WRITTEN TESTIMONY

BILL NO: Senate File 1729
TITLE: Child welfare and maltreatment provisions modifications
COMMITTEE: Civil Law and Data Practices Policy
DATE: March 31, 2022
POSITION: SUPPORT

Dear Chairperson Mathews, Vice Chair Limmer, and Committee Members:

Shared Hope International is a national NGO mobilizing legislative change at the state and federal levels to protect youth survivors of sex trafficking and holds offenders to account. Through our ongoing legal research, legislative technical assistance, and field assessments, we are uniquely positioned to evaluate and share promising practices and sustainable solutions for addressing this crime. Since we first commenced our state policy work 14 years ago, we have consistently looked to and recognized Minnesota for developing "gold standard" policies and practices. Senate File 1729 reflects the state's trend of pushing the envelope and striving towards responses that are smart, sustainable, and impactful.

SF 1729 recognizes, and seeks to overcome, the challenge of utilizing existing systems and processes to respond to a complex and relatively new crime. Current law requires Child Protective Services (CPS) to investigate non-familial sex trafficking cases in the same or similar manner as would be required for familial cases. Problematically, this process risks sweeping non-offending parents or caregivers through an adversarial system and process; not only does this place unnecessary scrutiny and potential blame on non-offending parents, it also holds the potential to potentially undermine the agency's ability to provide meaningful support to both the child victim and family. Simultaneously, CPS agencies are tasked with duties that far exceed the role such agencies were originally created to play and places CPS employees in dangerous and compromising positions.

SF 1729 creates an alternative approach that would support CPS' ability to provide safety planning, comprehensive services, and ongoing care to exploited children and their families without being tasked with the inappropriate and unsafe task of investigating non-familial exploiters. This alternative, third-track approach is considered an innovative solution for addressing an ongoing challenge faced by nearly every state in this country.

Importantly, and relevant to this legislation, Senators Klobuchar and Cornyn introduced a bill yesterday to reauthorize the *Trafficking Victims Protection Act of 2000*. Included within the reauthorization bill is section to DHHS grants to states to improve child welfare responses to child sex trafficking; eligibility hinges on a number of factors, including the development of trafficking-specific protocol in non-familial/third-party trafficking cases. Specifically, the bill language states,

> The State has developed and implemented a specialized protocol for responding when victims of trafficking are exploited by a third party trafficker to ensure the response does not depend on caregiver fault and focuses on the child's specific safety needs as a victim of trafficking, and that includes the development and use of an alternative mechanism for investigating and responding to cases of child sex trafficking in which the alleged offender is not the child's parent or caregiver without utilizing existing processes for investigating and responding to other forms of child abuse or neglect or requiring the filing of an abuse or neglect petition.

As written, SF 1729 would fulfill this grant requirement and support Minnesota's ability to seek additional federal funding sources and ensure DHS is equipped to provide appropriate responses in all cases of child sex trafficking. This bill has been diligently researched and thoughtfully developed, and we are proud to adamantly support it and ask for yours as well. We are grateful for the Committee's willingness to hear this bill and are happy to provide any additional information if helpful.

Respectfully,

Sarah Bendtsen Diedhiou, J.D.
Director of State Legislative Advocacy