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# A BILL FOR AN ACT

RELATING TO HUMAN TRAFFICKING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that children in the  
2 State are vulnerable to sex trafficking and commercial sexual  
3 exploitation. Foster children and runaways having histories of  
4 abuse and neglect are at particularly high risk. Other highly  
5 vulnerable groups include LGBTQ+ youth, immigrants, undocumented  
6 workers, and youth suffering from mental illnesses and substance  
7 abuse issues. Victims are often lured into sex trafficking  
8 through traffickers' use of emotional manipulation and control,  
9 force, fraud, or threats. Moreover, sexually exploited children  
10 often do not have the ability or resources to escape and start a  
11 new life.

12           The legislature recognizes that, in the last decade, the  
13 commercial sexual exploitation of children has garnered greater  
14 attention in Hawaii and throughout the United States. The  
15 department of human services has received an increasing number  
16 of hotline calls involving witnesses or victims of child sex  
17 trafficking. However, because child sex trafficking is covert,



1 it is difficult to accurately measure the scope of the problem,  
2 and exploited youth do not necessarily identify themselves as  
3 victims.

4 The legislature further finds that, in order to adequately  
5 serve children who have been sexually exploited, a statewide  
6 human trafficking prevention program is needed to develop and  
7 utilize comprehensive interagency case management strategies,  
8 protocols, and a multi-disciplinary response that is both  
9 victim-centered and offender-focused. It is the intent of the  
10 legislature to have the department of the attorney general  
11 provide leadership in addressing both the commercial sexual  
12 exploitation of children and the broader issue of human  
13 trafficking.

14 Accordingly, the purpose of this Act is to require the  
15 department of the attorney general to:

- 16 (1) Address the needs of victims of human trafficking  
17 through the development and implementation of a  
18 statewide human trafficking prevention program; and  
19 (2) Report to the legislature on the State's efforts to  
20 address human trafficking and the commercial sexual  
21 exploitation of children.



1 SECTION 2. Chapter 28, Hawaii Revised Statutes, is amended  
2 by adding a new part to be appropriately designated and to read  
3 as follows:

4 "PART . HUMAN TRAFFICKING PREVENTION PROGRAM

5 §28- Definitions. As used in this part:

6 "Child" means a person under eighteen years of age.

7 "Commercial sexual exploitation of children" means any  
8 sexual activity involving a child for the exchange or promise of  
9 anything of value by any person.

10 "Human trafficking" includes "severe forms of trafficking  
11 in persons", as defined in title 22 United States Code section  
12 7102(11), and "sex trafficking", as defined in title 22 United  
13 States Code section 7102(12) and described in section 712-1202.

14 §28- Human trafficking prevention program. (a) The  
15 department of the attorney general shall develop and implement a  
16 program to prevent, and to assist victims of, human trafficking.  
17 The program shall:

18 (1) Assess the current needs of the State's  
19 anti-trafficking response and develop:

20 (A) A statewide strategy to prevent human  
21 trafficking; and



1 (B) A plan to provide increased support and  
2 assistance to victims of human trafficking and  
3 victims of the commercial sexual exploitation of  
4 children;

5 (2) Implement statewide strategies to address  
6 accountability for child enticement, commercial sexual  
7 exploitation, pimping, and human trafficking through  
8 law enforcement efforts, prosecutions, and crime  
9 prevention efforts;

10 (3) Promote public awareness of:

11 (A) Human trafficking and the commercial sexual  
12 exploitation of children;

13 (B) The availability of services for victims of human  
14 trafficking; and

15 (C) The availability of state and national hotlines  
16 for victims and witnesses;

17 (4) Produce and maintain informational materials,  
18 including a website, on:

19 (A) The prevention of human trafficking and the  
20 commercial sexual exploitation of children; and



1 (B) The availability of public resources for victims  
2 and witnesses;

3 (5) Develop and provide comprehensive training on ways to  
4 prevent, identify, and address human trafficking and  
5 the commercial sexual exploitation of children; and

6 (6) Apply for and monitor federal funding for  
7 anti-trafficking efforts.

8 (b) Every public official and state and county department  
9 shall render all necessary assistance and cooperation within the  
10 official's or department's jurisdictional power to share  
11 information and to assist the program in carrying out its duties  
12 under this part."

13 SECTION 3. (a) The department of the attorney general  
14 shall submit a report to the legislature no later than twenty  
15 days prior to the convening of the regular session of 2024 on  
16 the State's efforts to address the commercial sexual  
17 exploitation of children; and shall submit a report to the  
18 legislature no later than twenty days prior to the convening of  
19 the regular session of 2025 on the State's efforts to address  
20 human trafficking. Each report shall include:



- 1 (1) Plans to assist county and state agencies in
- 2 identifying and responding to victims;
- 3 (2) Best practices used in other states to identify and
- 4 serve victims;
- 5 (3) A comprehensive evaluation of applicable programs and
- 6 services currently offered by the State;
- 7 (4) Strategies for public outreach and education;
- 8 (5) An assessment of barriers that inhibit government
- 9 agencies, law enforcement agencies, service providers,
- 10 and nongovernmental organizations in the State from
- 11 supporting victims and holding offenders accountable;
- 12 (6) A review of criminal statutes in chapter 712, Hawaii
- 13 Revised Statutes, on prostitution and sex trafficking;
- 14 (7) Plans for a training program for educators, community
- 15 members, members of law enforcement entities, and
- 16 mandatory reporters of child abuse, including an
- 17 outline of the training content and an assessment of
- 18 whether mandatory training should be required and in
- 19 what intervals;



- 1           (8)    Statewide assessment tools that may be used by first  
2                    responders, medical professionals, and service  
3                    providers to identify victims;
- 4           (9)    Plans for prevention strategies that mitigate the risk  
5                    factors for victims and offenders;
- 6           (10)   Recommendations for enhancing statewide collaboration  
7                    and coordination through multidisciplinary teams,  
8                    committees, and task forces;
- 9           (11)   An analysis of the existing data regarding  
10                   trafficking, which may include but shall not be  
11                   limited to the following:
  - 12                    (A)   Data specific to the commercial sexual  
13                        exploitation of children, including:
    - 14                        (i)   The number of reports to state and national  
15                        hotlines alleging the sexual trafficking of  
16                        a child;
    - 17                        (ii)   The total number of children suspected to be  
18                        victims of sex trafficking, including  
19                        demographic information and information on  
20                        whether each child was previously served by



- 1 the department of the attorney general or  
2 department of human services;
- 3 (iii) The total number of children confirmed to be  
4 victims of sex trafficking, including  
5 demographic information and information on  
6 whether each child was previously served by  
7 the department of the attorney general or  
8 department of human services;
- 9 (iv) Data collected by state-contracted service  
10 providers, including the types and aggregate  
11 costs of services provided to children who  
12 are suspected or confirmed victims of sex  
13 trafficking, the number of children  
14 receiving each type of service, and the  
15 total number of new children and families  
16 served through these service providers; and
- 17 (v) The number of prosecutions and convictions  
18 in the State, delineated by county, for  
19 crimes related to human trafficking or the  
20 commercial sexual exploitation of children;
- 21 (B) Data specific to sex and labor trafficking;





- 1 (C) The identification of any gaps in the State's
- 2 ability to collect data; and
- 3 (D) Recommendations for improving data collection and
- 4 data sharing among service providers,
- 5 non-governmental organizations, and government
- 6 agencies, including law enforcement agencies; and

7 (12) Any proposed legislation.

8 (b) The department of the attorney general may submit  
9 additional reports to the legislature providing data, status  
10 updates, and recommendations, as determined by that department.

11 SECTION 4. This Act shall take effect on December 31,  
12 2050.



**Report Title:**

Attorney General; Commercial Sexual Exploitation of Children;  
Human Trafficking; Prevention; Victim Assistance

**Description:**

Establishes a statewide human trafficking prevention program overseen by the department of the attorney general to provide services and assistance to commercially sexually exploited children and victims of human trafficking. Requires reports to the legislature. Effective 12/31/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

