

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY- FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:

H.B. NO. 722 , H.D. 2, RELATING TO HUMAN TRAFFICKING.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Thursday, February 25, 2021 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Room 308 Via Videoconference

TESTIFIER(S): Clare E. Connors, Attorney General, or
Farshad M. Talebi, Deputy Attorney General

Chair Luke and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill.

The purpose of this bill is to create a statewide human trafficking program within the Department, including a requirement to submit reports to the Legislature. The bill also requires the Children's Justice Program to coordinate the investigation and case management of human trafficking cases that involve the sexual exploitation of children.

Successfully combating human trafficking requires a comprehensive multidisciplinary response between law enforcement, state agencies, non-governmental organizations, and the private sector. Hawaii is in need of statewide leadership in order to thoroughly assess the current problem and develop strategic solutions.

This issue is a priority for the Department, and we respectfully ask the Committee to pass this bill.



The Judiciary, State of Hawai‘i

Testimony to the Thirty-First State Legislature, 2021 Regular Session

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Thursday, February 25, 2021, 1:00 p.m.
State Capitol, Conference Room 308
VIA VIDEOCONFERENCE

by
Christine E. Kuriyama
Senior Judge, Deputy Chief Judge
Family Court of the First Circuit

Bill No. and Title: House Bill No. 722, H.D.2, Relating to Human Trafficking

Purpose: Establishes a statewide program overseen by the department of the attorney general to provide services and assistance to commercially sexually exploited children and victims of human trafficking. Requires the attorney general to submit annual reports to the legislature. Requires the children's justice program to coordinate the investigation and case management of child human trafficking cases, including cases involving the commercial sexual exploitation of children. Effective 7/1/2060. (HD2)

Judiciary's Position:

The Judiciary strongly supports H.B. No.722, H.D.2, with amendments as discussed in paragraph two below. The Judiciary appreciates the Legislature’s recognition that the commercial sexual exploitation of children is a serious problem here in Hawai‘i and throughout the United States.

The Judiciary supports this bill for the following reasons:

1. The commercial sexual exploitation of our children has become more prevalent in cases before the Family Court. Youth involved in the foster care system are especially vulnerable to becoming involved in sex trafficking. These issues also

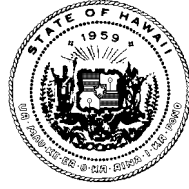


arise in Family Court cases on the juvenile, domestic violence, child abuse, and other calendars.

2. We urge your committee to restore the establishment of the statewide coordinator as contained in the original H.B 722. Having an identified individual who could devote his/her full time and energy towards the State's efforts to combat human trafficking is essential. Our community has made strides in this effort and has been hampered by the absence of a dedicated fulltime coordinator. The highly complex and harmful nature of human trafficking requires a tightly coordinated multidisciplinary approach.
3. This bill provides for a comprehensive plan for public awareness and training on prevention and identification of victims. Being aware of the indicators of human trafficking/sexual exploitation, and knowing what to do, is the first step in assisting victims.
4. This bill provides for an analysis of the existing data specific to the commercial sexual exploitation of children. This data piece is critical to understanding the true breadth and scope of the problem in the State of Hawai'i. Only with accurate data are we able to properly pursue needed funding and allocate resources to effectively respond.
5. This bill provides for the Department of the Attorney General to prepare a comprehensive report to the Legislature prior to the 2022 session on the State's efforts to address CSEC. This will be a significant step in gathering and analyzing information on the State's efforts thus far in addressing CSEC. Much work has already been put forth while there is so much more to accomplish. Having a comprehensive report with the components stated in the bill will provide a detailed inventory of resources, outlined best practices, and recommendations for moving forward.
6. This bill amends HRS Chapter 588, relating to the Children's Justice Program, to include human trafficking in cases involving the commercial sexual exploitation of children.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

February 24, 2021

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: **HB 722 HD2 – RELATING TO HUMAN TRAFFICKING.**

Hearing: February 25, 2021, 2:00 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure, provides comments, and defers to the Department of Attorney General. The Committee on Health, Human Services & Homelessness amended the measure by:

- (1) Removing the statewide coordinator position;
- (2) Requiring an annual report to the Legislature by the Department of the Attorney General on the State's efforts to address human trafficking and the commercial sexual exploitation of children;
- (3) Clarifying the definition of "human trafficking";
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committee on Judiciary & Hawaiian Affairs amended the measure by:

- (1) Clarifying that the Department of the Attorney General shall submit a report on the State's efforts to address the commercial sexual exploitation of children no later than twenty days prior to the convening of the Regular Session of 2022 and a report on the State's efforts to address human trafficking no later than twenty days prior to the convening of the Regular Session of 2023;

- (2) Permitting the Department of the Attorney General to submit additional reports to the Legislature at the determination of the Department; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

PURPOSE: Establishes a statewide program overseen by the department of the attorney general to provide services and assistance to commercially sexually exploited children and victims of human trafficking. Requires the attorney general to submit annual reports to the legislature. Requires the children's justice program to coordinate the investigation and case management of child human trafficking cases, including cases involving the commercial sexual exploitation of children. Effective 7/1/2060. (HD2)

Act 16 (Session Laws of Hawaii (SLH) 2017) brought Hawaii's law into compliance with the Justice for Victims of Trafficking Act of 2015 and the Child Abuse Prevention and Treatment Act of 2010 (CAPTA). Act 16 (SLH 2017), amongst other things, amended section 350-1, Hawaii Revised Statutes (HRS), to add "severe forms of trafficking in persons" and "sex trafficking" to Hawaii's definition of "child abuse and neglect."

The DHS works to ensure that sex trafficked children and youth are identified and receive appropriate services and protections; regardless of parental abuse or neglect. DHS has a contracted provider that provides victim centered, trauma-informed comprehensive services that are individualized and responsive to the needs, values, culture, and gender identity statewide for minor victims of all forms of human trafficking. The provider also promotes public awareness of sexual exploitation of children through trainings for the community, for DHS staff, and DHS resource caregivers.

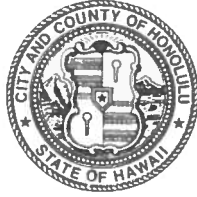
Establishing a statewide program within the Department of the Attorney General is an important step to address the needs of victims and bring accountability for perpetrators of commercial sexual exploitation of children and human trafficking.

Thank you for the opportunity to provide testimony on this bill.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

RICK BLANGIARDI
MAYOR



SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
AARON TAKASAKI-YOUNG
DEPUTY CHIEFS

OUR REFERENCE PJ-GK

February 25, 2021

The Honorable Sylvia Luke, Chair
and Members
Committee on Finance
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 308
Honolulu, Hawaii 96813

Dear Chair Luke and Members:

SUBJECT: House Bill No. 722, H.D. 2, Relating to Human Trafficking

I am Major Phillip Johnson of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 722, H.D. 2, Relating to Human Trafficking.

Sharing resources and coordinating efforts among service providers and law enforcement is paramount in the rescue of the most vulnerable population, our youth. The HPD supports a multidisciplinary response to sex trafficking cases that is both victim-centered and offender-focused. We also support the establishment of a statewide coordinator and program within the Department of the Attorney General that addresses the needs of sexually exploited children and victims of human trafficking.


The HPD urges you to support House Bill No. 722, H.D. 2, Relating to Human Trafficking.

Thank you for the opportunity to testify.

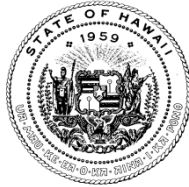
APPROVED:


Susan Ballard
Chief of Police

Sincerely,


Phillip Johnson, Major
Narcotics/Vice Division

DAVID Y. IGE
GOVERNOR



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 25, 2021
2:00 p.m.
State Capitol, Via Videoconference

H.B. 722, H.D. 2
RELATING TO HUMAN TRAFFICKING

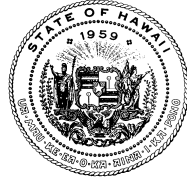
House Committee on Finance

The State of Hawaii, Department of Transportation (DOT) is in **strong support** of this bill which would (1) create a human trafficking program within the Department of the Attorney General, (2) establish a statewide human trafficking coordinator, and (3) require the children's justice program to coordinate the investigation and case management of human trafficking cases.

DOT firmly believes that a comprehensive multidisciplinary response between law enforcement, state agencies, non-governmental non-profit organizations, and the private sector is needed to combat human trafficking in Hawaii, and, in order to do so, statewide leadership is required to thoroughly develop strategic solutions to address this growing problem.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB722 HD2
RELATING TO HUMAN TRAFFICKING**

REPRESENTATIVE SYLVIA LUKE, CHAIR
REPRESENTATIVE TY J.K. CULLEN, VICE CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 2/25/2021

Hearing Time: 1:00 PM

1 **Department Position:** The Department of Health (“Department”) SUPPORTS the bill and defers
2 to the Department of the Attorney General.

3 **Department Testimony:** The subject matter of this measure intersects with the scope of the
4 Department’s Behavioral Health Administration (BHA) whose statutory mandate is to assure a
5 comprehensive statewide behavioral health care system by leveraging and coordinating public,
6 private and community resources. Through the BHA, the Department is committed to carrying
7 out this mandate by reducing silos, ensuring behavioral health care is readily accessible, and
8 person-centered.

9 In alignment with those commitments, the Department is in favor of a coordinated
10 effort to protect, provide justice and therapeutic supports for victims of human trafficking. We
11 believe that this is best accomplished by efficiently and effectively gathering various
12 stakeholders (law enforcement, state and county, judiciary, non-profit, private sector,
13 healthcare and consumer advocate domains) and setting common goals and objectives. While
14 the Department is proud of our participation in various groups aimed at combating human
15 trafficking, we also acknowledge that greater synchronization is necessary to maximize
16 resources and formally institute practices statewide.

1 **Offered Amendments:** None

2 Thank you for the opportunity to testify on this measure.

3 **Fiscal Implications:** The Department defers to the Department of the Attorney General on
4 fiscal implications.



HB 722, HD 1, RELATING TO HUMAN TRAFFICKING

FEBRUARY 25, 2021 · HOUSE FINANCE
COMMITTEE · CHAIR REP. SYLVIA LUKE

POSITION: Comments with amendments.

RATIONALE: Imua Alliance provides comments and suggested amendments on HB 722, HD 1, relating to human trafficking, which establishes a statewide program overseen by the Department of the Attorney General to provide services and assistance to commercially sexually exploited children and victims of human trafficking; requires the attorney general to submit annual reports to the legislature; requires the Children's Justice program to coordinate the investigation and case management of child human trafficking cases, including cases involving the commercial sexual exploitation of children.

Imua Alliance is one of the state's largest victim service providers for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention (victim rescue) services to 150 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 efforts to advance our state's ability to stop sexual slavery and strengthen statewide services coordination to deliver trauma-informed care to child victims of sex trafficking, but are not confident that this measure is necessary to accomplish those goals.

As indicated above, sex trafficking victims are typically trauma bonded to their abusers. Trauma-attached coercion is like Stockholm Syndrome, involving a powerful

emotional dependency on the abusers and a shift in world- and self-view that results in feelings of gratitude and loyalty toward the abusers and a denial, dismissal, or minimization of the coercion, violence, and exploitation that victims have suffered. Trauma-attached victims require placement in a coordinated continuum of care to “break” their trauma bonds, receive rehabilitative services, and reintegrate into society in a healthy manner. It is common for victims to need long-term care before recognizing the extent of the trauma they’ve suffered, much less feel emotionally and physically secure enough to participate in criminal investigations.

Yet, we note that many of the activities called for by this measure are already in the process of being effectuated by the Department of the Attorney General. Additionally, the comprehensive human trafficking program called for by this measure—including the creation and implementation of a statewide anti-trafficking strategy—will take years to complete and require a significant resource commitment from the state that may not be practicable during the current economic downturn. **Nothing in this measure calls for the Attorney General’s office to work with service providers, moreover, to ensure that the statewide program is trauma-informed and reflects the experience of the professionals who work most closely with human trafficking survivors.** Finally, the measure calls for the statewide coordinator on human trafficking to be a “czar” for prevention education programming, which may disrupt the ongoing efforts of service providers to deliver trauma-sensitive training to school staff, law enforcement, medical and mental health professionals, and community members, with no guarantee that the state’s program will reflect the quality of work provided by service providers or the depth and breadth of their education programs. Accordingly, if this measure is to move forward, we ask that it be amended to require consultation with victim service providers by including the following language in Section 2 of the bill: **“The department shall consult with victim service providers in the establishment and implementation of the human trafficking program.”** We also request the addition of the following definition to the bill **“As used in this section, “victim service provider” means any non-governmental organization that provides direct intervention, social, medical, mental health, legal, case management, educational, emergency, or housing services to victims of sex trafficking.”**

Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · kris@imuaalliance.org

**HAWAI'I
PACIFIC
HEALTH**

KAPI'OLANI
THE SEX ABUSE
TREATMENT CENTER



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Nadine Tenn Salle, M.D.

Joshua A. Wisch

Date: February 23, 2021

To: The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice-Chair
Members of the House Committee on Finance

From: Cindy Shimomi-Saito, Executive Director
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony in Support of HB722 HD2, Relating to Human Trafficking

Hearing: Thursday February 25, 2021, Via videoconference

Good afternoon Chair Luke, Vice-Chair Cullen, and members of the Committee:

The Sex Abuse Treatment Center (SATC) is in support of HB722 HD2, Relating to Human Trafficking. This bill would require the Department of the Attorney General to address the needs of victims of human trafficking through the development of a statewide human trafficking program, provide reports to the legislature on the State's efforts to address human trafficking and the commercial sexual exploitation of children, and would require the Children's Justice Center to coordinate the investigation and case management of child trafficking cases.

The SATC supports this measure as establishing a statewide program within the Department of the Attorney General is an important step in addressing the needs of victims and in holding offenders accountable. The comprehensive report to the legislature reflected in the bill would provide much needed information on the prevalence of sex trafficking in Hawai'i, resources available, system strengths and limitations, and ideally, identify strategies for achieving statewide collaboration and unification.

While a statewide coordinator is no longer a part of this measure, we do believe that such a role is imperative to achieving the many outcomes identified in the bill.

Thank you for the opportunity to provide testimony.



TO: Chair Luke, Vice Chair Cullen, and Members of the House Committee on Finance

FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

DATE/LOCATION: February 25, 2021; 1:00 p.m., Conference Room 308/Video Conference

RE: TESTIMONY IN SUPPORT OF HB 722 HD 2 RELATING TO HUMAN TRAFFICKING

We ask you to support HB 722 HD 2 which establishes a statewide program overseen by the department of the attorney general to provide services and assistance to commercially sexually exploited children and victims of human trafficking, requires the attorney general to submit annual reports to the legislature, and requires the children's justice program to coordinate the investigation and case management of child human trafficking cases, including cases involving the commercial sexual exploitation of children.

Youth who are sexually exploited experience indelible trauma. We thank the Department of the Attorney General for making the issue of trafficking a priority, wholeheartedly support the coordination of these efforts through the Department and refer to the Department and the Judiciary's suggested amendments to strengthen the bill. Human trafficking, particularly the sexual exploitation of children, rips away at the very fabric of our communities. Creating a program and coordinator within the department, as well as coordinating efforts, is critical to effectively addressing this issue.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 18,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 18 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, poverty prevention and community building programs.

Thank you for the opportunity to testify regarding **HB 722 HD 2**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

HB-722-HD-2

Submitted on: 2/23/2021 1:17:01 PM

Testimony for FIN on 2/25/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Bilyk	Individual	Support	No

Comments:

I support HB 722 HD2

Patricia L. Bilyk,RN, MPH, MSN

To: The Honorable Representative Ryan I. Yamana, Chair
House Committee on Health, Human Services, & Homelessness

From: Mila Ramos

SUBJECT: HB 722-Relating to Human Trafficking.

Hearing : Thursday, February 25, 2021, 1:00 p.m.

Location: State Capitol, 308 Via Videoconference

Aloha Chair Yamane, and Members of the Committee:

My name is Mila. I am a social work student at the University of Hawaii at Manoa. I strongly support HB 722. The purpose of this bill are to Implement a human trafficking program within the Department of the Attorney General, establish a statewide human trafficking coordinator, and require the Children's Justice Program to coordinate the investigation and case management of human trafficking cases.

I am currently providing counseling for youth's in our community with substance use issues and through this I learned the traumatic effects of trauma from sexual abuse and exploitation. Sadly, I also learned that some youths are unaware of sex trafficking and fall as victims of this sex trade. Sex trafficking comes in many shapes and forms, usually leading to a lifetime of problems and sometimes death. Let's not let another life be taken by offenders of human/sex trafficking. This measure will help our state to connect, manage these issues, and change our systemic foundation. It will also guide health workers to provide the best possible care for victims. With this measurement passed it will give back the voices of victims and strengthen our statewide programs.

Thank you for the opportunity to testify on this measurement.

Mila Ramos

milaramo@hawaii.edu

2/23/2021

HB-722-HD-2

Submitted on: 2/24/2021 12:56:21 PM

Testimony for FIN on 2/25/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Duane Sosa	Individual	Support	No

Comments:

Aloha!!!

My name is Duane Sosa. I am humbly submmiting testimony in SUPPORT OF HB722 HD2. All victims of human sex trafficking should have access to ALL recovery services available.

Mahalo