

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

**Testimony in SUPPORT of HB 722**  
**RELATING TO HUMAN TRAFFICKING**

REPRESENTATIVE MARK M. NAKASHIMA, CHAIR  
REPRESENTATIVE SCOT Z. MATAYOSHI, VICE CHAIR  
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hearing Date: 2/17/2021

Hearing Time: 2:00 PM

1 **Department Position:** The Department of Health (“Department”) SUPPORTS the bill and defers  
2 to the Department of the Attorney General.

3 **Department Testimony:** The subject matter of this measure intersects with 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.

9 In alignment with those commitments, the Department is in favor of a coordinated  
10 effort to protect, provide justice and therapeutic supports for victims of human trafficking. We  
11 believe that this is best accomplished by identifying a statewide coordinator, who is able to  
12 efficiently and effectively gather various stakeholders (law enforcement, state and county,  
13 judiciary, non-profit, private sector, healthcare and consumer advocate domains) and set  
14 common goals and objectives. While the Department is proud of our participation in various  
15 groups aimed at combating human trafficking, we also acknowledge that greater  
16 synchronization is necessary to maximize resources and formally institute practices statewide.

1 **Offered Amendments:** None

2 Thank you for the opportunity to testify on this measure.

3 **Fiscal Implications:** The Department defers to the Department of the Attorney General on  
4 fiscal implications.



*The Judiciary, State of Hawai‘i*  
**Testimony to the Thirty-First State Legislature, 2021 Regular Session**

**House Committee on Judiciary & Hawaiian Affairs**  
Representative Mark M. Nakashima, Chair  
Representative Scot Z. Matayoshi, Vice Chair

Wednesday, February 17, 2021, at 2:00 p.m.  
State Capitol, Conference Room325  
VIA VIDEOCONFERENCE

by  
Christine E. Kuriyama  
Senior Judge, Deputy Chief Judge  
Family Court of the First Circuit

---

**Bill No. and Title:** House Bill No. 722, H.D.1, Relating to Human Trafficking

**Purpose:** Establishes a program overseen by the Department of the Attorney General to provide services and assistance to sexually exploited children and victims of human trafficking. Requires the attorney general to submit reports to the legislature. Requires the children's justice center program to coordinate the investigation and case management of human trafficking cases, including cases involving the sexual exploitation of children.

**Judiciary's Position:**

The Judiciary strongly supports H.B. No.722, H.D.1, with amendments as discussed in paragraph two below. The Judiciary 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 bill for the following reasons:

1. The commercial sexual exploitation of our children has become more prevalent in cases before the Family Court. Youth involved in the foster care system are especially vulnerable to becoming involved in sex trafficking. These issues also arise in Family Court cases on the juvenile, domestic violence, child abuse, and other calendars.



2. We urge your committee to restore the establishment of the statewide coordinator as contained in the original H.B 722. Having an identified individual who could devote his/her full time and energy towards the State's efforts to combat human trafficking is essential. Our community has made strides in this effort and has been hampered by the absence of a dedicated full-time coordinator. The highly complex and harmful nature of human trafficking requires a tightly coordinated multidisciplinary approach.
3. This bill provides for a comprehensive plan for public awareness and training on prevention and identification of victims. Being aware of the indicators of human trafficking/sexual exploitation, and knowing what to do, is the first step in assisting victims.
4. This bill provides for an analysis of the existing data specific to the commercial sexual exploitation of children. This data piece is critical to understanding the true breadth and scope of the problem in the State of Hawai'i. Only with accurate data are we able to properly pursue needed funding and allocate resources to effectively respond.
5. This bill provides for the Department of the Attorney General to prepare a comprehensive report to the Legislature prior to the 2022 session on the State's efforts to address CSEC. This will be a significant step in gathering and analyzing information on the State's efforts thus far in addressing CSEC. Much work has already been put forth while there is so much more to accomplish. Having a comprehensive report with the components stated in the bill will provide a detailed inventory of resources, outlined best practices, and recommendations for moving forward.
6. This bill amends HRS Chapter 588, relating to the Children's Justice Program, to include human trafficking in cases involving the commercial sexual exploitation of children.

Thank you for the opportunity to testify on this measure.



## CATHOLIC CHARITIES HAWAII

### **TESTIMONY IN SUPPORT OF HB 722, HD1: RELATING TO HUMAN TRAFFICKING**

**TO:** House Committee on Judiciary & Hawaiian Affairs

**FROM:** Rob Van Tassell, President and CEO, Catholic Charities Hawai'i

**Hearing:** **Wednesday, 2/17/21; 2:00 pm; via videoconference**

Chair Nakashima, Vice Chair Matayoshi, and Members, Committee on Judiciary & Hawaiian Affairs:

Thank you for the opportunity to provide testimony **in support** of HB 722, HD1, which establishes a statewide coordinator and program within the department of the attorney general to provide services and assistance to sexually exploited children and victims of human trafficking. It requires the attorney general to submit reports and the Children's Justice Center program to coordinate the investigation and case management of human trafficking cases, including those involving sexual exploitation of children. I am Rob Van Tassell, with Catholic Charities Hawai'i.

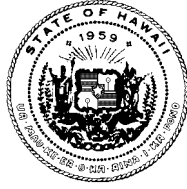
Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 70 years. CCH has programs serving elders, children, families, homeless, and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i.

Children are the most vulnerable in our society. Human trafficking and sexual exploitation of children must be stopped. We need to make this a priority and provide assistance to children to help them recover from this tragedy. The proposed bill would provide more coordination and services to this population which is being targeted by the predators in our society. Establishing a statewide coordinator in the Department of the Attorney General will give more focus statewide to this issue and the needs of these children. Support is needed for the Children's Justice Center for them to expand their services to reach more of these children.

We urge your support for this bill.

Please contact our Legislative Liaison, Betty Lou Larson at (808) 373-0356 or [bettylou.larson@catholiccharitieshawaii.org](mailto:bettylou.larson@catholiccharitieshawaii.org) if you have any questions.

DAVID Y. IGE  
GOVERNOR



CATHY BETTS  
DIRECTOR

JOSEPH CAMPOS II  
DEPUTY DIRECTOR

STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**

P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 17, 2021

TO: The Honorable Representative Mark M. Nakashima, Chair  
House Committee on Judiciary & Hawaiian Affairs

FROM: Cathy Betts, Director

SUBJECT: **HB 722 HD1 – RELATING TO HUMAN TRAFFICKING.**

Hearing: Tuesday, February 17, 2021, 2:00 p.m.  
Via Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the intent of this measure, provides comments, and defers to the Department of Attorney General. The Committee on Health, Human Services & Homelessness amended the measure by:

- (1) Removing the statewide coordinator position;
- (2) Requiring an annual report to the Legislature by the Department of the Attorney General on the State's efforts to address human trafficking and the commercial sexual exploitation of children;
- (3) Clarifying the definition of "human trafficking";
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

**PURPOSE:** Establishes a statewide program overseen by the department of the attorney general to provide services and assistance to sexually exploited children and victims of human trafficking. Requires the attorney general to submit annual reports to the legislature. Requires the children's justice program to coordinate the investigation and case management of child human trafficking cases, including cases involving the sexual exploitation of children. Effective 7/1/2060. (HD1)

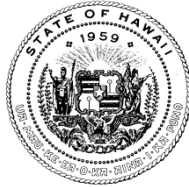
Act 16 (Session Laws of Hawaii (SLH) 2017) brought Hawaii's law into compliance with the Justice for Victims of Trafficking Act of 2015 and the Child Abuse Prevention and Treatment Act of 2010 (CAPTA). Act 16 (SLH 2017), amongst other things, amended section 350-1, Hawaii Revised Statutes (HRS), to add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

The DHS works 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.

Establishing a statewide program within the Department of the Attorney General is an important step to address the needs of victims and bring accountability for perpetrators of commercial sexual exploitation of children and human trafficking.

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

DAVID Y. IGE  
GOVERNOR



**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 17, 2021  
2:00 p.m.  
State Capitol (Via Videoconference)

**H.B. 722, H.D. 1**  
**RELATING TO HUMAN TRAFFICKING**

House Committee on Judiciary & Hawaiian Affairs

---

The Department of Transportation (DOT) is in **strong support** of H.B. 722, H.D. 1 which would (1) create a human trafficking program within the Department of the Attorney General, (2) establish a statewide human trafficking coordinator, and (3) require the children's justice program to coordinate the investigation and case management of human trafficking cases.

DOT firmly believes that a comprehensive multidisciplinary response between law enforcement, state agencies, non-governmental non-profit organizations, and the private sector is needed to combat human trafficking in Hawaii, and, in order to do so, statewide leadership is required to thoroughly develop strategic solutions to address this growing problem.

Thank you for the opportunity to provide testimony.





**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2021**

---

**ON THE FOLLOWING MEASURE:**

H.B. NO. 722 , H.D. 1, RELATING TO HUMAN TRAFFICKING.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**DATE:** Wednesday, February 17, 2021      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325, Via Videoconference

**TESTIFIER(S):** Clare E. Connors, Attorney General,  
Farshad M. Talebi, Deputy Attorney General

---

Chair Nakashima and Members of the Committee:

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

The purpose of this bill is to create a human trafficking program within the Department of the Attorney General, including a requirement to submit legislative reports. The bill also requires the Children’s Justice Program to coordinate the investigation and case management of human trafficking cases that involve minors

The original bill included the following reporting requirement in section 2, on page 5, lines 13 through 19:

“(d) The department shall submit a report to the legislature no later than twenty days prior to the convening of the regular session of 2022 on the State's efforts to address the commercial sexual exploitation of children; and shall submit a report to the legislature no later than twenty days prior to the convening of the regular session of 2023 on the State's efforts to address human trafficking.”

On page 4, line 18, to page 5, line 1, H.D. 1, this bill combines the two reports into an annual reporting requirement that mixes two distinct areas of concern. We respectfully request that the Committee consider amending the reporting requirement in H.D. 1 back to the original version.

“Human trafficking” is a very expansive term that includes both labor and sex trafficking, adults and minors, and international and domestic forms. “Commercial

Sexual Exploitation of Children” (“CSEC”) is a subset of human trafficking, but it involves many stakeholders and issues that are specific to CSEC because the victims are minors. Those entities include Child and Welfare Services, Family Court, the juvenile justice system, the Missing Children’s Center, placement and treatment services, and other partners that only pertain to this population. Splitting the reports into a CSEC specific assessment for the 2022 regular session and a broader Human Trafficking assessment focused on the other various forms of exploitation for the 2023 regular session would allow the Department to devote the necessary amount of time and effort to each of these topics in a manner that would result in properly focused and specific reports to the legislature.

As of now, the Department has one established position in the State Human Trafficking Coordinator and producing such an expansive report by the 2022 regular session would be challenging.

Additionally, the original bill left it to the Department’s discretion to submit future reports in section 2, on page 9, lines 9 through 11:

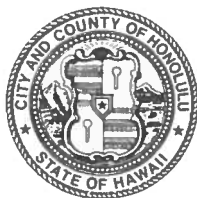
“(e) The program may submit additional reports to the legislature providing data, status updates, and recommendations, as determined by the department.”

We respectfully ask this Committee to consider amending H.D. 1 back to the original wording, allowing the Department to submit future reports as determined by the Department. The purpose of the two initial reports is to provide an initial assessment regarding human trafficking in Hawaii, which has not been done before by a state agency. While our intent is to continue to provide future reports to update policy makers, we respectfully ask for that flexibility given that we do not yet know what resources we will have at that time.

We appreciate your consideration regarding our requests. This issue is a priority for the Attorney General and the Department, and we respectfully ask the Committee to pass this bill with amendments.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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



RICK BLANGIARDI  
MAYOR

SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
AARON TAKASAKI-YOUNG  
DEPUTY CHIEFS

OUR REFERENCE PJ-GK

February 17, 2021

The Honorable Mark M. Nakashima, Chair  
and Members  
Committee on Judiciary  
and Hawaiian Affairs  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chair Nakashima and Members:

SUBJECT: House Bill No. 722, H.D. 1, Relating to Human 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. 722, H.D. 1, Relating to Human Trafficking.


Sharing resources and coordinating efforts among service providers and law enforcement is paramount in the rescue of the most vulnerable population, our youth. The HPD supports a multidisciplinary response to sex trafficking cases that is both victim-centered and offender-focused. We also support the establishment of a statewide coordinator and program within the Department of the Attorney General that addresses the needs of sexually exploited children and victims of human trafficking.

The HPD urges you to support House Bill No. 722, H.D. 1, Relating to Human Trafficking. Thank you for the opportunity to testify.

APPROVED:

Sincerely,

  
Susan Ballard  
Chief of Police

  
Phillip Johnson, Major  
Narcotics/Vice Division

# Hawai'i Psychological Association

*For a Healthy Hawai'i*

P.O. Box 833  
Honolulu, HI 96808

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

Phone: (808) 521-8995

COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS  
Representative Mark M. Nakashima, Chair  
Representative Scot Z. Matayoshi, Vice Chair

Wednesday, February 17, 2021 - 2:00pm - Conference Room 329 - videoconference

## **Support of HB722 HD1 RELATING TO HUMAN TRAFFICKING**

The Hawai'i Psychological Association (HPA) supports HB722 HD1, which establishes a program to provide services to sexually exploited children and victims of human trafficking, which is consistent with our agenda of promoting access to mental health services of high quality. The area of child sexual abuse requires special attention. It is a good idea for the Children's Justice Center to coordinate the investigation and case management of child human trafficking cases.

Thank you for the opportunity to provide input into this important bill.

Sincerely,



Alex Lichton, Ph.D.

Chair, HPA Legislative Action Committee

**HB-722-HD-1**

Submitted on: 2/17/2021 11:53:28 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katherine Kogl	Individual	Support	No

Comments:

Frankly I'm surprised that Hawaii doesn't already have something like this in place. While I recognize that children may be at particular risk, I believe this measure should be expanded as adults are also often victims of human trafficking, and in those instances it can be much more difficult to distinguish trafficking from conscious life choices or ordinary domestic abuse.

**HB-722-HD-1**

Submitted on: 2/17/2021 1:32:33 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Becky Gardner	Individual	Support	No

Comments:

I strongly support this bill. I know our Attorney General's office has been working on this issue for some time and I'd be happy to see these efforts better resourced.

I do want to take the opportunity, however, to request that important bills like this - for which public input should be encouraged - that *at least* the conventional 48 hours notice be given before a hearing is scheduled.

Looking at the calendar, I can't see a compelling reason why a waiver to the 48 hour notice was given - when there seems to be plenty of time to give the public a 2 day opportunity to weigh in.

On matters like this, it is also particularly therapeutic for stakeholders to process their thoughts and compose their testimonies and take part in what should be a public, democratic process of legislating. These stakeholders live very busy lives. They are out there, in the field, doing this hard work - in addition to raising families and surviving a pandemic. Stakeholders have to expend tremendous amounts of energy to keep up with the legislative process and stay engaged. Our representatives should be helping the public in this respect, not making the process even more obscured and out of reach.

It seems half this agenda is comprised of bills given similarly short time-frames. Due consideration should be given to those with a stake in those measures as well. **Or at the very least, as a courtesy, an explanation as to why the rush.**

Thank you for considering the perspective of those wishing to provide important public input.