
A BILL FOR AN ACT

RELATING TO HUMAN TRAFFICKING.

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

1 SECTION 1. The legislature finds that children in the
2 State are vulnerable to sex trafficking and commercial sexual
3 exploitation. Foster children and runaways having histories of
4 abuse and neglect are at particularly high risk. Other highly
5 vulnerable groups include LGBTQ+ youth, immigrants, undocumented
6 workers, and youth suffering from mental illnesses and substance
7 abuse issues. Victims are often lured into sex trafficking
8 through traffickers' use of emotional manipulation and control,
9 force, fraud, or threats.

10 The legislature recognizes that, in the last decade, the
11 commercial sexual exploitation of children has garnered greater
12 attention in Hawaii and throughout the United States. The
13 department of human services has received an increasing number
14 of hotline calls involving witnesses or victims of child sex
15 trafficking. However, because child sex trafficking is covert,
16 it is difficult to accurately measure the scope of the problem,



1 and exploited youth do not necessarily identify themselves as
2 victims.

3 The legislature further finds that much of the State's
4 resources for sex trafficking victims is targeted at child
5 victims of sex trafficking. According to Community Against
6 exploitation Hawaii, the only local organization led by and for
7 sex trafficking survivors in Hawaii, children receive the
8 majority of resources and services related to programming,
9 placement, and exit and recovery from sex trafficking.
10 Additionally, once recovered, minors are often afforded
11 opportunities and supported financially by the State. However,
12 national and Hawaii specific research shows that it is extremely
13 hard for adult sex trafficking survivors to start over
14 financially and mentally due to the extremely limited resources
15 on the islands.

16 The legislature finds that, in order to adequately assist
17 all persons who have been sexually exploited, a statewide human
18 trafficking program is needed to develop and utilize
19 comprehensive interagency case management strategies and
20 protocols, combined with a multi-disciplinary response. It is
21 the intent of the legislature that the department of the



1 attorney general will provide leadership in addressing the
2 commercial sexual exploitation of children and the broader issue
3 of human trafficking.

4 Accordingly, the purpose of this Act is to require the
5 department of the attorney general to:

- 6 (1) Address the needs of victims of human trafficking
7 through the development and implementation of a
8 statewide human trafficking prevention program; and
- 9 (2) Report to the legislature on the State's efforts to
10 address human trafficking and the commercial sexual
11 exploitation of children.

12 SECTION 2. Chapter 28, Hawaii Revised Statutes, is amended
13 by adding a new part to be appropriately designated and to read
14 as follows:

15 **"PART . HUMAN TRAFFICKING PREVENTION PROGRAM**

16 **§28- Definitions.** As used in this part:

17 "Child" means a person under eighteen years of age.

18 "Commercial sexual exploitation of children" means any
19 sexual activity involving a child for the exchange or promise of
20 anything of value by any person.



1 "Human trafficking" includes "severe forms of trafficking
2 in persons", as defined in title 22 United States Code section
3 7102(11), and "sex trafficking", as defined in title 22 United
4 States Code section 7102(12) and as described in section 712-
5 1202.

6 **§28- Human trafficking prevention program.** (a) The
7 department of the attorney general shall develop and implement a
8 program to prevent, and to assist victims of, human trafficking.
9 The program shall:

- 10 (1) Assess the current needs of the State's
11 anti-trafficking response and develop:
 - 12 (A) A statewide strategy to prevent human
13 trafficking; and
 - 14 (B) A plan to provide increased support and
15 assistance to victims of human trafficking and
16 victims of the commercial sexual exploitation of
17 children;
- 18 (2) Implement statewide strategies to address
19 accountability for child enticement, commercial sexual
20 exploitation, pimping, and human trafficking through



- 1 law enforcement efforts, prosecutions, and crime
2 prevention efforts;
- 3 (3) Promote public awareness of:
- 4 (A) Human trafficking and the commercial sexual
5 exploitation of children;
- 6 (B) The availability of services for victims of human
7 trafficking; and
- 8 (C) The availability of national and state hotlines
9 for victims and witnesses;
- 10 (4) Produce and maintain informational materials,
11 including a website, on:
- 12 (A) The prevention of human trafficking and the
13 commercial sexual exploitation of children; and
- 14 (B) The availability of public resources for victims
15 and witnesses;
- 16 (5) Develop and provide comprehensive training on ways to
17 prevent, identify, and address human trafficking and
18 the commercial sexual exploitation of children; and
- 19 (6) Apply for and monitor federal funding for
20 anti-trafficking efforts.



1 (b) Every public official and state and county department
2 shall render all necessary assistance and cooperation within the
3 official's or department's jurisdictional power to share
4 information and to assist the program in carrying out its duties
5 under this part."

6 SECTION 3. (a) The department of the attorney general
7 shall submit a report to the legislature no later than twenty
8 days prior to the convening of the regular session of 2024 on
9 the State's efforts to address the commercial sexual
10 exploitation of children; and shall submit a report to the
11 legislature no later than twenty days prior to the convening of
12 the regular session of 2025 on the State's efforts to address
13 human trafficking. Each report shall include:

- 14 (1) Plans to assist state and county agencies in
15 identifying and responding to victims;
- 16 (2) Best practices used in other states to identify and
17 serve victims;
- 18 (3) A comprehensive evaluation of applicable programs and
19 services currently offered by the State;
- 20 (4) Strategies for public outreach and education;



- 1 (5) An assessment of barriers that inhibit government
- 2 agencies, law enforcement agencies, service providers,
- 3 and nongovernmental organizations in the State from
- 4 supporting victims and holding offenders accountable;
- 5 (6) A review of criminal statutes in chapter 712, Hawaii
- 6 Revised Statutes, on prostitution and sex trafficking;
- 7 (7) Plans for a training program for educators, community
- 8 members, members of law enforcement entities, and
- 9 mandatory reporters of child abuse, including an
- 10 outline of the training content and an assessment of
- 11 whether mandatory training should be required and in
- 12 what intervals;
- 13 (8) Statewide assessment tools that may be used by first
- 14 responders, medical professionals, and service
- 15 providers to identify victims;
- 16 (9) Plans for prevention strategies that mitigate the risk
- 17 factors for victims and offenders;
- 18 (10) Recommendations for enhancing statewide collaboration
- 19 and coordination through multidisciplinary teams,
- 20 committees, and task forces;



- 1 (11) An analysis of the existing data regarding
2 trafficking, which may include but shall not be
3 limited to the following:
- 4 (A) Data specific to the commercial sexual
5 exploitation of children, including:
- 6 (i) The number of reports to national and state
7 hotlines alleging the sexual trafficking of
8 a child;
- 9 (ii) The total number of children suspected to be
10 victims of sex trafficking, including
11 demographic information and information on
12 whether each child was previously served by
13 the department of the attorney general or
14 department of human services;
- 15 (iii) The total number of children confirmed to be
16 victims of sex trafficking, including
17 demographic information and information on
18 whether each child was previously served by
19 the department of the attorney general or
20 department of human services;



- 1 (iv) Data collected by state-contracted service
- 2 providers, including the types and aggregate
- 3 costs of services provided to children who
- 4 are suspected or confirmed victims of sex
- 5 trafficking, the number of children
- 6 receiving each type of service, and the
- 7 total number of new children and families
- 8 served through these service providers;
- 9 (v) The total number of National Center for
- 10 Missing and Exploited Children CyberTipline
- 11 reports made to the department of the
- 12 attorney general, and the number of such
- 13 reports that were closed by arrest;
- 14 (vi) The number of arrests, prosecutions, and
- 15 convictions in the State, delineated by
- 16 county and disaggregated by race, for crimes
- 17 related to human trafficking, commercial
- 18 sexual exploitation, or the commercial
- 19 sexual exploitation of children;
- 20 (vii) The total number of arrests of active duty
- 21 military and National Guard personnel made



1 through the department of the attorney
2 general's internet crimes against children
3 task force or other proactive investigations
4 that involve Hawaii law enforcement
5 agencies;

6 (viii) The total number of recovered children who
7 had been previously recovered; and

8 (ix) The total number of adults suspected to be
9 victims of sex trafficking;

10 (B) Data specific to sex and labor trafficking;

11 (C) The identification of any gaps in the State's
12 ability to collect data; and

13 (D) Recommendations for improving data collection and
14 data sharing among service providers,
15 nongovernmental organizations, and government
16 agencies, including law enforcement agencies; and

17 (12) Any proposed legislation.

18 (c) The department of the attorney general may submit
19 additional reports to the legislature providing data, status
20 updates, and recommendations, as determined by the department.



1 SECTION 4. This Act shall take effect on June 30, 3000.



Report Title:

Attorney General; Human Trafficking Prevention Program

Description:

Establishes the statewide human trafficking prevention 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 reports to the legislature. Effective 6/30/3000. (HD2)

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