



## JILL BILLINGS

STATE REPRESENTATIVE

### **Rep. Billings Testimony in Support of Safe Harbor Legislation (AB 267)**

Good morning Chairperson Rodriguez and members of the committee. I thank you for holding a public hearing on AB 267. This bill is known as the Safe Harbor Bill because it would protect sexually exploited children by treating them as child-victims, rather than criminals. AB 267 prohibits the charging of a minor with the crime of prostitution.

Whether we are aware of it or not, there are a lot of sexually exploited children in our state. They exist in my district and in your district – this is an urban and rural, state-wide problem. Sexually exploited children tend to be at-risk, vulnerable youths with troubled backgrounds; many are homeless or drug dependent, according to the U.S. Department of Justice’s Anti-Human Trafficking Task Force. An estimated 70 to 90 percent of youth victims of sex trafficking have histories of sexual abuse.

Since prostitution is illegal, many children who are forced into commercial sex practices are at risk of being prosecuted for a crime and being tagged with a criminal record at a young age. The average age a child is enticed into prostitution is 13. Instead of being offered services, sexually exploited children are often vulnerable to criminal charges, incarceration or detention for decisions made while under the emotional and physical control of their traffickers. The Safe Harbor bill can alleviate the harm caused by criminalizing sexually exploited children by prohibiting the practice of charging minors with prostitution.

Safe Harbor has helped to identify and rehabilitate child sex trafficking victims across the country, while also helping to bring the real criminals to justice. Instead of establishing an adversarial relationship between minors and a legal system intent on prosecuting them, Safe Harbor creates a reformatory and therapeutic environment in which child victims speak candidly about their traffickers. Safe Harbor was enacted by the Minnesota legislature in 2011; a year in which seven people were charged with sex trafficking. The following year, 31 prosecutions were handed down, followed by 63 in 2013. Legal officials in Minnesota credit the increase in convictions to Safe Harbor. Trafficked children are one of the most vulnerable groups in our state, and it is imperative that these children see law enforcement and the court system as allies and a means of liberation from their traffickers.

We have before us an opportunity to bring our laws into alignment with both federal law and neighboring state law. By adopting a safe harbor law, Wisconsin law will no longer conflict with the Federal Trafficking Victims Protection Act, which treats coerced children as victims, even if they have engaged in criminal prostitution activity. We will also be joining our neighbors Michigan, Illinois, and Minnesota in being a safe harbor state for minor victims of human trafficking.

Furthermore, the Wisconsin statutes include many laws that make it a crime to have sex with a child. It therefore stands to reason that if *some* Wisconsin law treat minors as victims of sexual predation, *all* Wisconsin laws should treat minors as victims of prostitution, not criminals. Please join me in protecting our sexually exploited youth, by supporting the Safe Harbor Bill. Thank you.

### Safe Harbor

As of 2014, **15 states** have full safe harbor for minor victims of sex trafficking. In these 15 states, a child coerced into prostitution may not be charged with prostitution and the state is required to provide that child with services.

<b>Connecticut</b>	<b>Louisiana</b>	<b>New Jersey</b>	<b>Utah</b>
<b>Delaware</b>	<b>Massachusetts</b>	<b>New York</b>	<b>Vermont</b>
<b>Illinois</b>	<b>Minnesota</b>	<b>North Carolina</b>	<b>Washington</b>
<b>Kentucky</b>	<b>Nebraska</b>	<b>Ohio</b>	

**12 states** require either legal safe harbor, mandate services, or partially require one of the two.

<b>Arkansas</b>	<b>Iowa</b>	<b>Michigan</b>	<b>Tennessee</b>
<b>California</b>	<b>Kansas</b>	<b>New Hampshire</b>	<b>Texas</b>
<b>Florida</b>	<b>Mississippi</b>	<b>Oklahoma</b>	<b>Wyoming</b>

Minnesota’s 2011 Safe Harbor law prohibited the charging of minor victims of sex trafficking with the crime of prostitution and created the “No Wrong Door” Program which ensures that all minor victims of sex trafficking are provided the full range of necessary services. **Between 2011 and 2013, sex trafficking convictions increased by 800 percent.** Many, including Minnesota District Attorneys credit this increase to safe harbor, noting that when law enforcement approaches a minor victim of sex trafficking with the intent of rehabilitation, not imprisonment, the victims are much more likely to speak candidly about their traffickers.

#### Convictions in Minnesota

Statute	2007	2008	2009	2010	2011	2012	2013
Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking	13	18	7	14	7	31	63

\*Human Trafficking in Minnesota: A Report to the Minnesota Legislature (September 2014)  
 Minnesota Office of Justice Programs & Minnesota Statistical Analysis Center

Wisconsin

Home » News » Wisconsin

# Wisconsin 3rd in number of minors recovered as part of trafficking operation

By Breann Schossow

Oct. 14, 2015

Tweet 14 Share 679 G+1 0

EMAIL PRINT

Wisconsin tied for third in the nation in the total number of underage trafficking victims recovered as part of a nationwide human trafficking operation, according to the Federal Bureau of Investigation.

The FBI announced the results Tuesday of the operation that was conducted throughout the country last week. In Wisconsin, nine underage victims were recovered and 11 pimps arrested, according to a news release. More than 50 adults were also recovered.

The total results of the operation in Wisconsin include:

- Appleton: One adult recovered, one trafficker arrested.
- Brown County: Ten adults recovered, three traffickers arrested.
- Fond du Lac: One adult and one juvenile recovered, one trafficker arrested.
- La Crosse: Two adults recovered, one trafficker arrested.
- Milwaukee: Eleven adults and five juveniles recovered, one trafficker arrested.
- Monroe: One juvenile recovered.
- Oak Creek: Five adults recovered.
- Oshkosh: Three adults recovered, one trafficker arrested.
- Racine: 20 adults recovered, one trafficker arrested.
- West Allis: Three adults and two juveniles recovered, two traffickers arrested.

In total, 149 underage victims were recovered nationwide, and 153 pimps arrested. The initiative, Operation Cross Country IX, is a national effort in its ninth year led by the FBI and the National Center for Missing and Exploited Children, along with state and local law enforcement partners. Its specific target is criminal enterprises that are behind the commercial sex trafficking of children.

The youngest victim in this year's overall operation was 12. Of the juvenile victims recovered nationwide, three minors were transgender, and three were male.

"When kids are treated as a commodity in seedy hotels and on dark roadsides, we must rescue them from their nightmare and severely punish those responsible for that horror," FBI Director James Comey said.

Victims typically get directed to counseling, medical and education assistance and job training.

A girl picked up during a similar sweep in Milwaukee in 2013 was returned to her mother, who later contacted the same FBI agent when the girl said her pimp, Roy Weatherall, had beaten her. That helped lead to Weatherall's arrest, trial and conviction on more than a dozen charges related to sex trafficking. He was sentenced in January to 56 years in prison.

Journal Sentinel reporter Bruce Vielmetti contributed to this report.

## You May Like

15 Historic Residences Across the Globe

ALOT Travel

The 4 stages before a Heart Attack. Are you at risk?

VitaPulse Supplement

Incredible Military Grade Flashlight Available To Public

G700 LED Flashlight

## NewsWatch

Daniel Bice: Police brutality, racism ended 'back in the '60s,' Clarke says 9:54 a.m.

UWM police investigate violent Facebook post 9:41 a.m.

Hartland woman prepares special 'Hogwarts LC NOW tour' for Halloween 9:01 a.m.

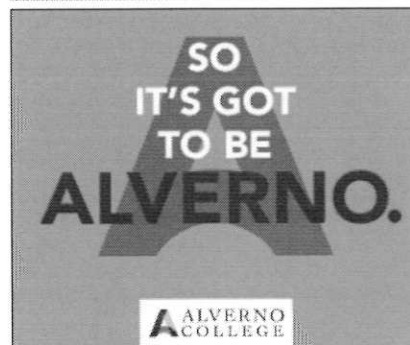
Northwestern Mutual pays record \$5.6 billion in dividends Updated: 8:49 a.m.

2 hurt in single-vehicle rollover in River Hills 8:28 a.m.

2 suspects in Laylah Petersen killing due in court Wednesday 7:19 a.m.

Late-night thieves drive off with 8 cars from 2 dealerships 7:05 a.m.

Committee recommends \$100,000 in city funds to



Advertisement



REAL  
CHOCOLATE  
CHUNKS





# Amy Loudenbeck

REPRESENTING WISCONSIN'S 31<sup>ST</sup> ASSEMBLY DISTRICT

**Testimony of Rep. Amy Loudenbeck  
Assembly Bill 267  
Assembly Committee on Children and Families  
October 28, 2015**

Thank you to the Committee Chair and to my colleagues in the Assembly for the opportunity to provide testimony on Assembly Bill 267, Relating to: the investigation of a child abuse report in which a person who is not a caregiver of the child is suspected of permitting, allowing, or encouraging the child to engage in prostitution; and prohibiting prosecuting a person under the age of 18 with committing an act of prostitution.

I've worked diligently with many stakeholders over the last several years to author and pass legislation to help combat Human Trafficking, provide tools for law enforcement and prosecutors, and shed light on the issue by getting out more information about Human Trafficking here in Wisconsin.

Human Trafficking is a problem in Wisconsin, and I believe the author of this legislation means well by proposing supporting the ideas represented in this bill. However, the "safe harbor" provision of this bill directly contradicts a public policy decision that the legislature made in voting for 2013 Wisconsin Act 362 which was signed into law by the Governor less than 18 months ago.

I wanted to bring this contradiction to your attention and encourage you to give careful consideration to the potential unintended consequences related to the "unsafe harbor" provisions of the bill.

- There are times when taking a minor into custody is the only way to remove them from an unsafe situation and provides the opportunity to connect them with needed social services.
- Broad immunity may provide traffickers with a legal loophole that actually provides an incentive for them to prey on vulnerable youth.
- Prosecutors may utilize the leverage provided by deferred prosecution as provided under 2013 Wisconsin Act 362 to obtain important information to help them make their case against the trafficker.



WISCONSIN COALITION AGAINST SEXUAL ASSAULT

---

## Testimony

To: Members of the State Assembly Committee on Children and Families  
From: Wisconsin Coalition Against Sexual Assault (WCASA)  
Date: October 28, 2015  
Re: Assembly Bill 267, Child Sex Trafficking Legislation  
Position: Support

---

Good morning, my name is Dominic Holt and I am the public policy and communications coordinator with the Wisconsin Coalition Against Sexual Assault, known as WCASA. WCASA is a statewide membership agency comprised of organizations and individuals working to end sexual violence in Wisconsin. Among these are the 51 sexual assault service provider agencies throughout the state that offer support, advocacy and information to survivors of sexual assault and their families.

WCASA thanks Chairperson Rodriguez for bringing this important piece of legislation forward for a hearing today. We also thank the leading sponsors of the bill, Representatives Billings and Johnson and Senators Harsdorf and Harris Dodd, for spearheading this legislation in both houses. Additionally, WCASA appreciates the long, bipartisan list of over 40 other cosponsors of Assembly Bill 267.

The National Center for Missing and Exploited Children estimates there are 100,000 prostituted children in the United States. The average age of entry into prostitution is between 12 and 14.<sup>i</sup> This is a sad situation we must confront, which requires a significant shift in our thinking as well as our policy.

WCASA believes that a truly just Wisconsin would treat sex-trafficked children as the victims of sexual exploitation that they are – not as criminals. This legislation seeks to do just that. Most of these victims have a prior history of abuse long before pimps and johns abuse them.<sup>ii</sup> Thus, these children should be treated as severely traumatized and abused victims requiring specialized services and counseling.

Treating sex-trafficked children as delinquents or criminals is self-defeating and harmful. It hinders victim cooperation, which is necessary to convict the real criminals – pimps and johns. The current approach also increases distrust of law enforcement and child protective services, which hinders efforts to prosecute pimps and johns. Most importantly, the isolation of detention and the stigma of being treated as a delinquent serve only to exacerbate individuals' feelings of guilt and shame, ultimately re-traumatizing these child victims.<sup>iii</sup>

Assembly Bill 267 would help bring state law in line with the federal Trafficking Victims Protection Act (TVPA), which treats prostituted minors as victims of sexual exploitation instead of as delinquents. Treating victims as delinquents conflicts with our other child sexual assault laws, which maintain that children under 18 cannot consent to sexual intercourse. Treating them as child prostitutes implies a willingness and consent that is not legally sustainable.

We believe this legislation is the logical next step in Wisconsin's efforts to combat child sex trafficking. While current law allows for a court to enter a consent decree or deferred prosecution agreement under the Juvenile Justice Code or adult criminal statutes, these measures are within the discretion of the court. Thus, child sex trafficking victims can still be treated as delinquents for prostitution unlike in Illinois

and Minnesota. WCASA believes a clear prohibition on criminal or delinquency proceedings is needed for child trafficking victims.

We thank you for your attention to this matter and for your continued efforts to reduce the prevalence of human trafficking in Wisconsin. If you have any questions, you can reach me at dominich @ wcasa.org or at the phone number above.

---

<sup>i</sup> Sherman. Annie E. Casey Foundation. Detention Reform and Girls: 13 Pathways to Juvenile Detention Reform. 2005.

<sup>ii</sup> Geist. "Finding Safe Harbor: Protection, Prosecution, and State Strategies to Address Prostituted Minors," *Legislation and Policy Brief*: Vol. 4: Iss. 2, Article 3. 2012.

<sup>iii</sup> Ibid.



Evangelical Lutheran Church in America  
God's work. Our hands.

October 28, 2015

Dear Committee Members,

The Lutheran Office for Public Policy in Wisconsin supports AB 267/SB 200. We <sup>are</sup> part of the Evangelical Lutheran Church in America with a statewide reach. We focus on poverty issues. The connections between sex trafficking and homelessness and hunger are obvious. Youth experiencing homelessness are the most vulnerable to being trafficked. And someone trafficked who was not impoverished before being coerced into the sex industry will likely be afterwards.

The average age for a person to be coerced into the sex industry is 13 and it's getting younger. The severe abuse children experience at the hands of their captors is beyond what most people I know can imagine. A high percentage of adults working in the sex industry were forced into it at a younger age. Traffickers repeatedly abuse their victims to hold them captive and take all the money. We call that slavery.

Data is not abundant, but we know that trafficking has reared its criminal head in every county of our state. This month an FBI sting rescued 149 child and adult victims of trafficking, several from Wisconsin. Jan Miyazaki, the director of Madison's Project Respect, said that in her work with local women in the sex trade, she encounters between 50-75 cases a year involving force, fraud or coercion. A community educator who works with Milwaukee minors in the sex trade said she has come into contact with more than 100 young people in the past year that she believes fit the definition of human trafficking victims.

I have spoken to experts on anti-sex trafficking, both from the arenas of direct services and public policy across the state over the last 18 months. The consensus I've found via the Wisconsin Anti-Human Trafficking Consortium, the Human Trafficking Task Force of Greater Milwaukee, and individual conversations with longtime experts is that the current system isn't doing enough for trafficked youth. There is also consensus that the bill is not providing fillers for all the holes in the system, but is a great new beginning to clarify the law regarding youth under 18 and focusing on getting them to human services. This is a bill to create another movement forward that we can build upon.

A recent bill to make the toll free number to call for help for trafficked victims known via the Department of Justice, and another that changed the meaning of the word "consent" for people caught in prostitution and that put into place stiffer penalties for traffickers were passed into law. Both had co-sponsors from each party and garnered wonderful bipartisan support. We hope this one will achieve wider support from across the aisles. We appreciate your work. We are praying for you and for our youth.

Thank you for your consideration of our position.

Reverend Cindy Crane  
LOPPW Director



**STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE**

**BRAD D. SCHIMEL  
ATTORNEY GENERAL**

**Andrew C. Cook  
Deputy Attorney General**

**114 East, State Capitol  
P.O. Box 7857  
Madison, WI 53707-7857  
608/266-1221  
TTY 1-800-947-3529**

---

**To:           Members of the Assembly Committee on Children and Families**

**From:       Attorney General Brad Schimel**

**Date:        October 28, 2015**

**Subject:     Assembly Bill 267**

---

Thank you Chairwoman Rodriguez and members of the Assembly Committee on Children and Families for the opportunity to provide you with written testimony on Assembly Bill 267.

The authors of the legislation are well-intended in solving the problems our state is facing with human trafficking. We both share a common goal of getting human trafficking victims to seek services and avoid criminal prosecution. I'm supportive of the efforts in this proposal to provide the victims with services through our state's local child protective services agencies. The available services for human trafficking victims throughout our state need to be strengthened and this provision is a step in the right direction. Right now, if a human trafficking victim came forward to a sympathetic law enforcement officer, they may spend many hours trying to identify some place that could be a safe haven for that victim with little likelihood of success.

As a 25-year prosecutor, I know all too well the toll that sexual abuse takes on victims, particularly when they are children when the abuse occurs. If victims are to trust us and choose to truly rid themselves of their past, we must be able to offer them meaningful opportunities to start fresh and we must be prepared to make sure they are safe.

While the attempts to strengthen services for human trafficking victims are a good start, there are some unintended consequences in the bill. As proposed, Assembly Bill 267 grants broad immunity from prosecution for all children engaging in prostitution which will leave us unable to gain access to those who have not made the decision to leave that life behind or who are still too frightened to simply approach an officer or social worker.

Unfortunately, in many human trafficking cases law enforcement needs the ability to get their foot in the door. This sometimes includes a brief detention that enables law enforcement to take the child out of the dangerous environment and begin to provide these victims with needed services. That brief detention would not be possible if we were to completely decriminalize prostitution for children. Furthermore, the broad immunity created under this proposal would provide the traffickers with a recruitment tool to prey on youth with the promise that they will never be prosecuted.

A more balanced approach is needed to ensure that we have an effective law that doesn't hamper law enforcement's ability to assist human trafficking victims. I look forward to continue working with the bill authors to find that right approach.

I appreciate your thoughtful consideration and please feel free to contact me with any questions.



# testimony



To: Members of the Assembly Committee on  
Children and Families  
Date: October 27, 2015  
From: Morgan Young, Staff Attorney  
Re: AB 267: Safe Harbor for Child Sex Trafficking  
Victims

Wisconsin Coalition Against Domestic Violence  
1245 East Washington Ave., Suite 150  
Madison, Wisconsin 53703  
Phone: (608) 255-0539 Fax: (608) 255-3560  
morgan@endabusewi.org

---

Chairperson Rodriguez and Members of the Committee, thank you for the opportunity to provide testimony on AB 267, the bill to bring Safe Harbor to child victims of sex trafficking in Wisconsin. My name is Morgan Young, and I represent End Domestic Abuse Wisconsin. End Abuse is the statewide membership organization that is the voice for survivors of domestic violence and local domestic violence victim service providers. We support Assembly Bill 267 and thank Representatives Billings and Johnson for bringing it forward.

Recent attention that has been brought to the issue of human trafficking leaves no doubt that trafficking is happening in Wisconsin, and in all corners of our state. Arguably, the most vulnerable victims of human trafficking are commercially sexually exploited children. Studies have shown that the population identified as “high risk” youth, particularly runaway and homeless juveniles, are especially vulnerable to trafficking. The National Center for Missing and Exploited Children estimated 1 out of 7 endangered runaways reported in 2013 were likely child sex trafficking victims.

Law enforcement and service providers continue to receive training to identify these child victims. Just this month, FBI Operation Cross Country IX identified juvenile victims in 10 Wisconsin communities, from Monroe to the Fox Valley. These identified victims and traffickers represent the tip of the iceberg for this hidden and horrific crime.

There is no such thing as a child prostitute.

Assembly Bill 267 would provide the mechanism for law enforcement and service providers need to treat these child victims as they should – as victims of child abuse and maltreatment, not criminals. These “safe harbor” provisions could prevent the inconsistent treatment of children, raise awareness about children that have been commercially sexually exploited, and ensure that these victims are provided with services rather than a criminal conviction. The criminal justice system simply does not provide the appropriate programming to reduce trauma and provide a path to recovery that these children desperately need.

Assembly Bill 267 would be a critical step towards developing the necessary resources for this population. These highly specialized services should include medical and psychological

treatment, emergency and long-term housing, education assistance, job training, language assistance, and legal services. We are encouraged by the Department of Children and Families draft plan under the federal Preventing Sex Trafficking and Strengthening Families Act, which would further the reach of this bill by developing competencies for service providers.

While there is still a great deal of work to do to adequately serve these child trafficking victims, Assembly Bill 267 would be a strong step forward in developing the framework needed. I urge you to pass this legislation.

**TO: Assembly Committee on Children and Families**  
**FROM: Angela Rabbitt, DO, FAAP, Children's Hospital of Wisconsin**  
**DATE: Wednesday, October 28, 2015**  
**RE: AB267/SB200 – Child Abuse and Human Trafficking**

Good afternoon Chairwoman Rodriguez and members of the committee. Thank you for allowing me this opportunity to submit testimony today on AB267 which relates to child abuse and human trafficking. My name is Dr. Angela Rabbitt and I am a Child Abuse Pediatrician at Children's Hospital and Health System. I work in the Child Advocacy and Protection Services Section, where my primary role is to medically evaluate children when there are concerns for child maltreatment or exploitation. We thank the authors of this legislation for bringing this critical issue forward, and support all efforts to raise awareness that these children are victims in need of specialized services.

Children's Hospital of Wisconsin serves children and families all across the state. We have inpatient hospitals in Milwaukee and the Fox Valley. We care for every part of a child's health, from critical care at one of our hospitals, to routine checkups in our primary care clinics. Children's also provides specialty care, urgent care, emergency care, dental care, school health nurses, foster care and adoption services, family resource centers, child health advocacy, health education, child welfare services, family preservation and support, mental health services, pediatric medical research and the statewide poison hotline.

Children's Hospital of Wisconsin is the largest not-for-profit, community-based agency serving children and families in the state, providing family preservation, counseling and advocacy services to more than 15,000 children and families annually. Research has shown that kids who experience adversity are 25 percent more likely to face lifelong physical, emotional, cognitive and behavioral challenges. We are working to break that cycle through our Child Advocacy Centers and our well-being approach: Strong Families, Thriving Children; which is based on physiological and psychological research that is customized to build on each family's unique strengths and address areas of improvement. Children's operates seven of the 14 Child Advocacy Centers (CACs) across the state that bring together professionals from law enforcement, criminal justice, child protective services, victim advocacy agencies and the medical and mental health communities to provide comprehensive services for child victims and their families. The goal of Child Advocacy Centers is to minimize trauma, break the cycle of abuse and, importantly, increased prosecution rates for perpetrators. In 2014, more than 7,000 families and children were served through our child advocacy and child protection centers.

Over the last few years, Children's Hospital of Wisconsin has seen an increase in the number of children being exploited in the sex trade. An estimated 300,000 children become victims of sex trafficking every year. Our clinics cared for more than 10 victims per month in 2014. For child victims, the average age of entry into the sex trade in the US is 12-15 yrs old. Some victims are kidnapped and forced into the sex trade. However, many children are sold for sex by family members, and many are coerced by pimps who present themselves as the child's friend or boyfriend to gain their trust. Very often, the child has a history of sexual abuse, physical abuse, or neglect prior to their involvement in the sex trade. Pimps build on these prior trauma experiences and other vulnerabilities to maintain control over the child through continued physical and psychological abuse. It is very difficult for children to leave their pimp out of fear for themselves or loved ones, or because they feel the "care" they get from the pimp is the best they deserve or are going to get. Because of these multiple levels of trauma, helping a child leave the sex trade requires safety, support services, and mental health treatment specialized for trafficking victims. The services set up for victims of child maltreatment may not be effective for victims of sex trafficking.



## Children's Hospital of Wisconsin

Right now, if a child is being forced or coerced into the sex trade by a non-caregiver, child welfare agencies are not legally required to investigate. Whereas, if that same child was being exploited or sexually abused by a caregiver, law enforcement would have to refer the child to a child welfare agency and the agency would have to undertake an investigation to determine if services and protection are necessary.

Currently, Wisconsin provides protection and services to abused children based not on the legitimacy of the abuse being suffered, but on the identity of the child's abuser. This leaves the juvenile justice system as the only place where trafficked youth can receive protection and services. And these services are geared towards juvenile offenders, rather than victims of sexual abuse and exploitation. This bill would require a sheriff or police department to refer to an agency a case in which a person who is not the caregiver of a child is suspect of abuse. It also would require the agency to initiate an investigation to determine if the child is in need of protective services. This bill would also disallow a minor to be prosecuted for committing an act of prostitution, and from entering into a consent decree or a deferred prosecution agreement.

Children's Hospital of Wisconsin supports the efforts of this bill to recognize the exploitative nature of trafficking. These children deserve to be protected, and recognized as victims of exploitation in need of services. However, in order for this bill to be effective, we also believe there is a critical need for more specialized resources to help victims through the legal process, to obtain medical and mental health treatment, and to provide support for reintegration. Currently, the services provided by Child Protective Services are set up to address the rehabilitative needs of caregivers and are not widely developed to address the unique needs of trafficking victims. With the services currently available in our state, when Child Protective Services does investigate cases of sex trafficking, they often are not able to provide the services victims require.

In addition, law enforcement and service agencies need a way to provide secure placement for victims during the initial investigation and while appropriate resources and medical care are arranged. Without a secure way to provide safe placement for victims their traffickers have access to them as soon as they are released, increasing their risk for further exploitation and potentially reducing their access to medical care.

Recently at Children's, a sixteen year old trafficking victim came to our emergency department to be screened prior to admission to the secure mental health facility for suicidal ideation. When the medical provider talked to the victim later, she disclosed that she wasn't actually suicidal; she had only told her therapist she was because she knew the only safe place she could go where her pimp couldn't get to her was the locked mental health facility. Victims in group homes or residential treatment facilities are at high risk for coercion and further exploitation by their traffickers who encourage them to run away, or who have representatives (often another child) in the facility where the victim is housed. Children's Hospital of Wisconsin supports Safe Harbor Legislation if it allows provisions for the legal system to provide safe placement of a child when immediate release will place the child or other children at risk for harm. Legislation should also improve the ability to expunge juvenile records of prostitution charges so the stigma does not follow the child into adulthood.

With the increased services and secure placement for victims outlined above, we can take a major stand against human trafficking and begin the healing process for our children.

Chairwoman Rodriguez and committee members, I thank you again for the opportunity to submit testimony. If you have any questions, comments or concerns please feel free to contact me via email at [arabbitt@chw.org](mailto:arabbitt@chw.org).



## MEMO

TO: Representative Jessie Rodriguez, Chair  
Members of the Assembly Committee on Children and Families

CC: Representative Jill Billings, Representative LaTonya Johnson & Senator Sheila Harsdorf

FR: Connie Schulze, System Director – Advocacy and Public Policy

DT: October 27, 2015

RE: Assembly Bill 267: “Safe Harbor” for Child Sex Trafficking Victims Legislation

---

Assembly Bill 267 is scheduled for a public hearing in the Assembly Committee on Children and Families on October 28, 2015 and as chairperson and members of the committee, I write today to draw your attention to the following.

**Ministry Health Care and Columbia St. Mary’s strongly support Assembly Bill 267 (AB-267) and the efforts of Rep. Billings, Rep. Johnson and Sen. Harsdorf to protect children who are the victims of sex trafficking.** Their legislation grants child victims of sexual exploitation immunity from prosecution for prostitution charges and it changes Wisconsin’s “non-caregiver” law to require child abuse investigations for child victims of sex trafficking.

Specifically, AB-267 prohibits law enforcement from charging a minor with the crime of prostitution, consistent with the Federal Trafficking Victims Protection Act which treats coerced children as victims, even if they have engaged in criminal prostitution activity. It also aligns Wisconsin with border states including Michigan, Illinois, and Minnesota that have already adopted Safe Harbor legislation.

In addition, AB-267 changes Wisconsin’s “non-caregiver” law so that anytime a sheriff or police department encounters a child they suspect is being encouraged to engage in prostitution by a non-caregiver, they must refer the child to a child welfare agency. The agency must then investigate and make a determination as to whether the child is in need of protection or services. This way the child can be removed from the trafficker’s control without being charged with a crime.

This legislation is important because sadly, victims of human trafficking can be found in every region of the state – urban or rural. Earlier this month, FBI officials announced 9 underage victims were recovered and 11 traffickers were arrested in Wisconsin as part of a nationwide crackdown on human trafficking. Victims were found in Fond du Lac, Milwaukee, Monroe and West Allis. In fact, Wisconsin tied for third in the nation for total number of juveniles recovered. These unfortunate statistics further demonstrate the need for the Safe Harbor legislation. Please see fit to support AB-267 in committee.

Thank you for your consideration. I can be reached at 920/245-1034 or at [connie.schulze@ministryhealth.org](mailto:connie.schulze@ministryhealth.org) if you have questions regarding this request for support.