



GENDER IMPACT STATEMENT

Gambling With Women's Safety:
A Feminist Assessment of Proposed Resort-Casino

Prepared by the Hawai'i State Commission on the Status of Women
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for the Hawai'i State House of Representatives
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I. INTRODUCTION

This evaluation was undertaken by the Hawai'i State Commission on the Status of Women (Commission) in response to a request by members of the Hawai'i State House of Representatives. The Commission is committed to anticipating, preventing, and correcting violent victimization of women, particularly Native Hawaiian women. As a preliminary to wise action, Hawai'i government should utilize evaluation tools to forecast negative and positive effects on the safety of women that might be expected of any proposal significantly impacting the local economy. This document attempts to describe potential effects on women related to the draft proposal for a resort-casino in Kapolei approved by the Department of Hawaiian Home Lands (DHHL) on December 22, 2020.

The Commission is cognizant that the ongoing debate over gambling to provide revenue for Native Hawaiians has generated public controversy. The real controversy, however, lies in the role of racism in creating cash-strapped Native Hawaiian organizations. The idea that DHHL has to raise money, absent adequate support of the State Legislature, is rooted in a framing of DHHL that ignores historical responsibility of the State of Hawai'i to provide adequate funding for DHHL as an agency. For decades, the suggestion that DHHL's inadequate funding is the result of poor management by Native Hawaiians is more rooted in racist stereotyping. Stereotypically, the only state agencies that are required to raise funds in order to fulfill their own mission falls along lines of gender and race stereotyping. DHHL should not be forced to generate funding from its own land and from Native Hawaiian beneficiaries, especially not at risk to women's safety. The Commission is committed to ensuring that Native Hawaiians are adequately supported by state and federal government.

Methodology

This document contains review of grey literature, academic publications, and sex trafficking survivor testimony. Due to the specificity of this inquiry, the Commission also consulted two national experts who have developed an economic model to calculate the impact on marginalized communities of an event or development project (e.g., casino, sports complex, and truck stop) with regards to commercial sexual exploitation:

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Dr. Angela Henderson, Ph.D., is a professor of sociology at the University of Colorado. She specializes in gender and the sociology of sports, including the intersection of sex trafficking and sporting events. Dr. Henderson co-authored the 2019 book *Global Crime: An Encyclopedia of Cyber Theft, Drug Smuggling, Human Trafficking, Weapon Sales, and Other Illegal Activities*.

II. EXPECTED IMPACT

A. Exploring the Link Between Casinos and Violent Victimization of Women

1. Sex Trafficking

Introduction

Violence is a common impediment to women's equality in Hawai'i. One of the most pernicious forms of violence against women today is sex trafficking. Sex trafficking involves recurrent sexual assault and often requires significant resources and time to successfully exit. Nationally, a person being sex trafficked in a hotel/resort setting is forced, coerced, or intimidated to perform sex acts on an average of 5 to 10 customers per day.¹

Sex trafficking is a method of supplying people to meet the demand for commercialized sexual activity. Sex buying creates the need for sex trafficking due to insufficient numbers of voluntary "prostitutes." Sex trafficking is distinct from prostitution: sex trafficking is the means, prostitution, pornography and stripping are the ends. Both are relatively [new problems](#) in Hawai'i that became systematic after Western contact.

In addition, sex trafficking is a legal term that describes the sexual exploitation of another person for the purposes of making money or obtaining something of value. Federal law also categorizes certain types of sex buying as sex trafficking. Sex trafficking is a state and federal crime. Sex

¹ Lundstrom, Megan, Zoom Interview with Hawai'i State Commission on the Status of Women, January 2021.

trafficking predominately affects women and girls although men and boys are also victimized. Transgender and gender non-conforming people also face a poverty of choices that renders them highly vulnerable to commercial sexual exploitation, whether or not they can meet the legal threshold for sex trafficking.

Analysis

The State is in need of increased data around sex trafficking, and there is currently neither a method for statewide data collection, nor a clear mandate for collection of reporting and analysis of important metrics of sex trafficking. However, initial prevalence data indicates that a serious sex trafficking problem exists in Hawai'i:

According to law enforcement (Spotlight) data compiled by The Avery Center, there were 48,086 total ads posted for commercial sex in Honolulu in 2019. The same research estimated a total 18,375 sex trafficking victims in Honolulu. A calculation of the average sex acts required of each victim per day totaled 23,887,812 commercial sex acts per year performed by sex trafficking victims in Honolulu.²

Local data collection is in its infancy. In FY2017, a total of 83 cases of sex trafficking were reported to the nascent Child Trafficking Hotline operated by the Hawai'i State Department of Human Services Child Welfare Services. The youngest victim was six years old. Troublingly, Native Hawaiians accounted for 33% of child sex trafficking victims reported to the Child Welfare Services hotline from June 2017 to February 2019.

In 2019, Arizona State University partnered with the Commission and local social service providers to publish direct testimony that described a larger network of sex trafficking through interviews with 22 sex trafficking survivors and their family members. In 2020, Child and Family Service, Hawai'i's largest non-profit social service provider, identified 97 sex trafficking victims among its clients through the first statewide survey of its kind.³ The sex trafficking victims lived on five islands in Hawai'i, with the highest percentages being on O'ahu (45.4%). The majority of the victims (64%) identified as Native Hawaiian.

Research by Arizona State University and the Commission has also found that there is a larger incentive to sex traffic women and youth in Hawai'i compared to other major American cities due, in part, to a large tourism and military presence. An estimated [1 in 9 men on O'ahu](#) are potential online sex buyers, and one-third are tourists or military personnel.

There are also important insights to consider from social service providers such as Susannah Wesley Community Center (SWCC), which provides comprehensive case management for sex trafficking victims funded by the Department of Human Services, Department of Labor and

² Lundstrom, M. & Henderson, A., *PowerPoint Presentation: Painting a Full Picture: Sex Trafficking Demand & Victimology During COVID-19*, University of Northern Colorado, 2020.

³ Roe-Sepowitz, D., Arizona State University, *Sex Trafficking in Hawaii Part Three: Sex Trafficking Experiences Across the Islands*, Jan. 2020.

Industrial Relations, and federal VOCA grant. In January 2021, SWCC reported to the Commission that during the COVID-19 pandemic the agency observed:

1. 20% to 30% increase in clients who have been sex trafficked;
2. 65% increase in people needing sex trafficking-specific therapy;
3. An increasing number of child and adult clients reporting that they are being sex trafficked out of homeless encampments on O‘ahu;
4. Sex trafficking victims reporting increased danger and violence at the hands of their traffickers and buyers during the COVID-19 pandemic. Victims attribute this increase to having to service more sex buyers for less money to make their nightly quotas, i.e., \$1,000 nightly to be paid to their trafficker. Victims report seeing buyers who they know are not safe out of economic desperation or being forced by their traffickers to bring in money, as well as increased substance abuse by traffickers and buyers.

At present, government and non-profit actors struggle to provide adequate care, shelter and support to the current number of sex trafficking victims in Hawai‘i. This developing infrastructure is likely to be further taxed if the planned resort-casino in Kapolei on Hawaiian Home Lands is realized. Based on the following, the Commission believes sex trafficking victimization and sexual violence, especially against Native Hawaiians, is likely to increase as a result of the resort-casino:

1. Prostitution and casinos go hand-in-hand because casinos draw a large presence of men with money to spend on leisure and relaxation including paid sex, which then impacts the number of prostituted people required to be brought in to meet the demand. Although gambling among women is on the rise, the Commission anticipates that the majority of gambling clients to the proposed casino-resort in Kapolei are likely to be men due to the gendered contours of gambling. U.S. research has found that **men gamble twice as much as women** (69% to 36%).⁴ The following are documented mediators of gender differences in gambling: men have more money due to the gender pay gap, men are more likely to engage in risk-taking behaviors, and men are subjected to more gambling ads, e.g., during televised or streamed sports events.
2. National research suggests specific linkages between casino gambling and sex buying. A 2010 study funded by the U.S. Department of Justice and University of Nevada-Las Vegas found a correlation between engagement in casino gambling and paying for sex: [casino patrons were 17% more likely than the average survey respondent to have paid for sex in the past year.](#)⁵
3. The experiences of American Indian tribes illustrate a connection between casinos and sex trafficking. For example, the Mandan, Hidatsa, and Arikara nations in North Dakota report that women are being sex trafficked in areas where men go for leisure. The MHA

⁴ Clayton, E.W. et. al, Institute of Medicine and National Research Council, *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States* (2013)

⁵ Wagner, B. et. al., Experiences of Youth in the Sex Trade in Law Vegas, Mar. 2016, located at <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/249956.pdf>.

nations have documented “women offering sexual services under the watchful eye of a pimp in the [tribal] casino.”⁶ This is substantiated by MHA tribal law enforcement, which reported the tribal casino is likely a venue for sex trafficking.⁷ Tribes have their own law enforcement but are also under federal jurisdiction. The U.S. General Accounting office reported that various tribal law enforcement agents “indicated that they suspect there is more human trafficking than what has been reported to them because of the presence of casinos on their land (14 of 60 respondents). One tribal LEA explained the tribal casino hotel may be used as a venue for sex trafficking.”⁸ Native women advocates also claim that sex trafficking is prevalent at tribal casinos and current anti-trafficking measures are inadequate to address the problem.⁹

4. The sex trade relies on a steady supply of vulnerable people to exploit. The proposed resort-casino will be located near an area with [the largest Native Hawaiian community and one of the most economically challenged communities in Hawai‘i](#). Native Hawaiian women living in close proximity to the casino could be easy targets for coercive recruitment to meet the demand for paid sex created by gambling clients. The cost of living in Hawai‘i is out of reach for many Native Hawaiians, particularly women. Native Hawaiian women are more economically depressed than Native Hawaiian men. Poverty rates for Native Hawaiian women exceeds Native Hawaiian men from ages 18-34 due, in part, to the gender pay gap: Native Hawaiian women earn 71 cents for every dollar Caucasian men are paid and 82 cents for every dollar Hawaiian men are paid.¹⁰ Younger Native Hawaiian women, i.e., the demographic targeted by sex traffickers, are also poorer than older Native Hawaiian women.¹¹ In addition, [28%](#) of Native Hawaiian families are single mother households and 80% of single mother households live in poverty in Hawai‘i.¹² Native Hawaiian boys are also highly vulnerable and experienced the highest poverty rates in 2016. Heightened demand for paid sex could exacerbate the current crisis of vulnerable Native Hawaiian women and children in Hawai‘i being trafficked into prostitution, pornography and strip clubs locally and over state lines. There is mounting evidence that Native Hawaiian women and children are more likely to be in prostitution involuntarily (sex trafficked) than other groups. Government data on Native Hawaiians and sex trafficking victimization to date:
 - Native Hawaiians were 77% of sex trafficking victims in Hawai‘i’s first qualitative study (22 victims; 2018)

⁶ Gillespie, C., Columbus’s Legacy: Trafficking of Native American Women in the 21st Century, 71. S.C L. Rev. 685 (2020).

⁷ *Id.* at 700.

⁸ U.S. General Accounting Office, Human Trafficking: Information on Cases in Indian Country or that Involved Native Americans (Jul. 2017), located at <https://www.gao.gov/products/GAO-17-624>.

⁹ Krol, D., Identifying, Tracking and Preventing Human Trafficking in Indian Country, Feb. 7, 2019, located at https://indiancountrytoday.com/news/identifying-tracking-and-preventing-human-trafficking-in-indian-country-R7-ddTjS7E6XVGX_nN42dw

¹⁰ Office of Hawaiian Affairs, *Haumea—Transforming the Health of Native Hawaiian Women and Empowering Wahine Wellbeing*, 2018, located at <https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/OHA-Womens-Health-Report-Book-1.pdf>.

¹¹ *Id.* at 87.

¹² *Id.*

- Native Hawaiians were 64% of sex trafficking victims in Hawai‘i’s first statewide survey through Child and Family Service (97 victims; 2020)
 - Native Hawaiians were 33% of child sex trafficking victims reported to the Hawai‘i State Department of Human Service Child Welfare Services hotline (6/9/17 and 2/17/19)
 - Native Hawaiian girls are the majority of missing children tracked by the Hawai‘i State Department of the Attorney General Missing Child Center (2020)
 - Native Hawaiian children are at higher risk for sex trafficking compared to other groups because comprise the largest share (44%) of street youth (2019)
 - Indigenous women are prized by sex traffickers as they are associated with sexual fetishes and are marketable because can “[look like anything](#)”
5. Hawai‘i-specific research has exposed connections between illegal gambling and sex trafficking: 22.7% of 22 sex trafficking victims interviewed in 2019 by Arizona State University were exploited in illegal game rooms in Hawai‘i. The following is first-hand testimony from victims sex trafficked within Hawai‘i who were interviewed by Arizona State University in 2019:

“There are game rooms around town so that's where I would meet people. Um, that's where all the dealers and the people with the money were.”

“I was in charge of moving the victims before they were put on the bus. They were all young, under 25. They were worth more the younger they were. They would find girls that were on heroin or they would get a guy to ‘boyfriend’ them and bring them in. There were girls living in game rooms who were all runaways with abusive home lives.”

6. Casinos have been shown empirically to increase the rates of serious crime including rape according to a 2013 report by the Hawai‘i Appleseed Center for Law and Economic Justice, [Gambling With Paradise](#), which detailed the harms of gambling to low income communities.
7. Increased economic vulnerability due to the COVID-19 crisis puts women and transgender people at heightened risk of commercial sexual exploitation. According to the Department of Labor and Industrial Relations, women have experienced the majority of job losses in Hawai‘i during the pandemic (55%).
8. Hawai‘i remains one of the top ten states with the highest share of immigrants in their population, and the majority of immigrants in Hawai‘i are women. Immigrant women face disproportionate health and financial challenges from COVID-19 and are particularly vulnerable to exploitation at this time.

The Commission acknowledges the overall paucity of data on the issue of sex trafficking and gambling. Tribal law enforcement agencies have also struggled with inadequate data regarding the problem of sex trafficking at casinos due to the many barriers to reporting for victims and to identifying victims for law enforcement. However, lack of research does not mean a lack of a problem.

The Commission believes that the demand for paid sex is likely to increase in Kapolei with the proposed resort-casino, and Native Hawaiian women and children and immigrant women could be disproportionately victimized as a result. Prevention measures are unlikely to be successful because reducing sex trafficking requires reducing demand. The revenue from the casino would likely serve as a structural disincentive to address demand because it would require intervention with gambler customers, i.e., the very source of revenue.

2. Domestic Violence

Domestic violence is a known comorbidity of gambling and problem gambling.¹³ Gambling problems can generate conflict between partners and can cause an increase of violence in the relationship.¹⁴ Family members are the most common victims of violence by a problem gambler family member and report a connection between gambling losses and the violence.¹⁵ There has also been evidence of connections between problem gambling and child abuse. A 2013 study across Australia, Hong Kong and New Zealand found that 52.5% of family members of problem gamblers experienced some form of family violence in the past year.¹⁶ Findings indicate men are significantly more likely to be problem gamblers, and women more likely to be victims of violence at their hands. Female partners of problem gamblers also report significant emotional stress and emotionally-related physical ailments.¹⁷

Domestic violence is surging in Hawai‘i. For example, there was a 68% increase in domestic violence in Hawai‘i during the first stay at home order during the COVID-19 pandemic. Currently, domestic violence service providers are operating at maximum capacity while facing massive funding cuts. The State’s domestic violence infrastructure simply cannot contend with any further increase in domestic violence.

Living close to a casino increases the risk of problem gambling, which is linked to increased domestic violence and child abuse. The allure of revenue projections that will ostensibly benefit Native Hawaiians must be weighed against the potential exacerbation of domestic violence in Native Hawaiian and impoverished communities located near the proposed resort-casino. At present, 17.8% of Native Hawaiian women experience domestic violence compared to 11.4% of non-Native Hawaiian women.¹⁸

3. Consequences on the Lives of Native Hawaiian Women

¹³ Afifi, T. O., et al., The relationship of gambling to intimate partner violence and child maltreatment in a nationally representative sample, *J. Psy. Research*, 2010; 44(5), 331-337.

¹⁴ Dowling, N., et al. Problem gambling and intimate partner violence: a systematic review and meta-analysis. *Trauma Violence Abuse*. 2016;17(1):43–61.

¹⁵ Korman LM, et al., Problem gambling and intimate partner violence. *J. Gambling Studies*, 2008;24(1):13–23.

¹⁶ Suomi, A., et al., Problem gambling and family violence, *Asian J. of Gambling Issues and Public Health*, 2013; <https://ajgiph.springeropen.com/articles/10.1186/2195-3007-3-13>.

¹⁷ *Id.*

¹⁸ *Haumea* at 82.

The more economically disadvantaged a person, the more likely they are to spend more on gambling and to become problem gamblers.¹⁹ This is troubling given that Native Hawaiian women experience high rates of poverty, especially single mothers. International research suggests that indigenous communities are particularly vulnerable to gambling harms.²⁰ For example, indigenous women’s experiences of trauma contributed to “an *irresistible pull*’ towards gambling as a way to escape and cope with problems.”²¹ In New Zealand, Māori and Pacific women have been found to disproportionately experience harm from gambling than Caucasian women.²² Problem gambling is also rising more sharply for women than men in the United States.

4. Gambling Tourism

The pandemic has laid bare the need for Hawai‘i to invest in an economic system that offers alternatives to tourism. Promoting a new type of tourism connected to gambling is investment in more of the same. Consistently groups have called for a new economics, one that is based on principles of [aloha ‘āina](#) and [feminism](#), which ask for impacts to environment and culture to first be considered. Arguably, choosing to develop gambling to allow those from all over the world, and specifically Asian-Pacific countries where gambling is not allowed, is to open Hawai‘i to the same tourism economy that has been critiqued as exploitative, over-burdening and unstable.

Frankly put, this is investment in the same exploitative industries that offer only low-wage retail and service jobs to women and Native Hawaiians. Further, lack of control by Native Hawaiians in the operation and direction of the resort-casino creates the possibility of exploitative messaging, such as Hawai‘i as a paradise open for gambling and ‘adult’ play.

To our knowledge, the casino proposal has been evaluated only on the idea that the initial land lease will generate a lump sum of \$30 million to be used to place all waitlisted households in homes on other lands owned by DHHL. The proposal appears to be about a one-time cash infusion and dedicated revenue stream, not about bringing new jobs to the area.

Other reports indicate that introducing new competition in the form of a casino resort can create ‘cannibalization’ where the entertainment and tourism generated from the casino eat up other industries in other areas, as people choose to develop near the casino rather than traditional resort or tourism areas that are older.

Finally, in Asia Pacific, gambling operations have not benefited the local population economically for the better, but provided opening for Chinese funded development. For example

¹⁹ Hawai‘i Appleseed Center for Law and Economic Justice, *Gambling With Paradise*, 2013, <http://hiappleseed.org/wp-content/uploads/2016/11/Gambling-with-Paradise.pdf>

²⁰ Victorian Casino and Gaming Authority, *The impact of gaming on specific cultural groups*. Melbourne: Cultural Partners Australia Consortium; 2000.

²¹ Morrison, L., *Pokie gambling and Māori women: friend or foe?*, *J. Gambling Issues*. 2004;(12).

²² Kolandai-Matchett, K., et. al., *How gambling harms experienced by Pacific people in New Zealand amplify when they are culture-related*. *Asian J. Gambl Issues Public Health*, 2017;7(1):5.

in the [Philippines](#), the vast gambling sector is largely Chinese-controlled and primarily benefits foreign investors. There are also allegations of increased crime.

B. Summary

A range of experts identify gambling as a public health issue that is tied to significant community harm, and linked to sex trafficking and other gender-based violence. Based on preliminary research, we provide the following conclusions:

- Native Hawaiian, immigrant and impoverished women, LGBTQ people and children living in geographic proximity to the resort-casino are likely to experience the most gambling harm, such as problem gambling, domestic violence, child abuse, sexual assault and sex trafficking;
- The State's anti-sex trafficking, sexual assault, and domestic violence infrastructure is threadbare, faces significant budget cuts, and would struggle to adequately address an increase in gender-based violence;
- Prevention measures would likely face a structural headwind because sex trafficking reduction requires demand reduction, which is unlikely to be undertaken because would require intervention with gambling customers who generate revenue. Thus, the resort-casino could create a vicious cycle that disincentives sex buyer demand reduction, incentives arrests of sexually exploited women, and maintains gender-based violence and economic instability for women, thereby placing women in a downward spiral;
- Gambling tourism is an investment in the preexisting, low wage and service-oriented economy that quickly collapsed during the COVID-19 pandemic;
- Stakeholders should conduct further research into the impacts to women's safety and should utilize economic models to forecast impacts that have been developed by sex trafficking experts at the national level;
- The State Legislature should adequately fund DHHL.

Ultimately, Native Hawaiians should decide what is done on their land, and all Native Hawaiians should have the opportunity to provide input related to this proposal.

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