

ALASKA STATE LEGISLATURE
HOUSE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

January 30, 2024

3:00 p.m.

MEMBERS PRESENT

Representative Mike Prax, Chair
Representative Justin Ruffridge, Vice Chair
Representative CJ McCormick
Representative Dan Saddler
Representative Zack Fields
Representative Genevieve Mina

MEMBERS ABSENT

Representative Jesse Sumner

COMMITTEE CALENDAR

HOUSE BILL NO. 275

"An Act relating to sexual assault examination kits; establishing the sexual assault examination kit tracking system; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 264

"An Act requiring the Department of Family and Community Services to adopt a uniform screening tool; requiring shelters for runaway minors to screen minors for victimization relating to sexual abuse, sex trafficking, and commercial sexual exploitation; requiring the Department of Family and Community Services to screen children in need of aid for victimization relating to sexual abuse, sex trafficking, and commercial sexual exploitation; and relating to the duty of the Department of Family and Community Services to investigate the experiences of missing children in need of aid who have been located."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 275

SHORT TITLE: SEXUAL ASSAULT EXAMINATION KITS/TRACKING

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/18/24 (H) READ THE FIRST TIME - REFERRALS
01/18/24 (H) HSS, FIN
01/30/24 (H) HSS AT 3:00 PM DAVIS 106

BILL: HB 264

SHORT TITLE: CHILD TRAFFICKING SCREENING

SPONSOR(s): VANCE

01/16/24 (H) PREFILE RELEASED 1/12/24
01/16/24 (H) READ THE FIRST TIME - REFERRALS
01/16/24 (H) HSS, FIN
01/30/24 (H) HSS AT 3:00 PM DAVIS 106

WITNESS REGISTER

DAVID KANARIS, Chief Forensic Lab Administrator
Alaska Scientific Crime Detection Laboratory
Alaska Department of Public Safety
Anchorage, Alaska

POSITION STATEMENT: Provided background and explanation of HB 275.

JAMES COCKRELL, Commissioner
Department of Public Safety
Anchorage, Alaska

POSITION STATEMENT: Answered questions regarding HB 275 and the role of the Department of Public Safety

REPRESENTATIVE SARAH VANCE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 264.

SIDNEY MCCOY, Director of Advocacy
Shared Hope International
Vancouver, Washington

POSITION STATEMENT: Offered invited testimony during the hearing on HB 264.

ROBERT BALLINGER, Staff
Representative Sarah Vance
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Gave the sectional analysis for HB 264 on behalf of Representative Vance, prime sponsor.

KIM GUAY, Director

Central Office
Office of Childrens Services
Department of Family and Community Services
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 264.

ACTION NARRATIVE

[3:00:53 PM](#)

CHAIR PRAX called the House Health and Social Services Standing Committee meeting to order at 3:01 [3:00] p.m. Representatives Fields, Ruffridge, Mina, and Prax were present at the call to order. Representatives Saddler and McCormick arrived as the meeting was in progress.

HB 275-SEXUAL ASSAULT EXAMINATION KITS/TRACKING

[3:02:06 PM](#)

CHAIR PRAX announced that the first order of business would be HOUSE BILL NO. 275, "An Act relating to sexual assault examination kits; establishing the sexual assault examination kit tracking system; and providing for an effective date."

[3:03:12 PM](#)

DAVID KANARIS, Chief Forensic Lab Administrator, Alaska Scientific Crime Detection Laboratory, Alaska Department of Public Safety, introduced HB 275, explaining that there are four components to the bill. He presented the first slide in a PowerPoint presentation [hard copy included in the committee packet], referring to the points on the various slides while discussing the components of the bill. First, HB 275 requires the Department of Public Safety to develop and implement a sexual assault kit tracking system. This system has been developed using federal grant funds, and it was implemented statewide during the summer of 2023. The second part of the bill mandates that all stakeholders use the system. Medical providers, law enforcement, health care facilities, and the crime lab participate in the system. The third part of the bill mandates medical providers to notify law enforcement within seven days of collecting the kit. Current statutes mandate law enforcement to submit the kits within 30 days and the crime lab to test them within six months.

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CHAIR PRAX questioned whether the requirements were federal requirements.

MR. KANARIS explained that they are federal guidelines and recommendations, and the crime lab is basing a lot of its work on the federal best practice standard by the National Institute of Justice. The crime lab developed the seven-day guideline in concert with the Sexual Assault Nurse Examiner (SANE) and Sexual Assault Response Team (SART) training programs. During summer 2023, both SART and SANE representatives traveled the state training stakeholders in how to process the kits within seven days.

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REPRESENTATIVE FIELDS asked what medical providers would be involved and under what circumstances would they first interact with survivors of sexual assault.

MR. KANARIS explained that he did not have a total list, but there are about 35 providers that have staff trained in the use of the sexual assault examination kits. The first interaction is when the victim reports an assault and they go to a medical facility such as a hospital or a smaller health care facility where they are taken through an examination. The kit is taken by the medical provider and turned over to law enforcement for submission to the crime lab.

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MR. KANARIS pointed out that the last part of the bill repeals the duplicative work of manually tracking and inventorying untested examination kits. This function will be replaced through the sexual assault examination kit tracking system.

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REPRESENTATIVE RUFFRIDGE asked for clarity regarding the current state of the examination kit process and why a medical facility might not be interested in completing this work in a timely fashion.

MR. KANARIS replied that someone from the health care system would best be able to answer the question. He explained that

there is a lot the medical providers are asked to do, using a hypothetical situation as an example.

REPRESENTATIVE RUFFRIDGE questioned whether there is a plan to bring on additional resources and people especially considering that 35 places seems like a small number considering the breadth of the state.

MR. KANARIS responded that he could only speak on behalf of the Department of Public Safety. The fiscal note does not include additional funding for medical facilities or nurses.

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REPRESENTATIVE MINA asked how often a barrier between law enforcement and providers or stakeholders becomes an issue in terms of having the kit tested.

MR. KANARIS explained that this type of data will be available in the future. Currently the department has seen examples of people falling outside the seven days, but the majority of medical providers have been able to meet the seven-day window.

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REPRESENTATIVE FIELDS asked what the delay would be in getting the kit from the hospital within the seven-day window.

MR. KANARIS explained that he was not the best person to answer the question, but it was his understanding that this is an additional administrative task for the health care providers, and they might not have the time or capacity to do this in that moment.

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MR. KANARIS referred to slides 3 and 4 as he continued to describe the reasoning behind HB 275. He addressed the questions regarding how the bill can help victims and why the bill is needed. He explained that the tracking system was developed through the perspective of the victim survivors, that they needed to be listened to, and that they needed to be able to engage with the criminal justice system at their own pace and doing it in a way that doesn't cause additional trauma for the survivor. One important aspect of the tracking system is that the victim can log in to a portal and track their own kit at their own pace and see exactly where the kit is within the

system. Another part of the current statute would require law enforcement to contact the victim within 14 days of the kit being tested, potentially adding to the trauma of the victim. Another benefit is that it places a timeline for the transmission and testing of sexual assault examination kits at all stages of the process.

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REPRESENTATIVE SADDLER referred to page 2, lines 19-22 of HB 275 and enquired whether the forensic lab is required to report the DNA results to anyone.

MR. KANARIS explained that the results of the test always are reported to the submitting law enforcement agency.

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REPRESENTATIVE RUFFRIDGE opined that a six-month turnaround time for the lab seems like a significant window for test results.

MR. KANARIS described the previous system when the requirement for test results was a year. Since that time the legislature has provided funding to modernize the forensic lab, so the six-month window is reasonable. However, currently most test results are complete within ninety days from the time of the first exam. He expressed confidence that the lab will be able to attain a sixty-day window.

REPRESENTATIVE RUFFRIDGE questioned whether a shorter processing time would be an advantage for law enforcement in terms of conviction or incarceration.

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JAMES COCKRELL, Commissioner, Department of Public Safety, answered the question posed by Representative Ruffridge, explaining that when the kits are processed more quickly, law enforcement is better able to make the case, make an arrest, and get it to the Office of the District Attorney. He pointed out that over the last several years Alaska has become much better at how sexual assault kits are handled in terms of turnaround and taking care of the backlog.

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REPRESENTATIVE RUFFRIDGE asked whether there would be a penalty if the health care provider does not process within seven days.

MR. KANARIS explained that it would be flagged at the lab during the sexual assault kit inventory and would be reported to the legislature, but there is not a penalty.

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REPRESENTATIVE FIELDS inquired about the work flow and investigation process. He also asked about the vacancy rate in law enforcement.

COMMISSIONER COCKRELL explained that the results from the kit would become part of the investigation depending on whether a suspect has been apprehended or where the arrest process is. Sometimes an arrest can be made right away, and sometimes it might be months later. He emphasized the heinous nature of sexual assault and how important the kits might be in prosecuting the crime. In answer to Representative Field's question about vacancy rates, he explained that currently there are 62 vacancies throughout the state out of 412.

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REPRESENTATIVE SADDLER posed a question about chain of custody and where the kits were stored at different points. He also asked whether they needed to be stored in a freezer.

MR. KANARIS described the steps of the examination kits and where they would be stored at different points. There is a dedicated room at the crime lab where they are stored in perpetuity. They do not need to be stored in a freezer. In response to a follow-up question, he reiterated that after law enforcement receives the kits, they have 30 days to get them to the crime lab. The law enforcement agencies have secure evidence lockers.

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REPRESENTATIVE SADDLER asked whether there is any concern about the health care provider maintaining proper chain of custody protocols.

COMMISSIONER COCKRELL explained that the sexual assault kits are sealed after evidence is collected, so it would be evident if they had been tampered with. He explained that the department

has been using the kits for a long time and this has not been an issue.

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REPRESENTATIVE MINA inquired about potential delays in law enforcement meeting the deadlines with the kits and whether there was enforcement if it did not meet deadlines.

MR. KANARIS reiterated that delays would be noted when the kit was inventoried at the lab and it would be reported to the legislature.

REPRESENTATIVE MINA asked about the frequency of those reports to the legislature.

MR. KANARIS replied that it was only once per year, but the data is available and could be reported more frequently.

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REPRESENTATIVE MCCORMICK expressed appreciation that both presenters were working on this issue. He discussed how the length of time it has previously taken to process the kits and the prior lack of communication to the victims has had the effect of further victimization. He said that speeding up the process is imperative and that it will be transformative for a lot of victims and will change lives. He reiterated a question posed by Representatives Mina and Ruffridge regarding whether there were penalties for noncompliance, and what could be implemented to "really put the pressure on."

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COMMISSIONER COCKRELL responded that the statute would be law, and if entities were out of compliance, they would be reminded that they were breaking the law. However, he reiterated that there would not be fines or penalties.

REPRESENTATIVE MCCORMICK clarified that the health care workers do a tremendous job, and there is a lot of difficulty dealing with these issues.

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REPRESENTATIVE RUFFRIDGE questioned the 30-day timeline for law enforcement and wondered whether that time could be shortened.

COMMISSIONER COCKRELL said he believed the 30-day timeline was chosen because the smaller law enforcement agencies in remote areas would need more time to get the kit to the crime lab. It could perhaps be a shorter timeline.

REPRESENTATIVE RUFFRIDGE asked what the standard turnaround time would be for separate trooper divisions around the state to submit a kit to the crime lab after receiving it from the health care provider.

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MR. KANARIS answered that the average turnaround time for all law enforcement agencies to submit the kits to the lab is about seven days.

CHAIR PRAX posed several questions about medical staff trainings including whether medical providers are trained and certified, whether they are trained regarding chain of custody, and who pays for the training.

MR. KANARIS responded that there was extensive training on the sexual assault kit software starting last summer with about 140 trainings attended by approximately 700 individuals including crime lab staff and nurses. The trainings were paid for by a federal grant, but the grant expires September 2024, after which the trainings will need to be funded by state. He said he would provide the committee with a syllabus of that training.

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REPRESENTATIVE SADDLER referred to Section 5, on page 3 of the bill, which says the department shall develop and operate a sexual assault kit tracking system. However, on the second page of the fiscal note it says DPS has already implemented the tracking system. He followed up with several questions asking for clarification.

MR. KANARIS responded to Representative Saddler's questions by explaining that the federal grant allowed the department to set up the system, provide training, and implement the program. The ongoing software maintenance fees are reflected in the fiscal note. He noted that they could work on the language in the bill.

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COMMISSIONER COCKRELL added that putting the tracking kit system into statute would ensure that a future administration could not decide to do away with the system. He explained that the department has made great strides in how it handles sexual assault in the state. There are about 600 cases a year with Representative McCormick's district being one of the highest in the state for these crimes. The department wants to keep the momentum of helping survivors going and hold perpetrators accountable so they can go to jail for a long time.

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CHAIR PRAX announced that HB 275 was held over.

HB 264-CHILD TRAFFICKING SCREENING

[Contains discussion of HB 68.]

[3:44:30 PM](#)

CHAIR PRAX announced that the final order of business would be HOUSE BILL NO. 264, "An Act requiring the Department of Family and Community Services to adopt a uniform screening tool; requiring shelters for runaway minors to screen minors for victimization relating to sexual abuse, sex trafficking, and commercial sexual exploitation; requiring the Department of Family and Community Services to screen children in need of aid for victimization relating to sexual abuse, sex trafficking, and commercial sexual exploitation; and relating to the duty of the Department of Family and Community Services to investigate the experiences of missing children in need of aid who have been located."

[3:45:26 PM](#)

REPRESENTATIVE SARAH VANCE, Alaska State Legislature, as prime sponsor, presented HB 264. She explained her focus on combatting sex and human trafficking in the state of Alaska, citing statistics and a study by Loyola University. The study revealed an "alarming rate" of children being trafficked in Alaska, noting that within forty-eight hours of a child running away, they will be solicited for sex. There has been insignificant attention paid to this matter, and the screening tool required in HB 264 is one method for addressing sex trafficking of children. She referred to the Loyola study and noted that Covenant House developed a screening tool which

identified twenty-five trafficking victims who otherwise would have gone unnoticed. The uniform screening tool called for under HB 264 would take a significant stride forward in addressing child sex trafficking. She pointed out that most people are unaware of child sex trafficking in Alaska simply because the right questions are not being asked. A uniform screening tool would mean that children who are in shelters or are already in state care can be asked questions which will better serve them.

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CHAIR PRAX opened invited testimony on HB 264.

SIDNEY MCCOY, Director of Advocacy, Shared Hope International, offered invited testimony on HB 264. She described the work of the non-profit she represented, Shared Hope International. She explained that children do not identify themselves as having been sexually trafficked, so they are frequently misidentified. Many of these children have, at some point, been in state care, and HB 264 would help identify sex trafficking victims who are coming through state services. Proper identification would enable agencies to develop appropriate responses. Shared Hope International fully supports HB 264.

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ROBERT BALLINGER, Staff, Representative Sarah Vance, Alaska State Legislature, on behalf of Representative Vance, prime sponsor of HB 264, gave the sectional analysis [included in the committee packet], which read as follows [original punctuation provided]:

Sectional Analysis

HB 264 CHILD TRAFFICKING SCREENING

"An Act requiring the Department of Family 1 and Community Services to adopt a uniform screening tool; requiring shelters for runaway minors to screen minors for victimization relating to sexual abuse, sex trafficking, and commercial sexual exploitation..."

Section 1: Amends AS 47.10.394(c) to include Paragraph (2) to define "commercial sexual exploitation."

Section 2: Amends AS 47.10.394 to include Paragraph (d) to require a shelter for runaway minors shall use the uniform screening tool adopted by DFCS.

Section 3: Amends AS 47.14.100(t) to include Paragraph (4) to define "commercial sexual exploitation."

Section 4: Amends AS 47.14.100 to include new subsection (u) to require DFCS to adopt a uniform screening tool to screen children to identify whether a child is a victim, or at risk of becoming a victim, of sexual abuse, sex trafficking, or commercial sexual exploitation.

And, subsection (v) requires DFCS to look into the situation when a child returns from being missing, abducted, or ran away, to determine what happened while absent, to determine what led to the child's absence; and to screen the child to determine whether the child is a victim of sexual abuse, sex trafficking, or commercial sexual exploitation.

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REPRESENTATIVE FIELDS inquired about the role of Shared Hope International in Alaska.

MS. MCCOY responded that Shared Hope International primarily provides technical assistance to lawmakers and advocates in the state who are creating policy and legislation related to child abuse and sex trafficking.

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REPRESENTATIVE FIELDS asked Representative Vance where the runaway shelters are in Alaska. He noted that HUD [the United States Department of Housing and Urban Development] lists a number of emergency shelters and asked what differentiates an emergency shelter from a runaway shelter.

REPRESENTATIVE VANCE answered that there is one runaway shelter in Anchorage and one in Fairbanks and explained that the runaway shelters are for youth only.

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REPRESENTATIVE MINA inquired whether the bill would require only runaway shelters to use the screening tools or whether other entities who interact with youth at risk also would be required to use the screening tool.

REPRESENTATIVE VANCE responded that the purpose of HB 264 is two-fold. It would require the screening tool for runaway shelters, and it would also require the Department of Family and Community Services (DFYS) to use this screening tool. The goal is to be in partnership with work taking place in the Department of Public Safety and the Governor's Council on Human and Sex Trafficking to collaborate and develop a best practice screening tool that can be shared with non-profit organizations across the state. Some of the non-profits are federally funded, so they may be set up differently, but those entities may adopt the screening tool once it is available. Currently there is no state funding directed at human sex trafficking although there is some limited federal assistance. Alaska is at the ground in level in addressing this issue.

REPRESENTATIVE MINA asked whether the bill has any terms of enforcement for shelters that do not comply.

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MR. BALLINGER answered that it would be a licensing issue, and if they don't comply, they violate their license with the state.

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REPRESENTATIVE SADDLER asked whether there was a national uniform screening tool that could be used in Alaska.

REPRESENTATIVE VANCE explained that in 2014 a federal law was passed that required states to implement screening. A recent study showed that only about 15 percent of the states had implemented screening tools to identify sexual exploitation. There is no federal screening tool although there are best practices that many have adopted as recommendations. Also, different areas would need different tools. For example, a screening tool used in Bethel would be different from one used in Texas. Different states use a variety of questionnaires. This bill asks the Department of Family and Community Services to collaborate with the Governor's Council on Human Sex Trafficking and work with organizations that are taking in children, potential victims, and survivors to find out what is going to be the best practice for Alaska and develop that as a

standard across the state. This would provide data to compare with other states, but primarily the screening tool needs to be crafted so it fits situations in Alaska and shows where the red flags are.

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REPRESENTATIVE RUFFRIDGE stated that HB 264 is heading in the right direction. He pointed out that results from the screening tool only work if there is follow-up. He cited a statistic from the Office of Childrens Services (OCS) showing that out of a group of sixteen or seventeen children screened, only one case was investigated.

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REPRESENTATIVE VANCE explained that the bill was only part of a larger problem and that she has introduced several bills which together address the larger problem. Work needs to be done to educate first responders and others who come into contact with children and vulnerable people. This first step will help identify children who need assistance and help them find services. She is also working toward getting federal grants. Data is also important because it is hard for the legislature to appropriate funding if there is no data.

REPRESENTATIVE RUFFRIDGE agreed with Representative Vance that there is a need to address the issue in Alaska. He observed there seems to be a time component to crime, and he opined that 17 reports leading to one investigation is a poor ratio. He clarified that he is in support of a screening tool but is not sure HB 264 would be effective in leading to investigations. He asked, "Is that a possibility to have in here?"

REPRESENTATIVE VANCE responded that the screening tool will distinguish between a child that has experienced domestic violence versus one who has been exploited. She said state employees are mandatory reporters and would have to make a case of sexual exploitation known to law enforcement, which would then instigate investigation. Sex trafficking leads to a different kind of investigation; law enforcement is currently being trained to identify human trafficking. She acknowledged that her statements come from her time on the council, and she welcomed feedback from a member of public safety.

REPRESENTATIVE RUFFRIDGE surmised his concern could be addressed by Kim Guay.

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KIM GUAY, Director, Central Office, Office of Childrens Services, Department of Family and Community Services, to Representative Ruffridge reviewed that OCS can investigate parent/caregiver abuse; however, parents and caregivers typically "are not the abuser of trafficking victims." She said HB 264 is about children already in custody of OCS or the Division of Juvenile Justice or shelters. She explained the single investigation was to a trafficking case by a caregiver, which she reemphasized is rare. She said OCS already assesses children missing or who have run away, and she cited Public Laws 113 and 183 of 2015, which is from the Preventing Sex Trafficking and Strengthening Families Act of 2014.

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REPRESENTATIVE FIELDS asked whether OCS uses "the same tool as Covenant House," and he specified the "QYIT" and "QVIT."

MS. GUAY answered no and clarified that the Division of Juvenile Justice uses a screening tool different from that of OCS and "all the shelters out there." She recommended a broader conversation in considering a universal screening tool. She added that if there was a universal screening tool, it would come with a fiscal note.

REPRESENTATIVE FIELDS asked for more specific information regarding the screening used by various shelters.

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REPRESENTATIVE VANCE expressed the desire for a universal screening tool. She noted that Covenant House has a robust screening system. She clarified that she is not advocating for any one screening system to be made universal, but rather for a choice to be made in selecting a shared one.

REPRESENTATIVE FIELDS inquired whether a screening tool should be inclusive of labor trafficking, not just sex trafficking.

REPRESENTATIVE VANCE indicated that her focus first is on the trauma caused by sex trafficking.

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REPRESENTATIVE SADDLER questioned whether HB 264 would go far enough in getting "a useful tool" for screening.

REPRESENTATIVE VANCE answered that she would allow the committee to make that determination. She spoke about how some screening tools are better suited to finding more victims of sex trafficking. In response to follow-up questions, she said those who work directly with children should be the ones to recommend the best screening system.

REPRESENTATIVE SADDLER pointed to page 2, line 17, and said he would like a definition of "uniform" in terms of the adoption of a screening tool.

[4:27:42 PM](#)

REPRESENTATIVE FIELDS noted that almost 40 percent of the clients at My House shelter identify as LGBTQ, and he asked whether that should be a consideration in terms of figuring out prevention.

REPRESENTATIVE VANCE confirmed that since the first report in 2017, there has been a consistency in terms of LGBTQ numbers. That community is at greater risk for homelessness, exploitation, and suicide. She said this shows that "traffickers prey on those who are vulnerable." She expressed that the proposed legislation aims to find a tool to include the most vulnerable. She highlighted that in terms of sex trafficking, there is a crossover she had not previously been aware of, including the areas of homelessness, suicide, LGBTQ, and murdered and missing Indigenous women. She said a key goal is justice.

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REPRESENTATIVE RUFFRIDGE disagreed with the previous statement about the one investigation occurring. He recollected the statement had been that sexual trafficking does not occur inside a family unit and, thus, is not investigated very often. He said he thinks the information that has been made available would contradict that statement. He noted that the screening tool used by Covenant House has four questions and appears to have a "high assessment rate" at 88 percent. He expressed his hope that these are leading to investigations and criminal charges; otherwise, he opined, the tools are not effective.

REPRESENTATIVE VANCE directed attention to language in Section [4], on page 2, line 24, regarding what the department shall do when locating a child committed to the custody of the department who was missing, abducted, or ran away. She related that reports show that 31 percent of trafficking victimization is familial. She said that is a sobering statistic. She reviewed the definition of "commercial sexual exploitation" as under HB 264, Section 3. She said she wants state entities to investigate whenever there is a heightened risk of sex trafficking and for law enforcement to become engaged when key factors are apparent.

REPRESENTATIVE RUFFRIDGE observed that the directive to "investigate" under HB 264 would be applicable only to paragraph (v) regarding "missing, abducted, or ran away". He said he hoped the intent would be to investigate when information is received that circumstances exist and the child is at heightened risk.

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REPRESENTATIVE FIELDS, looking at the results of the governor's council and considering the adverse childhood experiences related to sex trafficking, mentioned a budget subcommittee and recommended learning about what state programs affect adverse childhood experiences.

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REPRESENTATIVE MINA wondered if some cases are reported by local police departments and not OCS, which may cause the difference in the statistics to which Representative Ruffridge referred. She highlighted the definition of "commercial sexual exploitation" on page 2, lines 1-3, which read as follows:

(2) "commercial sexual exploitation" means the sexual abuse or exploitation of a child for the financial benefit of any person or in exchange for anything of value given or received by any person.

REPRESENTATIVE MINA asked, "Is that the norm for how this term is used in general?"

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MR. BALLINGER responded that the definition refers to children who are a minor.

REPRESENTATIVE MINA asked if there are circumstances in which the definition would be used not pertaining to minors.

REPRESENTATIVE VANCE answered yes, HB 68 clearly defined sex and human trafficking and updated "those definitions." She said, "This area of law is dealing with juvenile." In response to a follow-up question, she said there are specific laws addressing the sexual exploitation of minors, and she deferred to the Department of Law to answer Representative Mina's questions about a situation in which a 17-year-old has sex with a 19-year-old in order to receive food and shelter. Then she said Alaska is working on a definition regarding "sex and human trafficking dealing with labor." She said sex trafficking is trading sex for anything of value. She talked about the differences between prostitution and sex trafficking and the latter involving "a fourth element" and "someone benefitting from that act." She clarified that it pertains to an act that a person would not otherwise be compelled to do if they were not in that particular situation.

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REPRESENTATIVE MINA urged digging into the circumstances that put people into these situations, which will help in responding.

[4:47:12 PM](#)

MS. GUAY, in response to previous comments, clarified current statutes that allow OCS to become involved with families. She said AS 47.17.010 outlines the purpose of OCS. She said OCS investigates caregiver or parental maltreatment but not maltreatment from a relative living outside the house or a neighbor. Then there are the children in the care of OCS and Children in Need of Aid (CHINA) - foster children who are screened when missing or exploited. She said OCS can keep children up to the age of 21. She added that if OCS were to investigate all trafficking, that would broaden the scope of the office to be similar to law enforcement.

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REPRESENTATIVE PRAX asked whether there was a downside where "we" are possibly putting children at risk and "driving things further underground."

REPRESENTATIVE VANCE clarified that HB 264 would address at-risk children already in the system. She stated her belief that the bill would improve things because of the deliberate coordination between departments and those with lived experience.

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MS. GUAY expressed concern that if a new screening is added there be enough providers to make it happen. Some children must be removed from their situation if they are being trafficked, so housing is also an issue. She cautioned the committee not to compel youth to share their story and then, because of a lack of resources, end up putting them in harm's way. She talked about providing for the mental and physical safety of youth.

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CHAIR PRAX said he agrees on that point. He asked about federal best practices.

REPRESENTATIVE VANCE offered her understanding that there are not federal best practices but states have adopted best practices Alaska could emulate. She indicated that the proposed legislation would expand upon what is already being done.

CHAIR PRAX requested copies of other states' best practices.

REPRESENTATIVE VANCE said her office would provide that information.

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MR. BALLINGER noted that already provided were the best practices of [Florida] and New York.

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REPRESENTATIVE VANCE, in closing, reiterating key points of the bill hearing, highlighting that the first job is to let people in Alaska know that sex and human trafficking is happening in Alaska to "our children." She said many steps need to be taken from there, and HB 264 is one of them. She thanked the committee for its willingness to address the issue.

[4:58:04 PM](#)

MS. GUAY expressed appreciation to the committee and noted that OCS has a presence on the Governor's Council on Human and Sex Trafficking and she is happy to see Alaska stepping up to address the topic.

[4:58:43 PM](#)

MS. MCCOY echoed the bill sponsor's statement about HB 264 being the first step and offered Shared Hope International's collaboration in finding solutions.

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CHAIR PRAX announced that HB 264 was held over.

[4:59:44 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Health and Social Services Standing Committee meeting was adjourned at 5:00 p.m.