



NEW JERSEY COMMISSION ON HUMAN TRAFFICKING

Consolidated Annual Report for 2016 - 2019

Please send comments concerning this report or direct any related inquiries to:

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BACKGROUND

The New Jersey Commission on Human Trafficking was created by the Legislature in 2013, as part of its passage of the Human Trafficking Prevention, Protection, and Treatment Act (P.L. 2013, c.51; *see* N.J.S.A.52:17B–237). The Commission is composed of fifteen members from the fields of law enforcement, victim assistance services, health care and child advocacy, as well as members of the general public who have experience in, or who have a specialized knowledge of, human trafficking. As required by the enabling legislation, one Commissioner is a survivor of human trafficking. The Commissioners were nominated by either the Governor, or by the Governor upon the recommendation of leading members of the Legislature.

The Commission is charged with the duties of:

- a) Evaluating existing laws relating to human trafficking and making recommendations;
- b) Evaluating the enforcement of existing laws relating to human trafficking and making recommendations;
- c) Reviewing the cost, availability and organization of victim assistance services for victims of human trafficking and making recommendations;
- d) Promoting a coordinated response by public and private resources to assist victims of human trafficking;
- e) Developing mechanisms to promote public awareness of human trafficking;
- f) Reporting annually to the Governor and to the Legislature regarding the Commission's activities, findings and recommendations.

INTRODUCTION

The New Jersey Commission on Human Trafficking submits this synopsis of activities in lieu of a formal report covering calendar years 2016, 2017, 2018 and 2019. Since 2016, the Commission has not had a sufficient number of appointed members to convene a quorum and conduct business at its meetings. Despite the lack of quorum from 2016-2019, the Commission held quarterly meetings, but was unable to complete their statutory duties because they did not have enough members to conduct business.

It is important to note that the Division of Criminal (DCJ) which statute directs to provide staff support to the Commission, continued to execute much of the statutorily-directed work in the absence of a functioning Commission. DCJ's anti-trafficking work aligns with the goals of the Human Trafficking Prevention, Protection, and Treatment Act, by raising public awareness, and providing victim services, in addition to its investigative and enforcement roles. *See*, Attachment A.

Although the Commission has not been able to formally conduct business, we have been very active gathering information; reviewing best practices and novel approaches to address human

trafficking; reviewing pending legislation including proposed vacature legislation addressed through the County Prosecutors Association of New Jersey (CPANJ); charging issues related to N.J.S. 2C:34-1(b)(8); and, had presentations from Non-Government Organizations (NGOs) on services available for the victims of human trafficking, as well as presentations from government agencies/leaders on innovative new programs to address the scourge of human trafficking.

It is against this backdrop that we provide our cumulative synopsis for 2016, 2017, 2018, and 2019.

PUBLIC AWARENESS AND EDUCATION

The Commission has reviewed the adequacy of training across multiple sectors about human trafficking awareness and reporting and while we said that New Jersey had undertaken a comprehensive effort to train key stakeholder groups (child welfare, health care, law enforcement, social services, tourism/labor), we identified that there still appeared to be gaps that would possibly deserve more effort and attention. These included training for key members of the judiciary as well as training for law enforcement officials at the municipal level.

The Human Trafficking Commission sent a letter to the New Jersey Department of Community Affairs expressing concerns about the quality and accuracy of the content in their training video, with a recommendation that the video be updated with more accurate and realistic information about trafficking. The Commission will check back with The Department of Community Affairs to learn about the status of their training efforts and the video.

In our 2014 Report, we recommended that the topic of training should reach all middle and high schools in the state. Since that recommendation was made, the New Jersey Department of Education convened three regional seminars open to all schools to learn more about the topic and steps schools could take to raise awareness and strengthen prevention. Some schools have also hosted voluntary school-wide assemblies on the topic of trafficking. Finally, legislation has been introduced in the New Jersey Legislature to require training and education in the schools about human trafficking awareness, prevention and reporting. That legislation passed with modified goals. The Department of Education is now charged with developing a best practice guidelines for all schools that would like to incorporate education and awareness for students on the topic of human trafficking. It is not mandated as the original bill stipulated.

The Commission received a presentation from UNITAS, on a human trafficking curriculum for school aged children. The Commission will revisit the status of these efforts to determine what additional steps should be undertaken.

The Human Trafficking Commission had a presentation about possible legislation that would require certain businesses to post information about reporting trafficking to the hotline; businesses would include airports, train stations, strip clubs, truck stops, massage parlors and others which have been identified as having links to trafficking or victims. The Human Trafficking Commission was leaning to supporting this legislation as a recommendation, although some have expressed concerns about compliance and enforcement.

The 2014 Report included a recommendation to strengthen efforts in New Jersey focused on preventing human trafficking (not just identifying victims) as part of a more comprehensive public health approach, and the need to examine strategies to address the demand side of trafficking and the role of males who engage in the trafficking business. The Human Trafficking Commission will need to gather more information about best practices in these areas to consider for additional attention in the next report.

LEGISLATION

The New Jersey Human Trafficking Commission has reviewed several pieces of legislation pending in the New Jersey Legislature. These pieces of legislation address the developing and posting of notices containing information for victims of Human Trafficking; civil actions against those persons or entities profiting from Human Trafficking offenses or maintaining victims of those offenses; expanding the crime of Human Trafficking to include those who receive a financial benefit; requiring a training course for CDL applicants to identify human trafficking activity; requiring Megan's Law registration for those convicted of human trafficking; allowing victims of human trafficking to testify via CCTV; amending the New Jersey Wiretapping and Electronic Control Act to authorize wiretapping to investigate crimes involving human trafficking; and, to expand the Mission of the Commission on Human Trafficking to include the study of any connection between human trafficking and illicit massage parlor businesses.

Working with the CPANJ, the Commission has been able to comment on this legislation.

Prosecutor Onofri reported that he testified before the Assembly Women and Children Committee in support of Assembly Bill 4218/Senate Bill 2691, sponsored by Assemblywomen Quijano, Vainieri-Huttle and Reynolds- Jackson which appropriates \$100,000 to the Human Trafficking Commission. The legislation was unanimously voted out of the Committee. The legislation subsequently passed both the Assembly and Senate and Governor Murphy signed the bill into law.

MEETINGS

Although official business could not be conducted due to the lack of quorum, the Commission did discuss numerous topics including:

- The Judiciary conducted human trafficking training (2016).
- New prevention programs adopted by the American Academy of Pediatrics (2017).
- Creation of a new application for mobile phones to assist providers in finding beds/shelter for human trafficking survivors (2017).
- Another mobile application, Safe Night, is also available to allow providers to locate available hotel rooms which can be donated for short term stays (2017).
- A presentation by Dreamcatchers on the wide array of services they provide for human trafficking survivors (2017).
- Incorporation of the film, “I Am Jane Doe”, into the school curriculum (2017).
- A comprehensive discussion on Prostitution Offender Programs, focused on buyers of commercial sex and prostitution charging issues under N.J.S.A. 2C:34-1(b)(8). These discussions led to the CPANJ issuing a directive, in each of the 21 counties, on how to properly charge prostitution offenses (2016).
- Mayor Kelly Yaede of Hamilton Township (Mercer County) discussed her town’s ordinance for regulating massage/somatic establishments as a means to prevent the exploitation of workers who may be trafficked at illicit massage parlors (2017).
- The New Jersey Department of Education created a pilot program on Human Trafficking Awareness and held three (3) Human Trafficking Workshops (2018).

- The effectiveness of the National Human Trafficking Hotline (2018).
- The effectiveness of the current Human Trafficking Awareness media campaign (2018).
- Pilot program in the Atlantic/Cape May Vicinage, YES Program, to address the trafficking of boys and girls in that area (2018).

Respectfully submitted by members of the New Jersey Commission on Human Trafficking:

Dawne Lomangino-DiMauro LCSW
Commission Chairperson (appointed chair July 7, 2016)
Commission Vice-Chair (prior to July 7, 2016)
Co-Chairperson of the Victim Services Subcommittee
Director of Statewide Human Trafficking Services, AVANZAR

Angelo Onofri
Commission Vice Chair
Prosecutor
Mercer County Prosecutor Office

Timothy J. Gallagher
Director of Police
New Jersey State Human Services Police

Christine Norbut Beyer
Commissioner
Department of Children and Families
Bonny Fraser/Brian Ross, Alternate Designees

Rush Russell
Chairperson of the Public Awareness and Education Subcommittee
Executive Director, Prevent Child Abuse New Jersey

Marisol Rodriguez
Executive Director, RENEW Life Center NJ

Annmarie Taggart
Assistant Attorney General
NJ Office of the Attorney General

ATTACHMENT A

Attached is an overview of the work that the Division of Criminal Justice has engaged in, separate from the New Jersey Commission on Human Trafficking. This overview is being shared as additional piece of information of the work happening around New Jersey but not as an official document of work completed by the New Jersey Commission on Human Trafficking.

Public Awareness

DCJ continued to permeate New Jersey with crucial messages about human trafficking, including the fact that human trafficking exists in New Jersey and can happen in any community. DCJ produced public awareness posters that depicted male and female victims, developed materials addressed specifically to victims in need of help, and promoted both the State and National Human Trafficking Hotlines.

Victim Services

As previously discussed, the Commission has not been able to conduct new business due to a lack of appointments. However, the DCJ operates the Human Trafficking Task Force (HTTF), in which Commission members participate. At HTTF meetings, victim services providers connect with law enforcement agencies and other state agencies in order to form partnerships to serve victims during enforcement operations. Additionally, the Office of the Attorney General, Grants Office continues to provide funding for Dream Free to serve as the statewide service provider for victims of human trafficking and to fund pro-bono legal services that support victims.

NJ Prostitution Offender Program

The 2013 Human Trafficking Bill, N.J.S.A. 2C:34-1.2d(1)(a), directed the Department of Law and Public Safety (LPS) and the Human Trafficking Commission to approve or establish a Prostitution Offender Program (POP). POPs are educational programs to which those convicted of patronizing prostitution (a disorderly persons offense, in violation of N.J.S.A. 2C:34-1b(1)) can be mandated. The statute directs LPS and the Human Trafficking Commission to fund the POP Program through fines assessed on those convicted of patronizing a prostitute. County and local governmental entities are allowed to establish POPs, as well.

DCJ undertook numerous efforts to create a POP. These efforts are discussed below.

- DCJ staff presented to the County Prosecutors Association to educate Prosecutors about creating their own POPs. None of the County Prosecutors' Offices were able to host their own POPs due to funding issues.
- DCJ staff met with members of the AOC's Municipal Court Services and the Criminal Practice Unit to discuss their roles in the POP and presented to the AOC's Municipal Court Working Group to brief them on the roles and responsibilities of municipal court judges and personnel. AOC clarified that they would not assess fines or mandate anyone to take the class until DCJ established the class.

- In December 2015, LPS published regulations for the administration of the Human Trafficking Survivor’s Assistance Fund, including the procedure and conditions for obtaining approval of a prostitution offender program course pursuant to N.J.S.A. 2C:34-1.2.
- In 2016, DCJ created an RFP to create a pilot program to engage a nonprofit or other private organization to deliver a statewide or regional instructional program to persons convicted of engaging in prostitution as a patron. However, DCJ became aware that the funding mechanism created in statute would not provide adequate funding for the program and the RFP was not released. DCJ determined an alternative strategy to create a POP curriculum and allow interested county Prosecutor’s Offices to run the programs.
- Also in 2016, DCJ researched various POPs to learn about their curriculum and success rates. Other research included the First Offender Prostitution Program (FOPP) in San Francisco that created a diversion program for offenders arrested for soliciting prostitution as an alternative to traditional prosecution. DCJ also visited with the Brooklyn John School, and then created a curriculum for the New Jersey POP.
- In 2017, DCJ met with Cumberland County Prosecutor’s Office to discuss establishing a pilot Prostitution Offender Program in Cumberland County. In August 2017, CCPO decided they could not commit to the Pilot Program because of budget reasons.
- In 2019, LPS staff reviewed POPs throughout the country and determined that POPs typically cost participants at least \$1,000 and require an investment of additional resources of state or local funds.

As previously mentioned, the funding mechanism created in statute is inadequate to fund a successful POP. Statute directs a \$500 fee upon each guilty individual ordered to participate. The fee is sent to the New Jersey Department of the Treasury and is then split three ways: \$100 goes to the arresting law enforcement agency, \$200 to an approved provider of New Jersey Prostitution Offender Program, and \$200 to the established “Human Trafficking Survivor’s Assistance Fund” (Human Trafficking Prevention, Protection, and Treatment Act, 2013). From 2017-2019, there were a total of 40 convictions for the entire state (see below). This would generate only \$8,000 to operate the program over 3 years which is insufficient to fund a POP for a single county, much less the entire state. LPS will present this information to the Commission so that it may consider next steps for the POP Program in 2020.

2C:34-1B(1) - Totals by County	
County	Convictions
Atlantic	37
Bergen	1
Burlington	
Camden	
Cape May	
Cumberland	
Essex	
Gloucester	1
Hudson	
Hunterdon	
Mercer	
Middlesex	
Monmouth	
Morris	
Ocean	
Passaic	
Salem	
Somerset	
Sussex	
Union	1
Warren	
TOTAL	40