



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2022**

ON THE FOLLOWING MEASURE:

H.B. NO. 1777, H.D. 1, RELATING TO THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Thursday, February 24, 2022 **TIME:** 11:00 a.m.

LOCATION: State Capitol, Room 308, Via Videoconference

TESTIFIER(S): Holly T. Shikada, Attorney General, or
Farshad M Talebi, Deputy Attorney General

Chair Luke and Members of the Committee:

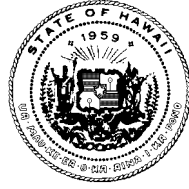
The Department of the Attorney General (Department) supports this bill.

This bill would require the Department to provide an annual report to the Legislature containing available data in several categories pertaining to the commercial sexual exploitation of children in the State in an attempt to more accurately measure the scope of the problem in Hawai'i. The bill appropriates an unspecified amount of money for fiscal year 2022 to 2023 to be expended by the Department to fulfill the annual reporting requirements.

An annual report to the Legislature providing statewide data pertaining to the commercial sexual exploitation of children would be helpful in assessing and improving the State's anti-trafficking response. Although the Department currently has a deputy attorney general who acts as a statewide coordinator, the Department would need additional resources to carry out the requirements in this bill. However, if the Department receives funding for the sex and human trafficking unit proposed in Senate Bill No. 2930, the Department would have a dedicated coordinator to collect the requisite available data and provide an annual report to the Legislature.

The Department appreciates the opportunity to testify, and respectfully requests the passage of this bill.

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 23, 2022

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

FROM: Cathy Betts, Director

SUBJECT: **HB 1777 HD1 – RELATING TO THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN.**

Hearing: February 24, 2022, 11:00 a.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this measure, defers to the Department of the Attorney General, and provides comments.

PURPOSE: The purpose of the bill requires the department of the attorney general to provide annual reports to the legislature on available data pertaining to the commercial sexual exploitation of children. Appropriates moneys. (HD1) The HD1 amends the measure by:

- (1) Clarifying that the report must contain available data, rather than specific data, from entities that collect and are willing to provide data pertaining to the commercial sexual exploitation of children to the Department of the Attorney General;
- (2) Clarifying that entities are encouraged but not required to collect specific data for the report; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

DHS collects intake data from the Child Welfare Services Branch (CWS) child abuse and neglect hotline, as well as CWS's labor and sex trafficking hotline. The information provided to our hotline numbers comes from various sources, though primarily, this data is from mandated

reporters. Once information is reported to the hotline(s), it is cross-reported to law enforcement. Information is investigated, and if an allegation is confirmed, then the cases either become CWS cases or are transferred to a contracted provider for follow-up.

Other county and state governmental entities may collect data regarding the CSEC population. Under a current Memorandum of Understanding (MOU) with the Children's Justice Center (CJC) and DHS Administrative Rules, limited data sharing is allowed for the purpose of investigation, criminal prosecution, service delivery, and treatment for the victim.

For the Department of the Attorney General to have non-duplicative data, specific guidelines would need to be developed for data collection, data sharing, and data reporting for these proposed reports to be accurate and useful.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
HOUSE BILL NO. 1777, H.D. 1

February 24, 2022
11:00 a.m.
Room 308 and Videoconference

RELATING TO THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 1777, H.D. 1, appropriates an unspecified amount of general funds for FY 23 for the Department of the Attorney General to fulfill the reporting requirements to the Legislature containing data specific to the commercial sexual exploitation of children.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

HAWAII YOUTH SERVICES NETWORK

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Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Carole Gruskin, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children's Justice Center of Maui

Get Ready Hawai'i

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

Reduction Center

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG - Kona Big Island

Planned Parenthood of the

Great Northwest and

Hawaiian Islands

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

February 22, 2022

To: Representative Sylvia Luke, Chair,
And members of the Committee on Finance

TESTIMONY IN SUPPORT OF HB 1777 HD 1 RELATING TO THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 1777 HD 1 Relating to the Commercial Sexual Exploitation of Children.

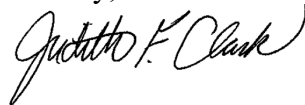
Good quality data about children and youth who are survivors of commercial sexual exploitation is an essential tool needed to address their needs and issues. The scope of data requested will be valuable in increasing professional and community awareness and understanding of the problem.

HYSN doubts that all of the data specified is currently collected. Funding will be needed for data collection, analysis, and training of service providers.

HYSN strongly recommends an amendment requiring posting of the report on the Attorney General's website to make this valuable information available to planners, service providers, and community members. HYSN currently receives federal funding for outreach to runaway, homeless and street youth who are at risk of sexual exploitation and trafficking. Access to the report would help us to improve services to this population and increase the sustainability of the program.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director



HB 1777, HD 1, RELATING TO THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

FEBRUARY 24, 2022 · HOUSE FINANCE COMMITTEE
· CHAIR REP. SYLLVIA LUKE

POSITION: Support.

RATIONALE: Imua Alliance **supports HB 1777, HD 1**, relating to the right the commercial sexual exploitation of children, which requires the department of the attorney general to provide annual reports to the legislature on data pertaining to 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 160 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 ability to stop sexual slavery, including this measure’s effort to improve data sharing about the sexual exploitation of children. Slavery has no place in paradise. Together, we can end exploitation on our shores.

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

HB-1777-HD-1

Submitted on: 2/23/2022 3:36:18 AM

Testimony for FIN on 2/24/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Laura Hughes	Individual	Support	No

Comments:

We need transparent and available data on the exploitation of children in order to enact legislation to future protect them. It is essential to know the scope and scale of exploitation to prevention and provide protection for of victims of sex trafficking.

HB-1777-HD-1

Submitted on: 2/23/2022 12:24:55 PM

Testimony for FIN on 2/24/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nanea Lo	Individual	Support	No

Comments:

Hello,

Please support HB1777 HD1.

me ke aloha 'āina,

Nanea Lo.