



The Office of
**HUMAN TRAFFICKING
PREVENTION**

GOVERNOR'S OFFICE OF PROGRAMS AND PLANNING

Prevention • Protection • Promoting Healing & Justice

LOUISIANA HUMAN TRAFFICKING PREVENTION COMMISSION
2022 ANNUAL REPORT

Presented to

**LOUISIANA STATE LEGISLATURE
GOVERNOR JOHN BEL EDWARDS**

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Message from Governor John Bel Edwards



Thank you for taking a moment to read this annual report submitted by the Human Trafficking Prevention Commission. As Governor of the great state of Louisiana, I want you to know that Donna and I remain very passionate about the prevention of human trafficking as this modern-day form of slavery is a serious problem across our state, nation, and world. Human trafficking is still the fastest growing and second largest criminal industry in the United States. In Louisiana alone, over the last several years, thousands of victims have been identified as either confirmed or prospective victims of sex or labor trafficking. We can all agree that the impact of COVID-19 has only exacerbated this epidemic. However, although the issue of human trafficking has not ended, I am pleased of the collective work of my wife Donna, Louisiana lawmakers, the Office of Human Trafficking Prevention, The Human Trafficking Prevention Commission and Advisory Board, survivor leaders and all of those who work in the trenches every day to serve children and families. Together, we have moved the needle on addressing this heinous crime. Just this year, Polaris released its 2022 Criminal Record Relief for Trafficking Survivors Report that shows Louisiana, which was unranked in 2019, is now ranked 4th in the nation in post-conviction relief for survivors. As we move forward, we want to continue to research policies and programs that support survivors rebuilding their lives and that remove unnecessary barriers to their recovery. I want to thank the leadership and members of the Human Trafficking Prevention Commission and Human Trafficking Prevention Advisory Board for their efforts in 2022. I look forward to signing more bills into law to prevent and combat this crime. Lastly, I want to thank all of our partners and citizens who are devoted in this fight to prevent human trafficking. Together we will continue to make a difference.

Message from Dr. Dana Hunter
Governor's Office of Human Trafficking Prevention
Executive Director



Oh how time flies. It has already been a year and half since the creation of the Office of Human Trafficking Prevention. As I look back, I marvel at the many accomplishments of this newly established office. The OHTP has worked collaboratively with public-private partners to achieve the following: 1) Secured an additional 1.5 million in federal dollars to improve a coordinated response for juvenile victims, 2) Expanded and strengthened a statewide network of key partners across the state, 3) Provided training and development for over 2,900 multi-disciplinary professionals, 4) Development of Louisiana's first web-based resource center for stakeholders, survivors, and everyday citizens, and 5) Provided leadership and support of the Human Trafficking Prevention Commission and Advisory Board to support laws that improve identification and support for victims and survivors. The OHTP has also been honored to work with First Lady Donna Edwards, a fearless champion for this cause, who has led and facilitated national and international efforts to educate and raise public awareness on human trafficking. We are thankful to both First Lady Edwards and her husband Governor Edwards for their leadership and support. As we look ahead, let us continue to work together to implement more victim-centered and offender focused efforts and strategies across the state as well as enhance services and support for survivors. Let us also continue listening and learning from survivors. I'm confident that our model of participatory program development and implementation will continue to move our state in the right direction to end this crime. A special thanks to the OHTP staff for their hard work and dedication and the Human Trafficking Prevention Commission and Advisory Board for their tireless efforts over the last year. May God bless each of you and the children and families of the great state of Louisiana.

Message from Chief Tommy Clark Jr., Commission Chair



The Louisiana Human Trafficking Prevention Commission is comprised of members who are dedicated to bringing attention to and striving towards eradicating this modern-day form of slavery. These individuals reflect a diverse group of professional experts and community leaders from multiple disciplines committed to restoring the lives of victims of human trafficking, to improving the state's response to human trafficking, and to developing effective early intervention initiatives to combat human trafficking before it occurs. Currently, we have focused our framework on the following: Prevention, Identification, Intervention, and Prosecution. By educating and training service providers, stakeholders, and government agencies, we can enhance partnerships and coalitions. This Commission is committed to identify best practices, policies, and programs to prevent this heinous crime. Furthermore, we are committed to increased collaboration and continuity of service. The continued success of the Commission depends on our expertise and commitment to the citizens of Louisiana.

Message from Advisory Board Chair, Casey Morace



This is an extremely important time in the battle against human trafficking, and Louisiana is making great progress in this fight! The Human Trafficking Prevention Commission and Advisory Board is comprised of passionate professionals and survivors who remain ready to confront the complex and dynamic challenges related to trafficking in Louisiana. This is a heinous crime with a range of illicit activities that include sex trafficking, enslavement, and forced labor. It is an everyday problem that hides in plain sight and exists in every community. It is pervasive and does not discriminate against anyone's age, culture, economic standing, gender, race, or nationality. Millions of people are living in modern day slavery right now, which generates millions of dollars for criminals each year. Louisiana has committed to a multi-faceted approach to enhance awareness and prevention of human trafficking as well as support for survivors. The Human Trafficking Prevention Commission and Advisory Board are dedicated to working with federal, state, local, private and community partners to fight human trafficking. Collaboration is key! We will not end human trafficking overnight, but we will continue this fight as long as necessary.

I. Overview of the Human Trafficking Prevention Commission and Advisory Board

The Louisiana Human Trafficking Prevention Commission (the “Commission”) and Advisory Board (the “Advisory Board”) was created within the Office of the Governor during the 2017 Louisiana Regular Legislative Session. Comprised of public leaders, service providers, law enforcement, and survivor leaders, the Commission and Advisory Board oversee statewide efforts to address human trafficking. By effect of Act 352 of the 2021 Regular Session, the Governor’s Office of Human Trafficking Prevention (OHTP) was created and is responsible for oversight and assistance to the Commission and Advisory Board in accomplishing its goals. Oversight of the Human Trafficking Prevention Commission and Advisory Board was a duty previously held by the Governor’s Office Children’s Cabinet. In July of 2021, Dr. Dana Hunter was appointed by Governor John Bel Edwards to serve as the Executive Director of the Office of Human Trafficking Prevention.

The Commission reviews statewide gaps in prevention and intervention services, supports the development of anti-trafficking programs and initiatives, and provides annual recommendations to improve Louisiana’s human trafficking response. The Advisory Board assists the Commission by providing input and recommendations from the perspectives of survivor-serving agencies, victim advocates, and survivors. The Commission may establish subcommittees to further its goals. Each year, a chairperson and co-chair are elected by the Commission from among its membership. The Advisory Board also elects members to serve as a chair and co-chair. The Commission and Advisory Board chairs and co-chairs along with the staff of the Office of Human Trafficking Prevention comprise the Human Trafficking Prevention Commission and Advisory Board’s Executive Team.

The Commission is required to issue an annual report of its findings and recommendations to the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than the first day of February each year. This report is submitted by the Louisiana Human Trafficking Prevention Commission pursuant L.a. Revised Statute RS 46:2165.

II. 2022 Year in Review

In 2022, the Commission, Advisory Board, and its subcommittee worked collaboratively alongside the Office of Human Trafficking Prevention to strengthen access to and continuity of anti-trafficking efforts across the state. The Human Trafficking Prevention Commission and Advisory Board held six meetings throughout the year. As in past years, the Commission voted to continue joint meetings between the Commission and Advisory Board. The Commission elected Chief Tommy Clark Jr., Chief of Police of the City of Grambling, to continue to serve as the chairperson of the Commission as well as 17th JDC District Attorney Kristine Russell to serve as co-chair. The Advisory Board elected Casey Morace to serve as the chairperson of the Advisory Board with Michelle Johnson as the co-chair.

The Commission voted to adopt a guiding framework for 2022 that focused its

responses on four key areas—prevention, identification of victims, intervention and services, and justice and prosecution outcomes—and to create four subcommittees tasked with identifying gaps and developing recommendations that align with the framework in their area of focus: labor trafficking; immigration; sex trafficking of minor victims; and sex trafficking of adult victims. The subcommittees meetings were held in the interim months between Commission meetings and, at each Commission meeting, provided updates on their work and progress. The Commission’s four subcommittees produced eight recommendations and one outreach toolkit, the Louisiana Natural Disaster and Human Trafficking Outreach Toolkit including awareness flyers and social media graphics. The subcommittees submitted a report to be included in this annual report with more information on gaps in their area of focus and their proposed recommendations. The Commission adopted seven recommendations, outlined in the following section.

Commission meeting topics included statewide and regional training efforts, legislative actions, and new initiatives and partnerships, among others. In 2022, Commission hosted three guest speakers to provide presentations on strategies to expand social safety nets for vulnerable populations, labor trafficking identification and response, and statewide data collection results. Furthermore, over the duration of the 2022 Regular Legislative Session, the Commission supported key legislation involving human trafficking during the 2022 Regular Legislative session.

At the March 2022 meeting, the Commission voted to recommend that the Louisiana Legislature move forward favorably with Senate Bill 63, Senate Bill 115, Senate Bill 148, House Bill 561, and House Bill 638. Four of the bills included topics that were championed by the Commission in the previous year’s annual report, including post-conviction relief for victims of human trafficking (SB 148 and HB 638), mandatory training of law enforcement officers (SB 115), and the expansion of the prescriptive period for victims of human trafficking to file a civil suit (HB 561). In May, the Commission voted to recommend favorable passage by the Legislature of SB 63, SB 148, and SB Bill 115, and the bills were respectively signed into law as [Act 662](#), [Act 130](#) (also named the “Michelle Johnson Act”), and [Act 538](#).

With the passage of these bills, Louisiana achieved post-conviction relief for victims of human trafficking for offenses committed as a result of their trafficking; system-wide training on human trafficking identification and response to peace officers; and secured state funding to expand care and services to child trafficking victims. The legislative action, supported by Commission, Advisory Board, and its subcommittee members, proved to further bolster Louisiana’s commitment to a victim-centered response to human trafficking. In 2022, Louisiana was recognized by Shared Hope International among the top ten states in the nation with the strongest legislative policies for child and youth trafficking victims, and was ranked among the top states nationally by Polaris for strong criminal record relief for trafficking victims.

Finally, the valuable work of the Commission lies not only in its function to guide the state’s progress in addressing trafficking but also through its convening authority, bringing together diverse and dedicated stakeholders for information sharing and collaboration. In 2022, members hosted and partnered on numerous training and outreach activities, collaborated in serving victims and survivors, promoted new resources and research, and advocated for best practices statewide.

III. 2022 Recommendations and Legislative Priorities

The Commission and Advisory Board adopted seven recommendations for 2022 that highlight the need for increased training to key professionals, protections to vulnerable populations, and victim-centered criminal justice responses. The following legislative recommendations were approved by a two-thirds vote of Commission members present, per RS 46:2165. For additional background on the recommendations, please review the subcommittee reports.

1. The Commission recommends that key local, state, and federal agencies responsible for responding to natural disasters adopt the Natural Disasters and Human Trafficking Outreach Toolkit, and expand their disaster protocols to include human trafficking prevention and response.
2. The Commission recommends legislation to strengthen protections against and reporting mechanisms for labor trafficking in state contracts.
3. The Commission recommends legislation to expand the membership of the Human Trafficking Prevention Advisory Board to include labor trafficking advocates, including membership of an organization that primarily serves foreign national populations and membership of a civil workplace regulatory agency.
4. The Commission recommends legislation for the Justice for Survivor's Act proposal to expand justification defenses available to survivors of human trafficking, sexual abuse, and intimate partner violence; to allow expert testimony to communicate the dynamics of coercion, control, and abuse; and to provide relief for incarcerated survivors with wrongful convictions or excessive sentences.
5. The Commission recommends legislation to allocate additional funding to the Louisiana State Police to expand regional investigative units for human trafficking.
6. The Commission recommends legislation to mandate human trafficking training to K-12 school medical personnel, including School Nurses, School Based Mental Health Professionals, School Counselors, School Social Workers, and Staff at School Based Health Clinics.
7. The Commission recommends legislation to mandate human trafficking training to targeted medical professionals, including Pediatricians, Emergency Departments (ED) and Urgent Care staff.

IV. 2022 Subcommittee Reports

Each subcommittee provided to the Commission a final report that summarizes their work over the past year, addressing notable gaps or progress in their areas of focus, and making recommendations to improve statewide responses to human trafficking. The reports are included below in the following order.

- i. Report from the Labor Trafficking & Immigration Joint Subcommittee
- ii. Report from the Subcommittee on Sex Trafficking of Adult Victims
- iii. Report from the Subcommittee on Sex Trafficking of Minor Victims

Labor Trafficking & Immigration Joint Subcommittee Report

Subcommittee Chair: Leanne McCallum Desselle

The purpose of the joint labor trafficking and immigration subcommittees are to review gaps in our statewide response to labor trafficking and issues of immigration related to trafficking, and to provide recommendations to the Human Trafficking Prevention Commission and Advisory Board. In 2022, the Human Trafficking Prevention Commission voted to create subcommittees with a special focus on labor trafficking and immigration. Due to the overlap of topics and membership, the two subcommittees voted to meet jointly and agreed to produce one joint annual report in 2022. Leanne McCallum Desselle chaired the joint meetings with support from the Governor’s Office of Human Trafficking Prevention (OHTP). Subcommittee membership included stakeholders from Federal Emergency Management Agency (FEMA), Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP), immigration legal clinics, children’s advocacy centers, and more. Through its joint membership, the subcommittees convened a Natural Disaster Working Group to develop an outreach plan for human trafficking response during natural disasters. The subcommittees put forward four recommendations to the Commission; three of the recommendations were supported by the Commission. The following report outlines the work of this subcommittee and its recommendations.

I. Background

Labor trafficking is when a victim is compelled by a trafficker via force, fraud or coercion for the purposes of providing labor services. At the federal level, the Trafficking Victims Protection Act (TVPA) defines several subsets of labor trafficking. *Labor trafficking* falls under the definition of ‘*severe forms of human trafficking*’ which is “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”¹

Debt bondage is defined as “the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.”

Involuntary servitude is defined as a condition of servitude “induced by means of (a) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or (b) the abuse or threatened abuse of the legal process.” The statute prohibits “compelling a person to work against his/her will by creating a climate of fear through the use of force, the threat of force, or the threat of legal coercion which is sufficient to compel service

¹ *Victims of Trafficking and Violence Protection Act of 2000*, H.R. 3244 Public Law 106-386, Oct. 28 2000.
<https://state.gov/j/tip/laws/>

against a person’s will.”² Unlike sex trafficking, labor trafficking always requires elements of force, fraud, or coercion regardless of the age of the victim.

In Louisiana, labor trafficking is covered under the human trafficking statute La. R.S. 14:46.2.³ As a subset of human trafficking, it defines *debt bondage* as “inducing an individual to provide any of the following: (a) Commercial sexual activity in payment toward or satisfaction of a real or purported debt. (b) Labor or services in payment toward or satisfaction of a real or purported debt if either of the following occur: (i) the reasonable value of the labor or services provided is not applied toward the liquidation of the debt. (ii) The length of the labor or services is not limited and the nature of the labor or services is not defined.”⁴ Child labor trafficking is also covered in the children’s code under the purview of child abuse. Specifically, the definition of abuse includes, “the exploitation or overwork of a child by a parent or any other person, including but not limited to commercial sexual exploitation of the child.”

In 2021, labor trafficking accounted for 3% of reported victims receiving services, and another 3% of combined labor and sex trafficking victims receiving services in Louisiana. Labor trafficking advocates in Louisiana believe the actual number of labor trafficking victims is much higher than the service data suggests. Labor trafficking can happen anywhere that jobs and work happen. This can include informal labor such as criminal activities, begging, or panhandling. Risk factors and vulnerabilities that make a person more likely to experience labor trafficking include: compromised legal status, limited English proficiency, mental health issues, unemployment, physical or developmental disabilities, homelessness, LGBTQ identity, youth, substance abuse disorders, incarceration or history of incarceration, and underserved populations.

II. Gaps

Challenges identifying labor trafficking

Labor trafficking is an under-identified crime in Louisiana. National and global anti-trafficking efforts suggest that labor trafficking constitutes the majority of human trafficking cases. However, only 3% of the human trafficking cases reported in Louisiana in 2021 were identified as labor trafficking cases.⁵ This underidentification can be attributed to several factors, including lack of training that is inclusive of labor trafficking. We believe that labor trafficking is under-reported and that these numbers do not represent the extent to which labor trafficking occurs in our state due to a variety of barriers to identification on the part of victims, providers, and system issues.

Trafficking victims may not come forward because of fear of harm, stigma or shame, unfamiliarity with the system, distrust of authority figures, and prior negative experiences when attempting to disclose. Providers may lack training or awareness about labor trafficking, lack screening tools to identify labor trafficking, and have high workloads that limit their ability to

² Department of Justice Civil Rights Division, “Involuntary Servitude, Forced Labor, and Sex Trafficking Statutes Enforced,” <https://www.justice.gov/crt/involuntary-servitude-forced-labor-and-sex-trafficking-statutes-enforced>. See also *U.S. v. Calimlim*, 538 F.3d 706, 713 (7th Cir. 2008) (threat of deportation is abuse of legal process).

³ Human Trafficking, LA RS 14:46.2(C)(2) (2017). <http://legis.la.gov/legis/law.aspx?d=320889>

⁴ Human Trafficking, LA RS 14:46.2(C)(2) (2017). <http://legis.la.gov/legis/law.aspx?d=320889>

⁵ Louisiana Annual Human Trafficking Data Report, Louisiana Governor’s Office of Human Trafficking Prevention, June 2022, humantrafficking.la.gov/wp-content/uploads/2022/11/Human-Trafficking-Annual-Data-Report-2022.pdf

provide individualized services. System barriers include a lack of specialized services for labor trafficking victims, as well as system-wide lack of knowledge about labor trafficking.

To address this challenge, the Louisiana Child and Youth Trafficking Collaborative (LCYTC), administered by the OHTP and the Louisiana Alliance of Children’s Advocacy Centers (LACAC), was awarded a second round of Office of Victims of Crime (OVC) grant to improve the outcomes of child trafficking victims with an emphasis on underreported types of trafficking, including labor trafficking. LCYTC partnered with the Department of Children and Family Services (DCFS) to create a Child Labor Trafficking Identification Tool. The purpose of this tool is to provide indicators to assist in the identification of at-risk children who may have experienced labor trafficking. The project plans to develop a standardized labor trafficking curriculum in 2023.

Challenges identifying immigrant survivors

Immigrant survivors of trafficking face many barriers to identification and access to services, including: language limitations, lack of cultural competency and awareness, and victim fears of deportation. Many providers also report lack of strong labor protections in contributing to exploitation against immigrant workers. With limited data on immigrant trafficking survivors, it is difficult to assess the gap in our efforts to serve foreign national victims. Louisiana will begin collecting data on citizenship status of trafficking survivors beginning in 2022. Within the established anti-trafficking space in Louisiana, specialized services for foreign national victims of human trafficking are limited, and accessing federal immigration relief resources, such as the T-Visa and Continued Presence, have their own limitations.

III. Toolkit and Recommendations

Louisiana Natural Disasters and Human Trafficking Outreach Toolkit

Since 2020, Louisiana has been impacted by a variety of disasters, including: hurricanes, flooding, a pandemic, winter storms, and tornados. In post-natural disaster contexts, trafficking can occur rampantly because of the demand for cheap labor and the limited capacity of regulatory agencies to prevent and respond to incidents of human trafficking. Reports from service providers and disaster recovery workers on the ground in communities impacted by Hurricane Laura in 2020 and Hurricane Ida in 2021 reported that they saw an increase in labor exploitation in the storms’ aftermath. Furthermore, the COVID-19 pandemic also amplified the vulnerability to labor trafficking throughout the United States.⁶

In 2021, proposed by the Labor Trafficking and Immigration Subcommittee, the Commission recommended the development of a natural disasters awareness plan to prevent and spread awareness of labor trafficking after disasters. In 2022, the subcommittees with the support of the OHTP formed a Natural Disasters Working Group to develop the Natural Disasters and Human Trafficking Outreach Toolkit, including awareness flyers and social media graphics. The

⁶ “COVID-19 may increase human trafficking in vulnerable communities”, Polaris, April 7 2020, <https://polarisproject.org/blog/2020/04/covid-19-may-increase-human-trafficking-in-vulnerable-communities/>.

toolkit was created to support Louisiana governmental and disaster response entities in human trafficking prevention in disaster contexts, and includes the following resources:

- Louisiana Natural Disasters Human Trafficking Outreach Toolkit Implementation Guide
- 6 awareness flyers, available in English, Spanish, and Vietnamese
- 6 virtual social media square images in English, Spanish, and Vietnamese
- 6 virtual social media banner images in English
- 1 “client help card” available in English

The implementation guide includes information on how agencies might integrate trafficking prevention and response into existing protocols utilizing FEMA’s phases of emergency management: preparedness, response, recovery, mitigation, and continuity. The phases are adapted through the lens of trafficking, and include social media text samples to accompany the phases. The flyers and social media images have been translated into English, Spanish, and Vietnamese. The Natural Disasters Working Group worked alongside the OHTP to disseminate and publish the toolkit. The toolkit is accessible for download on the OHTP’s Human Trafficking Prevention Resource Center of Louisiana at <https://humantrafficking.la.gov/resources/disasters/>.

Recommendations

In addition to developing the toolkit, the subcommittees each developed and presented two recommendations for consideration to the Commission. The recommendations reflect the need for comprehensive prevention strategies for labor trafficking and among immigrant communities, including embracing strong labor protections as a mitigation strategy. The following recommendations were proposed by the subcommittees:

1. The Labor Trafficking subcommittee recommended that key local, state, and federal agencies utilize the Natural Disaster and Human Trafficking Outreach Toolkit and materials to integrate a disaster and human trafficking prevention and preparedness plan.
2. The Labor Trafficking Subcommittee recommended legislation that outlines guidance and requirements that state contractors must comply with to prevent labor trafficking or labor exploitation, and provides for reporting of contracted agencies who are suspected of labor trafficking and exploitation.
3. The Immigration Subcommittee recommended legislation to increase protection of worker’s rights and prevent labor trafficking by creating a “Theft of Labor and/or Services” section to the current law on theft, La. RS 14:67, and to RS 14:46.2 relating to Human Trafficking.⁷
4. The Immigration Subcommittee recommended amending RS 46:2168 to expand the membership of the Human Trafficking Prevention Commission’s Advisory Board to include 1) membership of an organization that primarily serves foreign national populations; and 2) membership of a civil workplace regulatory agency.

⁷ Deferred by the Commission for further study and review.

The Commission adopted three of the recommendations, which are outlined in more depth below. The Commission voted to defer the recommendation on “Theft of Labor and/or Service” for further study and review by the subcommittee. The accepted recommendations are outlined as approved by the Commission.

Recommendation #1: Natural Disasters and Human Trafficking Outreach Toolkit Recommendation for Implementation Among Key Agencies

Overview of Proposal:

The Labor Trafficking and Immigration Subcommittee recommends that key local, state, and federal agencies utilize the outreach materials to integrate a disaster and human trafficking prevention and preparedness plan.

Background:

Louisiana is all too familiar with the devastating power of natural disasters. In the aftermath of disasters, human trafficking is an unexpected crime that can occur. Yet, the link between natural disasters and human trafficking— and even other issues that may precede a trafficking situation, such as labor exploitation and sexual violence— is not well known and properly accounted for in current preparedness plans in the United States.

The Labor Trafficking Subcommittee’s Natural Disaster Working Group developed the Outreach Toolkit to create a standard of education and awareness messaging around human trafficking in the aftermath of disasters. Public and private agencies should utilize the toolkit and develop a larger preparedness plan for the identification and intervention of potential human trafficking after disasters. The Labor Trafficking and Immigration Subcommittee recommends that key local, state, and federal agencies utilize the outreach materials to integrate a disaster and human trafficking prevention and preparedness plan. This toolkit will help citizens identify and prevent potential human trafficking.

Recommendations:

- Relevant public and private agencies responsible for responding to natural disasters integrate a human trafficking prevention and preparedness plan by implementing the Outreach Toolkit and expanding their disaster protocols to include human trafficking.
- Suggested agencies to utilize the toolkit outreach materials:
 - Governor’s Office of Human Trafficking Prevention
 - Governor’s Office of Homeland Security and Emergency Preparedness
 - Federal Emergency Management Agency, Louisiana Equity Office members
 - Congregate emergency shelter management agencies
 - Emergency responders such as Fire, EMS, etc.

Recommendation #2: **Strengthening Protections against Labor Trafficking in State Contracts**

Overview of Proposal:

The Labor Trafficking Subcommittee recommends legislation that outlines guidance and requirements that state contractors must comply with to prevent labor trafficking or labor exploitation, and provides for reporting of contracted agencies who are suspected of labor trafficking and exploitation.

Background:

Through its labor contracts, the state of Louisiana can take meaningful steps to prevent and prohibit labor trafficking and exploitative practices, particularly in those industries which benefit from state contracts at higher rates: construction, manufacturing, agricultural and/or environmental management, oil and gas, etc. Louisiana services providers, who serve trafficking victims, have identified trafficking and exploitative practices in businesses with state and federal contracts. Further, natural disasters and recovery efforts have created a ripe environment for labor trafficking activity in Louisiana: on the one hand, an individual's risk of trafficking can increase as a result of displacement, loss or damage to housing, loss of employment, among others; on the other, post-disaster recovery efforts often requires a high demand for labor services in combination with a suspension or decreased oversight of labor protections and increased competition for government contracts at the cheapest rates. This was documented after Hurricane Katrina and more recently Hurricane Ida. It is notable that the federal government has adopted regulations to prevent labor trafficking within their contracts, indicating a key principle: labor trafficking can happen in any industry, regardless if their business was procured by a government contract. To demonstrate Louisiana's strong commitment to end all forms of human trafficking, and prevent Louisianans from falling victim to trafficking after a natural disaster, the subcommittee recommends the state adopt legislation to this end.

Recommendations:

Create new legislation that prohibits government contractors, subcontractors, and their employees from engaging in human trafficking and exploitive practices, including using misleading or fraudulent recruitment practices, misrepresentation of living and working conditions, charging recruitment fees, confiscating or destroying employee's identification, and even prohibiting procuring commercial sexual acts; and to notify employees of these policies.

- The statute can be modeled after 1) the Federal Acquisition Regulation Subpart 22.17 requiring Federal contractors to work proactively to prevent human trafficking in their supply chains and to report suspected trafficking, and or 2) National Defense Authorization Act, which prohibits trafficking in government contracting.
- In implementing the recommended statute, training should be provided to state contractors to ensure they are aware of policies on disaster response procurement and labor protection, as well as in incorporating training and information on trafficking to employers and employees on those contracts.

- The statute should identify a key agency for employees of contractors to report exploitative or unsafe practices, and provide guidance on disseminating and notifying employees of these policies and protocols for reporting.
- Other resources: The US Department of State developed the Responsible Sourcing Tool to prevent and address HT in supply chains, through creating policies, screening and evaluation, and compliance management: <https://www.responsiblesourcingtool.org/>.

Recommendation #3: Expanding Membership of HTPCAB to Reflect All Survivors of Human Trafficking

Overview of Policy:

The subcommittee recommends expanding the membership of the Human Trafficking Prevention Commission’s Advisory Board to include 1) membership of an organization that primarily serves foreign national populations; and 2) membership of a civil workplace regulatory agency.

Background:

Currently, the Human Trafficking Prevention Commission’s Advisory Board does not have sufficient leadership from agencies that primarily serve individuals who are immigrants or are survivors of labor trafficking. In order to ensure that this commission is in service to all trafficking survivors, this gap needs to be filled by an amendment to the statute.

Recommendation(s):

- Amend RS 46:2165 on the Human Trafficking Prevention Commission Advisory Board to expand the Advisory Board’s membership to include representation of key stakeholders in the labor trafficking response: 1) membership of an organization that primarily serves foreign national populations, in order to ensure that this population’s experiences are represented during Commission meetings; and 2) membership of a civil workplace regulatory agency, in order to ensure state agencies protecting workers are represented during Commission meetings.
- Recommendations for an organization that primarily serves foreign national populations include Catholic Charities of Louisiana or Jewish Family Service of Greater New Orleans.
- Recommendations for a civil workplace regulatory agency include Louisiana Workforce Commission, U.S. Department of Labor Wage and Hour Division, or the US Equal Employment Opportunity Commission.

Sex Trafficking of Adult Victims Subcommittee Report

Chair: Michelle Johnson

Secretary: Dr. Michelle Nelson, DNP, APRN, FNP-C

The purpose of the subcommittee was to assess, identify and evaluate current gaps within the State of Louisiana regarding adult sex trafficking victims that will improve statewide responses. More importantly, the subcommittee was tasked with making recommendations utilizing the following framework that was approved at the January 2022 Human Trafficking Prevention Commission meeting. This framework consists of prevention, identification, intervention, and prosecution. The subcommittee utilized the framework to guide discussions and reports to bring forth to the Commission. In addition, membership of the subcommittee was composed of survivor leaders, survivor-serving organizations, healthcare providers, Louisiana Board of Regents, Louisiana Department of Justice, Louisiana Department of Health, Louisiana Department of Public Safety and Corrections, the Attorney General's Office, and several nonprofit organizations. Over the course of the year, a total of five meetings were held via zoom. Discussions were centered and geared towards current practices and policies across our state regarding victims of human trafficking. Several items were examined which included access to housing, The Survivors Justice Act proposal, and expanding human trafficking investigative units. The subcommittee developed two legislative proposals that were brought forth to the Commission. The report below summarizes the work of this subcommittee's pursuit to ensure adult survivors across the state of Louisiana are identified, recovered, afforded housing, and are able to access justice within the criminal justice system.

I. Louisiana Law

Human trafficking is the illegal use of a person for the purpose of providing labor or sexual services. For adult victims of human trafficking, Louisiana law essentially designates three categories within R.S. 14:46.2: 1) human trafficking as the knowing recruitment, harboring, transporting, providing, soliciting, receiving, isolating, or maintaining “the use of another person through fraud, force, or coercion to provide services or labor;” 2) human trafficking when services include commercial sexual activity (“any sexual act performed or conducted when anything of value has been given, promised, or received by any person”); and 3) human trafficking of a person under the age of 21 for the purpose of engaging in commercial sexual activity regardless of the use of force, fraud, or coercion. Louisiana law parts from federal laws in that there exists a special category for victims of sex trafficking under the age of 21, which does not require the presence of force, fraud, or coercion. Criminal penalties for trafficking of children for sexual purposes falls under R.S. 14:46.3. The purview of this subcommittee is human trafficking involving commercial sexual activity of a person 18 years or older.

II. Data

Pursuant to Louisiana R.S. 46: 2161, private entities that provide services to adult victims of human trafficking (R.S. 46:2161.1) shall submit an annual report to the Office of Human

Trafficking Prevention (OHTP) including the services offered, geographic areas served, the number of victims served, and status updates on each victim served. In 2022, the OHTP gathered data from 40 agencies across the state and reported that 932 confirmed and suspected victims of human trafficking were served in calendar year 2021; of this total, there were 782 confirmed and suspected sex trafficking victims served, and 250 victims served were over the age of 18 years. The parishes with the highest number of victims reported trafficking incidences were Orleans, East Baton Rouge, and Caddo parishes. The number of minor victims was higher due to most of the agencies that reported were minor or youth serving agencies. As a result, there was limited data arising from criminal justice agencies such as law enforcement, courts, and correctional institutions.⁸

III. Statewide Progress and Gaps

Prevention

Human Trafficking does not discriminate against gender, race, age, or socioeconomic status. Individuals who come from backgrounds of sexual assault, domestic violence, economic instability, single parent households, and those who identify as LGBTQ+ are often at a higher risk of being exploited by sex traffickers. Furthermore, Louisiana continued to experience crises that increased the vulnerability of its citizens. The COVID-19 pandemic impacted the world causing disruptions in the workforce. Natural disasters, such as hurricanes, leave widespread destruction and disruption, leaving individuals vulnerable for exploitation.

Education and awareness are crucial in the prevention of human trafficking. Schools and colleges are often recruiting grounds for sex trafficking and could benefit from human trafficking awareness and training for personnel and help to prevent sex trafficking on college campuses. Due to the creation of the Office of Human Trafficking Prevention and the dedication of First Lady Donna Edwards, Louisiana in 2022 created its first statewide public awareness campaign, Stop Trafficking Louisiana. The Office of Human Trafficking Prevention through the Louisiana Child and Youth Trafficking Collaborative has created the state's first standardized training curriculum that includes information on both youth and adult victims of trafficking. The training was informed by survivors and is deployed across the state to agencies and professionals at key intervention points and members of the public.

Identification

Training is vital in identifying adult victims of human trafficking, who often fly under the radar or are mis-labeled as criminals, viewing it as their choice rather than identifying them as victims. Due to this stigma, adult victims rarely self-identify and seek out services. Adult victims of sex trafficking are more likely to encounter the criminal justice system and medical services while exploited. This is why it is important to have protocols in place to identify and refer to victim serving agencies. For example, many victims interact with the criminal justice system, and it is key that we identify these individuals as victims, rather than criminals. Survivors report

⁸ Louisiana Annual Human Trafficking Data Report. June 2022. Governor's Office of Human Trafficking Prevention. humantrafficking.la.gov/wp-content/uploads/2022/11/Human-Trafficking-Annual-Data-Report-2022.pdf

that traffickers maintain control over their victims even while the victim is incarcerated and while on probation or parole. Victims are coerced to recruit other individuals while incarcerated. Therefore, it is essential that protocols are created to identify human trafficking victims that enter the Department of Corrections (DOC).

Intervention

Human Trafficking victims of all ages, gender, and cultural background have one common theme. That commonality is the victims had a vulnerability the trafficker or recruiter preyed on which led to their exploitation. Lack of stable housing is a vulnerability many residents of Louisiana face each day.

To maintain control of their victims, traffickers use tactics of force and coercion. During this power and control cycle, many adult victims rely heavily on the provisions given to them by the trafficker. Victims rely on their trafficker for basic needs such as food, clothing, and shelter. However, even if the victim is able to exit their trafficking situation, they face multiple barriers to accessing these basic resources. The subcommittee has identified several gaps in providing immediate housing to adult victims exiting “the life” or escaping their exploiter:

- Adult victims of human trafficking have no access to a 24-hour Crisis Shelter in Louisiana.
- Currently there are no safe house locations for adult victims of trafficking in Louisiana, especially adult male victims of trafficking.
- Funding for housing is limited and therefore many adult victims are placed on a waiting list which can be several years long.
- The cost-of-living allowance for most housing subsidies is not at actual market value of apartments and homes for rent in the community.
- Criminal background checks are required by both private and commercial landlords. Adult victims who have been arrested and/or convicted of both misdemeanor and felony offenses related to their trafficking are limited in the housing they may access.
- Criminal background checks required by employers as new hires also prevents many adult victims of trafficking from obtaining employment that provides a livable wage. Unable to obtain employment that sustains basic needs not only creates vulnerabilities to be trafficked, but also can lead the victim of trafficking to being re-victimized.

Prosecution and Justice Outcomes

In 2022, Louisiana made great strides to criminal justice reform for victims of human trafficking. In the 2021 Commission annual report, this adult subcommittee recommended three legislative proposals to strengthen the state’s justice responses for adult victims. The proposals covered post-conviction relief for victims of human trafficking, extending the prescriptive period of civil suits, and to create a new definition of commercial sexual exploitation of people with intellectual or developmental disabilities whereby force, fraud, or coercion does not need to be present. Two of the three proposals were authored in the 2022 legislative session. HB 561 by Representative Aimee Adatto Freeman, would have extended the prescriptive period for civil

lawsuits from three to ten years. The bill, however, failed in the House Committee on Civil Law and Procedure on April 18, 2022, after opposition from business groups. There was testimony from the business community promising to work on a solution for future sessions. The other proposal, SB 148 by Senator Beth Mizell, allowed a process for criminal record expungements for survivors of human trafficking when they commit certain offenses due to their victimization. SB 148 passed unanimously in both the Senate and House of Representatives and became ACT 130. ACT 130, also known as the “Michelle Johnson ACT,” was signed into law by Governor John Bel Edwards on May 26, 2022. As a result of this change, Louisiana is set to see a significant improvement in our score in ranking with the Polaris Project for criminal record relief; in 2019, the Polaris Report gave Louisiana had a 0 and no ranking.

Despite these great efforts, Louisiana continues to see gaps in prosecutions and arrests of traffickers, while victims are continuing to be criminalized for offenses they were forced to commit. As a result, the subcommittee has proposed expanding investigative units to increase the rates of arrests by having dedicated teams that focus solely on minor and adult sex and labor trafficking. Moreover, expanding upon the post-conviction relief recommendation from 2021, the subcommittee is recommending a justification defense for conduct that is direct result of intimate partner violence, domestic abuse, sex trafficking, or sexual violence. This proposal accompanies the work set out in 2021 by the subcommittee to ensure victims and survivors are not unjustly criminalized for offenses committed as a result of their trafficking.

IV. Findings and Recommendations

Based on the current gaps identified in our state, the subcommittee identified four areas to better address sex trafficking among adult victims in Louisiana and have put forth two legislative recommendations to the commission. The following four recommendations are more general in scope. The subcommittee hopes to pursue more concrete actions to address these gaps in the following years.

1. Increase human trafficking education and awareness for students and staff personnel at community colleges, college universities, technical colleges, and adult education sites as a prevention method to reduce on campus sex trafficking recruitment and sexual exploitation.
2. Increase identification of adult sex trafficking victims within the Department of Corrections. While prostitution-related offenses may raise red flags for potential exploitation, other offenses can make it harder to identify victims. These are the following recommendations to identify victims in the criminal justice system:
 - Human trafficking and trauma-based training for correctional officers, probation, and parole officers.
 - Evaluate the needs of the female population both incarcerated and on parole.
 - Include anti-sex trafficking and sexual exploitation education to the re-entry classes offered in prison.
3. Increase immediate housing to adult victims exiting “the life” or escaping their exploiter these are the following recommendations:

- An adult 24-hour emergency shelter that operates on the principle of crisis intervention should be considered in Louisiana’s most vulnerable communities, ensuring rural area residents have access to services.
 - A safe house in an undisclosed location for adult victims of trafficking should be considered as many victims must seek services in shelters that keep them in the community the victim was trafficked, posing a threat to safety.
 - Funding for long term stable housing for adult victims of trafficking should be earmarked annually in Louisiana legislation and be exclusive to this population to prevent revictimization.
 - The cost of living should be specific to the community it serves and less broad. It should be assessed consistently, especially after natural disasters such as hurricanes, to ensure demand has not increased market value.
 - Funding should be allocated by the state of Louisiana to agencies that serve formerly incarcerated adult victims of trafficking to assist victims gain access to their criminal background report, legal resources, and assistance with expungement. Funding should be assessed annually and based on service needs; funding should be increased as needed.
 - Funding should be allocated by the state of Louisiana to service agencies that provide educational assessments and connect adult victims of trafficking to employment. Funding should be assessed annually and based on service needs; funding should be increased as needed.
4. According to the Polaris Project 2022 report card findings, among the areas the Michelle Johnson Act for post-conviction relief can improve are the needs to address confidentiality of survivors going through the process and providing a means for judicial relief if a prosecutor objects or denies an application for relief. The subcommittee recommends addressing the areas for improvement identified by the Polaris Project, but also to provide an avenue for survivors that allows relief prior to a conviction. The recommendation for such relief is discussed through the Justice for Survivors Act proposal below.

Legislative Recommendations

The two legislative proposals cover the expansion of human trafficking investigative units in Louisiana and the Justice for Survivors Act which are both justice-oriented in nature. In selecting these two recommendations the subcommittee seeks to strengthen the state's justice response for adult victims through legislation that 1) improves victim identification, human trafficking investigations and prosecutions, and 2) prevents the criminalization of survivors. The proposals are victim-centered and survivor-informed and were crafted utilizing the expertise of key stakeholders of which this subcommittee is composed. We would like to acknowledge the input, guidance, and expertise of Louisiana State Police, The Promise of Justice Initiative’s Louisiana Survivors for Reform, and Polaris Project in assisting the subcommittee with the proposals.

Recommendation #1: **Justice for Survivors Act**

Overview of Proposal:

The “Justice for Survivors Act” will seek to prevent the criminalization of survivors of human trafficking, sexual abuse, and intimate partner violence. This legislation also seeks to provide relief for those already unjustly criminalized in the past.

Background:

The dynamics of intimate partner violence, domestic abuse, and control through trafficking are not adequately understood by or accounted for in the Louisiana legal system. As a result of these misconceptions, there have been many cases in which survivors are punished for defending themselves against an abuser or being coerced into participating in a crime by traffickers. It is estimated that there are between 20 and 30 survivors currently serving life sentences in Louisiana for participating in actions as a direct result of their abuse.⁹ It is important to end the compounding trauma of violence caused by incarcerating survivors because intimate partner violence, domestic abuse, human trafficking including sex trafficking, and sexual violence are issues of public safety that affect every parish and each demographic in our state.

The Justice for Survivors Act addresses this gap in the legal system through both proactive and retroactive measures. First, it provides for the inclusion of a justification defense for conduct that is a direct result of intimate partner violence, domestic abuse, sex trafficking, or sexual violence. The bill also allows for the presentation of expert testimony as to the effects and dynamics of intimate partner violence, and the circumstances of entrapment and coercive control resulting from abuse. Finally, the legislation offers pathways to relief for incarcerated survivors who were wrongfully convicted or excessively sentenced. Depending on the specific circumstances of their case, survivors may seek grounds for a new trial, resentencing opportunities, or post-conviction relief. Addressing the incarceration of survivors is not only a pathway to healing and harm reduction in our communities, but also provides an opportunity for Louisiana to save and re-direct funding to other areas of public safety

The recommendation builds upon the work of Senator Mizell’s SB 147 (Act 540 of 2022), also known as the Michelle Johnson Act, by broadening support for survivors who committed acts under duress or control, whether they were non-violent or violent. There is a reality in which victims of human trafficking, intimate partner violence, and abuse must take desperate actions to protect themselves or their children. The Justice for Survivors Act seeks to look closer at the experiences of these survivors, mostly women, to understand the entire picture of their circumstances. We are not made safer when victims of crime are criminalized. This legislation strikes a balance between deferring justice and delivering it, by holding appropriate persons accountable and decriminalizing actions taken by victims of crime committed as a result of the violence against them.

⁹ Skene, Lea. “The getaway driver serving 2 life sentences alongside her abuser: Victim or accomplice?” *The Advocate*, 21 Dec. 2020.

Recommendations:

- To amend and reenact R.S. 14:2(A)(10) through (12), and to enact Code of Evidence Art. 707, Code of Criminal Procedure Art. 851(B)(7) and 853(D) and R.S. 14:2(A)(13) and (14), 18.8, and 20.2, relative to justification; to provide for admissibility of expert testimony regarding victims of intimate partner violence, domestic abuse, human trafficking, or sexual abuse under certain circumstances; to provide for the defense of justification when the offender is a victim of intimate partner violence, domestic abuse, human sex trafficking, or sexual assault; and to provide relative to post-conviction relief.
- The mechanisms by which proponents, including survivors of violent crime, seek to accomplish this goal are:
 - Expand justification defenses available to survivors with clear constraints on the use of such defense, and the elements that must be proved to trigger it,
 - Allow expert testimony, already allowed in some similar instances, in certain circumstances to communicate the dynamics of coercion, control, and abuse, and
 - Provide potential relief for incarcerated survivors with wrongful convictions or excessive sentences.

Recommendation #2: **Human Trafficking Investigative Units**

Overview of Proposal:

The proposal seeks to allocate additional funding for the Louisiana State Police to create and/or expand regional investigative units for human trafficking, including new positions specializing in human trafficking and to improve victim identification and human trafficking investigations and prosecutions.

Background:

In the calendar year 2021, Louisiana service providers reported serving 932 victims of human trafficking. Each year the number of victims continues to rise due to increased awareness and identification, yet as noted in Senate Resolution NO. 180 of the 2022 Regular Legislative Session, “despite the high number of reported victims there have been few arrests and even fewer convictions.” Despite robust services available to victims, the lack of arrests, investigations, and prosecutions of traffickers and exploiters creates a dilemma where victims are continuing to be victimized or re- victimized. In addition, survivors have continued to express concerns for a lack of investigative action in their cases. Without investigations and prosecutions to penalize perpetrators, perpetrators will continue to create new victims in Louisiana and service providers will continue to be stretched thin.

Human trafficking is a highly complex crime, oftentimes with victims moving between many parishes, regions, and even states. Human trafficking investigations also require special expertise and knowledge to be successful. Both the complexity and mobility of this crime can

make it difficult for local law enforcement with limited resources and personnel to investigate these cases.

The Louisiana State Police has established a Special Victim's Unit that works toward rescuing and seeking justice for victims of Human Trafficking (sex or labor trafficking) and crimes of exploitation of children through investigative partnerships and through public education. The recommendation to expand these regional investigative units under Louisiana State Police aims to solve this dilemma by ensuring dedicated and trained personnel are located in every region of the state to assist law enforcement partners to combat trafficking and by supporting a victim-centered and multi-disciplinary approach. This would also elevate collaboration of cases that cross regions and jurisdictions. Successful investigation and prosecution of human trafficking is essential to curbing human trafficking in Louisiana.

Recommendations:

The recommendation proposes additional funding to create and expand regional investigative units to investigate human trafficking. The subcommittee recommends the following considerations.

- Essential Functions
 - Under the Louisiana State Police, units will have state investigative/arrest powers.
 - Units will investigate both minor and adult cases and all forms of trafficking.
 - Units will assist and coordinate with local, state, tribal, and federal law enforcement agencies to investigate human trafficking cases in Louisiana. This effort and interaction will immediately enhance recognition of more victims to be rescued, the identification of more offenses and offenders, and strengthen coordination for human trafficking investigations. This approach and professional relationship will serve as a force multiplier as it relates to the human trafficking arrests and prosecution.
- Officer qualifications:
 - Units should be comprised of seasoned investigators who are POST certified and passionate about the cause. They should possess an investigative background in particular areas of law enforcement that are closely associated with crimes often employed by traffickers in conjunction with the primary offense of Human Trafficking. Examples, Sex Crimes, Labor Trafficking, Narcotics, etc.
- Multi-disciplinary, victim-centered investigations
 - Units should work closely with service providers and prosecutors. This type of working relationship allows the investigator(s) an opportunity to quickly demonstrate to victims and/or the family members of those victims that the investigators are committed to their safety and overall well being (mental and physical health). The service providers have the skills, knowledge and abilities to place the victims in a state of mind that will encourage them to cooperate with law enforcement and prosecutors. This support also significantly increases the time spent by law enforcement to investigate the offenses to be presented to the respective prosecutor(s).
- Reporting Requirements

- o Per RS 46:2161- 46:2161.1, units will report annual data to the Office of Human Trafficking Prevention on type of investigation, outcome of the investigation (for example, what actions have or have not been taken and why. i.e., the victim did not want to pursue charges), and any services offered to victims, and demographic information related to the case and services offered.
- Regions – LSP Special Victims Unit is currently broken up in two regions, Region 1 Southeast La. And Region 3 covers the remainder of the State.
 - o Regional —Region 1 South East Louisiana; Region 2 South West Louisiana; Region 3 Central & North Louisiana
 - Region 1 Headquarters: Baton Rouge; Region 2 Headquarters: Breaux Bridge; Region 3 Headquarters: Alexandria.
 - o Personnel will be staged in one of the 9 major cities (Baton Rouge, New Orleans, Covington, Houma, Breaux Bridge, Sulphur/Lake Charles, Bossier City, Alexandria, and Monroe) within the above 3 regions to ensure adequate coverage and response in a timely manner. This should not restrict their travel to assist their counterparts or other local, state, tribal, and federal law enforcement agencies. See attached proposed map for an example.
- Investigative Unit Positions
 - o Existing Positions:
 - Major/Command Inspector (1)
 - Captain/Commander (1)
 - Lieutenant (1)
 - Sergeant (2)
 - Investigators (7)
 - Forensic Person (phones, computers, social media, wire taps etc.) (1)
 - Administrative Coordinator
 - o Manpower Proposed/Needed:
 - Sergeant (1) (to ensure 1 sergeant over each region)
 - Investigators (11) (2 investigators in each field office/6 investigators in each region)
 - Forensic Person (phones, computers, social media, wire taps etc.) (2) (1 in each region)
 - MOU with the District Attorney’s Office, service providers, and victim advocates, medical personnel, etc.
- Funding
 - o Funding should cover: Salaries, Vehicles, Travel, Training, Office Space, Equipment (phones, computers, surveillance, funds to pay confidential informants/human sources, etc.)
 - o Please note that reasonable office space may be accomplished with the cooperation with local law enforcement agencies and/or other state entities.

Sex Trafficking of Minor Victims Subcommittee Report

Chair: Courtney Lewis
Secretary: Angela Wiggins Harris

The findings and recommendations of this committee, chaired by Courtney Lewis, with secretary Angela Wiggins Harris, are outlined in this report. This subcommittee met throughout the year of 2022 and voted to focus its efforts on prevention through training. The committee acknowledges the progress made around training on identification of human trafficking. However, there are additional professionals, at key intervention points, who encounter minors that may be victims of human trafficking.

The subcommittee explored and discussed current curriculums (i.e., Love 146, Not a Number, etc.) implemented across the state. The subcommittee further recognizes there is an opportunity to increase awareness of Human Trafficking amongst first year college students. Prevention will take a coordinated effort with stakeholders. This subcommittee plans to leverage the current work of the Governor's Office of Human Trafficking Prevention and partners to accomplish tasks that address the prevention of human trafficking of minors in Louisiana.

Legislative Recommendations

For legislative recommendations, this subcommittee expanded upon previous recommendations made by the subcommittee in 2021. The committee identified two recommendations aimed at further increasing identification of minors impacted by human trafficking through training of medical professionals. Commission members voted to support the following recommendations at the October 2022 Commission meeting.

Recommendation #1: **Human Trafficking Training to Medical Professionals in Schools**

Overview of Proposal:

The subcommittee recommends human trafficking training requirements for targeted medical professions in K-12 schools, including School Nurses, School Based Mental Health Professionals, School Counselors, School Social Workers, and Staff at School Based Health Clinics in K-12 settings.

Background:

The identification of trafficking victims, especially minors, is a major gap in Louisiana. Often during the duration of their trafficking, minor victims are likely to interact with school personnel, most specifically school nurses, school counselors, and/or school social workers. Currently, sex trafficking training is not implemented systematically across all elementary and secondary K-12 schools in Louisiana. Where professionals are trained in sex trafficking, identification and reporting of minor victims of sex trafficking increase. Training also serves as an important prevention tool for high-risk groups that school nurses and staff of School Based

Health Clinics may serve. As a result, Louisiana should statutorily mandated training for all School Nurses, School Based Mental Health Professionals, School Counselors, School Social Workers, and Staff at School Based Health Clinics in all public and charter elementary and secondary K-12 schools for the purpose of identifying more victims and connecting them to available resources.

Recommendations:

Training mandates should include the identified profession to receive training, the minimum components to be included in the training content, and the timeframe for which individuals within each profession should receive training. This would be accomplished by requiring the governing authorities of all public and charter elementary and secondary K-12 schools in Louisiana to create, implement and adhere to a policy which addresses sex trafficking of minors and include a process to train personnel on how to recognize and report cases of sex trafficking. The subcommittee recommends the following considerations in implementing the proposal.

- Who will receive training: All school nurses and those staffing all School Nurses, School Based Mental Health Professionals, School Counselors, School Social Workers, and Staff at School Based Health Clinics.
- Core components to be included in training curriculums: Definitions of trafficking; How to recognize human trafficking; Risk factors and vulnerabilities; How to reduce vulnerabilities and risk of exploitation; Understanding abuse tactics by perpetrators; How and when to report sex trafficking of minors; Internal school policies and existing community resources to be used.
- Timeframe and frequency training will be required: Schools shall adopt policies which include requirements to train all School Nurses, School Based Mental Health Professionals, School Counselors, School Social Workers, and Staff at School Based Health Clinics on child trafficking. During the first year of policy implementation, all required personnel shall receive training. The governing authorities for each school shall require annual training.
- Current and relevant legislation and/or policies: Act 662
- Additional considerations: This committee recognizes that the capacity required to fulfill this statewide training requirement will be significant. Governing authorities for schools should consider partnership with existing community partners to provide this training, such as Children’s Advocacy Centers (CAC) which utilize the Louisiana Child and Youth Trafficking Collaborative training curriculum; the Department of Children and Family Services which offers an online training through the Louisiana Child Welfare Training Academy; and various community coalitions, task forces, service providers across the state, including the FREE Coalition (Caddo Parish) and the Greater New Orleans Human Trafficking Task force.

Recommendation #2: **Human Trafficking Training to Medical Professionals: Pediatricians, Emergency Departments, Urgent Care Staff**

Overview of Proposal:

This subcommittee recommends legislation requiring the governing authorities of all Emergency Departments and all hospitals and clinics staffing Pediatricians in Louisiana; to create, implement, and adhere to a policy which addresses sex trafficking of minors. The policy must include a process to train all ED and Urgent Care staff and hospital and clinic Pediatricians on how to recognize and report cases of sex trafficking.

Background:

The identification of trafficking victims, especially minors, is a major gap in Louisiana. Often during the duration of their trafficking, minor victims are likely to interact with medical professionals, most specifically Pediatricians, Emergency Departments and Urgent Care staff. Currently, sex trafficking training is not implemented systematically across all hospitals, clinics, and urgent cares in Louisiana. Where medical professionals are trained in sex trafficking, identification and reporting of minor victims of sex trafficking increase. Training also serves as an important prevention tool for high-risk groups that medical professionals such as Pediatricians, Emergency Department and Urgent Care staff may serve. As a result, Louisiana should statutorily mandate training for all Pediatricians, Emergency Department and Urgent Care staff in all hospitals, clinics and urgent care facilities for the purpose of identifying more victims and connecting them to available resources.

Recommendations:

This subcommittee recommends mandated training for the following medical professions: Pediatricians, Emergency Departments (ED) and Urgent Care staff. Training mandates should include the identified profession to receive training, the minimum components to be included in the training content, and the timeframe for which individuals within each profession should receive training. The subcommittee recommends the following considerations in implementing the proposal.

- Who will receive training: All Pediatricians and all Emergency Departments and Urgent Care staff.
- Core components to be included in training curriculums: Definitions of trafficking; How to recognize human trafficking; Risk factors and vulnerabilities; How to reduce vulnerabilities and risk of exploitation; Understanding abuse tactics by perpetrators; How and when to report sex trafficking of minors; Internal hospital/clinic policies and existing community resources to be used.
- Timeframe and frequency training will be required: Hospitals, clinics, and governing authorities shall adopt policies which include requirements to train all Pediatricians in Louisiana. Emergency Departments, Urgent Cares, and governing authorities in

Louisiana shall adopt policies which include requirements to train all staff. During the first year of policy implementation, all required personnel shall receive training, and annually thereafter.

- Current and relevant legislation and/or policies: Act 662
- Additional considerations: This committee recognizes that the capacity required to fulfill this statewide training requirement will be significant. Governing authorities for hospitals, clinics, and urgent care facilities should consider partnership with existing community partners to provide this training, such as Children’s Advocacy Centers (CAC) which utilize the Louisiana Child and Youth Trafficking Collaborative training curriculum; the Department of Children and Family Services which offers an online training through the Louisiana Child Welfare Training Academy; and various community coalitions, task forces, and service providers across the state, including the FREE Coalition (Caddo Parish) and the Greater New Orleans Human Trafficking Task force.