

2019 HOUSE JUDICIARY

HB 1541

2019 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

HB 1541
2/5/2019
32188

- Subcommittee
 Conference Committee

Committee Clerk: DeLores D. Shimek

Explanation or reason for introduction of bill/resolution:

Relating to presentations by the human trafficking commission.

Minutes:

1,2,3,4

Chairman Koppelman: Opened the meeting on HB 1541.

Rep. Buffalo: Introduced the bill. (Attachment #1) Read testimony. (:35-2:40)

Vice Chairman Karls: Is there a conference held now that regards human trafficking awareness and prevention? Why wouldn't they have the human trafficking commission there now?

Rep. Buffalo: Throughout this process and researching the best practices in reaching our educators and administrators we first started looking into whether the Human Trafficking Commission could provide this training in the class room. Within the school system there is currently an allotted number of non-paid days and professional development days so it was challenging to find a way to reach them. This bill would provide a solution to that where educators and administrators were expected to attend so they would present it annually at an educational conference where they are expected to attend.

Vice Chairman Karls: Were you thinking the teacher's convention or school administrator's convention?

Rep. Buffalo: Yes when visiting with the Superintendent of Public Instruction there is support for this bill and having the Human Trafficking commission present one at their annual joint conferences.

Chairman K. Koppelman: You are referring to teacher's conferences now.

Rep. Paur: Can't the trafficking commission do that now?

Rep. Buffalo: Yes I believe so. This would make sure that it was in code. This is a very important topic.

Chairman K. Koppelman: You mentioned that teacher's convention is in transition. How many folks do you expect to be reached by this?

Rep. Buffalo: The DPI office said this would work and they are in full support of having the Human Trafficking present at an annual conference.

Chairman K. Koppelman: The language says shall; not a may. Is there a receptacle requirement forcing such a gather to schedule or allow this kind of presentation?

Christina Sambor, Youthworks: (Attachment #2) Went over the testimony. We are supportive making sure the leaders are kept aware of the problem of human trafficking. Our state numbers reflect about a quarter of the identified victims that we serve are minors. Homelessness for youth in ND is a lot bigger problem than people think. We have 400 youth in the area at risk. Our agency should be asked by the commission to do this and we would be more than happy to do it. We want to make for sure if there is a mandate it is reciprocal. This is an important topic to make sure we keep on an annual basis to be sure any new administrator's or employees are aware of the nature of the issue in ND.

Chairman K. Koppelman: Do you see Youthworks the primary educational entity on human trafficking in ND or is that the commissions job or is that a joint responsibility.

Christina Sambor: We did clarify last session Human Trafficking task force took over the training. Youthworks has the task to manage training. We do a lot of engagement with schools.

Rep. McWilliams: Do we have about 21-22 human trafficking cases in ND per year?

Christina Sambor: We track data on both criminal investigations and then data on victim's services cases where we work with the victim and those numbers are different.

Rep. McWilliams: How are we doing in ND versus the country? I was taking my figures from Rep. Buffalo's testimony.

Christina Sambor: Trafficking data has not been collected very long in the state. Our data shows around 80-90 victims per year that are identified. There is usually a carryover of about a third to half of those victims. Nationally those statistics are about 26% of the victims are minors and we see about the same percentage here. It tends to be people who are in their early 20s so when we are working with folks in the state it is young people. This exploitation typically begins in adolescence and volatility.

Chairman K. Koppelman: Essentially this bill requires the commission to make this presentation to the educational communities. Do we need a law?

Christina Sambor: I think it is necessary to make sure that whatever the delivery vehicle and everyone working in the educational field is working and aware of human trafficking as it actually looks like in their schools.

Chairman K. Koppelman: If it were more general? It could just simply be an expansion or clarification of part of the mission of the commission to say education is a piece of that. I feel disconnected.

Christina Sambor: The Commission is what is in statute. Putting it in statute is the way to make sure something happens. Then the commission works in conjunction with the task force and non-profit.

Chairman K. Koppelman: This bill would employ your organization to do this?

Christina Sambor: I believe that is correct. It would go on to the non-profit to do a lot of this work.

Chairman K. Koppelman: Is that something you would do as part of your mission or is that something where there is a fee structure where they would pay you to go out and do on the commissions behalf?

Christina Sambor: We request funding to do this work and we receive some federal support as well. That money is well used and this is part of that mission to educate the state.

Chairman K. Koppelman: Is that part of your mission?

Christina Sambor: It varies on funding source. Some of the state money goes toward staff positions. When it is specific services those are fees for service basis reimbursed primarily by federal funds.

Stacy Schaffer, Founder and Director of the 31:8 Project: (Attachment #3) Read testimony.

Mark Jorritsma: Executive Director of Family Policy Alliance of ND: (Attachment #4) Read Testimony. (24:56- 27:51)

Opposition: None

Neutral: None

Ann Ellefson, Dept. of Public Instruction: Just here to answer questions.

Vice Chairman Karls: I just became aware we no longer have teacher conventions in ND? Do they exist yet and would there be a platform for this bill?

Ann Ellefson: My understanding of the teacher's convention and I attended that convention. I believe it changed when NDEA was merged with NE United and it became a bigger organization. ND United does not offer training during the two days off currently; however, during those times that are off there is a large conference that is held through NDCL and they do not offer training. Now we focus on all educators including pre-k and leaders and administrators. That is not held any longer, but there is a venue in October where we do have

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that training and I do believe we would welcome the trafficking topic as one of our sessions. Our attendance various from 500 to 900 educators.

Hearing closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

HB1541
2/11/2019
32516

- Subcommittee
 Conference Committee

Committee Clerk: DeLores D. Shimek

Explanation or reason for introduction of bill/resolution:

Relating to presentations by the human trafficking commission.

Minutes:

1

Chairman Koppelman: Opened the meeting on HB 1541.

Rep. Buffalo: (Attachment #1) Went over the proposed amendment.

Chairman K. Koppelman: What is the effect of this Rep. Buffalo?

Rep. Buffalo: This would still add language to statute that would ask the human trafficking commission to provide information to educators and teachers.

Chairman K. Koppelman: Now it would read to provide information to teachers and administrators in this state in regard to human trafficking so it is much more general.

Motion Made to Move an Amendment 19.0751.04001 by Rep. Buffalo; Seconded by Rep. Vetter

Discussion:

Rep. McWilliams: I went over the numbers on human trafficking and in ND youth are 30 times less likely to be trafficked in the state than the national average. I don't think this is not a problem, but maybe there are bigger problems to focus on.

Rep. Buffalo: Going back and targeting our youth we have a more successful outcome even seven generations down the line.

Rep. McWilliams: It is hard to quantify.

Rep. Paur: I will support the proposed amendment; but will resist the bill. Two sessions ago we started this commission and gave them directive to outreach and determine the best path and we are funding them quite well; I think we are second guessing them. I think we should go to the commission with it because they are the ones studying this issue.

Chairman K. Koppelman: The human trafficking started two sessions ago. ND reacted like a lot of republican states did.

Rep. Paur: You said the trafficking commission requested this? They can't do it now?

Chairman K. Koppelman: The Human Trafficking commission and now this new organization is with Youthworks now. They look at their duties under law in the current statute and they want to add this to present it to educators.

Voice Vote Carried

Do Pass as Amended by Rep. Vetter; Seconded by Rep. Satrom

Roll Call Vote: Yes 7 No 7 Absent 0 Motion Failed

Chairman K. Koppelman: We could try a do pass motion or send it out without committee recommendation.

**Motion Made to send the bill out without recommendation as amended by Rep. McWilliams
Seconded by Rep. Satrom**

Roll Call Vote: Yes 12 No 2 Absent 0. Carrier: Chairman K. Koppelman:

Closed.

DA 2/11/19

19.0751.04001
Title.05000

Prepared by the Legislative Council staff for
Representative Buffalo
February 5, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1541

Page 2, line 1, replace "Present annually at a professional development conference directed toward all" with "Provide information to"

Page 2, line 2, remove "all"

Page 2, line 2, remove ", which is hosted by educational organizations"

Page 2, line 3, remove the underscored comma

Renumber accordingly

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. ^{HB} 1541**

House Judiciary Committee

Subcommittee

Amendment LC# or Description: 19.0751.04001

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar

Other Actions: Reconsider _____

Motion Made By Rep Buffalo Seconded By Rep Vetter

Representatives	Yes	No	Representatives	Yes	No
Chairman Koppelman			Rep. Buffalo		
Vice Chairman Karls			Rep. Karla Rose Hanson		
Rep. Becker					
Rep. Terry Jones					
Rep. Magrum					
Rep. McWilliams					
Rep. B. Paulson					
Rep. Paur					
Rep. Roers Jones					
Rep. Satrom					
Rep. Simons					
Rep. Vetter					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Vote carried

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES ^{HB}
 BILL/RESOLUTION NO. 1541**

House Judiciary Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Vetter Seconded By Rep. Satrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Koppelman	✓		Rep. Buffalo	✓	
Vice Chairman Karls	✓		Rep. Karla Rose Hanson	✓	
Rep. Becker		✓			
Rep. Terry Jones		✓			
Rep. Magrum		✓			
Rep. McWilliams		✓			
Rep. B. Paulson		✓			
Rep. Paur		✓			
Rep. Roers Jones	✓				
Rep. Satrom	✓				
Rep. Simons		✓			
Rep. Vetter	✓				

Total (Yes) 7 No 7

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Failed

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1541**

House Judiciary Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By McWilliams Seconded By Satrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Koppelman	✓		Rep. Buffalo	✓	
Vice Chairman Karls	✓		Rep. Karla Rose Hanson	✓	
Rep. Becker	✓				
Rep. Terry Jones	✓				
Rep. Magrum		✓			
Rep. McWilliams	✓				
Rep. B. Paulson	✓				
Rep. Paur	✓				
Rep. Roers Jones	✓				
Rep. Satrom	✓				
Rep. Simons	✓				
Rep. Vetter		✓			

Total (Yes) 12 No 2

Absent 0

Floor Assignment Rep. Koppelman

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1541: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1541 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "Present annually at a professional development conference directed toward all" with "Provide information to"

Page 2, line 2, remove "all"

Page 2, line 2, remove ", which is hosted by educational organizations"

Page 2, line 3, remove the underscored comma

Renumber accordingly

2019 SENATE JUDICIARY

HB 1541

2019 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

HB 1541
3/19/2019
#33913 (35:28)

- Subcommittee
 Conference Committee

Committee Clerk: Meghan Pegel / Marne Johnson

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact section 54-12-33 of the North Dakota Century Code, relating to presentations by the human trafficking commission.

Minutes:

4 Attachments

Chair Larson opens the hearing on HB 1541.

Ruth Buffalo, District 27 Representative, testifies in favor (see attachment #1 for testimony and Polaris information) (0:45-4:50)

Chair Larson: When we spoke about this earlier, and I asked if this would be during their teacher's convention training, you said you thought it could be accomplished that way.

Representative Buffalo: Yes, that was the original intent of this bill. The original bill was to get into the schools and provide training. After visiting with different key stakeholders regarding a one-time mandatory teacher convention, that language seeks to accomplish just that.

Senator Bakke: There no longer is a state-wide mandatory teacher's convention, the legislature took it away. Will you do it by regions or districts? Who will provide and plan this training?

Representative Buffalo: Based on conversations with key stakeholders, like the Department of Public Instruction superintendent and other educational entities such as North Dakota United, they're in support of this bill and they are working on putting a mechanism in place to provide a broader network of educational organizations.

Senator Bakke: Is this mandatory training? It just says provide information.

Representative Buffalo: Yes, that version of providing information to teachers and administrators in the state regarding human trafficking awareness and prevention will be

provided by the human trafficking commission, this is the amended version. Originally, the intent was to have the human trafficking commission present at an educational conference. This educational conference would be mandatory for educators to attend each year.

Vice Chairman Dwyer: Could you elaborate on the House discussion? What you've presented as the way you would like it has changed to the way we have it now.

Representative Buffalo: The main concern in the House Judiciary committee was where and when. This amended version, 'provide information to teachers and educators in the state regarding human trafficking and awareness and prevention' was the safest understanding since there is not a current existing educational conference at this time.

Vice Chairman Dwyer: Could you accomplish what you want to accomplish with the original bill or the way we have it before us?

Representative Buffalo: I believe the original language would accomplish the goal long-term. Currently as stated, may have unintended consequences because of the broadness of it, and there is no vehicle to support this endeavor according to our key stakeholders who will be speaking next.

Senator Myrdal: It says that 'the human trafficking commission shall,' they are the ones that provide this information. I want to make sure it's not just a leaflet that gets thrown in the basket of the superintendent. This is important to get this information out. I'm not sure if this language is strong enough.

Senator Bakke: I like this idea. The one concern I have is that we can train teachers today and 5 years down the road, there are a whole group of teachers who aren't trained. Is this training yearly? How often do you envision this training being done?

Representative Buffalo: My understanding is that there would be a new educational organization conference, all the different organizations across our state will be partners in collaborating a new annual conference. My understanding is that the human trafficking commission will meet teachers annually.

(12:00) Kristen Baesler, State Superintendent, North Dakota Department of Public Instruction, testifies in favor

Superintendent Baesler: The agency has worked with the Attorney General's Office; I know they will be testifying as well. We did prefer the original language; agencies like very clear, distinct direction about what we are supposed to do. The original language said that BCI and the Attorney General's Office would work with the DPI to offer annual training to our teachers. To clear up some questions, the teacher's association previously held an annual conference. The legislation was changed and that conference went away. For 29 years, North Dakota DPI has held an annual conference every October that is a week prior to what used to be the North Dakota Teacher's Convention, but is now the North Dakota Administrators Convention. Consistently the DPI partners with multiple agencies that provide a 2-day conference that begins Wednesday night every year. We felt this would be a very appropriate conference for us to have the opportunity to partner with the Attorney General's Office and provide that

information to our teachers at that point in time. It is not a mandatory conference, but we have about 1000 registries that attend every year, along with principals, specialists, teachers, their superintendents. It's administrators, building-level leaders, and teachers that attend this conference together. Most often school leaders rotate their teachers through, because school is held on those days, they do a rotation basis, once every two to four years, the majority of their staff can attend. That is the mechanism that we would prefer to use to establish this. When Representative Buffalo first began chatting with us, the original bill draft was for mandatory training for all of our school districts. As you all know, there gets to be a multitude of professional development that is required of teachers during those in-staff days. The list goes on and on, but suddenly those teachers aren't using those days to learn how to become better instructors. So we felt this was a good way to partner with the human trafficking commission to reach a large number of teachers and educational leaders annually so there would be a consistent delivery. The language you have before you kind of gets to that point, but when the legislature leaves town, it leaves agencies trying to figure out how to do that, and becomes less clear for us. We prefer clear, direct language about what we are supposed to be doing, how often, and who we are supposed to be doing it with.

Senator Myrdal: I agree; the language is vague. Do you have any suggestion as to language to accomplish what you are talking about?

Superintendent Baesler: I do prefer the original language that said that the human trafficking commission would present information at a conference sponsored by DPI annually.

Senator Bakke: In the past, when North Dakota United had their conference, we would have upwards of 5000 teachers, two days of no school, and we continue to not have those two days of school. The legislature took those two days of professional development away from teachers. I would like to see those days come back, so that teachers have a full two days, and not just a select few get this information. You would have a conference where there would be training and speakers on this. Are you comfortable with looking at reinstating that teacher's convention?

Superintendent Baesler: There were two bills that had addressed that issue; they both failed. I would be very supportive. The challenge was the legislature said those two days could still be held, but they would no longer be paid contact days that would receive foundation aid from the state. Previously the law stated that either the teachers needed to attend the conference or they needed to be working in their schools. Those two days were eliminated and those days were removed from the calendar. The law states that school boards may not schedule school on those two calendar days. As we are moving through conference committee, the administrator's association came in and said we hold our conference on those same two days. Administrators are having conference on those two held days in Bismarck. It's a bit different; those administrators are paid for those days and their travel and conference fees are paid. Unfortunately, we are in the position, the DPI has considered moving our conference days to those two days off. It's a complex situation, if we did, we believe we would not be prudent users of state dollars, we run our conference using state dollars, those teachers would be forced to make a decision about those 2 days off, most of them have children, do they pay for daycare to care for their children, while they pay for their travel, registration, hotel and meals to travel to Bismarck for a conference on which they aren't contracted. Completely different situation than our administrators, who are under

contract, and are being reimbursed. We feel that although we would like to have all our teachers in one at the same time, it's a lot to ask of them and we can't risk the state dollars that we're using to put on a statewide conference on days that aren't contracted.

Senator Bakke: Teachers always paid for their way, they came. It's nothing new to teachers. I would like to see that. We would have to reinstate those days. Wouldn't it shorten that year then, if they made those paid days?

Superintendent Baesler: There's multiple ways to do it. Originally the schools received state foundation aid, so those 2 days were part of the teacher's contract. When those two days were moved, the school districts were given those same two professional days to do what they chose to do with those two days. I would be favor to reinstate those two days so we could gather our teachers.

Vice Chairman Dwyer: How many teachers are there in North Dakota?

Superintendent Baesler: There are approximately 11,000 teachers employed in North Dakota. We have 111,000 students, and about 1000 administrators.

Senator Luick: Are there any other changes?

Superintendent Baesler: Not to my knowledge.

Senator Luick: Do we know why they changed this?

Superintendent Baesler: I'm not sure. In education committees, local control, there is a sense that the least prescriptive is the better of the two. Speaking as a state agency leader, and needing to implement what the intent of the legislature is, I prefer specifics and details.

Vice Chairman Dwyer: Both the 04000 and 05000, neither one specifies what the information is. The only difference is one specifies an annual conference, but neither one specify what is provided.

Superintendent Baesler: I believe that is a good thing as we move forward in learning more about this. The human trafficking commission will become more knowledgeable, more research based. We would hate to be prescriptive at this time.

Senator Myrdal: The original language doesn't take away local control per say. We do much more invasive things than this. Are there superintendents that would object to their teachers and students having information?

Superintendent Baesler: I don't believe so, I do believe it's a sentiment of the House to make it as open as possible. But I am speculating, I can't speak for them. I would say that this provides more local control for those local school districts and their boards to determine what they want to do with their two days of professional development. This is an opportunity to meet those needs at a state level.

(24:05) Christina Sambor, Youthworks, testifies in favor (see attachment #2)

Sambor: I'll just address a handful of things. First Youthworks would support restoration of the original language. I think it does a nice job of balancing not being specific, and not saying DPI and this conference, but saying a conference hosted by a statewide agency, attended by administrators and teachers. To the question about content, this is in the human trafficking commission, which is part of the human trafficking task force; a network of nonprofit agencies and state agencies. They are the folks on the ground training. Youthworks has provided training over the last three years to over 9000 professionals. This is training from people on the ground, doing casework, coordinating in communities to the point about local control, the basis of our navigator program, our nine multidisciplinary teams that meet around the state, their local protocols are developed by the communities in which they work. These are the people that are providing the training. I think the amended language has the problem of being both too broad, which can lead to handing out a pamphlet, or a mandate that our agency would not be able to execute, which is to provide information to every educator in the state. We work hard, and do partner with a lot of local schools, and we do get asked to come into schools and provide information. The original language does a nice job of honing in on what we're saying, which is: annually, when we get as many educators and administrators together as we do, let's put this topic on the table, that's what the original language sought to do. Being from the agency that has done the education on trafficking, we would prefer the original language, we think it get the topic on educator's radars, on an annual basis. A quarter of the people we serve in the state - roughly 322 victims since the inception of the task force - are minors. We need to make sure the education system is aware, and is talking to people who work with trafficked youth in the state. To the point about content, I think the fact that this is in the commission language helps effectuate that.

(27:30) Cara Curry Hall, testifies in favor

C. Hall: I'm here standing as a mother; I have a 15-year-old daughter in school. I want your support for this to be very intentional, to not just pose questions, but find solutions, and be really aggressive in stopping and preventing it. There are two situations that my daughter was faced with when she was 13-years-old. She loaned her phone to somebody. Someone was sexting with a 13-year-old girl; information we gave over to the high school. But there was a boy pressuring a little girl, a baby, twelve years old, to have sex with him on the telephone, and that leads to and comes from an attitude of human trafficking. Forcing little kids into this situation.

The National Prayer Breakfast in Washington, where they launched a new initiative called "end it," the reference is slavery. Human trafficking is slavery. One is too many, and it's an opportunity for North Dakota to take remediation from the word. I've said before I a different context, 'as goes North Dakota, so goes the nation.' What we do here can impact the nation. It can stop it today. There can be severe consequences, and there needs to be, in the name of protecting our kids. I say that as a mother who worries every day, is my daughter going to be safe? Our community is changing the curriculum. My question is, as a parent and as an individual, how do we choose what is important to discuss? When our children and people are being trafficked, that's what we need to discuss, we need to alter and shift to the current discussion, so we become relevant and that we have an opportunity

to stop and prevent these things from happening. I speak in support of the original bill, strengthen it, that it will have impact today.

(30:45) Ken Hall, lobbyist, Three Affiliated Tribes, and former Councilman, testifies in favor

K. Hall: I fully support this initiative. As a council member in the biggest oil play in the country, the Bakken oil play, we were right in the middle of all of the action. One of the things that came forward, we have a councilwoman who has this topic dear to her heart, because she saw a lot. The women would come to her, and share stories. She had passed away in a traffic accident. It's a human trafficking law in our criminal code. From that, Carl Fredricks, one of my relatives at the Colorado School of Law, they had their staff do some research and investigating, and came up with a white paper on human trafficking. It is public, it can be a guide for education, for training. One of the things I think we need to engage is the oil companies, because they have a corporate social responsibility, when they come to our land and our state. We all need to be educated when it comes to this issue. We are parents, grandparents, aunts and uncles. This is close to everybody's heart. It should be very firm and taken very seriously. We do have a daughter and she faces a lot of things with social media. There's things we can address when it comes to social media as well. It's a multipronged strategy.

(33:50) Stacy Schaffer, Executive Director and Founder of 31:8 Project, testifies in favor (see attachment #3)

Schaffer: We work in the state to provide educational opportunities in regards to combating human trafficking. We have seen over the past couple of years in the work that we do for education for schools; we have started to see a difference in people proactively starting to recognize and identify situations involving human trafficking. I know if we can reach more teachers and educators across the state, we will continue to see a greater impact.

Tracy Wilke, stood in favor

Chair Larson closes the hearing on HB 1541.

Further testimony in support was provided to the committee (see attachment #4).

2019 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

HB 1541
3/19/2019
#33920 (06:31)

- Subcommittee
 Conference Committee

Committee Clerk: Meghan Pegel / Marne Johnson

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact section 54-12-33 of the North Dakota Century Code, relating to presentations by the human trafficking commission.

Minutes:

No Attachments

Chair Larson begins discussion on HB 1541.

Senator Myrdal: I would like to go back to the original language on this. It isn't a mandatory thing, because it says to provide possibly to all teachers, I think the way it was amended down is lipstick.

Chair Larson: So you are amending this bill to its original language?

Senator Myrdal: Yes. **Moves to amend to original language.**

Vice Chairman Dwyer: Seconds.

Vice Chairman Dwyer: I don't like the first version either. It says 'present annually,' that's good, 'at a professional development conference directed towards all teachers.' But I went the conference they, have, only 200 teachers come. They just don't go. What the schools have gone to is five professional days, if we wanted to strengthen it, I would say we should say something like, 'provide information and training annually to all school districts, teachers and administrators in the state in conjunction with other organizations including Youthworks, Project 31:8 and so forth, regarding human trafficking awareness and prevention. Because the human trafficking commission is very small in terms of staff, and if they are going to be called on to present, they aren't going to get it done, they don't have the manpower. If we do want to fix it, we should fix it better.

Senator Bakke: The conference that they're referring to is when schools on. You can't have a lot of teachers going, most teachers aren't able to go, because you can only have a certain percentage of your staff out of the building at a certain time. When we had the statewide

conference, teachers had to attend, because they were being paid, or they had to be working in their building. The training either has to be during one of their staff development days, which are sometimes planned by their district years in advance, so they can bring it good people, or you need to reinstate those conference days, and make them paid days like they were in the past. I wanted to do some amendments and find something, if I do that I can run it by Senator Dwyer.

Chair Larson: I felt like we could do this because all of the testimony we heard said the original language is what they wanted.

Senator Myrdal: The concern with the language that Senator Dwyer presented is that exactly, that the human trafficking commission is small. If we mandate this, they're not going to be able to go to every school district and do that. Then we are leaving it hanging out there for anyone. In order to get it passed, it's wise to restore it. We can apply that and her group would be able to meet that mandate. Ms. Baesler stated that superintendents try to circle their teachers into that. That's one of the reasons we lost those two days, is that teachers didn't go. I would suggest that we go back to the original, in order to get this bill passed.

Vice Chairman Dwyer: The testimony preferred it as it was introduced, but it's inoperable because there is no professional development conference, there is nothing to present annually. We may want to get into a conference committee, but if we're just going to do that, in my mind we should come up with something that we think will happen. The reason they quit going is because they quit getting paid. The 5 professional development days that schools have to have, could have this training and it doesn't have to be presented by human trafficking commission, it could be presented by Youthworks, that's who does it currently. If we included that, we would have something that would happen. We should do better than just the House amendments.

Chair Larson: Are we ready to take action?

Senator Bakke: I would rather wait and have more discussion.

Senator Myrdal: **Withdraws Motion to amend.**

Chair Larson ends the discussion on HB 1541.

2019 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

HB 1541
3/25/2019
#34200 (04:22)

- Subcommittee
 Conference Committee

Committee Clerk: Meghan Pegel

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact section 54-12-33 of the North Dakota Century Code, relating to presentations by the human trafficking commission.

Minutes:

No Attachments

Chair Larson begins discussion on HB 1541.

Chair Larson: Representative Buffalo had wanted it to be turned back to the original language.

Senator Bakke: This is just saying information goes to teachers and administrators regarding human trafficking awareness and prevention. That's the bill right? What was in the original one?

Chair Larson: It had initially said, "present annually at a professional development conference directed toward all teachers and administrators which is hosted by educational organizations in the state regarding human trafficking awareness and prevention". That's what the original language said. Then it was changed to information.

Senator Myrdal: I visited with DPI and she agreed with returning it to the original language.

Chair Larson: There was just that one question to change page 2 back to its original language.

Senator Myrdal: Motions to restore the bill back to its original form in the .04000 version.

Vice Chairman Dwyer: Seconds.

A Roll Call Vote was Taken: 5 yeas, 0 nays, 0 absent. Motion carries.

Senator Luick: Motions for a Do Pass as Amended.

Senate Judiciary Committee

HB 1541

3/25/2019

Page 2

Senator Myrdal: Seconds.

A Roll Call Vote was Taken: 5 yeas, 0 nays, 0 absent. Motion carries.

Senator Myrdal will carry the bill.

March 25, 2019

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100
3/2

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1541

Page 2, line 1, replace "Provide information to" with "Present annually at a professional development conference directed toward all"

Page 2, line 1, after "and" insert "all"

Page 2, line 1, after "administrators" insert "which is hosted by educational organizations"

Page 2, line 1, after "state" insert an underscored comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1541, as engrossed: Judiciary Committee (Sen. D. Larson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1541 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "Provide information to" with "Present annually at a professional development conference directed toward all"

Page 2, line 1, after "and" insert "all"

Page 2, line 1, after "administrators" insert "which is hosted by educational organizations"

Page 2, line 1, after "state" insert an underscored comma

Renumber accordingly

2019 CONFERENCE COMMITTEE

HB 1541

2019 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

HB 1541
4/10/2019
34644

Subcommittee
 Conference Committee

Committee Clerk: DeLores D. Shimek

Explanation or reason for introduction of bill/resolution:

Relating to presentations by the human trafficking commission.

Minutes:

1,2

Roll Call: Rep. Paulson, Rep. Karls, Rep. Vetter; Senator Luick, Senator Myrdal, Senator Bakke

Rep. Bob Paulson: Read through the Senate transcript. Presented proposed amendment 19.0751.05003. (Attachment #1)

Senator Myrdal: We are going off the 50001 version?

Rep. Bob Paulson: What he did preparing this was the House version that went to the Senate. That is the reason I did this written sheet to read. (Attachment #2)

Rep. Karls: We liked this bill on the House side, except that it named the teachers convention, which we no longer have. So we were looking for wording to put it into some vehicle to be presented.

Rep. Bob Paulson: DPI did say that they plan to move towards one in the 2021 school year. The money was taken away from that so there are some challenges.

Senator Bakke: The administrators continue to have a conference at the time that the teachers use to have it. I think the intent was that it could be presented at that conference; assuming that the administrators would go back with it. I agree with you. Unless you are really getting to the source of who is going to provide the information I think it would be better to train some counselor or some social workers and have them go back and train their individual staffs; otherwise you will not get to everybody.

Rep. Bob Paulson: Reading through the Senate transcript; if Superintendent Baesler is saying they like clear direction and what are they supposed to do; that is why included in the

amendment is in accordance with the Superintendent of Public Instruction because that gives clear guidance.

Senator Myrdal: Have you ran this by DPI? I think it meets the objective of what we had in our committee. Our concern was the original language could have just had somebody hand out pamphlets and we wanted more than that. I appreciate this because this gives DPI the direction that they need.

Rep. Bob Paulson: Yes the concept; not the specific amendment.

Motion Made that the Senate recede from the Senate amendments and amend as follows by Sen. Luick; Seconded by Senator Bakke

Roll Call Vote: 6 Yes 0 No 0 Absent

Closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

HB 1541
4/22/2019
34917

- Subcommittee
 Conference Committee

Committee Clerk: DeLores D. Shimek

Explanation or reason for introduction of bill/resolution:

Relating to presentations by the human trafficking commission.

Minutes:

1

Members present: Rep. Bob Paulson, Chairman, Rep. Karls, Rep. Vetter; Senator Luick, Senator Myrdal, Senator Bakke.

Rep. Bob Paulson opened the conference committee hearing on HB 1541.

Senator Luick: (Attachment #1) Proposed amendment .05005. I would like to have Kristen Baesler to go over the amendment.

Kirsten Baesler, State School Superintendent of ND Dept. of Public Instruction: Went over the proposed amendment. Just needed to make some changes to reflect the language to match the intent. There are a multitude of conferences that are hoisted by school board associations, counsel of educational leaders; which is our administrators and our principal's organization and there is the counselor's association that has annual meetings. Why it was important to say education organizations in the state or by the Dept. of Public Instruction is if you would have left it at educational organization. We are technically not an organization; we are a state agency. It asked two of your state agencies to work together; coordinate annually to provide information to educators.

Senator Myrdal: Having worked on this I think it meets the intent. The original version was weaker than what the amendment is now and I think the clarification from Ms. Baesler is helpful between the two agencies. The reason the Senate made changes in the first place we felt it was too weak. It was handing out pamphlets to a school and I appreciate Senator Lucik's attention to this amendment.

Rep. Karls: I watched the debate on your floor and I noticed Senator Lee was quite insistent that there is a provision for this in the Dept. of Human Services budget in every school?

Senator Myrdal: I respectfully disagreed with her on the floor. I think what she is looking at is the aftermath or the mental health issues in the aftermath. This deals with prevention. What she was talking about had absolutely nothing to do with this bill.

Senator Bakke: I think Senator Lee just wanted to be sure this bill didn't fail. That might have been some of the motivation.

Senator Luick: I believe she voted against it? I have to commend Senator Myrdal on her efforts on the floor. This is an awareness and preventive attempt rather than after the fact. I believe that outweighs any of the aftermath trails that we can possibly do. I don't know why we wouldn't. It was astounding to me that it went the way it did. I believe now the way we have it today this is going to be a better bill yet. Putting cards on a bulletin board is not going to work here. You have to physically confront the kids and staff and actually get right into their faces if necessary to say that this is how important this is.

Rep. Vetter: On the floor debate wasn't there another concern about giving teachers something else to do?

Senator Bakke: I made that comment. This isn't something that is being assigned to teachers. It could go through councilors, which would be a perfect place for that to go through or the social workers or health class; or anywhere. It doesn't have to fall into the lap of a teacher.

Senator Myrdal: Often any group of certain ones felt it was a mandate. Some of our education senators felt it was a mandate. I don't think we fully understand the severity of sex trafficking that is actually present. I think now those senators on the floor have been talked to and are agreeable.

Senator Myrdal: Motion Senate recede from Senate amendments and amend as follows 19.0751.05005.

Senator Luick: Second

Roll Call Vote: 6 Yes 0 No 0 Absent Carriers: Rep. Paulson, Senator Myrdal.

Adjourned.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1541

That the Senate recede from its amendments as printed on page 1377 of the House Journal and page 1096 of the Senate Journal and that Engrossed House Bill No. 1541 be amended as follows:

Page 2, line 1, replace "Provide" with "In coordination with the superintendent of public instruction, provide"

Page 2, line 1, after "information" insert "and training annually"

Page 2, line 1, after "to" insert "all school district personnel,"

Page 2, line 1, after "teachers" insert an underscored comma

Page 2, line 2, after "prevention" insert ". To reach as many teachers, administrators, and staff members as possible, the training must be provided at professional development conferences, professional development days, and other appropriate events"

Renumber accordingly

April 22, 2019

DL 4/22/19
let

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1541

That the Senate recede from its amendments as printed on page 1377 of the House Journal and page 1096 of the Senate Journal and that Engrossed House Bill No. 1541 be amended as follows:

Page 1, line 16, overstrike "public"

Page 1, line 16, after "awareness" insert "and provide information to education personnel and the general public"

Page 2, line 1, remove "Provide information to teachers and administrators in this state regarding human"

Page 2, line 2, replace "trafficking awareness and prevention" with "Present annually regarding human trafficking awareness and prevention at professional development conferences directed toward teachers, administrators, and support staff which are hosted by educational organizations in this state or by the department of public instruction"

Renumber accordingly

**2019 HOUSE CONFERENCE COMMITTEE
 ROLL CALL VOTES**

HB 1541 as (re) engrossed

House Judiciary Committee

- Action Taken**
- HOUSE accede to Senate Amendments
 - HOUSE accede to Senate Amendments and further amend
 - SENATE recede from Senate amendments
 - SENATE recede from Senate amendments and amend as follows**
 - Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Senator Luick Seconded by: Senator Bakke

Representatives	4/10			Yes	No	Senators	4/10			Yes	No
Rep. Bob Paulson-Chair	X			X		Senator Luick, Chairman	X			X	
Rep. Karls	X			X		Senator Myrdal	X			X	
Rep. Vetter	X			X		Senator Bakke	X			X	
Total Rep. Vote						Total Senate Vote					

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Rep. Paulson Senate Carrier Senator Luick

LC Number 19.0751 . 05003 of amendment

LC Number _____ . 07000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Insert LC: 19.0751.05003
House Carrier: Paulson
Senate Carrier: Luick

REPORT OF CONFERENCE COMMITTEE

HB 1541, as engrossed: Your conference committee (Sens. Luick, Myrdal, Bakke and Reps. Paulson, Karls, Vetter) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1377, adopt amendments as follows, and place HB 1541 on the Seventh order:

That the Senate recede from its amendments as printed on page 1377 of the House Journal and page 1096 of the Senate Journal and that Engrossed House Bill No. 1541 be amended as follows:

Page 2, line 1, replace "Provide" with "In coordination with the superintendent of public instruction, provide"

Page 2, line 1, after "information" insert "and training annually"

Page 2, line 1, after "to" insert "all school district personnel,"

Page 2, line 1, after "teachers" insert an underscored comma

Page 2, line 2, after "prevention" insert ". To reach as many teachers, administrators, and staff members as possible, the training must be provided at professional development conferences, professional development days, and other appropriate events"

Renumber accordingly

Engrossed HB 1541 was placed on the Seventh order of business on the calendar.

Insert LC: 19.0751.05005
House Carrier: Paulson
Senate Carrier: Myrdal

REPORT OF CONFERENCE COMMITTEE

HB 1541, as engrossed: Your conference committee (Sens. Luick, Myrdal, Bakke and Reps. Paulson, Karls, Vetter) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1377, adopt amendments as follows, and place HB 1541 on the Seventh order:

That the Senate recede from its amendments as printed on page 1377 of the House Journal and page 1096 of the Senate Journal and that Engrossed House Bill No. 1541 be amended as follows:

Page 1, line 16, overstrike "public"

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Page 2, line 1, remove "Provide information to teachers and administrators in this state regarding human"

Page 2, line 2, replace "trafficking awareness and prevention" with "Present annually regarding human trafficking awareness and prevention at professional development conferences directed toward teachers, administrators, and support staff which are hosted by educational organizations in this state or by the department of public instruction"

Renumber accordingly

Engrossed HB 1541 was placed on the Seventh order of business on the calendar.

2019 TESTIMONY

HB 1541

FF1
HB1541
2-5-19
P.1

House Bill 1541

Testimony

Representative Ruth Buffalo

District 27

Mr. Chairman and members of the House Judiciary Committee, I'm honored to stand before you to introduce House Bill 1541. House Bill 1541 is relating to presentations by the human trafficking commission.

This bill calls for the human trafficking commission to present annually at a professional development conference directed toward all teachers and all administrators, which is hosted by educational organizations in this state, regarding human trafficking awareness and prevention.

It's important we take a proactive and preventative approach in protecting our youth. This bill ensures our educators and administrators will be equipped with knowledge to recognize signs of human trafficking and to educate our youth on staying safe.

According to the Polaris Project (<https://polarisproject.org/initiatives/children-youth>):

- 26% of the world's trafficking victims are children. (source: International Labour Organization)
- 1 in 6 U.S. runaways in 2014 were likely victims of child sex trafficking. (source: National Center for Missing and Exploited Children)
- 978 allegations of human trafficking were made in Florida's child welfare system in 2014. (source: Florida Dept. of Children and Families)
- 300,000 children in the US are trafficked annually (source: Arc of Hope for Children)

According to the North Dakota Human Trafficking Task Force, between January 1, 2016 through September 30, 2018, of the number of human trafficking victims served 59 were youth.

This bill will add an additional tool in the tool box for our educators and administrators by creating awareness or enhancing their knowledge to recognize signs of human trafficking.

This bill will contribute to a comprehensive community approach in supporting our youth and families. Educators and administrators will be able to provide youth with safety planning tips, resources about trafficking, and information on how to get help for themselves or others in abusive or exploitive situations.

I thank you for the opportunity to stand before you to introduce and discuss a bill that would help keep our communities safe through education and prevention. North Dakota deserves safe communities. Please consider a do pass recommendation to strengthen and support our communities, families, and individuals.

HB1541
2-5-19
P. 2



ABOUT THE NORTH DAKOTA HUMAN TRAFFICKING TASK FORCE

Since 2015, the Attorney General and the Human Trafficking Commission have been working closely with the North Dakota Human Trafficking Task Force (NDHTTF) to build a coordinated response to human trafficking in the state. The NDHTTF was founded in late 2015 through the North Dakota Bureau of Criminal Investigation (BCI), CAWS North Dakota, and the U.S. Attorney's Office in North Dakota. First Nations Women's Alliance joined in Executive Board leadership in early 2018. The NDHTTF functions as a supportive network to dozens of organizations and agencies across North Dakota, providing funding support, training and technical assistance, community coordination and data collection.

NDHTTF BY THE NUMBERS

(January 1st, 2016 through September 30th, 2018)

Number of Human Trafficking Victims Served: 242

Youth: 59 Labor: 17
Adults: 183 Sex & Labor: 21
Sex: 179 Other: 25

Number of Investigations: 61

Sex: 47 Sex & Labor: 5
Labor: 9
Number of Arrests: 52

Number of Individuals Trained Statewide: 8,346

Number of Technical Assistance Calls to NDHTTF Operational Team: 1,333

**Note: Technical Assistance calls reference the number of requests for support by MDTs and outbound communities regarding a suspected or confirmed trafficking victim from the NDHTTF Operational Team.*

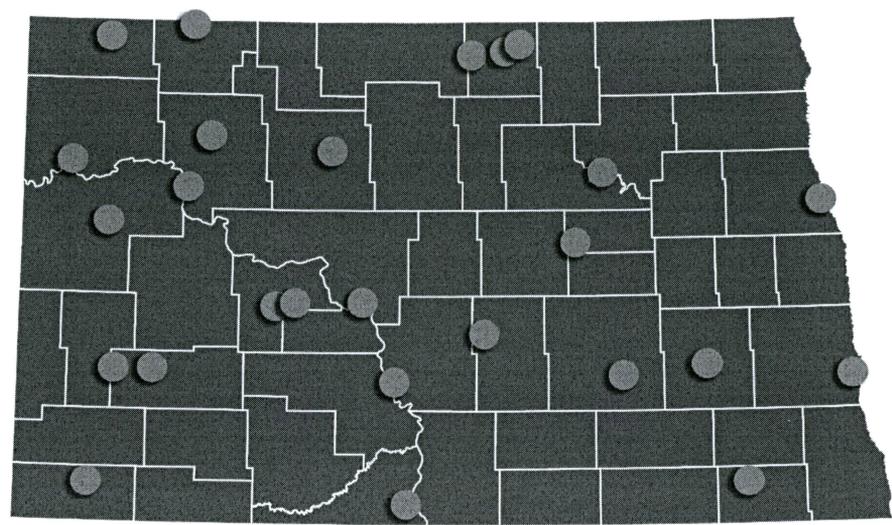
RESULTS OF NDHTTF WORK

- The number of participating providers has grown significantly as the NDHTTF has outreached to communities to provide support.
- Victims engaging with service providers and law enforcement have built relationships with them. The NDHTTF partners are now being identified as resources in the communities they serve. Continued access to services is critical to survivors continuing to access services and victims who are now coming forward.
- Training has yielded better, more accurate identification of suspected and confirmed trafficking victims by law enforcement, community providers, and the public.
- The most requested services are for housing, behavioral health, medical/dental, legal assistance, basic needs and transportation.
- Four specialized host homes for trafficked youth have been developed. These four homes provide care for victims who benefit from in-home modeling of healthy relationships and parenting.

read about success stories on backside...



locations of human trafficking cases



SUCCESS STORIES

- A Navigator received a call at 5:00 pm on a Friday; the call was from a local MDT partner Social Service agency. The Sherriff's office had located a 17-year-old female with two adult males with warrants, and \$35,000 in cash. The Navigator was able to coordinate services for the youth immediately: transportation, housing through a host home, basic needs, and case management. The Navigator collaborated with the local MDT to ensure interviews were completed with law enforcement and a case manager was present for interviews to support the victim. The youth was able to utilize mentorship from trafficking survivor and also had phone access to communicate with her family members.
- Jamestown police received a report regarding a suspected human trafficking situation when two men and a woman stopped at a gas station in Jamestown and one of the men asked a gas station customer if they would like the woman to perform a sexual act for \$100. The three individuals left for Bismarck and the Bismarck police were alerted to the suspected traffickers entering the area. The suspected trafficker was identified and tracked to a Bismarck hotel where a search warrant was executed on his hotel room and cell phone. The suspected trafficker was arrested and is facing charges of facilitating prostitution.
- An adult labor trafficking victim received an H2A visa to work on a farm in North Dakota. He was promised a fair wage and good living conditions. Upon arrival, his passport and documents were taken from him and he was forced to live in poor conditions and work 14-hour days. He was injured while working and unable to seek medical attention because of his trafficker. He has limited English language abilities and was hesitant to report his situation because of the risk of deportation. He was connected to a Navigator who helped him connect with legal service options, support from law enforcement, and medical assistance. He received immigration status, which allowed him to get a driver's license and find a job. He has been able to develop a support system, find a job which gives him a steady income, and is living independently in the community.

#2
HB1541
2-5-19
pg 1

Testimony of Christina Sambor, Youthworks
House Judiciary Committee
HB 1541
February 5, 2019

Chairman Koppelman and Members of the Committee:

My name is Christina Sambor and I am here on behalf of Youthworks, the statewide runaway and homeless youth provider in North Dakota. I have also been involved with the statewide effort to combat human trafficking for the last 5 years. I served as the founding coordinator of FUSE, North Dakota's grassroots anti-trafficking coalition, as the founding Director of the North Dakota Human Trafficking Task Force, and as the co-chair of the Attorney General's Human Trafficking Commission. In each of these roles, I have been heavily involved in evaluating and developing public policy and direct service programming in our state.

YW has historically been invited to present at both annual education conferences, although we were not invited to speak at the most recent conferences. One of the conferences is targeted to teachers and counselors and the other to administrators. The trainings provided to these large groups have been focused on relatively high level, "101" trainings. The trainings have been well received, and have done a good job laying the groundwork in terms of awareness for the overall system. Youthworks believes it is very important that all schools in North Dakota are properly trained on the indicators of trafficking and on trauma-informed responses. One of our agency's priorities in the upcoming year is to increase the delivery of prevention curriculum to at risk youth and young people. Making sure the leaders in our school districts are aware of exploitation as an ongoing concern for the students is a good step in the direction of making sure our school systems are equipped to properly identify and intervene with exploitation and trafficking.

31:8 PROJECT

SPEAK UP FOR THOSE
WHO CANNOT SPEAK
FOR THEMSELVES.

3
HB 1541
2-5-19
P. 1

Good Morning,

Chairman Koppelman and members of the Judiciary Committee, I would like to thank you for the opportunity to speak before you today. My name is Stacy Schaffer and I am testifying in support of House Bill 1541. I am the Founder and Executive Director of 31:8 Project. 31:8 Project works to equip and challenge society to proactively address issues regarding human trafficking starting right here in North Dakota. We are honored to partner with and educate schools, faith-based groups, the medical community, law enforcement, and other organizations.

The U.S. Department of Education's Office of Safe and Health Students maintains that schools can and should be a safe place where students thrive. Unfortunately, this is not always the case. Over the past couple of years, we have seen the trafficking of students for both labor and commercial sex increase. In order to prevent this crime from growing, we must educate the population that is being targeted. One way we can do that is by educating teachers and school administration on the topic of human trafficking. Through educational awareness and prevention, schools will be able to identify at-risk youth and potential victims of human trafficking; provide students with the skills to prevent, detect, and respond to potential trafficking incidents both safely and effectively; and empower students with ways they can continue to educate and raise awareness on human trafficking throughout the community. Over the past year we have had the opportunity to work with various schools and colleges across North Dakota and have begun to see a greater awareness on the topic of human trafficking take place because of the education they have received. Thank you for your time and consideration.

Stacy L. Schaffer, Executive Director
PO Box 174
Bismarck, ND 58502
Phone: 701-557-3750
Email: schaffer@318project.org
www.318project.org

Testimony in Favor of House Bill 1541

**Mark Jorritsma, Executive Director
Family Policy Alliance of North Dakota
February 5, 2019**

Good morning Chairman Koppelman and honorable members of the House Judiciary Committee. My name is Mark Jorritsma and I am the Executive Director of Family Policy Alliance of North Dakota. I am testifying in favor of House Bill 1541 and respectfully request that you recommend a “DO PASS” on this bill.

Human trafficking is well defined in chapters 12.1-41-02 through 12.1-41-06 of our Century Code. However, to put it in layman’s terms, it is selling and trading of human life for the purpose of sex, labor or any other purpose. Sex trafficking is by far the most pervasive of the various types of human trafficking. As Focus on the Family, a partner organization of ours, states, “The reality is sex trafficking turns people, often very young girls, into mere commodities, sexual objects to be bought, sold, used and discarded. No human being should be treated this way.

At its core, sex trafficking is an issue of the sanctity of human life. As Christians, Family Policy Alliance of North Dakota believes in the sanctity of all human life — from fertilization to natural death. Sex trafficking degrades and often destroys human lives that are made in the image of God.” Thankfully, there are many people working to stop the horrors of sex trafficking, such as yourselves, and I deeply thank you for that!

This bill is an important link in the flow of information on human trafficking in our state. As reported in 2017 by the North Dakota Attorney General’s office, the North Dakota Human Trafficking Task Force (hereafter “task force”) reported 63 active human trafficking investigations, resulting in the identification of 92 potential victims. It goes on to say that the task force, “directly served 79 victims of human trafficking” and that “twenty-six victims were minors.” That’s 32 percent, or roughly one-third of all victims! The report also states that the vast majority of trafficking was sex trafficking, as opposed to labor trafficking, as I already noted. Combine those facts and I can’t think of a more compelling case for educating educators on a regular basis on human trafficking in our state.

I ask you to please vote House Bill 1541 out of committee with a “DO PASS” recommendation. While the Attorney General’s Office reported known incidents of human trafficking, you and I are aware that many more go unreported, out of fear, financial need, or feelings of personal devaluation. Personally, I don’t see this bill as creating a difficult committee decision, and I hope you agree. The data are already there; let’s make sure the people who can really help make a difference get the information and training they need to prevent this horrible practice.

Thank you for the opportunity to testify and I stand for any questions you may have.

1515 Burnt Boat Drive, Suite C148
Bismark, ND 58530

P 866.655.4545

UNLEASHING CITIZENSHIP
FamilyPolicyAlliance.com/NorthDakota

19.0751.04001
Title.

Prepared by the Legislative Council staff for
Representative Buffalo
February 5, 2019

#1
HB1541
2-11-19
P.1

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1541

Page 2, line 1, replace "Present annually at a professional development conference directed toward all" with "Provide information to"

Page 2, line 2, remove "all"

Page 2, line 2, remove ", which is hosted by educational organizations"

Page 2, line 3, remove the underscored comma

Renumber accordingly



North Dakota
House of
Representatives

State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505-0360

Representative
Ruth Buffalo
District 27
P.O. Box 9763
Fargo, ND 58106-9763
C: 701-491-8175
rbuffalo@nd.gov

Committees:
Agriculture
Judiciary

1
HB 1541
3.19.19

March 19, 2019

Madam Chair and members of the Senate Judiciary Committee, I'm honored to stand before you to introduce House Bill 1541. This bill is related to presentations by the Human trafficking commission.

This bill originally called upon the Human trafficking commission to; Present annually at a professional development conference directed toward all teachers and all administrators, which is hosted by educational organizations in this state, regarding human trafficking awareness and prevention; and

The bill, as amended, reads as follows in Section 1, Subsection 2, e. Provide information to teachers and administrators in this state regarding human trafficking awareness and prevention.

As written in ND Century Code, in Section 1, Subsection 2, the Human trafficking commission shall:

- a. Collect and evaluate data on human trafficking in this state and submit an annual report to the attorney general, governor, and legislative assembly;
- b. Promote public awareness about human trafficking, victim remedies and services, and trafficking prevention;
- c. Promote training on human trafficking prevention and victim services for state and local employees who may have recurring contact with victims or perpetrators;
- d. Promote training on human trafficking investigation and prosecution with the North Dakota state's attorney's association, the North Dakota peace officers standards and training board, and state and local law enforcement agencies
- e. Provide information to teachers and administrators in this state regarding human trafficking awareness and prevention;
- f. Conduct other appropriate activities.

It's important we take a proactive and preventative approach in protecting our youth.

This bill ensures our educators and administrators will be well equipped with knowledge to recognize signs of human trafficking and to educate our youth on staying safe.

According to the Polaris Project
(<https://polarisproject.org/initiatives/children-youth>):

- 26% of the world's trafficking victims are children. (source: International Labour Organization)

- 1 in 6 U.S. runaways in 2014 were likely victims of child sex trafficking. (source: National Center for Missing and Exploited Children)
- 978 allegations of human trafficking were made in Florida's child welfare system in 2014. (source: Florida Dept. of Children and Families)
- 300,000 children in the US are trafficked annually (source: Arc of Hope for Children)

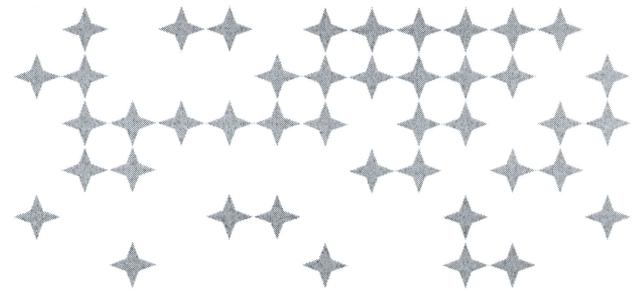
According to the North Dakota Human Trafficking Task Force, between January 1, 2016 through September 30, 2018, of the number of human trafficking victims served 59 were youth.

This bill will add an additional tool in the tool box for our educators and administrators by creating awareness or enhancing their knowledge to recognize signs of human trafficking. It's important to discuss this school district. Kids have had encounters and/or engaging in this behavior. We need a vehicle in the schools on an annual basis.

This bill will contribute to a comprehensive community approach in supporting our youth and families. Educators and administrators will be able to provide youth with safety planning tips, resources about trafficking, and information on how to get help for themselves or others in abusive or exploitive situations.

I thank you for the opportunity to stand before you to introduce and discuss a bill that would greatly help our communities stay safe through education and prevention.

North Dakota deserves safe communities. Please consider a do pass recommendation to strengthen and support our communities, families, and individuals.

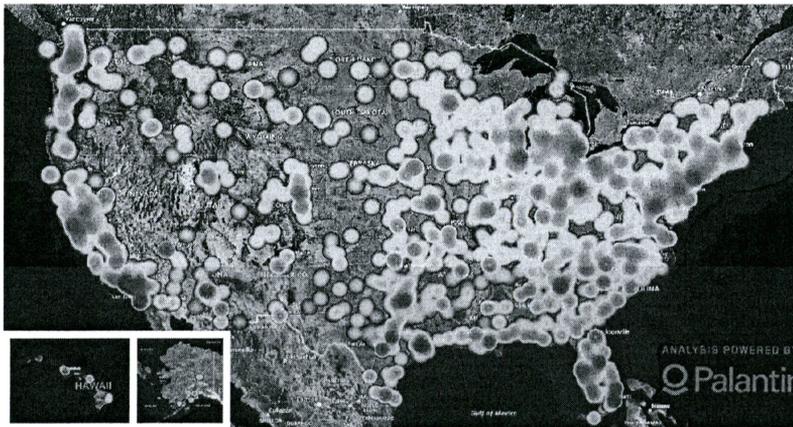


Growing Awareness. Growing Impact.

2017 Statistics from the National Human Trafficking Hotline and BeFree Textline

The National Human Trafficking Hotline and BeFree Textline provide survivors of human trafficking with vital support and a variety of options to get help and stay safe. These could include connecting callers with local law enforcement, emergency shelters, transportation, trauma counselors or a range of other services and supports. The 40,000+ cases identified on these helplines comprise the largest publicly available data set on human trafficking in the United States. The data do not represent the full scope of human trafficking. Lack of awareness of the crime or of these resources in certain geographic regions, by particular racial or ethnic groups, and by labor trafficking survivors, can lead to significant underreporting. Nonetheless, this information spotlights where and how traffickers operate so that we can put them out of business, keep them from harming more people, and help survivors find the services they need.

Locations of Potential Human Trafficking Cases in the U.S.



Methods of contacting the Hotline in 2017

-  **PHONE CALLS**
26,884
-  **TEXTS**
2,306
-  **WEBFORMS**
3,154
-  **EMAILS**
1,833

IMPACT AT A GLANCE

13 PERCENT jump in cases of human trafficking identified

INDIVIDUAL VICTIMS	HUMAN TRAFFICKING CASES	POTENTIAL TRAFFICKERS	TRAFFICKING BUSINESSES
10,615	8,759	4,863	1,698

2,144 UNIQUE SURVIVORS contacted the National Hotline 5,263 TIMES.

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Top 3 Types of Trafficking in 2017

SEX TRAFFICKING

Escort services	1,572
Residential	508
Outdoor solicitation	329

SEX AND LABOR TRAFFICKING

Illicit massage businesses	774
Bar/strip club/cantina	194
Illicit activities	104

LABOR TRAFFICKING

Domestic work	242
Agriculture	134
Peddling and begging	109

Late last week, a young woman being trafficked out of state was in danger, couldn't make a phone call without being overheard, but could text. She texted us asking for help and we immediately referred her to the Hotline and told her to use the SMS text feature.

She used the text feature and was rescued within three hours.

She is now in a shelter in an undisclosed location being assisted by a local organization. So, it works. Thank you for the great work you do.

- Note to the Hotline staff from a former law enforcement officer

NATIONAL HUMAN TRAFFICKING HOTLINE CASES

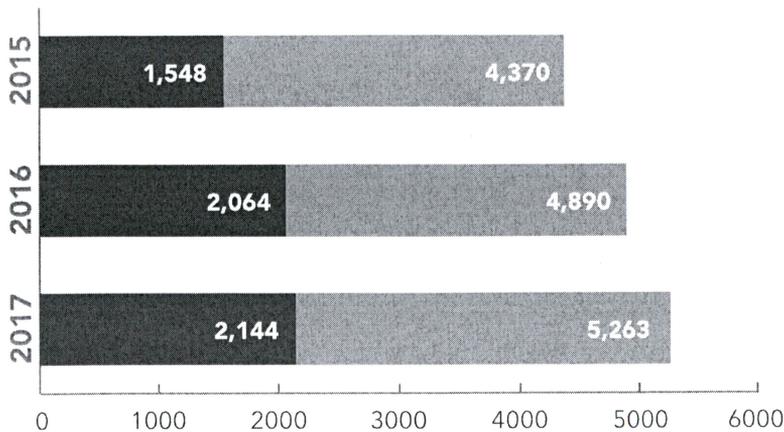


Cases are defined as situations of human trafficking, which may involve more than one victim.



Sex trafficking 6,244
Labor trafficking 1,274
Not specified 851
Sex & labor trafficking 390

SURVIVORS WHO CONTACTED THE HOTLINE DIRECTLY, BY YEAR:



● # of unique survivors ● # of calls and texts from survivors

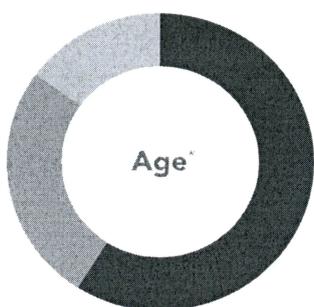


Sex trafficking 7,255
Labor trafficking 1,979
Sex and labor trafficking 542
Not specified 838

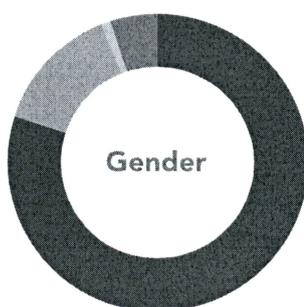
Who are the Survivors?

Every year, more survivors are reaching out to the National Human Trafficking Hotline and more individuals are seeking help for victims they know. The data on these pages are not based on a systematic survey, but are analyzed from the information received about 10,615 survivors from Jan. 1, 2017 to Dec. 31, 2017. As people disclosed more detailed information about their own trafficking experiences or about potential victims for whom they were seeking support, hotline staff noted key elements. Individuals are never asked questions specifically for data collection purposes and are only asked to share what they are comfortable providing so that they can be connected to the support they want.

DEMOGRAPHICS



Adult **6,204**
 Minor **2,762**
 Unknown **1,575**

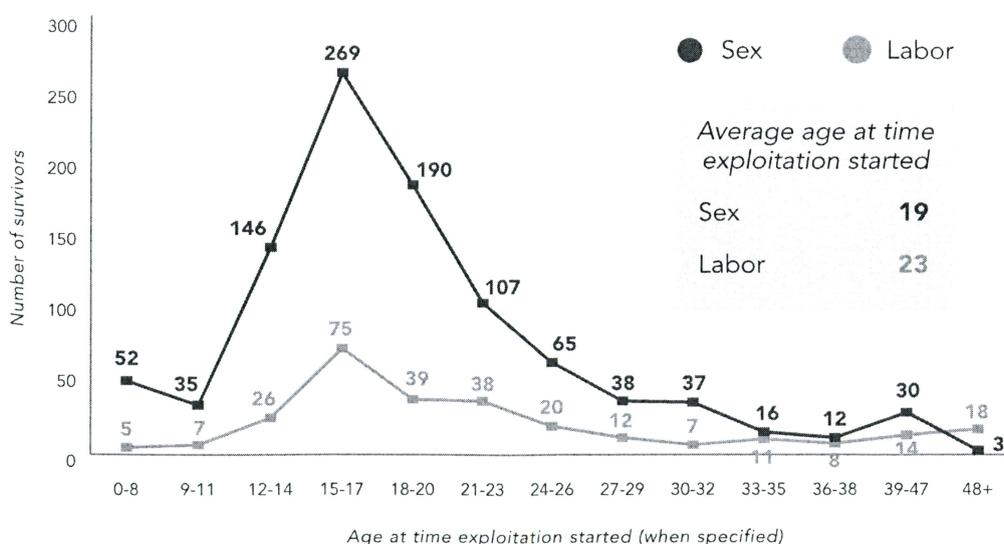


Female **8,561**
 Male **1,454**
 Gender Minorities **59**
 Unknown **541**



Latino **1,230**
 Asian **979**
 White **699**
 African, African-American, Black **592**
 Multi-Ethnic, Multi-Racial **136**

AGE AT TIME SEX OR LABOR TRAFFICKING BEGAN



* at time of first contact with Polaris

† race/ethnicity information specified/available from 3,734 survivors or 35 percent of all victims

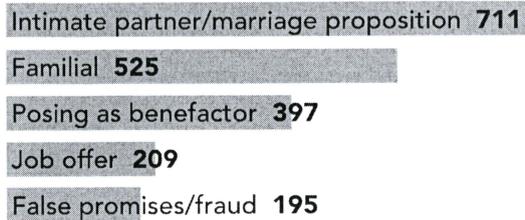
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How are the Victims Trafficked?

The data from the 10,615 victim records give insight into the systems and tactics that traffickers use to conduct their business. Traffickers frequently prey on an individual's vulnerabilities, and the data spotlight factors that may have placed these victims at risk as well as the variety of tactics used to recruit and trap them in a trafficking situation. Statistics below are non-cumulative.

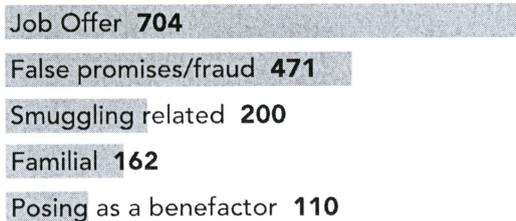
Top recruitment tactics

SEX TRAFFICKING



(based on information specified by 2,136 victims)

LABOR TRAFFICKING



(based on information specified by 1,230 victims)

Top 5



RISK FACTORS FOR HUMAN TRAFFICKING

- Recent migration/relocation 1,441
- Substance use 466
- Runaway/homeless youth 421
- Mental health concern 356
- Involvement in the child welfare system 340



METHODS OF FORCE, FRAUD, COERCION

- Isolation (including confinement) 2,574
- Emotional abuse 2,370
- Economic abuse 2,049
- Threats of any kind 1,880
- Physical abuse (non sexual) 1,652



POINTS OF ACCESS TO POTENTIAL HELP

- Interaction with family/friends 1,567
- Interaction with law enforcement/criminal justice system 1,047
- Access to health services 726
- Access to general social services 554
- Access to mobile apps or social media 496

No pay, no beds, no running water

Maria stopped by one of the houses she was having rehabbed to check in with the contractor hired to do the job. He wasn't there. Instead, Maria found six men, sleeping on the floor in the barely habitable building. The men told her that the contractor had been recommended through an acquaintance. He picked them up out of state, drove them to the project and told them they were not allowed to leave the premises. He would bring them food and water, as necessary. Sometimes he did, sometimes he didn't, they reported. He never paid them. But when the men complained he told them he would call immigration immediately. They would be jailed first, then deported. To prove he was serious he took a group of them out to the desert and left one of them there, in the middle of nowhere, with no food or money. So the men worked, 10 hour days, without breaks. They slept in the houses they were working on, with cardboard boxes to cover themselves at night. Some of the houses had electricity, some didn't. Some had running water, some didn't. Maria called the Hotline and, together with Hotline Advocates, worked to learn more of the men's stories, get them to a safe place to stay and start the process of getting the men visas, while pursuing a case against the trafficker.

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19.0751.04000

Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1541

Introduced by

Representatives Buffalo, Fegley, Hager

Senators Hogan, Myrdal

1 A BILL for an Act to amend and reenact section 54-12-33 of the North Dakota Century Code,
2 relating to presentations by the human trafficking commission.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-12-33 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-12-33. Human trafficking commission.**

7 1. The attorney general may establish a human trafficking commission, comprised of
8 designees from state, local, and tribal agencies which have contact with victims or
9 perpetrators, nongovernmental organizations that represent or work with victims, and
10 other organizations and individuals, including victims, whose expertise would benefit
11 the commission. The attorney general may establish the commission by appointing an
12 existing statewide coalition.

13 2. The commission shall:

- 14 a. Collect and evaluate data on human trafficking in this state and submit an annual
15 report to the attorney general, governor, and legislative assembly;
- 16 b. Promote public awareness about human trafficking, victim remedies and
17 services, and trafficking prevention;
- 18 c. Promote training on human trafficking prevention and victim services for state
19 and local employees who may have recurring contact with victims or
20 perpetrators;
- 21 d. Promote training on human trafficking investigation and prosecution with the
22 North Dakota state's attorney's association, the North Dakota peace officers
23 standards and training board, and state and local law enforcement agencies; and

- 1 e. Present annually at a professional development conference directed toward all
- 2 teachers and all administrators, which is hosted by educational organizations in
- 3 this state, regarding human trafficking awareness and prevention; and
- 4 f. Conduct other appropriate activities.

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Testimony of Christina Sambor, Youthworks
Senate Judiciary Committee
HB 1541
March 18, 2019

Chairwoman Larson and Members of the Committee:

My name is Christina Sambor and I am here on behalf of Youthworks, the statewide runaway and homeless youth provider in North Dakota. I have also been involved with the statewide effort to combat human trafficking for the last 5 years. I served as the founding coordinator of FUSE, North Dakota's grassroots anti-trafficking coalition, as the founding Director of the North Dakota Human Trafficking Task Force, and as the co-chair of the Attorney General's Human Trafficking Commission. In each of these roles, I have been heavily involved in evaluating and developing public policy and direct service programming in our state.

I am here today to testify in support of HB 1541, as originally drafted. YW has historically been invited to present at both annual education conferences, although we were not invited to speak at the most recent conferences. One of the conferences is targeted to teachers and counselors and the other to administrators. The trainings provided to these large groups have been focused on relatively high level, "101" trainings. The trainings have been well received, and have done a good job laying the groundwork in terms of awareness for the overall system. Youthworks believes it is very important that all schools in North Dakota are regularly and properly trained on the indicators of trafficking and on trauma-informed responses. One of our agency's priorities in the upcoming year is to increase the delivery of prevention curriculum to at risk youth and young people. Making sure the leaders in our school districts are aware of exploitation as an ongoing concern for the students is a good step in the direction of making sure our school systems are equipped to properly identify and intervene with exploitation and trafficking.

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31:8 PROJECT

SPEAK UP FOR THOSE
WHO CANNOT SPEAK
FOR THEMSELVES.

Good Morning,

Chairman Larson and members of the Judiciary Committee, I would like to thank you for the opportunity to speak before you today. My name is Stacy Schaffer and I am testifying in support of House Bill 1541. I am the Founder and Executive Director of 31:8 Project. 31:8 Project works to equip and challenge society to proactively address issues regarding human trafficking starting right here in North Dakota. We are honored to partner with and educate schools, faith-based groups, the medical community, law enforcement, and other organizations.

The U.S. Department of Education's Office of Safe and Health Students maintains that schools can and should be a safe place where students thrive. Unfortunately, this is not always the case. Over the past couple of years, we have seen the trafficking of students for both labor and commercial sex increase. In order to prevent this crime from growing, we must educate the population that is being targeted. One way we can do that is by educating teachers and school administration on the topic of human trafficking. Through educational awareness and prevention, schools will be able to identify at-risk youth and potential victims of human trafficking; provide students with the skills to prevent, detect, and respond to potential trafficking incidents both safely and effectively; and empower students with ways they can continue to educate and raise awareness on human trafficking throughout the community. Over the past year we have had the opportunity to work with various schools and colleges across North Dakota and have begun to see a greater awareness on the topic of human trafficking take place because of the education they have received. Thank you for your time and consideration.



Stacy L. Schaffer, Executive Director
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3-19-19



Testimony in Favor of House Bill 1541

**Mark Jorritsma, Executive Director
Family Policy Alliance of North Dakota
March 19, 2019**

Good morning Madam Chair Larson and honorable members of the Senate Judiciary Committee. My name is Mark Jorritsma and I am the Executive Director of Family Policy Alliance of North Dakota. I am testifying in favor of House Bill 1541 and respectfully request that you recommend a "DO PASS" on this bill.

Human trafficking is well defined in chapters 12.1-41-02 through 12.1-41-06 of our Century Code. Essentially, it is selling and trading of human life for the purpose of sex, labor or any other purpose. Sex trafficking is by far the most pervasive of the various types of human trafficking. As Focus on the Family, a partner organization of ours, states, "The reality is sex trafficking turns people, often very young girls, into mere commodities, sexual objects to be bought, sold, used and discarded. No human being should be treated this way."

At its core, sex trafficking is an issue of the sanctity of human life. As Christians, Family Policy Alliance of North Dakota believes in the sanctity of all human life — from fertilization to natural death. Sex trafficking degrades and often destroys human lives that are made in the image of God. Thankfully, there are many people working to stop the horrors of sex trafficking, such as yourselves, and I deeply thank you for that!

This bill is an important link in the flow of information on human trafficking in our state. As reported in 2017 by the North Dakota Attorney General's office, the North Dakota Human Trafficking Task Force (hereafter "task force") reported 63 active human trafficking investigations, resulting in the identification of 92 potential victims. It goes on to say that the task force, "directly served 79 victims of human trafficking" and that "twenty-six victims were minors." That's 32 percent, or roughly one-third of all victims! The report also states that the vast majority of trafficking was sex trafficking, as opposed to labor trafficking, as I already noted. Combine those facts and I can't think of a more compelling case for educating educators on a regular basis on human trafficking in our state.

I ask you to please vote House Bill 1541 out of committee with a "DO PASS" recommendation. While the Attorney General's Office reported known incidents of human trafficking, you and I are aware that many more go unreported, out of fear, financial need, or feelings of personal devaluation. The data are already there; let's make sure the people who can really help make a difference get the information and training they need to prevent this horrible practice.

Thank you for the opportunity to testify and I stand for any questions you may have.

1515 Burnt Boat Drive, Suite C148
Bismark, ND 58530

P 866.655.4545

UNLEASHING CITIZENSHIP
FamilyPolicyAlliance.com/NorthDakota

A Public Policy Partner of Focus on the Family

19.0751.05003
Title.

Prepared by the Legislative Council staff for
Representative Paulson
April 8, 2019

#1
HB 1541
4-10-19
P. 1

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1541

That the Senate recede from its amendments as printed on page 1377 of the House Journal and page 1096 of the Senate Journal and that Engrossed House Bill No. 1541 be amended as follows:

Page 2, line 1, replace "Provide" with "In coordination with the superintendent of public instruction, provide"

Page 2, line 1, after "information" insert "and training annually"

Page 2, line 1, after "to" insert "all school district personnel,"

Page 2, line 1, after "teachers" insert an underscored comma

Page 2, line 2, after "prevention" insert ". To reach as many teachers, administrators, and staff members as possible, the training must be provided at professional development conferences, professional development days, and other appropriate events"

Renumber accordingly

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4-10-19
P.1

The commission shall:

In coordination with the superintendent of public instruction, provide information and training annually to all school district personnel, teachers, and administrators in this state regarding human trafficking awareness and prevention. To reach as many teachers, administrators and staff members as possible, the training must be provided at professional development conferences, professional development days, and other appropriate events.

19.0751.05005
Title.

Prepared by the Legislative Council staff for
Senator Luick

April 22, 2019

#1
HB 1541
4-22-19
P. 1

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1541

That the Senate recede from its amendments as printed on page 1377 of the House Journal and page 1096 of the Senate Journal and that Engrossed House Bill No. 1541 be amended as follows:

Page 1, line 16, overstrike "public"

Page 1, line 16, after "awareness" insert "and provide information to education personnel and the general public"

Page 2, line 1, remove "Provide information to teachers and administrators in this state regarding human"

Page 2, line 2, replace "trafficking awareness and prevention" with "Present annually regarding human trafficking awareness and prevention at professional development conferences directed toward teachers, administrators, and support staff which are hosted by educational organizations in this state or by the department of public instruction"

Renumber accordingly