

2018

REPORT TO THE
GOVERNOR AND
LEGISLATURE

Michigan
Human Trafficking
Commission



Commission Members

- Ms. Kelly Carter, Commission Chair and Assistant Attorney General
- Ms. Carolyn Harden, Executive Office of Governor Rick Snyder
- Mr. Matt Lori, Michigan Department of Health and Human Services
- Mr. David Leyton, Prosecuting Attorney, Genesee County
- Ms. Kathy Maitland, Michigan Abolitionist Project
- Mr. Matthew Mingus, Western Michigan University
- Ms. Deborah Monroe, Recovery Concepts of Michigan
- Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs
- Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court
- Ms. Amanda Van Essen, Ottawa County Attorney-Guardian Ad-Litem
- D/Sgt. Tracey Walton, Michigan State Police

**Other members who served a portion of the year include Liz Lukasik and Tom Tiderington.

Message from the Attorney General:
Dana Nessel



Dear Reader:

I am honored and humbled to be the elected Attorney General of the great State of Michigan.

As a former prosecutor, I have seen first-hand the dangers of human trafficking and its impact on survivors and their families. I am acutely aware that it can victimize girls and boys, women and men, and take the form of sex trafficking or labor trafficking. As Attorney General, as well as a mother of twin sons, I am committed to assisting all survivors, regardless of race, sex, religion, sexual orientation, or walk of life, to ensure that human trafficking no longer plagues our state. And that is why I am so pleased that the Human Trafficking Commission resides in the Attorney General's Office. I am excited to become more involved with the Human Trafficking Commission—the individuals from law enforcement, the judiciary, survivors' advocates, and others who give their time and talent to fight for justice.

The highlight of the Commission's work in 2018 was hosting another state-wide human trafficking conference, in conjunction with the Michigan State Court Administrative Office. The Conference focused on providing assistance and services to survivors. The Commission also continued to work with its partners and forge new relationships with the community to provide public awareness about the dangers of human trafficking. Finally, the Commission reviewed potential legislation and made recommendations regarding bills that can assist in charging human trafficking predators and providing assistance to survivors.

I invite all Michiganders to continue the fight against human trafficking and stand up for survivors. I stand with you and applaud you.

Sincerely,

A handwritten signature in blue ink that reads "Dana Nessel". The signature is fluid and cursive, matching the printed name below it.

Dana Nessel
Attorney General, State of Michigan

TABLE OF CONTENTS

Background	6
Commission Meetings	7
Subcommittee Overview	8
Training And Education	9
Data Collection and Research	10
Victim Services	11
Public Awareness	12
Policy and Legislation	13
Courts and Summit Subcommittee and Funding and Resources Committee	14
Conclusion	15

Background

The first Michigan Commission on Human Trafficking was launched in March, 2013. The Commission immediately began gathering information. Numerous experts gave presentations to the Commission, including those in law enforcement, health care, academia, non-profit organizations, and Attorneys General from other states. The Commission also heard heart-breaking survivor testimonies. That work resulted in a comprehensive package of bills that the Legislature enacted and were signed into law in 2014. The legislation included safe harbor provisions and stronger tools to hold traffickers accountable. It also created the Michigan Human Trafficking Commission, a standing commission within the Department of Attorney General, whose members are appointed by the Governor to represent various groups and officials. The Commission's mission as set forth in statute, Public Act 325 of 2014, includes the following:

<p>Section 4(a). Identify sources for grants that will assist in examining and countering human trafficking in this state, and apply for those grants when appropriate.</p>
<p>Section 4(b). Fund research programs to determine the extent and nature of human trafficking in this state.</p>
<p>Section 4(c). Provide information and training regarding human trafficking to police officers, prosecutors, court personnel, health care providers, social services personnel, and other individuals the commission considers appropriate.</p>
<p>Section 4(d). Collect and analyze information regarding human trafficking in this state.</p>
<p>Section 4(e). Identify state and local agencies within this state and other states, as well as within the federal government, that are involved with issues related to human trafficking, and coordinate the dissemination of information regarding human trafficking in this state to those agencies.</p>
<p>Section 4(f). Review the existing services available to assist victims of human trafficking, including crime victim assistance, health care, and legal assistance, and establish a program to make those victims better aware of the services that are available to them.</p>
<p>Section 4(g). Establish a program to improve public awareness of human trafficking.</p>
<p>Section 4(h). Review state laws and administrative rules relating to human trafficking and make recommendations to the legislature to improve those laws and rules to address human trafficking violations in this state.</p>

Commission Meetings

The Michigan Human Trafficking Commission met on the following dates during 2018:

- March 13, 2018
- June 5, 2018
- September 11, 2018
- December 4, 2018

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“The Human Trafficking Commission plays an integral role in the battle against human trafficking. We will not let the survivors be silenced. We will continue to stand up for these men and women, young and old and let their voices be heard.”

Dana Nessel

Michigan Attorney General

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Subcommittee Overview

The Michigan Human Trafficking Commission operates with seven subcommittees:

Funding and Resources: This subcommittee is charged with identifying and applying for potential grants and other forms of funding.

Training and Education: This subcommittee is charged with reviewing existing training efforts for professionals and determining how those efforts can be enhanced and expanded. These professionals include various groups who may encounter human trafficking such as: law enforcement, health care providers, social-service providers, hospitality providers, and those in code enforcement and regulatory agencies.

Data Collection and Research: This subcommittee is charged with reviewing strategies to collect statewide data to enable policymakers and law enforcement to assess progress in their efforts to tackle this growing problem.

Victim Services: This subcommittee is charged with reviewing the needs of human trafficking survivors to determine how those needs can be met at the local and state levels.

Public Awareness: This subcommittee is charged with developing strategies to raise public awareness of human trafficking.

Policy and Legislation: This subcommittee is charged with reviewing Michigan's human trafficking laws and policies to determine whether new legislation or policy changes are required.

Courts/Summit: This subcommittee was established in October 2015. The subcommittee will focus on planning future conferences and working cooperatively with Michigan courts on human trafficking issues.

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“As chair of the Michigan Human Trafficking Commission, I am honored to work with the dedicated members of the Commission. Their efforts continue to enhance protections for survivors of trafficking and seek to meet their needs while strengthening tools for law enforcement to hold traffickers accountable.”

Kelly Carter

Michigan Human Trafficking Commission Chair
and Assistant Attorney General

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Training and Education

Subcommittee Members:

Ms. Kelly Carter, Human Trafficking Commission Chair and Assistant Attorney General

Mr. Matt Lori, Michigan Department of Health and Human Services

Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs

D/Sgt. Tracey Walton, Michigan State Police

Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court

Chief Tom Tiderington, Plymouth Township Police Department

The training and education subcommittee worked during the year to target several identified professional areas for training on human trafficking.

For example, regarding court personnel, the subcommittee worked with the Courts and Summit Subcommittee and the Funding and Resources Subcommittee to develop the curriculum and content for the Commission's conference in the spring of 2018 that focused on providing services for human trafficking survivors.

In the fall of 2018, the Commission sponsored a human trafficking law enforcement training. The half-day training was held at the Michigan State Police Academy and was attended by Michigan State Police Troopers from various parts of the state.

The Commission also added to the training materials on the newly designed Attorney General's website at www.Michigan.gov/AG, including a link to a training video created by the Joint Anti-Trafficking Task Force. This video is aimed at technicians and code enforcement officers who regularly enter homes and businesses as part of their jobs. This video highlights these professionals and the unique positions they are in that allow them to spot indicators of trafficking.

In the fall of 2018, the Commission formed a partnership for an exciting new human trafficking project. The project is a partnership between a Michigan pioneer of human trafficking survivor services, Andy Soper's Measurable Change, and Think Black, an integrated digital consulting, strategy and production firm. The

goal of the project is to build a "platform for delivering high-quality educational content that is tied to standardized data collection processes and systems in order to solve complex social issues." Over the course of several meetings, the Measurable Change project provided in-depth information about the impetus for the project. They had examined the first Human Trafficking Commission's report that called for subject-specific human trafficking training for professionals and found that data collection was challenging in this area. Afterwards, they developed a project that would develop professional quality training modules on human trafficking for professionals and then create a "standard, comprehensive method for capturing and storing human trafficking data" leading to the "engineering of a cloud-based data collection system." The Measurable Change project dovetails squarely with two areas of statutory obligation for the Commission: training and data collection. Accordingly, the Commission approved providing a letter of support for the project to assist in obtaining funding for its initial phase. The Commission continues to partner with the project and looks forward to continuing this exciting collaboration.

Finally, the Commission is considering creating a shorter version of the health-care focused video that it developed in 2017, omitting the specifically health-focused content, in order to create a more generally targeted public awareness and training tool.

Data Collection and Research

Subcommittee Members:

Mr. Matthew Mingus, Western Michigan University

Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs

D/Sgt. Tracey Walton, Michigan State Police

The Data and Research Subcommittee has, over the past year, continued activities meant to help the Commission determine the prevalence of human trafficking in the State of Michigan. There are many purported sources of data and some very well-intentioned work done by various groups, but it is extremely difficult to compare data sets since most groups continue to develop their own definitions and methodology to collect data.

Prosecutorial Survey

To continue to try and understand sources and pitfalls of law enforcement data, the subcommittee has continued developing its next survey project – a survey of all of Michigan county prosecutors that may be conducted with the assistance of the Prosecuting Attorneys Association of Michigan or in association with a State university. Unlike the highly-targeted law enforcement survey, this survey is being designed to send to all county prosecutor offices in Michigan. The purpose of this survey will be to determine how prosecutors are charging and trying suspects in human trafficking cases.

Once completed, the survey should elicit information from county prosecutors about their experience with human trafficking cases, which will give insight into the entire prosecutorial process from investigative presentment by police officers, to preliminary examination, trial, and appeal. The goal being that the information obtained will help the subcommittee and the Commission determine where it can assist county prosecutors in charging, prosecuting, and sustaining on appeal cases of human trafficking.

The subcommittee continues to eagerly anticipate the launch of this latest survey. While the actual survey was originally intended to be rolled out

to county prosecutors by the end of 2018, the subcommittee now intends to launch the survey in the first half of calendar year 2019, collect data for a full evaluation period, and have sufficient time to review the data and report on those results in the next annual report. Ultimately, the subcommittee hopes these results will help those who are committed to fighting human trafficking by providing them with information concerning the true prevalence of human trafficking in the State of Michigan and help determine where increasingly scarce resources should be directed.

Finally, as noted in the Training and Education Subcommittee's report, the Commission has recently partnered with Andy Soper's Measurable Change. This partnership will benefit the Data and Research Subcommittee in particular. Following Measurable Change's initial presentation to the Commission as a whole, members of the subcommittee were intrigued with how Measurable Change might help the Commission reach its goals. As such, members of the subcommittee met with members of Measurable Change in July of 2018. At this meeting, subcommittee members and the Measurable Change team discussed their partnership and how it would benefit the subcommittee in its continued efforts to collect reliable and accurate data on the prevalence of human trafficking in Michigan. The subcommittee looks forward to working hand-in-hand with Measurable Change and others during 2019 to meet this goal.

Victim Services

Subcommittee Members:

Ms. Kelly Carter, Human Trafficking Commission Chair and Assistant Attorney General

Mr. Matt Lori, Michigan Department of Health and Human Services

Ms. Kathy Maitland, Michigan Abolitionist Project

Ms. Deborah Monroe, Recovery Concepts of Michigan

Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court

Coordination of Victim Services and Trauma Informed Care

The Victim Services Subcommittee continues to coordinate with the Joint Anti-Trafficking Task Force (JATT), the Department of Health and Human Services (DHHS), and other state and local partners on initiatives and activities aimed at fostering collaboration and improving the effectiveness of Michigan's response to human trafficking survivors.

The subcommittee especially recognizes the importance of collaboration when creating successful trauma-informed practices in Michigan. Trauma-Informed Care is a strengths-based service delivery approach grounded in an understanding of and responsiveness to the impact of trauma that emphasizes physical, psychological, and emotional safety for both providers and survivors, and that creates opportunities for survivors to rebuild a sense of control and empowerment.

The Commission's spring Human Trafficking Conference, as well as other conferences, trainings, and events in 2018, provided professionals the opportunity to learn and build competencies in

trauma-informed practices, as well as increase their knowledge on how trauma affects survivors' response to services, the criminal justice process, and service provider's response to survivors.

The Victim Services Subcommittee recognizes that many service areas in Michigan have increased their awareness of a trauma-informed approach. The development of new policies, procedures and practices that avoid victim traumatization, increases safety and the effectiveness and efficiency of interactions with survivors. It reflects the growing understanding of the significant impact that trauma can have on children and adults' well-being. The subcommittee will continue to support efforts to increase and enhance training opportunities in trauma-informed practices and care, as well as work to bridge gaps in services to ensure a more coordinated, system-wide approach.

During 2019, the subcommittee plans to interview human trafficking survivors across the State in order to increase understanding of those areas and gaps that are most prevalent and compile recommendations that are useful to improving our response to survivors.

Public Awareness

Subcommittee Members:

Ms. Deborah Monroe, Recovery Concepts of Michigan

Ms. Carolyn Harden, Executive Office of Governor Rick Snyder

Mr. David Leyton, Prosecuting Attorney, Genesee County

Ms. Kathy Maitland, Michigan Abolitionist Project

The Public Awareness Subcommittee continues its efforts to promote the website as a reference for information about the Commission. The Commission published the human trafficking training video for health professionals last year. Views of the video continue at an impressive pace: it has been accessed nearly 15,000 times on the Attorney General's YouTube Channel, and nearly 2,000 more times on the Attorney General website since August 2017.¹

The subcommittee also worked with its community partners such as Michigan Abolitionist Project and the Joint Anti-Trafficking Task Force (JATT) to

educate and promote prevention efforts within the State of Michigan. In addition, the subcommittee provided input and ideas related to the Human Trafficking Commission's Spring 2018 Conference and the law enforcement training program conducted in the fall.

The subcommittee hopes to record public service announcements in 2019 to provide education about the dangers of human trafficking and provide information on access to survivor services.

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“I am delighted that the Commission has been able to host two major state-wide conferences over the last few years. This year's conference was attended by almost 300 people. The number of people in attendance really says a lot about the individuals in Michigan who are committed to fighting this battle and providing help to survivors.”

Honorable Michelle Rick

29th Judicial Circuit Court

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¹The video is also accessible on the Wayne State Medical School's website at: <https://www.med.wayne.edu/news/2017/10/23/training-tool-for-health-care-workers-and-the-public-targets-human-trafficking-in-michigan/>

Policy and Legislation

Subcommittee Members:

Ms. Kelly Carter, Human Trafficking Commission Chair and Assistant Attorney General
Mr. David Leyton, Prosecuting Attorney, Genesee County
Chief Tom Tiderington, Plymouth Township Police Department

The Commission recommended one bill, House Bill 5438, which was passed into law in 2018.

Recognizing the increasing interplay between addictive drugs - especially opioids - and sex trafficking, the Commission voted to recommend an amendment to the definition of “coercion” in the human trafficking chapter of the Michigan Penal Code to specifically include controlling or facilitating access to highly addictive controlled substances. HB 5438 was introduced in early 2018, passed the Legislature and was signed into law in April 2018, as 2018 PA 119, becoming effective at the end of July of 2018.

As the Commission continues to work with survivors of this horrible crime, we are increasingly enlightened in the multiple ways that survivors continue to suffer. Previously, the Commission proposed bills allowing survivors to clear their trafficking-related convictions for minor state prostitution offenses. That was expanded to include previously overlooked minor prostitution ordinance violations, only to again realize there are survivors who are prevented relief because they were, instead, charged with loitering or being a disorderly person as a “common prostitute.”

Rather than continuing to incrementally expand the commercial sex-related crime list, the subcommittee is pursuing a more comprehensive expansion of the Safe Harbor expungement beyond the current commercial sex-related crimes.

Repeatedly, survivors are identifying additional criminal activity they were compelled to engage in at the hands of their traffickers, including drug crimes and theft. The subcommittee is examining approaches that would provide meaningful relief for human trafficking survivors, while balancing interests of victims of crime.

Additionally, several bills were introduced during the legislative term that show promise on issues including demand reduction - via “John’s” schools, expansion of expungement beyond commercial sex-related crimes for human trafficking survivors, and reform of the prostitution chapter of the Michigan Penal Code. The Commission recommended supporting, in concept, several of the bills. The subcommittee is prepared to continue to work on those bills going forward as promising vehicles to address these issues.

Courts and Summit Subcommittee and Funding and Resources Subcommittee

Courts and Summit Subcommittee Members:

Ms. Kelly Carter, Human Trafficking Commission Chair and Assistant Attorney General

Ms. Cheryl Pezon, Michigan Department of Licensing and Regulatory Affairs

Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court

Chief Tom Tiderington, Plymouth Township Police Department

Ms. Kelly Wagner, Michigan State Court Administrative Office

Funding and Resources Subcommittee Members:

Ms. Carolyn Harden, Executive Office of Governor Rick Snyder

Ms. Amanda Van Essen, Ottawa County Attorney-Guardian Ad-Litem

After an overwhelming turnout for the 2016 Human Trafficking Commission Conference, the Courts and Summit Subcommittee and the Funding and Resources Subcommittee teamed up to plan and implement the Second Human Trafficking Conference. The Conference, hosted by the Human Trafficking Commission and the State Court Administrative Office, was held on April 24, 2018 at the Inn at St. Johns located in Plymouth, Michigan. The Conference was attended by approximately 300 people, including those in law enforcement, the judiciary, and survivor services. The Conference included keynote speaker Tonya Turner, formerly of Girls Educational Mentoring Services (GEMS) in New York, who spoke on “Effective Delivery to Commercially Sexually Exploited Children Victims.” Additional speakers throughout the day included Kelly Carter, Commission Chair and Jessica Glynn from the YWCA. The afternoon breakout sessions

focused on human trafficking court programs and establishing human trafficking houses for survivors. Breakout sessions included the following panelists:

- *Honorable Laura Baird, 30th Judicial Circuit Court and the Ingham County Phoenix Court Team*
- *Richard Smart, 3rd Judicial Circuit Court*
- *Deb Carley, Department of Attorney General*
- *Kelly Carter, Human Trafficking Commission Chair*
- *Leslie King, Sacred Beginnings*
- *Edee Franklin, Sanctum House*
- *Andy Soper, Five Arrows Consulting*
- *Hannah McPeak, Monarch Wings, Hope Against Trafficking*

Conclusion

The Commission continues to be pleased with the progress it makes each year and is looking forward to a successful 2019! Thank you to all the Commission members for continuing the fight against human trafficking in Michigan.

The Commission also thanks the following individuals from the Department of Attorney General for their work assisting the Commission:

Ms. Michelle Brya-Project Manager

Ms. Andrea Bitely

Ms. Deb Carley

Ms. Banu Colak

Mr. Scott Damich

Mr. David Dwyre

Mr. Peter Kotula

Mr. John Lazet

Mr. Tom Marks

Ms. Laura Moody

Mr. John Pallas

Ms. Sarah Shultz

Mr. Daniel Sonneveldt

Ms. Barb Teszlewicz

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“The Human Trafficking Commission plays a vital role in expanding the availability of trauma-informed care for survivors of these horrific crimes.”

Kathy Maitland

Commission Member and Executive Director
of the Michigan Abolitionist Project

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