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January 24, 2018

To: The Honorable Aaron Ling Johanson, Chair,
The Honorable Daniel Holt, Vice-Chair, and
Members of the House Committee on Labor & Public Employment

Date: Thursday, January 25, 2018
Time: 9:00 a.m.
Place: Conference Room 309 State Capitol

From: Leonard Hoshijo, Acting Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 1724 RELATING TO HUMAN TRAFFICKING

HB1724, through the Department's enabling statute, expands the human trafficking poster requirement, increases penalties for violations of the poster requirement, deposits the penalties in the human trafficking victim services fund, and allows the Department to contract with any state or county department or agency for implementation or enforcement. Act 245 (SLH, 2013) created the posting requirement, but did not furnish any resources to carry out the intent of the Act. Pursuant to §371-20(d), DLIR has made available the poster on its website. However, no enforcement actions have been taken as the Wage Standards Division does not have staff or financial resources to do so. Furthermore, there have been no reports of failing to post the required notice to the department over the five years the law has been in effect. The human trafficking victim services fund was established in 2014 by Act 119 and housed in an attached agency -- the Office of Community Services. To date, \$1,080.00 has been deposited in the fund. HB1724 also provides DLIR with the legal authority to contract with an outside state or county department or agency to fulfill the purpose of the statute. Additional funding would be needed to support this contract activity.



HOUSE COMMITTEE ON LABOR

TESTIMONY—HB 1724, Relating to Human Trafficking

THURSDAY, JANUARY 25, 2018

Jeanné Kapela, UNITE Hawaii Executive Director

POSITION: STRONG SUPPORT

Chair Johanson and committee members,

Hawai'i is home to over 150 high-risk sex trafficking establishments, with the average age a victim is first exploited being only 13-years-old. We are also a target for “cybertrafficking,” with over 110,000 ads for local prostitution posted online each year. Yet, the numbers fail to fully capture the human toll of the commercial sex trade, a tragedy we witness each day in the eyes of the survivors we serve.

UNITE is an educational nonprofit devoted to ending sex trafficking in Hawai'i. Through outreach and awareness in local schools, we provide students with the skills necessary to prevent exploitation by building healthy relationships and learning communities. Our program, “It Ends With Us,” explains how trafficking works in the 21st Century, preparing students to recognize threatening situations and respond to potential abuse. To date, we have provided anti-trafficking education to thousands of keiki in our state’s public school system. Working with UNITE’s strategic partner, IMUAlliance, we have also helped to emancipate sex trafficking victims from local brothels in the Ala Moana area. For both victims who self-identify at the schools we visit and those for whom we’ve provided direct intervention services, a lack of information about how to get help is a common concern.

In 2013, lawmakers passed Act 245, which compels high-risk sex trafficking establishments—including massage parlors and strip clubs—to post the National Human

Trafficking Resource Center Hotline number in a place accessible to employees. When crafted, the law was intended to provide information to potential victims working in high-risk businesses about how to obtain help, catalogue locations that consistently failed to provide such information, and use fines collected from violations to subsidize our state's increasing need for victim services. Since the law's enactment, however, enforcement has been lackluster, with anti-trafficking advocates rarely seeing the poster put up when we perform outreach in high-risk locations. HB 1724 raises penalties for high-risk establishments that violate this law and allows the State Department of Labor to contract with any state or county government agency for enforcement. These changes would make implementation more practicable for the department, advance our state's goal of requiring perpetrators of trafficking-related offenses to pay for victim services, and, hopefully, provide vital information to individuals affected by the human slave trade on our shores.

Thank you for the opportunity to testify in support of this bill.



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

TESTIMONY FOR HOUSE BILL 1724, RELATING TO HUMAN TRAFFICKING

**House Committee on Labor
Hon. Aaron Johanson, Chair
Hon. Daniel Holt, Vice Chair**

**Thursday, January 25, 2018, 9:00 AM
State Capitol, Conference Room 309**

Honorable Chair Johanson and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in strong support of House Bill 1724, relating to human trafficking.

In 2013, lawmakers passed Act 245 (HRS §371-20), which requires certain high-risk establishments—including massage parlors, strip clubs, and hostess bars—to post the National Human Trafficking Resource Center Hotline number in a place accessible to workers. IMUAlliance estimates that 150 high-risk sex trafficking establishments exist on Hawai'i's shores, which are places at which we have documented multiple cases of prostitution (either through police records or our own outreach efforts) within a single month and nearly all of which are required to post the hotline number mandated by Act 245. When crafted, the law was intended to not only provide potentially life-saving information to victims working in high-risk enterprises, but also to catalogue locations that consistently failed to provide such information and use fines collected from violations to subsidize victim services by depositing the fines into the state's Human Trafficking Victim Services Fund pursuant to HRS §706-650.5.

Unfortunately, since the law's enactment, enforcement has been spotty, at best. HB 1724 would rectify that problem and incentivize enforcement by raising penalties for high-risk establishments that violate HRS §371-20's hotline poster requirement to \$500 for the first offense and \$1,000 for each subsequent offense, while also allowing the Hawai'i State Department of Labor to contract with any other state or county agency to enforce the law, which should make enforcement more manageable for DLIR.

Amending this law is crucial to identifying and prosecuting high-risk human trafficking establishments, ensuring that victims have notification about how to obtain assistance (including rescue assistance), and eliminating confusion currently caused by DLIR stating on the department's website that the poster is a requirement that DLIR "doesn't enforce." IMUAlliance provides direct intervention services to victims of human trafficking in the physical locations at which they're being exploited. When we do outreach, frankly, we see very few establishments meeting the hotline poster requirement, to the detriment of the women and children being harmed on their premises.

Slavery has no place in paradise. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

HB-1724

Submitted on: 1/23/2018 10:06:59 PM

Testimony for LAB on 1/25/2018 9:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|----------------------------|---------------------------|---------------------------|
| Melodie Aduja | OCC Legislative Priorities | Support | No |

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES
DEMOCRATIC PARTY OF HAWAII**

TO THE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

HOUSE OF REPRESENTATIVES

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Thursday, January 25, 2018

9:00 a.m.

Hawaii State Capitol, Conference Room 309

RE: Testimony in Support of HB 1724, RELATING TO HUMAN TRAFFICKING

To the Honorable Aaron Ling Johanson, Chair; the Honorable Daniel Holt, Vice-Chair and Members of the Committee on Labor and Public Employment:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No. 1724, relating to Human Trafficking. The OCC Legislative Priorities Committee is in favor of House Bill No. 1724 and support its passage.

House Bill No. 1724, is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it aims to protect and restore the civil and human rights of all persons subjected to human trafficking. Specifically, the DPH Platform states, "The inherent dignity and equal inalienable rights of all human beings are the foundations of freedom, justice, and peace. We support affirmative action, the full implementation of the Civil Rights Acts of 1964 and 1990 and the Americans with Disabilities Act of 1990."

Given that House Bill No. 1724 utilizes the National Human Trafficking Resource Center Hotline; expands the poster requirement to massage therapy establishments that employ three or more people; increases the penalties for violations of the poster requirement and deposits the penalties in the human trafficking victim services fund; and allows the Department of Labor and Industrial Relations to contract with any state or county department or agency for implementation or enforcement, it is the position of the OCC Legislative Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889