

ACT 260

H.B. NO. 2051

A Bill for an Act Relating to Protection for Victims of Human Trafficking.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that existing legislation and law enforcement activities in Hawaii are inadequate to deter human trafficking and bring traffickers to justice. Hawaii law does not penalize the full range of offenses involved in the trafficking scheme. Instead, even the most brutal instances of trafficking are punished under laws that also apply to lesser offenses, allowing traffickers to escape deserved punishment.

The legislature also finds that the United States Congress passed the Victims of Trafficking and Violence Protection Act, the first comprehensive piece of legislation aimed at addressing the range of injustices perpetrated by traffickers. Likewise, to deter human trafficking, Hawaii must recognize that trafficking is a serious offense. This is done, in the first instance, by prescribing appropriate punishment and ensuring that state anti-trafficking laws are compatible with the Victims of Trafficking and Violence Protection Act.

The purpose of this Act is to establish a task force to determine how Hawaii can best combat and deter human trafficking, which is a contemporary manifestation of slavery, to ensure just and effective punishment of traffickers, prevent or reduce human trafficking, and protect the rights of trafficked persons.

SECTION 2. (a) There is established the Hawaii anti-trafficking task force. The anti-trafficking task force shall be comprised of the following:

- (1) The attorney general, or the attorney general's designees;
- (2) The directors of health, human services, and labor, or their designees;
- (3) The chief of police of each county or the chief's designee;
- (4) The prosecuting attorney of each county, or the prosecutor's designee;
- (5) The director of the victim and witness assistance program of the department of the prosecuting attorney, city and county of Honolulu;
- (6) The Salvation Army;
- (7) Sisters Offering Support;
- (8) The Sex Abuse Treatment Center;
- (9) GirlFest;
- (10) Na Loio Immigrant Rights and Public Interest Legal Center;
- (11) The Domestic Violence Clearinghouse and Legal Hotline; and
- (12) The Hawaii State Coalition Against Sexual Assault.

The Task Force members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(b) The task force shall carry out the following activities:

- (1) Compile and review statutes, rules, and information relating to programs adopted in other states to combat human trafficking and to provide services to its victims;
- (2) Recommend further changes to Hawaii law necessary to assist in the prevention of human trafficking and to provide support to victims;
- (3) Develop protocols and training for individuals within designated state agencies, nongovernmental organizations, and private entities regarding provision of services to trafficked persons;
- (4) Develop interagency procedures to collect and organize data, including research and resource information on domestic trafficking, and to measure the extent of the need for protection and assistance to victims of trafficking; and
- (5) Engage in consultation with governmental and nongovernmental organizations, among other entities, to advance the purposes of this Act.

(c) The anti-trafficking task force is authorized to seek federal grants available to states, local government, and nonprofit organizations for personnel, training, services, and programs that are related to the task force's activities.

(d) Not less than twenty days prior to the convening of the regular sessions of 2007 and 2008, the task force shall provide to the legislature a report on its activities.

(e) The task force shall cease to exist on June 30, 2008.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$5,000 or so much thereof as may be necessary for fiscal year 2006-2007 for the purpose of supporting the work of the anti-trafficking task force established by section 2, including the payment of reasonable travel expenses for task force members to attend meetings.

The sum appropriated shall be expended by the department of the attorney general for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2006.

(Approved July 3, 2006.)