



TESTIMONY IN SUPPORT TO HOUSE BILL 689
RELATING TO SEXUAL EXPLOITATION

House Committee on Human Services & Homelessness
Hawai'i State Capitol

February 11, 2025

9:45AM

Room 329

Dear Chair Marten, Vice Chair Olds, and Members of the House Committee on Human Services and Homelessness:

The Office of Hawaiian Affairs (OHA) submits this testimony **SUPPORT** of HB 689 which establishes safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance. This crucial initiative represents a significant step towards combating the heinous crime of sex trafficking and providing justice for victims, particularly Native Hawaiians who are disproportionately impacted by this form of exploitation.

Sex trafficking is a pervasive and devastating crime that preys on the most vulnerable members of our society, including minors. By ensuring victims of sex trafficking are not criminalized for their own exploitation, we can advance the delivery of social services and trauma-informed care for those in need. This measure would also advance prosecution efforts by empowering trafficking victims to pursue legal persons and entities that profit from exploitation, and to obtain financial security for the harm they have endured.

Establishing safe harbor protections for survivors of sexual exploitation sends a clear message that our state is committed to protecting the rights and well-being of all individuals, especially our most vulnerable populations. Native Hawaiians are disproportionately affected by sex trafficking due to a combination of factors including socioeconomic disparities and historical trauma. Studies have shown Native Hawaiian women are especially vulnerable to trafficking, and that the majority (43%) of sex trafficking cases are kānaka maoli girls trafficked in Waikīkī, O'ahu.¹ Notably, 57% of participants served through the Mana'olana Program at Child & Family Services are Native Hawaiian females who have experienced human trafficking. Therefore, enacting legislation to strengthen sex trafficking laws is especially critical for protecting Native

¹ Office of Hawaiian Affairs and Commission on the Status of Women, Missing and Murdered Native Hawaiian Women and Girls Task Force Report p.5 (2022)

Hawaiian communities and ensuring that they receive the support and resources they need to combat this issue.

The Office of Hawaiian Affairs urges this committee to **PASS HB 689** to strengthen protections for victims, hold perpetrators accountable, and provide much-needed support to Native Hawaiian communities who are disproportionately affected by this crime. Mahalo nui for the opportunity to testify.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honolulu.org

RICK BLANGIARDI
MAYOR
MEIA



ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE JP-HR

February 11, 2025

The Honorable Lisa Marten, Chair
and Members
Committee on Human Services
and Homelessness
House of Representatives
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Marten and Members:

SUBJECT: House Bill No. 689, Relating to Sexual Exploitation

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

The HPD supports House Bill No. 689, Relating to Sexual Exploitation.

Victims of sexual exploitation often endure repeated traumatic events over time, leading to prolonged negative impacts. The effects of trauma from sexual exploitation can manifest as both physical and emotional distress, which can be persistent and devastating. Addressing this trauma by seeking help is critical for removing victims from exploitative situations and providing the services they need to escape. Often, victims may be afraid to seek assistance or cooperate with law enforcement due to the trauma they have experienced or the fear of being prosecuted for sexual acts they may have committed. Establishing laws such as safe harbor protections for survivors of sexual exploitation will assure victims that they will not face prosecution from law enforcement. Accessing professional help for sexual trauma can be transformative and life-changing for these individuals.

The HPD urges you to support House Bill No. 689, Relating to Sexual Exploitation.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,


Arthur J. Logan
Chief of Police


for Jerome Pacarro, Captain
Narcotics/Vice Division



HB 689, RELATING TO SEXUAL EXPLOITATION

FEBRUARY 11, 2025 · HSH HEARING

POSITION: Support.

RATIONALE: Imua Alliance **supports** HB 689, relating to sexual exploitation, which establishes safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance.

Imua Alliance is a victim service provider for survivors of sex trafficking. Over the past 15 years, we have provided comprehensive direct intervention (victim rescue) services to over 200 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. **During the pandemic, demand for victim services to our organization has skyrocketed by 330 percent, driven in part by a fivefold increase in direct crisis calls from potential trafficking victims.**

Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily trauma bonded to her pimp that while under his grasp, she couldn't remember her own name. Yet, sadly, many of the victims with whom we work are misidentified as so-called "voluntary prostitutes" and are subsequently arrested and incarcerated, with no financial resources from which to pay for their release.

Sex trafficking is a profoundly violent crime. At least 23 percent of trafficking victims in Hawai'i report being first exploited before turning 18, according to a recent report, with the average age of trafficked keiki's initial exposure to exploitation being 11. Based on regular outreach and monitoring, we estimate that approximately 150 high-risk sex trafficking establishments operate in Hawai'i. In a recent report conducted by the State Commission on the Status of Women, researchers from Arizona State University found that 1 in every 11 adult males living in our state buys sex online. When visitors are also counted, that number worsens to 1 in every 7 men walking the streets of our island home and a daily online sex buyer market of 18,614 for O'ahu and a total sex buyer population for the island of 74,362, including both tourists and residents.

ASU's findings are grim, but not surprising to local organizations that provide services to survivors of sex trafficking. Imua Alliance, for example, has trained volunteers to perform outreach to victims in high-risk locations, like strip clubs, massage parlors, and hostess bars. More than 80 percent of runaway youth report being approached for sexual exploitation while on the run, over 30 percent of whom are targeted within the first 48 hours of leaving home. With regard to mental health, sex trafficking victims are twice as likely to suffer from PTSD as a soldier in a war zone.

Greater than 80 percent of victims report being repeatedly raped and 95 percent report being physically assaulted, numbers that are underreported, according to the United States Department of State and numerous trauma specialists, because of the inability of many victims to recognize sexual violence. As one underage survivor told Imua Alliance prior to being rescued, "I can't be raped. Only good girls can be raped. I'm a bad girl. If I *want* to be raped, I have to *earn* it."

Accordingly, **we support measures to advance our state's fight against sexual servitude, including this bill's extension of safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance.** Survivors of sex trafficking should not be held legally responsible for the trauma they have endured. Over 30 states have enacted safe harbor protections for sex trafficking victims. Hawai'i should join that list.

Contact us at imuaalliance.org/contact

HB-689

Submitted on: 2/6/2025 2:21:46 PM

Testimony for HSH on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Master Shelby Billionaire	Kingdom of The Hawaiian Islands	Support	Remotely Via Zoom

Comments:

Subject: Support and Enhancements for H.B. No. 384 - Protecting Minors from Sexual Exploitation

Dear Esteemed Members of the Hawaii State Legislature,

I am writing to voice my strong support for House Bill No. 384, which aims to enhance protections against sexual offenses involving minors. This legislation is a significant step forward in safeguarding our youth, but with strategic amendments, it can be even more effective. Here's a detailed rationale for my support, incorporating necessary data and statistics:

Why Support H.B. No. 384:

- **Enhanced Penalties for Exploitation:**
 - Elevating the crime of promoting minor-produced sexual images to a Class C felony when the perpetrator is significantly older than the victim is crucial. According to the National Center for Missing & Exploited Children, reports of online enticement surged by 97.5% from 2019 to 2020, indicating an urgent need for deterrent measures.
- **Tolling the Statute of Limitations:**
 - The bill's provision to toll the statute of limitations while victims are minors is a recognition of the often delayed disclosure of abuse. Research shows that only about 30% of child sexual abuse is disclosed during childhood (Darkness to Light, 2017), making this extension essential for justice.
- **Extended Probation for Serious Offenses:**
 - Longer probation periods for felony sexual offenses allow for extended monitoring and rehabilitation. The Council of State Governments Justice Center reports that long-term supervision with treatment can reduce recidivism by 20%.

- Mandatory Sex Offender Registration:
 - Incorporating these offenses into the registry is vital for public safety. A 2016 U.S. Department of Justice study indicates a 5.3% recidivism rate for new sex crimes among sex offenders within three years, emphasizing the need for tracking.

Areas for Improvement:

1. Define Felony Criteria More Precisely:
 - To prevent over-criminalization, we must refine the criteria for felony upgrades. A study from the Juvenile Law Center (2018) suggests that laws should distinguish between predatory behavior and peer-initiated acts. Consider factors like coercion or commercial intent, which would protect young adults from disproportionate penalties.
2. Focus on Rehabilitation:
 - While imposing penalties, the bill should also mandate rehabilitation. The National Institute of Justice found that treatment can decrease recidivism rates by up to 40% for sex offenders. Therefore, integrating specific therapeutic programs into probation could be transformative.
3. Tiered Registration System:
 - Introducing a tiered system for sex offender registration, as suggested by the California Sex Offender Management Board, could align punishment with risk more appropriately. This would allow for potential deregistration for low-risk offenders, fostering rehabilitation without compromising safety.
4. Support Systems for Victims:
 - Only 12% of child sexual abuse victims receive mental health treatment according to the National Child Traumatic Stress Network. The bill should include provisions for comprehensive support systems to aid recovery and encourage reporting.
5. Public Education Initiatives:
 - Education is preventive. The Crimes Against Children Research Center notes that educational programs can reduce sexting by 17%. Expanding this to include broader lessons on consent and digital responsibility could significantly lower the incidence of such crimes.
6. Resource Allocation:
 - An increase in penalties and registration will demand more from our judicial system. The Bureau of Justice Statistics highlights the need for adequate resources to prevent case backlogs. Ensuring funding for additional staff or technology would maintain judicial efficiency.
7. Judicial Discretion:

- Incorporating judicial discretion, as recommended by the Vera Institute of Justice in 2017, ensures that sentencing and registration can be tailored to the specifics of each case, promoting fairness and equity.

By supporting H.B. No. 384 with these enhancements, we can create a legislative framework that not only protects our children but also supports a nuanced approach to justice and rehabilitation. Thank you for your consideration and commitment to this critical issue.

Sincerely,

Master Shelby Billionaire, HRM

Kingdom of The Hawaiian Islands, H.I.

To: Committee on Human Services and Homelessness

Tuesday, February 11, 2025

Aloha Chair Lisa Marten, Vice Chair Ikaika Olds, and Members of the Committee:

RE: Testimony in Support of HB689 related to sexual exploitation; safe harbor protections; assistance

My name is Melissa Terada, and I am a master of social work student at the University of Hawai'i at Mānoa. The views I will express are mine and do not necessarily reflect those of the university. I want to thank you for the opportunity to testify **in support of House Bill 689**, which will establish safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance.

Sex trafficking is a prominent issue within Hawai'i. In a 2020 research with Arizona State University, Hawai'i Commission on the Status of Women (HSCSW), and Child and Family Service; it was revealed that 23% of those who were identified as sex trafficking survivors were first trafficked when they were children; 25% reported that their first trafficker was a family member; and 64% of sex trafficking survivors identified as being all or part Native Hawaiian. After reviewing these statistics, it is clear how pressing this issue is in Hawai'i. It highlights the need to implement safety measures to ensure vulnerable individuals can seek the needed services.

Providing protective measures will encourage survivors to seek help, protect vulnerable individuals, and allow individuals to focus on healing and recovery rather than being afraid of punishment. While I highly support this bill and its intent, I believe certain amendments can be made to increase its effectiveness. Individuals who have experienced trafficking or sexual exploitation may have had past negative experiences with medical providers or law enforcement. Therefore, I recommend requiring all healthcare professionals and law enforcement to be trained in trauma-informed care. This bill will also help open doors and create opportunities to increase training on human trafficking for medical providers and law enforcement.

In conclusion, I support House Bill 689, and I urge you to consider the proposed amendments to ensure victims or survivors feel supported.

I'm grateful for the opportunity to share my testimony,
Melissa Terada

HB-689

Submitted on: 2/10/2025 9:33:13 AM

Testimony for HSH on 2/11/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Diliaur Tellei	Individual	Support	Written Testimony Only

Comments:

I support this bill and respectfully urge the committee to pass it.

All members of our society deserve to call upon public services for help, either for themselves or for others, without fear of reprisal. If we truly intend to promote public safety, then we should not put barriers up against people using these services in their time of need because they're afraid they will be arrested. Sex workers are already vulnerable as-is, and currently have no recourse if they need medial or law enforcement help. I truly believe that a healthy society protects all members and especially its most vulnerable. In this case, protection would mean removing a trigger to automatic incarceration when someone reaches out for help.

Thank you for your consideration.