
A BILL FOR AN ACT

RELATING TO HUMAN TRAFFICKING.

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

1 SECTION 1. Chapter 371K, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By designating sections 371K-1 through 371K-7 as:

4 **"PART 1. ADMINISTRATION, POWERS AND DUTIES"**

5 2. By adding a new part to be appropriately designated
6 and to read as follows:

7 **"PART . SERVICES FOR HUMAN TRAFFICKING SURVIVORS**

8 **§371K- Definitions.** As used in this part:

9 "Human trafficking survivor" means a person who has had or
10 now has the condition or status of debt bondage, involuntary
11 servitude, severe forms of trafficking in persons, or sex
12 trafficking as defined in title 22 United States Code, section
13 7102, as amended.

14 "Pre-certified victim of human trafficking" means a person
15 who has a pending application for federal certification as a
16 victim of a severe form of trafficking in persons as defined in
17 title 22 United States Code, section 7102, but has not yet
18 obtained such certification, or a person who has reported a



1 crime to law enforcement and it reasonably appears to law
2 enforcement that the person is such a victim.

3 **§371K- Services for victims of human trafficking. (a)**

4 The office of community services shall coordinate with and
5 assist law enforcement agencies, the county prosecutors'
6 offices, the attorney general's office, and the department of
7 human services to access appropriate services for human
8 trafficking survivors.

9 (b) In providing assistance pursuant to subsection (a),
10 the office of community services shall develop a plan for the
11 delivery of services to pre-certified victims of human
12 trafficking. Such services may include case management,
13 emergency temporary housing, health care, child care, mental
14 health counseling, drug addiction screening and treatment,
15 language interpretation and translation services, English
16 language instruction, job training and placement assistance,
17 post-employment services for job retention, legal services,
18 transportation services and services to assist the individual
19 and any of the individual's family members to establish a
20 permanent residence in this State or the United States. Nothing
21 in this section shall preclude the office of community services,
22 or any local social services agency, from providing human



1 trafficking survivors with any benefits and services for which
2 they may otherwise be eligible.

3 (c) The office of community services shall take into
4 account the age, gender, and special needs of victims and
5 accompanying dependent children in formulating plans to provide
6 services to them and in delivering such services.

7 (d) In developing its plan, the office of community
8 services shall work together with such other state and federal
9 agencies, public and private entities, and other stakeholders as
10 the office shall deem appropriate.

11 (e) Plans developed in accordance with this section shall
12 be submitted for approval to the department of human services,
13 which shall also undertake periodic reviews of the plans and
14 their implementation to ensure compliance with the requirements
15 of this section and to ensure that all victims are treated with
16 respect for their human rights and dignity.

17 **§371K- Confirmation as a human trafficking survivor.**

18 (a) As soon as practicable after a first encounter with a
19 person who reasonably appears to a law enforcement agency or a
20 county prosecutor's office to be a human trafficking survivor,
21 that agency or office shall notify the office of community



1 services and the Federal Bureau of Investigation that the person
2 may be eligible for services under this part.

3 (b) Upon receipt of the notification pursuant to
4 subsection (a), the division of criminal justice services, in
5 consultation with the office of community services and the
6 referring agency or office, shall make a preliminary assessment
7 of whether the person appears to meet the criteria for
8 certification as a victim of a severe form of trafficking in
9 persons, as defined in title 22 United States Code, section
10 7102, or appears to be otherwise eligible for any federal,
11 state, or local benefits and services. If the person is
12 determined to be a pre-certified victim of human trafficking,
13 the office of temporary and disability assistance shall report
14 the finding to the person, and to the referring law enforcement
15 agency or the attorney general's office, and may assist that
16 agency or office in having the pre-certified victim of human
17 trafficking receive services from a case management provider who
18 may be under contract with the office of community services or
19 from any other available source. If the pre-certified victim of
20 human trafficking is under the age of eighteen, the office of
21 community services also shall notify the department of human
22 services of that fact.



1 **§371K- Law enforcement assistance with respect to**
2 **immigration.** Upon the request of a human trafficking survivor
3 or a representative of a human trafficking survivor, the State,
4 local law enforcement agency, or county prosecutor's office
5 shall provide the human trafficking survivor with the United
6 States Citizenship and Immigration Service (USCIS) Form I-914
7 Supplement B Declaration of Law Enforcement Officer for Survivor
8 of Trafficking in Persons. To provide persuasive evidence, the
9 state or local law enforcement agency endorsement shall contain
10 a description of the victimization upon which the application is
11 based, including the dates the trafficking in persons occurred.
12 The endorsement must address whether the human trafficking
13 survivor had been recruited, harbored, transported, provided, or
14 obtained specifically for either labor servitude or services or
15 for the purposes of a commercial sex act as defined in title 22
16 United States Code, section 7102(3)."

17 SECTION 2. This Act shall take effect on July 1, 2050.



Report Title:

Survivors of Human Trafficking; Services

Description:

Requires the office of community services, to develop a plan for the delivery of services and coordinate with other relevant state agencies to provide social services for survivors of human trafficking. Effective July 1, 2050. (HB1994 HD1)

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

