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DATE: April 2, 2013

TO: The Honorable Suzanne Chun Oakland, Chair
The Honorable Josh Green, M.D., Vice Chair
Senate Committee on Human Services

The Honorable Glenn Wakai, Chair
The Honorable Clarence K. Nishihara, Vice Chair
Senate Committee on Technology and the Arts

FROM: Adriana Ramelli, Executive Director
The Sex Abuse Treatment Center

RE: H.B. 1187
Relating to Human Trafficking

Good afternoon Chair Chun Oakland, Vice Chair Green and members of the Senate Committee on Human Services; and Chair Wakai, Vice Chair Nishihara and members of the Senate Committee on Technology and the Arts. My name is Adriana Ramelli and I am the Executive Director of the Sex Abuse Treatment Center (SATC), a program of the Kapi'olani Medical Center for Women & Children (KMCWC), an affiliate of Hawai'i Pacific Health.

H.B. 1187 designates January as "Human Trafficking Awareness Month". SATC supports the intent of H.B. 1187 to raise awareness on the issue of human trafficking.

Further, we understand that an amendment has been proposed to H.B. 1187 that would amend sections 350-1 and 587A-4 of the Hawai'i Revised Statutes to include sex or labor trafficking of a minor in the definitions of "child abuse or neglect" and "harm". We support the proposed amendment to specifically identify human trafficking offenses as reportable acts when these acts or omissions are perpetrated by a parent or legal caregiver and we offer the following comments.

SATC serves many young victims of sexual violence every year. We have known that the Department of Human Services (DHS) is cognizant of the problem of sex trafficking and currently responds to reports under their jurisdiction. If a minor discloses that she or he is the victim of sex trafficking, SATC will make a report to DHS if the parent or legal caregiver is directly involved in the allegations or fails to protect the child from the harm, which may be indicative of child abuse or neglect under the statute.

It is our understanding that this proposed amendment does not expand the jurisdiction of DHS or substantively change the mandated reporting requirements. Instead, these changes provide clarification that sex and labor trafficking of a minor are reportable acts when the acts or omissions are perpetrated by a parent or legal caregiver and that these victims will be provided with the appropriate services within the scope of DHS.

As a center that deals with the reporting of child sex abuse on a regular basis, we are aware that there is confusion in the community with respect to the jurisdiction of DHS. If the parent or legal caregiver is a part of the sex trafficking allegations by way of abuse or neglect, it is our understanding that DHS will take the case. But, if the parent or legal caregiver knew nothing about the child's whereabouts or trafficking situation, or tried their best to be protective, it is our understanding that DHS will not get involved. We do not read the amendments to change this. However, recognizing that there is a potential for misunderstanding the intended purpose of this legislation, we believe that a public awareness campaign to clarify the role of DHS in human trafficking cases should be undertaken to dispel any misconceptions. A perceived expansion of the current reporting requirements could have the unintended consequences of discouraging minors who are being exploited from seeking the assistance they need or placing minors at increased risk of harm.

Thank you for this opportunity to testify.