



**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:

SENATE COMMITTEE ON JUDICIARY

DATE: Tuesday, March 15, 2022 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 016 and Videoconference

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

Chair Rhoads 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, Senate Draft No. 2, 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.



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Nadine Tenn Salle, M.D.

Joshua A. Wisch

Date: March 14, 2022

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

From: Lynn Costales Matsuoka, Associate Director
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony in Support of HB 1777 HD1
Relating to the Commercial Exploitation of Children

Hearing: March 15, 2022, via video conference, 9:30 am

Good Morning Chair Rhoads, Vice Chair Keohokalole, and Members of the
Committee on Judiciary:

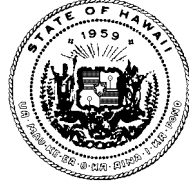
The Sex Abuse Treatment Center (SATC) is in support of HB 1777 HD1, Relating to
the Commercial Exploitation of Children.

This bill would require the Department of the Attorney General to provide annual
reports to the Legislature on specified data pertaining to the commercial sexual
exploitation of children.

While we have concerns regarding the process and source of data collection, we
support requiring the Attorney General's office to provide annual reports to the
Legislature. The information reported to the Legislature will ensure that the
necessary law enforcement and human services resources are directed towards
helping these victims and survivors.

The SATC supports HB 1777 HD1. Thank you for your consideration.

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

March 11, 2022

TO: The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary

FROM: Cathy Betts, Director

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

Hearing: March 15, 2022, 10:30 a.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports 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), 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 SENATE COMMITTEE ON JUDICIARY
ON
HOUSE BILL NO. 1777, H.D. 1

March 15, 2022
9:30 a.m.
Room 016 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

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

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

March 12, 2022

To: Senator Karl Rhoads, Chair,
And members of the Committee on Judiciary

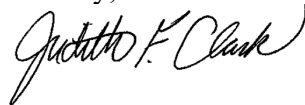
TESTIMONY IN SUPPORT OF HB 1777 HD 1 RELATING TO THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

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.

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

MARCH 15, 2022 · SENATE JUDICIARY COMMITTEE
· CHAIR SEN. KARL RHOADS

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: 3/12/2022 3:51:34 PM

Testimony for JDC on 3/15/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

Stand in Support.

LATE

HB-1777-HD-1

Submitted on: 3/14/2022 2:08:51 PM

Testimony for JDC on 3/15/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrea Nandoskar	Individual	Support	Written Testimony Only

Comments:

Support!

LATE

HB-1777-HD-1

Submitted on: 3/14/2022 4:22:25 PM

Testimony for JDC on 3/15/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamara Swift	Individual	Support	Written Testimony Only

Comments:

I support this bill.

LATE

Written Testimony to
the Senate Committee on Judiciary

in support of HB1777 HD1: Relating to the Commercial Sexual Exploitation of Children.

Akiko Tamura

March 15th, 2022. 9:30PM, CR16 & Videoconference.

In Support of HB1777 HD1

Dear Chair Senator Rhoads, Vice-Chair Senator Keohokalole, and members of the Committee

My name is Akiko Tamura, a concerned citizen residing in Honolulu **District 10**, Hawaii. I'm also a graduate student at UH Manoa, MSW (Master's of Social Work) program. I appreciate the opportunity to submit this testimony **in favor of HB1777 HD1**, 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.

I support HB1777HD1 because I believe the aggregated comprehensive data is critical to have better understanding of the current commercial sexual exploitation of children in Hawaii. The reason why I believe so is that I learned the forefront trauma-informed care service providers for sexual abuse and exploitation child survivors in Hawaii, including Imua Alliance, Hawaii Youth Services Network, and Kapiolani the sex abuse treatment center are supporting this bill. Funding also will be needed for data collection, analysis, and training for the personnels involved in this mission.

Besides in favor of HB1777SD1, I want to point to **the significance of the attorney general office's outreach to other Departments regarding the data, including the Department of Education and Department of Health. The broader accessibility of this data to more community members will increase its benefit and value.**

With the broader accessibility of this data not only to service providers for sex trafficking survivors, **but also to school teachers, health service providers including those in ER and Radiology department, community members in general**, this bill will increase **the sense of urgency of the situation where more children around us are sexually exploited in Hawaii.**

According to Sex Trafficking in Hawaii 2020 Executive Summary from DHS: Sex Trafficking Experiences in Hawaii (Roe-Sepowitz & Jabola-Carolus, 2020), **25.8 % of commercial sex exploitation child victims are trafficked by family members**, 24.7% are by friends, 24.7% are by friends. The younger the children are, the harder they get out of the sexually exploited

situation. **Run away children also face commercial sex trafficking with greater risks.**
Therefore, **by broadening the accessibility to the valuable data in the community and raising awareness of adults around those children in the community is important as a first step to further learn what each adult in different professions and situations can do to intervene the sex trafficking circumstances in meticulous and safe manner.**

These are the reasons why **I am in favor of HB1777HD1, relating to the Commercial Sexual Exploitation of Children.**

Thank you for your time.

Akiko Tamura