

A Bill for an Act Relating to Human Trafficking.

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

SECTION 1. The legislature finds that children in the State are vulnerable to sex trafficking and commercial sexual exploitation. Foster children and runaways with histories of abuse and neglect are at particularly high risk. Other highly vulnerable groups include LGBTQ+ youth, immigrants, undocumented workers, and youth suffering from mental illnesses and substance abuse issues. Victims are often lured into sex trafficking through traffickers' use of emotional manipulation and control, force, fraud, or threats.

The legislature recognizes that, in the last decade, the commercial sexual exploitation of children has garnered greater attention in Hawaii and throughout the United States. The department of human services has received an increasing number of hotline calls involving witnesses or victims of child sex trafficking. However, because child sex trafficking is covert, it is difficult to accurately measure the scope of the problem, and exploited youth do not necessarily identify themselves as victims.

The legislature further finds that to adequately assist all persons who have been sexually exploited, a statewide human trafficking program is needed to develop and utilize comprehensive interagency case management strategies and protocols, combined with a multidisciplinary response. It is the intent of the legislature that the department of the attorney general will provide leadership in addressing the commercial sexual exploitation of children and the broader issue of human trafficking.

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

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

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

**“PART . HUMAN TRAFFICKING PREVENTION PROGRAM**

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

“Child” means a person under eighteen years of age.

“Commercial sexual exploitation of children” means any sexual activity involving a child for the exchange or promise of anything of value by any person.

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

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

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

- (A) A statewide strategy to prevent human trafficking; and
- (B) A plan to provide increased support and assistance to victims of human trafficking and victims of the commercial sexual exploitation of children;
- (2) Implement statewide strategies to address offender accountability for child enticement, commercial sexual exploitation, and human trafficking through law enforcement efforts, prosecutions, and crime prevention efforts;
- (3) Promote public awareness of:
  - (A) Human trafficking and the commercial sexual exploitation of children;
  - (B) The availability of services for victims of human trafficking; and
  - (C) The availability of national and state hotlines for victims and witnesses;
- (4) Produce and maintain informational materials, including a website, on:
  - (A) The prevention of human trafficking and the commercial sexual exploitation of children; and
  - (B) The availability of public resources for victims and witnesses;
- (5) Develop and provide comprehensive training on ways to prevent, identify, and address human trafficking and the commercial sexual exploitation of children; and
- (6) Apply for and monitor federal funding available for anti-trafficking efforts.
- (b) Each public official and state and county department shall render all necessary assistance and cooperation within the official's or department's jurisdictional power to share information and assist the program in carrying out its duties under this part."

SECTION 3. (a) The department of the attorney general shall submit a report to the legislature no later than twenty days prior to the convening of the regular session of 2026 on the State's efforts to address the commercial sexual exploitation of children; and shall submit a report to the legislature no later than twenty days prior to the convening of the regular session of 2027 on the State's efforts to address human trafficking.

- (b) Each report identified in subsection (a) shall include:
  - (1) Plans to assist state and county agencies in identifying and responding to victims;
  - (2) Best practices used in other states to identify and serve victims;
  - (3) A comprehensive evaluation of applicable programs and services currently offered by the State;
  - (4) Strategies for public outreach and education;
  - (5) An assessment of any barriers that inhibit government agencies, law enforcement agencies, service providers, and nongovernmental organizations in the State from supporting victims and holding offenders accountable;
  - (6) A review of criminal statutes in chapter 712, Hawaii Revised Statutes, on prostitution and sex trafficking;
  - (7) Plans for a training program for educators, community members, members of law enforcement agencies, and mandatory reporters of child abuse, including an outline of the training content and an assessment of whether training should be mandatory and in what intervals;
  - (8) Statewide assessment tools that may be used by first responders, medical professionals, and service providers to identify victims;

- (9) Plans for prevention strategies that mitigate the risk factors for victims and offenders;
- (10) Recommendations for enhancing statewide collaboration and coordination through multidisciplinary teams, committees, and task forces;
- (11) An analysis of the existing data regarding trafficking, which may include but shall not be limited to the following:
  - (A) Data specific to the commercial sexual exploitation of children, including:
    - (i) The number of reports to national and state hotlines alleging the sexual trafficking of a child;
    - (ii) The total number of children in the State suspected to be victims of sex trafficking, including demographic information and information on whether each child was previously served by the department of the attorney general or department of human services;
    - (iii) The total number of children in the State confirmed to be victims of sex trafficking, including demographic information and information on whether each child was previously served by the department of the attorney general or department of human services;
    - (iv) Data collected by state-contracted service providers, including the types and aggregate costs of services provided to children in the State who are suspected or confirmed victims of sex trafficking, number of children in the State receiving each type of service, and total number of new children and families in the State served through these service providers;
    - (v) The total number of reports made to the department of the attorney general via the National Center for Missing and Exploited Children CyberTipline, and the number of these reports that resulted in an arrest; and
    - (vi) The number of arrests, prosecutions, and convictions in the State, delineated by county and disaggregated by race, for crimes related to human trafficking, commercial sexual exploitation, or the commercial sexual exploitation of children;
  - (B) Data specific to sex and labor trafficking;
  - (C) The identification of any gaps in the State's ability to collect data; and
  - (D) Recommendations for improving data collection and data sharing among service providers, nongovernmental organizations, and government agencies, including law enforcement agencies; and
- (12) Any proposed legislation.
  - (c) The department of the attorney general may submit additional reports to the legislature providing data, status updates, and recommendations, as determined by the department.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 14, 2023.)