

Testimony on behalf of the
Hawai'i State Commission on the Status of Women
Khara Jabola-Carolus, Executive Director

Prepared for the House Committee on Judiciary

In Strong Support of HB485
Monday, February 11, 2019, at 2:00 p.m. in Room 325

Dear Chair Lee, Vice Chairs San Buenaventura, and Honorable Members,

The Hawai'i State Commission on the Status of Women **supports** of HB485, which would mandate statewide training on human trafficking laws for all criminal justice personnel.

The United Nations describes human trafficking as a “major hazard to women and girls,” who account for 71% of all global trafficking victims.¹ According to the U.S. Department of Health and Human Services Region IX, women represented 82 percent of the 120 human trafficking cases in Hawai'i reported to the National Human Trafficking Hotline from December 2012 to December 2016.² State data is similarly gendered, especially when limited to sex trafficking (as defined by state and federal law). Of the 83 minor sex trafficking cases reported to Child Welfare Services in FY2018, 94 percent were girls. While men and boys are victimized, both labor and sex trafficking are inherently gendered. Human trafficking is a women's issue.

The U.S. Department of Justice provides clear guidance that the sex trafficking of minors is the highest priority for prosecution, and labor trafficking is the lowest. Although unequally prioritized, training to combat labor and sex trafficking are equally critical.

As a starting point on the issue of human trafficking and as a member of the state's key taskforces related to human trafficking, the Commission dedicated the past year to producing a baseline of knowledge on sex trafficking in Hawai'i for use by all justice and community partners. This effort was also undertaken to support the Commercial Sexual Exploitation of Children (CSEC) Steering Committee, which lists its top strategic priority as the creation of a

¹ UN Women, “Executive Director's Blog Series: Human Trafficking,” Dec. 5, 2017, <http://www.unwomen.org/en/news/stories/2017/12/op-ed-ed-phumzile-16days-day11>

² Office of Women's Health, Administration for Children and Families, “Hawaii: Efforts to Combat Human Trafficking,” Jul. 31, 2017, https://www.acf.hhs.gov/sites/default/files/otip/hawaii_profile_efforts_to_combat_human_trafficking.pdf.

common understanding of human trafficking for Hawai'i's criminal justice-service provider alliance.

The Commission partnered with the nation's lead research center on sex trafficking, Arizona State University's Office of Sex Trafficking Intervention and Research, to produce the state's first body of empirical quantitative and qualitative data on this hidden crime.³ No state funding was used in the production of the reports, and the project was conducted while the Commission successfully carried out its mandated functions. A major theme of the Commission's qualitative data was a lack of criminal justice personnel who understood the dynamics of trafficking and the complexity of childhood sexual abuse, foster care and dating violence that precede sex trafficking experiences.

The first report *Exploring Online Sex Buyers* (Sept. 2018) attempted to provide a statistical snapshot of the demand for paid sex in Hawai'i because a high demand for the sex industry generally puts a state at high risk for sex trafficking.⁴ While **prostitution and sex trafficking are distinct legal concepts and separate doors into the sex industry**, trafficked and untrafficked individuals often share the same buyers (demand). National research is clear that "a significant proportion of sex buyers may not know or care whether the person they purchase sex from is a trafficked individual or not and...the marketplace creates a veil that may obscure trafficking."⁵ There are few exceptions to this, such as market segments related to child pornography and sexual abuse of young children and infants. The report found that Hawai'i has a significantly more robust demand for paid sex than other major U.S. cities. Demand was exponentially higher than existing supply. Therefore, the Commission believes that a strong incentive to traffick women and girls exists in Hawai'i.

The second report *The Stories of Survivors* (Jan. 2019) found that sex trafficking is real and happening in Hawai'i. Since 2017, 140 cases of child sex trafficking have been reported to Child Welfare Services. This figure is considered conservative by local criminal justice personnel and service providers. The youngest victim reported was six-years-old.⁶ These initial findings are a stain on our state.

Positively, Hawai'i's ranking increased since 2011 by two full grades on the national report card on state laws relevant to sex trafficking.⁷ Many of you helped getting us to this point. Today, much work remains to be done. Hawai'i received a "C" grade in 2018.⁸

There have been no convictions of sex traffickers under the state's sex trafficking law (2016) to date. The Commission does not advocate a criminal justice model as the dominant intervention strategy to sex trafficking and believes that approaches to prevention and harm

³ Roe-Sepowitz, D. & Jabola-Carolus, K., *Sex Trafficking in Hawaii Part I: Exploring Online Sex Buyers*, Sept. 2018. Roe-Sepowitz, D. & Jabola-Carolus, K., *Sex Trafficking in Hawaii Part II: The Stories of Survivors*, Jan. 2019.

⁴ State of Washington Department of Commerce, *Best Practices to Combat Human Trafficking*, p.2, 2011.

⁵ Martin, L. Mapping Demand, University of Minnesota, p. 3, Aug. 2, 2017.

⁶ *Id.*

⁷ Protected Innocence Challenge, *Toolkit 2018*, 2018, <https://sharedhope.org/wp-content/uploads/2018/11/2018ProtectedInnocenceChallengeToolkit.pdf>.

⁸ *Id.*

reduction must be varied. The Commission does; however, strongly support training as an important for law enforcement and court-based personnel to appropriately respond to human trafficking, better understand and identify human trafficking, communicate more effectively with victims, and build victim-centered processes. Further, extra care and sensitivity must be employed by criminal justice personnel when working with those trafficked because both sex and labor trafficking victims may have more distrust of the police than most members of the population.

Hawai'i is one of only twelve (12) states that has not enacted laws to require certain public agencies or private businesses to receive human trafficking training. The Commission is well-positioned to serve as the coordinating entity for a training program, with the active cooperation of the anti-trafficking community and criminal justice stakeholders. Accordingly, the Commission welcomes the opportunity to collaborate with community and criminal justice stakeholders to administer this critical program. We ask the Committee to pass HB568.

Sincerely,

Khara Jabola-Carolus

APPENDIX

Key Definitions

The Trafficking Victims Protection Act of 2000 (22 U.S.C. Section 7102(9)) and its subsequent reauthorizations define human trafficking as:

- a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform the act has not attained 18 years of age; or
- b) The recruitment, harboring, transportation, provision, or obtaining a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Sex trafficking is defined in state statute (H.R.S. Section 712-1202) as:

- (1) A person commits the offense of sex trafficking if the person knowingly:
 - (a) Advances prostitution by compelling or inducing a person by force, threat, fraud, or intimidation to engage in prostitution, or profits from such conduct by another; or
 - (b) Advances or profits from prostitution of a minor; provided that with respect to the victim's age, the prosecution shall be required to prove only that the person committing the offense acted negligently.

Labor Trafficking is defined as (H.R.S. 707-780):

- (1) A person commits the offense of labor trafficking in the first degree if the person intentionally or knowingly provides or obtains, or attempts to provide or obtain, another person for labor or services by any of the following means committed against the other person:
 - (a) Any of the acts constituting extortion as described in [section 707-764](#), except that for purposes of this paragraph “labor” and “services” shall be as defined in [section 707-780](#);
 - (b) The acts constituting kidnapping as described in [section 707-720\(1\)\(a\) through \(g\)](#), except that for purposes of this paragraph “labor” and “services” shall be as defined in [section 707-780](#);
 - (c) The acts described in [section 707-721\(1\)](#) or [707-722](#), relating to unlawful imprisonment;
 - (d) The acts described in [section 707-730](#), [707-731](#), or [707-732](#), relating to sexual assault in the first, second, or third degree;
 - (e) Force, deadly force, or unlawful force;
 - (f) The acts described in the definition of deception pursuant to [section 708-800](#), or fraud, which means making material false statements, misstatements, or omissions to induce or maintain the person to engage or continue to engage in the labor or services;

- (g) Requiring that labor or services be performed to retire, repay, or service a real or purported debt, if performing the labor or services is the exclusive method allowed to retire, repay, or service the debt and the indebted person is required to repay the debt with direct labor in place of currency; provided that this shall not include labor or services performed by a child for the child's parent or guardian;
- (h) The acts described in either [section 707-710](#), [707-711](#), or [707-712](#), relating to assault;
- (i) Withholding any of the person's government-issued identification documents with the intent to impede the movement of the person;
- (j) Using any scheme, plan, or pattern intended to cause the person to believe that if the person did not perform the labor or services, then the person or a friend or a member of the person's family would suffer serious harm, serious financial loss, or physical restraint; or
- (k) Using or threatening to use any form of domination, restraint, or control over the person which, given the totality of the circumstances, would have the reasonably foreseeable effect of causing the person to engage in or to remain engaged in the labor or services.

Prostitution is defined in state statute (H.R.S. 712-1200) as:

- (1) A person commits the offense of prostitution if the person:
 - (a) Engages in, or agrees or offers to engage in, sexual conduct with another person in return for a fee; or
 - (b) Pays, agrees to pay, or offers to pay a fee to another to engage in sexual conduct.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
PROSECUTING ATTORNEY



DWIGHT K. NADAMOTO
ACTING FIRST DEPUTY
PROSECUTING ATTORNEY

**THE HONORABLE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON JUDICIARY
Thirtieth State Legislature
Regular Session of 2019
State of Hawai'i**

February 11, 2019

RE: H.B. 485; RELATING TO HUMAN TRAFFICKING.

Chair Lee, Vice-Chair San Buenaventura, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in support of H.B. 485.

The purpose of H.B. 485 is to allow the State Commission on the Status of Women to establish a statewide training program which would be implemented to assist criminal justice personnel on better understanding of our state human trafficking laws. The Department supports the proposed creation of a statewide program to assist law enforcement and court personnel with training and best practices, as it is consistent with the Department's ongoing support for continuing education on human trafficking. By allowing the commission to coordinate training, H.B. 485 could provide a unique bridge between various agencies and create a valuable network to ensure expeditious coordination in identifying, investigating and adjudicating human trafficking cases.

For all the reasons above, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of H.B. 485. Thank you for the opportunity to testify on this matter.

Justin F. Kollar
Prosecuting Attorney

Jennifer S. Winn
First Deputy



Rebecca A. Vogt Like
Second Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Lihu'e, Hawai'i 96766
808-241-1888 ~ FAX 808-241-1758
Victim/Witness Program 808-241-1898 or 800-668-5734

**THE HONORABLE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON JUDICIARY
The Thirtieth Legislature
Regular Session of 2019
State of Hawai'i**

February 11, 2019

RE: H.B. 485: RELATING TO HUMAN TRAFFICKING.

Chair Lee, Vice-Chair San Buenaventura, and members of the House Committee on Judiciary, the Office of the Prosecuting Attorney of the County of Kaua'i is in strong support of H.B. 485 – Relating to Human Trafficking. The purpose of this Bill is to require the State Commission on the Status of Women to establish a statewide training program on the state human trafficking laws for criminal justice personnel.

In support of this Bill we note the following:

- Sex trafficking as defined by state and federal law is real and happening in Hawai'i --see *Sex Trafficking in Hawai'i: The Stories of Survivors* (Jan. 2019)
- The majority of sex trafficking survivors and family members surveyed by HSCSW identified a lack of criminal justice personnel who understood the dynamics of sex trafficking and the complexity of childhood sexual abuse, foster care and dating violence (*Id.* at 9);
- The criminal justice system has not been effective in addressing the crime of sex trafficking and has been complicit in allowing and participating in sex trafficking (*Id.*)
- In 2018, Hawai'i received a "C" grade by the national report card on state laws relevant to sex trafficking (Shared Hope, 2018)
- Hawai'i is one of only 12 states that has not enacted laws to require certain public agencies and/or private businesses to receive human trafficking training (NCSL, *Human Trafficking State Laws*, 2018)

- To date, there have been no convictions of sex traffickers under the state's sex trafficking law (2016) although various other state laws have been used to prosecute pimps;
- The training and coordination of state and local government organizations is a critical element of anti-trafficking success and adjudication;
- Training is important for law enforcement and court-based personnel to appropriately respond to human trafficking, better understand and identify human trafficking, communicate more effectively with victims, and build victim-centered processes;
- Washington state passed a similar measure in 2015, which was instrumental in the development of a cohesive and concerted response to trafficking across the state
- Washington is now one of only ten states to receive an A grade for effective responses to sex trafficking, and was able to raise its score from a C to an A in part due to foundational legislation such as statewide training (Shared Hope, 2018; RCW 43.280.095).

In conclusion, we respectfully ask that your Committee PASS this Bill.

Thank you for this opportunity to testify on this bill.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON JUDICIARY

Rep. Chris Lee, Chair

Rep. Joy SanBuenaventura, Vice Chair

Monday, February 11, 2019

2:00 pm

Room 325

CONCERNS ABOUT HB 485 - HUMAN TRAFFICKING

Aloha Chair Lee, Vice Chair SanBuenaventura and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for more than two decades. This testimony is respectfully offered on behalf of the families of **ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE** as well as the approximately 5,400 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that more than 1,600 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

HB 485 requires the State Commission on the Status of Women to establish a statewide training program on the state human trafficking laws for criminal justice personnel.

Community Alliance on Prisons has concerns about this measure. We appreciate the good intentions of this bill. Human Trafficking is a heinous crime and Community Alliance on Prisons fully supports and encourages prosecution of people who exploit others through force and coercion for profit.

We also know that accurate, unbiased, and peer-reviewed data is crucial to developing policies and programs that address the slavery known as human trafficking. Unfortunately, this study cannot be replicated, therefore, it is not empirical data.

Our concern is with the state conducting training on such a sensitive and highly-charged issue as human trafficking that is based on bad data.

Hawai'i has been down this road before:

- We brought in the mongoose to combat the rat infestation - OOPS! Different sleep cycles
- We bought into the crack baby hysteria - OOPS! There were many other contributing factors

Out of respect for the victims of trafficking, let's base our training programs on reliable data.

BAD DATA IS WORSE THAN NO DATA:

This bill builds on a study with faulty data co-authored by the Arizona State University's Office of Sex Trafficking Intervention Research and the Hawai'i State Commission on the Status of Women that conflated sex trafficking with prostitution and adults and children. The report was reviewed by scholars in Hawai'i who have researched human sexuality for decades.

The report has been widely criticized by for its flawed methodology and broad assumptions and for conflating sex trafficking with prostitution.

After reviewing the study, two respected Hawai'i researchers, Meda Chesney-Lind, Professor of Women's Studies at UH Manoa and President-Elect of the American Society of Criminology, and Nandita Sharma, Associate Professor of Sociology at UH Manoa wrote an Op-Ed¹ that was published in the Honolulu Star Advertiser. Here are their scholarly opinions based on many years of research:

...The authors report that they received 407 "hits" from Oahu during a one-week period in March, and 206 "hits" from Hawaii island. They then used highly problematic methods (simply multiplying the number of responses to their ad by the number of all ads on the website) to come up with what they describe as an "astronomical" number of men seeking sex on line. Candidly, this methodology makes no sense whatsoever.

That said, their findings do not reveal a demand for prostitution in Hawaii that is surprising, particularly given our location, tourism, and a large military presence. The authors argue their findings indicate "1 in 11 men in Hawaii is an online sex buyer." Actually, in some respects, this number may be close to accurate. Recall that Alfred Kinsey shocked the nation with his 1948 finding that 69% of American men had paid for sex at some time in their life, though a more recent study puts the figure closer to 14%. The 1 in 11 percentage is 9%. So, the researchers' numbers do not seem completely out of line, even as their methodology is flawed (and their study cannot be replicated since the site has been pulled down). Candidly, though, we have long known that there is a robust "demand" for sex work. If there were not, and given all the penalties associated with being a sex worker, we would not have people engaging in it.

It is quite a leap to go from these findings, though, to the author's assumption that "sex trafficking" takes place anytime there is a financial transaction for sex. By representing the men responding to ads in the "women seeking men" personals as potential "traffickers" "bribing women for sex" and "using economics to subvert sexual consent," the report's readers are left with the assumption that advertisements for sex work creates "victims of sex trafficking"

*The report's slippage between "sex advertisements" and "the existence of victim movement and trafficking networks" is problematic. **Numerous researchers, including those working for the US Government Accountability Office, have warned that researchers who equate the existence of sex work with sex trafficking are doing a great disservice to both sex workers and to victims of trafficking.** Sex workers get caught up in police raids searching for "traffickers" while much needed resources to end violence are wasted on moral crusades to change the behaviour of their customers.*

*The authors ignore such cautions and continue to rely on the general horror associated with "sex trafficking" to advance their dubious political goal of eliminating sex work altogether. Their main policy recommendation is to have a "statewide strategy to address sex buying behaviours in Hawaii" that includes having HPD arrest all "sex buyers." **Assuming their own numbers are correct, this amounts***

¹ **Column: Methodology, conclusions of sex-trafficking study flawed**, By Meda Chesney-Lind and Nandita Sharma, October 18, 2018. <http://www.staradvertiser.com/2018/10/18/editorial/island-voices/column-methodology-conclusions-of-sex-trafficking-study-flawed/>

to 9 percent of Hawaii's adult male population. This is an astonishingly bad policy recommendation that is not supported by the evidence provided by the study they authored. Like other criminalization strategies, such actions make the lives of women, men and trans folks engaged in sex work more – less – dangerous, as many sex workers in Hawai'i have themselves attested to in the Honolulu Str Advertiser.

Among those with concerns are:

- Dr. Kimberly Mehlman-Orozco, an accomplished survey methodologist, research scientist, and quantitative & qualitative consultant on issues related to human trafficking;
- Tracy Ryan, executive director of Harm Reduction Hawai'i and an advocate for the decriminalization of prostitution. Ryan's nonprofit helps provide services to vulnerable communities, including survivors of sex trafficking;
- Elizabeth Nolan Brown, an associate editor at Reason magazine; and
- Alivia Leveaux, a Hawaii-based sex worker and co-founder of that state's chapter of the Sex Workers Outreach Project (SWOP).

CONFLATING TRAFFICKING AND PROSTITUTION

Conflating sex work and human trafficking is of great concern to Community Alliance on Prisons as we advocate for marginalized and criminalized individuals and communities along with our partners in the harm reduction community.

Dr. Kimberly Mehlman-Orozco, as well as being an accomplished survey methodologist, research scientist, and quantitative & qualitative consultant on issues related to human trafficking, is a professor of criminology and the author of Hidden in Plain Sight: America's Slaves of the New Millennium, told Front Page Confidential² that she **finds the estimate of Oahu's sex market "absolutely preposterous" and added that the study's conclusions "are not supported by that data."**

Numerous researchers, including those working for the US Government Accountability Office, have warned that researchers who equate the existence of sex work with sex trafficking are doing a great disservice to both sex workers and to victims of trafficking.

Good public policy is based on sound research and it is on that research that legislators, students, researchers, communities, and seasoned advocates rely. That is why it is imperative that documents on any agency website must contain data and information that is accurate and reliable. Since there have been questions about the definitions and laws in another hearing, here are federal and state laws on trafficking and prostitution:

FEDERAL ANTI-TRAFFICKING LAWS

The Trafficking Victims Protection Act (TVPA) of 2000 is the first comprehensive federal law to address trafficking in persons. The law provides a three-pronged approach that includes prevention,

² Arizona State University Study of 'Sex Trafficking' in Hawaii Finds...No Evidence of Sex Trafficking in Hawaii', BY STEPHEN LEMONS ON OCTOBER 15, 2018. <https://frontpageconfidential.com/roe-sepowitz-arizona-sex-trafficking-hawaii-study-debunked/>

protection, and prosecution. The TVPA was reauthorized through the Trafficking Victims Protection Reauthorization Act (TVPRA) of [2003](#), [2005](#), [2008](#), and [2013](#).

Under U.S. federal law, “severe forms of trafficking in persons” includes both sex trafficking and labor trafficking:

Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).

Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).

§ 40.24 Prostitution and commercialized vice.

(2) (b) *Prostitution defined.* The term “prostitution” means engaging in promiscuous sexual intercourse for hire.

DEFINITIONS IN HAWAII REVISED STATUTES:

Human trafficking

§712-1202 Sex trafficking. (1) A person commits the offense of sex trafficking if the person knowingly: (a) Advances prostitution by compelling or inducing a person by force, threat, fraud, or intimidation to engage in prostitution, or profits from such conduct by another; or (b) Advances or profits from prostitution of a minor; provided that with respect to the victim's age, the prosecution shall be required to prove only that the person committing the offense acted negligently.

Prostitution

§712-1200 Prostitution. (1) A person commits the offense of prostitution if the person: (a) Engages in, or agrees or offers to engage in, sexual conduct with another person in return for a fee; or (b) Pays, agrees to pay, or offers to pay a fee to another to engage in sexual conduct.

UNINTENDED CONSEQUENCES

Vigilantes in Hawai`i

A few months after the study was released, [Civil Beat](#) ran a story³ about a new group called Hawai`i Predator Hunters formed by Giovanna Arioli, who works from the Big Island for a bail bond company. The group planned to operate on O`ahu and Hawai`i Island - the two islands in the study. After an incident at Ala Moana Park, the police in Honolulu and on Hawai`i Island responded:

“The group is not affiliated with the Honolulu Police Department, and the department discourages private citizens from pretending to be juveniles in order to communicate with and confront others,” HPD spokeswoman Michelle Yu wrote in an email. *“Anyone with information on suspicious or illegal activity should contact HPD.”*

³ **Sex-Sting Vigilantes Are Trying to Bust ‘Predators’ In Hawaii**, By Terri Langford, November 21, 2018. <https://www.civilbeat.org/2018/11/sex-sting-vigilantes-are-trying-to-bust-predators-in-hawaii/>

Alan Richmond, a spokesman for the Hawaii Police Department agreed, saying that confrontations could lead to a more dangerous situation. *“We do not advocate vigilante justice and recommend that these investigations be left to trained professionals for the safety of all involved,”* he wrote in a statement.

Targeting Multiracial Families

An article in the New York Times⁴ reported a traumatic incident caused by Cindy McCain at the airport:

Ms. McCain, the widow of Senator John McCain, told KTAR News 92.3 FM that she was recently at Sky Harbor International Airport in Phoenix when she saw a scenario that raised a red flag in her mind.

*“I spotted — it looked odd — it was a **woman of a different ethnicity than the child**, this little toddler she had,” Ms. McCain [said in an interview on Monday](#). “Something didn’t click with me. I tell people to trust your gut. I went over to the police and told them what I thought. They went over and questioned her and, by God, she was trafficking that kid.”*

But by midweek, the Phoenix Police Department said no trafficking had occurred — and Ms. McCain had apologized.

When such a sensitive issue is fueled by bad data and fear, everyone in the community is at risk. The incident at the airport with Mrs. McCain is alarming because Hawai`i has so many mixed-race families and the women she reported was Asian with a child who was Asian and African American.

Let’s be thoughtful about unintended consequences before basing training on a faulty study. If the legislature respects and supports individuals who have been victims of this heinous crime, then shouldn’t law enforcement personnel, county prosecutors and other appropriate government attorneys, and court personnel whose caseloads involve state human trafficking laws, the investigation of sex trafficking cases, or the adjudication of sex trafficking cases be consulted first?

It appears that this bill seeks to legitimize a report that has been criticized for its poor methodology and bias by researchers and also by people in the harm reduction community who were never consulted.

We are mindful of the sensitive nature of the issue and the awful trauma of the people who have been trafficked. Community Alliance on Prisons doesn’t want the real issues surrounding human trafficking to be lost in hysteria and fear.

Mahalo for this opportunity to testify and for hearing our concerns about this bill..

Integrity is the essence of everything successful.

R. Buckminster Fuller

⁴ **Cindy McCain Thought She Spotted Human Trafficking. But There Was No Crime, Police Say.** By Sarah Mervosh Feb. 7, 2019. <https://www.nytimes.com/2019/02/07/us/cindy-mccain-human-trafficking.html>

HB-485

Submitted on: 2/8/2019 5:56:28 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	Yes

Comments:

Aloha Representatives,

The LGBT Caucus of the Democratic Party of Hawaii supports the passage of HB 485.

The LGBT Caucus of the Democratic Party of Hawaii supports laws banning sex/human trafficking, while making sure that the laws do not persecute consensual sex workers. We recognize there is a need for education to understand the difference between sex trafficking and consensual sex workers.

Given this position we would request that the bill be amended to ensure the Commission on the Status of Women to acknowledge the difference between sex-trafficking and consensual sex-workers.

Mahalo for your consideration and for the opportunity to testify.

Mahalo,

Michael Golojuch, Jr.
Chair
LGBT Caucus of the Democratic Party of Hawaii



HB 485, RELATING TO HUMAN TRAFFICKING

FEBRUARY 11, 2019 · HOUSE JUDICIARY
COMMITTEE · CHAIR REP. CHRIS LEE

POSITION: Support, with amendments.

RATIONALE: IMUAlliance supports and suggests an amendment for HB 485, relating to human trafficking, which requires the State Commission on the Status of Women to establish a statewide training program on the state human trafficking laws for criminal justice personnel.

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 135 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. Yet, sadly, many of the victims with whom we work are misidentified as so-called "voluntary prostitutes" and are subsequently arrested and incarcerated, with no financial resources from which to pay for their release.

Sex trafficking is a profoundly violent crime. The average age of entry into commercial sexual exploitation in Hawai'i may be as low as 14-years-old, with 60 percent of trafficked children being under the age of 16. Based on regular outreach and monitoring, we estimate that approximately

150 high-risk sex trafficking establishments operate in Hawai'i. In a recent report conducted by the State Commission on the Status of Women, researchers from Arizona State University found that 1 in every 11 adult males living in our state buys sex online. When visitors are also counted, that number worsens to 1 in every 7 men walking the streets of our island home and a daily online sex buyer market of 18,614 for O'ahu and a total sex buyer population for the island of 74,362, including both tourists and residents.

ASU's findings are grim, but not surprising to local organizations that provide services to survivors of sex trafficking. IMUAlliance, for example, has trained volunteers to perform outreach to victims in high-risk locations, like strip clubs, massage parlors, and hostess bars. 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."

Accordingly, we support allowing the State Commission on the Status of Women to coordinate anti-trafficking training for criminal justice personnel. That said, **we urge you to delete the phrase "where possible" from page 1, line 15 of the bill.** Allowing this phrase to remain in the measure fails to ensure that the training program coordinated by the Commission will rely on individuals and organizations with an anti-trafficking policy and victim service experience. Under no circumstances should an individual or organization lacking experience working with victims' complex and overlapping trauma be tasked with training law enforcement in how to handle survivors of this horrible crime.

Executive Director
Adriana Ramelli

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Date: February 11, 2019

To: The Honorable Chris Lee, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
House Committee on Judiciary

From: Justin Murakami, Manager, Prevention Education and Public Policy
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony in Support of H.B. 485
Relating to Human Trafficking

Good afternoon Chair Lee, Vice Chair San Buenaventura, and members of the House Committee on Judiciary:

The Sex Abuse Treatment Center supports H.B. 485. Sex trafficking—the commercial sexual exploitation of a minor or the coercive commercial sexual exploitation of any person—is a form of modern-day slavery, with significant and often lifelong medical, psychological, and social consequences for victims.

While no demographic or socio-economic group is immune, some vulnerable populations are especially at risk of being victimized, including runaway and homeless youth and survivors of sexual assault and domestic violence.

A 2018 study conducted by the Hawai'i State Commission on the Status of Women and Arizona State University's Office of Sex Trafficking Intervention reviewed the experience of nearly two-dozen sex trafficking survivors and their families in Hawai'i.

The study found, in relevant part, that there is a need for criminal justice system personnel to better understand the dynamics of sex trafficking, the complexity of factors that place people at risk for exploitation, and Hawai'i's sex trafficking laws which underwent substantial revision in 2016.

We therefore ask that the Committee please pass H.B. 485, which would require the Hawai'i State Commission on the Status of Women to develop and establish a statewide training program for criminal justice system personnel, with a focus on interdisciplinary, multi-agency coordination, building cultural competency, and developing an understanding of diverse victim populations.

TESTIMONY ON BEHALF OF HARM REDUCTION HAWAII

c/o 1658 Liholiho St #205

Honolulu, HI 96822

February 8, 2019

RE: HB485 to be heard Monday, February 11 in Room 325, at 2:00 PM

OPPOSE

To the members of the House Committee on Judiciary.

Dear Senators:

A large number of professional people believe that much of the stuff circulating on TV, the internet and in sex trafficking awareness presentations is false. Creating a state supported training program which is not fact based will do harm.

1. The role suggested for Khara Jabola-Calolus in this bill, is unacceptable to a long list of professional people and academics who are experienced experts in this field. The criticisms of the "research" she has undertaken with Arizona State University by people such as Meda Chesney-Lind the current president of the American Society of Criminology and long-time chair of the UH Women's Studies program should give legislators pause. We feel that putting Ms. Jabola-Carolus in charge of this process would be a disaster.
2. Trainings should be developed by those of us in harm reduction who have decades of real experience in the problems relating to the sex trades.
3. Agencies such as the Youth Outreach Project, the Hawaii Health and Harm Reduction Center, Kulia Na Mamo, and others who are associated with us are the ones that should be turned to in developing any training. We have known persons who sell sex in many different situations, not just through surveys and interviews, or in situations wherein a victim story is to be rewarded. We have prepared a Best Practices Guide and are willing to meet with legislators. We have made positive connections at HPD and may be working with them on harm reduction trainings. Having to compete with dubious sex trafficking trainings ordered by the state is not helpful.
4. During the past 13 months we have held a major conference discussing these issues with international and local experts. We have invited legislators to meet with and learn from a series of sex workers, some of whom have gone through horrible trafficking experiences. The response from our elected officials has been small. Only about six legislators have bothered to listen to any of this. Ignoring the people best able to advise you on these topics while simultaneously promoting someone we hold in low regard is bad policy.

Aloha



Tracy Ryan

For Harm Reduction Hawaii

Aloha Members of the House Committee on Judiciary,

Pacific Survivor Center is a Honolulu-based nonprofit whose mission is to advance health and human rights in the Hawai'i-Pacific region. For the past decade we have provided comprehensive healthcare services and forensic evaluations for survivors of human rights abuses including sex trafficking, labor trafficking, immigrant domestic violence and torture.

Through our experience, we know that the majority of sex trafficking survivors endure extensive trauma prior to being trafficked, and that they risk being re-victimized and re-traumatized when they encounter criminal justice systems that fail to identify and understand them and the circumstances of their behavior.

Pacific Survivor Center supports the proposed measure HB485 relating to human trafficking that would mandate statewide training on human trafficking laws for all criminal justice personnel in Hawai'i.

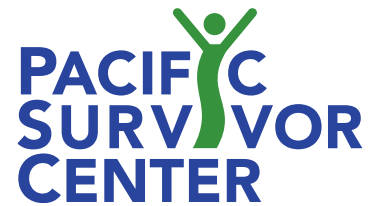
For survivors of sex trafficking, recovery is a long and challenging process. As the findings in the Hawai'i State Commission on the Status of Women's report [Sex Trafficking in Hawai'i: The Stories of Survivors](#) indicate, the lack of resources dedicated to training public agencies including law enforcement and court-based personnel has adversely affected the rate of identification, treatment, and recovery for survivors. Many of our patients had multiple interactions with law enforcement, criminal justice, or healthcare providers before they were correctly identified as victim of sex trafficking and provided with needed services.

Training is essential to ensuring our criminal justice personnel understand the complicated dynamics of sex trafficking. It is also essential to ensuring that personnel respond appropriately and can build victim-centered, trauma-informed processes that ensure victims' recovery while bringing justice and ultimately criminal convictions to perpetrators/traffickers.

Pacific Survivor Center is committed to educating both professionals and the public about the realities of sex trafficking in Hawai'i. We have conducted and trained over 1,000 medical, legal and law enforcement personnel and created a Sex Trafficking Outreach and Prevention Program (STOPP) to educate and empower youth and prevent exploitation before it happens. We have seen firsthand the positive impact that training has on identifying and responding appropriately to sex trafficking in our state, and we support initiatives to increase awareness.

On behalf of Pacific Survivor Center, I thank you again for the opportunity to submit testimony and **reiterate our support for HB485** mandating statewide training on human trafficking for criminal justice personnel in Hawai'i.

Sincerely,
Pacific Survivor Center



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Pacific Survivor Center

 P.O. Box 3535

Honolulu, Hawaii 96811

 info@pschawaii.org

 www.pschawaii.org

The Pacific Survivor Center is a Hawaii nonprofit, tax-exempt charitable organization under Section 501(c)(3) of the Internal Revenue Code. Donations are tax-deductible as allowed by law. Federal Tax EIN 27-2936413



Hawaii Women's Coalition

COMMITTEE ON JUDICIARY

Rep. Chris Lee, Chair

Rep. Joy A. San Buenaventura, Vice Chair

DATE: Monday, February 11, 2019

TIME: 2:00pm

PLACE: Conference Room 325

SUPPORT FOR HB485 for a statewide training program on sex trafficking laws

Aloha Chair Lee, Vice Chair San Buenaventura and members,

The Coalition is in support of this bill to train criminal justice personnel on the laws concerning human trafficking in our state. Trafficking in Hawaii is a widespread problem and includes vulnerable children in supposedly safe schools like Mililani and Moanalua High School.

We recognize the courageous step that the Hawaii State Commission on the Status of Women has taken by proposing that the Commission establish such a needed, albeit ambitious, program. We hope that should this bill be enacted into law, that The Commission will be provided with additional resources to accomplish the task.

Please pass this bill. Mahalo for the opportunity to testify,

Ann S. Freed
Co-Chair, Hawaii Women's Coalition

Please pass this important bill out of committee.

Mahalo for the opportunity to testify,
Ann S. Freed Co-Chair, Hawai'i Women's Coalition
Contact: annsfreed@gmail.com Phone: 808-623-5676



HO'OLA NĀ PUA

*Renewal for trafficked kids through Health,
Education, Advocacy, and Reintegration.*

Testimony on behalf of
Ho'ola Na Pua
Jessica Munoz, President & Founder

Prepared for the Senate Committee on Judiciary
Monday, February 11, 2019 at 2:00 p.m.

Dear Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

Ho'ola Na Pua supports HB485. HB485 would mandate statewide training on human trafficking laws for all criminal justice personnel in Hawaii. As advocates working around the anti-trafficking sector for several years, we cannot emphasize enough the importance of a coordinated statewide initiative around training for law enforcement personnel. Law enforcement has a pivotal role in both the identification of victims but also in the garnering of evidence to build cases for successful prosecutions. Having adequate training around the crime of trafficking and understanding the uniqueness of the victims who have been exploited is essential. Across the country, training of law enforcement has proven to be beneficial for the safety of the communities that they serve. We have seen the effect of education and training as you evaluate the progress made in the areas of domestic violence and child abuse identification and response. Ensuring that all law enforcement personnel are adequately trained will help in increasing the identification of those who have been victimized and will empower effective intervention.

Trafficking happens across our islands every-day. In a recent study conducted by the Commission along with Arizona State University- Sex trafficking intervention research division demonstrated that trafficking is not a new crime and that victims often have several encounters with law enforcement that do not always lead to intervention.¹ Nearly two dozen sex trafficking survivors and families of survivors reported deficiencies that included a lack of criminal justice personnel understanding the dynamics of sex trafficking and the complexity of childhood sexual abuse, foster care, and dating violence. We cannot discount the voices of those who have been victimized and need to heed the urgency that a coordinated islands wide effort around increasing identification and education for those tasked with intervening be brought to the forefront of the efforts in curtailing trafficking in Hawaii and building victim centered responses. Hawai'i is one

¹ (Dominique Roe-Sepowitz & Khara Jobola-Carolua, 2019)(<https://humanservices.hawaii.gov/wp-content/uploads/2019/01/Executive-Summary-Part-II-Sex-Trafficking-in-Hawaii-.pdf>)

of only 12 states that have not enacted laws to require certain public agencies and/or private businesses to receive human trafficking training. Washington state passed a similar measure in 2015, which was instrumental in the development of a cohesive and concerted response to trafficking across the state.

While there may be certain sectors of law enforcement that have been trained, ensuring all law enforcement is trained is a key factor in successful intervention and response. Victims can present in a variety of ways and not always to the one specialized unit that has been assigned to working around trafficking and has received training. As a community-based organization that has provided trainings for law enforcement and judiciary personnel for several years around the islands, we very much support the need for mandated training so that all our law enforcement serving our community receives the same training around trafficking in accordance with the ever-increasing catalog of best practices.

Mahalo,

A handwritten signature in black ink that reads "Jessica Munoz". The signature is written in a cursive, flowing style.

Jessica Munoz
MSN, APRN-RX, FNP-BC
President | Founder

HB-485

Submitted on: 2/10/2019 1:58:51 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-485

Submitted on: 2/9/2019 2:30:27 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Darlene Ewan	Aloha State Association of the Deaf	Support	No

Comments:

HB-485

Submitted on: 2/9/2019 3:17:28 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Doris Segal Matsunaga	Save Medicaid Hawaii	Support	No

Comments:

HB-485

Submitted on: 2/9/2019 8:01:35 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	AAUW of Hawaii	Support	No

Comments:

Dear Chair Lee, Vice Chair San Buenaventura, and members of Judiciary Committee,

Thank you for this opportunity to submit a testimony in support of HB485 which would mandate statewide training on human trafficking laws for all criminal justice personnel in Hawaii.

Washington state passed a similar measure in 2015, which was instrumental in the development of a cohesive and concerted response to trafficking across the state. Hawaii unfortunately is one of only 12 states which doesn't require public agencies and/or private businesses to receive human trafficking according to NCSL's [Human Trafficking State Laws](#). Hawaii can do better.

Please pass this bill and thank you for taking time to read this testimony.

LATE

HB-485

Submitted on: 2/11/2019 12:04:02 PM
Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorraine Larzabal	Accessing Freedom	Support	No

Comments:

I support the training of law enforcement to learn how to recognize prostitutes who are **victims** of sex trafficking.

HB-485

Submitted on: 2/9/2019 5:42:54 AM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Quartero	Individual	Oppose	Yes

Comments:

Aloha Kakou,

Although I support the intent of HB485, I oppose HB485 as written because absent the contributions and responsibilities of families being shared with the COMMISSION ON FATHERHOOD as well as with the COMMISSION ON THE STATUS OF WOMEN, HB485 is misrepresenting the highest esteem of accountability by attaching responsibility to gender specific instead of gender equity and is therefore reflecting a 'sexist' point of view with standing prejudice remaining.

Regards,

Robert Quartero

HB-485

Submitted on: 2/8/2019 7:22:35 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nandita Sharma	Individual	Oppose	No

Comments:

I strongly oppose this bill. I am a professor of sociology at UH Manoa and have researched and worked with migrant women for twenty-five years. Specifically, I have researched and published in the area of sex trafficking in reputable, peer-reviewed journals, including the official journal of the National Women's Studies Association. Both the positions taken on sex-traffickign by Khara Jabola-Carolus on behalf of the Hawaii State Commission on the Status of Women, as well as the shoddy research methods employed in the study that underpins the rationale for this bill are, in my opinion, objectionable. In addition to the very poor methodology utilized by that co-authored study, it makes the very grave error of conflating trafficking with sex work (or prostitution). Research over the decades has shown that this creates further harm and endangers women and children, rather than assisting them. If you feel that training of the sort recommended by this Bill is in fact necessary, I strongly recommend that you amend this bill to the Hawaii State Department of Health or another neutral entity, develop such trainings along with local harm reduction agencies. This would ensure that sex trafficking issues are addressed as part of a broader context of harm reduction.

HB-485

Submitted on: 2/9/2019 2:29:08 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Darlene Ewan	Individual	Support	No

Comments:

Robert H. Pantell, MD
706 Kaimalino Street
Kailua, HI 96734

February 10, 2019

Representative
Representative
Committee on

Re: HB 485

As a physician with more than 40 years experience with adolescents I **strongly support HB 485.**

Sex trafficking is estimated to impact over 200,000 adolescents nationally. Recent data collection efforts indicate the seriousness of the problem in Hawai'i with estimates in the hundreds of underage girls.

I have personally cared for a number of sex-trafficked girls and their families as well as encountered many more suspected of being trafficked or at high risk. In addition, I have worked with several graduate students at the UH Manoa School of Nursing to develop educational programs about sex trafficking targeting physicians and nurses working in Emergency Departments. From these experiences, I have learned first hand about the gaps in knowledge of professionals caring for adolescents. Many opportunities for addressing this problem are being missed

Th work proposed by this important bill will clearly enhance our abilities to identify and help youth ensnared in sex trafficking. Please vote yes in support.

HB-485

Submitted on: 2/10/2019 10:41:40 AM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lindsay Terkelsen	Individual	Support	No

Comments:

Support this bill, because the criminal justice system has not been effective in addressing the crime of sex trafficking and has been complicit in allowing and participating in sex trafficking. Because the training and coordination of state and local government organizations is a critical element of anti-trafficking success and adjudication. Training is important for law enforcement and court-based personnel to appropriately respond to human trafficking, better understand and identify human trafficking, communicate more effectively with victims, and build victim-centered processes.

HB-485

Submitted on: 2/10/2019 3:06:23 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
chelsea pang	Individual	Support	No

Comments:

HB-485

Submitted on: 2/10/2019 4:31:59 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Support	No

Comments:

HB-485

Submitted on: 2/10/2019 11:51:49 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Support	No

Comments:

Hello,

I'm writing in STRONG SUPPORT of this bill. Sex traffickers should be held more accountable to their actions including prison time.

Please support this bill.

Sincerely,

Nanea Lo

HB-485

Submitted on: 2/10/2019 10:14:56 PM

Testimony for JUD on 2/11/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melody Stone	Individual	Support	No

Comments:

It is critical that public servants and state workers receive proper training in order to effectively intervene and fight human trafficking. I support this bill because it would mandate training and support the use of proper protocols when working with potential trafficking situations.

sanbuenaventura2 - Kevin

From: Laura Roberts <dreamoutloud@mail.com>
Sent: Monday, February 11, 2019 4:04 PM
To: JUDtestimony
Subject: testimony

Aloha,

I support bill HB486 as many sex trafficking victims are misidentified by officials. This bill will help these persons to hopefully gain employment and start a new life if they are able to get out of a bad situation.

I also support bill HB485 . As you are aware, a large percentage of residents on the Islands here are not even aware that we have human trafficking issues here. It is so important that we receive training to help this issue. Especially criminal justice and law enforcement. Please prioritize the training!

Thank you,

Sincerely, Laura Roberts

From: Tammy Bitanga <tammy.bitanga@hoolanapua.org>
Sent: Monday, February 11, 2019 11:29 AM
To: JUDtestimony
Subject: HB486 In Support

I, Tamara Bitanga, am in support of HB486 because: Sex trafficking victims can be and are misidentified by law enforcement. Often trafficking victims face significant barriers to disclosing their victimization to legal authorities and in seeking support. Many victims are not willing or able to disclose or prove they are trafficked due to fear of retaliation, language barriers, fear of law enforcement, emotional manipulation, no access to their legal documents and family connections with their trafficker. A criminal record poses an additional barrier to successful exit and transition into above-ground employment, and a life free of stigma. This measure would also help to bring about substantial cultural reform, as it would send a strong message that a person's participation in prostitution is often complex and should not bar access to resources, safety and compassion.

According to Hawaii State Commission on the Status of Women's Recent Report:

- 50% of Hawaii sex trafficking survivors were diagnosed with PTSD
- 80% of those initiated into the sex trade by a trafficker prostituted without a trafficker, i.e., engaged in "prostitution." at later points
- The average number of attempts to successfully exit the sex trade was 5.8
- At least 1 of 15 sex trafficking victims interviewed in *The Stories of Survivors* was arrested for prostitution;

Tammy Bitanga
Advocate, Peer Support Specialist
tammy.bitanga@hoolanapua.org
808.221.0015
www.hoolanapua.org
Facebook: www.facebook.com/hoolanapua
Twitter & Instagram: @hoolanapua
smile.amazon.com & choose Ho'ōla Nā Pua.



sanbuenaventura2 - Kevin

From: Tammy Bitanga <tammy.bitanga@hoolanapua.org>
Sent: Monday, February 11, 2019 11:12 AM
To: JUDtestimony
Subject: HB485 In Support
Attachments: HB485.docx

Re: Statewide Human Trafficking Training

I, Tammy Bitanga am in support of HB485 because I believe it is important for all law enforcement and court-based personnel to better understand and identify human trafficking and to be able to communicate more effectively with victims and build victim-centered processes, so with mandated statewide training, I believe victims and survivors will be better served. I would like to see more state and local government organizations receive training to assist in the anti-trafficking success and adjudication process.

Thank you for your consideration.

--

Tammy Bitanga
Advocate, Peer Support Specialist
tammy.bitanga@hoolanapua.org
808.221.0015
www.hoolanapua.org
Facebook: www.facebook.com/hoolanapua
Twitter & Instagram: @hoolanapua
smile.amazon.com & choose Ho'ōla Nā Pua.



sanbuenaventura2 - Kevin

From: E. Ignacio <ainapono@gmail.com>
Sent: Monday, February 11, 2019 9:32 AM
To: JUDtestimony
Subject: Support HB

I am in support for HB 485 and 486.

E. Ignacio Neumiller
Kauai Committee on the Status of Women

sanbuenaventura2 - Kevin

From: Richard Jay Aglugub <rjma@hawaii.edu>
Sent: Sunday, February 10, 2019 1:21 PM
To: JUDtestimony; Rep. Chris Lee
Subject: HB485 &HB486 Testimony IN SUPPORT

Dear Representative Lee and the House Judiciary Committee,

I am writing you as a student advocate concerned about sex trafficking in Hawai'i. I write you today to respectfully request that you support HB485, which would mandate critical human trafficking training for all criminal justice personnel, and HB486, which would allow for sex trafficking survivors to vacate certain convictions of prostitution offenses.

Survivors of sex trafficking are not criminals. However, sex trafficking victims can be and are often misidentified by law enforcement. In a recent report by the Hawaii State Commission on the Status of Women, at least 1 in 15 trafficking victims interviewed were arrested for prostitution. Additionally, it takes victims several attempts to successfully exit the sex trade; a criminal record poses an additional barrier to successful exit. HB485 will alleviate some of their burden.

Survivors deserve trauma-informed care by our criminal justices personnel. Law enforcement are often the first point of contact the sex and labor trafficking victims have with the criminal justice system - it is critical to the safety of victims that these personnel are properly trained on how to help them.

For the reasons above and more, please support HB485 &HB486.

Thank you for your time and consideration,

Richard Jay Aglugub

--

Richard Jay "RJ" Aglugub

Graduate Assistant, Dept. of Educational Administration
University of Hawai'i at Mānoa, College of Education
Wist Hall Rm 220
1776 University Avenue
Honolulu, HI 96822

sanbuenaventura2 - Kevin

From: Yvonne Mahelona <mahelonay@icloud.com>
Sent: Sunday, February 10, 2019 9:47 AM
To: JUDtestimony; Rep. Chris Lee
Subject: Please SUPPORT HB485 + HB486

Welina me kealoha,

Dear Representative Lee and the House Judiciary Committee,

I am writing you as a constituent concerned about sex trafficking in Hawai'i. I write you today to respectfully request that you support HB485, which would mandate critical human trafficking training for all criminal justice personnel, and HB486, which would allow for sex trafficking survivors to vacate certain convictions of prostitution offenses.

Survivors of sex trafficking are not criminals. However, sex trafficking victims can be and are often misidentified by law enforcement. In a recent report by the Hawaii State Commission on the Status of Women, at least 1 in 15 sex trafficking victims interviewed were arrested for prostitution. Additionally, it takes victims several attempts to successfully exit the sex trade; a criminal record poses an additional barrier to successful exit. HB485 will alleviate some of their burden. Survivors deserve trauma-informed care by our criminal justice personnel. Law enforcement are often the first point of contact that sex and labor trafficking victims have with the criminal justice system - it is critical to the safety of victims that these personnel are properly trained on how to help them.

Mahalo nunui,
Yvonne Mahelona
Core member + Organizer - Af3irm Hawai'i
Policy Researcher - HSCSW
[\(808\) 436-3424](tel:8084363424)
[Mahelonay@icloud.com](mailto:mahelonay@icloud.com)
Sent from my iPhone. Please excuse any typo's.

sanbuenaventura2 - Kevin

From: Ashley Galacgac <agalacgac@gmail.com>
Sent: Sunday, February 10, 2019 7:52 AM
To: JUDtestimony; Rep. Chris Lee
Subject: Testimony in Support of Both HB485 and HB486

Dear Representative Lee and the House Judiciary Committee,

I am writing you as a constituent, concerned about sex trafficking in Hawai'i. I respectfully request that you support HB485, which would mandate critical human trafficking training for all criminal justice personnel, and HB486, which would allow for sex trafficking survivors to vacate certain convictions of prostitution offenses.

The entire criminal justice system may play a key role in addressing the violence that sex and labor trafficking causes through training and laws that protect victims. Law enforcement are often the first point of contact that sex and labor trafficking victims have with the criminal justice system. It is critical to the safety of victims that these personnel are properly trained on how to help them. Survivors of sex trafficking are not criminals. However, sex trafficking victims can be and are often misidentified by law enforcement.

In a recent report by the Hawaii State Commission on the Status of Women, at least 1 in 15 sex trafficking victims interviewed were arrested for prostitution. Additionally, it takes victims several attempts to successfully exit the sex trade; a criminal record poses an additional barrier to successful exit. HB485 will alleviate some of their burden. Both measures support survivors who have lived through various difficult experiences. Survivors deserve trauma-informed care by our criminal justice personnel.

Please support HB485 and HB486. Thank you for your time and favorable consideration.

Mahalo,
Ashley Galacgac

sanbuenaventura2 - Kevin

From: Lenny Leo Linsky <leoray34@gmail.com>
Sent: Saturday, February 9, 2019 8:56 PM
To: JUDtestimony
Subject: Please support HB485 & HB486

Dear Representative Lee and the House Judiciary Committee,

I am writing you as an [advocate, constituent, student, attorney, etc] concerned about sex trafficking in Hawai'i. I write you today to respectfully request that you support HB485, which would mandate critical human trafficking training for all criminal justice personnel, and HB486, which would allow for sex trafficking survivors to vacate certain convictions of prostitution offenses.

Survivors of sex trafficking are not criminals. However, sex trafficking victims can be and are often misidentified by law enforcement. In a recent report by the Hawaii State Commission on the Status of Women, at least 1 in 15 sex trafficking victims interviewed were arrested for prostitution. Additionally, it takes victims several attempts to successfully exit the sex trade; a criminal record poses an additional barrier to successful exit. HB485 will alleviate some of their burden. Survivors deserve trauma-informed care by our criminal justice personnel. Law enforcement are often the first point of contact that sex and labor trafficking victims have with the criminal justice system - it is critical to the safety of victims that these personnel are properly trained on how to help them.

For the reasons above and more, please support HB485 & HB486.

Thank you for your time and favorable consideration,

Lenny Linsky

sanbuenaventura2 - Kevin

From: Catherine Ritti <catherine.ritti@gmail.com>
Sent: Saturday, February 9, 2019 4:49 PM
To: JUDtestimony
Subject: HB485 & HB486

Dear House Committee on Judiciary members,

Please consider this my official testimony in support of HB485 & HB486.

Many sex trafficking victims are not identified properly by law enforcement. Because of the complex nature of sex trafficking, many victims do not reveal their victimization to law enforcement out of fear of retribution. Thus, many sex trafficking victims are arrested by law enforcement and criminalized.

It's clear that law enforcement needs thorough training on the complex nature of sex trafficking so that these victims are not criminalized and further stigmatized, making it even more difficult for them to get access to the resources they need.

I urge you to support both of these bills so that criminal justice personnel can be trained thoroughly on how to handle and identify sex trafficking cases and so that victims are not further stigmatized by a criminal record.

Thank you for your time,

Catherine Ritti

sanbuenaventura2 - Kevin

From: mykie ozoa <meozoa@gmail.com>
Sent: Saturday, February 9, 2019 3:56 PM
To: JUDtestimony; Rep. Chris Lee
Subject: HB485 & HB486 - Testimony IN SUPPORT

Dear Representative Lee and the House Judiciary Committee,

I am writing you as a young woman of color, born and raised in Hawai'i, whose life has been directly and indirectly impacted by sex trafficking. I write you today to **respectfully request that you support HB485**, which would require much-needed human trafficking training for all criminal justice personnel, **and HB486**, which would allow for sex trafficking survivors to vacate certain convictions of prostitution offenses.

It is unacceptable that we treat women who have endured the trauma of sex trafficking as criminals. Furthermore, it takes women several attempts to successfully exit the sex trade; a criminal record poses an additional barrier to successful exit and transition into above-ground employment and a life free of stigma. We must take this opportunity to alleviate some of their burden.

It is also unacceptable that we do not require of law enforcement -- those who are most likely to be a point of contact for sex and labor trafficking victims (i.e., in a position to intervene) -- training on how to help and identify victims of trafficking. The report published last month featuring stories of sex trafficking survivors identified the criminal justice system as ineffective in addressing the crime of sex trafficking and complicit in allowing and participating in sex trafficking. This is horrifying and must be addressed immediately.

For the reasons above and more, please **support HB485 & HB486**.

Thank you for your time and consideration,
Mykie E. Menor Ozoa, J.D.