

NAHT Board of Directors Minutes
Monday, October 10, 2016
Conference Call, 2:30 to 4:00 pm

Present on call	George Belitsos, Jan Beran, Teresa Davidson, Emily Devine, Margaret Epplin, Shirley Fineran, Ann Naffier, Cathy O’Keeffe, Stephen O’Meara, Shirlee Reding, Bernadette Rixner, Maggie Tinsman
Excused	Ruth Buckels, Liz Cox, Stephen Eckley, Gail Sheridan-Lucht,
Absent	none
Guests	Taylor Houston (Mt Mercy University), Roxanne Ryan (Iowa Department of Public Safety), Celine Villongco and Rhonda Dean (Attorney General’s Office)

1. Call to order and Introduction of Celine Villongco

Belitsos called the meeting to order at 2:35 p.m. Celine Villongco from the Attorney General’s Office Crime Victim Assistance Division introduced herself. She received a BS from Cornell and an MS from Duke University. She encouraged Board members to reach out to her. She has a new and permanent position funded through VOCA funds, titled “Human Trafficking Statewide Coordinator.”

Earlier today, Belitsos emailed to the Board Villongco’s résumé, job description, and contact information. This information was also posted on the Network’s website. Belitsos welcome Villongco to Iowa and expressed the Board’s interest in collaboration and support.

2. Priorities for 2017 Legislature

- a. Clarification of referral to CINA services for teens charged with prostitution. Is it optional or a required disposition by county attorney?

Houston re-introduced himself as an Assistant Professor at Mt Mercy University in Cedar Rapids. He received a PhD at University of Georgia where he studied the sex trafficking problem. He worked with non-profits, law enforcement, governor’s office, child services to see how public and private organizations work together to address the issue of sex trafficking. He moved to Iowa a year ago. Today is his second consultation with the Board.

Houston researched the question posed at the last meeting: Is it optional or a required disposition by county attorneys to refer minors charged with prostitution for CINA services? Would a Safe Harbor Law duplicate State of Iowa CINA legislation? Houston reported that he could find no changes or decriminalization in the State of Iowa child prostitution laws. Iowa law states that the county attorney “may” elect to refer the juvenile to DHS to file a petition for CINA. The word “may” is the issue and allows the prosecutor discretion to charge the minor with prostitution or refer to DHS as a CINA. The Safe Harbor Law would take this out of the prosecutor’s hands and provide decriminalization and immunity for the child victim from being arrested for prostitution.

- b. Consideration of an Iowa Safe Harbor Law

Tinsman also researched this topic. Senate File 22.58 defined sex trafficking as child abuse allowing the victim to be named CINA. She contacted Eric Tabor at the Attorney General’s Office who told Tinsman that county attorneys prefer to arrest and prosecute juvenile sex trafficking victims because, once arrested and placed in detention, they cannot run away and can be removed from the trafficker. Tabor does not think that the Safe Harbor Law will pass in Iowa. Villongco received a call from Tabor today and discussed the Minnesota model which has safe houses, and Villongco will research this concept and report back at the next meeting.

O’Keeffe reported she distributes a one-page sheet at her trainings which explains the new Iowa code which classifies sex trafficking as child abuse and that the perpetrator does not need to have caretaker

status. She interprets this to mean that the juvenile cannot be charged with prostitution. Belitsos stated that this is not a correct interpretation. Belitsos relayed that the Senate File 22.58 sheet came from Doug Wolfe at DHS. Belitsos sent it to CISN and the NAHT Board. Belitsos reported that he had a meeting at the Attorney General's Office, and Iowa had to make the change defining sex trafficking as child abuse to become compliant with the federal law for victims of trafficking. Still, in Iowa, when a victim is under 18 and is arrested for prostitution, it is up to the county attorney as to whether or not they refer them to DHS to be named CINA or to charge the victim as a delinquent and with prostitution.

Houston shared that this same paradox in Iowa law is in a lot of states. Whether or not the county attorney decides CINA or to prosecute depends on a number of factors that influence the county attorney's decision. Houston reported that his research showed county attorneys were more apt to charge victims if victims were black, low income, or repeat offenders.

Ryan reported that there are problems with the Safe Harbor Law because, if minor victims are immune from prosecution, they will return to sex trafficking and recruit other minors, and it is impossible to charge them. Houston pointed out that a minor might be a recruiter and a victim at the same time.

Tinsman said that the law enforcement problem is that there is nowhere to take victims. She asked, if there were Safe Houses where victims could access resources (education, medical, social work), would this take away the option to arrest for prostitution? Ryan pointed out that there are not a lot of resources available. Belitsos explained that there two emergency shelters (in Ames and Mason City) with staff trained to identify and serve trafficked youth victims. These facilities are unlocked, and prosecutors are afraid victims placed there will run away and return to trafficking. According to Iowa law, a youth classified CINA may not be held in a locked facility.

O'Meara shared that Nebraska has a Safe Harbor Law, and that, under this law, victims under 18 are not being detained and that many are going right back into trafficking. Nebraska is working to correct this problem. He suggested that a Safe Harbor Law might create the same problem in Iowa.

Belitsos thanked everyone for sharing their opinions and asked that the discussion continue at the next meeting. Villongco will research and report on Safe Houses in Minnesota. Belitsos expressed his view that it appeared consensus that the Network will not support a Safe Harbor Law in the 2017 legislature; however, will continue to research and discuss pros and cons.

Belitsos left meeting and Rixner continued as Chair.

3. Roxanne Ryan, Commissioner, Iowa Department of Public Safety--progress in opening the Office to Combat Human Trafficking

Ryan reported that \$200,000 in state funding was added to the Department of Public Safety budget to combat human trafficking. Working on human trafficking is a priority for the Department with 5 staff members assigned to the project, and the Department is expending much more than the \$200,000.

The Department of Public Safety is working on the first step of establishing a structure to effectively fight human trafficking. The next step is training of law enforcement. Currently, the Department is doing a lot of intelligence-led policing, and will work with Iowa Law Enforcement Association (ILEA) on how to identify human trafficking. The Department does not have local jurisdiction but can provide resources to local jurisdictions. The Department goal is that local law enforcement and agencies are trained to recognize the indications of human trafficking and will get serious about investigation and will ask the state department for assistance if they don't have necessary resources.

Once trainings are done, the Department will provide regional multidisciplinary trainings so all involved in investigations (prosecutors, law enforcement, non-governmental agencies, etc.) can meet face-to-face. Many victims of sex trafficking do not feel safe to leave. If all involved in the investigations act consistently, the victim gains trust in the system.

The Department of Public Safety accepts tips from anybody. Information received at the national 800 number is automatically provided to local law enforcement, the Iowa Department of Public Safety, and the Attorney General's Office. Non-governmental agencies have done a good job informing the public about human trafficking, and there are more calls to the 800 number as well as to local police.

O'Keeffe, Rixner, and Fineran all requested guidance when local law enforcement is unable to recognize trafficking, won't refer the survivor, or won't help the survivor. Ryan recommended calling Sgt Robert Deskin, Coordinator of the Office to Combat Human Trafficking (515) 725 6310 who will contact local law enforcement and offer state resources.

Devine asked if any trafficked immigrants are reported. Ryan stated that there have been some prosecutions, but most are handled on the federal level where there are interpreters for those with language barriers, and there might also be federal immigration violations.

Belitsos returned to Chair the meeting.

Ryan stated that recovery for human trafficking victims is very expensive, and she asked the Board to push for additional state funding. Belitsos stated that the Network Board has additional state funding on its 2017 legislative agenda and asked if the Department had any other priorities for legislation. Tinsman stated that the Iowa Rape Shield Law should be changed and Ryan agreed. Tinsman will investigate and present at the November Board meeting. Belitsos invited Ryan to update the Board at the January Board meeting and she accepted. Ryan will provide statistics on trafficking to this Board. In the next year, the Department would also like to work on labor trafficking and would also like to do training for law enforcement on identification of labor trafficking.

4. Consent Agenda from September 26 Executive Committee.

Item f, proposing Bylaws changes was removed from the Consent Agenda in order to discuss additional changes.

- a. Motion to approve September 12 Board minutes
- b. Motion to co-sponsor a lecture entitled Fighting Modern Child Slavery in Ethiopia scheduled for November 6th at 7 pm at the ISU Memorial Union.
- c. Motion to pay for the November 6 lecture reception utilizing a \$100 gift from the Rotary Club of Ames.
- d. Motion to authorize the treasurer to write a check for \$4,000 to Chains Interrupted to fund a Regional Human Trafficking conference in Cedar Rapids.
- e. Motion to authorize the chair to revise the Iowa NAHT logo design as per changes proposed by Board members. The cost for graphic design is not to exceed \$95.
- f. Motion to approve the changes to the Iowa NAHT Bylaws as proposed by the Chair and Executive Committee.
- g. Motion to approve the September 26, 2016, report of the Treasurer, Jan Beran: \$7,775 in savings and \$3,912.86 in checking. This includes \$250 payout to Tana Tesdall and a \$100 PayPal donation.
- h. Consensus that it would be helpful to invite Kim Reynolds, Iowa Lieutenant Governor, to the November 14 meeting to discuss including human trafficking in the Governor's State of the State address and advocacy for continued funding for the fight to end human trafficking.

Executive Committee **motion** to accept Consent Agenda with Bylaws changes (item f) removed.
Motion carried unanimously.

Tinsman proposed changes (in bold) to the updated Bylaws received in the meeting packet:

Article 1, Section 2, Paragraph 2, Sentence 3: "The Iowa NAHT will further the growth of **volunteer involvement**, intervention, rescue, and best practice recovery services..."

Article II, Section I, Sentence 3: “The board should also consider members representing law enforcement, major anti-human trafficking provider agencies, child welfare, the faith community, educators, healthcare providers, and **concerned citizens.**”

Article IV, Section 4, Sentence 4: “When necessary, voting may be conducted by email **between meetings.**”

Article IV, Section 9, Sentence 2: “These nominations and qualifications ~~should be~~ **shall** be sent out to directors prior to the regular board meeting at which the voting is to take place.”

Article IV, Section 10, Sentence 1: “Resignation from the board must be in writing **and/or email**, and received by the secretary.”

Article IV, **Section 14 – Calendar Year.** **The Iowa NAHT shall operate on a calendar year running from January 1 to December 31.**

Article V, Section 1, Sentence 1: “The board may create committees as needed, such as fundraising, finance, **housing, public relations, speakers bureau**, public information, public policy, research, etc.”

Article V, Section 2, **Sentence 3: Once annually, officers will propose new strategic plan goals for board consideration and approval. At the end of each calendar year the executive committee will compose an annual report of progress in the past year.**

This additional sentence was discussed in detail. It was noted that the start of the year is a busy time and, therefore, the wording was changed to “once annually.” Annual reports are almost always completed by non-profit agencies at the end of the calendar year. The Executive Committee is hoping to have strategic plan goals ready at the November Board meeting.

Article V, Section 3, Sentence 3: “Advisors might include, but are not limited to, elected public officials, prosecutors, ~~fundraising~~ **fundraisers**, law enforcement officers, public relations **representatives**, survivors of trafficking, healthcare organizations, academic institutions, and nonprofit entities focused on issues related to human trafficking.”

The Executive Committee made a **committee motion** to pass the revised and updated Bylaws as amended today. **Motion carried** unanimously.

Belitsos thanked the Executive Committee for their hard work on the update to the Bylaws, and especially Tinsman for the additional changes.

5. Resignation of Ann Naffier and nomination of Brynne Howard to Board of Directors

Naffier reported that she is an immigration attorney, but there is another attorney, Brynne Howard, who will be coordinating serving victims of trafficking, and Naffier recommends Howard serve on this Board instead of her as Howard will be closer to the work. Naffier has submitted a letter of resignation to Belitsos and will send it out to the full NAHT Board.

Rixner **made a motion** to accept Ann Naffier’s resignation with regret and accept Brynne Howard as a new NAHT Board member. Devine **seconded. Motion carried** unanimously.

Howard will be unable to call in for the next Board meeting, so Naffier will call in.

6. Adjournment

Davidson **made a motion** to adjourn the meeting. Fineran **seconded. Motion carried.**

Next NAHT Board conference call will be Monday, November 14, 2016, at 2:30 p.m. The Executive Committee will meet Monday, October 31, 2016, at 2:30 p.m.

Respectfully submitted, Margaret Epplin