

NORTH CAROLINA HUMAN TRAFFICKING COMMISSION

Meeting Minutes

October 4, 2018

Governor's Crime Commission

1201 Front Street, Raleigh NC

Commission Members Present:

Libby Coles, JusticeMatters, Inc.
Jennifer Haigwood, NC Department of Labor
Jasmine McGhee, NC Department of Justice
Pamela Cashwell, NC Department of Public Safety
Suzanne Mauney-Smith, Gaston County Police
William "Billy" West, Cumberland County District Attorney
Caitlin Ryland, Legal Aid of North Carolina
Monika Johnson-Hostler, NC Coalition against Sexual Assault
William M. Nichols, Ret. Major NC Highway Patrol
Ryan S. Boyce, NC Administrative Office of the Courts

Commission Members Not Present:

Dianne Layden, Public at Large
Judge Thomas Jarrell, NC Association of District Court Judges
Judge Claire V. Hill, North Carolina Conference of Superior Court Judges

Commission Staff Present:

Christine S. Long, Executive Director

Members of the Public Present:

Please see public sign-in sheet.

Call to Order:

The Chair called the meeting to order and read the following State Government Ethics Act reminder:

- In accordance with the State Government Ethics Act: it is the duty of every North Carolina Human Trafficking Commission member to avoid conflicts of interest. If any HTC member has any known conflict of interest in respect to any matter coming in front of the HTC they must identify the conflict and refrain from any participation in the particular matter involved.

Welcome and Introductions:

Chair Coles asked members of the Commission and members of the public to introduce themselves.

Approval of the Minutes: 8/23/18 meeting:

- A motion to approve the minutes of the August 23, 2018 meeting was made, seconded, and passed with no amendments.

NC HTC Chair Report and Action Items:

Libby Magee Coles referenced the draft bylaws created by Commissioner Boyce and distributed prior to the meeting. A motion was made and seconded to pass the draft bylaws without change. The motion passed unanimously.

Chair Coles discussed the third regional symposium and plan to host in Charlotte in January 2019. Due to the close time frame and limited HTC staff, Chair Coles proposed that the HTC contract again with NCCASA for venue and conference planning. Commissioner Cashwell motioned to approve the contract and Commissioner Haigwood seconded the motion. The motion passed, with Commissioner Johnson-Hostler abstaining from the vote.

Chair Coles reported that she and NC AOC are continuing to work with NC DOJ on transition items, as the recent hurricane impacted some transition plans.

Staff Report and Action Item: (see power point)

Christine S. Long reviewed the General Assembly mandate for the HTC to review Article 10A offense classifications and post-conviction relief statutes. This falls within Session Law 2018-75 Senate Bill 162. Commissioners were presented a packet of material for reference. Director Long has set up multiple presentations for the meeting, reviewed all avenues throughout the past two months to gather feedback, and introduced several in the audience who had participated in providing feedback.

NC Sentencing and Policy Advisory Commission: (see power point and handout)

John Madler presented about the NC Sentencing and Policy Advisory Commission's (SPAC's) study of the offense classifications and how those are determined. He reported on the original classification of offenses within Article 10A and recent legislative increases, as well as the small number of state convictions within the article over the past five years. During discussion, Director Long referenced a specialized Polaris Project report issued by their disruption strategy team that also supported the findings of the SPAC. Commissioner discussion indicated an interest in further conversations to determine why data indicates arrests are being made but there is a low conviction rate under the human trafficking statutes. Further research is also needed to determine the best avenues to increase that rate or use the NC laws effectively. Further research is also needed to examine offenses outside of Article 10A, such as 14-205.3, promoting prostitution to determine if those classifications are strong enough and being used in place of Article 10A charges.

Shared Hope International Recommendations for NC: (see handouts)

Director Long summarized the Shared Hope International's (SHI's) 2017 Protected Innocence Challenge Toolkit for NC and the Discussion Draft report SHI issued for the meeting. Commissioners reviewed and discussed the recommendations.

Commissioner West reviewed feedback from the Conference of DAs on each recommendation. Commissioner consensus was to take more time and review the material, as well as further comparing the recommendations to feedback from the NC Conference of DAs. Director Long will send the NC Conference of DA feedback electronically and will include these items in the December HTC meeting.

Current Expunction Avenues: (see power point)

Tolu Adewale with Legal Aid of NC conducted a presentation to inform the commission of current expunction routes for victim-survivors and current use of those routes.

Post-Conviction Relief Options for NC: (see continued power point and handouts)

Director Long referenced a handout of recommended laws from other states related to vacating charges and convictions. Discussions with both state and national experts in this field indicate a need to update the current post-conviction relief avenue in NC. Several of those consulted with in NC offered to assist in drafting recommendations and agreed that “tweaks” to current legislation could bring NC parallel to other states recognized as leaders in this area. Commissioners determined that the Legislative Committee would meet and include stakeholders who volunteered to assist. The Committee will bring their recommended draft to the December HTC meeting for discussion and vote. Director Long referenced an additional finding that NC does not currently have a civil remedy within Article 10A for victims and it was determined that the committee would also look into this further as well.

Other Potential Report Recommendations: (see continued power point and handouts)

Director Long continued her presentation by sharing other items for potential inclusion in the HTC’s report. The Director referenced the Polaris Project report again due to their recommendation to examine NC Industry Regulations. Other states have found that improving industry regulations can deter human trafficking, and Director Long suggests the HTC final report indicate a need to examine these ideas further over the next year. Other considerations noted were diversion program research and demand reduction strategies. Commissioner Boyce has recommended that any report given to the General Assembly contains all requests of the HTC. Director Long highlights the need for reoccurring funding the HTC in the report.

Public Comment:

Pam Strickland gave comments for two organizations. 1.) NCCAHT invites everyone to their next general meeting on 11/1. 2.) ENC Stop Human Trafficking is thankful that the HTC is taking up these study discussions and recommendations. They support the need for further review regarding conviction rates and see victim arrests as a problem in their area. They recommend revisiting law enforcement training in the coming year and also looking further into plea deals being made to decrease penalties of traffickers.

Break

The meeting was called back to order by Ms. Coles.

General Activities Report: (Director Long)

This item was skipped on the agenda due to time restrictions.

Committee Reports and Action Items:

Committee on Policy and Legislation: Jennifer Haigwood

Committee Chair Haigwood provided an update for the Committee on Policy and Legislation. Chair Haigwood communicated that the Committee seeks recommendations for legislative action in the upcoming long session.

Ad Hoc Committee on Standards: Monika Johnson-Hostler

Committee Chair Johnson-Hostler provided an update for the Ad Hoc Committee on Standards.

Ad Hoc Committee on Appropriations: (see handouts)

Committee Chair Haigwood provided an update for the Ad Hoc Committee on Appropriations. Director Long discussed the draft scoring matrix to be used in evaluating the grants. The Director used a mix of forms from NCCASA and other comparisons to create the guide. Commissioner Cashwell states she will look into what the Governor's Crime Commission's matrix and share it. Chair Coles states that the committee has authorized the director to do an initial review of applications to check core eligibility criteria. There was discussion to decide how the HTC best sees scoring the remaining applications. The decision was made for the director to use drop box, google share or some cloud based viewing for each commissioner to score the grants. Commissioners prefer at least 3 weeks for scoring and decisions will then be made further at the December meeting. Chair Coles brought attention to the draft grant conditions, cover sheet and request for proposals the committee has approved for use in the grant process. Minor edits were suggested and discussed. A motion was made by Commissioner Johnson-Hostler to approve all three documents, with the discussed minor edits. Motion was seconded by Commissioner McGhee and passed.

Committee on Public Health:

Chair Coles communicated that this Committee is still being formed and has not yet met, and that Commissioner Tellis, who chaired this Committee, has communicated her desire to resign from the HTC. Chair Coles voiced her gratitude to Commissioner Tellis. Director Long has reported the resignation to the Governor's Office and hopes the HTC will be able to swear in the Governor's new appointee at the next meeting.

Hurricane Florence: (see power point)

Commissioner Caitlin Ryland presented on recent hurricane relief and preparation work through Legal Aid of NC. The presentation highlighted a media report regarding temporary guest workers in NC.

Wrap-Up and Next Steps:

Due to the next scheduled meeting being on the same day as the Governor's Crime Commission meeting, the Director will send a doodle poll out to reschedule our meeting.

Committee on Public Safety: Marc Nichols

Committee Chair Nichols recognizes all Law Enforcement in the room and thanks them for their service. Commissioner Nichols reports that the committee met for the first time on September 11th and plans follow-up. The Committee is talking with Assistant Secretary John Hill with U.S. Department of Homeland Security about partnering on efforts to highlight NC's work in anti-trafficking.

Adjournment

At 1pm the meeting was adjourned by Chair Coles. The next meeting will be held on a date TBD by Director Long in consultation with members, and formally noticed.