

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

January 22, 2024

1:01 p.m.

MEMBERS PRESENT

Representative Sarah Vance, Chair
Representative Jamie Allard, Vice Chair
Representative Ben Carpenter
Representative Craig Johnson
Representative Jesse Sumner
Representative Andrew Gray
Representative Cliff Groh

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

PRESENTATION(S) : GOVERNOR'S COUNCIL ON HUMAN AND SEX
TRAFFICKING

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

BRYAN BARLOW, Deputy Commissioner
Department of Public Safety
Juneau, Alaska

POSITION STATEMENT: Co-presented a PowerPoint, entitled
"Governor's Council on Human and Sex Trafficking."

KATIE TEPAS, Program Coordinator
Alaska State Troopers
Department of Public Safety
Juneau, Alaska

POSITION STATEMENT: Co-presented a PowerPoint, entitled
"Governor's Council on Human and Sex Trafficking."

ACTION NARRATIVE

[1:01:21 PM](#)

CHAIR SARAH VANCE called the House Judiciary Standing Committee meeting to order at 1:01 p.m. Representatives Sumner, Gray, Allard, and Vance were present at the call to order. Representatives Carpenter, C. Johnson, and Groh arrived as the meeting was in progress.

PRESENTATION(S): Governor's Council on Human and Sex Trafficking

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CHAIR VANCE announced that the only order of business would be a presentation on the Governor's Council on Human and Sex Trafficking.

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BRYAN BARLOW, Deputy Commissioner, Department of Public Safety (DPS), co-presented a PowerPoint, entitled "Governor's Council on Human and Sex Trafficking" [hard copy included in the committee packet]. He explained the foundations of the original council, established on December 14, 2021, under Administrative Order 328. The council completed their duties and put forth recommendations to the governor on September 28, 2023. He began on slide 2, which read as follows [original punctuation provided]:

Administrative Order 351

- o Effective October 9, 2023

- o Administrative Order (AO) 328 which established the Governor's Council on Human and Sex Trafficking (CHST) within the Department of Public Safety, was revoked and Governor Dunleavy issued AO 351, reinstating the CHST with a revised membership and updated duties and responsibilities.

DEPUTY COMMISSIONER BARLOW moved to slide 3, which read as follows [original punctuation provided]:

State Members

- o One representative from the Alaska Mental Health Trust
- o The commissioner of the Department of Health or designee
- o The Alaska Attorney General or designee

- o The Commissioner of the Department of Public Safety or designee
- o The Commissioner of the Department of Corrections or designee
- o The Commissioner of the Department of Education and Early Development or designee
- o *The Commissioner of the Department of Labor and Workforce Development or designee
- o *The Commissioner of the Department of Family and community services or designee

DEPUTY COMMISSIONER BARLOW explained that the bullet points marked with * were new additions to the council per AO 351.

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DEPUTY COMMISSIONER BARLOW moved on to slide 4, which read as follows [original punctuation provided]:

Public Members

- o Two mayors or local-government-elected-officials
- o One representative from a victim advocacy organization
- o One representative from an Alaska Native stakeholder organization
- o One representative from a local law enforcement agency
- o One representative from a faith-based community organization.
- o One representative from a homelessness direct-service provider

DEPUTY COMMISSIONER BARLOW noted vacant positions, and who currently held each position. He continued to slide 5, which read as follows [original punctuation provided]:

Ex-Officio Members

- o The Governor requests two ex-officio members, one who is a member of the Alaska State Senate appointed by the Senate President, and one who is a member of the Alaska House of Representatives, Appointed by the Speaker of the House
 - Representative Vance
 - Senator Kiehl

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DEPUTY COMMISSIONER BARLOW proceeded with the presentation, noting that a lot of the FY 24 plan influenced the current Administrative Order 351. He continued to slide 6, which read as follows [original punctuation provided]:

Fiscal Year 2024 Plan

- o On September 28, 2023, the CHST fulfilled their duties under AO 328 and submitted their recommendations to the Office of the Governor
- o CHST members expressed their commitment to ensuring the work to combat human and sex trafficking in Alaska continues
- o On July 19, 2023, the CHST developed a fiscal year (FY) plan for FY2024 which was submitted to Governor Dunleavy for consideration
- o Duties outlined in AO 351 mirror (For the most part) the FY2024 plan

DEPUTY COMMISSIONER BARLOW continued to slide 7, which read as follows [original punctuation provided]:

Council Duties under AO 351

- o initiating a proposal to the Governor for statutory implementation of the Council
- o Coordinating with the Department of Education and Early Development's trafficking curriculum review committee to provide a rubric for school districts in providing age-appropriate curricula for school-based youth.
- o Assisting the Department of Education and Early Development's e-learning module for educators, to increase the understanding among educators about issues, indicators, indicators, and resources relating to trafficking youth.

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DEPUTY COMMISSIONER BARLOW advanced to slide 9, which read as follows [original punctuation provided]:

Council Duties under AO 351

- o Producing discipline-specific training for medical providers, mental health/behavioral health providers, social workers, law enforcement, and other appropriate disciplines.
- o Designing, developing, and implementing public messaging on trafficking directed to victims,

survivors, and the general public, aimed at increasing awareness and reducing demand.

DEPUTY COMMISSIONER BARLOW returned to slide 8, which read as follows [original punctuation provided]:

Council Duties Under AO 351

- o Developing an electronic rural resource guide or tool kit for victims/survivors and communities
- o Evaluating expansion of the survivor's assistance for Escaping Trafficking (SAFE-T) Grant Program
- o Assessing avenues to expand individual access and organizational billing for essential healthcare and mental health supports
- o Ongoing evaluation of the efficacy of demand reduction programs
- o Producing annual public reports on the activities and recommendations of the Council

DEPUTY COMMISSIONER BARLOW cited the FY24 plan as an example of such public reports.

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DEPUTY COMMISSIONER BARLOW proceeded to slide 10, which read as follows [original punctuation provided]:

Council Highlights

- o Commitment
- o FY2024
- o Proposed statutory duties for the CHST
- o One director two board model for CHST and the Council on Domestic Violence and Sexual Assault (CDVSA)
- o Data Summary document approved for public release
 - Contains data from state, federal, and municipal agencies as well as non-profit agencies
 - Data is from calendar year 2023.

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KATIE TEPAS, Program Coordinator , Alaska State Troopers, Department of Public Safety (DPS), co-presented the PowerPoint on the Governor's Council on Human and Sex Trafficking. She explained the council's recommendations. She said Specific to the FY 24 Plan was providing the Governor and Chair of this committee with specific language for the proposed statutory duties of the CHST, of which has been given and utilized in HB

259. She underlined the importance of putting the CHST into statute, saying it would be "extremely important to move the mission forward." She also spoke on the "one director two board model" specific to House Bill 325, to oversee the CHST and the Council on Domestic Violence and Sexual Assault (CDVSA)

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MS. TEPAS continued to slide 10 and discussed the "data summary document" portion of the slide. She explained that the document contains data from state, federal, and municipal agencies, as well as non-profit agencies. She explained where the data came from, as well as when (2023). She said the hope is that next year, the Council may begin to develop data on past years in order to begin doing trend analysis. She said the council is not responsible for each data set, and if anyone has any questions pertaining to those data sets, that they reach out to the individual agencies who possess those unique data sets.

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MS. TEPAS moved on to slide 11, which read as follows [original punctuation provided]:

Council Highlights

- o Education and Public Awareness Sub-Committees
- o Demand Reduction Report from Legislative Research Service
- o Coordinating with Anchorage Task Force
- o Upcoming meetings with US Advisory Council on Human Trafficking-regional trip to Alaska
- o Training
- o Partnerships and coordinating across disciplines

MS. TEPAS explained that the sub-committee would provide a rubric for any proposed curriculum and stressed the importance of age-appropriate curriculum to teach children about human and sex trafficking. She acknowledged that the demand reduction report was requested from Legislative Research Services by Senator Kiehl and was meant to focus on research to reduce demand for Human and Sex trafficking.

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MR. BARLOW added that victimization could be lessened by making increased efforts for the offender after incarceration.

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MS. TEPAS continued slide 11. She discussed coordination with the Anchorage Task Force, saying they were developing specific curriculum for their patrol officers. She described upcoming meetings with U.S. Advisory Council on Human Trafficking & their regional trip to Alaska, as well as internal and external training, utilizing partnerships, and coordination across disciplines to create the trainings.

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MS. TEPAS concluded on slide 12, Which brought to light Human Trafficking Awareness Month. The slide showed a letter written by Governor Dunleavy to "Proclaim January 2024 as Alaska Human Trafficking Prevention Month," as well as a 3 different graphics supporting and explaining human trafficking awareness. The 1st graphic on the bottom left was a rendering of a Blue Ribbon, a common symbol & color to represent National Human Trafficking Awareness Day. The graphic read "WEAR BLUE TO BRING AWARENESS TO HUMAN TRAFFICKING" The second graphic pictured a road to describe chronologically how human trafficking can happen, what it is, and what you can do if you suspect someone is a victim or responsible for human trafficking. In the lower right-hand corner was a graphic made for Alaska Human Trafficking Prevention Month, simply of a hand with the shape of the state of Alaska in it with the words written "STOP" inside the outline of the state.

MS. TEPAS explained that the council has moved "leaps and bounds" since last year, given that they are still operating under an AO, and have no designated staff. She acknowledged Chair Vance and thanked her for her support in keeping the council working and doing their work.

MS. TEPAS concluded the presentation and opened the floor for any questions.

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CHAIR VANCE asked Ms. Tepas to expand on the available training.

MS. TEPAS said that winter training is available to their Sexual Assault Response Team members. She said for law enforcement, the training is posted on the Alaska Police Standards Council (APSC) training page, as well as the CHST has their own internal

calendar where the public may find trainings. Trainings and information are also available through the Alaska Network on Domestic Violence and the Alaska Native Women's Resource center. She said the goal is to have an online learning portal for more accessibility.

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The committee took an at-ease from 1:30 to 1:35.

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CHAIR VANCE noted that the livestream went down at approximately 1:30 PM due to technical difficulties. She noted that they were recording for the public, but there was no livestream anywhere else in the building.

[1:35:51 PM](#)

REPRESENTATIVE ALLARD asked whether last year's legislation was severe enough in terms of punishment.

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MR. BARLOW agreed the reducing the demand was vital to addressing the problem that was victimizing innocent people in the society. He said verbatim "The Department of Public Safety (DPS) would support legislation that allows public safety to effectively deal with the demand." He said public safety appreciates having effective tools to deal with the root of the problem, which is the victimization of innocent people.

CHAIR VANCE asked what a demand reduction program would look like and how it would be administered.

MR. BARLOW deferred the question to Ms. Tepas.

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MS. TEPAS explained that it begins with identifying those who seek to pay for sex, a "patron". This is usually done by arrest, after which anyone arrested for purchasing sex could be court ordered into the demand reduction program. She said the programs could only take place if law enforcement was actively working on identifying those individuals. She said the programs varied around the nation, thus the study Senator Keihl requested to see which type of program would be most effective for Alaska.

CHAIR VANCE questioned the motivation for DPS increasing the charges for offenders.

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DEPUTY COMMISSIONER BARLOW said the Department is motivated to bring accountability to the patrons of prostitution; however, DPS is dealing with several core vacancies in the department, something that is a major hinderance in their ability to address human and sex trafficking. He said in the future, the department should place more emphasis on this issue as vacancies are filled.

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REPRESENTATIVE CARPENTER asked how much sex trafficking was occurring, and whether there was a way to quantify that. He also asked how we could see or know whether the policy measures were working.

MS. TEPAS said that currently, the actual rates of victimization in Alaska were unknown and complex in nature. She referenced the Alaska Victimization Survey for rates of domestic violence and sexual assault, of which the council does not have good data to look to for numbers. She said what's missing is hard numbers on labor and sex trafficking. Current data represented victims that had come in contact with the system or agencies that screened/identified them; or victims that had self-reported. She mentioned adding discreet questions to the behavioral risk surveillance systems, Behavioral Risk Factor Surveillance System (BRFSS) and Youth Risk Behavior Surveillance System (YRBSS). She believed that increased self-reporting could result from policy changes because victims feel safer to come forward; however, it wouldn't necessarily mean an increase in victimization. She said that trend analysis would be necessary to see how the council should respond to it from a policy perspective, and to more clearly see what effect these policies have.

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REPRESENTATIVE CARPENTER asked what dollar figure was driving demand in human & sex trafficking as well as prostitution. He asked if there were any data sets on the cost per type of sex act performed.

MS. TEPAS said rates vary based on time and sex act, she estimated \$250.

REPRESENTATIVE CARPENTER said he's not particularly interested in how much anything costs and asked whether the financial data could be another way to measure whether or not the policies were working.

DEPUTY COMMISSIONER BARLOW responded, by comparing sex trafficking to drugs in the sense of how they relate in the market sense of buyer-and-seller.

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REPRESENTATIVE CARPENTER reiterated his belief that a method of measurement was needed to give the legislature an idea of what to do.

DEPUTY COMMISSIONER BARLOW responded, acknowledging his belief, and said they could look at their reporting mechanisms and the data they were collecting specific to that as a measurement of how successful policies were.

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CHAIR VANCE reported that human trafficking is a \$150 billion enterprise globally, adding that it surpassed the small arms trade years ago and is catching up with the drug trafficking trade. She said per a report from Gwen Adams, that Each individual sex trafficking victim has a street value of \$200,000, an Alaska-specific value, with their services being used up to 10 times per day. She said part of what the council is doing is trying to quantify a value specifically for Alaska.

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REPRESENTATIVE CARPENTER reiterated that he wanted to make data driven policy decisions that were result driven.

MS. TEPAS agreed. She said currently they'd not have adequate resources to perform all of the duties they'd like to, so they must be careful. She suggested that if the council were put into statute, the initial piece of work would be the data collection, mapping, and the evaluation of the data.

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REPRESENTATIVE GROH questioned current data on the prevalence of sex trafficking in Alaska, in addition to domestic violence and sexual assault.

MS. TEPAS reiterated that prevalence data was not available on rates of victimization for sex and human trafficking. She said they do have data on sexual assault and domestic violence, because of the AVS survey. She stressed the point that numbers of domestic violence and sexual assault victims far outweigh victims of sex trafficking victims. She said that many data centers may only provide a snapshot of the full problem, also noting that many victims don't come forward in the first place. She cited more components of data from different organizations were forthcoming.

REPRESENTATIVE GROH acknowledged the substantial problem worldwide and in Alaska, and further noted that this occurs everywhere in the state, not just in the bush. He said that a person growing up in Alaska is more likely to experience domestic violence or sexual assault than they are to become a victim of sex trafficking, and asked if that was a correct statement.

MS. TEPAS said risk factors were the same for sex trafficking and domestic violence/sexual assault, saying at a very basic level they are predominantly all the same. She said one factor is the Adverse Childhood Experience (ACEs) Score, which is a very strong indicator across all victimhood. She said that victims of childhood sexual assault were more likely to become victims of sex trafficking. Overall, she said that risk factors across the board are all the same, but sex trafficking presented slightly differently.

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REPRESENTATIVE C. JOHNSON asked whether any organizations had aggregated data for consistency, and if so, who is aggregating it.

MS. TEPAS answered that the CDVSA is the organization that is compiling all the data that they have identified.

REPRESENTATIVE C. JOHNSON asked "if there was a formatting formula for how we ask these questions."

MS. TEPAS she said that most entities use similar definitions of trafficking, which is defined by federal law. She cited HB 259,

saying one of the things in that bill is to standardize language surrounding Human and Sex Trafficking. She said that sometimes different entities label things as one thing that might not be the other in the legal/criminal realm.

REPRESENTATIVE C. JOHNSON asked whether there was anything the legislature could do to expedite the unification of data.

MS. TEPAS pointed out that passing HB 259 would be the best thing the legislature could do, considering that they are currently operating under administrative order.

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REPRESENTATIVE SUMNER asked who investigated labor trafficking in Alaska.

MR. BARLOW responded, saying that there is not a "strong push" right now from anyone, citing a lack of resources to dedicate towards that front of labor trafficking.

CHAIR VANCE sought to clarify whether the current statute gives DPS any authority with regards to labor trafficking.

MR. BARLOW said he'd have to refer to the statute to answer Chair Vance's question accurately.

CHAIR VANCE shared her belief that it wasn't clearly defined. She stressed the importance of HB 68, because it clarifies that authority in statute for the state to take action. In response to Representative Sumner, she said she believes that only the Federal bureau of Investigation (FBI) has the authority to investigate labor trafficking cases.

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MS. TEPAS said that the Department of Labor and Workforce Development (DLUD) has some authority to investigate certain aspects of labor trafficking. She stated that the Alaska Institute for Justice is the only entity right now that has any data on labor trafficking. She added that DPS was not currently investigating any labor trafficking.

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REPRESENTATIVE ALLARD asked why data wasn't in front of the committee when plenty of notice was given.

MS. TEPAS explained that the data sets are from a variety of different organizations from places all over the world, as well as the constant sifting and vetting of all of the data contribute to it taking a long time to put together.

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REPRESENTATIVE ALLARD explained that she was concerned about the idea that the CHST needs more staff to compile the data.

MS. TEPAS responded that CHST is compiling data but doesn't own the data. She explained that the legislature would have to ask the entities that own the data and apologized.

CHAIR VANCE explained why the committee was frustrated and wanted an overall picture of victimization and the rate of the problem of trafficking in Alaska. She reiterated and emphasized her respect for the CHST and the work that they do, and recognized why exactly they might not have all the data right now.

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REPRESENTATIVE GRAY questioned how the CDVSA board/director make up was different from the makeup of the CHST.

MS. TEPAS said there is some overlap in membership between the two councils. She said the overlap occurs in some state entities and agencies.

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REPRESENTATIVE GRAY questioned the necessity of the CHST if trafficking crimes are a subset of domestic violence/sexual assault and could be dealt with by the CDVSA.

MS. TEPAS said that sex trafficking isn't a subset, and that it has unique aspects of the crime that created the need and desire for the CHST. She further discussed the one director two board model and how it is efficient and beneficial, and she explained that merging populations might not be the best thing because they both demand such different services and have so many different needs.

DEPUTY COMMISSIONER BARLOW agreed with Ms. Tepas, emphasizing that the one director two board model worked well for the two councils.

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REPRESENTATIVE GRAY said he didn't want this to eclipse the enormous problem of domestic violence and sexual assault by splitting the directors and consolidating staff.

MS. TEPAS explained that the decision to consolidate under the CDVSA was mainly in the name of efficiency, something that prioritizes the needs of domestic violence and sexual assault while also not wanting to diminish the needs of sex trafficking.

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REPRESENTATIVE ALLARD asked whether she would be open to employee audits.

MS. TEPAS said she welcomed anyone looking at the volume of work that they have and the need, saying that the CHST or DPS wouldn't be making an ask if it wasn't needed.

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DEPUTY COMMISSIONER BARLOW clarified that the need for additional staff was to fill vacancies to fulfill the responsibilities and needs of each position more appropriately.

CHAIR VANCE thanked the presenters for the update and reiterated her support and respect for the work that the Council on Human & Sex Trafficking does.

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ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:41 p.m.