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# A BILL FOR AN ACT

RELATING TO SEX TRAFFICKING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the State is in need  
2 of increased data about sex trafficking. At the present time,  
3 there is neither a method for statewide data collection, nor a  
4 clear mandate for the collection, reporting, and analysis of  
5 important metrics of sex trafficking.

6           The legislature notes that in fiscal year 2016-2017, a  
7 total of eighty-three cases of sex trafficking were reported to  
8 the department of human services' child trafficking hotline.  
9 The youngest victim was six years old. No other prevalence data  
10 on victims are readily available, and both the State and non-  
11 state actors struggle to provide adequate care, shelter, and  
12 support to the current number of sex trafficking victims in the  
13 State.

14           The legislature notes that men, boys, and transgender  
15 individuals are victimized by sex trafficking, but the majority  
16 of victims are cisgender women and girls. For example,  
17 cisgender girls accounted for ninety-eight per cent of minor



1 victims in all sex trafficking cases in the country from 2010 to  
2 2015. Due to the enduringly gendered nature of the crime, the  
3 state commission on the status of women produced a report that  
4 points to sex trafficking as a significant problem in Hawaii.  
5 The commission also found that there is a larger incentive to  
6 force women and youth into sex trafficking in the State than in  
7 major American cities.

8 The purpose of this Act is to improve the State's efforts  
9 to stop sex trafficking by requiring the state commission on the  
10 status of women to maintain a database for information  
11 collection and retrieval processes necessary for policy  
12 guidance, training, legislative reporting, and response and  
13 prevention programs.

14 SECTION 2. Chapter 367, Hawaii Revised Statutes, is  
15 amended by adding a new section to be appropriately designated  
16 and to read as follows:

17 "§367- Sex trafficking database; purpose; reports. The  
18 commission shall maintain a database on sex trafficking. The  
19 purpose of the database shall be to:

20 (1) Collect and maintain relevant statewide sex  
21 trafficking data; provided that:



- 1           (A) The data submission is compliant with the  
2           applicable privacy laws governing the source of  
3           the data;
- 4           (B) All data on the database shall be made accessible  
5           to each governmental entity if disclosure and use  
6           is consistent with the privacy laws governing the  
7           source of the data; and
- 8           (C) The database shall be made available to the  
9           general public upon request unless the  
10           information is excepted from disclosure by  
11           section 92F-13 or disclosure is determined  
12           appropriate by the administrator; and
- 13           (2) Annually review data collection practices within  
14           government to ensure agencies are providing data  
15           pursuant to this section.
- 16           (b) The commission's database shall include statistical  
17 data on the:
  - 18           (1) Total number of all sex trafficking cases in Hawaii  
19           reported to national and local trafficking hotlines;

- 1        (2) Total number of sex trafficking cases reported to and
- 2        handled by governmental agencies and private
- 3        organizations receiving state funding;
- 4        (3) Total number of arrests, prosecutions, and convictions
- 5        under sections 712-1200(1) (b) and 712-1202;
- 6        (4) The age range and average age of victims, offenders,
- 7        and traffickers;
- 8        (5) The sex and gender identity of victims, offenders, and
- 9        traffickers;
- 10       (6) The race and ethnicity of victims, offenders, and
- 11       traffickers;
- 12       (7) The total number of native Hawaiian victims; and
- 13       (8) The total number of immigrant victims.
- 14       (c) The commission shall submit a report to the
- 15 legislature on the sex trafficking statistics, funding
- 16 opportunities for sex trafficking programs, and any proposed
- 17 legislation, no later than twenty days before the convening of
- 18 the regular session of 2021, and every year thereafter.
- 19       (d) The report shall not include the names or other
- 20 personally identifiable information of any individual victims or



1 offenders and shall be subject to the privacy standards  
2 established by applicable federal and state law.

3 (e) Any state or private organization or activity  
4 receiving state financial assistance shall assist the commission  
5 in complying with this section, including through the sharing of  
6 data. A covered entity shall act on a data request from the  
7 commission no later than thirty calendar days after receipt of  
8 the request.

9 (f) For the purposes of this section, "sex trafficking"  
10 includes offenses under sections 712-1200(1)(b) and 712-1202."

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 2019.



**Report Title:**

State Commission on the Status of Women; Human Trafficking; Law Enforcement; Database

**Description:**

Requires the State Commission on the Status of Women to maintain a database on sex trafficking. Requires reports to the Legislature. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

