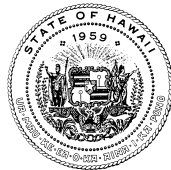


HB2038

HD1



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF COMMUNITY SERVICES
830 PUNCHBOWL STREET, ROOM 420
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8675 / Fax: (808) 586-8685
Email: dliir.ocs@hawaii.gov

March 17, 2014

To: Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Members of the Senate Committee on Judiciary and Labor

From: Office of Community Services (OCS),
Department of Labor and Industrial Relations (DLIR)
Mila Kaahanui, Executive Director

Subject: HB2038, HD1 - Relating to Human Trafficking

Date: Tuesday, March 18, 2014
Time: 10:00 a.m.
Place: Senate Conference Room 016

POSITION: **Support with Comments**

The Office of Community Services (OCS), a State office administratively located in the DLIR, supports the intent of this bill and respectfully offers comments. OCS has previously testified in favor of this bill before the House Committee on Labor and Public Employment.

OCS currently administers a Federal program serving human trafficking victims and believes that the intent of the legislation, which would potentially increase funds for additional services to human trafficking victims, is meritorious.

I. OVERVIEW OF THIS PROPOSAL

This bill proposes to create a special fund to support services for human trafficking victims. The special fund would receive fees assessed against persons found guilty of engaging in human trafficking and/or prostitution offenses.

The bill makes clear that, where funds available from the convicted person would be inadequate to both pay the fee and to provide compensation to the victim(s) of the person's acts, compensation to the victim would have priority.

II. CURRENT LAW

Currently, there is no avenue in State law for obtaining funding for victim services from persons convicted of trafficking crimes. There is no regular avenue, other than through Legislative appropriations, for the State to fund programs to provide services to victims of human trafficking.

III. COMMENTS ON THE HOUSE BILL

We believe that it is appropriate and just that compensation for victims be given first priority, if funds from the convicted persons are limited.

We note that HD1 has removed the dollar figures that would apply to fines to be imposed on persons convicted of trafficking offenses. We trust that this action will help promote discussion of the amounts that should be imposed.

Of most importance to this Committee is the issue of funding. The measure does not make any appropriation for “seed money” for the special fund. OCS would support the appropriation of seed money for the special fund, provided that such an appropriation does not supplant the funding priorities of the Administration.

Thank you very much for this opportunity to provide our comments.



HAWAII

AMERICANS FOR DEMOCRATIC ACTION

OFFICERS

John Bickel, President
Barbara Polk, Vice-President
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DIRECTORS

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George Simson
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Marsha Schweitzer (Alt)

MAILING ADDRESS

PO. Box23404
Honolulu
Hawai'i 96823

March 17, 2014

TO: Chair Clayton Hee, Vice Chair Maile Shimabukuro
Members of the Senate Committee on Judiciary and Labor

FROM: John Bickel, President
Americans for Democratic Action/Hawai'i

RE: Support and Comments on HB 2038 HD 1 Relating to Human Trafficking

Americans for Democratic Action/Hawaii support HB 2038 HD 1 to create a special fund to support services for human trafficking victims. There is no current way in State law for funding services for victims of human trafficking. It is both important to have the fund and specify that where the funds would be inadequate to pay fees and compensation to the victims, compensation would have priority. Please support this bill and take key steps to help victims of human trafficking.



HAWAII CATHOLIC CONFERENCE

6301 Pali Highway
Kaneohe, HI 96744-5224

Online Submittal
Hearing on Tuesday, March 18, 2014 @ 10:00 a.m.
Conference Room #016

DATE: March 15, 2014
TO: Senate Committee on Judiciary & Labor
Sen. Clayton Hee, Chair
Sen. Maile Shimabukuro, Vice Chair
From: Walter Yoshimitsu, Executive Director
Re: Support for HB 2038 HD1 Relating to Human Trafficking

Honorable Chair and members of the Senate Committee on Judiciary & Labor, I am Walter Yoshimitsu, **representing the Hawaii Catholic Conference**. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in the State of Hawaii, which under the leadership of Bishop Larry Silva, represents Roman Catholics in Hawaii. We strongly support this bill that would establish the Human Trafficking Victim Services Fund.

The Catholic Church has placed the elimination of trafficking as an important priority in the areas of public advocacy, public education, and services with respect to the victims. We are working to raise awareness within the Catholic community about the problem, including education, to help people in the community identify and understand the problem of human trafficking.

Trafficking victims need, first and foremost, safety and security. Many of them are terrified of the traffickers who brought them to Hawaii. Providing them with a secure, safe, and nurturing environment is crucial to ensuring their return to society as contributing members. The Church and its service organizations, does all that it can to provide support services to both adult and child victims of trafficking, including health and mental health services, employment assistance, English-language training, counseling, housing and other material assistance needs; however, there is so much more to be done.

The themes of Catholic social teaching—the protection of human dignity and human rights; the option for the poor; the call to family and community; the rights of workers; solidarity and care for creation—all address evils inherent in the trafficking of human beings. These principles of justice are not unique to Catholicism but are manifest in most religions. Commitment to these principles gives the issue of human-trafficking a sense of urgency to many faiths and religious communities. For this reason we strongly support passage of this measure but respectfully leave the legal application to the experts.

Mahalo for the opportunity to testify.

March 17, 2014

COMMITTEE ON JUDICIARY

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senator Mike Gabbard
Senator Brickwood Galuteria
Senator Les Ihara Jr.
Senator Malama Solomon
Senator Sam Slom

NOTICE OF HEARING

DATE: Tuesday, March 18, 2014

TIME: 10:11AM

PLACE: Conference Room 016, State Capitol, 415 South Beretania Street

RE: TESTIMONY IN STRONG SUPPORT OF **HB2038 HD1
RELATING TO HUMAN TRAFFICKING**

Aloha, Committee on Judiciary:

Funding means the difference between saving a victim of human trafficking and losing her to revictimization. Human trafficking victims are rescued from extreme situations, often with only the clothes on their back. Their recovery hinges on our ability to immediately provide them a stable and supportive environment, including reliable shelter, access to healthcare, and basic items like clothing and toiletries. These emergency situations make it impossible for service providers to accurately budget for services and ensure that grant funds are available throughout the year for all rescued victims who need them. The reliable funding provided by HB2038 HD1 would make it possible for all victims to receive quality services, regardless of when they are rescued.

Victims of human trafficking require and deserve access to quality, licensed residential treatment facilities, which don't currently exist in Hawai'i. By passing HB2038 HD1, we could fund the establishment of a local treatment facility, thereby saving thousands of dollars in victims' travel expenses to mainland facilities. Furthermore, the vast majority of child victims served by the Pacific Alliance to Stop Slavery are Pacific Islanders originally from Hawai'i. Receiving culturally appropriate treatment nearer to their home communities and family support systems would support their healing process and safeguard against potential revictimization.

Against all odds, many of young trafficking victims set their sights on college. One particular survivor comes to mind; her dream is to become a dental hygienist. For her, funding means the difference between paying for school to achieve financial independence and going back to the street just to survive.

Sincerely,
Kathryn Xian
Executive Director



ONLINE SUBMITTAL

Hearing on: Tuesday, March 18, 2014 @ 10:00 a.m.
Conference Room #016

DATE: March 15, 2014

TO: Senate Committee on Judiciary & Labor
Sen. Clayton Hee, Chair
Sen. Maile Shimabukuro, Vice Chair

FROM: Eva Andrade, Executive Director

RE: Support for HB 2038 HD1 Relating to Human Trafficking

Aloha and thank you for the opportunity to submit testimony in support of this measure. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, representing a network of various Christian Churches and denominations. We support this bill that would establish a special fund to aid victims of human trafficking.

The U.S. State Department estimates that thousands of human beings, many of them children, are trafficked each year into the United States to work in the sex trade or as slave labor. Women and children have been forced to work in prostitution and child pornography rings, and even coerced into different types of manual labor, without pay or protection. As an organization that cares deeply about the family, especially the children, we find this both reprehensible and unacceptable.

In Hawaii, many child victims of human trafficking commonly seek to escape their personal struggles with the hope of finding opportunity and a brighter future. It is in these types of environments that human traffickers flourish, promising these precious keiki an opportunity to travel, at no immediate expense, for employment and housing. What they find instead, is coercion, abuse, entrapment, and sexual exploitation in a brothel, a massage parlor, or an agricultural outpost. By the time they are rescued, if ever, they are shattered by physical, mental, and psychological abuse. Many become ill and some have even lost their lives.

As a faith-based organization who fought to protect children from sexual exploitation (our organization was instrumental in the raising of the age of consent in Hawaii from 14 to 16), we support this measure. We cannot, however, stop there. Protection of our keiki from sexual exploitation must be a top priority for Hawaii!

Mahalo for the opportunity to support this measure.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: kaleos@lava.net
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Sunday, March 16, 2014 7:29:03 AM

HB2038

Submitted on: 3/16/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kaleo Schneider	CWWH	Support	Yes

Comments: I am in strong support of this bill to create a fund for human trafficking victims.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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To: [JDLTestimony](#)
Cc: maeverz@gmail.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Sunday, March 16, 2014 7:47:58 AM

HB2038

Submitted on: 3/16/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Maeve Nicholson	Individual	Support	No

Comments: Please create a fund to help these victims. I support this bill.

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To: [JDLTestimony](#)
Cc: bosh9735@aol.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Sunday, March 16, 2014 7:49:10 AM

HB2038

Submitted on: 3/16/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara S. Yeackel	Individual	Support	No

Comments: I am in strong support of this trafficking bill to create a fund for these victims.

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Cc: tahitihuetter@gmail.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Sunday, March 16, 2014 7:51:03 AM

HB2038

Submitted on: 3/16/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Tahiti Huetter	Individual	Support	No

Comments: Please support this bill for victims. My mother fights this crime of human trafficking and these victims need help. Please find the funds to supports these victims.

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To: [JDLTestimony](#)
Cc: jancook@happinesshawaii.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Sunday, March 16, 2014 12:30:49 PM

HB2038

Submitted on: 3/16/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Cook	Individual	Support	No

Comments: I am strongly in support of this bill.

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To: [JDLTestimony](#)
Cc: nbusekrus@gmail.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Sunday, March 16, 2014 4:33:05 PM
Attachments: [TestimonyHB2038.docx](#)

HB2038

Submitted on: 3/16/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Nadia Busekrus	Individual	Support	No

I am in strong support of House Bill 2038. It is necessary that our state, which has been ranked second worst in the nation for human trafficking problems, take action to address the severity of this issue. Establishing a fund to support efforts to eradicate trafficking is the necessary first of many steps that need to be taken to reach this goal.

Comments: Please vote in support of this bill!

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: jimvigorito@gmail.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Sunday, March 16, 2014 7:41:51 PM

HB2038

Submitted on: 3/16/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
James Vigorito	Individual	Support	No

Comments: I strongly support HB 2038.

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To: [JDLTestimony](#)
Cc: lweiland@yahoo.com
Subject: *Submitted testimony for HB2038 on Mar 18, 2014 10:00AM*
Date: Monday, March 17, 2014 8:42:49 AM

HB2038

Submitted on: 3/17/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
linda weiland	Individual	Support	No

Comments:

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Date: Monday, March 17, 2014 8:45:01 AM

HB2038

Submitted on: 3/17/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
kirsten kerbox	Individual	Support	No

Comments: I support HB2038. Please create a fund for victims of human trafficking.

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Cc: rexhuetter@gmail.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Monday, March 17, 2014 8:47:18 AM

HB2038

Submitted on: 3/17/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Rex Huetter	Individual	Support	No

Comments: I think victims of sex trafficking should be supported with funds that would be created by this bill. I am supporting this bill.

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To: [JDLTestimony](#)
Cc: zoe.brunn@gmail.com
Subject: Submitted testimony for HB2038 on Mar 18, 2014 10:00AM
Date: Monday, March 17, 2014 8:49:28 AM

HB2038

Submitted on: 3/17/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Zoe Brunn	Individual	Support	No

Comments: I support any legislation that will help victims of human trafficking in Hawaii.

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To: [JDLTestimony](#)
Cc: erika.cabell@gmail.com
Subject: *Submitted testimony for HB2038 on Mar 18, 2014 10:00AM*
Date: Monday, March 17, 2014 9:57:33 AM

HB2038

Submitted on: 3/17/2014

Testimony for JDL on Mar 18, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Erika Cabell	Individual	Support	No

Comments:

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