

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 7, 2020

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

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2741 – RELATING TO SEX TRAFFICKING**

Hearing: February 10, 2020, 2:45 p.m.  
Conference Room 016, State Capitol

**DEPARTMENT’S POSITION:** The Department of Human Services (DHS) appreciates the intent of the bill and offers the following comments.

**PURPOSE:** This bill authorizes the DHS to establish or contract with a victim service provider to operate or manage an emergency shelter for victims of sex trafficking, subject to available funding. It also exempts compensation received by a victim service provider for operating a sex trafficking emergency shelter from the general excise tax.

Regarding section 2, DHS defers to the Department of Taxation regarding exemptions for victim services providers of sex trafficking emergency shelters.

Regarding Section 3, a statutory mandate it is not necessary for the department to establish a specialized shelter for victims of sex trafficking. However, as with other complex social and political issues, funding and system response efforts are population specific. Currently, available services to minor and adult victims of sex and labor trafficking are limited (capacity and geography) and require additional resources for coordination, services, and training.

The protocol of DHS – Child Welfare Services (CWS) is to ensure that trafficked children and youth are identified and receive appropriate services and protections; regardless of

parental abuse or neglect. In 2017, Act 16 (Session Laws of Hawaii (SLH) 2017) 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 (SLH 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."

DHS-CWS has a contracted provider that provides victim centered, trauma- informed comprehensive services for minors 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.

As to minors, there is a dedicated shelter for minor victims of sex trafficking – the Hale Lanipōlua Assessment Center (HLAC)<sup>1</sup>, which is operated by Hale Kipa in partnership with the Department of Health, DHS Child Welfare Services, the Office of Youth Services (OYS)/Hawaii Youth Correctional Facility (HYCF), other community partners, and the Judiciary. HLAC opened on August 15, 2018, and is one part of the State's juvenile justice transformation of HYCF programs and facilities. Act 208, (SLH 2018) established the Kawaioloa Youth and Family Wellness Center on Oahu on the grounds of HYCF to broaden the population of youth and young adults that could be served by OYS and HYCF.

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<sup>1</sup> See, [https://www.halekipa.org/?page\\_id=2143](https://www.halekipa.org/?page_id=2143)

The Hale Lanipōlua Assessment Center serves survivors of commercial sexual exploitation and sex trafficking ages 12-17 years old. It offers 24/7 emergency shelter services, assessment, support, and linkages with community programs.

HLAC is funded through a federal grant which will expire. There is a need to secure funding for the Center. If it does not negatively affect the Governor's budget, the department supports appropriating funds for this emergency shelter, as it is currently the only one in the State for sex trafficking victims for minors.

Ho'ōla Nā Pua is also developing the Pearl Haven Campus for youth ages 11-17 who have been sexually abused and exploited. In 2017, the Legislature awarded Ho'ōla Nā Pua a grant-in-aid for construction and renovation of the site. The Pearl Haven Campus "is fully renovated the campus will provide an ideal location for a comprehensive program of trauma recovery and preparation for reintegration into the community... The opening date is fundraising dependent. The campus will have an initial census of 8-12 residents and will eventually have a capacity to serve up to 32 underage victims."<sup>2</sup>

Regarding young adults, also on the HYCF Kawaihoa campus, is RYSE that provides homeless youth "ages 18-24, a safe place to sleep and a kitchen to prepare hot meals. On-site services include two levels of engagement and a day program. The first level of service provides a low barrier entry point for youth who are very "street-entrenched." "Street-entrenched" youth are not ready to engage in services to get them off the street but are seeking a safe place to sleep for the night. A youth may stay at this level for up to fifteen nights per month, giving them space and time to acclimate to a life off the streets. Service is provided on a first-come, first-served basis, with a capacity to house up to eight (8) youth per night."<sup>3</sup>

At RYSE, homeless youth 18-24 with a history of sex trafficking are placed at the top of the waitlist for housing at RYSE. RYSE completes the TAY-VI-SPDAT (vulnerability index assessment tool developed for youth who are homeless) within the first 3 days of intake. The TAY-VI-SPDAT places individuals on a housing prioritization list for permanent supportive housing options.

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<sup>2</sup> See, <https://hoolanapua.org/health/pearl-haven/>

<sup>3</sup> See, <https://rysehawaii.org/what-we-do/>.

Last year RYSE provided respite to 9 women in 2019 who had aged-out of programs for minors. Women also seek services at the Sex Abuse Treatment Center and Ho'ōla Nā Pua's Starfish Mentoring Program that "provides mentoring with health-centric, trauma-informed care and support that addresses the unique needs of survivors of sex trafficking and those at risk."<sup>4</sup> RYSE also offers on-site medical care and behavioral health coordination that includes substance abuse counseling and therapy.

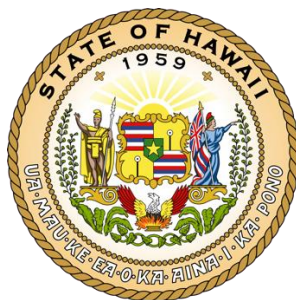
For adult victims on Oahu, they can get 24/7 crisis response, court advocacy, housing assistance and service referrals from the Susannah Wesley Community Center.<sup>5</sup> Various federal and other funding sources are available for assisting adult victims statewide. However, state services for this population is limited.

Thank you for the opportunity to testify on this bill.

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<sup>4</sup> See, <https://hoolanapua.org/health/starfish-mentoring-program/>

<sup>5</sup> See, <https://www.susannahwesley.org/services-and-programs/human-trafficking-victim-assistance/>



‘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**  
Khara Jabola-Carolus, Executive Director

Prepared for the Senate Committee on HMS

In support of SB2741  
Monday, February 10, 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) writes in **support** of SB2741, which authorizes DHS to establish, or contract with a victim service provider to operate or manage, an emergency shelter for victims of sex trafficking, subject to available funding. The measure, if passed, would also exempt compensation received by a victim service provider for operating a sex trafficking emergency shelter from the general excise tax.

HSCSW is a member of the Commercial Sexual Exploitation of Children Steering Committee on O‘ahu, which oversees the coordinated system response to child victims of sex trafficking. HSCSW also assists adult victims of sex trafficking in its role as the State’s central resource center for women.

Sex trafficking is described by Honolulu criminal justice personnel as “sexual assault on steroids” but adults 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>

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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.*

Sex trafficking victims of all ages are in urgent need of specialized, holistic emergency housing and help that is not available in other shelters. Further, the majority of the sex market in Hawai'i is not for pubescent or pre-pubescent children. This measure is an important step to provide critical support to the unique needs of sex trafficking victims. Accordingly, the Commission respectfully urges the Committee to pass SB2741.

Sincerely,

Khara Jabola-Carolus

# HAWAII YOUTH SERVICES NETWORK

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Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

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Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

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

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the Great Northwest and

Hawaiian Islands

Residential Youth Services & Empowerment (RYSE)

Salvation Army Family Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

February 6, 2020

To: Senator Russell Ruderman, Chair  
And members of the Committee on Human Services

## Comments on SB 2741 Relating to Sex Trafficking

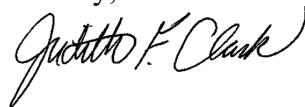
Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, is providing comments on SB 2741 Relating to Sex Trafficking.

Page 1, lines 11 and 12 state that Hawaii does not have a dedicated shelter for survivors of sex trafficking. That is incorrect. In August 2018, Hale Kipa opened the Lanipolua Assessment Center, which provides shelter and other services to victims/survivors of commercial sexual exploitation and sex trafficking ages 12-17 years old.

Non-profit organizations with IRS 501(c)(3) status are already exempt from paying taxes on income received for services that are related to the organization's mission. Thus, the exemption from taxes is designed to benefit businesses that choose to operate a for-profit shelter. The primary purpose of a for-profit company is to generate profits for shareholders or owners. Decisions about policies and services may be based on what will generate the most profit rather than the best interests and needs of the clients.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director



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*Neighbor Island Board Liaison*

February 7, 2020

Committee on Human Services  
Senator Russell E. Ruderman, Chair  
Senator Karl Rhoades, Vice Chair

**RE: SB 2741 RELATING TO SEX TRAFFICKING----Not in Support for Minors**

Dear Senators Ruderman and Rhoades and Committee Members:

Thank you for the opportunity to provide brief testimony for SB 2741. This bill requests that the legislature authorize DHS to establish, or contract with a victim service provider to operate or manage, an emergency shelter for victims of sex trafficking.

I am the Deputy CEO for Hale Kipa. We wanted to share that if the bill is intended to establish an emergency shelter for minor victims/survivors of sex trafficking there is no need for this type of authorization at this time as one exists. Hale Kipa opened an emergency shelter in 2018 that serves youth, ages 12 to 18 who are suspected or confirmed victims of sex trafficking. Any one can make a referral to the program and the program will admit the youth. We have received many referrals from the Department of Human Services (DHS). The program is in partnership with the Kawailoa Youth and Family Wellness Center as well as DHS and other community agencies. We have provided a safe, welcoming and trauma-informed care shelter for both girls and boys and work with the youth's professional and personal support systems to help them obtain more stable housing and needed services.

This bill does demonstrate to us that we may need to do a better job at ensuring the community is aware of this resource as we are committed to providing this service for any youth who has been victimized.

Thank you again for the opportunity to provide additional information through this testimony.

Sincerely,

Jaque Kelley-Uyeoka, MSW  
Deputy CEO, Hale Kipa, Inc.





## SB 2741, RELATING TO SEX TRAFFICKING

FEBRUARY 10, 2020 · SENATE HUMAN SERVICES  
COMMITTEE · CHAIR RUSSELL E. RUDERMAN

**POSITION:** Support.

**RATIONALE:** IMUAlliance supports SB 2741, relating to sex trafficking, which authorizes DHS to establish, or contract with a victim service provider to operate or manage, an emergency shelter for victims of sex trafficking, subject to available funding, and exempts compensation received by a victim service provider for operating a sex trafficking emergency shelter from the excise tax.

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 measure's authorization for DHS to establish, or contract with a victim service provider to operate or manage, an emergency shelter for victims of sex trafficking. **Hawai'i currently lacks a dedicated emergency shelter for sex trafficking victims, leaving a glaring gap in our state's continuum of care for survivors.** Currently, if IMUAlliance and our strategic partners rescue a victim from slavery, we are forced to rely on a patchwork system of services. While our partners—including the federal Department of Homeland Security, Federal Bureau of Investigation, Hawai'i Departments of Health, Education, and and Human Services, county police departments, and nongovernmental organizations like Ho'ola Na Pua—do an excellent job of caring for victims, the lack of a shelter space inhibits agency coordination, impedes the provision

of immediate safety, and, in some cases, prevents victims from being properly identified because less trauma-informed alternatives—sometimes including juvenile detention centers—are viewed as the only available spaces in which to house them in a crisis.

**Victims frequently require a “cool down” period once out of bondage, during which they may require emergency medical attention, psychological care, trauma counseling, and addiction services** (for the many victims whose pimps use illegal drugs as a way of coercing them into sexual exploitation), all of which are best facilitated from the centralized location. If our state’s goal is to fully treat victims as victims, rather than as criminals, we must begin working to establish a place for their healing to begin immediately upon being delivered from captivity.