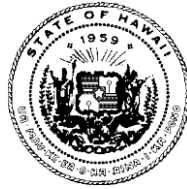


DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96808

February 5, 2018

TO: The Honorable Josh Green, Chair
Senate Committee on Human Services

The Honorable Brian T. Taniguchi, Chair
Senate Committee on Judiciary

FROM: Pankaj Bhanot, Director

SUBJECT: **Senate Bill 2395- RELATING TO A SEX TRAFFICKING EMERGENCY SHELTER**

Hearing: Wednesday, February 7, 2018, 2:45 pm
Conference Room 16, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the bill and provides comments. There is a need for emergency shelter and support services given the vulnerability of children to sexual exploitation and the absence of appropriate housing options for this population.

PURPOSE: The purpose of this bill is to allow the DHS to establish or contract with a victim service provider to operate and manage a sex trafficking emergency shelter. The bill also provides for procurement, tax and fee exemptions and makes an appropriation.

The DHS offers the following comments and concerns:

- The proposed appropriation to the DHS may adversely impact the budget priorities set forth in the Governor's Biennium Budget;
- All health and human services funded by public dollars should follow appropriate federal, state, and county laws, including tax laws, and defers to the relevant state and county taxing agencies;
- The emergency shelter should have qualified professionals on staff to provide services, which may include, but not be limited to rehabilitative, medical, mental

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health, therapeutic, legal, or diagnostic services. The DHS defers to other responsible state agencies regarding clinical issues;

- Referrals to community providers and services may be appropriate to address the targeted population's needs as opposed to the services provided in the emergency shelter; and
- For the legislature's information, there is a nonprofit service provider in the process of establishing a crisis shelter this year for this population funded through a Victims of Crime Act (VOCA) grant, as well as the administrative proposal from the Office of Youth Services, HB2364, to create the Kawaioloa Youth and Wellness Center, that also seeks to incorporate facilities and programs for vulnerable youth, including minor victims of sex trafficking.

DHS requests clarification as to the population that would be served by the proposed shelter as the definition of "victim" includes both minors and adults. If minors are included, separation between minors and adults is necessary to further protect the health and safety of these most vulnerable children and adolescents.

Additional clarification of the definition of "victim" is requested as,

"Victim" means:

- (1) A person under the age of eighteen who commits the offense of prostitution pursuant to section 712-1200 (1) (a);

is inconsistent with section 712-1200 (6) that provides:

- (6) A minor may be taken into custody by any police officer without order of the judge when there are reasonable grounds to believe that the minor has violated ~~subsection~~ (1) (a). The minor shall be released, referred, or transported pursuant to section 571-31(b). The minor shall be subject to the jurisdiction of the family court pursuant to section 571-11(1), including for the purposes of custody, detention, diversion, and access to services and resources.

Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR

DOUGLAS S. CHIN
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

DAMIEN A. ELEFANTE
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF TAXATION**

830 PUNCHBOWL STREET, ROOM 221
HONOLULU, HAWAII 96813

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Phone: (808) 587-1540 / Fax: (808) 587-1560
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To: The Honorable Josh Green, Chair
and Members of the Senate Committee on Human Services

The Honorable Brian T. Taniguchi, Chair
and Members of the Senate Committee on Judiciary

Date: Wednesday, February 7, 2018
Time: 2:45 P.M.
Place: Conference Room 016, State Capitol

From: Linda Chu Takayama, Director
Department of Taxation

Re: S.B. 2395, Relating to a Sex Trafficking Emergency Shelter

The Department of Taxation (Department) offers the following comments on S.B. 2395 for the Committees' consideration.

Section 2 of S.B. 2395 creates a general excise tax exemption for compensation received by a victim service provider for services rendered to sex trafficking victims. The bill is effective upon approval.

The Department respectfully requests that the effective date for the tax exemption be amended to January 1, 2019 to allow sufficient time to make the necessary form and computer system changes.

Thank you for the opportunity to provide comments.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Rick Collins, President

Judith F. Clark, Executive
Director

Bay Clinic

Big Brothers Big Sisters of
Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of
West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action
Network

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Maui Youth and Family Services

P.A.R.E.N.T.S., Inc.

Parents and Children Together
(PACT)

Planned Parenthood of the
Great Northwest and
Hawaiian Islands

PHOCUSED

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community
Center

The Catalyst Group

February 2, 2018

To: Senator Josh Green, Chair
And members of the Committee on Human Services

Senator Brian Taniguchi, Chair
And members of the Committee on Judiciary

COMMENTS ON SB 2395 RELATING TO A SEX TRAFFICKING EMERGENCY SHELTER

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, is providing comments on SB 2395 Relating to Health.

The bill does not cite any data showing need for a specialized sex trafficking victim shelter. There is no estimate of the number of youth in need of services. In a 2016 survey of street youth on Oahu, only 13% stated that they had traded sex for food, money, drugs, or a place to sleep. This does not indicate a high level of need for a specialized facility for trafficking victims.

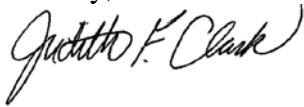
Nine out of ten of the youth surveyed said that they had slept outdoors in a park, beach, car or on a sidewalk. To help our homeless youth leave the streets, Hawaii needs to increase outreach to youth, establish additional drop-in centers for youth and provide more shelter beds that are accessible to any youth who is living on the streets without support or guidance from their families.

Although the facility is intended to house minors, there is no language requiring the facility to meet the licensing requirements for residential facilities for minors. The licensing requirements address such issues as staff qualifications; staff/child supervision; criminal background checks, and facility safety (e.g., smoke detectors). All residential programs for minors should be required to meet these standards.

The bill does not specify which state agency will manage the contracting process and have oversight of the services provided.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial 'J' and 'C'.

Judith F. Clark, MPH
Executive Director



SENATE COMMITTEES ON HUMAN SERVICES and JUDICIARY

TESTIMONY—SB 2395, Relating to a Sex Trafficking Emergency Shelter

WEDNESDAY, FEBRUARY 7, 2018

Jeanné Kapela, UNITE Hawaii Executive Director

POSITION: STRONG SUPPORT

Chair Green, Chair Taniguchi, 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 2016, Hawai'i became the final state in the nation to ban sex-trafficking. As advocates have embraced this transformative law, our work with victims has made clear the need for a dedicated emergency shelter for survivors of this horrible crime. No such facility exists in Hawai'i today, forcing advocates and victims to rely on a disconnected

system of emergency care. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse, and has required a “cool down” period to adjust to a post-traumatic environment and acclimate to a therapeutic setting. We must do more, as a state, to provide a comprehensive coordinated continuum of care for those who have been enslaved 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 SENATE BILL 2395, RELATING TO A SEX TRAFFICKING
EMERGENCY SHELTER**

Senate Committee on Human Services

Hon. Josh Green, Chair

Hon. Stanley Chang, Vice Chair

Senate Committee on Judiciary

Hon. Brian T. Taniguchi, Chair

Hon. Karl Rhoads, Vice Chair

Wednesday, February 7, 2018, 2:45 PM

State Capitol, Conference Room 016

Honorable Chair Green, Chair Taniguchi, 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 Senate Bill 2395, relating to a sex trafficking emergency shelter.

IMUAlliance is one of the state's largest victim service providers for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention services to 130 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims in total. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily trauma bonded to her pimp that while under his grasp, she couldn't remember her own name.

Sex trafficking is a profoundly violent crime. The average age of entry into commercial sexual exploitation is 13-years-old, with 60 percent of trafficked children being under the age of 16. Approximately 150 high-risk sex trafficking establishments operate in Hawai'i. An estimated 1,500-2,500 women and children are victimized by sex traffickers in our state annually. Over 120,000 advertisements for Hawai'i-based prostitution are posted online each year, a number that

is rapidly increasing as technology continues to outpace the law. More than 80 percent of runaway youth report being approached for sexual exploitation while on the run, over 30 percent of whom are targeted within the first 48 hours of leaving home. With regard to mental health, sex trafficking victims are twice as likely to suffer from PTSD as a soldier in a war zone. Greater than 80 percent of victims report being repeatedly raped and 95 percent report being physically assaulted, numbers that are underreported, according to the United States Department of State and numerous trauma specialists, because of the inability of many victims to recognize sexual violence. As one underage survivor told IMUAlliance prior to being rescued, “I can’t be raped. Only good girls can be raped. I’m a bad girl. If I *want* to be raped, I have to *earn* it.”

Perhaps the biggest gap in our state’s continuum of care for survivors of sexual servitude is the lack of a dedicated emergency shelter to serve as a central location from which to meet victims’ needs. Currently, if IMUAlliance and our strategic partners rescue a victim from slavery, we are forced to rely on a patchwork system of services. While our partners—including the federal Department of Homeland Security, Federal Bureau of Investigation, Hawai’i Departments of Health and Human Services, county police departments, and nongovernmental organizations like UNITE Hawai’i—do an excellent job of caring for victims, the lack of a shelter space inhibits agency coordination, impedes the provision of immediate safety, and, in some cases, prevents victims from being properly identified because jail or juvenile detention centers are viewed as the only available spaces in which to house them in a crisis. Victims frequently require a “cool down” period once out of bondage, during which they may receive emergency medical attention, psychological care, trauma counseling, and addiction services (for the many victims whose pimps use illegal drugs as a way of coercing them into sexual exploitation). If our state’s goal is to fully treat victims as victims, rather than as criminals, we must establish a place for their healing to begin immediately upon being delivered from captivity.

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

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

SB-2395

Submitted on: 2/2/2018 4:47:17 PM

Testimony for HMS on 2/7/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall		Support	No

Comments:

SB-2395

Submitted on: 2/6/2018 8:11:18 AM

Testimony for HMS on 2/7/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
keomailani von gogh		Support	No

Comments:

Senator Josh Green, Chair
Senator Stanley Chang, Vice Chair
Committee on Human Services

Senator Brian T. Taniguchi, Chair
Senator Karl Rhoads, Vice Chair
Committee on Judiciary

Peipei Wang
University of Hawai'i at Manoa
Myron B. Thompson School of Social Work

Wednesday, February 7, 2018

Support for S.B. No. 2395, in regards to a sex trafficking emergency shelter

My name is Peipei Wang and I am a graduate student at the University of Hawai'i at Manoa, Myron B. Thompson School of Social Work. I would like to testify my support for S.B. No. 2395. As a social work student, I have gained insight on the children and teenager's protection system, and physical and mental health development. From our classes, I learned that the sex trafficking problem is serious in Hawai'i. According to IMUAlliance, up to \$625,000,000 is spent on sexual exploitation in Hawai'i. There are 1,500 to 2,500 women and children victimized by sex traffickers in Hawai'i annually. The average age of victims in Hawai'i victim is 17.2 years old, and the average age of entry into prostitution is 13.4 years old. The number of victims who reported being physically assaulted when trafficked is 91 percent.

In addition, after experiencing sexual violence, the victims also suffer mental health problems and low self-esteem after being a victim of sex trafficking. They need to seek professional therapeutic services. Meanwhile, since they enter into prostitution at a young age, they lack the knowledge and other resources to make a living. They also need a service to support them to help them figure out housing, medical, and legal issues. In conclusion, basic services and housing are needed for this population.

However, there are limited NGOs and programs for sex trafficking victims in Hawai'i. Therefore, I am in support of S.B. No. 2395, to establish or contract with victim service providers to operate and manage a sex trafficking emergency shelter, and to provides emergency housing, rehabilitation, and medical, mental health, therapeutic, legal, or diagnostic services. I strongly believe that this is essential for the population of sex trafficking victims, and it also may unite resources and forces to improve this issue in Hawai'i. Let us end sex trafficking and create a healthy and safe environment for our children. Thank you for this opportunity to testify on such an important manner.

SB-2395

Submitted on: 2/6/2018 2:43:01 PM

Testimony for HMS on 2/7/2018 2:45:00 PM

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

Comments: