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HAWAII

2023 Report Card

TIER II

GRADES ARE BASED SOLELY ON AN ANALYSIS OF STATE STATUTES. While we recognize the critical importance of non-legislative responses to propel progress, grading on statutory law provides a clear mechanism for evaluating policy goals across all states while ensuring that survivor-centered reforms are an enduring part of states' responses.

STATE HIGHLIGHTS:

- Between 2021-2023, raised score by 23.5 points.
- Most improved in 2023 (raised score by 20 points this year alone).
- Enacted House Bill 579, requiring the Department of the Attorney General to develop and implement a program to prevent and support survivors of human trafficking, including through training of law enforcement, educators, and mandatory reporters.
- State funds were appropriated to support the development and provision of services to survivors of human trafficking.
- Convicted offenders of sex trafficking and CSEC are required to pay fees that are deposited into a special fund to support access to specialized services for survivors.

SAFE HARBOR STATUS:

One of 21 states that fail to prohibit the criminalization of minors for prostitution offenses, thus allowing commercially sexually exploited minors to be held criminally accountable for their own victimization.

Issue			Grade	Score	Summary
	1. Criminal Provisions		B	$\frac{15}{17.5}$	Policy goals accomplished related to buyer and trafficker accountability under state CSEC laws, mistake of age defenses, decoy defenses, business entity liability under the trafficking law, and financial penalties. Gap remains related to buyer accountability under the trafficking law.
	2. Identification of and Response to Victims		F	$\frac{3.5}{27.5}$	Policy goal accomplished related to child abuse definitions. Gaps remain related to third party control, foreign national victims, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, juvenile court jurisdiction, and non-caregiver trafficking cases.
	3. Continuum of Care		F	$\frac{7.5}{15}$	Policy goal accomplished related to appropriations. Gaps remain related to community-based services, MDT responses, services through child welfare and the juvenile justice system, and extended foster care services.
	4. Access to Justice for Trafficking Survivors		C	$\frac{11.5}{15}$	Policy goals accomplished related to civil orders of protection, restitution, and civil remedies. Gaps remain related to crime victims' compensation, vacatur, and statutes of limitation.
	5. Tools for a Victim-Centered Criminal Justice Response		F	$\frac{5}{10}$	Gaps remain in all areas, including hearsay exceptions, alternatives to live, in-court testimony, victim-witness supports, and privileged communications.
	6. Prevention and Training		F	$\frac{4}{15}$	Gaps remain in all areas, including training for child welfare, juvenile justice agencies, law enforcement, prosecutors, and school personnel as well as prevention education in schools.
EXTRA CREDIT	18+	Youth		2	Protections related to appropriations and civil remedies are extended to sex trafficked youth.
	CLT	Child Labor Trafficking		5	Protections related to financial penalties, child abuse definitions, appropriations, civil orders of protection, and restitution are extended to child labor trafficking victims.

OVERALL GRADE
TIER II

F 53.5