

Testimony of the Office of the Public Defender
State of Hawaii
to the Senate Committee on Judiciary and Labor

February 15, 2013

S.B. NO. 194 RELATING TO CRIMINAL PROCEDURE.

Senator Hee and Members of the Committee:

S.B. 194 would expand the list of offenses for which a deferred plea would not be possible. We are concerned with the proposed exclusion of first time offenders who solicit prostitutes, convicted under HRS Sections 712-1200 (1) (b) and 712-1207(1)(b).

It is regrettable that there are still persons who offer sexual relations for a fee and persons who offer to pay a fee for sex. But this does still happen in our society and this activity is even given a veneer of acceptability in modern culture through films such as "Pretty Woman", for example.

We don't believe that a first-time offender should be denied the possibility of a deferred plea. Unlike many other states, Hawaii does not allow for expungement of a criminal conviction. In light of that, the possibility of a deferral becomes even more significant. We believe that the court should have discretion to decide those cases where a deferral would be appropriate.

We propose amending this bill by adding the words "a second conviction for" to subsections (W) and (X). Without that change, we cannot support this legislation.

Thank you for the opportunity to comment on this bill.

petty mis NOT subject to days

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 6:04 PM
To: JDLTestimony
Cc: utahsmiller@gmail.com
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
Sandy Miller	Individual	Support	No

Comments: Unless criminals are adequately prosecuted for their crimes they will not be deterred in committing the crime in the future. Please protect our women and children.

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LATE TESTIMONY

Senate Committee on Judiciary and Labor

Friday, February 15, 2013

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

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

As an active supporter of PASS, Courage Worldwide, Shared Hope International, and a volunteer for the Courage House Hawaii Project I am in strong support of SB 192 and 194, which will strengthen Hawaii's ability to combat domestic minor sex trafficking. Hawaii is recognized worldwide as a place of beauty, a refuge even. Unfortunately for countless children living in this state, Hawaii is not a refuge, but a place where they are sexually exploited repeatedly while their abusers prosper from their abuse. Nowhere, under any circumstances, should the sexual exploitation of a child be acceptable. SB 192 and SB 194 are critical in our fight to stop this horrific crime that is all too common within our community in Hawaii. Please help us stop this, far too many of our children have been harmed but it's not too late to make a difference. Pass these bills and strengthen the safety net for past, present, and future victims of sexual exploitation.

Thank you very much for your time and consideration.

Sincerely,

Kimberly Carson

Courage House Project Volunteer

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 14, 2013 3:37 PM
To: JDLTestimony
Cc: iansoutpost@hotmail.com
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
Ian Forester	Individual	Support	No

Comments:

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Sent: Thursday, February 14, 2013 3:34 PM
To: JDLTestimony
Cc: lchang79@yahoo.com
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
Lindsay Forester	Individual	Support	No

Comments:

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