



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

LATE

ON THE FOLLOWING MEASURE:

H.B. NO. 2573, H.D. 1, Proposed S.D. 1, RELATING TO SEX TRAFFICKING.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Tuesday, June 23, 2020

TIME: 10:00 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Farshad M Talebi,
Deputy Attorney General, at 586-1173)

Chair Rhoads and Members of the Committee:

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

First, on page 5 of the bill, at lines 9-13, section 712-1202(1)(c) should be amended as follows:

- (c) Offers or agrees to [~~consideration~~] provide anything of value, or the promise [~~of consideration~~] to provide anything of value to a minor, to a third person pursuant to an understanding that such compensation is in exchange for engaging in sexual conduct with a minor, or to a member of a police department, a sheriff, or a law enforcement officer who represents that person's self as a minor to engage in sexual conduct.

Adding the "third person" alternative is necessary to accomplish the intent of the statute and reflects the reality of the crime of Sex Trafficking. Often, minor trafficking victims are not the ones initially communicating with those seeking sex with the minor. Internet-based sex trafficking centers on advertising websites. Traffickers and pimps will

commonly be in control of posting the ads and setting up “dates” for the minor victims with those who respond to the ad.

This communication between the trafficker and individual seeking sex with the minor will be over text, email, or other forms of communication. Those seeking sex with the minor do not know that they are communicating with the trafficker and believe they are communicating with the minor. In fact, those seeking sex with minors would be less likely to set up a transaction and meeting if they knew they were communicating with the trafficker or pimp.

Another common scenario is sex trafficking that occurs in brothels. The individual seeking sex with a minor may communicate their offer, agreement, or promise with the manager of the brothel, not the minor directly.

As written, the State would have to prove that the offer, agreement, or promise was communicated directly to either (1) the minor or (2) a member of law enforcement representing themselves to be a minor. The omission of the “third person” alternative from this section relieves the individual from culpability if they communicated with the trafficker or pimp, which is not the intent of the statute. The intended culpability is for the individual who offers, agrees, or promises to provide anything of value in exchange for sexual conduct with a minor – not the person they are, or think they are, communicating with.

The Department proposes replacing “consideration” with the phrase “anything of value” to make the statute easier to comprehend for a member of the jury or the general public. “Consideration” is a legal term of art in contract law and requires an additional definition, which is provided on page 6 of the bill. The definition for “Consideration” is equally confusing and includes additional terms of art like “bargained for exchange” and “promisor”. The Department recommends that this definition on page 6, at lines 6-8, be removed. Furthermore, the federal law (18 U.S.C. § 1591), and the laws of several states, use the term “anything of value”, which is easily understandable to a layperson and does not need to be further defined.

Second, the Department proposes removing the language added in subsection (3) on the top of page 8, at lines 2-4, of the bill regarding “habitual solicitation”.

Reference to an “instant offense” does not make sense when the offense of habitual solicitation of prostitution involves prostitution by a repeat offender, and not sex trafficking.

The Department also recommends the following three additional sections be added to the end of the bill to include a savings clause, a statement about Ramseyer formatting, and an effective date:

SECTION 11. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act.

SECTION 12. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 13. This Act shall take effect upon its approval.

With these amendments, the Department supports this measure, which appropriately addresses the reality of the egregious offense of sex trafficking.

STATE OF HAWAI‘I
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai‘i to the House Committee on Finance**

February 17, 2020

H.B. No. 2573: RELATING TO SEX TRAFFICKING

Chair Luke, Vice Chair Cullen and Members of the Committee:

The Office of the Public Defender respectfully opposes H.B. No. 2573.

We oppose removing the statute of limitations for sex trafficking. Statutes of limitations have been established to allow for timely prosecution of criminal offenses. With the passage of time, a criminal charge becomes more difficult to defend against and wrongful convictions are more likely to occur. The memories of witnesses become more inaccurate, witnesses are more likely to become influenced by persons who have interests in the case, witnesses become more difficult to locate and relevant evidence is more difficult to obtain. Thus, under the law, criminal charges must be brought within certain time periods following their commission.

Sex trafficking (HRS § 712-1202) is a Class A felony for which there is currently a six-year statute of limitations. We believe this time period is sufficient for timely and just prosecutions in these cases.

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

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

LATE

KIRK CALDWELL
MAYOR



SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
CLYDE K. HO
DEPUTY CHIEFS

OUR REFERENCE PJ-LS

June 23, 2020

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 016
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: House Bill No. 2573, H.D. 1, Relating to Sex Trafficking

I am 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. 2573, H.D. 1, Relating to Sex Trafficking.

Many victims of sex trafficking are subjected to severe mental abuse. They are not aware of the extent of their victimization until years later, and only with counseling and maturity are they able to address the trauma of their abuse. Removing the statutes of limitation for offenders of sex trafficking and promoting prostitution will increase the likelihood of holding predators of these offenses accountable for their actions. As one of our most vulnerable populations, children must be afforded the highest level of protection.

The HPD urges you to support House Bill No. 2573, H.D. 1, Relating to Sex Trafficking, and we thank you for the opportunity to testify.

APPROVED:

Handwritten signature of Susan Ballard in black ink.

Susan Ballard
Chief of Police

Sincerely,

Handwritten signature of Phillip Johnson in black ink.

Phillip Johnson, Major
Narcotics/Vice Division

LATE

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

DWIGHT K. NADAMOTO
ACTING PROSECUTING ATTORNEY

ALII PLACE
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LYNN B.K. COSTALES
ACTING FIRST DEPUTY
PROSECUTING ATTORNEY



THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Thirtieth State Legislature
Regular Session of 2020
State of Hawai`i

June 23, 2020

RE: H.B. 2573, H.D. 1, Proposed S.D. 1; RELATING TO SEX TRAFFICKING.

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate 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. 2573, H.D. 1, Proposed S.D. 1 with amendments.

The purpose of H.B. 2573, H.D. 1, Proposed S.D. 1 is to provide protection for victims of sex trafficking by strengthening and providing clarification to Hawaii's sex trafficking laws. First, the Department supports the inclusion of "coercion" as a means of advancing prostitution. Currently, Section 712-1202(a), Hawaii Revised Statutes ("HRS"), only states "advancing prostitution...by force, threat, fraud or intimidation," and there have been instances when our courts indicated that a particular set of facts did not fit within these existing definitions. One example was where a victim was told she could not eat (or sleep) until she finished a certain amount of work.

Adding the term "coercion" would also bring Hawaii's sex trafficking statute in-line with the federal code, which defines "severe forms of sex trafficking in persons" as:

"...sex trafficking in which a commercial sex act is induced by force, fraud, or coercion; or in which the person induced to perform such act has not attained 18 years of age..."

22 U.S. Code §7102(11)(a), emphasis added. And because the term "coercion" is not otherwise defined in the HRS, the Committee may also wish to consider all or part of the federal definition of coercion:

- (3) COERCION. The term “coercion” means—
- (A) threats of serious harm to or physical restraint against any person;
 - (B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or
 - (C) the abuse or threatened abuse of the legal process

22 U.S. Code §7102(3)(a). Federal code also defines “abuse or threatened abuse of the legal process” [22 U.S. Code §7102(1)], but this is likely already encompassed under Hawaii’s inclusion of the terms “threat” or “intimidation.”

Additionally, under Section 4 on page 5 which relates to §712-1202, Hawaii Revised Statutes (H.R.S.), the Department would suggest §712-1202(1)(c) be amended to the following:

- (c) Offers or agrees to ~~consideration or the promise of consideration~~ provide or provides anything of value to a minor or to a member of a police department, a sheriff, or a law enforcement officer who represents that person’s self as a minor to engage in sexual conduct.

Currently the definition for “consideration” as defined in H.B. 2573, H.D. 1, Proposed S.D. 1 is interchangeable with “anything of value”. However, the current definition of “consideration” will inevitably create further complications in not only trial issues, but in charging documents as well. The term “consideration” is a legal term of art and thus would require the Department to define “consideration” in the indictment further creating confusion for a layperson who may not know what “consideration” means. Additionally, “any bargained for exchange” seems to suggest that there is a requirement to have some type of bargaining or exchange between the customer and the minor. However, the minor’s conduct should not have to be evaluated for a “bargain” or “exchange”. The Department believes it should be sufficient that the defendant simply offers anything of value to the minor for sex.

The Department would suggest removing “(4) Consent to sexual conduct shall not constitute a defense to a violation of this section” found on Pg. 5, ln 20-21. The current statute appears to be targeting the offender’s behavior, not the minors. In addition, because minors are not capable of consenting to sell his/herself, this subsection appears to be inconsequential in this section.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of H.B. 2573, H.D. 1, Proposed S.D. 1 with amendments. Thank you for the opportunity to testify on this matter.

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

June 20, 2020

RE: HB: 2573, HD 1, SD 1 to be heard Tuesday June 23, in Room 016, at 10:00AM

To the members of the Senate Committee on Judiciary

STRONG OPPOSITION

Dear Senators:

Do you believe a 17 year old boy who hires a 17 year old girl for sex should go to prison for 20 years? That is what this bill says. Lots of experts in our community have been working with youth including those in the sex trades for years. Yet we don't seem to be included in the discussions leading to this sort of bad legislation. Organizations such as the Youth Outreach Project, the Hawaii Health and Harm Reduction Center, the former TG oriented Kulia Na Mamo, and even experts from our own University, such as Professor Meda Chesney-Lind, are excluded from your planning. Instead you reference a study done by the Hawaii State Commission on the Status of Women and Arizona State University that many consider to be junk science.

Earlier in session you proposed creation of a steering committee with a statewide coordinator working with DHS to develop and implement multi-disciplinary policies regarding minors in the sex trades. Here you have apparently decided to give up on collecting evidence and instead are turning to more law enforcement, incarceration, and confusion of definitions of sex trafficking that seem only to reflect politics. We are currently working to provide a space wherein conversation among people with differing perspectives can move forward with a goal of giving the legislature some good advice. Your passing of this bad bill is counter-productive to all the good work we are trying to do for this population.

Aloha



Tracy Ryan
For Harm Reduction Hawaii



Parents And
Children Together
BUILDING THE RELATIONSHIPS THAT MATTER MOST

LATE

TO: Chair Rhoads, Vice Chair Keohokalole, and Members of the Senate Committee on Judiciary

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

DATE/LOCATION: June 23, 2020; 10:00 a.m., Conference Room 016

RE: TESTIMONY IN SUPPORT OF HB 2573 SD1 Proposed– RELATING TO SEX TRAFFICKING

We ask you to support HB 2573 SD1 Proposed which authorizes a prosecution for sex trafficking to be commenced at any time. We support this bill which strengthens Hawaii law and support survivors, especially child victims, in their quest for peace and healing and holds perpetrators accountable.

The pain and trauma survivors of sex trafficking endure never expires. Statutory limitations protect the wrong people and this bill seeks to remedy that by acknowledging that a survivor's bravery is encouraged when they are ready to come forth, which is typically decades after the trafficking and trauma has occurred. Victims suffer and have often been exploited for long periods of time before being rescued or removed from their situations. We support survivors being given the chance to seek justice in their own time. This bill would allow prosecutors to pursue criminal cases against sex traffickers regardless of when the offense was committed and also includes coercion as a means of committing sex trafficking.

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, and poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of HB 2573 SD1 Proposed**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

LATE

HB-2573-HD-1

Submitted on: 6/22/2020 10:37:21 AM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katrina Obleada	Testifying for Hawaii Psychological Association	Support	No

Comments:



HB 2573, HD1, RELATING TO SEX TRAFFICKING (PROPOSED SD1)

JUNE 23, 2020 · SENATE JUDICIARY COMMITTEE ·
CHAIR SEN. KARL RHOADS

POSITION: Support, with amendments.

RATIONALE: Imua Alliance strongly supports and suggests an amendment for the proposed SD1 version of HB 2573, HD1, relating to sex trafficking, which includes coercion as a means of committing the offense of sex trafficking, removes the criminal statute of limitations for sex trafficking, specifies that sex trafficking of a minor is a strict liability offense, and repeals the offense of solicitation of a minor for prostitution.

Imua Alliance 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. Imua Alliance, 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 Imua Alliance 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 stop sexual slavery, including this measure's effort to increase sanctions for sex buyers who prey upon our keiki. **Hawai'i's prohibition of solicitation of a minor for prostitution under HRS §712-1209.1 does not align with 22 U.S. Code Chapter 78, the Trafficking Victims Protection Act, which makes soliciting a minor for prostitution a form of sex trafficking.** Making soliciting a minor for prostitution a form of sex trafficking would ensure that the sex buyers who finance the commercial sexual exploitation of children are held fully accountable for the trauma they cause.

This, alone, would be a tremendous step forward in our state's anti-trafficking code. Currently, HRS §712-1209.1 fails to properly identify child victims of sexual exploitation as victims of sex

trafficking, preventing them from being properly identified as trafficking victims and impairing their ability to receive trauma-informed services that are reserved for survivors of sex trafficking. It also fails to hold sex buyers fully responsible for this trauma under the stricter penalties encapsulated in our state's sex trafficking section under HRS §712-1202, which makes sex trafficking a class A felony.

Furthermore, **the crime of “solicitation of a minor for prostitution” legally attaches the term “prostitute” to child victims of HRS §712-1209.1**, which contradicts the modern legal and victim services perspective of eliminating statutory references that directly or inadvertently label children as prostitutes, a designation that can produce a long-lasting social stigma that impedes a victim's ability to receive housing, education, scholarships, employment, and other services necessary to successfully recover from the prolonged trauma of sexual exploitation.

Federal law has long recognized soliciting a child for prostitution as a form of sex trafficking **under the Trafficking Victims Protection Act, which defines child sex trafficking as the “recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a minor for the purpose of a commercial sex act.”** Thus, we strenuously encourage the committee to move the important elements of HRS §712-1209.1 into HRS §712-1202, including language allowing law enforcement to perform undercover sting operations, ensuring that the state of mind requirement for trafficking a minor does not apply to the minor's age (making sex trafficking of minors a strict liability offense), and eliminating consent to sexual conduct as a defense to sex trafficking (a defense we are sadly seeing used with increasing frequency throughout the United States).

Finally, we fully support authorizing a prosecution for sex trafficking to be commenced at any time. As indicated above, sex trafficking victims are typically trauma bonded to their abusers. **Trauma-attached coercion is like Stockholm Syndrome, involving a powerful emotional dependency on the abusers and a shift in world- and self-view that results in feelings of gratitude and loyalty toward the abusers and a denial, dismissal, or minimization of the coercion, violence, and exploitation that victims have suffered.** Trauma-attached victims require placement in a coordinated continuum of care to “break” their trauma bonds, receive rehabilitative services, and reintegrate into society in a healthy manner. It is common for victims

to need long-term care before recognizing the extent of the trauma they've suffered, much less feel emotionally and physically secure enough to participate in criminal investigations. Thus, to fully respect the needs of survivors and ensure that all victims of sexual exploitation may receive justice, we believe that the statute of limitations on sex trafficking cases should be eliminated.

That said, **we urge the committee to amend page 5, lines 9-13 of this bill to read: “(c) Offers or agrees to pay a consideration to any other person to engage in sexual conduct with a minor, including, but not limited to, a minor or a member of a police department, a sheriff, or a law enforcement officer who represents that person's self as a minor.** The prohibition on buying sex from minors currently contained in the bill may be too narrow in practice, applying only to minor victims themselves or to members of law enforcement engaging in undercover stings. **In other words, under the current language, sex buyers could only be prosecuted if they pay or agree to pay the minor or a law enforcement officer directly. Sex buyers who pay pimps, traffickers, “mamasans,” or other facilitators of sexual exploitation would not be prosecuted** under the proposed subsection (c), unless it is amended to apply more broadly.

Slavery has no place in paradise. Together, we can end exploitation on our shores.

HB-2573-HD-1

Submitted on: 6/19/2020 3:26:20 PM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Individual	Support	No

Comments:

I strongly support HB2573.

Mike Golojuch, Sr.

Secretary, Rainbow Family 808

HB-2573-HD-1

Submitted on: 6/20/2020 3:22:00 PM

Testimony for JDC on 6/23/2020 10:00:00 AM

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

Comments:

I strongly oppose HB 2573. Its premise is based on a severely flawed study conducted by the anti-sex worker organization, the Hawaii State Commission on the Status of Women, along with an anti-sex work professor at Arizona State University. I have read this study and found it to be methodologically unsound and its conclusions to be therefore erroneous. Yet, you want to base state legislation on it? You should not.

If you really want to pass effective legislation, I suggest that you work with long-standing organizations that have years of experience with working with people in the sex industry. To do otherwise is to formulate biased legislation that will directly harm women and children.

HB-2573-HD-1

Submitted on: 6/20/2020 5:43:29 PM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

HB-2573-HD-1

Submitted on: 6/22/2020 9:49:54 AM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shirley David	Individual	Support	No

Comments:

It is important that there be no statute of limitations on sex traffick crime. From personal family experience, I know it may take years for someone who is sex trafficked to come to terms with what happened to them and that it was not their fault.

LATE

HB-2573-HD-1

Submitted on: 6/22/2020 1:31:45 PM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Rueschhoff	Individual	Support	No

Comments:

LATE

HB-2573-HD-1

Submitted on: 6/22/2020 7:07:55 PM
Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen M Radius	Individual	Support	No

Comments:

I am Karen Radius, a retired Family Court Judge. I am currently the volunteer co-chair of the Commercial Sexual Exploitation of Children (CSEC) Steering Committee which is made up of state, county and federal agency and court representatives on Oahu including the Departments of Human Services, Education, Child and Adolescent Mental Health, Family Court and state, county and federal law enforcement agencies and their victim witness advocates and the Public Defender assigned to Family Court.

This testimony is my personal testimony on proposed bill HB2573 SD1.

I favor passage of the bill with one small amendment. Section 71-1202(1)(c) refers to offering consideration or promises of consideration to a minor or to a law enforcement office who represents themselves as a minor. There are many instances where the purchaser of sex with the minor makes the payment or promise of consideration to the sex trafficker or to another adult and not directly to the child or to a law enforcement officer engaged in a sting operation. Please add words to the effect of ... consideration to or the promise of consideration to a minor or to a third party or to a member of a police department.....

The CSEC Steering Committee has been working to address the issue of sex trafficking of our children. The Department of Human Services has instituted a hotline to receive reports of possible or suspected sex trafficking of children in order to provide assessment and services for children. Prior to the establishment of the hotline for the public and mandated reporters, we knew there was a problem and we believed that involved more children than we knew, but we were slow to understand how many youth were involved or how deep the problems were that the youth faced.

Non profits and medical providers have also worked to establish trauma informed services. Girls Court on Oahu has developed a specialized treatment court program for minors involved in sex trafficking who are on court status. We have discovered that the need is much greater and more complex than when people simply asked how many youth were convicted of prostitution in any given year. There is still much that needs to be done both here on Oahu and also on the neighbor islands.

The youth that are involved as victims in sex trafficking situations have in most cases suffered trauma prior to entry into "the life" and leaving the life is not a simple or speedy

process. This bill's removal of the statute of limitations for sex trafficking will be helpful in holding perpetrators accountable. If we do not address the demand side of the coin, we will continue help a few individuals but not put a dent in the problem.

Including the term "coercion: and the offer of consideration (not just money but other things of value as well) brings our statute more in line with the Federal law and with other states who have been seriously addressing this issue for a longer time than we have.

Thank you for your consideration.

":espth

LATE

HB-2573-HD-1

Submitted on: 6/22/2020 9:42:29 PM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rainbow	Testifying for Rainbow Family 808	Support	No

Comments:

Aloha Legislators,

Rainbow Family 808 Strongly Supports HB2573 HD1 in accord with the protection of our minor children. As in previous testimony, we believe it is our duty to protect, defend and support children whenever possitive.

Sex Trafficking is a societal problem that demands our assistance in the developmental care, protection of our children. HB2573 HD1 rightly removes that Statue of Limitations because children have been threatened, intimidated, forced, and or falsely harrassed into Sex Trafficking. We are the adults and thus it is our responsibilty to prevent this crime from happening to children. This is what a responsible society does.

Thank you for the oppportunity to speak in the place of children when they don't understand that they have rights to live without being forced into a lifetime of Sex Trafficking. Please pass HB2573 HD1 post haste for the benefit of our children.

Mahalo,

Carolyn Martinez Golojuch, MSW

President - Rainbow Family 808

HB-2573-HD-1

Submitted on: 3/15/2020 9:59:35 PM

Testimony for JDC on 3/18/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Munoz	Testifying for Ho'ola Na Pua	Support	No

Comments:

Dear Honorable Members of the Judiciary Committee,

Ho'Ā• la NĀ• Pua is a nonprofit organization committed to the prevention of sex trafficking and providing care for children who have been exploited. We are in support of measure HB 2573 which removes the statute of limitations for cases of sex trafficking.

Survivors of sex trafficking experience deep levels of trauma that take time to heal. This bill would allow for survivors to experience the time and recovery needed to prepare should they choose to initiate or be requested to testify for a case against their trafficker.

This bill provides an important trauma-informed response to survivors of sex trafficking. Due to the complex trauma these survivors face, many may not see themselves as a victim and may have experienced multiple victimizations. Giving them time to focus on mental health is core to recovery and a successful case in the future.

Please consider supporting this bill.

Thank you for your consideration and service.

Sincerely,

Jessica Muñoz

President, Ho'Ā• la NĀ• Pua

Monday, March 16, 2020

The Honorable Chris Lee, Chair
The Honorable Joy A. San Bueaventura, Vice Chair
And Members of the Committee of Judiciary

Support for H.B. No. 2573 – Relating to Sex Trafficking

Dear Chair Lee, Vice Chair San Bueaventura, and Members of the Committee on Judiciary:

My name is Precious Yasay. As a citizen of the City and County of Honolulu and a Master's Degree candidate for social work, I strongly SUPPORT H.B. No. 2573 that authorizes a prosecution for sex trafficking to be commenced at any time.

In Hawai'i, sex trafficking is a class A felony that is punishable within six years after it is committed. However, this is unrealistic because sex trafficked victims experience negative effects from the days, months, and years of being sex trafficked. There are many significant barriers to disclosing their victimization to law enforcement and legal authorities. I am currently interning at the Hawaii State Judiciary with the Persons In Need (PINS) section through the juvenile section with youth with status offenses. I have come across at least a few female youths who have been sex trafficking within my one year as an intern. All of these female youths were reluctant in disclosing their trafficking due to fear of retaliation from a trafficker or "pimp".

The sex trafficking issue needs to be addressed now. Many victims often feel shamed and feel as if it is their fault in being sex trafficked. They have no support until counseling and other services are in place for them. However, when services have been completed and the youth regain confidence and drive to persecute their traffickers, it is too late. Every individual is different. Some take maybe 2-3 years to recover from traumatic experiences like sex trafficking, whereas others take 5 years or more. Not only it takes a while for victims to disclose, but it is also a long time to build a case against their traffickers. By eliminating the statute of limitations for sex trafficking, it provides the time it takes for the victims to work through issues they may have experienced from the effects of sex trafficking and encourage the victim's strength to report the trafficking.

I believe that there should not be a time limit on when sex traffickers are prosecuted. I STRONGLY believe that the prosecution for sex trafficking is commenced at ANY TIME. For these reasons stated above, I urge the committee to pass H.B. No. 2573. Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read 'Precious Yasay', written in a cursive style.

Precious Yasay

LATE

HB-2573-HD-1

Submitted on: 6/23/2020 9:48:22 AM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Kinzer	Individual	Support	No

Comments:

It's well past time for a bill like this. Thank you to all the people who worked hard to research and author something to make the state safer for our children and other vulnerable people. It should be a no-brainer for passage.

LATE

HB-2573-HD-1

Submitted on: 6/23/2020 10:26:32 AM

Testimony for JDC on 6/23/2020 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rayne Kauhi	Individual	Support	No

Comments:

HB-2573-HD-1

Submitted on: 6/23/2020 1:14:24 PM

Testimony for JDC on 6/23/2020 10:00:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Support	No

Comments:

The support of this bill and commitment towards the efforts of those who work to end sex trafficking in our islands is important. Please note that these efforts do not stop with a bill. There are many layers to this issue, including looking at the affects of RIMPAC, conventions and other variables as well as every day life in our islands.