



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

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Hawaii's Reformed Sex Trafficking Laws Aim to Combat Commercial Sexual Exploitation by Providing Important Tools in the Fight Against Sex Trafficking

HONOLULU – Today, Governor David Y. Ige signed into law a comprehensive reform of Hawaii's criminal sex trafficking laws. The new provisions address the challenges and complexities of sex trafficking, and implement concrete measures to enhance the State's ability to investigate and prosecute traffickers, while improving outcomes for victims and survivors as they move through the justice system.

With the new law, Hawaii moves away from punishing prostituted persons and instead, focuses on sex buyers by classifying sex trafficking as "commercial sexual exploitation." At its core, sex trafficking and commercial sexual exploitation are financially motivated crimes where bad actors profit by exploiting vulnerable members of our community, including children, the LGBTQ+ community, native Hawaiians and people of color, and people with disabilities. Historically, sex trafficking victims have been arrested and punished while sex buyers, who fuel the industry and abuse victims, have avoided accountability.

"The changes signed into law today send a clear message that Hawaii does not tolerate any form of commercial sexual exploitation and is committed to ensuring victims are identified and supported," Attorney General Clare E. Connors said. "In collaboration with our local, state, and federal partners, we will use these important tools to seek justice for victims of these heinous crimes."

The Department of the Attorney General has made combatting sex trafficking a priority. Attorney General Connors has taken a leadership role both locally and nationally in the fight, serving as the Co-Chair of the National Association of Attorneys General's (NAAG) Human Trafficking Committee. In May 2020, the Department established a statewide human trafficking coordinator position and through a multidisciplinary approach, is working to improve Hawaii's anti-trafficking response by collaborating with law enforcement partners, increasing the number of prosecutions, developing training programs and pursuing public messaging and outreach strategies.

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“Our goal is to change the paradigm that has normalized the buying and selling of people for sex. Sex buying exploits vulnerable people and hurts our communities. Focusing on the buyers who drive the commercial sex market, and traffickers who profit from the exploitation, is the best way to prevent victimization and support survivors,” said Deputy Attorney General and State Human Trafficking Coordinator Farshad M. Talebi. “These laws are the result of support and input from our partners in law enforcement, policy makers, community service providers, non-governmental organizations, and most importantly, those with lived experience.”

Other significant changes in the law include increasing the level of offense for the commercial sexual exploitation of children from a Class C to a Class B felony; allowing victims and survivors of sex trafficking to come forward at any time by eliminating the statute of limitation; criminalizing the exchange of “anything of value” (drugs, housing, etc.) as a means of compensation in exchange for sexual services; making traffickers strictly liable as to the knowledge of the age of a minor victim; and closing other gaps in the current laws that have allowed offenders to escape criminal culpability.

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