

MICHIGAN
HUMAN TRAFFICKING
COMMISSION



2016



REPORT TO THE
GOVERNOR AND LEGISLATURE

COMMISSION MEMBERS

Ms. Carol Isaacs, Commission Chair and Chief Deputy Attorney General

Ms. Valerie Bass, Washtenaw Co. Human Trafficking Court, 14-B District Court

Mr. Hassan Beydoun, Michigan House of Representatives*

Ms. Beth Emmitt, 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

Ms. Deborah Monroe, Recovery Concepts of Michigan

Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs

Det. Sgt. Ed Price, Michigan State Police

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

Dr. Herbert Smitherman, Jr., Health Centers Detroit Foundation

Chief Tom Tiderington, Plymouth Township Police Department

*Mr. Beydoun joined the Commission in April 2016, and represents individuals recommended by the Speaker of the House of Representatives.

**Mr. Lori replaced Elizabeth Hertel who left state government and her position as Commission member in the fall of 2016.

**MESSAGE FROM THE ATTORNEY GENERAL:
BILL SCHUETTE**



Dear Reader:

As your Attorney General and especially as a father, I am particularly aware of the dangers of human trafficking. These predators exploit boys, girls, women and men for commercial sex and labor services. That is why fighting human trafficking has been one of my top priorities since I became Attorney General.

The Human Trafficking Commission is comprised of over a dozen members who, like me, are dedicated to bringing attention to and eradicating this modern-day form of slavery. These men and women include law enforcement, a circuit judge, victim services advocates, and representatives from state departments and Governor Snyder's Office. I am pleased that the Human Trafficking Commission was established within the Attorney General's Office and that these members are so passionate about fighting for basic human rights.

In 2016, the Commission made significant progress, including the following:

- Holding its first state-wide human trafficking conference on September 29, 2016;
- Continuing work with the Wayne, Macomb, and Oakland County Medical Societies for the development of an expanded human trafficking video for medical professionals;
- Reviewing state law and policy regarding human trafficking and making recommendations for legislative changes; and
- Beginning a survey project aimed at law enforcement to help determine the true prevalence of human trafficking within the State of Michigan.

I look forward to continuing to work with the Commission to make great strides in 2017.

Thank you to all the Commission members and citizens around the state who are devoted to this worthy cause. The efforts we are making regarding public awareness, research, support for victims, training, and numerous others are recognized state-wide. Together we will make a difference.

Sincerely,

A handwritten signature in black ink that reads "Bill Schuette". The signature is written in a cursive, flowing style.

Bill Schuette
Attorney General, State of Michigan



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BACKGROUND

In March 2013, Attorney General Bill Schuette and State Representative Kurt Heise, in cooperation with Governor Rick Snyder and the Michigan Legislature, launched the first Michigan Commission on Human Trafficking. 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 legislative package that the Legislature enacted and Governor Snyder signed into law in 2014. It 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:

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.

Section 4(b). Fund research programs to determine the extent and nature of human trafficking in this state.

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.

Section 4(d). Collect and analyze information regarding human trafficking in this state.

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.

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.

Section 4(g). Establish a program to improve public awareness of human trafficking.

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.

COMMISSION MEETINGS

The Michigan Human Trafficking Commission met on the following dates during 2016:

January 20, April 26, July 27, and November 2. Several guests presented at the Commission meetings including:

- Amy Ruppeck, Director of Compliance at Western Union, who spoke about Western Union's efforts to combat human trafficking.
- Valiant Richey, Senior Prosecuting Attorney in King County, Seattle, Washington, who spoke about a program known as *Buyer Beware: A Partnership to End Commercial Sexual Exploitation*, aimed at reducing demand for commercial sex trafficking.
- George Jenkot and Sam Abdo from Firekeepers Casino Hotel in Battle Creek, Michigan, who discussed their surveillance and training efforts to fight human trafficking in the casino and hotel.

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Thanks in part to the support from the Commission and the work of the Michigan Legislature, Governor Snyder was able to sign bills that expanded protections for survivors of human trafficking. We will continue working with our partners to make Michigan a leader in fighting this horrible crime.

Commission Member Beth Emmitt
Executive Office of Governor Snyder

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SUBCOMMITTEE OVERVIEW

The Michigan Human Trafficking Commission operates with seven subcommittees:

Training and Education: This subcommittee is charged with reviewing existing training efforts for professionals and determining how those efforts can be enhanced and expanded. “Professional” is broadly defined to 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 victim needs to determine how those needs can be met at the local and state levels.

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

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. It was instrumental in helping to plan the Human Trafficking Commission’s Fall 2016 Conference. The subcommittee will focus on planning future conferences and working cooperatively with Michigan courts on human trafficking issues.



TRAINING AND EDUCATION

Subcommittee Members:

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

Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs

Det. Sgt. Ed Price, Michigan State Police

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

Dr. Herbert Smitherman, Jr., Health Centers Detroit Foundation

Chief Tom Tiderington, Plymouth Township Police Department

**Mr. Lori replaced Elizabeth Hertel who left state government and her position as Commission member in the fall of 2016.*

The Training and Education Subcommittee worked during the year to target several identified professional areas for training on human trafficking:

Court Personnel: The subcommittee worked with the Courts/Summit Subcommittee to develop the curriculum and content for the Human Trafficking Commission's Fall 2016 Conference.

Health Professionals: The subcommittee provided input and suggestions regarding the health professionals training video produced in conjunction with Wayne, Oakland and Macomb Medical Societies.

Law Enforcement: Commissioner Tiderington and Commissioner Price together presented on the topic of human trafficking to the Michigan Association of Chiefs of Police. Commission staff participated in training to law enforcement officers with Michigan State Police, the Michigan Human Trafficking Task Force and other entities.

Educators and Staff: Commission staff is working closely with the Joint Anti-Trafficking Task Force to develop a half day training program on human trafficking for educators and educational administrators. The core curriculum has been identified and drafting of the presentations are underway.

Finally, the subcommittee continues the work of assembling the parts of the core training (across professions) that can be deployed in a web-based environment – on the Commission's website, or employed in a more intensive on-site environment.

DATA COLLECTION AND RESEARCH

Subcommittee Members:

Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs

Det. Sgt. Ed Price, Michigan State Police

The Data and Research Subcommittee has, over the past year, undertaken several projects meant to help determine the true prevalence of human trafficking in the State of Michigan. Such information is vital to determining the appropriate steps to be taken to combat the evil that is human trafficking, particularly in determining where resources and effort should be directed.

Law Enforcement Survey

The Data and Research Subcommittee is, at the time this report is being drafted, nearing the conclusion of a survey of three law-enforcement agencies over a three-month period. This survey may help to explain why incidents of human trafficking are underreported in the State of Michigan. It is the subcommittee's intent that the results of this three-month survey will prompt changes in the way that law enforcement agencies view and report incidents of human trafficking and thus enable state and federal authorities to more accurately determine the prevalence of human trafficking in the State of Michigan.

Michigan Incident Crime Reporting (MICR) is Michigan's incident-based reporting system in which data is collected on each single crime occurrence. Upon completion of an incident report/arrest, police officers are required to select the appropriate "MICR" code and so designate the arrest/incident on the incident report. The MICR codes are collected and used to determine the prevalence of crime, and types of crimes, that are plaguing our communities.

There are four MICR codes that specifically designate an incident as a human trafficking offense: "1010" designates the incident as a general "human trafficking" offense. "1011" designates the incident as "human trafficking causing injury." "4008" designates the incident as "human trafficking – commercial sex acts." And "4009" designates the incident as "human trafficking – involuntary servitude."

In researching the use of the codes, the Data and Research Subcommittee discovered that the four MICR codes applicable to human trafficking offenses have rarely been used by law enforcement, contributing to what the subcommittee believes is an underreporting of human trafficking incidents in the State of Michigan.

As such, the Data and Research Subcommittee determined that it would survey three of the police departments most active in the prosecution of human trafficking incidents to determine how often the MICR codes for human trafficking are being used and, more importantly, why they are *not* being used in cases where they should otherwise be applicable. The three departments selected for this survey project were the City of Southfield Police Department, the City of Romulus Police Department, and the City of Roseville Police Department. Each department has been provided copies of a two-page survey to be filled out in cases where human trafficking is suspected. The survey period began on October 1, 2016, and concluded on December 31, 2016. The results of the survey will hopefully illustrate what problems law enforcement officers have with the current system of MICRs and, more importantly, how such problems can be fixed or remedied (e.g. by providing more training on the use of the MICRs, by rewording the MICRs) to obtain more accurate data on the prevalence of human trafficking in Michigan.

Prosecutors' Survey

The Data and Research Subcommittee recognizes that accurate reporting concerning incidents of human trafficking may necessitate more than just providing more training on the MICRs to law enforcement officers or reworking the MICRs. As such, late in the year, the Data and Research Subcommittee proposed creating and distributing a second survey, this time targeting state prosecutors and their charging decisions. The purpose of this second survey will be to determine how prosecutors are charging suspects in human trafficking cases. Are they charging suspects with specific Michigan statutory offenses concerning human trafficking? If they are not charging human trafficking offenses, *why* not? Again, the purpose of the survey will be to 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 scarce resources should be directed.



VICTIM SERVICES

Subcommittee Members:

*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

**Mr. Lori replaced Elizabeth Hertel who left state government and her position as Commission member in the fall of 2016.*

Coordination with Joint Anti-Trafficking Task Force

The Victim Services Subcommittee has worked extensively with the Joint Anti-Trafficking Task Force (JATT) this year. The subcommittee is committed to working with the JATT and other partners on a Google advertisement campaign known as Buyer Beware, a project aimed at reducing the demand for commercial sex in Michigan. In addition, the subcommittee has been coordinating with the JATT to create a resource guide for Southeast Michigan. This includes compiling data from providers, extensive review and vetting the information, as well as determining how to distribute it to a broad audience.

Human Trafficking Protocol

The subcommittee has also been working with the Michigan Department of Health and Human Services (DHHS) to revise the human trafficking protocol. After several months of meetings and providing input, the protocol has been finalized and is in the process of requesting approval from DHHS administration.

Human Trafficking Assessment Tool

Finally, over the last year, the subcommittee has been researching and developing ideas for a standardized human trafficking assessment tool. This process has included conducting interviews and research and analyzing best practices. The subcommittee plans to finalize its recommendations and provide it to the Commission during the first half of 2017.

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The Human Trafficking Commission has brought state-wide awareness to the dangers of human trafficking. As we bring public attention to this form of modern-day slavery, we help bring those responsible to justice.

Attorney General Bill Schuette

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FUNDING AND RESOURCES

Subcommittee Members:

Ms. Beth Emmitt, Executive Office of Governor Rick Snyder
Dr. Herbert Smitherman, Jr., Health Centers Detroit Foundation

Human Trafficking Video for Health Professionals

Previously, the Human Trafficking Commission contracted with the Oakland, Macomb, and Wayne County Medical Societies to develop a comprehensive human trafficking video to train medical professionals. During 2016, video production began. The production crew conducted interviews with numerous individuals involved in the fight to stop human trafficking, including Attorney General Bill Schuette, Assistant Attorney General Kelly Carter, Dr. James Blessman, and others. The producers are currently completing their final edits and the video should be presented to the Commission in spring, 2017.

Funding Opportunities

The Human Trafficking Commission, with the assistance of the Funding and Resources Subcommittee partnered with the Michigan Department of Health and Human Services, University of Michigan's Law School Human Trafficking Clinic, and others on a grant application to the United States Department of Health and Human Services-Administration for Children and Families. The grant was submitted for the purpose of obtaining funds to pursue accurate identification of human trafficking victims in the child welfare system. Unfortunately this grant application was not successful. However, the Funding and Resources Subcommittee continues to actively search for new funding opportunities and develop partnerships to aid in accomplishing its mission.



PUBLIC AWARENESS

Subcommittee Members:

Ms. Valerie Bass, Washtenaw County Human Trafficking Court, 14-B District Court

Ms. Beth Emmitt, Executive Office of Governor Rick Snyder

Mr. David Leyton, Prosecuting Attorney, Genesee County

Ms. Kathy Maitland, Michigan Abolitionist Project

Website

The Public Awareness Subcommittee has been working with the Michigan Department of Technology, Management and Budget on implementing a more comprehensive website for the Michigan Human Trafficking Commission.

Public Service Announcement

The subcommittee is analyzing the feasibility of doing a radio public service announcement about human trafficking.

Raising Public Awareness

The subcommittee has been promoting human trafficking awareness through social media. In addition, the Commission has been actively working with the Attorney General's Office to participate in radio and television interviews to warn the public of the dangers of human trafficking.

Buyer Beware Project

Finally, the subcommittee has been working with the Victim Services Subcommittee and the Michigan State Police on the Buyer Beware Project, aimed at reducing demand for commercial sex.

POLICY AND LEGISLATION

Subcommittee Members:

Mr. Hassan Beydoun, Michigan House of Representatives
Mr. David Leyton, Prosecuting Attorney, Genesee County
Chief Tom Tiderington, Plymouth Township Police Department

The Commission recommended several bills which were passed into law in 2016:

2016 Public Act 336

House Bill 5542
Signed into law December 14, 2016
Effective March 14, 2017

Permits human trafficking victims to fully clear past convictions by including local ordinance violations in the list of prostitution-related offenses victims can have cleared from their criminal record.

2016 Public Act 337

House Bill 5543
Signed into law December 14, 2016
Effective March 14, 2017

Allows victims to clear prostitution-related *juvenile* convictions.

2016 Public Act 338

House Bill 5544
Signed into law December 14, 2016
Effective March 14, 2017

Includes local ordinance violations in the list of prostitution-related offenses triggering safe harbor for minors; Provides for greater penalty (15 years) in sex trafficking cases.

The subcommittee continues to work on drafting a comprehensive policy approach to demand reduction.

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The Human Trafficking Commission has made significant progress this year in helping to educate and train professionals within the community, provide input on human trafficking legislation, and provide greater awareness to the public on the dangers of human trafficking.

Commission Member Kathy Maitland,
Michigan Abolitionist Project

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COURTS AND SUMMIT

Subcommittee Members:

Mr. David Leyton, Prosecuting Attorney, Genesee County

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

Chief Tom Tiderington, Plymouth Township Police Department

The top priority for 2016 for the Courts and Summit Subcommittee was to facilitate the Commission's first human trafficking conference. The Human Trafficking Commission's Fall Conference, in conjunction with the State Court Administrative Office and the Michigan Department of Health and Human Services took place on September 29, 2016 at Weber's Inn, located in Ann Arbor, Michigan. The conference quickly sold out, with over 200 people registered to attend.

The conference was a tremendous success and boasted a number of enthusiastic and passionate speakers, led by Attorney General Bill Schuette who opened the conference. The keynote speaker was Judge Paul Herbert, from Franklin County Municipal Court, located in Columbus, Ohio. Judge Herbert spoke about the specialty court he established focused on human trafficking victims who have been charged with the misdemeanor offense of solicitation. CATCH Court (Changing Actions to Change Habits) was started in September 2009 and the results have exceeded all expectations.

Other speakers included Elizabeth Campbell from the University of Michigan's Human Trafficking Clinic, a human trafficking survivor, Det. Sgt. Ed Price from the Michigan State Police, Assistant Attorney

General Kelly Carter, and Judge Michelle Rick. Panelists included Elizabeth Campbell, Genesee County Prosecutor David Leyton, Alternatives for Girls Director Deena Policicchio, Judge Charles Pope, Police Chief Tom Tiderington, Vista Maria Director Angela Aufdemberge, Judge David Newblatt, Judge Robert Sykes, Kelly Wagner from the Michigan State Court Administrative Office, and Steve Yager and Colin Parks from the Michigan Department of Health and Human Services.

A special thank you to all of the speakers who presented at the conference.

Thank you to the State Court Administrative Office and the Michigan Department of Health and Human Services for partnering with the Human Trafficking Commission to present such a successful conference. Your efforts are appreciated.

The Commission will be reviewing its resources to determine if a 2017 conference is feasible.

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In my opinion, a high point of the Commission’s work in 2016 was hosting a state-wide conference on human trafficking. Judges, court staff, attorneys, law enforcement officials, protective service workers, and victim advocates from across the state came together for a day-long comprehensive training. The conference was co-sponsored by the State Court Administrative Office Child Welfare Services and Michigan Department of Health and Human Services. We received very positive feedback from those who attended. We look forward to offering similar training opportunities in the future.

Commission Member Judge Michelle Rick, Family Court Judge

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You realize just how truly important it is to educate health care providers on human trafficking after you hear the heartbreaking story of a survivor, and realize her story is not unique.

Commission Member Cheryl Pezon, Michigan Department of Licensing and Regulatory Affairs

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CONCLUSION

The Commission extends a special thank you to Carol Isaacs, former Chief Deputy Attorney General and Chair of the Human Trafficking Commission. Under Ms. Isaacs's leadership in 2015 and 2016, the Commission was very successful in working toward accomplishing its mission to fight human trafficking. Ms. Isaacs retired from her position as Chief Deputy Attorney General and from state government, effective December 31, 2016.

Matthew Schneider was appointed Chief Deputy Attorney General effective January 1, 2017.

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

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|-------------------|-----------------------|
| Ms. Andrea Bitely | Mr. John Lazet |
| Ms. Michelle Brya | Mr. Tom Marks |
| Ms. Deb Carley | Ms. Laura Moody |
| Ms. Kelly Carter | Mr. John Pallas |
| Mr. David Dwyre | Mr. Daniel Sonneveldt |
| Ms. Molly Jason | Ms. Barb Teszlewicz |





