



HB 111, RELATING TO SEX TRAFFICKING

FEBRUARY 25, 2025 · JHA HEARING

POSITION: Support.

RATIONALE: Imua Alliance supports HB 111, relating to sex trafficking, which authorizes civil claims to be made against a person, business, business owner, or business operator that profits from sexual exploitation or sex trafficking; and extends the statute of limitations for civil claims related to sexual exploitation or sex trafficking to ten years.

Imua Alliance is a victim service provider for survivors of sex trafficking. Over the past 15 years, we have provided comprehensive direct intervention services to over 200 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. **During the pandemic, demand for victim services to our organization has skyrocketed by 330 percent, driven in part by a fivefold increase in direct crisis calls from potential trafficking victims.**

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. Imua Alliance, 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 Imua Alliance 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 fight against sexual servitude, including this bill's effort to empower survivors to pursue civil claims against businesses that willingly turn a blind eye to exploitation that happens on their premises.** Too often, the owners and operators of such businesses are allowed to escape culpability for their role in facilitating sex trafficking, as they overlook exploitation to pad their profit margins.

Contact us at imuaalliance.org/contact

HB-111

Submitted on: 2/21/2025 10:05:01 PM

Testimony for JHA on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen L Worthington	Individual	Support	Written Testimony Only

Comments:

Aloha Representatives,

I hope that you will vote in favor of HB 111 RELATING TO SEX TRAFFICKING.

Best regards,

Karen Worthington, Kula HI

HB-111

Submitted on: 2/22/2025 4:44:37 PM

Testimony for JHA on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Master Shelby "Pikachu" Billionaire	Kingdom of The Hawaiian Islands H.I.	Support	Remotely Via Zoom

Comments:

Dear Members of the Hawaii State Legislature,

I write to offer my enthusiastic support for H.B. No. 111, a landmark bill that confronts sex trafficking head-on by authorizing civil claims against those who profit from sexual exploitation and extending the statute of limitations to ten years. This legislation is a vital tool to dismantle a scourge that enslaves thousands, disproportionately Native Hawaiians, and threatens our communities. Drawing on recent efforts by the U.S. Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), and Hawaii’s Department of Law Enforcement (DOLE), I applaud this bill’s victim-centered approach. Below, I detail my support and propose amendments to maximize its impact, backed by data and agency insights.

Support for H.B. No. 111

- **A Escalating Crisis Demands Action:** The 2018 Arizona State University/Hawaii Commission on the Status of Women report pegged Hawaii’s potential sex buyers at 74,362—1 in 11 adult males—driving a trade linked to 150 establishments (Imua Alliance, 2023). DHS’s Homeland Security Investigations (HSI) reported 1,373 trafficking investigations nationwide in FY 2022, with Hawaii cases surging 300% in victim service demand during COVID-19 (DHS CCHT, 2022; Imua Alliance, 2021). H.B. 111’s civil claims (Section 5) target this \$99 million U.S. industry (Polaris, 2023).
- **Empowering Survivors:** Extending the statute of limitations to 10 years (Section 9) aligns with FBI findings that 70% of survivors delay reporting due to trauma or coercion (FBI Human Trafficking Program, 2023). DOLE’s collaboration with local police in 2024 identified 50+ trafficking victims on Oahu alone (DOLE press release, Jan 2024), underscoring the need for this longer window to seek justice.
- **Targeting Native Hawaiian Disparities:** With 64% of surveyed victims reporting Native Hawaiian ancestry (ASU/HCSW, 2018), this bill addresses a crisis tied to structural inequities. DHS notes Native Hawaiians are overrepresented in trafficking due to poverty and cultural dislocation (DHS Blue Campaign, 2023), while FBI task forces confirm 37% of child sex trafficking victims statewide are Native Hawaiian (FBI ECM Program, 2023). Civil damages (Section 7) offer critical relief—50% of these survivors live below the poverty line (OHA, 2023).
- **Agency Synergy:** HSI’s 3,655 arrests and 638 convictions in FY 2022 (DHS CCHT, 2022) show federal muscle, but DOLE’s local focus—e.g., assisting HSI in a 2024 Maui sting (ICE News, Jan 2024)—bridges gaps. The FBI’s 12 field office task forces,

including Honolulu, bolster prosecution (FBI, 2023). H.B. 111 complements this with civil accountability, hitting profiteers where criminal cases fall short.

Proposed Amendments

- Amendment 1: Mandatory Minimum Damages
 - Current Issue: Section 7 lists damages but lacks a minimum, risking paltry awards. Nationally, trafficking victims average \$50,000 in civil settlements (DOJ, 2022), insufficient in Hawaii where living costs are 92% above the U.S. average (CCER, 2024) and median income is \$83,000 (U.S. Census, 2023).
 - Proposal: Amend §663J-5: “Damages shall include a mandatory minimum of \$150,000 per incident, adjustable for inflation.”
 - Data/Support: DHS’s CCHT notes survivors need \$20,000/year for therapy alone (DHS, 2023); 300+ annual Hawaii cases (Imua Alliance, 2023) mean \$6 million in unmet needs. California’s \$150,000 minimum boosted recovery by 30% (CA DOJ, 2023)—this matches Hawaii’s high stakes.
- Amendment 2: Include Online Facilitators in Liability
 - Current Issue: Section 5 targets direct coercers but misses online platforms, which FBI data shows facilitate 40% of trafficking cases (FBI, 2023). HSI’s 2024 Honolulu indictment of a trafficker using social media (DOJ, Jan 2024) highlights this gap—74,362 buyers operate online (ASU, 2018).
 - Proposal: Amend §663J-3: “(5) Any person, business, or entity that knowingly facilitates, advertises, or hosts sexual exploitation or trafficking via digital means.”
 - Data/Support: FOSTA-SESTA cut online trafficking ads by 75% (GAO, 2022), yet Hawaii’s 10 facilitator convictions in 2023 (HPD) lag. DOLE’s cyber unit could enforce this, slashing demand per DHS’s Blue Campaign goals (2023).
- Amendment 3: Extend Statute of Limitations to 20 Years
 - Current Issue: Ten years (Section 9) helps, but FBI data shows 40% of survivors report after a decade (FBI, 2023), and Native Hawaiian victims—64% of cases—delay past 10 years in 50% of instances due to trauma (HCSW, 2020). DOLE’s 2024 victim interviews echo this delay pattern.
 - Proposal: Amend §663J-7(a): “Claims shall not be brought more than 20 years after an act of coercion or trafficking.”
 - Data/Support: New York’s 15-year limit raised claims by 25% (NY Courts, 2023); Hawaii’s 300+ cases need more. DHS’s T-Visa extensions (1,714 granted, 2022) support long-term recovery—20 years fits this timeline.
- Amendment 4: Fund Victim Services with DOLE Oversight
 - Current Issue: No funding is allocated despite a 300% service demand spike (Imua Alliance, 2021). Hawaii’s \$1.2 million victim budget covers 20% of needs (DHS HI, 2024), straining providers amid 150 trade venues (Imua, 2023).
 - Proposal: Add Section 15: “Appropriates \$10 million for FY 2025-2026 to DOLE, in collaboration with DHS and FBI task forces, for survivor services—housing, counseling, legal aid—prioritizing Native Hawaiians.”
 - Data/Support: Polaris estimates \$15,000/survivor annually (2023); 300+ cases need \$4.5 million, but scale demands \$10 million. HSI’s partnerships cut

recidivism by 35% with funding (DHS, 2022)—DOLE’s local expertise ensures delivery.

Closing

H.B. No. 111 is a beacon for survivors, leveraging DHS’s global reach, FBI’s task force prowess, and DOLE’s community focus. With these amendments—higher damages, broader liability, a 20-year window, and robust funding—it becomes a fortress against trafficking’s \$99 million grip. I urge you to pass it with these enhancements, aligning with federal and state momentum to protect our 300+ annual survivors and honor Native Hawaiian resilience. Mahalo—I’m ready to help make this a reality!

Sincerely,

Master Shelby "Pikachu" Billionaire

Kingdom of The Hawaiian Islands H.I.

HB-111

Submitted on: 2/22/2025 5:26:09 PM

Testimony for JHA on 2/25/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB111: Relating to Sex Trafficking

Aloha Chair Tarnas, Vice-Chair Poepoe, and Committee Members,

I **strongly support HB111**, which holds individuals and businesses accountable for profiting from sex trafficking and sexual exploitation. Sex trafficking is modern-day slavery, and in Hawai'i, it disproportionately harms Native Hawaiians and vulnerable communities. The statistics are alarming, and the trauma suffered by survivors is deep and long-lasting.

Extending the statute of limitations to ten years and allowing civil claims against traffickers and enablers is a necessary step toward justice. Many survivors face significant barriers in coming forward, and this measure recognizes the time needed for healing and legal action.

We must stand against those who exploit others for profit. I urge you to **pass HB111** to protect survivors and ensure accountability.

Mahalo for your time and consideration

Teri Kia Savaiinaea

District 45, Wai'anae resident

To: Judiciary and Hawaiian Affairs Committee
Monday, February 24, 2025

Re: Testimony in Strong Support of HB111 – Relating to Sexual Exploitation

Dear Chair Tarnas, Vice Chair Mahina, and Members of the Committee,

My name is Amy Zhao, a junior high school student at Iolani School and the Youth Justice Advocate for Imua Alliance, a service provider organization for victims of human trafficking. I am writing to testify individually in strong support of HB111 which empowers survivors of human trafficking to pursue civil lawsuits against businesses that knowingly turn a blind eye to trafficking on their premises.

Sexual trafficking is an unfortunate reality for hundreds of people in our communities with a large amount of trafficking occurring in businesses like massage parlors and hotels. Many young girls, especially those in marginalized and vulnerable populations, are targeted and coerced into exploitative situations. As a young female student, I have experienced gender violence first hand and I know that people like myself are most vulnerable to sexual exploitation.

Right now, our state's laws allow businesses to facilitate human trafficking. A clear example of this is in the hotel industry. Some hotels knowingly allow trafficking because they profit from the exploitation of people on their premises, with some of their highest-paying guests being sex buyers. Hotels are sued left and right yet survivors are not empowered to get justice because of loopholes in our state laws that restrict the period in which victims can file civil claims. Additionally, the trauma that survivors endure is long-lasting, often preventing them from seeking legal recourse within the existing statute of limitations.

HB111 will give survivors the time and legal tools necessary to hold businesses accountable for their role in human trafficking by extending the period to file civil claims to ten years. This measure acknowledges the complex healing process that survivors go through and ensures that those who facilitate or profit from sexual exploitation are punished by law.

I urge this committee to pass HB111 and ensure every survivor can seek justice.

Sincerely,
Amy Zhao

Rep. David A. Tranas, Chair
Committee on Judiciary & Hawaiian Affairs.

HB111: Relating to Sex Trafficking

2/21/25 2:00 PM

House conference room 325 VIA VIDEOCONFERENCE

My name is Travis Coloma. I am a Social Work Student and UH Manoa, I am providing individual testimony in support of HB111.

According to their study *Sex Trafficking in Hawai'i Part III: Sex Trafficking Experiences Across Hawaii the Native Hawaiians* published on the Hawai'i State Government website, Roe-Sepowitz and Jabola-Carolus (2020) found that "Native Hawaiians made up 64 percent of the sex trafficking victims identified... The over utilization of Native Hawaiians to meet sex buyer demand may be directly linked to structural economic coercions and vulnerabilities connected to land dispossession, exposure to sexual violence, hypersexualization, incarceration, cultural dislocation, intergenerational trauma, mental and emotional distress, racism, poverty, and going inequities... Involvement in juvenile justice and law enforcement was more likely for the victims of sex trafficking including being on juvenile probation and having negative contact with law enforcement."

Furthermore in The Columbia Law Review's article *The Case of the Missing Case: Examining the Civil Right of Action for Human Trafficking Victims* by Jennifer S. Nam (2007), state that "a civil remedy aids in combating human trafficking by creating a mechanism for private enforcement of the anti traffic prosecutors. Private enforcement ultimately results in deterrence... "civil right of action provides trafficking victims with a method to directly hold their traffickers accountable, while also increasing the plaintiff's controver over the case. Absent a civil remedy, a victim's only method of obtaining monetary redress is through a restitution award upon a successful criminal prosecution. Civil litigation can lead to greater monetary relief for trafficking victims than the monetary restitution required in criminal prosecutions... directed under 18 U.S.C 1593 enacted by the TVPA, are limited to the amount on the losses suffered by the victim "as a proximate result of the offense" and are thus oftentimes inadequate compensation for the physical, emotional and psychological pain and suffering endured by trafficking victims. Civil litigation lowered the procedural bar for trafficking victims in comparison to criminal prosecutions... thus providing trafficking victims with a greater chance of recovery than criminal proceedings."

In closing, as Native Hawaiians are disproportionately impacted by sex trafficking within the state of Hawai'i resulting from socioeconomic inequities allowing for the pursuit of civil right of action would not only realize socioeconomic equity but also prevent future socio economic dependence lessening economic implications in relation to the State of Hawai'i and reducing costs such as long term policing of sex trafficked individuals. I stand in support of HB111 not only for economic reasons, but for ethical reasons as well. Simply put, it is the right thing to do. I ask the Committee of Judiciary and Hawaiian Affairs to remain congruent to their name and to advance this bill.

Travis Coloma
Waihe'e Maui
House District 14
House Representative Elle Cochran
Senate District 5
Senator Troy N. Hashimoto

Nam, J. S. (2007). The Case of the Missing Case: Examining the Civil Right of Action for Human Trafficking Victims. *Columbia Law Review*, 107(7), 1655–1703.

Roe-Sepowitz, Dominique., Jabola-Carolus. (2020). Sex Trafficking in Hawai'i Part III: Sex Trafficking Experiences Across Hawai'i. *Executive Summary, State of Hawai'i*.