trafficking include our most vulnerable population, our children. As a mother, it is difficult for me to imagine that our children are being targeted. It is also incredibly alarming that there is a lack of policies that ensure the protection of victims. As a social worker and a member of the community, it is important that we carefully consider what we can do to make a difference and passing this policy is one step in the right direction.

Thank you for the opportunity to testify.

Please pass SB 265:

It is devastating that sex trafficking is the largest form of slavery in human history. Sex trafficking shatters the lives of millions of young girls and women by causing severe suffering to them not only sexually, but also physically, emotionally, spiritually, financially, and mentally. The legal system only furthers their trauma by treating them as perpetrators of crime rather than the victims of injustice that they are. This is especially true for female children and female children, as these people within these age categories are still undergoing formative brain development that will set the course for the rest of their lives.

The only way to eliminate sex trafficking is to prosecute those who contribute money to its existence. This includes pimps, managers of johns, and those who pay for encounters with sex trafficking victims (i.e. "prostitutes") and even for porn. Switzerland enacted measures such as these, and they effectively reduced sex trafficking by approximately 88%!

I therefore stand in strong support of SB 265 to rightfully address "promoting prostitution" as "sex trafficking," and to change the charges of channeling young girls into sex trafficking from a class C to a class B felony.

Yours Truly,

Jessica Yapple

Register voter from Aiea, HI



February 20, 2015

COMMITTEE ON JUDICIARY AND LABOR

Senator Gilbert S.C. Keith-Agaran, Chair

Senator Maile S.L. Shimabukuro, Vice Chair

Senator Will Espero

Senator Mike Gabbard

Senator Les Ihara Jr.

Senator Laura H. Thielen

Senator Sam Slom

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 SB265 RELATING TO SEX TRAFFICKING

DATE: Friday, February 20, 2015

TIME: 9:00 a.m.

PLACE: Conference Room 016, State Capitol, 415 South Beretania Street

Dear Committee on Judiciary and Labor:

Shared Hope International is an anti-trafficking organization focused on combating the egregious crime of child sex trafficking through comprehensive, victim-centered approaches. By 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.

The cornerstone of all anti-trafficking work is a separate, specific, comprehensive human trafficking law. Under the Protected Innocence Challenge, Shared Hope has outlined the minimum legal components essential to protect children from sex trafficking and bring access to justice and services to those exploited. We measure each state's laws against this framework and issue a report card accordingly. In 2014, Hawaii regrettably received a "D", largely resulting from the absence of a human trafficking law making it a crime to exploit minors under 18 through prostitution, pornography or sexual performance and providing comprehensive victim services and protections.

This bill provides a necessary cornerstone to combat the sex trafficking of minors and bring justice to victims in Hawaii. **SB 265** deserves this Committee's enthusiastic endorsement because:

- Renaming 'promoting prostitution' as sex trafficking is necessary, because prosecuting sex trafficking offenses under prostitution laws or nomenclature stigmatizes victims.
- Demand for commercial sex acts with young people drives the child sex trafficking industry. This bill rightly criminalizes a buyer who callously pays for sex "in reckless disregard of the fact" that the child is a victim of sex trafficking. Although this does not capture the full scope of the buyer's role in the sex trafficking offense by limiting its application to scenarios where payment is rendered directly to a victim, this bill begins to lay the groundwork for serious penalties for individuals who pay for sexual interactions with children.
- Establishing sex trafficking as a violent crime promotes sex trafficking victims access to compensation, which is critical to fund the needed process of restoration, as victims often suffer severe physical, psychological and emotional harm. Failure to identify and assist victims compounds their trauma.
- Prohibitions on 'advancing or profiting' from domestic minor sex trafficking are essential to comprehensively combat sex trafficking. Facilitators often reap the financial benefits of the sex trafficking industry without significant risk of being prosecuted or seriously penalized.
- Intercepting wire, oral, or electronic communications allows law enforcement to capture recorded phone conversations or text messages between a victim and a buyer or trafficker. This facilitates protecting victims who have a difficult time testifying and also leads to better prosecutions.
- Removing time limits on prosecutions allows law enforcement and prosecutors time to discover, investigate and develop cases. Trafficking is a hidden crime, yet the effects of sex trafficking on a child are traumatic and potentially long-lasting.
- Intensifying sex offender registration requirements deters predatory traffickers and warns the public of the danger sex offenders pose to children. Indeed, exchanging money does not sanitize the underlying crime of child rape or molestation.
- Recognizing *any* commercially sexually exploited child as a victim of sex trafficking is paramount. Although signs of compulsion are not required for child victims, as they are in adult trafficking cases, this bill continues to require the presence of someone who "advances or profits" from the exploitation. Shared Hope would like to see Hawaii recognize that any commercially sexually exploited child is a victim of sex trafficking, regardless of whether a pimp or third party is identified.

We encourage you to take this step toward knocking down the system barriers that are preventing 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)

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDL Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB265 on Feb 20, 2015 09:00AM  
**Date:** Thursday, February 19, 2015 10:41:04 PM

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**SB265**

Submitted on: 2/19/2015

Testimony for JDL on Feb 20, 2015 09:00AM in Conference Room 016

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

Comments: Please pass SB 265. Hawai'i is one of only two states without a comprehensive sex trafficking ban. The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals. Additionally, this bill would penalize johns who solicit sex from trafficking victims as traffickers themselves. When we penalize johns who purchase sex from women and children, we reduce the financial cycle that keeps sex traffickers in business. The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures. Please protect these helpless girls and young women, who is trapped in this heinous crime. Thank you for your support for 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.

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**To:** [JDL Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB265 on Feb 20, 2015 09:00AM  
**Date:** Thursday, February 19, 2015 10:59:25 PM

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**SB265**

Submitted on: 2/19/2015

Testimony for JDL on Feb 20, 2015 09:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jillian D'Alessio	Individual	Support	No

Comments: Please pass SB 265. Hawai'i is one of only two states without a comprehensive sex trafficking ban. The lack of a sex trafficking law prevents the proper identification of victims, who are otherwise prosecuted for prostitution and branded as criminals. Additionally, this bill would penalize johns who solicit sex from trafficking victims as traffickers themselves. When we penalize johns who purchase sex from women and children, we reduce the financial cycle that keeps sex traffickers in business. The average age of entrance into commercial sexual exploitation is 13 years old. For the sake of our keiki, we must make sure that sex traffickers are held fully accountable for their crimes, while giving victims the services they need to rebuild their lives and restore their futures.

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**To:** [JDL Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB265  
**Date:** Saturday, February 21, 2015 9:08:32 AM

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### **SB265**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sharon McElroy	Individual	Support	No

Comments: This is an important bill to pass immediately. The welfare of our children is at stake. I know three young girls who have been victims of this crime right. Please help us help them.

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**To:** [JDL Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB265  
**Date:** Saturday, February 21, 2015 11:39:07 AM

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### **SB265**

Submitted By	Organization	Testifier Position	Present at Hearing
Paola Charry	Individual	Support	No

Comments: Dear Chair Keith-Agaran, Vice Chair Shimabukuro, and Members of the Senate Committee on Judiciary and Labor: I am currently a social work graduate student attending Hawaii Pacific University as well as a mother of a 10-year-old son. I have been aware of the sex trafficking issue internationally for almost 10 years, and I was appalled to find that victims of sex trafficking include our most vulnerable population, our children. I am from Colombia where the lack of laws makes children so vulnerable in becoming a sex trafficking victim to include other environmental factors around the issue. I have been living in Hawaii for almost 9 years, and am active in the awareness campaign for the sex and human trafficking issue. It is incredibly alarming to see how this issue is increasing in Hawaii not only because of the public acknowledgment, but also the lack of policies that ensure protection of victims and prosecution of traffickers. As a mother, it is difficult for me to imagine that our children are being targeted. As a social worker and a member of the community, it is important that we take a look at what we can do to make a difference, and passing this policy is one step in the right direction. Thank you for the opportunity to testify.

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**To:** [JDL Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB265  
**Date:** Saturday, February 21, 2015 2:58:30 PM

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**SB265**

Submitted By	Organization	Testifier Position	Present at Hearing
Edie Ignacio Neumiller	Individual	Comments Only	No

Comments: I am in support of SB 265 which replaces the term "promoting prostitution" with the term "sex trafficking. Mahalo

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**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDI Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB265 on Mar 3, 2015 09:00AM  
**Date:** Sunday, February 22, 2015 7:59:59 AM

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### **SB265**

Submitted on: 2/22/2015

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lynn Onderko	Individual	Support	No

Comments: Aloha Senators, I submit this testimony as a concerned mother and a 12 year resident of this beloved state. It is time for our state to recognize what ALL but one other state has realized; sex trafficking is a significant problem in Hawaii and a great threat to our children. Hawaii's sex trafficking problem is no secret and the abuses and dangers connected with this are obvious. Frankly, there is no decent justification for opposing this bill. I encourage you to do the right thing, stand on the right side of history and vote in favor of SB265. Mahalo for your compassionate consideration.

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**To:** [JDL Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB265 on Mar 3, 2015 09:00AM  
**Date:** Monday, February 23, 2015 11:35:16 AM

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### **SB265**

Submitted on: 2/23/2015

Testimony for JDL on Mar 3, 2015 09:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Elyssa Shimada	Individual	Support	No

Comments: Aloha and thank you for this opportunity to submit testimony in support of this bill. This bill, SB265 is a "no brainier" and should be passed unanimously. Opposition of this bill is saying the violation of a minor is okay as long as the victim complied. The victims are children, a child cannot make her/his own decision without the consent of a parent or guardian, period! The first thing that should come to mind for anyone is putting their own children or children of loved ones in this situation and see how they feel. Wouldn't you want the solicitor to be punished to the furthest extent of the law? Being one of the last two states without any kind of sex trafficking laws in place is ludicrous! Children's lives matter. So much damage is done in these situations and the ability for a child who was forced into this type of slavery will have the hardest time living a normal life. These adults who commit such heinous Crimes and acts of violence in many cases are getting away with a slap on the wrist. Bill265 needs to pass and set the precedent for further criminalization of these horrible acts of violence. Because that is exactly what these are. If anyone of you were to sit and talk with a survivor of sex trafficking and hear her/his daily struggles of living through this, you would have a change of heart.

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