



State of Wisconsin
2023 - 2024 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO ASSEMBLY BILL 978**

February 20, 2024 - Offered by Representative O'CONNOR.

1 **AN ACT to repeal** 15.257 (3), 59.54 (29), 66.0511 (4) and 165.29; **to amend**
2 66.0511 (title); and **to create** 15.257 (3), 59.54 (29), 66.0511 (4), 165.29 and
3 165.85 (3m) (d) of the statutes; **relating to:** creation of a Human Trafficking
4 Council.

Analysis by the Legislative Reference Bureau

This bill creates a Human Trafficking Council in the Department of Justice. Under the bill, the council consists of the following members: the secretary or a designee of the Departments of Administration, Children and Families, Health Services, Safety and Professional Services, Transportation, and Workforce Development; the state superintendent of public instruction, or his or her designee; the state public defender, or his or her designee; two senators and two representatives to the assembly from the two major political parties; one district attorney; one chief of police; two sheriffs; four representatives of organizations that provide human trafficking victim support services; one Native American; one representative of the Office of Crime Victim Services; and the director of the Department of Justice Division of Criminal Investigation Human Trafficking and Internet Crimes Against Children Bureau, or his or her designee.

The duties of the Human Trafficking Council are to compile an inventory of human trafficking prevention programs and services and maintain an online

database to share information about human trafficking; review and assess the efficacy of the expenditure of state funds for human trafficking prevention; compile and analyze data about human trafficking arrests and prosecutions; assess sex trafficking activities in each county, establish criteria to be used as the basis for recommendations to counties, and make recommendations to counties as to whether a human trafficking task force should be established in that county or that a law enforcement agency in that county designate a law enforcement officer to coordinate the law enforcement agency's human trafficking prevention and enforcement efforts; assess the regulation and oversight of facilities that provide residential care in a congregate living environment; assess the use of social media platforms for human trafficking purposes in the state and develop recommendations on how to stop, reduce, or prevent such use; develop a state strategic plan for reducing human trafficking generally; develop protocols for interaction with human trafficking victims; develop a model training program for counties relating to reducing interest in solicitation by individuals who solicit or facilitate commercial sex acts; and annually submit a report that summarizes the data collected by, activities of, and obstacles faced by the council during the previous year.

The bill authorizes the Human Trafficking Council to request from, and requires DOJ and DOA provide, any data needed by the council to complete its duties.

The bill provides that, in counties to which the Human Trafficking Council has provided a recommendation, the county board is encouraged to establish a sex trafficking task force to combat sex trafficking in that county, and each person in charge of a law enforcement agency in the county is encouraged to designate an officer to coordinate the agency's human trafficking prevention and enforcement efforts.

The bill requires the Law Enforcement Standards Board to develop a list of recommended training courses for law enforcement officers relating to human trafficking prevention and enforcement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 15.257 (3) of the statutes is created to read:
- 2 15.257 (3) HUMAN TRAFFICKING COUNCIL. There is created in the department of
- 3 justice a human trafficking council. The council shall consist of the following
- 4 members:
- 5 (a) The secretary of administration, or his or her designee.
- 6 (b) The secretary of children and families, or his or her designee.

- 1 (c) The secretary of health services, or his or her designee.
- 2 (d) The state superintendent of public instruction, or his or her designee.
- 3 (e) The secretary of safety and professional services, or his or her designee.
- 4 (f) The secretary of transportation, or his or her designee.
- 5 (g) The secretary of workforce development, or his or her designee.
- 6 (h) The state public defender, or his or her designee.
- 7 (i) Two senators and 2 representatives to the assembly from the 2 major
8 political parties, appointed as are members of standing committees.
- 9 (j) To be appointed by the Wisconsin District Attorneys Association, one district
10 attorney holding office in this state.
- 11 (k) To be appointed by the Wisconsin Chiefs of Police Association, one chief of
12 police or chief of a combined protective services department holding office in this
13 state.
- 14 (L) To be appointed by the Badger State Sheriffs' Association, one sheriff
15 holding office in this state.
- 16 (m) To be appointed by the Wisconsin Sheriffs and Deputy Sheriffs Association,
17 one sheriff holding office in this state.
- 18 (n) To be appointed by the attorney general, 4 representatives of organizations
19 that provide human trafficking victim support services. The representatives
20 appointed under this paragraph shall be from organizations that serve different
21 geographic areas of the state, including both urban and rural communities.
- 22 (o) To be appointed by the Great Lakes Inter-Tribal Council, Inc., one Native
23 American member.
- 24 (p) One representative of the office of crime victim services.

1 (q) The director of the department of justice division of criminal investigation
2 human trafficking and Internet crimes against children bureau, or his or her
3 designee.

4 **SECTION 2.** 15.257 (3) of the statutes, as created by 2023 Wisconsin Act (this
5 act), is repealed.

6 **SECTION 3.** 59.54 (29) of the statutes is created to read:

7 **59.54 (29) SEX TRAFFICKING TASK FORCES.** In any county that has received a
8 recommendation from the human trafficking council under s. 165.29 (1) (d), the
9 board shall review the recommendation, and the board is encouraged to establish a
10 sex trafficking task force that includes representatives from law enforcement
11 agencies, county departments, and local nonprofit groups to coordinate efforts to
12 combat sex trafficking in that county, including identifying and investigating sex
13 trafficking, supporting victims, and raising community awareness.

14 **SECTION 4.** 59.54 (29) of the statutes, as created by 2023 Wisconsin Act (this
15 act), is repealed.

16 **SECTION 5.** 66.0511 (title) of the statutes is amended to read:

17 **66.0511 (title) Law enforcement agency agencies; certain policies on**
18 **~~use of force and citizen complaint procedures.~~**

19 **SECTION 6.** 66.0511 (4) of the statutes is created to read:

20 **66.0511 (4) HUMAN TRAFFICKING PREVENTION AND ENFORCEMENT.** Each person in
21 charge of a law enforcement agency in a county that has received a recommendation
22 from the human trafficking council under s. 165.29 (1) (d) is encouraged to designate
23 a law enforcement officer of the law enforcement agency to coordinate the law
24 enforcement agency's human trafficking prevention and enforcement efforts.

1 **SECTION 7.** 66.0511 (4) of the statutes, as created by 2023 Wisconsin Act ... (this
2 act), is repealed.

3 **SECTION 8.** 165.29 of the statutes is created to read:

4 **165.29 Human trafficking council. (1)** The human trafficking council shall
5 do all of the following:

6 (a) Compile and maintain an inventory of human trafficking prevention
7 programs and services in this state and develop, maintain, and keep current an
8 online database to share information among counties, law enforcement agencies,
9 state agencies that have responsibilities relating to sex trafficking, and
10 organizations that provide human trafficking prevention programs and services or
11 victim support programs and services. The database shall include an online portal
12 that is accessible by each such entity.

13 (b) Beginning on July 1, 2028, and once every 3 years thereafter, define, review,
14 and assess the efficacy of the expenditure of state funds allocated to human
15 trafficking prevention.

16 (c) Compile data on human trafficking offenses committed in this state using
17 metrics the council determines to be of use, including at a minimum the annual
18 number of arrests, prosecutions, and convictions for human trafficking offenses
19 under s. 940.302 or 948.051.

20 (d) Assess sex trafficking activities in each county, establish criteria to be used
21 as the basis for recommendations to counties, and make recommendations to
22 counties as to whether a human trafficking task force should be established in that
23 county or that a law enforcement agency in that county designate a law enforcement
24 officer to coordinate the law enforcement agency's human trafficking prevention and
25 enforcement efforts.

1 (e) Assess the regulation and oversight of facilities that provide residential care
2 in a congregate living environment, including community-based residential
3 facilities, as defined in s. 50.01 (1g), and group homes licensed under s. 48.625, as it
4 relates to victims of human trafficking.

5 (f) Assess the frequency and extent to which social media platforms are used
6 to assist, facilitate, or support human trafficking in this state; establish a process to
7 detect such use on a consistent basis; and develop recommendations on how to stop,
8 reduce, or prevent social media platforms from being used for human trafficking
9 purposes.

10 (g) Develop a state strategic plan for preventing human trafficking, providing
11 resources for law enforcement initiatives, providing resources to organizations that
12 provide human trafficking prevention programs and services or human trafficking
13 victim support services programs and services, and creating or providing access to
14 relevant training programs for law enforcement or such organizations.

15 (h) In consultation with the department of justice, develop a model protocol for
16 interviewing and interacting with individuals who are victims of human trafficking
17 offenses under s. 940.302 or 948.051.

18 (i) Develop a model training program for counties relating to reducing interest
19 in solicitation by individuals who solicit or facilitate commercial sex acts.

20 (j) 1. By July 1 of each year, submit to the chief clerk of each house of the
21 legislature for distribution to the legislature under s. 13.172 (2) and post on the
22 department of administration's and department of justice's websites a report that
23 summarizes the data collected by the council during the previous year, the activities
24 of the council during the previous year, and any obstacles that prevented the council
25 from successfully carrying out its duties during the previous year.

