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DRAFT REPORT OF THE JOINT HUMAN TRAFFICKING STUDY COMMISSION

Commission Members:

**Honorable Edward Lindsey, Co-Chair
Representative, District 54**

**Honorable Renee Unterman, Co-Chair
Senator, District 45**

**Honorable Buzz Brockway
Representative, District 102**

**Honorable Judson Hill
Senator, District 32**

**Honorable Alisha Morgan
Representative, District 39**

**Honorable Donzella James
Senator, District 35**

**Chief John King
Doraville Police Department**

**Danny Porter
District Attorney, Gwinnett Co.**

**Judge Shawn LaGrua
Fulton Co. Superior Court**

**Judge Bradley Boyd
Fulton Co. Juvenile Court**

**Heather McDaniel
Governor's Office for Children and Families**

**Dale Alton
Georgia Care Connection**

**Travis Sakrison
Director, Georgia Public Defender Standards Council**

A copy of the full report with appendices is on file with the Georgia House of Representatives Budget and Research Staff

I. INTRODUCTION

The Georgia General Assembly created the Joint Human Trafficking Study Commission (“Commission”) in 2012 through the passage of House Resolution 1151. The purpose of the Commission was to evaluate models of victim services from other states to recommend an appropriate framework for the State of Georgia, a comprehensive system of services for all victims of human trafficking to aid in recovery from this exploitation.¹

The Commission was co-chaired by Representative Edward Lindsey and Senator Renee Unterman, and included four (4) other legislative members: Representatives Buzz Brockway and Alisha Morgan and Senators Judson Hill and Donzella James. The Commission also had seven (7) non-legislative members: Chief John King of the Doraville Police Department (appointed by the Georgia Association of Chiefs of Police); Mr. Danny Porter, District Attorney of the Gwinnett Judicial Circuit (appointed by the Prosecuting Attorneys’ Council of the State of Georgia); Judge Shawn LaGrua of the Fulton County Superior Court (appointed by the Council of Superior Court Judges of Georgia); Judge Bradley Boyd of the Fulton County Juvenile Court (appointed by the Council of Juvenile Court Judges); Heather McDaniel of the Governor’s Office for Children and Families (appointed by the Governor’s Office for Children and Families); Dale Alton of Georgia Care Connection (appointed by the Governor’s Office for Children and Families); and Travis Sakrison, Director of the Georgia Public Defender Standards Council (appointed by the Georgia Public Defender Standards Council).

The following legislative staff members were assigned to assist with the Commission: Ms. Brandi Bazemore, House Budget and Research Office, Ms. Rachel Leitman, Senate Research Office and Ms. Jill Travis, Office of Legislative Counsel.

The Commission held two public meetings at the Georgia State Capitol in Room 132: a hearing on December 21, 2012, to hear from the general public and a final meeting on January 11, 2013, to finalize recommendations of this report. During the course of these meetings, the Commission heard testimony from the following individuals: Stephanie Davis, Georgia Women for a Change; Honorable Jay Neal; Katrina Owens, a survivor from sexual exploitation; Kirsten Widner, Director of Policy and Advocacy for the Barton Child Law and Policy Center at Emory University School of Law; Eliza Reock, Vice President for Programs, Shared Hope International, Washington, DC; Jennifer Swain, Program Manager at YouthSpark; Allison Smith, Director of Public Policy, Georgia Coalition Against Domestic Violence; Monica Modi Khant, Executive Director of Georgia Asylum and Immigration Network; Dave McCleary, President of Roswell Rotary Club; Allison Ashe, Executive Director of Covenant House Georgia; Cheryl DeLuca-Johnson, Executive Director of Street GRACE; Mary Frances Bowley, CEO of Wellspring Living; Carrie Williams, on behalf of Mrs. Cathleen Steele, the Southern Leadership Christian Conference’s First Lady and Director of “Stop the Violence Initiative”; Pamela Perkins Carn, Coordinator for the Interface Children’s Movement; Rebecca Posey, Co-Director of Not for Sale Georgia; Chuck Spahos,

¹HR 1151 (2012)

Director of Prosecuting Attorney's Council; and Katie Jo Ballard, Executive Director of the Governor's Office of Children and Families.

II. BACKGROUND INFORMATION

Recent Legislation

Georgia currently has strong laws regarding cases of child sexual exploitation and human trafficking. For example, in 2001, the Georgia General Assembly passed legislation to increase the penalties for pimps and johns who exploit minors from a misdemeanor to a felony.² Legislation enacted in 2006 established two human trafficking offenses that could be used against persons sexually exploiting children.³

In 2008, the General Assembly created the Commercial Sexual Exploitation of Minors Joint Study Commission.⁴ Legislation resulting from the 2008 commission amended the Mandatory Child Abuse Reporting Law by adding child prostitution to the forms of abuse that a mandatory child abuse reporter must report to authorities.⁵

Even more recently, the Legislature passed with swift and near-unanimous support HB 200 during the 2011 legislative session. This landmark legislation advanced Georgia further by enhancing penalties for traffickers, pimps and johns and providing an affirmative defense for all victims who are trafficked. Finally, the Georgia General Assembly unanimously passed HB 1176 during the 2012 legislative session. HB 1176 amended the Mandatory Child Abuse Reporting Law to include sexual exploitation in the definition of sexual abuse of minors. Also, HB 1176 removes the statute of limitations for the prosecutions of trafficking a minor for sexual servitude committed after July 1, 2012.

Still, many advocates believe that there is room for improvement. Last session, HR 1151 unanimously passed to establish this Commission whose mission is to continue to develop solutions for victims of human trafficking. The Honorable Jay Neal also introduced HB 1078 which would vacate convictions of minors adjudicated for prostitution.⁶

Recent Agency and Community Involvement

Public awareness has grown exponentially. Faith based groups and congregations of every religion have organized to raise awareness and develop strategies to provide services to victims. These efforts have moved the perception of the exploited minor from being the criminal to being the victim. To further increase the public awareness, training of medical, psychological and law enforcement has taken place.

² See Senate Bill 33 (2001)

³ See Senate Bill 529 (2006)

⁴ See Senate Resolution 445 (2008)

⁵ See SB 69 (2009); see also the Mandatory Child Abuse Reporting Law can be found at OCGA § 19-7-5

⁶ See Georgia's legislative web site, <http://www.legis.ga.gov/Legislation/en-US/display/20112012/HB/1078>

At the forefront of this public awareness stands the Governor’s Office for Children and Families (GOCF). Since August 2008, the Governor’s Office for Children and Families has led a statewide GOCF CSEC Task Force (“Task Force”) to address the need for a unified protocol for serving commercially sexually exploited children. The Task Force is comprised of representatives from state and local government agencies, service providers, and advocacy organizations. The Task Force originally identified four (4) strategies to organize a common approach to the issues surrounding CSEC; by focusing on prevention, protection, prosecution, and evaluation, the Task Force was initially able to align its work through shared action-oriented and data-driven priorities.⁷

In 2009, GOCF opened the Georgia Care Connection Office (GCCO) as a single point of entry to coordinate victim treatment and other services.⁸ GCCO was formed to establish and sustain comprehensive assessment, treatment, and aftercare services for victims of CSEC. GCCO’s goal is to construct a seamless structure of identifying victims who are involved in extreme high risk behaviors and quickly refer them to treatment.

Recognizing the need for hard numbers, GOCF and GCCO has collected the following data⁹ regarding human trafficking in the State of Georgia:

Georgia Care Connection Office

- To date, GCCO has received 492 referrals.
- To clarify other numbers, a table for the first 3 years of GCCO in operation is below. After referrals are made to GCCO, GCCO screens the child through an assessment. The assessment determines if the child is confirmed “CSEC,” “At-risk for CSEC,” or no involvement in CSEC. Those listed in the “Other” category either refused an assessment or could not be reached for an assessment. All “CSEC” and “At-risk for CSEC” youth receive services from GCCO.

Year of Operation	Confirmed CSEC	At Risk for CSEC	Unknown	Totals
Year 1	73	26	2	101
Year 2	66	64	11	141
Year 3	58	87	13	158
TOTAL	197	177	26	400

From January – December 2012

Fulton County District Attorney’s Office

- At present, the Fulton County DA’s office has five (5) cases with CSEC victims that have been indicted and five (5) cases with CSEC victims that have been charged and are awaiting indictment. In addition, last year the office disposed of four (4) cases involving CSEC victims. Currently, the DA’s Office is actively

⁷ For more information, see GOCF’s website <https://children.georgia.gov/task-force-overview> and Exhibit A

⁸ For more information, see GCCO’s website <http://www.georgiacareconnection.com/> and Exhibit B

⁹ See more on CSEC Numbers in Exhibit C

investigating seven (7) CSEC cases for possible charges.

DeKalb County District Attorney's Office

- DeKalb County DA's Office has had a total of six (6) CSEC cases in the last year.

National Human Trafficking Hotline

- Per the Polaris Project's National Human Trafficking Hotline (<http://www.polarisproject.org/state-map/georgia>), the call center statistics from the State of Georgia from January – September 2012 totaled 308 calls:
From Jan- March 2012: 94 calls to the hotline from GA (5,102 nationwide)
From April- June: 87 calls to the hotline from GA (5,077 nationwide)
From Jul-Sept: 127 calls to the hotline from GA (5,183 nationwide)
Oct-Dec has not been published yet

Shared Hope International/National Center for Missing and Exploited Children

- The quote from *The National Report on Domestic Minor Sex Trafficking: America's Prostituted Children* from Shared Hope International (May 2009) on page 4: "The best estimates, the best data, suggests that we at least have 100,000 American kids a year victimized through the practice of child prostitution; that number ranges as high as 300,000" – Ernie Allen, National Center for Missing and Exploited Children.

Georgia Bureau of Investigation (GBI)

- The GBI initiated 348 cases in the work unit that deals with Child Sex Trafficking. A large percentage of these cases were referrals from the National Center for Missing and Exploited Children. These cases are also forwarded to the FBI Match Task Force for their review to determine if there is enough information to start a criminal investigation. Of the 348 cases, 32 cases were opened as ongoing criminal investigations. From these cases, the unit has identified/recovered 19 CSEC victims and made 10 arrests.
 - o In addition, the Georgia ICAC (Internet Crimes Against Children) task force has conducted an additional 194 Child Sex Trafficking investigations.

*Barton Child Law and Policy Center*¹⁰

The Barton Child Law and Policy Center, part of Emory University School of Law, advances the wellbeing of abused, neglected, and court involved children. Barton connects with the issue of human trafficking primarily through work addressing CSEC. Because CSEC is a form of sex trafficking involving both the physical and sexual abuse of children, it often leads to the children becoming court involved due to charges related to their exploitation. Barton is a consistent strong advocate and resource on issues involving human trafficking and children. For example, Barton paired with GOCF to produce a prosecutor toolkit for CSEC cases.¹¹

¹⁰ See Barton Child Law and Policy Center Testimony and Recommendations in Exhibit D

¹¹ See Prosecutor Toolkit in Exhibit E

*Georgia Coalition Against Domestic Violence (GCADV)*¹²

GCADV is the statewide domestic violence advocacy organization for the State of Georgia, representing the interests of victims of domestic violence and the forty-six (46) state-certified domestic violence shelters that provide safe haven and services to victims and their children. Since HB 200 was signed into law, there has been ongoing discussion on how to best serve adult trafficking victims. Domestic violence shelters have been identified as possible providers of these services.

Georgia's domestic violence shelters, particularly in the metro Atlanta area, have stepped up to provide these services on a limited basis. In many ways, enlisting Georgia's domestic violence shelters to serve adult victims of human trafficking has been a natural fit. A great deal of overlap exists between the services these victims need and those services domestic violence shelters already provide. Further, many of the tactics used by perpetrators of both the crime of human trafficking and the crime of domestic violence are similar in nature, including coercion, isolation, physical and sexual violence, and economic entrapment. However, there are distinct differences in the needs of human trafficking victims which require a specialized service response, one which would necessitate additional capacity and training for Georgia's domestic violence shelters in order to make them equipped to adequately serve these victims.

*Georgia Asylum and Immigration Network (GAIN)*¹³

GAIN is a non-profit that provides services to immigrant victims of human trafficking. Since 2005, GAIN has grown substantially to train over 250 volunteer attorneys from law firms throughout Georgia, primarily Atlanta. Initially, GAIN was formed to represent immigrant asylum seekers. However, in 2009, it added its Victims of Violence Project and began representing immigrant victims of human trafficking. Since the project started, GAIN and its volunteer attorneys have represented over 100 victims of human trafficking who have been trafficked from all over the world to the United States and have found themselves in Georgia.

Victims of Violence Project cases include¹⁴

- Over a dozen girls between the ages of 13-24 who were romanced by their traffickers in Mexico and brought to the U.S. via fraud and promised a better life by their trafficker. Once they arrived here, they were forced to prostitute themselves and had to service up to 50 men per night.
- Another case includes an 18 year old girl from Kenya where she met an American woman through her neighbor. This American woman needed a nanny to help her and her two young children in Georgia. She promised the girl an education at night if she would help her take care of the kids during the day. However, the girl was required to work all day and night and was not allowed to

¹² See GCADV Testimony and Recommendations in Exhibit F

¹³ See GAIN Testimony and Recommendations in Exhibit G

¹⁴ For additional description of these cases, see GAIN Testimony in Exhibit G

go to school. She slept with the kids, ate rotten food, and was forced to cut the grass with scissors. She received no pay and no time off.

*Roswell Rotary*¹⁵

Currently, there are over 34,000 community based service rotary clubs with 1,200,000 members worldwide. The Roswell Rotary Club's CSEC goal is to raise awareness of the Commercial Sexual Exploitation of Children through involvement of other Rotary Clubs nationwide and to urge Rotary International to make Human Trafficking another segment in the New Generations area of Service.

*Covenant House of Georgia (CHGA)*¹⁶

CHGA is home to numerous homeless, runaway and trafficked youth ages 18-21. The total number of youth it served in Fiscal Year 2012 is 496 while 541 were placed on waiting list (of those 204 were eventually placed into shelter, so 337 tried to access care but could not get in due to lack of space). CHGA estimates that over 90% of the youth served have been forced to engage in survival sex (sex in exchange for food, shelter or perceived safety from the streets) and between 40-50% of our youth have been sexually exploited and/or trafficked. (CHGA does not officially track sexual exploitation statistics. Most youth will not reveal this history during the intake interview. Estimates are based on disclosures regarding sexual history during group and individual therapy).

*Street GRACE*¹⁷

Street GRACE is an alliance of Christian church partners, community organizations and individual volunteers who are working together to end CSEC in Metro Atlanta. Cheryl DeLuca-Johnson, Executive Director of Street GRACE, spoke on behalf of the organization and testified to a couple of recent human trafficking studies performed in Tennessee. One study performed by the Tennessee Bureau of Investigation and Vanderbilt Peabody College, The Center for Community Studies, is attached to this report.¹⁸

*Wellspring Living*¹⁹

Wellspring Living was founded and opened its first women's residential program in 2001. It provides personalized and strengths-based approach through residential and professional services for survivors of childhood sexual abuse and exploitation for women and girls. Since inception, Wellspring Living has grown to operate two residential restorative programs, an assessment center, community counseling center, two independent living programs and four upscale resale stores that contribute to the operating costs of the organization. These programs are a refuge for women and girls who need a second chance at life.

¹⁵ See Roswell Rotary presentation in Exhibit H

¹⁶ See CHGA Testimony and Recommendations in Exhibit I

¹⁷ For more information, see Street GRACE website <http://streetgrace.org/>

¹⁸ See Tennessee Human Sex Trafficking and Its Impact on Children and Youth in Exhibit J

¹⁹ See Wellspring Living Testimony in Exhibit K

*Southern Leadership Christian Conference (SCLC)*²⁰

The SCLC has launched in Atlanta, the Southeast region of the nation, and throughout the rest of the country a “stop the violence initiative.” One of the outcomes of this initiative is to address sex trafficking through a strategy known as “Justice for Girls.” Justice for Girls is an educational awareness strategy aimed at highlighting the growing sex trafficking problem in our communities. Through continued education practices, SCLC will increase awareness of sex trafficking of children in the United States.

*Interfaith Children’s Movement (ICM)*²¹

ICM was founded in 2001 on the conviction that people of all faiths can, and must, work together — across boundaries of religious institutions and spiritual practices — to improve the lives and well-being of all children. ICM has created a comprehensive, action-oriented, results approach to advocacy. Through its Faith in Action program, ICM focuses on eight (8) work areas that affect children’s well-being: Poverty, Education, Health Care, Juvenile Justice, Child Care/Child Protection, Parental Nurture, Child Advocacy (Public Policy) and Immigration. Over the years, ICM has conducted countless CSEC awareness presentations across the state. In 2011, ICM partnered with GOCF to coordinate and conduct 30 CSEC trainings for mental health professionals across Georgia.

*Not for Sale Georgia*²²

Not for Sale Georgia was founded in 2007 as a local chapter of the global “Not For Sale Campaign” based in Silicon Valley, California. It has over 1000 members across the state, concentrating mostly in Atlanta. The group consists of volunteers bringing business, academia, philanthropy, technology, design, and culture together to fight the root causes of human trafficking and modern-day slavery around the world. One of its current initiatives is its “No One Should Force You” poster campaign.²³ Volunteers have placed hundreds of copies of this poster in rest stops, restaurants, shops, and convenience stores throughout the state. The poster is written in six (6) languages common in the US/East Coast: English, Spanish, Portuguese, Russian, Chinese, Korean, and Vietnamese. The poster states: ‘No one should force you into work or prostitution. You have rights regardless of immigration status. If you or someone you know is being forced to work, please call 1-888-3737-888.’

III. COMMITTEE FINDINGS

Current Legal Landscape

As mentioned above, the State of Georgia recognizes the issue of human and sexual trafficking and continues to extensively study ways to address and combat the problem. Recently, Shared Hope International, based out of Washington DC and funded by the Department of State, conducted a comprehensive legislative analysis and issued 2012

²⁰ See SCLC Testimony in Exhibit L

²¹ See ICM’s Testimony and Recommendations in Exhibit M

²² See Not for Sale Testimony and Recommendations in Exhibit N

²³ See Not for Sale ‘No One Should Force You’ Victim-Centered Awareness Poster Campaign in Exhibit O

Report Cards for all 50 states through its Protected Innocence Challenge.²⁴ Georgia received a final score of 80 and was one of only seven (7) states to receive a B Grade which was the highest grade given.²⁵ A summary of Georgia's current legal landscape can be found below as well as in Shared Hope's Report Card in Exhibit P.

Criminalization of Domestic Minor Sex Trafficking

Georgia's human trafficking law²⁶ includes sexual servitude of minors and does not require force, fraud, or coercion when minors are used in commercial sex acts. The state also has various CSEC crimes including pimping, pandering, keeping a place of prostitution, sexual exploitation of children, and solicitation of sodomy.²⁷ Though the CSEC statutes do not reference the human trafficking law to ensure identification of victims, the affirmative defense to prostitution-related offenses does refer to the human trafficking law.²⁸ The state racketeering law specifically includes trafficking and several CSEC offenses as racketeering activity, enabling its use as a tool against buyers, traffickers and facilitators in certain cases.²⁹

Criminal Provisions Addressing Demand

The state human trafficking law could be applied to buyers through the word "obtain," following federal precedent, and no defense of mistake of age of the minor may be raised in the prosecution. The pandering law can apply to buyers of commercial sex with minors, and differentiates between buying sex with adults versus minors, providing substantial penalties for buying sex with minors of all ages.³⁰ Additionally, a buyer of sex with minors may face mandatory civil asset forfeiture, including vehicle forfeiture, for pandering and discretionary civil asset forfeiture for possession of child pornography. The court must consider an order of restitution to the victim. A mistake of age defense is not expressly prohibited for pandering. The statute on computer or electronic pornography or child exploitation provides a means of prosecuting buyers who use the Internet to solicit minors for illegal sex acts, which may include trafficking offenses.³¹ The crimes of human trafficking and pandering do not require registration to the sexual offender registry when the victim is an adult.³²

Criminal Provisions for Human Traffickers

Traffickers face substantial penalties for trafficking a minor, including a fine not to exceed \$100,000 and/or 10–20 years imprisonment, increased to 25–50 years imprisonment when coercion is used.³³ No mistake of age defense may be raised by

²⁴ See Shared Hope International's web site, <http://sharedhope.org/what-we-do/bring-justice/state-by-state-grades/report-cards/>

²⁵ http://sharedhope.org/PICframe2/reportcards/PIC_RC_2012_GA.pdf

²⁶ OCGA § 15-5-46

²⁷ See Chapter 6 of Title 16 of the OCGA

²⁸ OCGA § 16-3-6

²⁹ See Chapter 14 of Title 16 of the OCGA

³⁰ OCGA § 16-6-13

³¹ OCGA § 16-12-100.2

³² Note: Sex Offenders in Georgia are required to register when the victim is a minor. See OCGA § 42-1-12(e)(1) and Exhibit Q

³³ OCGA § 16-6-12

the trafficker. The CSEC crimes of pimping, pandering and keeping a place of prostitution, when the victim is 16 or 17, are punishable by a fine up to \$100,000 and/or 5–20 years imprisonment, increased when the victim is under 16 to 10–30 years. Traffickers who employ a minor to engage in sexual conduct for use in a visual depiction commit sexual exploitation of children and face 5–20 years imprisonment and a fine up to \$100,000. Distributing child pornography is a misdemeanor of a high and aggravated nature punishable by a fine up to \$5,000 and/or up to 12 months imprisonment. A trafficker faces mandatory civil asset forfeiture for convictions of human trafficking, child pornography crimes, and pimping, but not for other CSEC crimes. The court must consider ordering a convicted trafficker to pay restitution to the victim. The statute on computer or electronic pornography or child exploitation provides a means of prosecuting traffickers who use the Internet to solicit minors for illegal sex acts. Traffickers convicted of crimes related to child pornography are required to register as sex offenders.³⁴ In determining whether to terminate parental rights, the court may consider conviction and imprisonment that negatively affects the parent-child relationship, but CSEC and trafficking convictions are not specifically provided as grounds for terminating parental rights.

IV. COMMITTEE RECOMMENDATIONS

As a result of this study, the Commission continues to see the dire need for more resources for victims of commercial sexual exploitation and human trafficking. However, maybe even more importantly, the Commission sees a need for accurate, dependable data in order to make informed data driven policy. The collection of dependable data will require a long-term commitment, but some actions can be taken immediately. The Commission has identified the following five (5) possible legislative actions worthy of serious consideration by the General Assembly:

Immediate Legislative Proposals

1. *Mandate the posting of the National Human Trafficking Hotline number in places where victims are likely to be*

The National Human Trafficking Resource Center hotline, operated by Polaris Project since December 2007, has received more than 60,000 calls from every state in the country and connected more than 6,700 potential victims to services. Incidences of sex and labor trafficking have been reported to the hotline in all 50 states in the last two years. Trained professionals who are paid and participate in over 60 hours of training staff the Hotline which is available 24/7 with translation services available in 170 languages.³⁵

GAIN's representative stated that a common thread among victims is fear of deportation.³⁶ Traffickers exaggerate anti-immigration laws to their victims which makes

³⁴ OCGA § 16-12-100(b)(8)

³⁵ See Georgia Women for a Change Handout in Exhibit R

³⁶ See GAIN Testimony and Recommendations in Exhibit G

the victims helpless and powerless. Also, being in a new country, a victim is often unaware of how to get help. Victims are more likely to testify against their trafficker if they make the first move to reach out for help instead of being arrested. In addition, people who witness or suspect trafficking activity can call and get help or advice.

Not For Sale Georgia has already begun to post the hotline number in their “No One Should Force You” poster campaign.³⁷ Its director testified that they have had an overall great reception with the campaign by proprietors.³⁸ Commission Chairman Edward Lindsey plans to propose hotline legislation for the 2013 session.

2. Strengthen and provide cleanup to HB 200 by providing for the sealing of records of children who were adjudicated prior to the passage of HB 200

During the 2012 legislative session, Rep. Jay Neal introduced HB 1078. Though the bill had much support from advocates and legislative members, it was never heard in committee. However, the language of HB 1078 compliments the affirmative defense created in HB 200 by allowing for the modification, vacation or sealing of adjudications of delinquency for a sexual crime resulting from a minor being a victim of sexual exploitation. According to Kirsten Widner from Barton, restriction is needed because the affirmative defense created HB 200 is not practically available for every sexually exploited child. Some children were adjudicated for prostitution or related crimes before HB 200 came into effect. For those children coming before the court after HB 200 came into effect, the short time frames for juvenile court cases may mean that they are not emotionally ready to take advantage of the defense at the time their case comes to trial.³⁹ A state by state comparison of juvenile delinquency record expungement for commercially exploited minors can also be found in Exhibit S.

3. Pass the Child Protection and Public Safety Act also known as the juvenile code rewrite

Running away and homelessness are key risk factors for sex trafficking. Children who are on the streets, without legal ways to support themselves or obtain shelter, are easy prey for those would exploit their vulnerability. Responding appropriately to children who run away from home is a critical step in preventing sex trafficking of children. Georgia’s current approach to a child who runs away is to treat them very much like we treat delinquent children. However, the Child Protection and Public Safety Act creates a more holistic approach to dealing with status offenders, including children who run away. This approach would seek to identify the underlying causes of the behavior and address those causes with services, rather than simply punishing the behavior. Such an approach would be an extremely helpful step in preventing the trafficking of children.⁴⁰

³⁷ See Not for Sale ‘No One Should Force You’ Victim-Centered Awareness Poster Campaign in Exhibit O

³⁸ See Not for Sale Testimony and Recommendations in Exhibit N

³⁹ See Barton Child Law and Policy Center Testimony and Recommendations in Exhibit D

⁴⁰ See Barton Child Law and Policy Center Testimony and Recommendations in Exhibit D

4. *Ensure that convicted human traffickers for sexual servitude (when the victim is adult) are added to the sex offender registry^{41*}*

As mentioned above, the crimes of human trafficking and pandering do not require registration to the sexual offender registry when the victim is an adult though it is required when the victim is an minor.

5. *Require that the mugshot of a person who has been convicted of human trafficking be published in the legal organ of the county in which the person resides, and, if appropriate, the internet.*

The Commission hopes that the posting of the mugshot in the legal organ will serve as a deterrent.

Long-Term Recommendations

1. *Continue efforts to reduce the demand*

The Commission believes the State of Georgia is now ready to move on to Phase II in its fight against human trafficking. In Phase II, Georgia must reduce the demand.

In the Fall 2009, the Schapiro Group took 218 surveys done over a 2-month period involving men ages 18-67 who wanted to buy sex from young females in the Atlanta area.⁴² [Please note: this was a covert study, and no actual transactions were made.] The men were asked three (3) questions to reveal that the man might be buying sex from an underage female. When pushed, over half decided against purchasing sex from minors.

2. *Investigate expansion of HB 200's instructional services for minors who are victims or potential victims of human trafficking*

For minor victims of human trafficking and/or commercial sexual exploitation, appropriate instructional services and supports need to be provided to the child for the education that was lost during the time of his or her abuse in order that the child may have a viable opportunity to fulfill his or her potential.

3. *Additional investigation regarding the transportation of minors and the need for identification when traveling by commercial transportation*

Sen. Donzella James introduced SR 10 during this 2013 legislative session to urge Congress to enact legislation requiring the positive identification of minors boarding domestic flights in this country.⁴³ Buses are another form of transportation that do not require identification of minors.

⁴¹ *Travis Sakrison, on behalf of the Georgia Public Defenders Standards Council, expressed objection to Immediate Legislative Proposal 4. For more information on the objection, please see Exhibit T

⁴² See the Schapiro Group: Men Who Buy Sex with Adolescent Girls in Exhibit U

⁴³ See SR 10 in Exhibit V

4. *Promote prevention programs for minors who are at risk of becoming victims of human trafficking*

Programs need to be developed to help potential victims in identifying potential abusers and increasing educational opportunities and other programs to enhance self-esteem. Actions include surveying current programs and determining gaps in present services and implementation of collaborative efforts to fill those gaps.

5. *Provide educational prevention programs to assist in the reduction of numbers of the next generation of human traffickers*

For example, investigate ways to address the frequency of abused victims becoming abusers themselves as adults needs to be undertaken.

6. *For a person convicted of disorderly conduct, require a minimum of 30 days in jail and the name to be published in the legal organ of the county in which he or she resides*

According to the Chiefs of Police and many prosecutors, many times trafficking charges are reduced to disorderly conduct due to the availability of the victim and his or her willingness to testify. The Chiefs suggest that this misdemeanor charge be a required 30 day in jail minimum. In addition, the person's name would be published in the legal organ of the county where the person resides for shaming purposes. Further, as part of the sentence, a portion of the fine could be used to provide financial support to help those programs designated by the state as successful in turning young women and men from sex trade. However, further investigation of how this would impact the prosecution of traffic offenders needs to be explained before specific legislation can be recommended.

7. *Collection of hard data with what the State of Georgia is currently dealing with when it comes to human trafficking*

One of the strong concerns of this Commission is to make sure this state's scarce resources are best utilized were needed. For example, although domestic violence shelters are stepping up, there needs to be a shelter dedicated to trafficking victims that provides holistic care. Currently, GCADV does not have the monetary means to provide the appropriate training. However, creating a comprehensive system of services delivered by appropriately trained professionals ready to meet the specific needs of these victims is hopefully a goal that Georgia can achieve.

Reliable, hard data needs to be collected regarding the magnitude of the problem in order to make accurate data driven policy decisions. While Georgia's laws provide stringent penalties for pimps and johns in CSEC cases, actual prosecutions still remain relatively low. As mentioned above, GOCF understands the need and began collecting hard data. However, further research needs to be conducted. The Atlanta Journal

Constitution recently wrote two (2) articles saying as much.⁴⁴ An example of other state's work is the Tennessee Bureau of Investigation and Vanderbilt Peabody College, The Center for Community Studies, who gathered hard data and compiled the data which is located in Exhibit J attached to this report.

⁴⁴ A copy of these articles can be found in Exhibit W