



*The Judiciary, State of Hawai‘i*

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

**House Committee on Judiciary & Hawaiian Affairs**

Representative Mark M. Nakashima, Chair

Representative Scot Z. Matayoshi, Vice Chair

Monday, March 29, 2021, 2:00 pm

Conference Room 325

VIA VIDEOCONFERENCE

by

Rodney A. Maile

Administrative Director of the Courts

**WRITTEN TESTIMONY ONLY**

---

**Measure No. and Title:** House Concurrent Resolution No. 11, H.D. 1, Requesting the Hawai‘i State Commission on the Status of Women to Convene a Task Force to Study Missing and Murdered Native Hawaiian Women and Girls

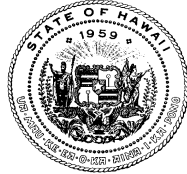
**Judiciary's Position:**

The Judiciary respectfully supports the intent of House Concurrent Resolution No. 11, H.D.1, which requests that the Hawai‘i State Commission on the Status of Women convene a task force to conduct a study regarding missing and murdered Native Hawaiian women and girls.

The Judiciary is committed to participating in the newly-created task force to effectuate its purpose as stated in this measure.

Thank you for the opportunity to testify on this measure.

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 H.C.R. 11 HD 1**

**REQUESTING THE STATUS OF WOMEN TO CONVENE A TASK FORCE ON  
MURDERED AND MISSING NATIVE HAWAIIAN WOMEN AND GIRLS**

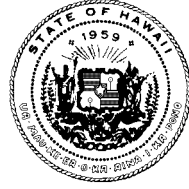
REPRESENTATIVE MARK M. NAKASHIMA, CHAIR

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Hearing Date: 3/29/2021

Room Number: Via Videoconference

- 1 **Fiscal Implications:** None.
- 2 **Department Testimony:** The Department of Health (DOH) supports this measure requesting
- 3 the Hawaii State Commission on the Status of Women (HSCSW) to convene a task force to
- 4 improve the health of Native Hawaiian women and girls at-risk for all forms of violence
- 5 including domestic violence and involvement in sex trafficking and the sex industry.
- 6 The DOH agrees for the director or designee to serve on the task force. The task force objectives
- 7 support the DOH with information and data that will assist in developing and distributing
- 8 information to prevent violence, sexual trafficking, and the promotion of healthy outcomes for
- 9 Native Hawaiian females. The DOH currently provides trainings and resources to domestic
- 10 violence partners on teen dating, developing respectful healthy relationships, and a sexual
- 11 violence prevention train-the-trainer curriculum for educators of middle and high school
- 12 students. Additionally, the DOH-supported statewide network of family planning providers
- 13 conduct annual trainings on identifying and screening for domestic violence and abuse of
- 14 adolescents and women of reproductive age.
- 15 Thank you for the opportunity to testify on this measure.



‘O kēia ‘ōlelo hō’ike no ke  
**Komikina Kūlana Olakino o Nā Wāhine**

Testimony on behalf of the  
**Hawai‘i State Commission on the Status of Women**  
Khara Jabola-Carolus, Executive Director

In support of HCR11 HD1x  
March 29, 2021

Dear Chair Nakashima, Vice Chair Matayoshi, and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports HCR11, wherein the Legislature requests the Office of Hawaiian Affairs and Hawai‘i State Commission on the Status of Women co-convene a task force to conduct a study on missing and murdered Native Hawaiian women and girls and to submit a report on the study to the Legislature.

The Hawai‘i State Commission on the Status of Women is committed to noncarceral, community-driven solutions to women’s safety. We understand that each taskforce member named by the Legislature in this resolution was selected for the data they collect so that data sharing is possible.

HCR11 seeks to address the absence of information around the international and national crisis “missing and murdered indigenous women and girls” (MMIWG) in Hawai‘i. SCR8 was inspired by First Nations organizing in Canada and across Indian country in United States. The Commission is concerned about the high rate of gendered violence against Native Hawaiian women and believes a similar, invisible may exist across Hawai‘i.

Women’s advocacy in Hawai‘i has not adequately addressed the unique experiences of Native Hawaiian women. MMIWG is a conversation about sexualization and colonization of Native women. There is a nexus between MMIWG and sex trafficking— a crime which has an intense impact on individual and community well-being. Sexual trafficking and rape are an assault on human dignity.<sup>1</sup> Yet until 2019, there was no state data on the prevalence of sex trafficking victimization among Native Hawaiians or even on the sex market in Hawai‘i.

---

<sup>1</sup> See Christine Boyle, *What Makes “Model” Sexual Offenses? A Canadian Perspective*, 4 BUFF. CRIM.L. REV. 487, 492 (2000).

The Commission functions as the state's information center on women and girls. In 2018, the agency in partnership with Arizona State University's Office of Sex Trafficking Intervention and Research embarked to produce the first comprehensive research on sex trafficking in the state's 61-year history. The pre-inquiry process of interviews with social service providers and criminal justice personnel indicated that Native Hawaiian women and girls are being sex trafficked in Hawai'i, over state lines, and even across international borders.

In addition, initial peer-reviewed, empirical data shows that Native Hawaiian women appear to be disproportionately victimized:

- 77% of 22 sex trafficking victims were Native Hawaiian, and 100% identified as women<sup>2</sup>
- 64% of 97 sex trafficking victims were Native Hawaiian, and 75% identified as women<sup>3</sup>
- Current overrepresentation of Native Hawaiian women and girls in sex trafficking at present may be directly linked vulnerabilities that trace to the overthrow of the Kingdom of Hawai'i—that is, land dispossession, exposure to sexual violence, hypersexualization, incarceration, cultural dislocation, intergenerational trauma, mental and emotional distress, racism, poverty, and ongoing inequities.<sup>4</sup>

Our research has also found that sex trafficking victims were more likely to report negative experiences with law enforcement, and that law enforcement has been complicit in sex trafficking in Hawai'i. Sexual exploitation by law enforcement and the threat of criminal sanction of survivors along with few services available has prevented many survivors of sexual exploitation from getting help. This measure allow a new approach to take hold that centers gender equity, racial justice and indigenous sovereignty.

Accordingly, the Commission supports HCR11 HD1 as an important step to radically improve the safety of Native Hawaiian women and children in Hawai'i.

Sincerely,  
Khara Jabola-Carolus

---

<sup>2</sup> Jabola-Carolus, K. & Roe-Sepowitz, D., *Sex Trafficking in Hawai'i Part II: The Stories of Survivor*, Arizona State University, Jan. 2019.

<sup>3</sup> Jabola-Carolus, K. & Roe-Sepowitz, D., *Sex Trafficking in Hawai'i Part III: Sex Trafficking Across Hawai'i*, Arizona State University, Feb. 2020.

<sup>4</sup> *Id.* at 1.

**HCR-11-HD-1**

Submitted on: 3/26/2021 9:38:09 AM

Testimony for JHA on 3/29/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

Planned Parenthood Votes Northwest and Hawaii supports HCR 11, HD1. Thank you!



### **HCR11 HD1/HR12 HD1**

## **REQUESTING THE HAWAI‘I STATE COMMISSION ON THE STATUS OF WOMEN TO CONVENE A TASK FORCE TO STUDY MISSING AND MURDERED NATIVE HAWAIIAN WOMEN AND GIRLS**

Ke Kōmike Hale o ka Ho‘okolokolo a me ke Kuleana Hawai‘i  
House Committee on Judiciary & Hawaiian Affairs

Malaki 29, 2021

2:00 p.m.

Lumi 325

The Office of Hawaiian Affairs **SUPPORTS** HCR11/HR12 HD1. Particularly given recent indications that Native Hawaiians may be disproportionately represented among sex trafficking, sexual exploitation, and sex abuse victims – who in turn may be at a heightened risk of being murdered or going missing – **OHA supports the improved data collection, reporting, and analyses envisioned in this measure, as a critical first step to identifying and preventing what may be a serious problem affecting the Native Hawaiian community.**

Recent data indicate that Native Hawaiian women and girls may be disproportionately represented among victims of sex trafficking and sexual exploitation.<sup>1</sup> Most recently, the Hawai‘i Commission on the Status of Women, in partnership with Arizona State University and Child and Family Services, published the third part of a multi-part report examining sex trafficking in Hawai‘i. Although the survey underlying this most recent publication could rely on only a limited sample of 363 willing participants, nearly 27% of participants surveyed were identified as having been sexually trafficked, with 64% of these trafficking victims identifying as Native Hawaiian.<sup>2</sup> Alarming, 23% of the trafficking victims were first trafficked before the age of 18.<sup>3</sup>

This recent report supplements data that further demonstrate the high risk for sexual victimization within the Native Hawaiian community. For example, the Sex Abuse Treatment Center has indicated that, between 2001 and 2010, Native Hawaiians represented the largest ethnic group among their intake of sex abuse victims.<sup>4</sup> Further, a more recent OHA study also revealed that Native Hawaiian girls are vastly overrepresented among juvenile runaways,<sup>5</sup> and data show that one third of runaway

---

<sup>1</sup> ARIZONA STATE UNIVERSITY OFFICE OF SEX TRAFFICKING INTERVENTION & THE HAWAI‘I STATE COMMISSION ON THE STATUS OF WOMEN, SEX TRAFFICKING IN HAWAI‘I PART III: SEX TRAFFICKING EXPERIENCES ACROSS HAWAI‘I 5 (2020).

<sup>2</sup> *Id.* at 4.

<sup>3</sup> *Id.*

<sup>4</sup> DAWNA NELSON, EVELYN YANAGIDA & CAROL PLUMMER SEXUAL ASSAULT VICTIMS IN HONOLULU: A 2001-2010 STATISTICAL PROFILE 24 (2012).

<sup>5</sup> OFFICE OF HAWAIIAN AFFAIRS, HAUMEA: TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN WOMEN AND EMPOWERING WĀHINE WELL-BEING 74 (2018).

youth will be approached for sexual services within 48 hours of being on the street.<sup>6</sup> In addition to—and perhaps partially due to—“land dispossession, exposure to sexual violence, hypersexualization, incarceration, cultural dislocation, intergenerational trauma, mental and emotional distress, racism, poverty, and going inequities”<sup>7</sup>—Native Hawaiian youth may, therefore, be particularly vulnerable to sexual exploitation and abuse.

**The potential prevalence of sex trafficking, sexual exploitation, and sexual abuse of Native Hawaiians heightens concerns that Native Hawaiians, and particularly Native Hawaiian women and girls, may be at a higher risk of being murdered or going missing.** However, as described in OHA’s report *Haumea: Transforming the Health of Native Hawaiian Women and Empowering Wāhine Well-Being*, there is a need for much better data collection generally on violence perpetrated against Native Hawaiian women, especially young women and girls, including through data disaggregated by age, race, and gender. Such data may be critical to better understanding and addressing the social and systemic contexts of violence against Native Hawaiian women and girls, including their murder or disappearance.<sup>8</sup>

OHA looks forward to participating in this Task Force to better protect and uplift the most vulnerable of Native Hawaiian women and girls. **OHA accordingly appreciates and supports the improved data collection, reporting, and analyses envisioned by this measure, which constitute critical first steps to understanding and addressing the potentially heightened risk of Native Hawaiian women and girls going missing, being murdered, or being otherwise subjected to violence or abuse.**

Accordingly, OHA urges the Committee to **PASS** HCR11 HD1/HR12 HD1. Thank you for the opportunity to testify on this measure.

---

<sup>6</sup> Ho‘ōla Nā Pua, *Re/imagine: A Capital Campaign to Rebuild Pearl Haven*, <https://hoolanapua.org/re-imagine/> (last accessed Feb. 3, 2020).

<sup>7</sup> ARIZONA STATE UNIVERSITY OFFICE OF SEX TRAFFICKING INTERVENTION & THE HAWAI‘I STATE COMMISSION ON THE STATUS OF WOMEN, *SEX TRAFFICKING IN HAWAI‘I PART II THE STORIES OF SURVIVORS* 9 (2019).

<sup>8</sup> THE OFFICE OF HAWAIIAN AFFAIRS HAUMEA: *TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN WOMEN AND EMPOWERING WĀHINE WELL-BEING* 7, 84 (2018).



Hawaii  
**Children's Action Network Speaks!**  
Building a unified voice for Hawaii's children

*Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.*

To: House Committee on Judiciary & Hawaiian Affairs

Re: **HCR11 HD1 / HR12 HD1 - Requesting the Hawaii State Commission on the Status of Women to Convene a Task Force to Study Missing and Murdered Native Hawaiian Women and Girls**  
Hawai'i State Capitol, via videoconference, room 325  
March 29, 2021, 2:00 PM

Dear Chair Nakashima, Vice Chair Matayoshi, and committee members,

**On behalf of Hawai'i Children's Action Network Speaks!, I am writing in SUPPORT of HCR11 HD1 / HR12 HD1.** These resolutions request the Hawai'i State Commission on the Status of Women to convene a task force to study missing and murdered Native Hawaiian women and girls.

Before reports on sex trafficking in Hawai'i were published, very few people thought sex trafficking was a problem here. The studies revealed just how large the problem is and started our community dialoguing on what we need to do to protect the lives of women and girls.

In addition, this month's *Data Justice* report<sup>1</sup> by Papa Ola Lokahi, a Native Hawaiian health advocacy organization, and the Hawai'i Budget & Policy Center highlighted the lack of adequate data about the Native Hawaiian community and called for the state to improve its collection of ethnic and racial data.

Similarly, at this time we do not have information on missing and murdered indigenous girls and women (MMIWG). The task force requested by these resolutions would be an important first step toward filling these gaps in data about Native Hawaiian women and girls.

However, we do know that rates of gender-based violence are higher for indigenous women. We know that Native Hawaiian women are more economically vulnerable because of inequity in their pay. We know that trafficking is a contributing factor to MMIWG. We need better information to learn where we our failing indigenous girls and women so that we may, as a community, better protect them.

Mahalo for the opportunity to provide this testimony. Please pass these resolutions.

Thank you,

Nicole Woo  
Director, Research and Economic Policy

---

<sup>1</sup> <https://www.hibudget.org/projects/data-justice>



**HCR-11-HD-1**

Submitted on: 3/25/2021 10:30:11 PM

Testimony for JHA on 3/29/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimomi Khan	Individual	Support	No

Comments:

Continue to support for the reasons stated by the Office of Hawaiian Affairs and the Hawaii State Commission on the Status of Women.

**HCR-11-HD-1**

Submitted on: 3/28/2021 9:50:51 AM

Testimony for JHA on 3/29/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thaddeus Pham	Individual	Support	No

Comments:

Aloha JHA Committee Members,

As a concerned community member and public health professional, I urge you to pass resolution HCR11/HR12, which requests to convene a task force to study the issue of missing/murdered Native Hawaiian women and girls. The disparities among this group of people is startling, and it is a matter of both justice and health to better understand and immediately address this preventable crisis.

Mahalo,

Thaddeus Pham (he/him)