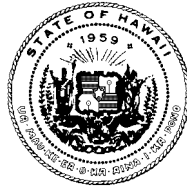


DAVID Y. IGE  
GOVERNOR



PANKAJ BHANOT  
DIRECTOR

CATHY BETTS  
DEPUTY DIRECTOR

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

March 3, 2020

TO: The Honorable Senator Russell E. Ruderman, Chair  
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2062 HD2 - RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN**

Hearing: March 6, 2020, 2:45 p.m.  
Conference Room 016, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports the intent of this bill and offers comments. DHS appreciates the amendments of the House Committees on Human Services & Homelessness and Judiciary.

**PURPOSE:** Establishes a statewide coordinator and program within DHS to address the needs of sexually exploited children. Establishes the commercial sexual exploitation of children steering committee. Requires the steering committees to submit reports to the legislature by July 1, 2021, and July 1, 2022. Appropriates funds. Takes effect 12/31/2059. (HD2)

In 2017, Act 16 was enacted to bring Hawaii law into compliance with the Justice for Victims of Trafficking Act of 2015 and the Child Abuse Prevention and Treatment Act of 2010. Act 16 (2017), amongst other things, amended section 350-1, Hawaii Revised Statutes (HRS), to add "severe forms of trafficking in persons" and "sex trafficking" to Hawaii's definition of "child abuse and neglect."

The DHS protocol is to ensure that sex trafficked children and youth are identified and receive appropriate services and protections; regardless of parental abuse or neglect. DHS has a contracted provider that provides victim centered, trauma- informed comprehensive services that are individualized and responsive to the needs, values, culture and gender identity statewide for minor victims of all forms of human trafficking. The provider also promotes public

awareness of sexual exploitation of children through trainings for the community, for DHS staff, and DHS resource caregivers.

DHS is a member of the Commercial Sexual Exploitation of Children (CSEC) Steering Committee on Oahu. The Judiciary leads the CSEC Steering Committee and the group meets monthly. The steering committee is comprised of members from various state, county, and federal agencies. The purpose of this steering committee is to oversee the coordinated system response to child victims of sex trafficking, to identify, respond, problem-solve, and identify gaps and concerns.

DHS is also a member of the multidisciplinary team, led by the Judiciary's Children's Justice Centers located in each county. DHS participates in these team meetings to discuss coordinated services and case planning for the minor victims of sex trafficking.

The proposed measure will formalize and authorize in state law the necessary and complex work required to address the impacts of commercial sexual exploitation of children in Hawaii and provide coordinated and supportive services to the impacted children and families.

Expanding the DHS CSEC services to include a statewide coordinator on commercial sexual exploitation of children for the proper administration and enforcement of the program will require a sufficient appropriation for additional staff and funds to operationalize the program.

DHS continues its ongoing work to ensure these minor victims are identified and receive appropriate services.

Thank you for the opportunity to provide testimony on this bill.



*The Judiciary, State of Hawai'i*

**Testimony to the Senate Committee on Human Services**

Senator Russell E. Ruderman, Chair

Senator Karl Rhoads, Vice Chair

Friday, March 6, 2020 at 2:45 p.m.  
State Capitol, Conference Room 016

by

Christine E. Kuriyama

Senior Judge, Deputy Chief Judge

Family Court of the First Circuit

WRITTEN TESTIMONY ONLY

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**Bill No. and Title:** House Bill No.2062, H.D.2, Relating to the Sexual Exploitation of Children.

**Purpose:** Establishes a statewide coordinator and program within DHS to address the needs of sexually exploited children. Establishes the commercial sexual exploitation of children steering committee. Requires the steering committees to submit reports to the legislature by July 1, 2021, and July 1, 2022. Appropriates funds. Takes effect 12/31/2059. (HD2)

**Judiciary's Position:**

The Judiciary strongly supports House Bill No. 2062, H.D.2 and appreciates the Legislature's recognition that the commercial sexual exploitation of children is a serious problem here in Hawai'i and throughout the United States.

The Judiciary supports this comprehensive bill for the following reasons:

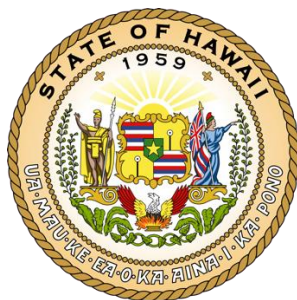
1. **Public Awareness:** this bill facilitates public awareness regarding the sexual exploitation of children.
2. **Data Collection:** this bill will create a system of data collection that will be centralized and available to the legislature and stakeholders to see what areas should be focused on and the bill also will provide feedback as to the efforts to prevent exploitation.
3. **Steering Committee:** a steering committee will be created with important stakeholders so that information may be shared and all efforts be coordinated and focused.



House Bill No. 2062, H.D.2, Relating to the Sexual Exploitation of Children  
Senate Committee on Human Services  
Friday, March 6, 2020 at 2:45 p.m.  
Page 2

4. Crisis Response: prevention of exploitation is important, but equally important is the response when a child is exploited. This bill facilitates an expedited process so that exploited children and their families receive appropriate services immediately.

Thank you for the opportunity to provide testimony on this measure.



‘O kēia ‘ōlelo hō’ike no ke  
**Komikina Kūlana Olakino o Nā Wāhine**

Testimony on behalf of the  
**Hawai‘i State Commission on the Status of Women**

Prepared for the Senate Committee on Human Services

In Support of HB2062 HD1 With Amendments  
Friday, March 6, 2020, at 2:45 p.m. in Room 016

Dear Chair Ruderman, Vice Chair Rhoads, and Honorable Members,

The Hawai‘i State Commission on the Status of Women (HSCSW) **supports** HB2062 HD1 with requested amendments. HB2062 HD1 which would establish within the Department of Human Services a sexually exploited children statewide coordinator and program and a commercial sexual exploitation of children steering committee to address the needs of sexually exploited children in the State. The bill, if passed, would also require the sexually exploited children statewide program and the commercial sexual exploitation of children steering committee to provide annual reports to the Legislature. The bill also establishes within each county a commercial sexual exploitation of children multidisciplinary team to facilitate the sharing of information and to immediately respond to cases of sexually exploited children.

HSCSW is a member of the Commercial Sexual Exploitation of Children (CSEC) Steering Committee, which is led by the Judiciary and composed of members from various state, county, and federal agencies. The purpose of this steering committee is to oversee the coordinated system response to child victims of sex trafficking. HSCSW, in partnership with Arizona State University, has led the State in producing the first body of research on sex trafficking in Hawai‘i.

Sex trafficking, as defined by federal and state law, is real and happening at scale in Hawai‘i. A centralized response structure is necessary to improve the State’s sex trafficking efforts by establishing systemic information collection, for policy guidance, training, legislative reporting, and response and prevention programs.

Sex trafficking is described by Honolulu criminal justice personnel as “sexual assault on steroids” but young adult victims are not being given equal priority or attention in the state’s effort to build a coordinated system response. This month, HSCSW published results from a three-month survey of 97 sex trafficking victims across Hawai‘i. The report found that the average age of first sex trafficking experience was 21 years old, with the oldest victim first trafficked at age 55.<sup>1</sup> Seventy-seven percent of the sex trafficking victims were first sex trafficked after they turned 18 years old.<sup>2</sup>

**Recommendation: Amend the definition of “child” to youth up to age 24**

Efforts to combat sex trafficking of minors and adults are equally critical. The difference between a child victim of sex trafficking and an adult victim of sex trafficking is 60 seconds. The HSCSW requests that HB2062 HD1 be amended to cover sexually exploited youth up to 24-years-old, rather than a narrow focus on children under 18.

The U.S. Department of Health and Human Services has clarified that states are required to consider any child who is identified by a State as a victim of sex trafficking or severe forms of trafficking as a victim of “child abuse and neglect” and “sexual abuse” and provides for a State option to apply the trafficking portion of the definition to a person who has not attained age 24.<sup>3</sup> States such as Minnesota extend its CSEC response and supportive services for youth sex trafficking victims up to age 24.

**The Hawai‘i State Department of Human Services Child Welfare Services already provides child sex trafficking services and responds to cases of youth up to 21-years-old.** Youth up to 21-years-old are served and counted by the State-run child sex trafficking hotline mandated by federal law. In addition, current members of the Commercial Sexual Exploitation of Children Steering Committee, in coordination with social service providers under DHS contract, provide assessment, case management, referral for treatment, service coordination between agencies, counseling and general support to child sex trafficking victims up to age 21.

A recent large-scale victimization survey undertaken by the Hawai‘i State Commission on the Status of Women and Arizona State University in April 2019 revealed that the average age of first trafficking experience was 21.4 years old among cross-sectional clients of a large social service agency serving a wide variety of populations in Hawai‘i.<sup>4</sup> Further, national data has shown that approximately 70% of 18 to 24-year-olds arrested for prostitution (selling) had a trafficker.<sup>5</sup>

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<sup>1</sup> Jabola-Carolus, K. & Roe-Sepowitz, D., *Sex Trafficking Experiences Across Hawaii*, Department of Human Services, Feb. 8, 2020.

<sup>2</sup> *Id.*

<sup>3</sup> U.S. Department of Health and Human Services Administration on Children, Youth and Families, *Information Memorandum: Public Law 114-22, the Justice for Victims of Trafficking Act of 2015*, Jul. 16, 2015.

<sup>4</sup> Jabola-Carolus, K. & Roe-Sepowitz, D., *Sex Trafficking in Hawai‘i Part III: Sex Trafficking Experiences Across Hawai‘i*, Arizona State University, (forthcoming).

<sup>5</sup> Pfeffer, R., *Project 180, a Prostitution Diversion Program: An Assessment of Version 1*, University of Houston, Oct. 2019.

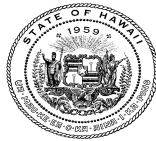
The majority of the commercial sex market is comprised of non-deviant sex-buyers (i.e., those not interested in pre-pubescent or pubescent children) and who are not driven by pathology. Only focusing on commercial sexual exploitation of minors essentially narrows the focus on an age range of 14-17. Even total elimination of the commercial sexual exploitation of all 14 to 17 year-olds would not make a significant dent on trafficking or demand in Hawai‘i.

Similarly, pimps operate in a cost-benefit analysis and trafficking children is higher risk, and higher-criminal culpability. Their interest is making money, so they prey on vulnerabilities not limited to age. Although the average age of entry for minors is around 14 to 16 years-old, the majority do not exit before turning 18. The primary forces that cause sex trafficking victims to be exploited are economic and emotional vulnerabilities, drug addiction, houselessness, dating violence, and poverty –regardless of age.

Accordingly, the Commission respectfully urges the Committee to pass HB2062 HD1 with the proposed amendment.

Sincerely,

Khara Jabola-Carolus



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 03/06/2020  
**Time:** 02:45 PM  
**Location:** 016  
**Committee:** Senate Human Services

**Department:** Education

**Person Testifying:** Dr. Christina M. Kishimoto, Superintendent of Education

**Title of Bill:** HB 2062, HD2 RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN.

**Purpose of Bill:** Establishes a statewide coordinator and program within DHS to address the needs of sexually exploited children. Establishes the commercial sexual exploitation of children steering committee. Requires the steering committees to submit reports to the legislature by July 1, 2021, and July 1, 2022. Appropriates funds. Takes effect 12/31/2059. (HD2)

**Department's Position:**

The Department of Education (Department) supports HB 2062, HD2 as it aligns with the Department's vision and mission that ensures all of Hawaii's children are provided with opportunities that foster health, safety, education, school readiness and success. The Department recognizes the important role of its classrooms and offices often being the place of first alert when a child is being abused and respectfully offers comments.

The Department maintains strong and collaborative inter-agency partnership with our respective child-serving agencies and supports the continuation of membership to the state Commercially Sexually Exploited Children Steering Committee.

The Department utilizes direct support from the Department of Human Services Child Welfare Services unit for questions, consultations and referrals regarding sex trafficking and commercial sexual exploitation of children. We thereby support the establishment of a statewide program and coordinator within the Department of Human Services to address the needs of sexually exploited children as long as it does not affect priorities set by the Department of Human Services.

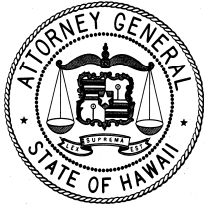
Additionally, the Department supports our law enforcement partners, county prosecutors and community-based partners through the multi-disciplinary team response model. The Department remains committed to its membership to multiple government working groups



including the Commercially Sexually Exploited Children Steering Committee, the Inter-agency Advisory Committee and Sexual Violence Prevention Education Working Group. These groups focus on a collective inter-agency response to the various types of child abuse and the abuse continuum in Hawaii. The Department also remains committed to its partnership with community organizations Ho'ola Na Pua and Susannah Wesley Community Center/Pacific Survivor Center to collectively address sexual exploitation of children in Hawaii.

Thank you for the opportunity to provide testimony on HB 2062, HD2.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at [www.hawaiipublicschools.org](http://www.hawaiipublicschools.org).



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTIETH LEGISLATURE, 2020**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 2062, H.D. 2, RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN.

**BEFORE THE:**

SENATE COMMITTEE ON HUMAN SERVICES

**DATE:** Friday, March 6, 2020

**TIME:** 2:45 p.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** Clare E. Connors, Attorney General, or  
Lynne M. Youmans, Deputy Attorney General

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Chair Ruderman and Members of the Committee:

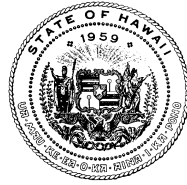
The Department of the Attorney General (Department) supports this bill.

The Attorney General recognizes that the commercial sexual exploitation of children is a serious problem in Hawaii. The Department agrees that the problem requires a coordinated response from government and community partners to be addressed effectively. We support having a Steering Committee with support staff focused on developing and implementing an effective response.

The Department participates in the Oahu based Commercial Sexual Exploitation of Children (CSEC) Committee formed by the Judiciary and co-chaired by the Honorable Karen M. Radius (Ret.) and Catherine Betts, Deputy Director of the Department of Human Services. We welcome the opportunity to continue to provide input and guidance on the formal Steering Committee proposed in this bill.

We strongly support the goals of public awareness, prevention, and appropriate services for survivors of commercial sexual exploitation and encourage the dedication of additional resources focused on these efforts.

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



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB 2062 HD 2**  
**RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN**

SENATOR RUSSELL E. RUDERMAN, CHAIR  
SENATOR KARL RHOADS, VICE CHAIR  
SENATE COMMITTEE ON HUMAN SERVICES

Hearing Date: MARCH 6, 2020

Room Number: ROOM 016

1 **Department Position:** The Department of Health (Department) **SUPPORTS THE INTENT** of  
2 this measure and offers the following **COMMENTS AND SUGGESTED AMENDMENTS.**

3 **Department Testimony:** The subject matter of this measure falls within the scope of the  
4 Department's Behavioral Health Administration (BHA) whose statutory mandate is to assure a  
5 comprehensive statewide behavioral health care system by leveraging and coordinating public,  
6 private and community resources. Through the BHA, the Department is committed to carrying  
7 out this mandate by reducing silos, ensuring behavioral health care is readily accessible, and  
8 person centered. The BHA's, Child and Adolescent Mental Health Division (CAMHD) provides  
9 the following testimony on behalf of the Department.

10 The Department of Health (DOH) supports the intent of this bill and offers comments.

11 The state can be proud of the tremendous effort put forth by multiple agencies and stake holders  
12 in the initial development of a systemic response to commercially sexually exploited children.  
13 This effort requires the interfacing of policy makers, law enforcement, state agencies, treatment  
14 providers, private entities and the public at large to develop this comprehensive system response.  
15 By establishing a dedicated statewide coordinator and developing a formalized infrastructure,  
16 these efforts can be furthered by increasing awareness, gathering reliable data, providing  
17 prevention, screening and identification services, increasing prosecution, developing appropriate  
18 treatments, monitoring progress, training relevant partners and educating the public.

1 **Offered Amendments:** The Department of Health recommends that the Statewide Coordinator  
2 should serve as a member of the Hawaii Statewide Interagency Youth Network of Care (HI-  
3 SYNC) group. The HI-SYNC is similar in composition to the steering committee suggested in  
4 this bill, and is comprised of multiple child serving agencies as well as the regional area working  
5 groups called Hawaii Local Youth Network of Care (HI-LYNC).

6 **Fiscal Implications:** The Department of Health defers to the Department of Human Services on  
7 fiscal matters pertaining to this bill.

8 Thank you for the opportunity to provide testimony on this bill.



**HB2062 HD2**  
**RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN**  
Senate Committee on Human Services

March 6, 2020

2:45 p.m.

Room 016

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on HB2062 HD2, which would establish state- and county-level positions, programs, and advisory bodies to address the needs of sexually exploited children, including a multi-agency steering committee to explore and develop comprehensive strategies to address the commercial sexual exploitation of children across the state. OHA appreciates the intent of this measure to address an issue that may be disproportionately impacting the Native Hawaiian community, and offers the following information and recommended amendment for the Committee's consideration.

Recent data indicate that Native Hawaiian women and girls may be disproportionately represented among victims of sex trafficking and sexual exploitation.<sup>1</sup> Most recently, the Hawai'i Commission on the Status of Women, in partnership with Arizona State University and Child and Family Services, published the third part of a multi-part report examining sex trafficking in Hawai'i; although the survey underlying this most recent publication relies on a limited sample of 363 willing participants, nearly 27% of participants surveyed were identified as having been sexually trafficked, with 64% of these trafficking victims identifying as Native Hawaiian.<sup>2</sup> Alarming, 23% of the trafficking victims were first trafficked before age of 18.<sup>3</sup>

This recent report also comports with other data further demonstrating the high risk for sexual victimization within the Native Hawaiian community. For example, the Sex Abuse Treatment Center has indicated that, between 2001 and 2010, Native Hawaiians represented the largest ethnic group among their intake of sex abuse victims.<sup>4</sup> Further, a more recent OHA study also revealed that Native Hawaiian girls are vastly overrepresented among juvenile runaways,<sup>5</sup> and data show that one third of runaway youth will be approached for sexual services within 48 hours of being on the street.<sup>6</sup> In addition to—and perhaps partially due to—land dispossession, exposure to sexual violence, hypersexualization, incarceration, cultural dislocation, intergenerational trauma, mental and emotional distress, racism, poverty, and ongoing

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<sup>1</sup> ARIZONA STATE UNIVERSITY OFFICE OF SEX TRAFFICKING INTERVENTION & THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN, SEX TRAFFICKING IN HAWAII PART III: SEX TRAFFICKING EXPERIENCES ACROSS HAWAII 5 (2020).

<sup>2</sup> *Id.* at 4.

<sup>3</sup> *Id.*

<sup>4</sup> DAWNA NELSON, EVELYN YANAGIDA & CAROL PLUMMER SEXUAL ASSAULT VICTIMS IN HONOLULU: A 2001-2010 STATISTICAL PROFILE 24 (2012).

<sup>5</sup> OFFICE OF HAWAIIAN AFFAIRS, HAUMEA: TRANSFORMING THE HEALTH OF NATIVE HAWAIIAN WOMEN AND EMPOWERING WĀHINE WELL-BEING 74 (2018).

<sup>6</sup> Ho'ōla nā Pua, Re/imagine: A Capital Campaign to Rebuild Pearl Haven, <https://hoolanapua.org/re-imagine/> (last accessed Mar. 3, 2020).

inequities”<sup>7</sup>—Native Hawaiian youth may therefore be particularly vulnerable to sexual exploitation and abuse.

OHA accordingly greatly appreciates the purpose and intent of this measure, to establish institutional infrastructure that can assess and address the sexual exploitation of our keiki.

Given the potential impacts of sexual exploitation on Native Hawaiian youth and the Native Hawaiian community, including the potentially disproportionate number of wāhine and kaikamahine who may be subjected to sex trafficking and sexual exploitation, should the Committee choose to move this measure forward, OHA respectfully recommends inserting the following language after page 7, line 21, to better ensure that the concerns and needs of the Native Hawaiian community are appropriately assessed and addressed:

(20) The administrator of the office of Hawaiian Affairs or the administrator’s designee.

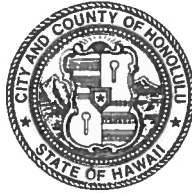
Mahalo piha for the opportunity to testify on this important measure.

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<sup>7</sup> ARIZONA STATE UNIVERSITY OFFICE OF SEX TRAFFICKING INTERVENTION & THE HAWAI’I STATE COMMISSION ON THE STATUS OF WOMEN, SEX TRAFFICKING IN HAWAI’I PART II THE STORIES OF SURVIVORS 9 (2019).

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK CALDWELL  
MAYOR

SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
CLYDE K. HO  
DEPUTY CHIEFS

OUR REFERENCE PJ-LS

March 6, 2020

The Honorable Russell E. Ruderman, Chair  
and Members  
Committee on Human Services  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 016  
Honolulu, Hawaii 96813

Dear Chair Ruderman and Members:

SUBJECT: House Bill No. 2062, H.D. 2, Relating to the Sexual Exploitation of Children

I am Acting Major Phillip Johnson of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2062, H.D. 2, Relating to the Sexual Exploitation of Children.

This bill, in part, seeks to establish a sexually exploited children statewide coordinator and program within the Department of Human Services, as well as a steering committee and a commercial sexual exploitation of children multidisciplinary team within each county to facilitate the sharing of information and to immediately respond to cases of sexually exploited children. The HPD supports these efforts and believes that sharing information and coordinating efforts among service providers and law enforcement is paramount in the rescue of a most vulnerable population, our keiki.

The HPD urges you to support House Bill No. 2062, H.D. 2, Relating to the Sexual Exploitation of Children, and thanks you for the opportunity to testify.

APPROVED:

A handwritten signature in cursive script that reads "Susan Ballard".

Susan Ballard  
Chief of Police

Sincerely,

A handwritten signature in cursive script that reads "Phillip Johnson".

Phillip Johnson, Acting Major  
Narcotics/Vice Division

**HB-2062-HD-2**

Submitted on: 3/4/2020 6:18:01 AM

Testimony for HMS on 3/6/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Testifying for aauw of hawaii	Support	No

Comments:





# Hawai'i Psychological Association

## *For a Healthy Hawai'i*

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P.O. Box 833  
Honolulu, HI 96808

[www.hawaiiipsychology.org](http://www.hawaiiipsychology.org)

Phone: (808) 521-8995

COMMITTEE ON HUMAN SERVICES  
Senator Russell E. Ruderman, Chair  
Senator Karl Rhoads, Vice Chair

Friday, March 6, 2020, 2:45 pm  
Conference Room 016

Testimony in SUPPORT of HB2062 HD2

The Hawai'i Psychological Association (HPA) supports House Bill 2062 HD2, which establishes within the Department of Human Services a sexually exploited children statewide coordinator and program and a commercial sexual exploitation of children steering committee to address the needs of sexually exploited children in the State.

Over the past decade, there has been an increasing international awareness of the commercial sexual exploitation of children. Children in the state of Hawaii are vulnerable to sex trafficking and commercial sexual exploitation, especially foster children and runaways with histories of abuse. A statewide program to coordinate services and promote public awareness of sexual exploitation of children, available services for children, and state and national hotlines for victims and witnesses would significantly protect children in the state of Hawaii from sexual exploitation.

HB2062 HD2 will provide funding and structure for coordinating services and increasing public awareness about the sexual exploitation of children in the state of Hawaii.

Thank you for this opportunity to offer testimony in support of HB2062 HD2.

Respectfully submitted,

Julie Takishima-Lacasa, PhD, President  
Chair, Legislative Action Committee  
Hawai'i Psychological Association

TESTIMONY ON BEHALF OF  
HARM REDUCTION HAWAII  
c/o 1658 Liholiho St #205  
Honolulu, HI 96822

March 5, 2020

RE: HB2602 to be heard Friday March 6, in Room 016 at 2:45 PM  
To the members of the Senate Committee on Human Services

**OPPOSE**

Dear Representatives:

Harm Reduction Hawaii is a support organization promoting harm reduction approaches in social services. Many agencies, both government and private, are engaged in harm reduction and active in our coalition. Why our decades of experience and expertise in these very matters is not solicited and included in this plan poses a major problem.

The legislation suffers from 1. Lack of community involvement 2. Lack of understanding of the issues involved 3. No coherent plan to gather and evaluate information in an appropriate manner 4. Duplication with ongoing efforts 5. Repeating bad structure that has failed in the past, and 6. Concentrating power at DHS.

Problem #1. The community of agencies that I work with in harm reduction include the most experienced and expert people in the state in the very areas that these bills purport to address. Not only have none of these people been asked for their ideas in proposing legislation, none of them are included on the steering committee. Nor are agencies working specifically with trafficking victims such as Ho'ola Na Pua and Susannah Wesley. Nor are academic leaders such as Professor Chesney-Lind and others.

Problem #2. Lack of understanding of the issues involved. It seems to me that this bill has a limited understanding of the issues involving minors in the sex trades. Political language rather than neutral language is used. Conclusions are made. Detailed responses of creating multi-disciplinary task forces, etc. are put into statute, before the committee has even begun their work.

Problem #3. Lack of a plan to gather information. You shouldn't rely on data collected that is not done in accordance with proper social science methodology. You shouldn't draw conclusions that are not supported by data. Politics, anti-prostitution biases, or over focus on a small and not representative subgroup of a population to be studied will leave you without essential knowledge. Giving funds to our own university to ensure we have good data is the best step I can think of.

Problem #4. Duplication with ongoing efforts. DHS is already involved with a Commercial Sexual Exploitation of Children (CSEC) steering committee that meets monthly.

Problem #5. Failed prior attempts. Remember the Hawaii Anti-Trafficking Task Force that operated for years under the auspices of the Attorney General's office? Why after all of those meetings and those of the ongoing CSEC committees are there no ideas on how to solve these problems? A committee lacking the most expert people in the state, and with no procedure to educate itself on the issues, is doomed to failure.

Problem #6. Issues with the DHS. The DHS is an organ of the government answerable to its political and funding sources. Aside from potential interference from the executive branch and the appointment of an inappropriate person to the role of statewide coordinator, there is the problem of Federal money. Federal money comes with political strings attached.

Having a statewide coordinator who is acceptable to the three main approaches to this issue (law enforcement, rescue, and harm reduction) is important here. Also important is the need to have tenured academics produce data independent of any political agenda. The budget for four social workers at DHS is premature as there are currently no findings or an outline of what they are to do. Money should be frontloaded to information gathering, ideally through our own state university system. Rather than ignoring all the expertise that currently exists in the community, community members should be invited to participate. That includes membership in any steering committees and appropriate input into the selection of a statewide coordinator. As written this bill is likely to do little good and may undermine and actually harm existing efforts to address these very issues.

Sincerely:

A handwritten signature in black ink, appearing to read 'Tracy Ryan', with a long horizontal flourish extending to the right.

Tracy Ryan



## HB 2062, HD2, RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN

MARCH 6, 2020 · HOUSE HUMAN SERVICES  
COMMITTEE · CHAIR SEN. RUSSELL E. RUDERMAN

**POSITION:** Support.

**RATIONALE:** IMUAlliance supports HB 2062, HD2, relating to the sexual exploitation of children, which establishes a statewide coordinator and program within DHS to address the needs of sexually exploited children, establishes the commercial sexual exploitation of children steering committee, and requires the steering committees to submit reports to the legislature by July 1, 2021, and July 1, 2022.

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 (victim rescue) services to 150 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. 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. At least 23 percent of trafficking victims in Hawai'i report being first exploited before turning 18, according to a recent report, with the average age of trafficked keiki's initial exposure to exploitation being 11. 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 measures to advance our state's ability to crack down on sexual slavery, including this proposal's enhancement of our state's and counties' data collection and information sharing practices. Hawai'i does not currently have a statewide coordinated continuum of care for victims of sex trafficking. In fact, the crime of "sex trafficking" only came into being under Hawai'i law in 2016. State agencies and service providers are currently striving to establish a network of victim services that is responsive to each victim's unique and individual needs. Yet, in our experience as a victim service provider, we have found that state agencies are reluctant to share information with one another about reported cases, typically because of concerns about protecting victim confidentiality, and often fail to appropriately identify victims of sexual exploitation as such, leaving them without access to trauma-informed care and victim services.

In practically every case on which we work, confidentiality is crucial to the effective provision of victim services. If a student at a public school is identified as a victim, information relating to that student is kept in the strictest confidence by Department of Education personnel, law enforcement, and service providers. If a trafficking victim is located at a local massage parlor, we would, again, maintain the strictest standards of confidentiality with regard to the victim's identity, inasmuch as possible, even after the victim's case has been completed. Such concerns should not be an excuse to inhibit the interagency collaboration necessary to assist victims, however, nor should they be a barrier to working with private organizations to rescue and restore survivors of our state's sadly prolific sex trade.

Frankly, as the state's only private provider of direct intervention and outreach services (our advocacy team *literally* meets victims in the places at which they're being trafficked and works to provide a pathway to freedom), we would be willing and able to provide all of the data enumerated in this bill to the Department of Human Services if called upon, as well as a great deal of additional information, including our regularly updated tally of high-risk sex trafficking establishments and case data. **We note that this proposal embraces the experiences of nonprofit service providers, like ourselves, and the victims we serve by including four representatives of nonprofit agencies that provide direct services to sexually exploited children to participate on the steering committee, which we believe is imperative given the critical role that service providers perform each day in uplifting survivors of sexual exploitation.**

Finally, we hope that this measure will catalyze much-needed discussions about reforming internal data collection practices within departments that knowingly or unknowingly serve trafficked children. HDOE, for example, has no comprehensive protocol for handling sexually exploited children identified within the public school system. To close this gap, we are currently training administrators, teachers, counselors, and school-based behavioral health specialists in numerous complex areas in how to create school-level action plans for effectively responding to victims of exploitation. At the same time, we provide a prevention education program in schools to equip students to identify the signs of exploitation and become their own first-responders. The *fewest* number of potential victims about which we have received reports from any school with which we've worked is 12. Two years ago, we received over *three dozen* reports of potential victimization after a *single presentation*. Again, to better systematize our state's service delivery

system for trafficking victims, we must require state agencies to better identify and track victims within the populations for which they're responsible, and better coordinate with one another to ensure that survivors receive the services they need to heal.



**TO: Chair Ruderman, Vice Chair Rhoads, and Members of the Senate Committee on Human Services**

**FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)**

**DATE/LOCATION: March 6, 2020; 2:45 p.m., Conference Room 016**

**RE: TESTIMONY IN SUPPORT OF HB 2062 HD 2 – RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN**

**We support HB 2062 HD 2 which establishes a statewide coordinator and program within DHS to address the needs of sexually exploited children, establishes the commercial sexual exploitation of children steering committee, and requires the steering committees to submit reports to the legislature by July 1, 2021, and July 1, 2022.**

We support this bill which would provide the structure and funding for the coordination of efforts across the state. The crimes of sex trafficking and sexual exploitation of children have been increasing over the past decade. It continues to require a dedicated and concerted effort to adequately address this issue systemically and keep our keiki safe. Statewide coordination of services, resources, and public awareness would strengthen our ability to protect our children. There are many organizations working on the front lines each day who will lend a great deal of expertise to the work of the steering committee and the county multidisciplinary teams. We thank the legislature for recognizing the importance of including direct service providers as members of these teams. We believe that our community will best be served by having a diverse group of members who have knowledge and experience in this area. As a provider on Oahu working with Susannah Wesley Community Center and Hale Kipa on the Trafficking Victims Awareness Program (TVAP), we wholeheartedly understand the critical need to jointly address the issues of trafficking and sexual exploitation of our children in Hawaii. The creation of a state-wide steering committee and county multidisciplinary teams will create a framework for collaboration, information sharing, and effective crisis response that will encourage a coordinated systems approach to addressing the problem.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 15,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 18 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of HB 2062 HD 2**, please contact me at (808) 847-3285 or [rkusumoto@pacthawaii.org](mailto:rkusumoto@pacthawaii.org) if you have any questions.



**HB-2062-HD-2**

Submitted on: 3/3/2020 4:40:11 PM

Testimony for HMS on 3/6/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Quinn	Individual	Support	No

Comments:

**HB-2062-HD-2**

Submitted on: 3/3/2020 6:11:19 PM

Testimony for HMS on 3/6/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marci Lopes	Individual	Support	No

Comments:

**HB-2062-HD-2**

Submitted on: 3/5/2020 11:44:54 AM

Testimony for HMS on 3/6/2020 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nandita Sharma	Individual	Oppose	No

Comments:

Dear Representatives:

I oppose this legislation and ask you to do the same. This legislation is seriously flawed and will only create \*more harm\*.

I am particularly concerned that this is a top-down initiative with no meaningful input on those most affected and those who serve them. There has been no serious attempt to ensure that those of us who have long worked with young people, particularly those in the sex industry were consulted.

Sincerely,

Nandita Sharma, Professor of Sociology

University of Hawaii at Manoa

To: The Honorable Senator Russell Ruderman and Committee on Human Services.

From: Richanda Avilla Berdon.

Subject: HB2062 HD2 - RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN

Hearing: Friday, March 6, 2020, 2:45 pm

Conference Room 016, State Capitol

Position: STRONGLY SUPPORT

Aloha, Senator Rudermen and members,

My name is Richanda Avilla Berdon, I am a BSW student at the Myron B. Thompson School of Social Work at the University of Hawaii at Manoa. I also work part time for Family Programs as a Youth care worker at Hoomalu O Na Kamalii which is a temporary shelter for children, who are involved with the foster care system. I have now worked there for the past 2 ½ years, working there has given me the opportunity of working with children who where potential victims of sex trafficking.

Last year, there was one girl who was found by the police during a sex trafficking raid and was admitted into to the shelter. She ended coming back after the first time because her placement did not work out for her. At the time of her being found by the police she was 15 years old, local and reported missing. During her short stay she ended up feeling comfortable enough with me to share her story. She told me she ran away from home because her parents were out smokin, she got sick of it and dug out. The youth ended up meeting an older “uncle” at a gas station near the area where she lived. This “uncle” asked her if she needed a place to stay, he went on to tell her he had given some other girls a place to stay also who was currently at his house. She agreed to go, she said she felt comfortable because one of the girls she knew was from her school that she used to attend. She mentioned them partying then eventually running out of money and drugs. Which lead to other older man coming to have sex with these girsl for an excahnge of money or drugs. All of these girls were underage at that time, she also mentioned there were 2 other girls there with her. She felt comfortable enough to share her story to the extent that she claimed she was the only one who was not having sexual intercourse with these older men. This could have been true, but it could also be that she felt uncomfortable sharing with me her entire truth, her entire story. Fast forward to three months later, I went to the Honolulu courthouse, where I saw the same girl along with three other teenage girls who were all admitted into the shelter earlier in the year with their photos on the missing wall. I was beyond shocked. Not one but four girls reported missing!

Working at the shelter has been an eye opening experience in my own personal life as well, I have a cousin who used to work at a “massage parlor” in Waikiki. She was in her early twenties at the time but started off as a teenager. She had a criminal record by the time she was 18. My cousin was introduced into that lifestyle by her “boyfriend.” As a teen I would go with her sister to meet her at her job to get money. I remember this one incident where an older woman who operated the business approached me. She asked me my age, which was 15 at the time. She then proceeded to ask me if I wanted to work and make lots of money. My cousin overheard and went off. I felt at that moment my cousin loved me enough to save me from a life that she had wished she never had been apart of. My cousin never had the resources to get out, the cops weren't going to help her. She couldn't talk to her family, she felt out of place. When people found out in our town found out she was called a whore, she felt like no one understood her. I could even imagine her even feeling hopeless which is probably what led her deeper into a lifestyle of crime. I never really understood what happened to my cousin or why she lived the way she did. But now I understand that if my cousin had the proper resources then maybe her life would've turned out differently.

The shelter that I am currently employed at is a shelter for children who are involved in foster care. This shelter is also unique because it's a shelter that keeps siblings together. In my opinion these girls don't belong in a shelter for foster children that keep siblings together. There needs to be resources or services available to this specific population of children. These children will need help to deal with and to heal from the trauma they endured. Some of them will be captured for years before getting help any type of help, some may even be labeled as a criminal before then.

This bill is important because the bill not only requires a program that will educate the community and the professionals in our community working with this particular population. It also “requires the sexually exploited children statewide program and the commercial sexual exploitation of children steering committee to provide annual reports to the Legislature.” The program and statistics will shed light unto a growing problem happening in our communities. It could possibly encourage more victims to come forward and get the help they need from professionals who understand what they might need.

I strongly believe bill HB2062 HD2 - RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN will be the beginning of vital resources available to this population. This has been a growing problem here in Hawaii and will continue if there is no resources available to girls like my cousin and many others children here on the islands.

Mahalo for the opportunity to share my testimony,

Richanda Avilla Berdon

March 05, 2020

TO: Senator Russell E. Ruderman, Chair  
Senator Karl Rhoads, Vice Chair  
Members of the Committee on Human Services

FROM: Rayna Arkangel

RE: HB2062 HD2 Relating to the Sexual Exploitation of Children – **SUPPORT**

March 06, 2020 2:45pm Conference Room 016

To whom it may concern:

I understand that the committee(s) on HMS has scheduled a public hearing on 03-06-20 2:45PM in conference room 016 to discuss HB2062 HD2 relating to the sexual exploitation of children. I am writing in support of the bill.

I am an MSW student with UH Manoa, Myron B. Thompson School of Social Work and I also work with youth and adolescents as a Mental Health Care Coordinator for the State of Hawai'i, Department of Health, Child and Adolescent Mental Health Division. I support this bill because it applies to my field of work and is much needed in our community to adequately serve the population that I work with. I run into various issues on a daily basis in regard to sex trafficking and commercial sexual exploitation of the youth that I work with, which only exacerbates their already fragile mental health state. In order to adequately serve these children who have been sexually exploited, a statewide coordinator and steering committee are needed to develop and utilize comprehensive interagency case management strategies, protocols, and a multi-disciplinary system response to cases that are both victim-centered and offender-focused. For these reasons, I support HB2062 HD2.

Mahalo for your time and consideration,  
Rayna Arkangel  
Big Island of Hawai'i

Chair Ruderman, Vice Chair Rhoads, and Members of the Committee on Human Services:

I am writing in strong support of HB 2062. As a local attorney, a military spouse, a mother of two children and a member of several non-profit and education boards in the community, the issue of Commercial Sexual Exploitation of Children (CSEC) and the solutions addressed within this bill are important to me.

I have personally worked on CSEC cases as an attorney in Texas, Arizona, Alabama, and here in Hawaii when I was employed at the Attorney General's Office in the ICAC (Internet Crimes Against Children) unit. It was in that very space that we began exploring the idea of a statewide CSEC coordinator. In researching the issue for the A.G.'s Office, I discovered that the National Conference of State Legislatures (NCLS) identified 39 states already successfully employing statewide coordination. Twenty-six (26) states and Guam have legislatively created statewide coordinators. Thirteen (13) states and the District of Columbia have executively created statewide coordinators within departmental agencies. Hawaii is not included in either count.

In follow-up to this research, I reached out to the statewide coordinators in all states with a similar population (within 500,000 people) of Hawaii. This included New Mexico, Montana, Rhode Island, Delaware and Virginia. Through the A.G.'s Office, I also coordinated to have the Texas statewide coordinator come to Hawaii to discuss this topic amongst stakeholders in this space, including representatives from all government offices on the CSEC Steering Committee. The message and the consensus thereafter was clear – Hawaii would benefit significantly from a centralized statewide coordination effort – the very effort articulated in HB 2062.

HB 2062 creates this much-needed statewide coordination with both the quantitative ability to gather and analyze data, as well as the qualitative ability to build collaboration amongst all of the stakeholders in this arena. It provides for:

- True statewide coordination and information sharing amongst government, law enforcement officers, prosecutors, victim advocates and service providers;
- Short- and long-term objectives and goals acted upon, measured and reported back to the legislature;
- Enhanced investigation and streamlined prosecution;
- Collaboration via a true statewide strategy addressing CSEC and sex trafficking challenges on all of our islands;
- Uniform training standards, reporting, data collection and case analysis with accountability attached; and
- Continued support for our children being exploited by those buying, those selling and those complicit in this crime.

HB 2062 affords Hawaii the same statewide CSEC coordination that has been proven effective in 39 other jurisdictions and, as such, should be enacted into law here in Hawaii. Thank you in advance for your consideration!

Sincerely,  
Melissa Rueschhoff, Esq.



**TO:** Chair Lee, Vice Chair San Buenaventura, and Members of the House Committee on Judiciary

**FROM:** Eric Whiteman, Individual

**DATE/LOCATION:** March 6, 2020; 2:45p.m., Conference Room 016, State Capitol 415 South Beretania St.

**RE:** TESTIMONY IN SUPPORT OF HB 2062 HD 1 WITH COMMENTS– RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN

I am part of the Maui County Child Sex Assault Multi-Disciplinary Team. On the day of writing this testimony (March 5, 2020) I attended the 2020 **Hawaii Sexual Assault and Child Abuse Conference: A Coordinated Multi-Disciplinary Team Response**. The conference prompted me to testify on behalf of HB 2062. I continue to bear witness to the effectiveness of a multidisciplinary team approach at the county level on a daily basis. The uniform collaboration of agencies across the state to address the issues of Sexual Exploitation of Children is imperative. Findings have shown, children of Hawaii are greatly vulnerable to sex trafficking and commercial sexual exploitation. The Department of Human Services is receiving an increase in hotline calls from victims and witnesses. Saving and protecting these children comes with unique challenges and demands. Therefore, I support the establishment of 1) Statewide coordinator and program within the Department of Human Services to address the needs of sexually exploited children 2) Statewide commercial sexual exploitation of children steering committee (3) A multidisciplinary team in each county to immediately respond to cases of sexually exploited children; and (4) Appropriate moneys for this purpose. The implementation of the above would better protect and serve victims of child sexual exploitation and improve public safety.

Thank you for the opportunity to testify in support of HB 2062 HD 1.

Sincerely,  
Eric Whiteman