

MAR 14 2007

SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FACILITATE
PROVISION OF SOCIAL SERVICES TO NON-CITIZEN VICTIMS OF
HUMAN TRAFFICKING.

1 WHEREAS, terrified and alone, many non-citizen victims of
2 human trafficking escape to safety with only the clothes on
3 their backs; and

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5 WHEREAS, without resources to secure housing, food, medical
6 care, or other basic necessities, non-citizen victims of human
7 trafficking struggle to survive in our communities; and

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9 WHEREAS, victim assistance and services for trafficked
10 persons are constrained by factors such as legal provisions
11 barring undocumented migrants from benefits and victim-related
12 services; and

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14 WHEREAS, individuals that are trafficked but are not
15 identified or recognized by law enforcement as victims of a
16 severe form of trafficking may be expeditiously removed or
17 detained in criminal detention facilities across the country;
18 and

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20 WHEREAS, trafficking victims' fear of removal is exploited
21 by traffickers to keep individuals isolated and under their
22 control; and

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24 WHEREAS, federal law may protect trafficked persons by
25 providing immigration status, permission to work, and possible
26 United States permanent residence once the victim is certified
27 as a severe victim of trafficking; and

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29 WHEREAS, once trafficked persons are identified,
30 "certification" is a process by which trafficked persons are
31 deemed eligible for benefits and services to the same extent as
32 a refugee, namely federal and state benefits (including medical
33 services), housing, legal services, protection, victim



1 compensation and assistance, immigration benefits and programs,
2 restitution, and translation and interpretation services; and
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4 WHEREAS, because certification often requires a
5 considerable length of time to process, typically six months,
6 there is the need for pre-certification victim services, from
7 the time that individuals are identified as trafficked persons
8 until they are certified by federal law enforcement, during
9 which time trafficked persons may experience the greatest need
10 for services; and
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12 WHEREAS, trafficking victims are eligible for certain
13 federally funded services, namely emergency medicaid,
14 immunizations, and access to domestic violence shelters and
15 other exempt services but they are ineligible for other
16 federally funded services such as cash assistance programs or
17 state funded comprehensive health care services; now, therefore,
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19 BE IT RESOLVED by the Senate of the Twenty-fourth
20 Legislature of the State of Hawaii, Regular Session of 2007,
21 that the Department of Human Services is requested to:
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23 (1) Identify existing obstacles, in statute, rule, or
24 policy, that limit or deny benefits to victims of
25 trafficking; and
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27 (2) Conduct a needs assessment to identify appropriate
28 social and financial services for victims of
29 trafficking, by public and private agencies, until
30 such time as the person secures a visa, certification,
31 or a work authorization card from the Department of
32 Homeland Security or other federal agency or is able
33 to return to their country of origin, if they wish to
34 do so; and
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36 BE IT FURTHER RESOLVED that a certified copy of this
37 Resolution be transmitted to the Director of Human Services.
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OFFERED BY:

Thann Chun Oakland

