
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 section 712-1202
13 and title 22 United States Code section 7102(12).

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:

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



- 1 (B) Develop 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 in
4 which to prevent, identify, and address human
5 trafficking and the commercial sexual exploitation of
6 children; and

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

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

17 (1) Plans to assist county and state agencies in
18 identifying and responding to victims;

19 (2) Best practices used in other states to identify and
20 serve victims;



- 1 (3) A comprehensive evaluation of applicable programs and
2 services currently offered by the State;
- 3 (4) Strategies for public outreach and education;
- 4 (5) An assessment of barriers that inhibit law enforcement
5 agencies, service providers, government agencies, and
6 nongovernmental organizations in the State from
7 supporting victims and holding offenders accountable;
- 8 (6) A review of criminal statutes in chapter 712 on
9 prostitution and sex trafficking;
- 10 (7) Plans for a training program for educators, community
11 members, members of law enforcement entities, and
12 mandatory reporters of child abuse, including an
13 outline of the training content and an assessment of
14 whether mandatory training is required and in what
15 intervals;
- 16 (8) Statewide assessment tools that may be used by first
17 responders, medical professionals, and service
18 providers to identify victims;
- 19 (9) Plans for prevention strategies that mitigate the risk
20 factors for victims and offenders;



- 1 (10) Recommendations for enhancing statewide collaboration
- 2 and coordination through multidisciplinary teams,
- 3 committees, and task forces;
- 4 (11) An analysis of the existing data regarding
- 5 trafficking, which may include but shall not be
- 6 limited to the following:
- 7 (A) Data specific to the commercial sexual
- 8 exploitation of children, including:
- 9 (i) The number of reports to state and national
- 10 hotlines alleging the sexual trafficking of
- 11 a child;
- 12 (ii) The total number of children suspected to be
- 13 victims of sex trafficking, including
- 14 demographic information and information on
- 15 whether each child was previously served by
- 16 the department of the attorney general or by
- 17 the department of human services;
- 18 (iii) The total number of children confirmed to be
- 19 victims of sex trafficking, including
- 20 demographic information and information on
- 21 whether each child was previously served by



- 1 the department of the attorney general or by
2 the department of human services;
- 3 (iv) Data collected by state-contracted service
4 providers, including the types and aggregate
5 costs of services provided to children who
6 are suspected or confirmed victims of sex
7 trafficking, the number of children
8 receiving each type of service, and the
9 total number of new children and families
10 served through these service providers; and
- 11 (v) The number of prosecutions and convictions
12 in the State, delineated by county, for
13 crimes related to human trafficking or the
14 commercial sexual exploitation of children;
- 15 (B) Data specific to sex and labor trafficking;
- 16 (C) The identification of any gaps in the State's
17 ability to collect data; and
- 18 (D) Recommendations for improving data collection and
19 data sharing among service providers,
20 non-governmental organizations, and government
21 agencies, including law enforcement agencies; and



1 (12) Any proposed legislation.

2 (c) The department of the attorney general may submit
3 additional reports to the legislature providing data, status
4 updates, and recommendations, as determined by that department.

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

10 SECTION 3. This Act shall take effect on December 31,
11 2050.



Report Title:

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

Description:

Establishes a statewide prevention program overseen by the Department of the Attorney General to provide services and assistance to commercially sexually exploited children and to victims of human trafficking. Requires reports to the Legislature. Effective 12/31/2050. (SD1)

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