

STAND. COM. REP. NO. **2510**

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2638
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Human Services and Judiciary, to which was referred S.B. No. 2638 entitled:

"A BILL FOR AN ACT RELATING TO THE COMMERCIAL SEXUAL
EXPLOITATION OF CHILDREN,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of the Attorney General to provide annual reports to the Legislature on specified data pertaining to the commercial sexual exploitation of children; and
- (2) Appropriate moneys.

Your Committees received testimony in support of this measure from Hawaii Youth Services Network, Hawai'i Pacific Health, Imua Alliance, and two individuals. Your Committees received comments on this measure from the Department of the Attorney General, Department of Human Services, and the Department of Budget and Finance.

Your Committees find that, during the coronavirus disease 2019 pandemic, demand for services for survivors of sex trafficking in the State increased exponentially. Obtaining quality data about children and youth who are survivors of



commercial sexual exploitation is a critical tool for understanding their needs and increasing professional and community awareness. Reports to the Legislature containing pertinent data will be helpful in assessing and improving the State's response to the trafficking of minors.

Your Committees have heard the concerns raised in testimony that this measure, as presently drafted, requires the Department of the Attorney General to collect data for which there is no existing statewide database and that the data available to the Department is limited to what other entities are willing to provide. Certain existing rules may limit data sharing due to ongoing investigations, criminal prosecutions, and treatment services for victims, which could consequently limit the Department of the Attorney General's ability to satisfy the specific data requirements of this measure. Therefore, amendments to this measure are necessary to address these concerns.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of the Attorney General shall submit an annual report to the Legislature containing available data from entities that collect and are willing to provide data pertaining to the commercial sexual exploitation of children in the State to the Department, which will cover the immediately preceding fiscal year;
- (2) Requiring the Department of the Attorney General to post a copy of the annual report on its website;
- (3) Clarifying every public official and every state and county department or agency, as applicable, may share information with and provide assistance and cooperation to the Department of the Attorney General to carry out its reporting duties; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary that are attached to this report, your Committees are in accord with the intent and

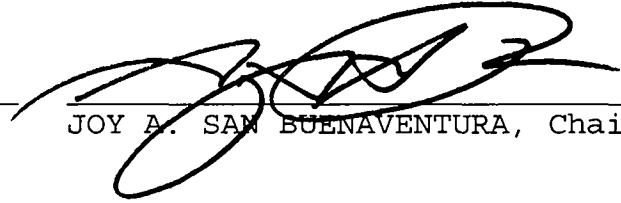


purpose of S.B. No. 2638, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2638, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Judiciary,



KARL RHOADS, Chair



JOY A. SAN BUENAVENTURA, Chair



