

March 27, 2024

Dear House Finance Committee,

I felt compelled to write to you in regards to statements made in yesterday's hearing on House Bill 259.

As a minor, I was [sex trafficked by my father here in Alaska](#). As an adult, I have spent over two decades working in almost every aspect of Alaska's sex industry. According to Representative Vance's assertion that the average lifespan of a sex trafficking survivor is 7 years (a statistic which has been thoroughly debunked in academia), I have currently lived over twenty years longer than expected!

In 2015 I successfully defended my Master's thesis research on [The Lived Experiences and Policy Recommendations of People in Alaska's Sex Industry](#). That research was replicated at [Brown University](#) by Dr. Shih in collaboration with COYOTE RI, and later across the US. My research was instrumental in creating immunity for sex workers and sex trafficking survivors to report crimes without being charged with prostitution and in the fixes to the state sex trafficking law in SB91. As far as I can tell, I am the only person to have done academic research about sex trafficking in Alaska.

I am considered an expert in sex trafficking and sex work research and policy, and have traveled nationally and internationally to consult and present on these issues at institutions like the Cambridge Union, Freedom Network Conference, and several Universities, non-profits, and community groups. Currently I work as the research and policy director of COYOTE RI, a sex workers' rights group based in Rhode Island.

I also have the distinction of having reported the [Alex Asino case](#), which at the time was the second case of sex trafficking of an actual, non-fictitious, minor in Alaska's sex industry at the state or federal level to be charged in ten years. This despite the fact that for several of those years the Alaska Bureau of Investigations operated a 3 Investigator Special Crimes Investigative Unit with the primary mission of locating and rescuing minor sex trafficking victims.

### **Public Access to Council Meetings**

Despite my experience and expertise, or perhaps because of it, I have consistently been denied the legally mandated public access to the Alaska Governor's Council on Human and Sex Trafficking Meetings. I first tried to attend a meeting on October 11, 2022. After my colleague, Amber Nickerson, and I sat in the Microsoft Teams "waiting room" for quite some time, we tried calling in to the listed phone number and extension, and still were not admitted to the meeting.

On October 12, 2022 I emailed Brenda Stanfill (at the time I believe she was director or co-director of the Council) and she responded within minutes apologizing and saying that when they next scheduled a meeting she would personally send me a link to access it.

Additionally on October 12, 2022, I made a public records request for that Council's documents from Ms. Stanfill, who said that she forwarded it to Katie TePas. I still have not received the requested records.

On December 19th, 2022 I discovered that the Council had held one or two meetings and Ms. Stanfill had not emailed providing me with a link as promised. I emailed her about this oversight and informed her of my intention to attend the Council meeting that was public noticed for the next day, December 20th. That meeting was canceled at the last minute, and Ms. Stanfill did not respond to my email.

As a group, we made Ombudsman Complaint #2022-11-1930 about this series of events. The Ombudsman's office advised us to coordinate with Katie TePas to access the meetings. We continued to try to access the meetings for another year, but consistently when we notified Ms. TePas of our intent to attend a meeting, the meeting would be canceled. In one case, a meeting public noticed for December 14, 2023, was "prescheduled" for December 13th. Another time in November or December of 2023 I spent about 30 minutes trying to access a meeting through Microsoft Teams and the call in number without being allowed access.

Amber Nickerson and I separately filed Ombudsman Complaints #2023-11-1930 and #2023-11-2204 and again were advised by the Ombudsman's office to continue to try to coordinate with Katie TePas to be admitted to the meetings.

Later in December of 2023, I changed my name on Microsoft Teams from "Terra Burns" to "Tara in Alaska" and was admitted to a meeting of the Council for the first time.

Why would a state Council on Human and Sex Trafficking go to such lengths to avoid being observed in public meetings by an Alaskan sex trafficking survivor and subject matter expert?

### **Misinformation**

- Representative Vance, apparently a Council member, opened her testimony before your committee yesterday with the "fact" that a sex worker's average life expectancy after entering prostitution is seven years. This was a common claim about twelve to fifteen years ago, but has been debunked so many times that I have only heard it once or twice over the last ten years. It was debunked by PolitiFact in [2015](#) and [2019](#), citing a [2004 study in the Journal of Epidemiology](#) that followed almost 2000 sex workers over 33 years, during which there was an 8% mortality rate. If anyone at the council had googled this "fact," they would know it was completely false, but rather they are comfortable presenting easily discredited "facts" as reality to the legislature.
- On page 15 of their [2022 report](#), the Council links to a study, "[Do John Schools Really Decrease Recidivism? A methodological critique of an evaluation of the San Francisco First Offender Prostitution Program](#)" in support of their claim that John Schools reduce recidivism. At the 2024 Alaska Data Summit at the Loussac Library, Council member and

Assistant Attorney General Chris Darnell on March 1 again referenced this as a study showing that John Schools are effective in reducing recidivism. In fact, the study found that John Schools **do not** reduce recidivism. This sort of mendaciousness has no place in good government or good policy.

These are only two examples of the Council and Council members misrepresenting data and presenting misinformation as “facts.” **It is impossible to create good, evidence based policy with misinformation.** Alaska deserves a Sex Trafficking Council who will critically review actual data and make evidence based recommendations to end victimization in Alaska’s sex industry. The council should not be funded to continue to cite false, debunked statistics or misrepresent research.

### **Definition Creep**

I was concerned to hear about the CDVSA’s involvement in the proposed Council structure because the CDVSA uses a definition of trafficking (found on page 15 [here](#)) that literally includes “seduction” as well as all commercial sex. How many of the 19 “sex trafficking victims” they identified in 2022 were actually sex workers or victims of “seduction”? No amount of public funding is going to keep organizations like CDVSA from using definitions they deem useful as a means to apply for federal funding.

This kind of definition creep is common in the field of sex trafficking right now. For example, the [Covenant House screening tool](#) used in a [Loyola University study](#) uses such a broad definition of sex trafficking of minors (see question E1 and preceding definition on page 6) as to include teenagers who went dancing with their same aged dating partners and received flowers or a meal from them.

During Chris Darnell’s presentation of the Council’s recommendations during the 2024 Alaska Data Summit, I asked him about the discrepancy in reports of sex trafficking received by police, as reported in the [Crime In Alaska Sex Offenses Report](#) (0-4 per year) and the numbers of minor sex trafficking victims reported by mandated reporters like Covenant House (27) and My House (47) in the Council’s recent [Data Summary](#). Mr. Darnell explained that this was likely due to the different non-criminal definitions of sex trafficking being used by different non-profits.

This “definition creep” matters because victims of forced labor in the sex industry continue to be denied services or to find that services are not relevant or accessible at agencies who say they serve sex trafficking survivors but are unfamiliar with and unprepared to serve victims of the crime of sex trafficking. Funding this council into statute would only encourage this bad practice.

Another reason this “definition creep” matters is because the high numbers of sex trafficking victims reported using these misleading definitions leads to increased public demand for sex trafficking arrests, which is clearly a goal of this council. When there simply isn’t enough actual sex trafficking to bring about those arrests, we end up with bad laws like Alaska’s 2012 sex trafficking law that redefined most prostitution as sex trafficking and which, in its first couple

years, [was used exclusively to charge sex workers with sex trafficking](#) - in one case an independent sex worker was charged with trafficking of herself. That law was so outrageous that it was used as an example on the [John Oliver show](#) and repealed in 2016. We already see members of the current Council pushing House Bill 68, which the director of the criminal division of the Department of Law has [testified](#) that he would use to charge sex workers with sex trafficking in the first degree, an unclassified felony.

## **Wrong Allegiances**

Alaska has one of the worst track records in the country for charging victims of horrific sex trafficking crimes with sex trafficking (see state case #3AN-15-02163CR, [Keyana's Story](#), and more recently 3:19-cr-00005-SLG-MMS-1, USA vs Ajela Banks). Many of the people on the current sex trafficking Council are allied with the criminal justice system and their agencies will profit both financially and reputationally by increasing sex trafficking prosecutions - whether of actual sex traffickers, sex workers, or sex trafficking victims themselves. Their financial interests are in strong conflict to the interests of sex trafficking survivors, of which there are none on the council.

A proper sex trafficking council would be made up of actual sex trafficking survivors with a broad range of experiences. Representatives of the criminal justice system and others who profit from the criminalization of survivors should only be allowed as non-voting members. In fact, Alaska has two survivor representatives on the [US Advisory Council on Trafficking](#), which is made up entirely of trafficking survivors.

## **Funding**

Representative Vance has testified frequently about gaining federal sex trafficking funds for Alaska, but Alaska already receives the third highest per capita distribution of federal Office for Victims of Crimes sex trafficking funds at \$1.03 per capita. Washington DC and Delaware receive more per capita funds and all other states receive less. Alaskan NGOs have received over \$10.7 million dollars in anti-trafficking funds since 2019 with no apparent benefit to survivors of the crime of sex trafficking. I recently co-authored a paper about OVC trafficking funding in Alaska and hope that it will be published later this year - if you would like to review the paper privately, I can provide it, but it cannot be "published" because the academic journal we have submitted it to will hopefully have all publication rights.

Thank you for giving your valuable time and attention to this unnecessarily convoluted matter. Alaskans deserve better than this council. Please vote no on HB 259 or consider amending it to create an actual council of trafficking survivors.

Terra Burns