



DEVIN LEMAHIEU

STATE SENATOR

Assembly Committee on Criminal Justice and Public Safety Testimony on Assembly Bill 486 September 7, 2017

Chairman Spiros and Members,

Thank you for hearing my testimony on Assembly Bill 486, which will provide law enforcement with another tool to prevent human trafficking. This bipartisan legislation targets the demand for human trafficking by increasing the penalty for those that seek to exploit children.

Generally speaking, the bill increases the penalty from a Class A misdemeanor to a Class I felony if a person engages in either of the following with an individual under 18:

- Enters a place of prostitution with intent to solicit sex
- Commits a sexual act with a prostitute

The bill further stipulates that it is not a defense that the individual did not know that the child was under 18 years of age.

When discussing this bill with my constituents, there has been confusion regarding what constitutes "patronizing a child." This is the phrase that appears in the relating clause.

To clarify, the bill draft does not define "patronize." That term is only used for the title of the crime.

An earlier draft of this bill referred to the "patronization of a prostitute who is a child." However, both the Wisconsin Department of Justice (DOJ) as well as my local Sheboygan County District Attorney urged us to avoid using the term "underage prostitute." This bill is about protecting children.

Assembly Bill 486 is supported by the Wisconsin DOJ as another way to attack the demand for human trafficking. As noted by DOJ, human trafficking is a lucrative criminal pursuit due to its high demand. These perpetrators need to be held accountable.

Thank you for your attention. I am happy to answer any questions.

Testimony of State Senator Lena C. Taylor
Assembly Criminal Justice and Public Safety
Assembly Bill 486
September 7, 2017

Good afternoon Chairman Spiros and Committee Members. I want to thank the Assembly Committee on Criminal Justice and Public Safety for the opportunity to speak with you today about Assembly Bill 486.

As someone who has fought for the overhaul and review of our justice system, I am typically not a fan of increased penalties or what I deem at time prosecutorial "overkill" for some offenses. However, like most people I have a hard line on the abuse and mistreatment of children. Penalties and fines come and go, are paid and served, but the emotional, psychological, and at times physical damage done to children often last for a lifetime.

Safe & Sound, a national organization committed to keeping children and young people safe from sexual exploitation, have provided studies that reveal that every aspect of a child/young person's life can be impacted to include their physical and mental health, education, societal relationships, and how they will view their own children in the future, as a result of sexual assault. Specifically, the American Counseling Association indicates that childhood sexual abuse has been correlated with higher levels of anxiety, depression, addiction, low self-esteem, self-harm, eating disorders, PTSD, self-image, depression, nightmares, flashbacks, attachment problems and relationship problems.

Further research demonstrates a connection to their chances at continued exploitation to include an increased risk of rape, sexual assault, physical violence, sexually transmitted infections, pressure to use drugs and alcohol and trafficking. In fact after acknowledging the problem of teen sex trafficking in Wisconsin our very own Congresswoman Gwen Moore was "politifacted". Politico asked the question: Just how serious is child sex trafficking in Milwaukee?

They found that in May 2013, a Milwaukee Homicide Review Commission study, which was based on contacts youths had with Milwaukee police, estimated that 77 youths had been "sex trafficked" during the two-year period ending on Aug. 1, 2012. Those youths were in addition to those who were involved in sex trafficking cases that were investigated or prosecuted by federal authorities during the period. The study defined trafficked as minors who were "suspected or known to have been recruited, encouraged, or obtained for the purpose of a commercial sex act or sexually explicit performance."

We have children in this state that are being exploited. We have people who knowingly and intentionally seek out children/youth for sex. We, also have people, who have indicated that they were unaware that a sex partner was a minor. Either way, the damage to these children is often the same.

It is with this understanding that we must work to continue to protect these children/youth. AB 486 is a vehicle to provide that protection. This bill places the child/youth first, reminds adults that it is their responsibility to know the age of their sexual partners, and seeks a remedy when children are knowingly or unwittingly exploited.

I encourage your support for AB 486 and thank you for your time.