

HAWAII YOUTH SERVICES NETWORK

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Rick Collins, President

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Bay Clinic

Big Brothers Big Sisters of Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

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 Health & Harm

Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care

Systems

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

Parents and Children Together

(PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the

Great Northwest and

Hawaiian Islands

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community

Center

The Catalyst Group

March 20, 2019

Representative Joy San Buenaventura, Chair,
And members of the Committee on Human Services and Homelessness

COMMENTS ON HCR 175/HR 154 REQUESTING THE STATE COMMISSION ON THE STATUS OF WOMEN TO MAINTAIN A DATABASE ON SEX TRAFFICKING OFFENSES.

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, is providing comments on HCR 175/HR 154 Requesting the State Commission on the Status of Women to Maintain a Database on Sex Trafficking Offenses.

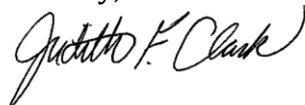
The resolution does not include a definition of sex trafficking. Sex trafficking involves coercion of the victim through threats and intimidation, or physical, emotional, or sexual abuse. The sexual activity of the victim is controlled by another person.

Survival sex is commonly practiced by runaway and homeless youth. It involves trading sexual acts for food, money, or a place to sleep. According to Alike Campbell, program coordinator for Hale Kipa. ““They don't identify it as prostitution. 'Survival sex' is, 'I need a place to stay so I'll hook up with somebody.'”

While runaway and homeless youth are prime targets for recruitment into sexual trafficking, it is important to distinguish between trafficking and survival sex as the needs, issues, and appropriate interventions are different.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director

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 a long, sweeping underline.

Judith F. Clark, MPH
Executive Director



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

H.C.R. NO. 175, REQUESTING THE STATE COMMISSION ON THE STATUS OF WOMEN TO MAINTAIN A DATABASE ON SEX TRAFFICKING OFFENSES.

BEFORE THE:

HOUSE COMMITTEE ON HUMAN SERVICES AND HOMELESSNESS

DATE: Friday, March 22, 2019

TIME: 8:30 a.m.

LOCATION: State Capitol, Room 329

TESTIFIER(S): Clare E. Connors, Attorney General, or
Erin N. Lau, Deputy Attorney General

Chair San Buenaventura and Members of the Committee:

The Department of the Attorney General appreciates the intent of this resolution and provides the following comments.

The purpose of this resolution is to request the Commission on the Status of Women to maintain a sex trafficking database. (Page 2, lines 8-13). Various government entities would be requested to provide the data. (Page 3, lines 17-20). The database will be accessible to all government entities and non-confidential data may be made accessible to the general public as determined appropriate by the administrator of the database. (Page 2, lines 18-22).

The use and disclosure of confidential information may subject the government agencies and the Commission on the Status of Women to civil and criminal penalties for the unauthorized use or disclosure of confidential information, such as personal health information under the Health Information Portability and Accountability Act of 1996, Public Law 104-191. In addition, the limitation on the disclosure of government records to the public may conflict with the Uniform Information Practices Act, chapter 92F, Hawaii Revised Statutes.

To resolve these concerns, we recommend amending paragraph (1) on page 2, at line 18 through line 23, as follows:

- (1) Collect and maintain relevant statewide sex trafficking data; provided that data submission is compliant with the applicable privacy laws governing the source of the data; provided further that all data on the

database shall be made accessible to each governmental entity [~~and non-confidential data may be made accessible to the general public as determined appropriate by the administrator;~~] if disclosure and use is consistent with the privacy laws governing the source of the data; and

We respectfully ask the Committee to amend this resolution with the above recommended recommendations.