

CAPITOL OFFICE

State Capitol - Room 410A
201 West Capitol Avenue
Jefferson City, MO 65101-6806
Tele: 573-751-2210
Fax: 573-522-0534
E-mail: Elijah.Haahr@house.mo.gov
Select Committee on General Laws

DISTRICT ADDRESS

PO Box 14506
Springfield, MO 65814
COMMITTEES
Emerging Issues, Chair
Government Oversight & Accountability
Utility Infrastructure

**MISSOURI
HOUSE OF REPRESENTATIVES**

Elijah Haahr
State Representative
District 134

December 30, 2017

The Honorable Todd Richardson
Speaker
Missouri House of Representatives
Jefferson City, Missouri

The Honorable Ron Richard
President Pro Tem
Missouri Senate
Jefferson City, Missouri

Dear Mr. Speaker and Mr. President:

The House of Representatives' Human Trafficking Task Force ("the task force"), formed by House Resolution No. 38, held a total of eight public hearings across Missouri and heard testimony at five of those hearings from various groups, as well as from human trafficking victims. Attached is a summary of the testimony and the recommendations for the 2017 legislative session.

Sincerely,



Representative Elijah Haahr
Human Trafficking Task Force Chair

Committee Overview:

The purpose of the task force was to raise awareness of the human trafficking problem in Missouri and provide organizations and agencies that enforce human trafficking laws and assist victims with a central place to share information. Representative Elijah Haahr served as chair of the task force. Other members of the task force included: Representative Cloria Brown; Senators Bob Onder and Gina Walsh; Lane Roberts, Director of the Missouri Department of Public Safety; Ben Butler, Cass County Justice Center; Rene Yoesel, Department of Elementary and Secondary Education; Melody Yancey, Department of Social Services; Dr. Terra Frazier, D.O., Children's Mercy Hospital; Sheriff Rick Walter, Scott County Sheriff; Emily Russell, Brandon Cox, F.R.E.E. International; Sarah Martin, National Council of Jewish Women; Sam Dotson, St. Louis Metropolitan Police Department; Deb Hume, Stop Human Trafficking Coalition; Bruce McKinnon, Audrain County Juvenile Court; Gail Reynoso, Missouri Coalition Against Domestic and Sexual Violence; Leslie Schneider, Boone County Judge; Kelly Schultz, Office of Child Advocate; Emily van Schenk Hof, Missouri Kids First; Ginger Steinmetz, office of the Attorney General; and Melodie York, Department of Mental Health.

Some of the members of the task force intend to continue as a work group, not under a legislative directive.

The task force held eight public hearings across Missouri to assess the state of Missouri's resources and access for human trafficking victims. The task force met on August 25, 2015, in Jefferson City; October 8, 2015, in Kansas City; October 13, 2015, in St. Louis; October 28, 2015, in Springfield; December 1, 2015, in Jefferson City; September 7, 2016, in St. Louis; September 29, 2016, in Columbia; and November 15, 2016, in Jefferson City.

Definition of Human Trafficking:

Human trafficking is a form of slavery in which psychological and physical coercion is used to force people to perform commercial sex acts, house-keeping, farm work, and other types of labor and services.

Common Themes:

During the various public hearings, several people came forward to testify, and there were a few common themes throughout the testimony:

Victims of Human Trafficking need to be properly identified as victims and treated as such: Many factors contribute to victim misidentification. These factors may include lack of training and education, as well as perceptions about groups of people such as sex workers, runaway youth, the homeless population, and immigrants. Males and females, adults and children, foreign-born and United States citizens have been victims of human trafficking, for both commercial sex and labor trafficking. It is imperative that they be viewed and treated as victims of a crime, rather than as offenders. It is also important that these victims be believed when they report their abuse.

Funding necessary to provide care and shelter for victims of trafficking: At every hearing, citizens expressed concern about the need for funding to provide shelter and proper care for victims of trafficking. Proper care may include health care, legal advocacy, mental health services, substance abuse treatment, and other services. The services needed differ from person to person. Domestic violence shelters offer short-term placements and are able to meet the needs of only some trafficking victims; however, more time is needed to properly treat victims (between one and two years for most victims), and these facilities must be able to serve the needs of victims from all human trafficking industries, including non-sexual trafficking. Furthermore, funds are desperately needed to provide safe homes for victims of human trafficking. Often, victims fear that they will be located and injured by their former traffickers/abusers. It is important to ensure the safety and security of housing facilities for trafficking victims to prevent unauthorized persons, such as pimps, from entering the facilities. Additionally, there is one crisis center in Missouri that is equipped to treat male victims; the next closest program is in Chicago. Finally, law enforcement agencies frequently find themselves filing more charges related to non-trafficking crimes, such as endangering the welfare of a minor, to give the agencies more time to investigate whether trafficking is occurring and to obtain services for victims.

Singular point of contact for information and assistance: Additionally, many who testified reported that members of the law enforcement community, professionals in a variety of sectors who may encounter victims of trafficking, as well as victims themselves, need access to a single point of contact in the state for information and assistance. Members of the law enforcement and health care communities, as well as service providers, educators, community members, and others have expressed a desire for more comprehensive training on how to identify and care for trafficking victims. While there is a national human trafficking hotline, the contact information could be better advertised and circulated.

Standardized education materials for training and for implementing policies: Members of the task force, as well as members of the testifying public, expressed concern over the lack of centralized information for implementation of policies and access to tools for proper assessment and victim identification. Additionally, housing code inspectors should be trained on how to identify a trafficking situation, as investigations of housing code violations can often uncover labor trafficking. A potential solution would be to develop a state-funded website that would compile existing resources and would contain training resources for the range of industries that need the training and information.

Vacating convictions: To date, 23 states have laws allowing for the vacating of convictions for some offenses committed while trafficked, as trafficking victims are often forced to engage in criminal activity and, thus, are often misidentified as criminals themselves. Because of this misidentification and the subsequent convictions and criminal records, victims have a difficult time moving on from their abuse through finding jobs, obtaining safe and affordable housing, or attending school. These obstacles can oftentimes place victims in vulnerable situations that may involve re-victimization in trafficking and commercial sexual exploitation.

Focusing on demand: A few witnesses testified that greater efforts should be spent prosecuting the buyers of commercial sex, which has been a neglected part of the problem in the past. Both buyers and traffickers/pimps should be investigated and prosecuted with equal diligence and

severity, as both contribute equally to the exploitation (buyers cause the demand, traffickers provide the supply). Without one, there wouldn't be the other. But simply because buyers are equally as culpable doesn't mitigate trafficker's culpability or responsibility. A suggestion to follow the Nordic model was made. The Nordic model decriminalizes victims of trafficking forced into commercial sex, and brings charges against buyers and traffickers instead.. The task force recommends further examination of these suggestions. Victims of sex trafficking are involved in commercial sex due to force, fraud, or coercion, or for survival (e.g., homeless youth), whereas those who purchase sex have choices. There should be an increased focus of law enforcement in training and all criminal justice responses on those who purchase sexual activity from sex trafficking victims, as well as on those who victimize any individuals in sexual and non-sexual trafficking.

Proposed Legislation for 2017 Session

1. Create a Human Trafficking Response Coordinator position or positions, perhaps within the Office of Administration. The person or persons holding this position would be responsible for creating a statewide human trafficking response plan, as well as coordinate multiple efforts by Public Safety, Children's Division, DESE, Mental Health, Health and Senior Services, prosecutors, child advocacy centers, federal government, and non-profit organizations.
2. Build on conviction expungement legislation passed in 2016 to include the vacating of convictions for offenses committed by trafficking victims that arose as a result of the victims' status as trafficking victims.
3. Refile language from Representative Cloria Brown's HB 2561 (2016) requiring various establishments, specified in the bill, to display in a conspicuous place near the entrance of the establishment a poster that provides information regarding human trafficking, including what it is and resources victims have for getting help. Any establishment required to display the poster that fails to display such poster shall be subject to the penalty provisions of the bill. Department of Public Safety will create the poster, and the poster will be made available for printing on the department's website.
4. Appropriate funding for comprehensive human trafficking education for law enforcement, addressing all types of trafficking (sex and labor trafficking, victimization of adults and children, etc.). The task force strongly encourages education to be provided during the Basic Police Academies in Missouri. Alternatively, human trafficking education could be added to the continuing education credits each law enforcement officer is required to obtain after graduating from the academy.
5. Appropriate funding to provide necessary (short-term and long-term) housing and services for trafficking victims.
6. Establish the crimes of coercion and extortion for threats to report illegal immigration status to officials for the purpose of extorting money.
7. Reinstate funding for the Missouri Department of Labor inspectors who look for labor trafficking violations and other labor-related issues.
8. Legislation to continue the task force for another calendar year, with two survivors appointed to the task force. This would help flesh out many of the issues that arose during the hearings held this past year, including from witness testimony and subsequent task force discussions.