



Amy Loudenbeck

REPRESENTING WISCONSIN'S 31ST ASSEMBLY DISTRICT

Testimony of Rep. Amy Loudenbeck
Assembly Bill 1737
Assembly Committee on Children and Families
January 27, 2016

Good Morning Committee members and Chairman Rodriguez and thank you for the opportunity to testify on Assembly Bill 737 which will align Wisconsin statutes with the new federal "Justice for Victims of Trafficking Act" by requiring Wisconsin to conduct child abuse investigations of children who have been alleged to be victims of sex trafficking, including cases involving non-caregivers, and recognize sex trafficked children as victims of child abuse and neglect.

This bill makes several important changes to state law which the Department of Children and Families will explain in detail during their testimony.

Members of the committee will notice that several provisions in AB 737 have been included in legislative proposals introduced during the current and prior legislative sessions. I want to recognize that there are many members of the legislature, including members of this committee, who are working to stop and prevent human trafficking in Wisconsin, and I appreciate the willingness of my colleagues on both sides of the aisle to co-author and co-sponsor this proposal.

AB 737 expands what constitutes the crime of child sex trafficking, and includes child sex trafficking under the definition of abuse in the Children's Code. The addition of child sex trafficking to the definition of child abuse will require mandated reporters to report suspected cases of child sex trafficking to law enforcement and/or the child protective services agency, allowing for improved data collection and victim identification.

Additionally, this revised definition will require a child sex trafficking victim that is being abused by a non-caregiver to be screened in by a caseworker who may determine that a child in need of protection or services (CHIPS) order is appropriate. These important changes will allow child victims of sex trafficking get the support, protection and services they need.

Aligning Wisconsin state statutes and policies with the new federal requirements regarding sex trafficked children will improve current child welfare practice and help victims and potential victims receive services and support to meet their complex needs and help them heal. The statutory changes will also ensure the continuation of federal child welfare funding for the state of Wisconsin.

Thank you for your time.



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Governor Scott Walker
Secretary Eloise Anderson
Secretary's Office

Date: January 27, 2016

To: Members of the Assembly Committee on Children and Families

From: Fredi-Ellen Bove, Administrator for the Division of Safety and Permanence

Re: Department Position on AB 737 – In Support

Representative Rodriguez and members of the Assembly Committee on Children and Families,

Thank you for the opportunity to testify on AB 737. My name is Fredi-Ellen Bove and I am the Administrator for the Division of Safety and Permanence within the Wisconsin Department of Children and Families (DCF).

Sex trafficking of children and youth is a horrific crime and a growing phenomenon nationally and in Wisconsin. Precise data on the scope of sex trafficking of minors in Wisconsin is not available. However, based on the experience of law enforcement personnel and service providers, sex trafficking of minors is occurring throughout Wisconsin. AB 737 strengthens the mechanisms to respond to and serve children and youth who are victims of sex trafficking consistent with new federal requirements.

Recently passed federal legislation, the "Justice for Victims of Trafficking Act of 2015" (PL 114-22), requires that state child welfare systems must investigate all allegations of sex trafficking, including cases where the alleged maltreater is a non-caregiver. While some victims are trafficked by a parent or relative caregiver, many, if not most, minor sex trafficking victims are exploited by a trafficker who is not their caregiver.

AB 737 changes state statutes to strengthen the child welfare system's response to alleged cases of sex trafficking in ways that conform to the new federal requirements. Under current law, a person is guilty of child sex trafficking if he or she knowingly recruits, entices, provides, obtains, or harbors, or knowingly attempts to recruit, entice, provide, obtain, or harbor, any child for the purpose of commercial sex acts. This bill adds transporting or knowingly attempting to transport any child for the purpose of commercial sex acts to this crime so that Wisconsin's statutory definition of sex trafficking is aligned with the federal definition.

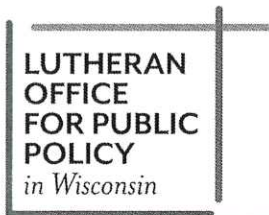
Currently, Child Protective Service (CPS) agencies are permitted, but not required, to investigate reports of abuse or neglect by a non-caregiver maltreater. AB 737 mandates a CPS agency to initiate a diligent investigation into all cases of alleged child sex trafficking by a caregiver or non-caregiver to determine if the child is in need of protection or services. The bill also requires

law enforcement to report suspected cases of sex trafficking of a minor to the local CPS agency, regardless of whether an alleged maltreater is a caregiver or non-caregiver.

Current law does not identify sex trafficking of a child as abuse in Wisconsin Chapter 48, the Children's Code. AB 737 includes sex trafficking in the definition of abuse in the Children's Code, thereby clearly providing authority for child welfare agencies to respond and serve cases involving alleged sex trafficking.

Progress has been made in the past three-four years in the ability of child welfare agencies to investigate and serve sex trafficking victims. At the same time, we recognize that much additional progress is needed. Through the establishment of the recent state Human Trafficking Task Force and other efforts, the Department is committed to working with stakeholders throughout the state to create a robust, comprehensive and coordinated response and service system that is trauma-informed, culturally competent and victim-centered for children and youth who are victims or at risk of becoming victims of sex trafficking. AB 737 moves the state forward towards that goal and ensures that Wisconsin is in compliance with recent federal law.

The Department thanks Representative Loudenbeck and Senator Harsdorf for sponsoring this bill. I also thank the Committee Chair, Representative Rodriguez, for holding this hearing and the Committee for your consideration of the Department's testimony. I am pleased to answer any of your questions.



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

January 27, 2016

Regarding Bills AB 737 and AB 745

Dear Esteemed Members of the Committee on Children and Families:

The Lutheran Office for Public Policy in Wisconsin has prioritized public policies that diminish human trafficking and that help the victims of trafficking. The scandal of enslaving children in our state is real. Thank you for your dedicated work in developing just policies to diminish the problem and to help victims.

Today, we ask that you please support **AB 737** as one of the many ways we need to address the problem of sex trafficking. We are not direct service providers. However, everything we have heard in our dialogue individually and at meetings with direct service providers indicates that there is a legal gulf between law enforcement and non-caregivers who are abusive to children, and AB 737 would shrink that gap. It is important to include child sex trafficking in the definition of child abuse and to mandate investigations of child abuse when police suspect the abusers are non-caregivers, and then to direct those children to receive services. AB 737 includes these components. Getting at the non-caregivers will increase our state's ability to find traffickers and to help their victims as well as victims of other types of abuse.

We also ask that you support **AB 745**, requiring agency-placed children to report missing children to law enforcement within eight hours and to the National Center for Missing and Exploited Children within 24 hours. This is another very good bill that would diminish trafficking and other forms of abuse.

We need a way to mainstream investigations of traffickers and to get services to our youth. We can do better for God's children in Wisconsin.

Thank you and blessings upon you and your work.

Sincerely,

Rev. Cindy Crane
Director

My name is Jay Reinke and I am the Co-Chair of the Policy and Legislative Committee of the Human Trafficking Task Force of Greater Milwaukee. I am here to speak in favor of AB737.

The Human Trafficking Task Force of Greater Milwaukee is the community response to eradicating Human Trafficking through coordinated services, education and awareness, and informed policy change. Our members come from direct service agencies and the community at large.

Our direct service members have told us time and time again how important it is for young people to receive services when they have become victims of the trafficking trade. Their clients have spoken quite emphatically about the importance of someone stepping in and taking action on their behalf, getting them away from their trafficker. Young survivors have talked to the judges in Milwaukee County and expressed their gratitude to the judges for making sure they were put into a treatment program and not into the criminal justice system. They told the judges, as well as prosecutors and defenders, that when they promise to not do that type of behavior again they are just telling the judge what they think she or he wants to hear and trying their best to not upset their trafficker so they will not be punished too severely when they are back in control of the trafficker. They are secretly grateful that someone has seen their predicament and done the right thing in offering the kind of help needed to leave the life they find themselves trapped into by their traffickers. Those who have testified in court against their traffickers spoke of the importance of their treatment in getting them ready to testify and giving them the courage to face not only the trafficker, but also the other trafficking victims who will be in court to try to intimidate them, often posing as the traffickers relatives, either young "cousins" or "nieces," staring at the survivor and hoping to scare them into silence.

It is because of these brave young survivors who tell providers over and over again that at the time they are picked up, the police are the last people they are willing to trust, that we support more DCF involvement in the process. So we, as the Human Trafficking Task Force of Greater Milwaukee, support any legislation

that will help victims find treatment. Our only concern is that this bill does not go far enough and eliminate the option of jail time for young victims. We hope you will revisit Safe Harbor legislation for the state of Wisconsin. We will continue to work toward that goal, and welcome your support in that endeavor.

But for today, we support AB737 for the help and hope it offers the young trafficking victims of Wisconsin.

Thank You,

testimony



To: Members of the Assembly Committee on
Children and Families
Date: January 27, 2016
From: Tony Gibart, Director of Public Policy
Re: AB 737 – Defining Child Sex Trafficking as Child
Abuse & Creating System Response

Wisconsin Coalition Against Domestic Violence
1245 East Washington Ave., Suite 150
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tonyg@endabusewi.org

Chairperson Rodriguez and Members of the Committee, thank you for the opportunity to provide testimony on AB 737, the bill to bring “Safe Harbor” to child victims of sex trafficking in Wisconsin. My name is Tony Gibart, 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 737 and thank Representatives Amy Loudenbeck, Jill Billings and LaTonya Johnson for authoring the bill.

As we come to the end of Human Trafficking Awareness Month, we can say with confidence that trafficking is happening 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.

Assembly Bill 737 would provide the statutory language law enforcement and service providers need to treat these child victims as they should – as victims of child abuse and maltreatment deserving of access to our child welfare system. By mandating the reporting and screening of these children, we can offer these vulnerable victims of abuse the path to healing.

Assembly Bill 737 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 made pursuant to the federal Preventing Sex Trafficking and Strengthening Families Act, which would deepen the positive impact of this bill by developing competencies for service providers. We see the creation and expansion of these services as an essential step which is necessary to complete the framework of care that the provisions of AB 737 would initiate.

While there is still a great deal of work to do to adequately serve these child trafficking victims, Assembly Bill 737 would be a strong step forward in developing the framework needed. I urge you to pass this legislation. If you have any questions, please contact me at 608.237.3254 or tonyg@endabusewi.org.

MEMO

TO: Representative Jessie Rodriguez, Chair
Members of the Assembly Committee on Children and Families
FR: Connie Schulze, System Director – Advocacy and Public Policy
DT: January 26, 2016
RE: Please support Assembly Bill 737 & Assembly Bill 745

Assembly Bill 737 (AB-737) and Assembly Bill 745 (AB-745) are scheduled for a public hearing in the Assembly Committee on Children and Families on January 27, 2016. I write today to draw your attention to the following.

Ministry Health Care and Columbia St. Mary's strongly support AB-737 and AB-745.

We appreciate the efforts of the authors of AB-737 and AB-745 to aid victims of human trafficking by aligning state law with provisions of the Justice for Victims of Trafficking Act and the Preventing Sex Trafficking and Strengthening Families Act. This legislation will go a long way toward identifying and locating victims of trafficking by expanding investigations of suspected trafficking and by improving information sharing among law enforcement and the National Center for Missing and Exploited Children for missing kids in out-of-home care.

Human trafficking is recognized around the world as modern day slavery. Trafficking affects individuals of all ages, races, social standings and both genders. Traffickers use deception, intimidation, isolation, violence and coercion to gain compliance from their victims and then dispose of them once their usefulness or profitability has diminished. The victims are left with physical and emotional scars that can last a lifetime.

Unfortunately, Wisconsin is not immune to the tragedy of human trafficking. Late last year, the FBI announced the results of an ongoing sting operation known as, "Operation Cross Country" that led to the rescue of 149 victims of human trafficking. Victims of all ages and their traffickers were found throughout Wisconsin including Appleton, Brown County, Fond du Lac, La Crosse, Milwaukee, Monroe, Oak Creek, Oshkosh Racine and West Allis. In fact, Wisconsin tied for third in the nation in total number of *juveniles* recovered: Denver—20 juveniles; Detroit—19 juveniles; Las Vegas—nine juveniles; and Milwaukee—nine juveniles.

With the above in mind, we respectfully request your support for AB-737 and AB-745 in committee. Thank you for your consideration. I can be reached at connie.schulze@ministryhealth.org or on my cell phone at 920/245-1034 if you have questions regarding this request for support.