

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 21, 2023

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

FROM: Cathy Betts, Director

SUBJECT: [SCR 66 / SR59](#) - REQUESTING THAT THE DEPARTMENT OF THE ATTORNEY GENERAL
CONVENE A SEXUAL EXPLOITATION OF MINORS STEERING COMMITTEE TO IDENTIFY
ISSUES RELATING TO THE SEXUAL EXPLOITATION OF MINORS IN THE STATE.

Hearing: March 23, 2023, 9:30 a.m.
Conference Room 016 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of these resolutions and defers to the Department of the Attorney General and the Judiciary.

PURPOSE: These resolutions request that the Department of the Attorney General convene a sexual exploitation of minors steering committee to identify issues relating to the sexual exploitation of minors in the State.

DHS appreciates the Legislature's attention to support the statewide human trafficking prevention program led by the Department of the Attorney General to coordinate the system's response.

DHS is a member of the Commercial Sexual Exploitation of Children (CSEC) Steering Committee on Oahu. This Commercial Sexual Exploitation of Children Steering Committee is led by the Judiciary and meets monthly. The steering committee comprises members from

various State and Federal agencies and aims to provide a coordinated system response to identify and respond to child victims of sex trafficking.

Act 16, Session Laws of Hawaii 2017 (Act 16), amended the definition of "child abuse or neglect" to ensure that mandated reporters of child abuse and neglect report to the Department of Human Services known or suspected child victims of sex trafficking or severe forms of trafficking in person. Act 16 brought Hawaii's child abuse statute into compliance with the Justice for Victims of Trafficking Act of 2015 (P.L. 114-22).

Since then, DHS Child Welfare Services has continued to collaborate and work with the Judiciary, ATG, state and federal law enforcement, stakeholders, and providers to strengthen Hawaii's response to the trafficking of minors. Some of the lessons learned are:

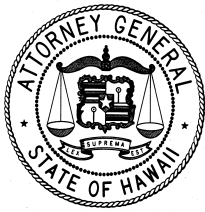
- Collaboration with other entities is necessary to help locate a victim, as there is often not enough information provided at intake to locate a victim;
- Developing a coordinated response and an information-sharing process is necessary to prevent duplication of efforts by members of the Multi-disciplinary Team;
- Service delivery is difficult for victims that frequently run from a placement, making it challenging to provide services;
- The coordinated response and information sharing improved the timeliness of reporting to CWS and Susannah Wesley Community Center, especially after-hours;
- Coordination and relationship-building supported successful sting operations; and
- Youth need more placement options, substance abuse, mental health services, ways to keep youth safely connected to their families or Hānai families, and more training for community and family members.

DHS comments on the request for the Attorney General to include steering committee members from specific non-government organizations. DHS agrees that members of non-governmental organizations could provide valuable contributions to identifying issues relating to the sexual exploitation of minors. DHS defers to the Department of the Attorney General to determine and have the flexibility to decide upon additional participants.

However, DHS has concerns about the request for the Department of the Attorney "to take any actions necessary to authorize the steering committee to discuss specific cases, individuals, and other confidential information to the extent permitted by law and exempt the steering committee from Part I of Chapter 92, Hawaii Revised Statutes." While the Department

of the Attorney General could take actions that are currently allowed by law to discuss specific cases and individuals with the agencies that are authorized by law to share information with for the purpose allowed by law, resolutions of the legislature are not laws and cannot be used as authority to share information to unauthorized agencies or non-governmental entities for unauthorized purposes. Likewise, the resolution cannot authorize an exemption from Part I of Chapter 92 (though it does not apply to work groups convened per resolutions) because resolutions do not have the force of law.

Thank you for the opportunity to provide comments on this resolution.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

S.C.R. NO. 66, REQUESTING THAT THE DEPARTMENT OF THE ATTORNEY GENERAL CONVENE A SEXUAL EXPLOITATION OF MINORS STEERING COMMITTEE TO IDENTIFY ISSUES RELATING TO THE SEXUAL EXPLOITATION OF MINORS IN THE STATE.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Thursday, March 23, 2023 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Cheuk Fu Lui, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) appreciates the intent of this resolution and offers the following comments.

This resolution requests the Department to convene a sexual exploitation of minors steering committee and to submit a preliminary and final report to the Legislature with their findings, recommendations, and proposed legislation.

Since its creation in late 2022, the Special Investigation and Prosecution Division (SIPD) of the Department, which includes a Human Trafficking Abatement Section, has prioritized not only prosecuting offenders but also building relationships with various federal, state, and local law enforcement agencies, governmental departments, and community service providers.

SIPD has made significant progress by participating in multiple committees and task forces combating human trafficking. SIPD currently sits on various human trafficking task forces in each county. Some of them are for law enforcement agencies only and others consist of governmental departments and service providers. Of note is SIPD's involvement on the Commercial Sexual Exploitation of Children Steering Committee, which includes the Department of Human Services, Department of Health, Department of Education, Department of the Prosecuting Attorney (Honolulu), United States Attorney's Office, Judiciary, Office of Youth Services, Detention Services Branch,

Honolulu Police Department, Federal Bureau of Investigation, Department of Homeland Security, and other stakeholders.

Therefore, the Department believes the convening of another similar steering committee, as requested by this resolution, is duplicative and potentially counterproductive to ongoing efforts.

Additionally, the Department notes that Senate Bill No. 235 (and its companion bill, House Bill No. 579) mandates the establishment of a Human Trafficking Prevention Program within the Department and requires a more comprehensive report to the Legislature on the State's efforts to address human trafficking, including and beyond the items requested by this resolution.

While the Department appreciates the intent of this resolution, we believe that the information that the Legislature seeks can be compiled with the existing human trafficking work groups and potentially the establishment of a Human Trafficking Prevention Program.

Through SIPD, the Department is eager to continue its efforts to combat human trafficking. Thank you for the opportunity to testify.

SCR-66

Submitted on: 3/19/2023 10:04:41 AM

Testimony for JDC on 3/23/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Testifying for Stonewall Caucus of the Democratic Party of Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Representatives,

The Stonewall Caucus of the Democratic Party of Hawai‘i; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization fully supports SCR 66.

We hope you all will support this resolution to get this important study completed.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH



HAWAI`I YOUTH SERVICES NETWORK

677 Ala Moana Blvd., Suite 904

Honolulu, Hawai`i 96813

Phone: (808) 489-9549

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

Vonnell Ramos, President
Cyd Hoffeld, Vice President
Sione Ford Naeata, Treasurer
Jefferson Gourley, Secretary

Judith F. Clark, Executive
Director

Network Membership

Bay Clinic

Big Brothers Big Sisters Hawai`i

*Big Island Substance Abuse
Council*

Bobby Benson Center

Child and Family Service

Coalition for a Drug-Free Hawai`i

Collins Consulting, LLC

Domestic Violence Action Center

EPIC `Ohana, Inc.

Family Programs Hawai`i

Family Support Hawai`i

Friends of the Children's Justice

Center of Maui

Get Ready Hawai`i

Hale Kipa, Inc.

Hale `Opio Kaua`i, Inc.

Hawai`i Children's Action

Network

Hawai`i Health & Harm

Reduction Center

Ho`ola Na Pua

Ho`okele Coalition of Kaua`i

Ka Hale Pomaika`i

Kahi Mohala

Kokua Kalihi Valley

Kaua`i Planning and Action

Alliance

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

PHOCUSED

PFLAG – Kona, Big Island

Planned Parenthood of the

Great Northwest, Hawaii

Alaska, Kentucky, Indiana

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community

Center

The Catalyst Group

March 19, 2023

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

TESTIMONY IN SUPPORT OF
SCR 66 REQUESTING THAT THE DEPARTMENT OF THE ATTORNEY
GENERAL CONVENE A SEXUAL EXPLOITATION OF MINORS
STEERING COMMITTEE TO IDENTIFY ISSUES RELATING TO THE
SEXUAL EXPLOITATION OF MINORS IN THE STATE.

Hawaii Youth Services Network supports SCR 66 Requesting that the Department of the Attorney General Convene a Sexual Exploitation of Minors Steering Committee to Identify Issues Relating to the Sexual Exploitation of Minors in the State.

As coordinator for a statewide youth homelessness partnership since 1981, Hawaii Youth Services Network recognizes the risks of sexual exploitation and trafficking faced by our runaway and homeless youth.

We believe that a coordinated, multi-sector effort is needed to address the complex safety, health, educational, and legal needs and issues.

Hawaii Youth Services Network will provide a representative for the proposed steering committee.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH
Executive Director

SCR-66

Submitted on: 3/19/2023 8:27:10 PM

Testimony for JDC on 3/23/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Zonta Club of Hilo c/o Advocacy Chair	Testifying for Zonta Club of Hilo	Support	Written Testimony Only

Comments:

The Zonta Club of Hilo supports SCR66 to Convene A Steering Committee to identify the issues involving human trafficking of minors, including sex trafficking. SCR66 would support SB 235 Relating To Human Trafficking and it's companion bill HB 579. We will assume this Resolution will not be in lieu of the passage of the two bills currently moving through both Legislative Chambers.

We support the passage of SB 235 and HB 579, Relating to Human Trafficking Prevention, Collection of Data and reports to the Legislature. Our previous testimony for support of SB 235 and HB 579 are adopted from the prior hearings on these Human Trafficking Bills.

The Zonta Club of Hilo supports SCR66 and the passage of the SB 235 andHB 579 Relating to Human Trafficking. Mahalo for considering our testimony.

Charlene Iboshi, Advocacy Chair, Zonta Club of Hilo

SCR-66

Submitted on: 3/17/2023 2:50:25 PM

Testimony for JDC on 3/23/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Support	Written Testimony Only

Comments:

I support this Resolution.

SCR-66

Submitted on: 3/20/2023 10:52:26 AM

Testimony for JDC on 3/23/2023 9:30:00 AM

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

Comments:

Stand in Support

SCR-66

Submitted on: 3/20/2023 5:12:17 PM

Testimony for JDC on 3/23/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Vi Schap	Individual	Support	Remotely Via Zoom

Comments:

To Chair Rhoads, Vice Chair Gabbard, and the members on the committee on Judiciary,

I support SCR 66 regarding the subject of: REQUESTING THAT THE DEPARTMENT OF THE ATTORNEY GENERAL CONVENE A SEXUAL EXPLOITATION OF MINORS STEERING COMMITTEE TO IDENTIFY ISSUES RELATING TO THE SEXUAL EXPLOITATION OF MINORS IN THE STATE.

I am a MSW candidate at UH Manoa, and currently, I am doing my final project on the issues facing sexually exploited minors in the state of Hawai'i. This is an important issue that is ever present in Hawai'i and these children need more protection. In doing research for my project, I realized how few safety measures there are for exploited children in our state.

From my practicum experience at Family Court, I have learned that most sexually exploited minors are charged with Runaway when arrested by the police. There is no extra protection for these exploited minors when coming in on a Runaway charge. The state cannot hold them or get them a trauma assessment right away. Thus the process takes longer, and so many exploited children slip through the cracks.

From my CSEC training, I am aware of how prevalent the statistics of child sex trafficking is in our state. In a study done with Arizona and Chicago, Hawai'i had over triple their numbers of individual hits, on a fake Backpage ad kept up only 24 hours for the study. Most of the hits came from local numbers. From my CSEC training, I also learned that predators are often family members or people that the child knows beforehand.

I am in complete support of making a committee to tackle this issue together. I am grateful that you are considering committee members from the many great services on our island, so we can all work together and tackle this issue. This is not an easy problem to solve, and entities working together to examine the needs of our keiki is valuable.

Thank you for listening to my testimony,

Vi Schap

JOSH GREEN, M.D.
GOVERNOR



KEITH T. HAYASHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/23/2023

Time: 09:30 AM

Location: CR 016 & Videoconference

Committee: Senate Judiciary

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Resolution: SCR 0066 REQUESTING THAT THE DEPARTMENT OF THE ATTORNEY GENERAL CONVENE A SEXUAL EXPLOITATION OF MINORS STEERING COMMITTEE TO IDENTIFY ISSUES RELATING TO THE SEXUAL EXPLOITATION OF MINORS IN THE STATE.

Department's Position:

The Hawaii State Department of Education (Department) offers comments on SCR 66. The Department is a member of the Hawaii State Commercially Sexually Exploited Children Steering Committee, Interagency Advisory Council, The Hawaii Children's Trust Fund, and numerous other standing committees focused on identifying issues related to the sexual exploitation of minors in the State.

The Department also convened a Sexual Violence Prevention working group; a public/private sector group of community and child-serving organizations to discuss issues around sexual violence prevention, and prevention strategies within school communities. The findings of this report, Erin's Law Curriculum and Training, pursuant to Senate Concurrent Resolution No. 216, HD1 (2022) was submitted in December of 2022.

The Department is a staunch advocate of preventing sexual exploitation and sex trafficking and remains committed to collaboration with our state and community partners in identifying issues relating to the sexual exploitation of minors in the State.

Thank you for the opportunity to provide testimony on SCR 66.

