

The Office of
**HUMAN TRAFFICKING
PREVENTION**

GOVERNOR'S OFFICE OF PROGRAMS AND PLANNING

Prevention • Protection • Promoting Healing & Justice

Louisiana Human Trafficking Prevention Commission & Advisory Board

Meeting

December 16, 2021

1-3pm

Louisiana State Capitol, Fourth Floor Press Room

Virtual via Zoom

- I. Call the Meeting to Order Chief Tommy Clark
 - a. Chief Tommy Clark called the meeting to order.

- II. Roll Call
 - a. Mary Kate Andrepont called roll for the Commission and Advisory Board.
 - b. The following members of the Commission were present:
 - i. Chair- Chief Tommy Clark
 - ii. Co- Chair- DA Kristine Russell
 - iii. Bill Sommers
 - iv. Bob Wertz
 - v. Casey Morace
 - vi. Lieutenant Justin Berry
 - vii. Sec. Marketa Walters by proxy
 - viii. Monica Taylor
 - ix. Richard Pittman by proxy
 - x. Senator Beth Mizell
 - xi. Amanda Perry
 - c. The following members of the Advisory Board were present:
 - i. Chair- Casey Morace
 - ii. Co-Chair- Michelle Johnson
 - iii. Alliece Cole
 - iv. Angela Wiggins-Harris
 - v. Sheri Lochridge
 - vi. Kate Shipley
 - vii. Hon. Kathleen Stewart Richey
 - viii. D.A. Kristine Russell
 - ix. Laurie McGehee
 - x. Linsey Barnard
 - xi. Rafael Salcedo, Ph.D.
 - xii. Reshelle Marino, Ph.D.

- III. **Old Business:** October 2021 Minutes



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- a. Chief Clark asked members to take a brief minute to review last meeting's minutes.
- b. Discussion
 - i. No corrections noted
- c. Bob Wertz made motion to approve the minutes. Bill Sommers seconded. Motion carried.

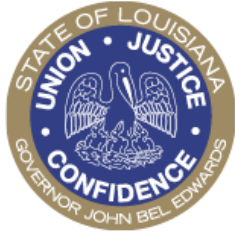
IV. Opening Remarks

Dr. Dana Hunter, OHTP

- a. Dr. Dana Hunter welcomed everyone and thanked members for joining.
- b. The Office of Human Trafficking Prevention is in full swing. She is excited to introduce new staff members of the office. She first recognized and thanked Michele Rabalais for her work in supporting the Commission and Advisory Board. Dr. Hunter introduced Ashley Bourgeois as the OHTP Program Assistant and introduced Mary Kate Andrepont as the OHTP Program Manager. The OHTP has several initiatives in the works.
- c. Many should have received an email invitation to the January Human Trafficking Awareness Month event on January 18, 2022. Ms. Cyntoia Brown-Long, a national speaker and survivor of sex trafficking, will be speaking. The office is excited to bring awareness to what human trafficking looks like from a survivor's perspective. She asks members to please register as soon as possible.
- d. The OHTP has also developed a one pager on the Commission and Advisory Board that has been sent out to members.
- e. The OHTP is on the cusp of developing the state's first Human Trafficking Prevention Resource Center website. It is a cutting edge, centralized hub, for stakeholders, survivors, and the public to get information about human trafficking, training materials, toolkits, and services. There will be a specific page dedicated to survivors. It will be one-stop shop for people to access resources. The interactive map will be the first in the state. We have requested information from agencies to provide information to the OHTP to be included on the HT PRC interactive map. If you would like to be listed and featured on the website, please reach out.
- f. The Office has taken over the annual data collection from DCFS. We have requested data from key agencies to provide data on survivor services. Please reach out to Mary Kate if you did not get the data request information.
- g. The Office is continuing to work with the First Lady's office for the first statewide awareness campaign on April 3, 2022. If an agency would like to be a part of the event through purchasing a ticket or table, she asks members to please reach out to her. For agencies that cannot participate in person, there is also an opportunity for agencies to purchase a foam, informational board at \$100. The foam board is professionally designed with a QR code. The QR code will link to the agency's website. They are anticipating about 400 participants at the event and it is a great opportunity to showcase agencies across the state serving survivors.
- h. The Office is also working with Commission and the Governor's policy team for potential legislation for 2022 that will be discussed today.
- i. She asked members to please reach out to the OHTP if they have any questions or need any assistance.

V. **Guest Speaker:** Dr. Dominique Roe-Sepowitz, Director of the Arizona State University Office of Sex Trafficking Intervention Research

- a. This Commission voted to host human trafficking experts to present at the meetings. Dr. Hunter introduced Dr. Dominique Roe-Sepowitz, a social scientist focused on developing innovative research and methods for immersing social issues, especially those affecting women and girls. She is a nationally recognized expert on human trafficking. Dr. Hunter thanked Dr. Roe-Sepowitz for joining today.



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- b. Dr. Roe-Sepowitz presented on the work of the Office of Sex Trafficking Intervention Research (ASU STIRE) and their service projects.
 - i. Three pillars of ASU STIRE: research activities, community trainings, and service.
 - ii. Innovative service programs
 - Phoenix Starfish Place is a HUD funded apartments for sex trafficked women and their children.
 - Labor trafficking outreach
 - Phoenix 1st Step Pop Up drop in center provides immediate support for persons who have experienced prostitution and sex trafficking once a month.
 - a. Provides immediate access to services, such as medical, mental health, HIV testing, drug treatment, free legal services, hygiene, clothes.
 - Special Education and Sex Trafficking Project
 - Starfish School Prevention Project, web-based education tool for teachers and administrators.
 - Jail/Department of Corrections training and nine-question screening tool
- c. Dr. Roe-Sepowitz welcomes anyone to come to Arizona to tour their agencies and come see in person the work they are doing. She encourages members to share or adapt any of these project. She has shared the PowerPoint with Dr. Hunter to disseminate. The school curriculum is free at projectstarfish.education. She asked if any members had questions. Her email is Dominique.roe@asu.edu. She is happy to come back to share more about her research projects.

VI. **Old Business:** Training Update

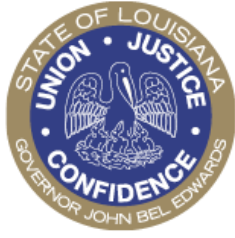
Chief Clark

- a. Massage Therapy Board Monica Taylor
 - i. Monica Taylor provided an update on the Massage Board therapy training. A law was passed last session that required one hour of training for the Board and their investigators. She completed the training with them, but will have to go back and train the new members. Taylor developed a special training for their group.
- b. Truckers Against Trafficking Monica Taylor
 - i. Monica Taylor provided update on the November Trucker's Against Trafficking coalition-build training in Shreveport with Chief of Police in Greenwood. Around 90 people were in attendance, including the truck stop industry, casino industry, bussing industry, and law enforcement. A survivor spoke. Chief Clark did some opening remarks as the Chair of Commission and served on a panel at the end. Shreveport has the North West Louisiana HT Taskforce. Lake Charles and Lafayette are starting taskforces as well. They came to Shreveport for the day, and she will be planning some trainings for them. Chief did a great job for representing the Commission and getting law enforcement engaged in the work.
 - ii. Chief Clark added that it was overwhelming seeing the trucking and casino industry's interest and questions. He noted that it was an outstanding effort.

VII. **New Business:** Legislative Recommendations from Subcommittees

Chief Clark

- a. Chief Clark presented the protocol for voting on the following legislative recommendations.
 - i. Commission members will hear a presentation of each proposal and a discussion and vote will follow.
 - ii. Per 46:2165, a legislative recommendation is adopted upon approval of two-thirds of Commission members present.
 - iii. Commission members will vote by roll call.



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- VIII. Recommendation #1: Expanding Child Abuse Definition to include Labor Trafficking
- a. Leanne McCallum provided a presentation of the recommendation to expand the current definition of Child Abuse to be inclusive of labor trafficking. As it stands now, the existing language is the “exploitation or overwork of a child by a parent or any other person, including but not limited to sexual exploitation of the child.” The subcommittee recommends adding the language of “or labor trafficking of the child.” This is a trend happening across the country to include both forms of trafficking in the child abuse definition.
 - b. Chief Clark opened the floor for discussion
 - i. Christy Tate, on behalf of the DCFS Secretary Marketa Walters, noted that the Department of Children and Family Services does not have any concerns with the recommendation. She clarified that DCFS is able to investigate labor trafficking, but the recommendation will ensure the current definition in the Children’s Code matches what DCFS is investigating. She proposed an amendment that the recommendation is sent to the Children’s Code Committee to ensure that all applicable statutes in Children’s Code are consistent.
 - c. Vote
 - i. Bill Sommers made a motion to adopt the recommendation as amended. Amanda Perry seconded. Carried [10 yays, 1 abstain, 0 nays]
- IX. Recommendation #2: Development of a Post-Disaster Trafficking Awareness Campaign
- a. Leanne McCallum provided a presentation of the recommendation to task the OHTP with creation of Natural Disaster, modeled after City of Houston’s plan. The recommendation arose out of the on the ground experience with issues of labor trafficking after Hurricane Ida. They recommend that it be deployed to communities impacted by disasters in 2020 and following and it be implemented in English, Spanish, and Vietnamese languages.
 - b. Chief Clark opened the floor for discussion
 - c. Vote
 - i. Bob Wertz made motion to adopt. D.A. Russel seconded. Carried [10 yays, 1 abstain, 0 nays].
- X. Recommendation #3: Expanding Membership of HTPCAB to Reflect All Survivors of Human Trafficking
- a. Leanne McCallum provided a presentation of the recommendation to expand membership of this Commission and Advisory Board. Specifically, they recommend to amend the stature that created and governs the Commission and Advisory Board to add at least two more members. She notes that currently there is not a full time member that represents an immigrant service provider agency.
 - b. Chief Clark opened the floor for discussion
 - i. Monica Taylor asked if the recommendation is to add members to both Commission and Advisory Board
 - McCallum added that they did not specify if membership was to be for both the Commission and Advisory Board or just the Advisory Board.
 - Taylor recommends that an addition to the Advisory Board would be the most appropriate, as the Commission is already large.

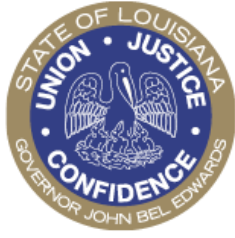


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- McCallum questioned if membership is inclusive of all forms of trafficking if we are excluding a representative of an immigrant-serving agency.
 - Taylor asked if there were any non-governmental agencies represented on the Commission itself. She does not believe any victims rights agencies were members on the Commission. Since there are other advocacy groups on the Advisory Board, a labor trafficking-specific agency would be most appropriate on that body.
 - Chief Clark agreed with Taylor.
- c. Monica made a motion make an amendment to appoint labor trafficking advocates to the Advisory Board specifically. Bob Wertz seconded.
- d. Vote
- i. Monica Taylor made a motion to adopt the recommendation as amended. Bob Wertz seconded. Carried [10 yays, 1 abstain, 0 nays].
- XI. Recommendation #4: Post-conviction relief of sex trafficking victims
- a. Michelle Johnson provided a presentation of the recommendation to create post-conviction relief for victims of sex trafficking—including expungement, sealing of records, and vacating conviction—for all non-violent offenses when offense was a result of trafficking. This is a law that other states have been passing. Currently, the state has no post-conviction relief or expungement available for adult victims. This recommendation would also expand the current law that covers expungement for minors that, as it is now, is limited to prostitution-related charges.
- b. Chief Clark opened the floor for discussion
- i. Bob Wertz proposed an addition that the recommendation include applicable sections of the Code of Criminal Procedures as it relates to expungement. He thinks the recommendation needs to be embedded in the Code of Criminal Procedures as well.
 - ii. Bob Wertz made motion to amend recommendation as proposed. Amanda Perry seconded. Carried.
 - iii. Bill Sommers asked if there was any suggestion about how to handle fees.
 - Johnson noted that the recommendation is that the fees are waived.
 - iv. McCallum made an amendment to expand the recommendation for any adult or minor who has experienced human trafficking, both sex and labor trafficking.
 - Amanda Perry made motion. Bob Wertz seconded as amended to include all forms of human trafficking. Carried.
- c. Vote
- i. Casey Morace made a motion to adopt the recommendation as amended. Amanda Perry seconded. Carried [11 yays, 0 nays]
- XII. Recommendation #5: Extending prescriptive period of civil suits
- a. Michelle Johnson provided a presentation of the recommendation to extend the prescriptive period for human trafficking victims to file a civil suit to ten years. The current prescriptive period is three years. Expanding to ten years is consistent with the federal TVPA. The subcommittee is also recommending a three year look back window.



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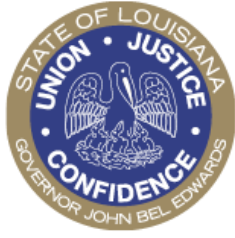
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- b. Taylor added that the Legislature did something similar with children experiencing abuse last legislative session. It would not be unprecedented to make this change.
- c. Chief Clark opened the floor for discussion
 - i. No discussion.
- d. Vote
 - i. Bill Sommers made a motion to adopt the recommendation. Bob Wertz seconded. Carried [10 yays, 1 abstain, 0 nays]

XIII. Recommendation #6: Trafficking of a person with an intellectual or developmental disability

- a. Michelle Johnson provided a presentation of the recommendation to create a new definition for trafficking of a person with an intellectual and developmental disability. She noted that the subcommittee membership who are service providers have seen many victims with disabilities over the last two years, and that individuals with intellectual and developmental disabilities are more vulnerable to trafficking. It is a risk factor. They are recommending creating a definition that models the definition that removes force, fraud, and coercion for victims under 21 years old in RS: 14.46.2(A)(1)(b). Michelle noted that the recommendation does not include solicitation or purchase of a person with an intellectual or developmental disability in the definition, as is present in 14:14:46.2(A)(1)(b).
- b. Chief Clark opened the floor for discussion
 - i. Clark said he thinks it should be passed as it is, since Law Institute will review and vet it.
 - ii. Monica noted that there were concerns at the subcommittee regarding individuals with an intellectual or developmental disability engaging in prostitution, but she thinks that having the Law Institute vet it will help clear up some of these concerns.
 - iii. Natalie Awad, proxy on behalf of Richard Pittman, stated his opposition and concerns that the recommendation, in its current form, will have unintended consequences for individuals with disabilities, who could be charged with human trafficking. She notes that the recommendation deviates from the current trafficking statute in three ways: it removes the element of force, fraud, or coercion; it adds the element of a victim having an intellectual or developmental disability; and third, it provides for longer prison sentences for people convicted under the proposed stature than under the basic trafficking statute. The recommendation potentially has a greater reach than what was intended, reaching conduct where the power imbalance that occurs in trafficking situations is not present. For these reasons, Awad on behalf of Pittman does not support the recommendation in its current form but would support it if it were modified to protect individuals with intellectual and developmental disabilities from being prosecuted.
 - Johnson asked Awad if she means that a person with an intellectual or developmental disability who is trafficking another person with a disability should not be charged with trafficking.
 - Awad responded that there should be an option of a defense. The current recommendation does not have a defense option.
 - Johnson spoke on the power and control dynamic of human trafficking and that even under this recommendation, there would still be the need to prove the other elements



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of human trafficking. She asked Justin Berry to clarify how law enforcement handles cases involving human trafficking of victims under the age of 21, since that is the statute the recommendation is modelling. She asked Berry if law enforcement still has to show force, fraud, and coercion in their arrests and investigation to make a charge of human trafficking.

- Justin Berry said that they certainly want to and law enforcement has to establish a lot of factors prior to arrest.
 - Johnson clarified that there must be evidence that trafficking occurred.
 - Berry agreed that law enforcement certainly wants to establish more evidence than just a victim's statement. Law enforcement must corroborate a victim's statement. While self-identification helps, they do not have to have a victim self-identify to make an arrest.
 - Taylor asked Awad for clarification, if she means that if an alleged trafficker has an intellectual or developmental disability they should be able to use that as a defense.
 - Awad said that she believes that by removing elements of force, fraud, or coercion, the recommendation is removing the defense from the defendant.
 - Taylor noted that if a trafficker has a disability and they are running a trafficking ring and if they do not understand what was wrong due to their disability, there are other ways to argue their defense in court. The recommendation is modeled off of the statute covering 18-21 year olds that also removes the elements of force, fraud, and coercion. She said that she cannot imagine a case where someone would be running a trafficking ring that is not developmentally able to do it. She could see a scenario of a person with an intellectual and developmental disability being a bottom or an enforcer, but in that case, they are also being manipulated by the abuser as well and are a victim.
 - Casey thanked Awad for her feedback and input. She added that to provide a defense for a person with disability, then it would mean we would need to provide a defense for traffickers in the other statutes and crimes.
- iv. Chief reminded everyone that this is a recommendation alone. Any definition to the statute will be vetted through the Law Institute. There will be other opportunities for public defenders and others to weigh in.
- c. Vote
- i. Monica Taylor made a motion to adopt the recommendation. Bob Wertz seconded. [9 yays, 1 abstain, 1 nay]

XIV. Recommendation #7: Mandatory trainings of school personnel, emergency medical professionals, and law enforcement

- a. Kate Shipley made a presentation of recommendations for mandatory of school personnel, emergency medical professionals, and law enforcement. The subcommittee chose these three areas as they believed training of these front-line professions are the most pressing for victim identification. The vote for each topic will be separate, as they deal with separate legislative actions.

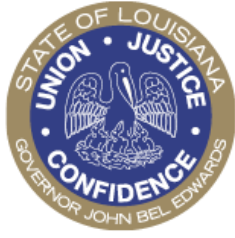


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- i. The recommendation for law enforcement proposes mandatory human trafficking training of peace officers on a new employee and annual basis.
 - ii. The recommendation for schools to provide required human trafficking training for school personnel and to require schools to create a policy to address human trafficking. They mirrored their recommendation off of the successful training efforts in Caddo and Bossier Parish. The subcommittee recognizes the capacity issues facing many schools and wants to ensure the recommendation is flexible on how often school personnel receive training. They also have proposed topics to be addressed in the training.
 - iii. Amanda Perry provided a presentation of the recommendation for required training of emergency medical professionals. Under the recommendation, all EMS professionals licensed in Louisiana would be required to complete human trafficking training to maintain their state licensure and their national certification. As a courtesy, Perry brought the recommendation to the Director of Bureau of EMS. They are supportive, but their concern of that the office has a small team and it would create an additional burden.
- b. Chief Clark opened the floor for discussion
- i. No discussion.
 - ii. Vote
 - Casey Morace made a motion to adopted the recommendation. Amanda Perry seconded. Carried [9 yays, 0 nays, 2 abstain].
- c. Discussion of EMS:
- i. Chief Clark opened the floor for discussion
 - No discussion.
 - ii. Vote
 - Casey Morace made a motion to adopt the recommendation. Bill Sommers seconded. Carried [9 yays, 2 abstain, 0 nays]
- d. Discussion of Law enforcement:
- i. Chief Clark opened the floor for discussion
 - Bob Wertz noted that POST does not have authority over dispatchers/communication officers. Regarding specific training, the POST Council last year conducted a job task analysis of all peace officers. The last analysis was conducted in 1999. POST requested that peace offices from 183 different agencies participate in the study. Total participation was 70%. When the subject of human trafficking came up, the recommendation was to remove that topic out of Basic Training and it was a topic more suited for advanced training or in-service training. From a training point of view, there is a limit on how much these new cadets can absorb. It is easier for POST to address this in in-service. There are currently 8 modules that exist that address human trafficking and it is pretty comprehensive for both sex and labor trafficking. While legislation from a few years back made human trafficking training to be available to peace officers, there was no requirement the training had to be completed. Bob Wertz and LCLE is okay making it mandatory for in-service training and removing it from basic training and letting the POST Council proceed with it.



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While there are online modules, he's not opposed to having it delivered in a classroom setting.

- Morace asked that she agrees with the recommendation but wanted to clarify that the training would be an annual requirement.
 - a. Wertz confirmed that, if amended as proposed, training would be annual requirement. The issue is that training is now optional.
- ii. Vote
 - Bob Wertz made a motion to amend the proposal for law enforcement training as a mandatory in-service training. Casey Morace seconded. Carried [10 yays, 1 abstains, 0 nays].

XV. Recommendation #8: Feasibility study for placements and housing of minor human trafficking victims

- a. Christy Tate provided a presentation of the recommendation for a feasibility study for placement and housing of minor victims of human trafficking. She noted that one of the greatest issues we face in our state is the housing placement for trafficking victims. The recommendation is to require a feasibility study to bring the partners to the table and have the time to do the work and research on the components needed and funding required for placements. It will require an array of funding sources to have an array of housing options available to victims. The recommendation by the subcommittee also includes a number of considerations, including funding research to pull this together.
- b. Chief Clark opened the floor for discussion
 - i. Bill Sommers added that, from juvenile justice perspective, there is nothing more frustrating for probation staff to have to lock a child up in a detention center because there are no beds available for them. He believes this is a great recommendation.
- c. Vote
 - i. Bill Sommers made a motion to adopted the recommendation. Chief Clark seconded. Carried[8 yays, 3 abstain, 0 nays]

XVI. 2022 Meeting Schedule

Chief Clark

- a. Chief presented a proposed schedule for 2022 meetings. Meetings will take place every other month beginning January 2022 from 1:30pm-3:30pm.
- b. Chief Clark opened the floor for discussion. No discussion.
- c. Vote
 - i. Monica Taylor made motion to accept the 2022 meeting schedule. Seconded by Casey Morace. Motion carried.

XVII. Annual Report

Mary Kate Andrepont

- a. The annual report is being compiled and will be sent out ahead of the January 20, 2022 meeting, where it will be voted on for approval by the Commission.
- b. Subcommittees submitted their reports on December 10th.

XVIII. Topics for Next Meeting

Chief Clark

- a. Annual Report vote



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- b. Robert's Rules of Order refresher
- XIX. Public Comment Chief Clark
- a. Chief Clark opened for public comment.
 - b. Erika Marlowe is a survivor advocate and she is very excited to be here and is supportive of these recommendations.
- XX. Adjournment
- a. Monica motion to adjourn, Bill Sommers seconded. Meeting adjourned. Time out is 3:20pm.