

# Michigan Human Trafficking Commission 2015 Report to the Governor and Legislature

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## Commission Members

- Ms. Carol Isaacs, Commission Chair and Chief Deputy Attorney General
- Ms. Valerie Bass, Washtenaw Co. Human Trafficking Court, 14-B District Court
- Ms. Beth Emmitt, Executive Office of Governor Rick Snyder
- Ms. Elizabeth Hertel, Michigan Department of Health and Human Services
- Mr. David Leyton, Prosecuting Attorney, Genesee County
- Ms. Kathy Maitland, Michigan Abolitionist Project
- Ms. Deborah Monroe, Recovery Concepts of Michigan
- Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs
- Det. Sgt. Ed Price, Michigan State Police
- Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court
- Dr. Herbert Smitherman, Jr., Health Centers Detroit Foundation
- Chief Tom Tiderington, Plymouth Township Police Department

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

Dear Reader:

Human trafficking, at its core and in its many forms, exploits the most vulnerable members of our society. Victims are compelled into domestic servitude, commercial sex, debt bondage, and other modes of labor for little or no pay. Similarities across reported cases have included fraud, abduction, coercion, deception, long work hours, threats and use of force, and emotional abuse. Each of these elements represents the antithesis of fundamental dignity and basic human rights. Human trafficking, we have learned, is not only a threat abroad—it is a threat in our own backyard.

Human trafficking has been one of my top priorities since taking office. One of my early initiatives was to establish a special unit to prosecute these cases. My office, through this special unit, has worked tirelessly with law enforcement to prosecute traffickers in our state and put an end to their trade.

To confront this appalling crime, State Representative Kurt Heise and I, in collaboration with Governor Rick Snyder and the Michigan Legislature, launched the first Michigan Commission on Human Trafficking in March of 2013. Soon after, through the passage of Public Act 325 of 2014, the Michigan Human Trafficking Commission was established within the Department of Attorney General.

The Michigan Human Trafficking Commission is dedicated to combating these illicit operations in our State. Moving forward, we intend to continue bringing these criminals to justice. Moreover, I will continue to work to ensure that all those involved in fighting human trafficking adopt a victim-centered approach, always seeking to understand this issue through the lens of those that it most impacts.

I hope you will join us in our fight against human trafficking. The groundwork has been laid, and, in collaboration with an army of dedicated advocates from around our state, the Michigan Human Trafficking Commission and the Department of Attorney General is committed to continuing these efforts.

Sincerely,

Bill Schuette  
Attorney General, State of Michigan

## **Message from the Commission Chair: Carol Isaacs**

Dear Reader:

Sadly, human trafficking exists here in the State of Michigan and throughout the world. People from all walks of life are forced into labor, sexual slavery, and/or commercial exploitation. We are all obliged to do our part to help eradicate this horrible crime.

I am honored to act as Chair of the Michigan Human Trafficking Commission. Over the past year, the Commission has made tremendous progress in its mission to provide education and training, collect human trafficking data and information, coordinate the dissemination of information, increase awareness of victim services, and bring public awareness to this significant, yet often hidden problem. In particular, over the past year, the Commission:

- Contracted with the Wayne, Macomb, and Oakland County Medical Societies for the development of an expanded human trafficking training video for medical professionals;
- Started gathering information to disseminate to victim service agencies;
- Pushed for an increase in public awareness;
- Identified relevant grants to assist in examining and countering human trafficking;
- Continued efforts to determine the prevalence of trafficking in Michigan; and
- Reviewed state law and policy to make recommendations regarding anti-trafficking legislation.

I encourage all stakeholders—those involved with victim services, hospitality industries, transportation industries, medical professionals, law enforcement, the legal community, members of the public and others—to collaborate with the Michigan Human Trafficking Commission and work together to effectively eliminate human trafficking in our State.

Sincerely,

Carol Isaacs, Chair, Michigan Human Trafficking Commission

## **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**

After the Commission members received their gubernatorial appointments on March 4, 2015, the Michigan Human Trafficking Commission met on the following dates: April 22, 2015, June 25, 2015, and October 13, 2015. The Commission invited several speakers to present at its meetings including Assistant Attorney General Kelly Carter who presented on "Human Trafficking in Michigan;" and David Harvey and Hermina Kramp from Michigan Commission on Law Enforcement Standards (MCOLES), who spoke to the Commission on human trafficking law enforcement training in their office. The Commission also developed and adopted bylaws during the course of its meetings.

"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.

## Subcommittee Overview

To serve its mission, the Commission operates with seven subcommittees:

1. **Training and Education** – This subcommittee is charged with reviewing existing training efforts for professionals and determining how those efforts can be enhanced and expanded. “Professional” is broadly defined to include various groups who may encounter human trafficking such as: law enforcement, health care providers, social-service providers, hospitality providers, and those in code enforcement and regulatory agencies.
2. **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 crime.
3. **Victim Services** – This subcommittee is charged with reviewing victim needs and determining how those needs can be met at the local and state levels.
4. **Funding and Resources** – This subcommittee is charged with identifying and applying for potential grants and other forms of funding.
5. **Public Awareness** – This subcommittee is charged with developing strategies to raise public awareness of human trafficking.
6. **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.
7. **Courts / Summit** – The Commission established this subcommittee in October, 2015. This subcommittee’s top priority is planning a human trafficking conference/summit along with the State Court Administrative Office.

## Training and Education

Subcommittee Members:

- Ms. Elizabeth Hertel, Michigan Department of Community Health
- Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs
- Det. Sgt. Ed Price, Michigan State Police
- Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court
- Dr. Herbert Smitherman, Jr., Health Centers Detroit Foundation
- Chief Tom Tiderington, Plymouth Township Police Department

## Participation at the National Summit for State Courts

In October 2015, at the invitation of the State Court Administrative Office, two Commissioners, Family Court Judge Michelle Rick and Plymouth Township Chief of Police Tom Tiderington, along with Assistant Attorney General Kelly Carter, who volunteers with the Commission, attended the National Summit on Human Trafficking and the State Courts in New York. The Summit was sponsored by and planned in

partnership with the State Justice Institute, the Conference of Chief Justices, the Conference of State Court Administrators, the National Center for State Courts, and the New York State Bar Association. Teams from 46 states as well as 6 territories and the District of Columbia attended.

The Summit explored the challenging issue of human trafficking from a judicial perspective, examine ways to work with justice partners in our communities to better address trafficking, and showcase different court models from around the country. The Summit also provided state teams with a prime opportunity to network with other court leaders and to develop concrete steps to further advance a response to human trafficking in each team's own state.

### **Plan and Develop a Human Trafficking Summit**

After returning from the National Summit, Judge Rick, Chief Tiderington, and Kelly Carter briefed the Commission on their experiences. The Commission then voted to plan a summit/conference in conjunction with the State Court Administrative Office (SCAO) to increase human trafficking awareness in the law enforcement and legal communities in Michigan. The Commission also voted to create a Courts and Summit Subcommittee to oversee the summit.

### **Development of General Training Modules**

To fulfill the requirement to provide delivery of training and information to social service personnel and other individuals, this subcommittee will develop and/or identify training modules that contain a consistent core of general knowledge and awareness on human trafficking issues. These modules will be delivered to professionals in the hospitality, transportation, and code/regulatory/licensing enforcement industries.

"I am excited to chair the Human Trafficking Commission's summit scheduled for this fall. This will be a wonderful opportunity for the legal and law enforcement communities to collaborate on training and education and coordinate their enforcement efforts."

Judge Michelle Rick - Family Court Judge

### **Data Collection and Research**

Subcommittee Members:

- Ms. Cheryl Pezon, Department of Licensing and Regulatory Affairs
- Det. Sgt. Ed Price, Michigan State Police

### **Review the Existing Training on the Use of Human Trafficking Codes**

The subcommittee has been attempting to verify the current Michigan State Police (MSP) data on human trafficking (compiled by tallying law enforcement and prosecution use of the human trafficking codes) by contacting counties where known human

trafficking cases have been prosecuted. Preliminary analysis indicates that instances of human trafficking are both underreported and misreported.

Subcommittee members plan to continue reviewing current training on the use of human trafficking codes to explore an association between underreporting and insufficient training. With proper training, coding can be used to collect accurate data on the prevalence of human trafficking in Michigan.

### **Pilot Projects to Collect Human Trafficking Data**

The subcommittee has begun discussing two pilot projects: one with county prosecutors' offices and one with a county sheriff's office. Such projects will shed light on the number of human trafficking cases that are being charged as prostitution or other offenses but are not being coded with human trafficking codes.

The first project requires prosecutors and/or assistant prosecutors issuing arrest warrants for local law enforcement to contemporaneously complete a questionnaire to determine if a charged case involves elements of human trafficking.

The second project captures incident and arrest data by providing law enforcement with a brief questionnaire to determine if the incident or arrest involves elements of human trafficking.

The subcommittee will be recommending that the Commission move forward with these pilot projects. The subcommittee will use the data from both pilot projects to make recommendations concerning training on the use of human trafficking codes.

### **Updating the Relevant Human Trafficking Data**

The subcommittee is working to update the data that was collected and reported in the 2013 Report on Human Trafficking. This includes data from the Federal Bureau of Investigation (FBI), U.S. Immigration and Customs Enforcement (ICE), and the Michigan State Police (MSP). A contact at ICE is updating the national data, and receipt of this data is expected in the coming months. This data will be used to educate the public and gain a better awareness of the prevalence of human trafficking in Michigan.

"I am pleased to be a part of Michigan's Human Trafficking Commission. I feel we are off to a strong start after our first year. I look forward to continuing the Commission's work of crafting a comprehensive approach to preventing trafficking, holding traffickers accountable and rescuing victims."

D/Sgt. Edward Price - Michigan State Police

## **Victim Services**

Subcommittee Members:

- Ms. Elizabeth Hertel, 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

### **Developing a Standardized Human Trafficking Victim Assessment Tool**

A statewide victim identification tool is needed. The subcommittee has collected over twenty assessments from around the United States and is currently reviewing them. The predicted recommendation includes a tool that will include both a long-version assessment and a short-version assessment.

### **Ascertaining Dedicated Housing Facilities for Human Trafficking Victims**

The subcommittee is gathering information to determine facilities that house juvenile and adult victims. The subcommittee intends to work with the Michigan Department of Health and Human Services (MDHHS) and the federal government to determine available statewide placements and provide this information to victims.

### **Increasing the Availability of Services for Human Trafficking Victims**

The subcommittee is investigating available statewide victim services. Consideration is being given to collaborate with a pilot county to create a system of comprehensive services for adult and juvenile victims.

### **Revising the MDHHS Human Trafficking of Children Protocol**

MDHHS / Child Protective Services (CPS) Human Trafficking of Children Protocol was last updated in August 2013. MDHHS has convened a statewide group to revise and adopt an updated protocol. The protocols will enable those who work on child trafficking cases to do so in a manner that is more informed and effective. Subcommittee members participate in this statewide group.

## **Funding and Resources**

Subcommittee Members:

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

### **Development of an Expanded Human Trafficking Training Video for Medical Professionals**

The Commission is required by statute to provide training to health professionals on ways to identify human trafficking victims who present as patients within a medical professional's practice area.

The Michigan Human Trafficking Commission and the Department of Attorney General contracted with the Oakland, Macomb, and Wayne County Medical Societies to develop

a comprehensive full-length human trafficking training video for medical professionals. The Oakland, Macomb, and Wayne County medical societies have already produced a brief video that presents introductory training to medical professionals. This contract will expand the video to approximately 23 minutes and provide much needed training on how to identify trafficking victims.

### **Developing a List of Funding Source**

The subcommittee has begun identifying potential grant sources and other forms of funding. This search is ongoing. The subcommittee recognizes that the art of obtaining grants includes building relationships at the federal level, and committee members are looking for foundations that work collaboratively with state governments, task forces, and commissions. The grants will be used for public awareness, education, training, research, data analysis, and victim services.

### **Public Awareness**

Subcommittee Members:

- Ms. Valerie Bass, Washtenaw County Human Trafficking Court, 14-B District Court
- Ms. Beth Emmitt, Executive Office of Governor Rick Snyder
- Mr. David Leyton, Prosecuting Attorney, Genesee County
- Ms. Kathy Maitland, Michigan Abolitionist Project

### **Social Media Campaign for Human Trafficking Awareness Month**

The Michigan Human Trafficking Commission engaged in social media advocacy in conjunction with human trafficking awareness month in January 2016 to heighten awareness of human trafficking in Michigan and to fulfill the statutory requirement of a statewide public awareness campaign.

The campaign included a month-long series of images and articles shared via the Attorney General's social media channels, including Twitter (@SchuetteOnDuty) and Facebook.

### **Updating the Current Website**

Currently, the [Michigan human trafficking website](#) is part of Michigan.gov/ag. There, users will find the Commission's mission; membership; public meeting notices; meeting minutes; contact information; and links to annual reports.

This subcommittee intends to work with the Department of Technology Management and Budget (DTMB) and internal staff to increase the user- friendliness of the website and include more resources for victims, advocates, and law enforcement.

“Public awareness of human trafficking is the first line of defense. Being able to identify the signs and signals of someone who is being trafficked will save lives. Human trafficking is modern slavery, and it must be stopped.”

Bill Schuette - Attorney General

## **Policy and Legislation**

Subcommittee Members:

- Mr. David Leyton, Prosecuting Attorney, Genesee County
- Chief Tom Tiderington, Plymouth Township Police Department

### **Continuing to Address Human Trafficking in State Law**

The “Protected Innocence Challenge,” an initiative run through Shared Hope International, is a comprehensive study of existing state laws on human trafficking. Each state receives an annual report card, grading the state on 41 key legislative components that must be addressed in state law to effectively respond to the crime of domestic trafficking. In 2014, Michigan lawmakers passed a package of 21 bills to crack down on human trafficking, moving the state’s grade to a “B” for the first time in the history of these reports.

Substantial improvements have been made, and the Policy and Legislation Subcommittee is committed to continue evaluating our existing policy framework to push for positive legislative change.

### **Legislation**

The Subcommittee continues to review and monitor human trafficking legislation and has developed a list of recommended legislative changes to bring before the Commission, including: 1) Providing for human trafficking victims to clear past convictions; 2) Providing a greater penalty of 15 years for sex trafficking; and 3) Permitting expert witnesses to testify at human trafficking trials.

### **Developing a Comprehensive Approach to Demand Reduction**

One of the Commission’s long-term goals is to develop a legislative approach for combating the demand that exists for these services. “Demand” refers to the desire for human trafficking—for those services which violate human rights. Demand reduction typically focuses on strategies designed to reduce sex buying. To this end, the subcommittee has discussed surveying other approaches to this issue to evaluate best practices.

## **Courts and Summit**

Subcommittee Members:

- Mr. David Leyton, Prosecuting Attorney, Genesee County
- Hon. Michelle Rick, Family Court Judge, 29th Judicial Circuit Court
- Chief Tom Tiderington, Plymouth Township Police Department.

This subcommittee was created in October, 2015, in part, to plan a conference to educate members of the law enforcement and legal communities on human trafficking. Judge Michelle Rick is the chair of the conference. The conference will be held in conjunction with the State Court Administrative Office and the subcommittee is holding regular meetings to plan the event. The target date is fall, 2016.

“Trafficking of women and children is becoming a significant revenue stream for criminal organizations. Where they would typically be selling drugs, they are now recruiting and forcing children into the sex trade. Look beneath the surface in our communities and you will find young people living through nightmares — being targeted in our streets, hotels, malls, and increasingly, over the Internet.

I am honored to be a part of the state-wide comprehensive effort to stop these criminals and rescue victims.”

Thomas J. Tiderington  
Chief of Police  
Plymouth Township

## **Conclusion and Acknowledgments**

### **Conclusion**

The first steps in the fight against human trafficking have been made in Michigan. Professionals, educators, students, and community members from around the state have joined together in these efforts. Looking to the future, the Michigan Human Trafficking Commission pledges to continue to support victims, conduct research, train front-line professionals, make recommendations to improve anti-trafficking laws, and to raise public consciousness. By doing so, we move closer to eradicating this horrible crime.

### **Acknowledgments**

The Commission thanks Chief Deputy Attorney General Carol Isaacs, Chair of the Human Trafficking Commission, for her continued steadfast leadership and oversight.

The Commission thanks the following individuals from the Department of Attorney General for their work, assistance, and support of the Commission:

- Ms. Andrea Bitely
- Ms. Michelle Brya
- Ms. Deb Carley
- Ms. Kelly Carter

- Mr. David Dwyre
- Ms. Kelsey Friberg
- Ms. Molly Jason
- Mr. John Lazet
- Mr. Tom Marks
- Ms. Laura Moody
- Mr. John Pallas
- Mr. Daniel Sonneveldt
- Ms. Barb Teszlewicz