

WISCONSIN STATE SENATE

**DAN KNODL**

STATE SENATOR • 8<sup>TH</sup> DISTRICT

**Senate Bill 940**

Public Testimony

Senate Committee on Judiciary and Public Safety

February 21, 2024

Thank you, Chairman Wanggaard members of this committee, for holding this hearing on Senate Bill 940.

Millions of people are the victims of human trafficking worldwide, and Wisconsin is not immune to this crisis. This bill was born out of the Speaker's Task Force on Human Trafficking. Senate Bill 940, as amended, creates training requirements in preventing, identifying, and reporting human trafficking for those employees who have frequent interaction with populations vulnerable to human trafficking. The industries we have identified include hospitality management, community-based residential facilities, public transit, private security, and adult entertainment.

I'd like to thank the members of the Speaker's Task Force on Human Trafficking, and especially Representative Gundrum, for their work on this issue. Thank you for your time, and we would be happy to answer any questions you may have.



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# RICK GUNDRUM

STATE REPRESENTATIVE • 58<sup>TH</sup> ASSEMBLY DISTRICT

## Testimony on Senate Bill 940

Senate Committee on Judiciary and Public Safety | February 21, 2024 | 411 South

Chair Wanggaard, Vice-Chair Jacque, and honorable members of the Senate Committee on Judiciary and Public Safety. Thank you for taking the time to give Senate Bill 940 a public hearing. This bill comes out of the bipartisan Speaker's Task Force on Human Trafficking. Following the Task Force's four informational hearings last year, members of both parties began working on bill drafts to find ways to reduce human trafficking in Wisconsin.

During the bill drafting stage, I learned that Representative Shelia Stubbs and I shared similar priorities on human trafficking as far as it relates to education and prevention. I am of the belief that one way we can reduce human trafficking in Wisconsin is through educating people who work in industries that are likely to interact with the public and vulnerable individuals.

One area where I learned there were problems with human trafficking was in community-based residential facilities (CBRFs). This was brought up by the Milwaukee Police Department where officers have said they've experienced issues with CBRFs due to a lack of local oversight that prevents law enforcement from taking the initiative. One way to improve this is by requiring employees who have regular contact with facility residents to receive training on identifying and prevention of human trafficking crimes.

CBRFs, however, are not the only area where people could be exposed to human trafficking. There are a number of industries that could have these issues. The Department of Workforce Development will determine what employers will provide training regarding identifying human trafficking based on how likely they are to interact with the public. We also highlight private security officers, hotel and motel managers, public transit managers, and adult entertainment managers within SB 940.

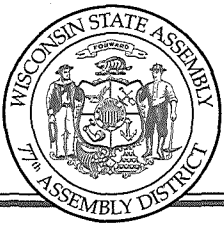
This bill did require an amendment to address concerns from stakeholders, including the Wisconsin Assisted Living Association, LeadingAge WI, and the Wisconsin Hotel and Lodging Association.

Amendment 1 does as follows:

- Limits CBRFs to just those where employees have direct contact with facility residents who are on probation, extended supervision, or parole.

- Clarifies that the site principal who oversees the day-to-day operations of a lodging establishment, rather than the owner or manager, must undergo the training.
- Expands that number of lodging establishments under the bill to include bed and breakfasts, campgrounds, and other places.
- Requires that Department of Workforce Development produce a video that will be made available to the public for free on its website that satisfies the requirements of this bill.

In order to stop human trafficking in Wisconsin, the key is for people to know what to look for as far as human trafficking. That is what this bill aims to achieve. I am thankful to have worked with Representative Stubbs, State Senator Dan Knodl, and Task Force Chair Jerry O'Connor on SB 940 and I am happy to take questions at this time.



**February 21, 2024**

**Senate Bill 940—Relating to: mandatory training regarding human trafficking for employees of community-based residential facilities and owners of certain entities and certain other employees and granting rule-making authority.**

**Senate Committee on Judiciary and Public Safety**

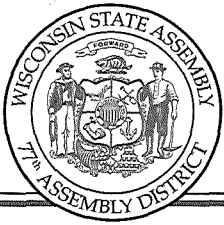
Good morning Chairman Senator Van Wanggaard, Vice Chairman Senator Andre Jacque, and Members of the Senate Committee on Judiciary and Public Safety. Thank you for taking the time to listen to my testimony in support of Senate Bill 940—relating to: mandatory training regarding human trafficking for employees of community-based residential facilities and owners of certain entities and certain other employees and granting a rule-making authority.

First, I would like to thank Representative Rick Gundrum and Senator Daniel Knodl for their work on this bipartisan bill, which was recommended for introduction by the Assembly Speaker's Task Force on Human Trafficking. Of the 11 pieces of legislation introduced by this task force, I am proud to say that 8 have bipartisan authorship.

I am here to express and encourage support for SB 940, as I believe it has the ability to save the lives of trafficking victims right here in our state of Wisconsin. Under current law, there are no requirements for employees, outside of previously designated mandatory reporters, to undergo any sort of training on the identification or prevention of human trafficking. This needs to change.

Though it may seem invisible at times, sex and labor trafficking is a massive issue in the state of Wisconsin. In fact, Wisconsin currently has a grade of "F" in addressing child and youth sex trafficking, according to the Shared Hope International Institute for Justice and Advocacy. Under a comprehensive analysis and assessment of our legislative framework, the non-profit agency recognized numerous gaps in our states statutes for a victim-centered, evidence-based approach. Many of these gaps resulted from improper or inadequate training for those interacting with trafficked victims, such as law enforcement, juvenile agencies and schools. It is past time that we do better as a state. We must protect our neighbors from trafficking, especially those who are most vulnerable.

Senate Bill 940 would require any employee of a community-based residential facility who has regular, direct contact with facility residents to receive training on identifying and preventing human trafficking crimes within 60 days after starting employment and at least every two years thereafter. This bill would also require employers to provide, within 60 days of an employee's hire and at least every two years thereafter, training on identifying and preventing human trafficking crimes to employees who are likely to interact with the public and vulnerable individuals. Under the bill, the training must be provided, at a minimum, to private security



WISCONSIN STATE REPRESENTATIVE

**Shelia Stubbs**

77TH ASSEMBLY DISTRICT

officers, hotel and motel owners and managers, public transit managers, and adult entertainment establishment owners and managers.

Without proper education on the identification and prevention of human trafficking, this horrific crime is able to hide in plain sight. Senate Bill 940 will ensure that mandatory human trafficking training will be implemented in areas such as hospitality, public transit, adult entertainment and more. With the increased awareness and knowledge this training provides, individuals employed in high-contact industries will be better equipped to recognize the inconspicuous signs of human trafficking and report cases of commercial exploitation.

As state legislators, we have a responsibility to protect our community members, especially those who are most vulnerable. The creation of the Assembly Speaker's Task Force on Human Trafficking was just the beginning of our work to protect and aid trafficking survivors, current victims of trafficking, and those who are at most risk of being trafficked. By bringing forth bills such as Senate Bill 940 we are taking tangible steps to save lives. Though there is much more work to be done to eradicate human trafficking in Wisconsin, providing mandatory training for those likely to interact with victims is an essential first step in addressing this crisis.

I greatly appreciate your time and thank you for your consideration to support SB 940. I believe this piece of legislation holds an opportunity for our state to actively fight commercial exploitation by empowering those who are most likely to encounter trafficking situations. I hope you have become better informed on how this bill will increase the chances of identifying exploitation, prevention trafficking, and saving victims in our state. I ask you to please vote yes on SB 940. I am happy to answer any questions.

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WISCONSIN CATHOLIC CONFERENCE

TO: Senator Van Wanggaard, Chair  
Members, Senate Committee on Judiciary and Public Safety

FROM: David Earleywine, Associate Director

DATE: February 21, 2024

RE: Support for SB 940, SB 942, SB 945, SB 946, SB 949, SB 954, SB 960, SB 961,  
Human Trafficking

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On behalf of the Wisconsin Catholic Conference, the public policy voice of the bishops of Wisconsin, I would like to thank you for the opportunity to testify in support of the following bills being heard in this committee today:

SB 940, Mandatory Training Regarding Human Trafficking  
SB 942, Human Trafficking of Adults at Risk for the Purpose of Commercial Sex Acts  
SB 945, Sex Offender Registration for Certain Crimes  
SB 946, Testimony of a Child in a Criminal Proceeding for a Human Trafficking Crime  
SB 949, Courtroom Supports and Sealing Identity of Child Victims and Witnesses  
SB 954, Creation of a Human Trafficking Council  
SB 960, Instruction on Human Trafficking in Certain Specialty Schools (Barbering)  
SB 961, Human Trafficking Victim Services Grant Program

Human trafficking constitutes one of the gravest offenses against basic human rights and dignity. It preys upon the most vulnerable men, women, and children, who are frequently 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.

As of 2022, it is estimated that over 27 million people are victims of human trafficking.<sup>1</sup> This can take the form of sexual exploitation, forced marriage, coerced and forced labor, child soldiers, and more. That number includes more than 3.3 million children. In Wisconsin specifically, the National Human Trafficking Hotline reports nearly 800 cases involving over 1,600 victims with the vast majority suffering from sex trafficking.<sup>2</sup>

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<sup>1</sup> International Labour Organization, *Global Estimates of Modern Slavery*, (September 2022)  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipec/documents/publication/wcms\\_854733.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_854733.pdf)

<sup>2</sup> Spectrum News 1, *How big of a problem is sex trafficking in Wisconsin?* (April 24, 2023)  
<https://spectrumnews1.com/wi/milwaukee/news/2023/04/19/part-1--how-big-of-a-problem-is-sex-trafficking-in-wisconsin->

The Catholic Church, along with other religious and secular institutions, is involved in combating human trafficking both nationally and internationally. 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.<sup>3</sup> Catholic women religious have been at the forefront of anti-trafficking work.<sup>4</sup> They and countless other lay Catholics reach out directly to persons who are being trafficked to help with housing, transportation, childcare, employment, etc. In Milwaukee, the newly established St. Bakhita House, in partnership with Franciscan Peacemakers Clare Community, provides supportive community housing for women who are seeking to escape sex trafficking. Across Wisconsin, among people of every faith, awareness is growing that sex trafficking is destroying lives and wreaking havoc on families and communities.

The WCC, therefore, applauds those involved with the bipartisan task force for bringing forward these bills. These bills strive to give victims of human trafficking some hope that they will be delivered from their bondage and help prevent others from being ensnared in this violent and degrading world. We strongly urge the Legislature to pass these bills.

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<sup>3</sup> The Coalition of Catholic Organizations Against Human Trafficking (CCOAH), <https://www.usccb.org/offices/anti-trafficking-program/coalition-catholic-organizations-against-human-trafficking>

<sup>4</sup> U.S. Catholic Sisters Against Human Trafficking, <https://sistersagainstrafficking.org>



# WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

## Testimony for the Senate Committee on Judiciary and Public Safety

### Senate Bill 940

**Relating to: mandatory Training for CBRFs, Group Homes, etc.**

**Wednesday, February 21, 2024**

Thank you to the Committee Chair and committee members for allowing us this opportunity to address the background for this bill.

Human trafficking is a global crisis. It affects countless lives, including many individuals right here in Wisconsin. According to the National Human Trafficking Hotline, since the program's inception in 2007, Wisconsin has had 796 human-trafficking cases involving 1,640 victims. While those statistics are striking, a 2019 DOJ study found that sex-trafficking data is under-reported, so the true number of victims is likely much higher.

As Chair of the Speaker's Task Force on Human Trafficking, I would like to share a few thoughts on this bill. This bill is a product of the hearings held during the past four months where our Human Trafficking Task Force attempted to better understand how trafficking is affecting our society, especially young people. We learned from agency representatives, DOJ, County DA offices, multiple speakers from local law enforcement, and not-for-profit victim support organizations what a challenge it is to turn the tide of human trafficking in Wisconsin.

This exercise gave us a clear pathway to several bills we could introduce that would have an effective influence and help reduce the level of sex and child sex trafficking in Wisconsin. This is one of those bills and the Task Force recommends it for passage.

One of the issues that was brought up on multiple occasions during our hearings is either workers or clients of these organizations were being exploited for sex trafficking. Among these individuals are those people who could be targeted under the heading of "exploitation of the vulnerable" as a phrase coined by law enforcement.

Other sex trafficking activity targets identified in our hearings included hotels, public transit, adult entertainment, and private security. The first step in preventing human trafficking is awareness education. The goal of this bill is to stop sex trafficking before it happens. To be

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successful toward that end it is incumbent on us to create a pattern where sex trafficking is recognized, identified, and stopped.

Addressing human trafficking requires a comprehensive strategy, and a crucial component of this strategy involves holding individuals involved in human trafficking accountable for their actions.

This bill is needed. We ask that the Committee join us in making this a reality for a world that will benefit greatly from your action.

Thank you to Rep. Gundrum, our co-authors and co-sponsors, and this Committee for assisting us in getting this bill passed.

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**To:** Members of the Senate Committee on Judiciary and Public Safety  
Sen. Wanggaard, Chairman

**From:** Kathi Kilgore, WHLA Contract Lobbyist

**Date:** February 21, 2024

**Re:** Support for Senate Bill 940 and Assembly Bill 973 as amended

On behalf of approximately 600 members of the Wisconsin Hotel & Lodging Association, including hotels, motels, resorts, bed and breakfasts, and all of the businesses that support our industry, we thank you for the opportunity to provide feedback on Senate Bill 940 and its companion, Assembly Bill 973, which would require training for owners and managers of Wisconsin's hotels and motels. We are here today in support of the legislation.

Wisconsin's lodging industry has been proactively working to fight human trafficking for years, and we have invested quite an amount of time and resources into the effort. Through the American Hotel & Lodging Association Foundation's No Room for Trafficking initiative, we support the free distribution of industry-standard courses effectively designed to help eradicate human trafficking from the lodging industry. The first course, "Your Role in Preventing Human Trafficking: Recognize the Signs," is available in 17 different languages and can be delivered online or in person. The second, "Recognize and Respond: Addressing Human Trafficking in the Hospitality Industry," builds on the foundation of the first course and provides increased guidance on responding to potential trafficking situations. This program has a 60-minute module for associates and an 80-minute module for managers. It is delivered online and is available in Spanish, English, Chinese, Arabic, and French.

Additionally, all major brands (i.e., Marriott, Hilton, Wyndham) and the flags they represent (i.e., Fairfield Inn & Suites, DoubleTree, Super 8) have mandated human trafficking training for all their properties throughout the United States. In Wisconsin, this means we have about 700 lodging properties with employees who have already been trained in Human Trafficking awareness and response.

We tell you this to underscore our commitment to the cause of eradicating human trafficking from our lodging facilities. Through industry experience, we recommended and worked with the Assembly bill sponsors to make the following changes to the amended AB 973, which passed the Assembly last week:

- 1) **Types of Properties:** We know that human trafficking can occur in any type of lodging facility, not just hotels and motels. The amended AB 973 incorporates the requirements of the legislation for all lodging establishments, including campgrounds, bed and breakfasts, tourist rooming houses, and short-term rentals (i.e., Airbnb).
- 2) **Training of Property "Owners":** While we certainly had no opposition to this concept, the implementation and interpretation causes complications as many hotels are owned by large companies, Real Estate Investment Trusts (REITs), etc. that do not work directly on a property like an owner operator would. The amended AB 973 instead uses the terms "Entity Principal" and "Site Principal" to provide clarity.
- 3) **Identifying Traffickers:** While the outlined training requirements in the legislation as introduced included guidance on how to identify individuals who are most at risk for human trafficking, the lodging industry's training also includes guidance on how to **identify the signs of trafficking and individuals potentially**

**engaged in the act of trafficking.** This is an important part of the training process, as employees do not always see the individuals being trafficked. This training requirement was included in the amended AB 973.

- 4) **Contact Information:** The training modules that have already been developed for our industry teach people to contact the National Human Trafficking Hotline. Under this legislation as introduced, the training was to include "...the toll-free telephone number of the National Human Trafficking Hotline and the telephone numbers of the appropriate local law enforcement agencies." We asked for a change, which was included in amended AB 973, that the language read "...National Human Trafficking Hotline or the telephone numbers of the appropriate local law enforcement agencies..." This protects the free training modules that are currently available to all Wisconsin lodging properties.

Once again, thank you for taking the time to discuss this important topic. We ask you to support the amended version of AB 973 or amend SB 940 to include these issues.

Thank you for your consideration.



**To:** Senator Van Wanggaard, Chair  
Members of the Senate Committee on Judiciary & Public Safety

**From:** Michael Pochowski, President & CEO

**Date:** Wednesday, February 21, 2024

**Re:** Support for Senate Bill 940 | Support for Senate Amendment 1

The Wisconsin Assisted Living Association (WALA) represents over 1,600 assisted living facilities which includes community-based residential facilities (CBRFs), residential care apartment complexes (RCACs), and adult family homes (AFHs).

WALA is supportive of Senate Bill 940 and supports Senate Amendment 1, legislation relating to mandatory training regarding human trafficking for employees of community-based residential facilities and owners of certain entities and certain other employees.

The first provision in Senate Amendment 1 was requested to focus on new training requirements to those facilities or the populations discussed during the assembly task force hearings.

### **Background: Community-Based Residential Facilities**

Wisconsin Community-Based Residential Facilities (CBRFs) are but one type of home and community-based service option that are licensed and regulated by the State of Wisconsin defined and stipulated in statute and administrative code. There are many different types and populations served in CBRFs. In the area of assisted living serving elderly and individuals with disabilities - other licensed residential facilities include 1-2 bed Adult Family Homes (regulated by County Human Services and managed care organizations), 3-4 bed [Adult Family Homes \(DHS 88\)](#), Community-Based Residential Facilities ([DHS 83](#)) and Residential Care Apartment Complexes ([DHS 89](#)).

**Statutory and Administrative Code References.** [Wis. Stat. Ch. §50.01\(1g\)](#) defines a community-based residential facility (CBRF) *“a place where 5 or more adults who are not related to the operator or administrator and who do not require care above intermediate level nursing care reside and receive care, treatment or services that are above the level of room and board but that include no more than 3 hours of nursing care per week per resident.”* Further, [Wis. Stat. Ch. §50.035](#) provides for special provisions relating to the regulation of community-based residential facilities.

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The Wisconsin Department of Health Services regulates CBRFs through administrative rule, [DHS Chapter 83: Community-Based Residential Facilities](#). Additional statutory and administrative rule provisions can exist depending on the services provided or population served.

The type of CBRF or Populations \ Specialty Programs vary, but include:

- Advanced age (Senior Living)
- AIDS (acquired immunodeficiency syndrome)
- Alcohol and other drug use
- Correctional clients
  - Correctional Clients - Department of Corrections Halfway House Residential Services Program
  - Correctional Clients - Chapter 980 Placed on supervised release in the community (Sexually Violent Person Commitments)
- Irreversible Dementia \ Alzheimer's
- Developmental disabilities
- Mental health problems
- Pregnancy (if also in need of counseling)
- Physical disabilities
- Terminal illness
- Traumatic brain injury

Finally, when policies are being considered that affect assisted living Medicaid populations (Family Care), such as elderly and individuals with disabilities, we ask that lawmakers please calculate and include funding to cover the State's share of any new or increased costs in these Medicaid programs. Medicaid often reimburses much less than the actual cost to provide care and services. Therefore, assisted living providers that serve state Medicaid recipients (Family Care) often do not have the ability to absorb or shift new-increased costs.

Thank you for your consideration in this matter. If you have any questions, please feel free to contact me at (414) 803-7415 or via e-mail at [mpochowski@ewala.org](mailto:mpochowski@ewala.org). or our lobbyist, Forbes McIntosh.