

## HTAB Minutes from 9/11/20

(Meeting conducted virtually via WebEx due to COVID-19)

### HTAB members in attendance:

- Jennifer Montgomery, Chair
- Tiffanie Askew
- Kent Bauman
- Hope Cooper
- Hon. Marci Francisco
- Rebekah Gaston
- Ed Howell
- Christine Kenney
- Debbie Kennedy
- Ed Klumpp
- Dax Lewis
- Michelle McCormick
- Gianfranco Pezzino, MD
- Jeff Richards
- Diana Schunn
- Sharon Sullivan
- Alexa Tapia
- Kirk Thompson
- Derrick Wilczek

**Staff:** AAG Sarah Shipman, OAG intern Sara Caylor

**Guests:** Lucy Bloom, Stacy Tidwell, Mike Jensen, Heidi Lynch, Lynnea Kaufman, James Johnson, Kristen Czugala, Taylor Jorgensen, Blake Shuart, Holly Krebs

The meeting was called to order at 1:30pm and the Chair, Jennifer Montgomery, shared with the group the specific information about Kansas Open Meeting Act and Kansas Emergency Preparedness Act compliance, as the Board is operating under the state emergency declaration.

### Approval of June 2020 minutes:

A motion was made by Ed Howell and seconded by Jeff Richards.

The minutes were approved as read and the motion was passed unanimously by a roll call vote.

### Committee reports:

Law Enforcement Committee (Jennifer Montgomery): The Committee met virtually on August 19<sup>th</sup> and recommended a few technical edits to the juvenile protocol. Ed Klumpp suggested some of the language was confusing and possibly contributing to lack of calls to the KBI. One of the goals of the protocol is to initiate information sharing with the KBI and to provide support from the KBI to agencies who do not have a lot of experience on trafficking issues. The committee recommended changes to clarify that two calls need to be made: one to the KBI, and one to DCF. A motion was made to approve this recommendation by Kent Bauman and was seconded by Kirk Thompson. A roll call vote was taken and the motion passed unanimously.

The committee also reviewed the “landlord model” regarding illicit massage businesses. It is currently being used in some communities across the country, including in Missouri. It entails law enforcement sending landlords of a property suspected of being an illicit massage business a letter to inform them of known activity and describing the laws that could also hold the landlord accountable. In Kansas, current

law says that if landlords “knowingly allow” illicit activity to go on at their property, they can also be charged with trafficking. Mike Jensen (guest at the meeting, Olathe) has been working with the Olathe Police Department on this approach and reported that in the debrief after last year’s large law enforcement operation for illicit massage businesses, it was noted that this model could be effective and more cost-saving than traditional large scale operations. The Committee was supportive and recommended that the model be explored further with Kansas statutes in mind and consult with KS prosecutors for additional feedback. The questions raised by Committee members included: liability issues, need for more solid data and utilization of sound investigative tactics to back up any action. Next step: Jennifer will be working with interested committee members to discuss further.

Sen. Francisco mentioned she is also a landlord and recommended that information be passed on to HCCI, who is familiar with landlord-tenant laws, for comment and to explore any concerns they may have. She volunteered to facilitate.

The Committee also discussed a new potential legislative item for consideration dealing with asking for legislative clarification on the statutes dealing with sharing information between law enforcement and DCF. There was also an additional request to clarify CINC laws. This will be discussed further in the legislative section of meeting.

Victim Services Committee: Michelle McCormick, Director of Victim Services (OAG) provided a summary of the committee meeting from Aug. 25th. Service providers discussed concerns and trends regarding impact of COVID-19 on the victims they serve. Several mentioned an increased in vulnerability of clients they serve due to the pandemic, as well as a decrease in community services. They reported more individuals working from the street, solicitations happening at different times of the day (due to an increase of buyers working remotely), buyers acting more physically violent, victims are reporting an increase of being recorded by buyers without permission, and kids having more exposure due to an increase in technology use.

At the meeting, a representative of OVC Human Trafficking Capacity Building Center provided a presentation about the free technical assistance they can provide to KS service providers, including program development and assistance to be prepared to apply for federal funding. Several of the Kansas victim services programs are now working directly with OVC.

The Committee also discussed increasing services to youth and re-engaging efforts on Staff Secure Facilities (SSF). See the SSF agenda item.

#### **Agency reports:**

DCF: Rebekah Gaston reports that the special response team (2019) has expanded by 20% and have two new positions (1 in Wichita and 1 in Western KS). They are evaluating data collection and tracking systems to make sure they’re looking at other ways to serve children in custody.

#### **Presentations:**

**Kristen Czugala—Director, Crime Victim Compensation Board (OAG)**: Kristen provided an overview of Crime Victims Compensation and outlined some of the human trafficking considerations for basic eligibility. For example, a claim must be filed within two years of the incident, but with some exceptions impacting trafficking victims—such as exceptions for trafficking victim under 16.

The Board has only received 6 applications in the last year for those identified as “human trafficking”. They are doing specific outreach to try to make sure those victims are being connected to potential assistance. Annual report on the OAG website, under Victim Services tab. Kristen is available to do presentations.

**LT. Dax Lewis (KHP):** Lewis gave an overview of the Interdiction for the Protection of Children (IPC) trainings. Jennifer Montgomery facilitates the training team for KS. IPC is a DOJ grant-funded curriculum first created by the Texas Department for Public Safety that includes sections on introduction to offenders, introduction to victims, how to interview suspects, victims, legal issues, victim resources and indicators.

The next training is going to be virtual with KLETC facilitating, on Oct. 7<sup>th</sup> and 8<sup>th</sup>. Registration is available on the KLETC website.

**Services for Juvenile Victims of Trafficking - Staff Secure Facilities (SSF) working group** (Hannah Britton, Rebekah Gaston, Dorothy Halley, Jennifer Montgomery, Michelle McCormick) The small group met several times virtually about the status of expanding SSFs to other regions in the state. The group discussed research and the existing challenges and are committed to finding solutions to meet the unmet needs for youth trafficking victims in Kansas. Other ideas were discussed such as utilizing the Juvenile Crisis Center concept which was authorized by the Kansas Legislature last year.

Rebekah Gaston (DCF) recommends bringing additional members to the table and recommends: Stacy Tidwell (DCF), Tonya Keys (DCF), Rachel Marsh (Children’s Alliance).

Sharon Sullivan recommended the creation of an ad hoc working group to continue the conversation on this topic. Jennifer Montgomery agreed and recommended adding those from the Victim Services Committee who have interest and additional members of the HTAB. The following people volunteered: Sharon Sullivan, Stacy Tidwell, Hope Cooper, Lucy Bloom, Melissa Cooke, Debbie Kennedy. Michelle McCormick will coordinate this group.

**2019 Legislative review and 2020 recommendations:** (Review from Dec 2019 minutes)

All items from the 2019 recommendation list were reviewed and updates were provided by the Chair. These items as well as a couple of new items will be reviewed by the Ad/Hoc Legislative Committee and brought to the December 2020 HTAB meeting for detailed review and consideration. The items are listed below:

- Funding for additional SSF for juvenile victims.
- First time buyer of sexual relations with adult, drop the misdemeanor language.
- Affirmative Defense/Expungement/Vacatur for victims of trafficking.
- Mandatory posting of National Human Trafficking Hotline number at certain businesses and locations.
- Changing the term “sexual relations” to “a sex act” in statutes.
- Massage regulation bill. Holly Krebs updated the Board on her proposal which differs from the bill supported last year.
- Clarifications of statutes regarding information sharing requirements between DCF and law enforcement was suggested by Ed Klumpp.
- Clarification of CINC laws was suggested by Kent Bauman.

The Chair will reach out to those expressing interest in serving on the Ad/Hoc Legislative Committee about meeting times to review these recommendations. Those who expressed interest in serving: Lucy Bloom, Sharon Sullivan, Mike Jensen, Alex Tapia, Ed Klumpp, Jeff Richards, Derrick Wilczek, Det. Steve Meyer (EMCU), Marci Francisco. Jennifer will Chair.

**New Business:** None

**Next Meeting:** Dec. 11<sup>th</sup>, 2020, set for 2 hours to review legislative recommendations, 1:30p-3:30pm

Motion to adjourn from Jeff Richards which was seconded by Sharon Sullivan.

Meeting adjourned at 3:05pm