Memo

To: Members of the Senate Committee on Judiciary & Corrections

From: Josh Freker, Policy Director, WCADV, 608-255-0539, joshf@wcadv.org

Date: November 7, 2007

Re: Testimony in support of SB 292, anti-human trafficking legislation

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Thank you very much for the opportunity to provide testimony on SB 292, legislation that will address the crime of human trafficking in Wisconsin. I represent the Wisconsin Coalition Against Domestic Violence (WCADV), which is the statewide voice for victims of domestic violence and the local programs in every county of our state that serve them. WCADV fully supports SB 292.

As a form of modern-day slavery, human trafficking is one of the most egregious violations of basic human rights. It's one of the most extreme forms of violence against women. It's a manifestation of economic oppression that denies individual liberty and freedom. And it can also be a form of domestic violence, a relationship in which an abuser has the ultimate form of power and control over his victim—the power to literally "own" his victim.

Although it is difficult to obtain concrete data on the current scope of human trafficking in Wisconsin, a number of local domestic violence programs have begun reporting that victims of trafficking are seeking services—when it is safe for them to do so. A chief obstacle to identifying and addressing human trafficking currently is that there is no state-level law that defines it, criminalizes it, and helps victims escape it. That's why SB 292 is so important.

SB 292 will create criminal statutes that prohibit both labor and sex trafficking. It will hold perpetrators accountable and help us better understand the scope of the problem. We also support SB 292 because it contains important protections to help victims transition to safety and independence after breaking free.

On behalf of WCADV and victims of domestic violence across Wisconsin, I urge you to please support SB 292.

Feel free to contact me at 608-255-0539 or joshf@wcadv.org if you need further information about our position on this issue.

WISCONSIN CATHOLIC CONFERENCE

TO: Senate Judiciary and Corrections Committee

FROM: Barbara Sella, Associate Director Barbara Sella

DATE: November 7, 2007

RE: Human Trafficking

The WCC strongly supports Senate Bill 292 and Assembly Bill 544, which would criminalize human trafficking in Wisconsin.

Human trafficking constitutes one of the gravest offenses against the human family. It preys upon the poorest men, women, and children, who are frequently tricked or coerced into performing the most degrading forms of human labor. It denies everything that a civilized society stands for and that Catholic social teaching espouses: the protection of human dignity and human rights; the preferential option for the poor; the call to family and community; the rights of workers; and solidarity.

The Catholic church, along with other religious and secular institutions, has been involved in combating human trafficking both nationally and internationally for some time. In the U.S., the Catholic Coalition Against Human Trafficking, which consists of about twenty Catholic organizations, was one of the groups that helped draft the federal Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations.

Just this past September, the U.S. Conference of Catholic Bishops (USCCB) issued a statement calling on Catholics to educate themselves and others about the plight of trafficking victims, and to make parishes "centers for action to help identify survivors and provide them support." "As Catholic bishops," the statement concluded, "we pledge to use the resources of the church to help end this affliction. We also pledge to use our teaching authority to educate Catholics and others about human trafficking."

The WCC therefore applauds the sponsors of Senate Bill 292 and Assembly Bill 544 in bringing this issue to the attention of the public and in striving to give victims of trafficking in our state some hope that they will be delivered from their bondage, and that their captors will be brought to justice.

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COMMUNITY SHARES OF WISCONSIN

TO: Senate Committee on Judiciary and Corrections
FROM: Mike Murray, Policy Specialist, Wisconsin Coalition Against Sexual Assault, Inc.; mikem@wcasa.org
DATE: November 7, 2007
RE: WCASA Support for SB 292- Wisconsin Anti-Human Trafficking Legislation

Good afternoon Chairperson Taylor and members of the Senate Committee on Judiciary and Corrections. Thank you for this opportunity to speak in favor of the SB 292, which would create Wisconsin's first anti-human trafficking statute. My name is Mike Murray and I am the Policy Specialist for the Wisconsin Coalition Against Sexual Assault, Inc. [WCASA]. WCASA would like to thank Senators Coggs and Grothman and Representatives Jeskewitz and Kessler for sponsoring this legislation. SB 292 will help create the necessary legislative framework in Wisconsin in order to effectively investigate, prosecute and punish human traffickers and to provide protections for trafficked persons.

Human trafficking is a form of modern-day slavery in which victims are sexually exploited or conscripted as slave labor through force, fraud or coercion. There has been federal anti-trafficking legislation since 2000, when Congress passed and the President signed the Trafficking Victims Protection Act (TVPA). However, the federal resources that are required to investigate and successfully prosecute trafficking crimes and to assist victims are limited. In addition, existing federal laws are not comprehensive or strong enough to address the full breadth and scope of trafficking. As a result, many human trafficking cases are not adequately investigated and prosecuted, leaving many vulnerable victims unprotected.

Wisconsin does not currently have any anti-human trafficking laws. WCASA believes that a comprehensive and effective anti-trafficking statute in Wisconsin will enable local and state criminal justice systems to prosecute human traffickers and ensure that trafficking victims are protected.

While the extent of human trafficking in Wisconsin is currently unclear, sexual assault service providers and domestic abuse shelters throughout the state are beginning to report that trafficking victims are seeking supportive services. In addition, the Wisconsin Office of Justice Assistance conducted a recent survey in which they asked law enforcement officers and victim service providers to detail how many people they had encountered who would meet the definition of trafficking victim under the federal TVPA. The service providers reported that they had encountered between 134 and 192 victims, while law

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enforcement reported that they had encountered between 57 and 122 victims.[1] The vast majority of these victims were adult sex workers or sexually exploited children.

This survey demonstrates the need for a proactive response to the problem of human trafficking in Wisconsin. The number of victims reported in this survey likely represent only the tip of the iceberg of trafficking victims in Wisconsin, given the secretive nature of the crime and the pressure victims are under not to disclose. Only a couple of decades ago, our communities thought that sexual and domestic violence rarely occurred. This perception has greatly changed because our society has dedicated itself to improving its response to these issues and creating safe places for victims to report and seek services. Legislation has played an important role in these societal and systemic changes. SB 292 will help put the issue of human trafficking on our collective radar screens so that we can begin to adequately address this most grievous violation of human rights.

Unfortunately, Wisconsin is currently far behind the national curve in crafting a legislative response to human trafficking. Thirty-three states—including all our neighboring states (Illinois, Iowa, Minnesota, and Michigan)—have already passed anti-trafficking legislation. In fact, Wisconsin received straight "F's" in a 2007 report card for state anti-trafficking laws that was released by the Center for Women Policy Studies.[2] We can certainly improve our national standing in this arena and SB 292 will go a long ways towards doing so.

WCASA strongly urges the members of this committee to support SB 292 so that we can begin the hard work that needs to be done to address human trafficking in Wisconsin and provide trafficked persons and their families with the protection and support that they deserve.

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[1] See Office of Justice Assistance, "2007 Wisconsin Human Trafficking Survey Preliminary Findings"
[2] The full report card can be found here:
http://www.centerwomenpolicy.org/documents/ReportCardonStateActiontoCombatInternationalTrafficking.pdf

(OVER)

Spencer Coggs

State Senator

Chairwoman Taylor and Members,

Thank you for the opportunity to testify on Senate Bill 292, the Anti-Human Trafficking Legislation introduced by myself, Senator Grothman, Representative Sue Jeskewitz, and Representative Fred Kessler.

Human trafficking is a new form of slavery. This bill would provide law enforcement with the tools necessary to combat what is rapidly becoming one of the largest crimes in the world. The bill would define human trafficking, make it a criminal offense, allow the Attorney General to revoke the corporate charter of a business that knowingly engages in trafficking, provide the victims with protection, and require the Office of Justice Assistance to collect data regarding human trafficking offenses. As a recent newspaper article demonstrates, more than 140 years after fighting the Civil War that emancipated humans held in bondage in the United States, human trafficking threatens to create a whole new category of slavery. Just yesterday, there was a case of two women being held, literally in bondage, in New York to clean the house of a couple there. One was held in a closet, often without food, and was moved to the basement when company came over. Indentured servitude, and sexual slavery, are the primary reasons that this despicable practice occurs.

This is not a problem that occurs a thousand miles away in New York, or 6000 miles away on another continent, but has happened right here in Wisconsin. In 2006, a Brookfield couple was prosecuted by the United States Attorney for holding a Filipino woman in their home and allegedly putting money in an account for the woman to access later. This is often the lure that is used to bring people to the United States from other countries: a promise that they will find a better life for themselves and their families. These appeals to the natural instincts of people to improve their lot in life are then broken when they are forced to work for no money and in deplorable conditions. In the Brookfield case, it was fortunate that the U.S. Attorney was able to obtain a conviction. There are instances when these cases are not able to be brought to court by federal prosecutors due to a lack of resources. This bill is intended to ensure that ANY case of Human Trafficking can be prosecuted to the maximum extent possible.

I am sure that given the nature of the crime addressed by this legislation, and the fact that 35 states have already passed a bill similar to this and another 8 states have legislation pending, the committee will agree that even one case of human trafficking is too many in the State of Wisconsin.

Thank you again for your support for SB 292.

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Ex-servant testifies against the couple accused of enslaving her

Testimony details alleged abuse by N.Y. couple.

By FRANK ELTMAN
Associated Press

Wisconsin State Journal 11/6/07

CENTRAL ISLIP, N.Y. — An Indonesian servant for a millionaire couple accused of modern-day slavery testified Monday she was forced to eat her own vomit and was scalded with hot water for misdeeds such as sleeping late and pilfering food.

The 51-year-old woman, identified only as Samirah, said through an interpreter that she was also repeatedly poked with a knife and that her ears were twisted until they bled.

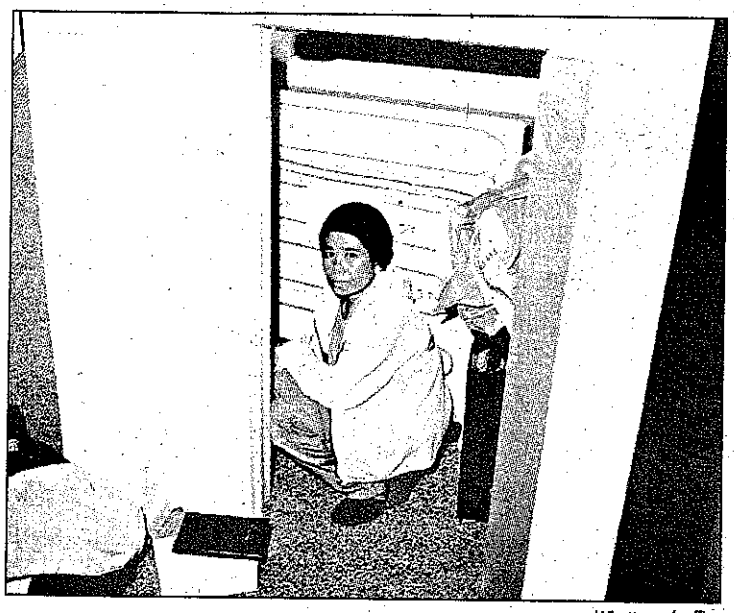

Varsha Sabhnani

The fear of being abused caused her to involuntarily urinate, she said, for which she was punished further.

"I said, 'Mrs., just send me home to Indonesia,'" Samirah said.

Samirah's testimony began last week in the trial of Mahender Murlidhar Sabhnani, 51, and his wife, Varsha Mahender Sabhnani, 45. The couple have pleaded not guilty to all charges in a 12-count federal indictment, including conspiracy, involuntary servitude and other offenses.

They are accused of bringing Samirah and another Indonesian woman, Enung, to the United States to work as housekeepers but enslaving them instead in their Long Island mansion, sending $100 a month home to their families and subjecting them to psychological and physical abuse.


U.S. attorney's office

A woman identified as Enung crouches in a closet in Muttontown, N.Y. A millionaire couple from Long Island went on trial this week for allegedly keeping Enung and another Indonesian woman as slaves.

The Sabhnanis — who operate a worldwide perfume business out of their home — were arrested in May after Samirah, wearing tattered clothes, was found at a doughnut shop, pleading for help after apparently escaping while taking out the trash.

The second housekeeper was discovered hiding in a basement closet after authorities searched the mansion based on Samirah's claims. Enung was expected to testify later in the trial.

Defense attorneys contend the housekeepers practiced witchcraft and may have abused themselves as part of an Indonesian self-mutilation ritual, an assertion Samirah denied. The couple went on frequent vacations that would have given the two women ample opportunity to flee, their lawyers said.

Samirah said she was forced to walk naked from the servants' room to the kitchen and to eat 100 chili peppers.

"Not satisfied that I wasn't dead yet," Samirah said, she was then made to consume spoonfuls of chili powder mixed with salt water. She said she vomited and was told to eat the vomit.

If convicted, the Sabhnanis could face 40 years in prison. They are free on bond.

Office of Justice Assistance
2007 Wisconsin Human Trafficking Survey
Preliminary Findings

When asked directly how many victims of human trafficking they had encountered, respondents provided the estimates in figure 9. However, when asked indirectly for victim information using language taken from the federal human trafficking legislation, the numbers shot up to those in figure 11.

Figure 9. Estimation of Encountered HT Cases
Direct Question

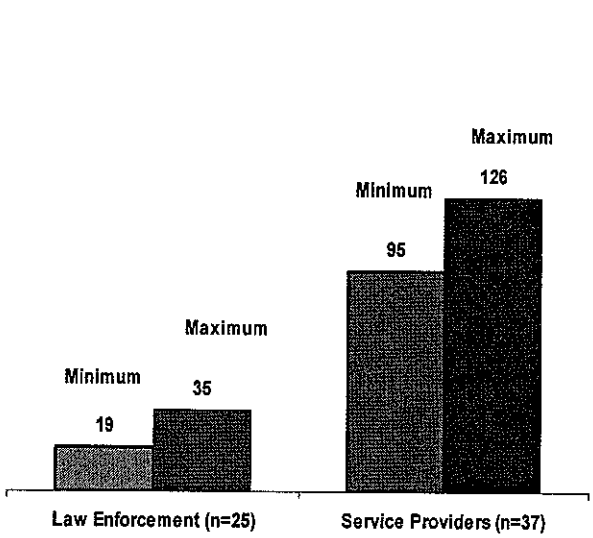
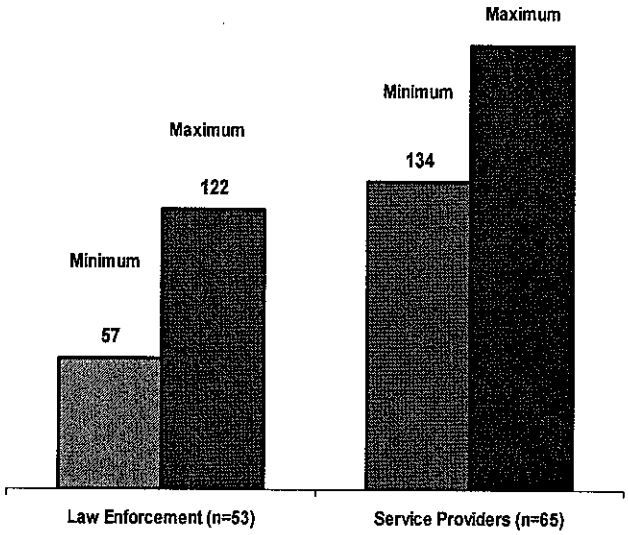


Figure 11. Estimation of Encountered HT Cases
Indirect Question



These numbers indicate that there is a problem with human trafficking in the State of Wisconsin. Furthermore, inter-agency training programs regarding the issue of human trafficking are necessary to assist in identifying victims. So who are these victims?

Figure 5. Victims' Age When Encountered
(Multiple Answers, n=36)

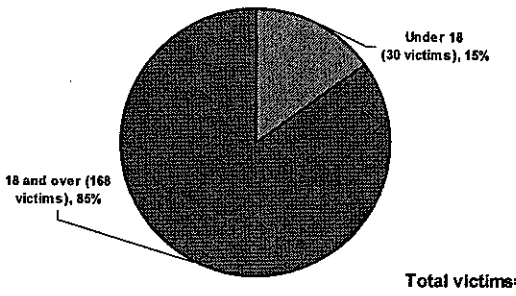
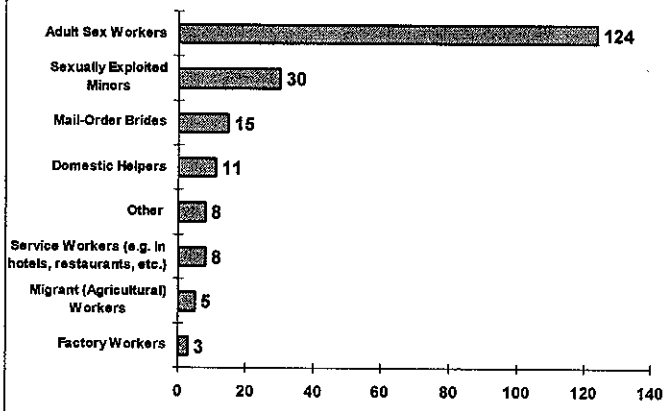


Figure 6. Occupation of the Victims
(Multiple Answers, n=37)



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November 7, 2007

Public Testimony Regarding SB 292 – Committee on Judiciary and Corrections

I work for/represent the Milwaukee Province of the School Sisters of Notre Dame, an international religious congregation committed to promoting education, human rights and sustainable living in all aspects of ministry and life. Globally there are over 4,000 School Sisters of Notre Dame in some 30 countries across 5 continents. The Milwaukee Province of the School Sisters of Notre Dame (whose administrative headquarters are in Elm Grove) includes over 400 sisters who live and work primarily in Wisconsin and surrounding states.

The SSND are very focused on the issue of human trafficking for many years now. In Rome we work with other religious congregations to build awareness. Creating resources, etc…

At the UN, as an NGO, the School Sisters of Notre Dame have been very involved in a variety of ways - most recently we were very active in the UN Commission on Women -sending a delegation of 25 students and adults representing Africa, Europe, Latin America and North America to participate in the 51st session of the Commission.

We have a SSND who works for the US Catholic Conference of Bishops on human trafficking issues. We are active in anti-trafficking coalitions throughout the US including the "Rescue & Restore" Campaign in Milwaukee. Our "Prayer for an End to Human Trafficking" has been and continues to be used throughout the world. (I have a copy for each member of this committee)

In Wisconsin, we've been most active in the area of education - helping to build awareness about the issue, what's being done about it, and what people can do to help. Presentations for students (high school, college), church groups, etc…

But as you've heard, the School Sisters of Notre Dame are not alone in this endeavor. I chair the Legislative Network for the Leadership Conference of Women Religious here in Wisconsin. And I can tell you that many, many women's religious communities in Wisconsin are doing what they can to build awareness about human trafficking…

The Sisters of the Divine Savior (Salvatorans) Are clearly leaders in creating awareness. With a nationally known newsletter, informational websites, and staff dedication the Salvatoran Sisters lead with a passion on this issue. S. Patrice Colletti, S. Jean Schaffer – are just two of the many who work to bring this terrible situation to an end.

Sisters of St. Agnes – Led by their justice staffer, S. Stella Storch, the CSA's are very involved in awareness building through various collaborations including through UNANIMA International an NGO (nongovernmental organization) committed to work for justice at the international level

in harmony with the charter of the United Nations for the economic and social advancement of all peoples. Human Trafficking is a major focus of this coalition.

The coalition, founded in 2002, includes 15 congregations whose members have expertise as educators, health care providers, social workers and development workers.

School Sisters of St. Francis work with a variety of groups to raise awareness of this issue. They even have a house available in El Paso,Texas to house trafficking victims – Casa Alexia.

Through Project Irene in Illinois they helped highlighted Illinois legislation and SSSF have been encouraged to be active legislatively.

One of our sisters attended a training session by the Dept of Justice, "JTN Human Trafficking Training: Proactive Strategies for Finding and Identifying Trafficking Victims" (mainly geared to first-responders, police, lawyers, task forces and others…) in spring 2007 in Milwaukee on human trafficking and how to locate identify victims of human trafficking and to take action. *(Peg Flahive – SSSF Communications Coordinator, US Province)*

The Servants of Mary, Ladysmith have a focus group of six sisters who focus on education on this issue. And they are considering taking a corporate stance. In addition they have provided funding support the Salvatorans and their awareness building efforts. (S.*Barb Thomalla)*

Sinsinawa Dominicans are involved in anti-trafficking efforts in these ways:
1. Six people from the Women's Network have agreed to give an anti-trafficking workshop at a regional or local chapter.
2. The Women's Network is working to introduce a corporate stance on trafficking
3. The Shareholder and Consumer Action Advisory Committee is working with Loew's Hotels regarding an Anti-trafficking code of conduct.
4. The Alternative Investment Advisory Committee gives donations to a number of anti-trafficking organizations
5. Reg McKillip, the Peace and Justice Committee is the chair of the Dominican Coordinating Committee to End Human Trafficking. The committee is focused on education and legislative action. (*S. Reg McKillip)*

Racine Dominicans
Are setting up a committee for working on the issue of trafficking. (S. *Agnes Schneider)*

Sisters of St. Joseph of the Third Order of St. Francis have been kept informed of the issue through their work with the 8th Day Center for Justice as well as the Interfaith Center for Corporate Responsibility. *(S. Dorothy Pagosa)*

Sisters of St. Francis of Assisi
Staff has participated in trainings and sisters have developed resource materials and engaged in educational activities. *(Irene Senn)*

With over 800,000 new victims globally every year, 14-17,000 in the US alone (and that does not include internal trafficking victims – those bought and sold within their own country) this scourge on our human dignity must be stopped. Modern slavery cannot be tolerated. This is a global humanitarian issue, this is a national security and human rights issue, and yes, sadly, this is a state issue as well.

According to the 2007 State Department Report on Human Trafficking –

- In FY 2006 111 human traffickers were charged in the US, 98 were convicted.
- Average sentence imposed…8.5 years. (punishable up to 20 years)
- Helped 1,175 trafficking victims from 77 countries secure refugee-type benefits under the law.

I believe that there have now been trafficking case investigations in all 50 states – including Wisconsin. (less than 10 minutes from where I work and many SSND's live in Brookfield)

As S. Stella has pointed out…a 2007 survey of WI law enforcement and service providers…indicated they may have encountered as many as 200 human trafficking cases.

- By Karina B. Silver, Human Trafficking Policy Specialist, Office of Justice Assistance June 18, 2007

The School Sisters of Notre Dame and the other women's religious congregations I've mentioned have all supported federal legislation to address human trafficking including the Trafficking Victims Protection Act and subsequent re-authorizations. The Protect Act of 2003 which helped addressed issues of child sex tourism. And other measures.

We welcome state laws such as SB 292 that prohibit human trafficking – because they not only can help strengthen federal laws and involve local law enforcement – but because they also help create awareness. An awareness that can bring criminals to justice and bring assistance to victims.

I can't tell you the number of times I or a sister has been at a meeting or training on trafficking and heard from a police officer or service provide who remarked, "You know I bet I've encountered trafficking victims before and didn't even realize it."

(As S. Stella has pointed out…a 2007 survey of WI law enforcement and service providers…They may have encountered as many as 200 human trafficking cases. By Karina B. Silver, Human Trafficking Policy Specialist)

The issue of Human Trafficking can seem large, complex, and overwhelming. It's at times like this that I'm reminded of a story about Mother Theresa of Calcutta – a sister (although not SSND – but that's ok) who was asked how she deals with the overwhelming poverty and dire conditions she does in helping the poorest of the poor in India. She explained, "very simply – I just do what's in front of me."

Well ladies and gentlemen. That's what we are asking of you today. Help make a difference in this battle to address the horrors of human trafficking by simply doing what's in front of you.

Thank you for your time and consideration and continued blessings on your efforts!

Tim Dewane, Director
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