



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBs0264/1
MJW:cdc

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 978**

February 1, 2024 - Offered by Representative O'CONNOR.

1 **AN ACT** *to repeal* 15.257 (3) and 165.29; *to amend* 59.54 (29) and 66.0511 (title);
2 and *to create* 15.257 (3), 59.54 (29), 66.0511 (4), 165.25 (21), 165.29 and 165.85
3 (3m) (d) of the statutes; **relating to:** creation of a Human Trafficking Council
4 and the establishment of county sex trafficking task forces.

Analysis by the Legislative Reference Bureau

This bill creates a Human Trafficking Council attached to the Department of Justice. Under the bill, the council consists of the following members: the secretary or a designee of the Departments of Children and Families, Public Instruction, and Transportation; the state public defender, or his or her designee; one district attorney; one chief of police; two sheriffs; four representatives of organizations that provide human trafficking victim support services; one representative of the Office of Crime Victim Services; and one representative of the Internet Crimes Against Children task forces.

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, track averages across counties, and determine

whether a county is experiencing above-average sex trafficking activities; 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; and develop a state strategic plan for reducing human trafficking generally.

This bill provides that any county that is determined by the Human Trafficking Council to be experiencing above-average sex trafficking activities may establish a sex trafficking task force to combat sex trafficking in that county. The bill also provides that each law enforcement agency in a political subdivision with a population of 10,000 or more may designate an officer to coordinate the agency's human trafficking prevention and enforcement efforts.

The bill requires DOJ 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 consisting of the following members:

4 (a) The secretary of children and families, or his or her designee.

5 (b) The secretary of public instruction, or his or her designee.

6 (c) The secretary of transportation, or his or her designee.

7 (d) The state public defender, or his or her designee.

8 (e) To be appointed by the Wisconsin District Attorneys Association, one district
9 attorney holding office in this state.

10 (f) To be appointed by the Wisconsin Chiefs of Police Association, one chief of
11 police or chief of a combined protective services department holding office in this
12 state.

13 (g) To be appointed by the Badger State Sheriffs' Association, one sheriff
14 holding office in this state.

1 (h) To be appointed by the Wisconsin Sheriffs and Deputy Sheriffs Association,
2 one sheriff holding office in this state.

3 (i) To be appointed by the attorney general, 4 representatives of organizations
4 that provide human trafficking victim support services. The representatives
5 appointed under this paragraph shall be from organizations that serve different
6 geographic areas of the state, including both urban and rural communities.

7 (j) One representative of the office of crime victim services.

8 (k) One representative of the Internet Crimes Against Children task forces.

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

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

12 59.54 (29) SEX TRAFFICKING TASK FORCES. In any county that is determined by
13 the human trafficking council under s. 165.29 (4) to be experiencing above-average
14 sex trafficking activities, the board may establish a sex trafficking task force that
15 includes representatives from law enforcement agencies, county departments, and
16 local nonprofit groups. A county sex trafficking task force established under this
17 subsection may coordinate efforts to combat sex trafficking in that county, including
18 identifying and investigating sex trafficking, supporting victims, and raising
19 community awareness.

20 **SECTION 4.** 59.54 (29) of the statutes, as created by 2023 Wisconsin Act (this
21 act), is amended to read:

22 59.54 (29) SEX TRAFFICKING TASK FORCES. In any county that is determined by
23 the human trafficking council under s. ~~165.29 (4)~~ the department of justice under s.
24 165.25 (21) to be experiencing above-average sex trafficking activities, the board
25 may establish a sex trafficking task force that includes representatives from law

1 enforcement agencies, county departments, and local nonprofit groups. A county sex
2 trafficking task force established under this subsection may coordinate efforts to
3 combat sex trafficking in that county, including identifying and investigating sex
4 trafficking, supporting victims, and raising community awareness.

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

6 **66.0511 (title) Law enforcement agency agencies; certain policies on**
7 **use of force and citizen complaint procedures.**

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

9 66.0511 (4) HUMAN TRAFFICKING PREVENTION AND ENFORCEMENT. In each political
10 subdivision with a population of 10,000 or more, the person in charge of the law
11 enforcement agency for that political subdivision may designate a law enforcement
12 officer of the law enforcement agency to coordinate the law enforcement agency's
13 human trafficking prevention and enforcement efforts.

14 **SECTION 7.** 165.25 (21) of the statutes is created to read:

15 165.25 (21) SEX TRAFFICKING ASSESSMENT. Assess sex trafficking activities in
16 each county, track averages across counties, and determine whether a county is
17 experiencing above-average sex trafficking activities.

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

19 **165.29 Human trafficking council.** The human trafficking council shall do
20 all of the following:

21 (1) Compile and maintain an inventory of human trafficking prevention
22 programs and services in this state and develop, maintain, and keep current an
23 online database to share information among counties, law enforcement agencies,
24 state agencies that have responsibilities relating to sex trafficking, and
25 organizations that provide human trafficking prevention programs and services or

1 victim support programs and services. The database shall include an online portal
2 that is accessible by each such entity. The database shall report information
3 gathered under subs. (1) to (3).

4 (2) On an annual basis, review and assess the efficacy of the expenditure of
5 state funds allocated to human trafficking prevention.

6 (3) Compile data on human trafficking offenses committed in this state,
7 including the annual number of arrests, prosecutions, and convictions for human
8 trafficking offenses under s. 940.302 or 948.051.

9 (4) Using data compiled under sub. (3), assess sex trafficking activities in each
10 county, track averages across counties, and determine whether a county is
11 experiencing above-average sex trafficking activities.

12 (5) In consultation with the appropriate state agencies, assess the regulation
13 and oversight of facilities that provide residential care in a congregate living
14 environment, including community-based residential facilities, as defined in s.
15 50.01 (1g), and group homes licensed under s. 48.625, as it relates to victims of
16 human trafficking.

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

22 (7) Develop a state strategic plan for preventing human trafficking, providing
23 resources for law enforcement initiatives, providing resources to organizations that
24 provide human trafficking prevention programs and services or human trafficking

1 victim support services programs and services, and creating or providing access to
2 relevant training programs for law enforcement or such organizations.

3 (8) In consultation with the department of justice, develop a model protocol for
4 interviewing and interacting with individuals who are victims of human trafficking
5 offenses under s. 940.302 or 948.051.

6 (9) Develop a model training program for counties relating to reducing interest
7 in solicitation by individuals who solicit prostitutes.

8 (10) (a) By July 1 of each year, submit to the chief clerk of each house of the
9 legislature for distribution to the legislature under s. 13.172 (2) and post on the
10 department of justice's website a report that summarizes the data collected by and
11 activities of the council during the previous year.

12 (b) In the 3rd report submitted under par. (a), include a recommendation as to
13 whether the council should continue to operate after the first day of the 48th month
14 beginning after the effective date of this paragraph [LRB inserts date], and
15 recommendations relating to moving the council's ongoing initiatives to state
16 agencies.

17 **SECTION 9.** 165.29 of the statutes, as created by 2023 Wisconsin Act (this
18 act), is repealed.

19 **SECTION 10.** 165.85 (3m) (d) of the statutes is created to read:

20 165.85 (3m) (d) Develop a list of recommended training courses for law
21 enforcement officers relating to preventing, recognizing, and investigating human
22 trafficking, apprehending and prosecuting human traffickers, and coordinating
23 human trafficking response efforts with other law enforcement agencies and
24 organizations.

