

# 2017

REPORT TO THE  
GOVERNOR AND  
LEGISLATURE

Michigan  
Human Trafficking  
Commission

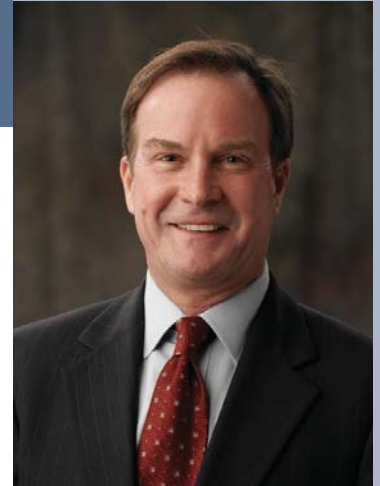


## Commission Members

- Ms. Kelly Carter, Commission Chair and Assistant Attorney General
- Ms. Liz Lukasik, 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
- D/Sgt. Tracey Walton, Michigan State Police
- Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court
- Chief Tom Tiderington, Plymouth Township Police Department
- Ms. Amanda Van Essen, Ottawa County Attorney-Guardian Ad-Litem

\*\*Other members who served a portion of the year include: Ms. Valerie Bass, Mr. Hassan Beydoun, Ms. Beth Emmitt, D/Sgt. Ed Price, and Dr. Herbert Smitherman.

**Message from the Attorney General:**  
Bill Schuette



Dear Reader:

Human trafficking has no place in Michigan. I am proud of the work of the Michigan Human Trafficking Commission to help eradicate human trafficking. Fighting human trafficking has been one of my top priorities since becoming Attorney General.

The Human Trafficking Commission is comprised of law enforcement, a circuit judge, victim services advocates, and representatives from state departments who are committed to helping free human trafficking survivors and make recommendations regarding laws to prosecute human trafficking offenders. 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 2017, Assistant Attorney General Kelly Carter was named Chair of the Human Trafficking Commission. Kelly brings vast experience to the position as she currently prosecutes human trafficking offenders as head of the Human Trafficking Unit in my office. Two new members, Matthew Mingus and Amanda Van Essen also joined the Commission in 2017. Mr. Mingus is a professor of Public Affairs and Administration at Western Michigan University and was nominated for the Commission by the Senate Majority Leader. Ms. Van Essen is the Attorney-Guardian Ad-Litem for Ottawa County, is a Captain in the Army National Guard, and acts as Brigade Judge Advocate. She was nominated for the Commission by the Speaker of the House. I am confident these new members will make substantial contributions to the Commission.

In 2017, the Commission made significant progress, including:

- Completing an expanded human trafficking video for medical professionals, produced in conjunction with the Wayne, Macomb, and Oakland County Medical Societies;
- Reviewing state law and policy regarding human trafficking and making recommendations for legislative changes; and
- Completing a survey project aimed at law enforcement to help determine the true prevalence of human trafficking within the State of Michigan.

Thank you to the people of the State of Michigan who have come together in the fight against human trafficking. 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 public 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 & 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 & administrative rules relating to human trafficking and make recommendations to the legislature to improve those laws and rules to address human trafficking violations in the state.

## Commission Meetings

The Michigan Human Trafficking Commission met on the following dates during 2017:

- January 25, 2017
- May 3, 2017
- September 13, 2017
- December 5, 2017

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As Governor Snyder said when signing the landmark legislation protecting Michigan residents from human trafficking, ‘It is unacceptable that a dangerous and appalling practice like human trafficking continues to be a problem across our state and nation.’

The work of the Human Trafficking Commission, in partnership with dedicated groups, organizations and individuals around the state, will make Michigan a leader in fighting this crime.

Beth Emmitt

Executive Office of the Governor

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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 victim needs 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. 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.



## Funding and Resources

### Subcommittee Members:

*Ms. Liz Lukasik, Executive Office of Governor Rick Snyder*

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

### **Human Trafficking Video for Health Professionals**

Many trafficking victims receive some type of medical treatment during trafficking. In 2016 and 2017, the Human Trafficking Commission worked with the Oakland, Macomb, and Wayne County Medical Societies to develop a comprehensive human trafficking video to train medical professionals to spot such victims. The Funding and Resources Subcommittee assisted in facilitating this project, including securing its financing. The video, entitled “Making the Invisible Visible,” provides training to medical professionals so that they know how to identify trafficking victims and can assist in providing them the proper medical treatment and refer them to other resources for the services they need.

Wayne State University accredited the video so that health professionals in Michigan and throughout the country can obtain continuing medical education credits for viewing it. Health professionals may view the video for continuing medical education credits at <http://www.med.wayne.edu/cme/online-cme/>. The video is available to the general public for viewing at <https://www.youtube.com/watch?v=2yXGc8dvuUw&feature=youtube>. The Commission wishes to thank the Oakland, Macomb, and Wayne County Medical Societies and the Michigan Attorney General’s Office for their assistance in completing this valuable video for health professionals.

The subcommittee continues to research funding opportunities for future Commission projects.

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As a Commission, we thought it was important for medical professionals to be trained in identifying human trafficking victims. Many victims receive medical treatment at least once during their trafficking experience. We wanted to be proactive in training these professionals as our first line of defense so they can identify victims and assist in getting them the help they need.

Kathy Maitland

Commission Member and Executive Director of the Michigan Abolitionist Project

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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 professional areas for training on human trafficking.

**Court Personnel** - The subcommittee is working with the Summit Subcommittee to develop the curriculum and content, focusing on victim's services, for the Commission's conference in the spring of 2018.

Commission is also considering creating a shorter version of the video, omitting the specifically health-focused content, which would be valuable public awareness and training tool for the general public.

**Health Professionals** - The subcommittee assisted in publishing the human trafficking training video for health professionals. The video provides general information for licensed health professionals on identifying and assisting human trafficking victims and Wayne State University Medical School has certified the video for continuing medical education credits. The

**Educators and Staff** - Commission Chair Carter continues to work 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 the presentation drafting is nearing completion.

In addition, the Commission also secured an online presence for its training materials on the newly designed Attorney General's website.

Further, the subcommittee continues the work of assembling the parts of the core training (across professions) for deployment on the Commission's website.

# 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 Collection and Research Subcommittee explored several different ways to gather data regarding the prevalence of human trafficking. It elected to start with prosecutorial data.

## **Law Enforcement Survey**

The subcommittee continues to believe that data on human trafficking in the State of Michigan is sparse. There are many purported sources of data and some very well-intentioned work done by various groups (both public and private) to demonstrate the true prevalence of human trafficking in the State of Michigan. However, each group appears to be using its own definitions and terms, as well as its own methodology, to collect data. This makes it extremely difficult not only to fairly compare data sets, but also causes widely varying data sets, even when the same geographic area is considered.

Since its creation, the subcommittee has maintained a goal to collect data and learn why the data on human trafficking in Michigan is so varied. In 2016, the subcommittee started surveying a small number of law enforcement agencies in Michigan to determine why so few cases of human trafficking were being reported by the use of the Michigan Incident Crime Reporting Codes (MICRs). Because the survey only examined the time period from September 1st through November 30, 2016, the results were not completely available for the 2016 Michigan Human Trafficking Report. Now that there has been an opportunity to fully review the results, the subcommittee can offer some limited data and findings.

For those readers that are unfamiliar, 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 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. In researching the use of the codes, the Data Collection 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.

To start, the subcommittee surveyed the Roseville Police Department about its experience with the MICRs. Although it had no actual information to believe human trafficking was occurring within the jurisdiction of the Roseville Police Department, people had commented that they believe human trafficking was occurring within the jurisdiction. Interestingly, the following results of the survey seem to indicate that it is not prevalent within the jurisdiction, what is perceived does not match reality, or any other possible conclusion. But regardless, what it doesn't demonstrate is the prevalence of human trafficking within Roseville.

As mentioned, the following data focuses on arrests conducted between September 1 and November 30, 2016. Between these dates, there were 197 females between the ages of seventeen and sixty-two arrested; 360 males between the ages of seventeen and seventy-seven arrested; and 3 persons of unknown sex arrested. Of the 560 arrestees, only 4 were suspected of being related to the human trafficking crisis, and the 4 were all females suspected of prostitution. The following data reflects the information acquired from the survey:

<b>FEMALES</b>		
<b>Age</b>	<b># of Arrestees</b>	<b># Suspected of HT</b>
17-22	48	2
23-27	53	1
28-32	37	0
33-37	22	1
38-42	11	0
43-47	12	0
48-52	7	0
53-57	5	0
58-62	2	0
<b>Total</b>		
17-62	197	4
<b>MALES</b>		
<b>Age</b>	<b># of Arrestees</b>	<b># Suspected of HT</b>
17-22	57	0
23-27	103	0
28-32	57	0
33-37	42	0
38-42	25	0
43-47	38	0
48-52	20	0
53-57	10	0
58-62	2	0
63-67	2	0
68-72	0	0
73-77	1	0
<b>Total</b>		
<b>17-77</b>	<b>360</b>	<b>0</b>
<b>UNKNOWN</b>		
3		

Regarding the arrests where the officer did not indicate human trafficking violations were apparent, it was because the officer “did not believe that existing [human trafficking] MICR codes were applicable.” In the four cases where the officers believed human trafficking may be at issue, they did not utilize any of the MICR charge codes because the officers “have not received adequate training on the use of the human trafficking MICRs.” On two of the four, the officer indicated he had “zero training” with regard to the human trafficking MICRs.

The determination of whether “adequate” training was provided is beyond the scope of this project. The subcommittee believes they can suggest that all parties responsible for implementing and using MICR codes should consider whether additional training is necessary in light of the survey results. In addition, the subcommittee believes that the use of the MICR codes will ultimately lead to more accurate data on the true prevalence of human trafficking in Michigan.

### **Prosecutorial Survey**

To continue to try and understand sources and pitfalls of law enforcement data, the subcommittee has already begun working on its next survey project - a survey of all of Michigan county prosecutors that will be conducted with the assistance of the Prosecuting Attorneys Association of Michigan. 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 is to determine how prosecutors are charging suspects in human trafficking cases.

Once completed, the survey should elicit information from county prosecutors about their experience with human trafficking cases. This should give insight into the entire prosecutorial process from investigative presentment by police officers, to preliminary examination, trial, and appeal. Or put another way, are they charging suspects with specific Michigan statutory offenses concerning human trafficking? If not, why not? 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 eagerly anticipates the launch of this latest survey. While the actual survey is still under development, the subcommittee intends to issue the survey in the first half of calendar year 2018, 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 scarce resources should be directed.



# 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**

Through the Victim Services Subcommittee's continued work with the Joint Anti-Trafficking Task Force (JATT) and the Department of Health and Human Services (DHHS), combined with their research obtained during service provider site visits, the subcommittee gained a greater understanding of victims' needs, available services, and the importance of aligned and better coordinated services for victims and survivors of human trafficking. The subcommittee partnered with JATT and conducted a survey this year to gather information in order to form a more comprehensive list of available services and referrals.

The subcommittee also established ongoing communication with Polaris, operator of the NHTH - National Human Trafficking Hotline (NHTH) to better understand the process and practices associated with the National Human Trafficking Referral Directory. This national directory is designed to provide online access to critical emergency, transitional, and long-term social services for victims and survivors of human trafficking. In early 2017, the subcommittee conducted a survey of Michigan stakeholders to better understand the general use and effectiveness of the Polaris NHTH and referral directory. The subcommittee plans to continue this work toward improving the communication of services to human trafficking victims and survivors in our state so that they can obtain access to the critical support and services they need.

## **Enhanced Collaboration**

The subcommittee partnered with individuals from DHHS, and participated in training events, conferences, and collaboration activities throughout this year that served to strengthen the JATT network of community providers and advocates. As individuals begin to understand the impact of human trafficking crimes, the subcommittee recognizes the need to appeal to a broad spectrum of providers so that additional resources, expertise, and partners are available to better support victims. The subcommittee will continue to engage in initiatives and actions aimed at fostering collaboration and improving the effectiveness of Michigan's response to victims.

## **Human Trafficking Protocol**

The Victim Services Subcommittee worked with DHHS to finalize the human trafficking protocol. The protocol was approved and made effective by DHHS in November 2017.

## **Demand Abatement**

The subcommittee has researched promising practices in the area of demand reduction and is committed to working with the JATT and other partners on projects aimed at reducing the demand for commercial sex in Michigan.

## Public Awareness

### Subcommittee Members:

*Ms. Deborah Monroe, Recovery Concepts of Michigan*  
*Ms. Liz Lukasik, Executive Office of Governor Rick Snyder*  
*Mr. David Leyton, Prosecuting Attorney, Genesee County*  
*Ms. Kathy Maitland, Michigan Abolitionist Project*

The Public Awareness Subcommittee worked diligently to develop content and secure a new website for the Human Trafficking Commission. The prior website was somewhat outdated and difficult to navigate. The newly designed site includes information about the Commission's mission, biographies of each of the members, meeting minutes and information, and human trafficking trainings. The Commission's video for health professionals also appears on the website. The new website can be found at:

The Public Awareness Subcommittee is also exploring whether it should recommend that the Commission record public service announcements regarding human trafficking. PSAs are often very effective in communicating a message and it could easily convey the dangers of human trafficking and where to call to get help.

I am proud of the Human Trafficking Commission and the efforts it has made to stop human trafficking in the State of Michigan. We will continue to fight against this modern form of slavery by bringing light into the darkness created by those that harm others.

Bill Schuette

Michigan Attorney General

# 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 several bills, two of which were passed into law in 2017.

### **Those bills will:**

- Remove the requirement that adult victims of human trafficking facing current prostitution charges are only eligible for the new “safe harbor” diversion for current arrests for prostitution solicitation if they had no prior solicitation prostitution convictions.
- Permit expert testimony at trial in human trafficking cases to explain victim behavior where it would seem to deviate from what the general public would expect. Although the Commission had recommended more specific statutory language that would include the “specialized knowledge” standard for determining an appropriate expert, the legislature passed a measure containing broader language.

HB 4219 signed into law May 23, 2017 as 2017 PA 34.

Effective August 21, 2017

HB 4211 signed into law on June 15, 2017 as 2017 PA 53.

Effective September 12, 2017

Also, in light of a recognition of the 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 law to specifically include controlling or facilitating access to highly addictive controlled substances. That recommendation is being pursued and on January 24, 2018, HB 5438 was introduced.



## Courts and Summit

### Subcommittee Members:

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

*Ms. Cheryl Pezon, 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*

The Courts and Summit Subcommittee recently added new members, Cheryl Pezon from the Michigan Department of Licensing and Regulatory Affairs, and Kelly Wagner from the State Court Administrative Office, both of whom were eager to contribute to the group. After the successful 2016 human trafficking conference, and upon recommendation of the Courts and Summit Subcommittee, the full Commission voted to hold another human trafficking conference in the spring of 2018. The conference is scheduled for Tuesday, April 24, 2018 at the Inn at St. Johns

located in Plymouth, Michigan. The conference will focus on providing assistance and support to victims. The subcommittee hopes to have law enforcement, the judiciary, victim services organizations, and others attend the conference.

A special thank you to the State Court Administrative Office for partnering with the Human Trafficking Commission to host the upcoming conference.

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I am honored to act as Chair of the Michigan Human Trafficking Commission. The women and men on the Commission are committed to fighting human trafficking and together we have made significant progress in providing information and education to members of the public, recommending legislative changes, and taking action to help victims.

Kelly Carter

Michigan Human Trafficking Commission Chair and Assistant Attorney General

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## Conclusion and Acknowledgements

Whether it be training and education, data and research, public awareness, policy and legislation, or helping victims, the Commission has been very successful in making strides to fight human trafficking. Thank you to all of the Commission members who volunteer their time to help this worthy cause.

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

*Ms. Michelle Brya-Project Manager*

*Ms. Andrea Bitely*

*Ms. Deb Carley*

*Ms. Banu Colak*

*Mr. Scott Damich*

*Mr. David Dwyre*

*Ms. Molly Jason*

*Mr. Peter Kotula*

*Mr. John Lazet*

*Ms. Anica Letica*

*Mr. Tom Marks*

*Ms. Laura Moody, Chief Deputy Attorney General as of January, 2018*

*Mr. John Pallas*

*Mr. Matthew Schneider, former Chief Deputy Attorney General through January, 2018.*

*Ms. Sarah Shultz*

*Mr. Daniel Sonneveldt*

*Ms. Barb Teszlewicz*



