



NC Human Trafficking Commission: General Meeting
Thursday, June 29th, 2023, 10:00 AM – 1:00 PM
WebEx through the NC Judicial Center / Cypress Room (C-1-1225)

10:04 AM – Call to Order & Roll Call Attendance

Jennifer Haigwood

Commission Chair Haigwood opened the meeting and called to order. She then conducted a verbal roll call to document attendance. Commissioners in attendance at the meeting were Amy Auth, Jennifer Haigwood, Deana Joy, Marc Nichols, Tina Pennington, Caitlin Ryland, Suzanne Mauney-Smith, Billy West (exited 10:45 am), and Angelica Wind. Also in attendance were Commission Executive Director, Christine Long, Grants Administrator, Kathy Estrada, Grants Managers, Ellen Chupik-Smith, Kristen Howe, and Jacqueline Kehinde, Data Manager, Ashawntee Cabello, Court Management Specialist, Ashley Tauscher, and Administrative Secretary, Lauren Amato. Members of the public were also able to view or listen to the meeting via WebEx.

10:06 AM – Ethics Reminder

Jennifer Haigwood

Approval of the Minutes 2/23/2023

(See Meeting minutes February 23, 2023)

Commission Chair Haigwood read the required ethics statement. She then thanked all in attendance and asked if there were changes to the minutes from the February 23rd meeting. No changes were noted. Commissioner Nichols made a motion to approve the minutes and Commissioner West seconded the motion. The minutes were passed unanimously.

10:08 AM – Introduction of new Health Care Commissioner: Dr. Corinna Myers, DO, MPH

Jennifer Haigwood

Commission Chair Haigwood announced we have a new representative from the healthcare community, Dr. Myers. We couldn't swear her in today, but our plan is to swear her in at the August meeting. Dr. Myers provided a brief introduction.

10:09 AM – Public Awareness Campaign

Christine Long

(See Public Awareness Campaign)

Executive Director, Christine Long, talked about the funding we received for the Public Awareness Campaign. We did not receive this funding last year but a couple years ago we had some funding twice in a row from GCC (Governor's Crime Commission). This year, we had a grant reopen from 2021 to promote public awareness. It's GCC funding that had been reverted and they didn't want to revert to the government. There is a short amount of time to spend it, so they offered it to the statewide victim services, agencies, coalitions, etc. (groups that do statewide awareness). We received a little over \$600,000.00 for public awareness. With our past experiences and contacts, we were able to reach out and get some ideas moving quickly.

In Range Advertising

Lauren Amato

Administrative Secretary, Lauren Amato, talked about In Range Advertising, a company that uses tractor trailer skirts to help promote awareness/advertisements. We got a contract with them to get 10 trailers with

coverage on both sides (passenger and driver side), so the ads are down at eye level to other motorists. The contract was 3 months set to end 6/30/2023. Unfortunately, it took longer than anticipated to get the ads on each trailer due to the timing of them coming back through the yard of the trucking companies they're working with to get the ads installed one trailer at a time. Because of this, they decided to install our messaging on 12 trailers (still one more to be brought online) instead of the original 10 to increase the amount of miles driven/impressions generated. They are also going to continue running our campaign through July 31. Our dollars being spent are also offsetting the carbon emissions of tractor trailers based here in NC and utilizing more sustainable advertising. InRange Advertising collaborates with World Vision in Zambia, Africa to support Farmer Managed Natural Regeneration, which is a reforestation initiative that changes lives there while also pulling carbon out of the air and storing it. Through April, May, and June, there was a total of 31,058 miles driven, 248 gallons of fuel saved, 54 tons of carbon offset, and 3,136,858 impressions generated. (See heatmap of routes traveled in NC). Christine added that truck stops have been a place where we have seen human trafficking occur, so we thought it was a great idea to collaborate when the organization reached out to us.

Curtis Media Group (La Ley)

Lauren Amato

Administrative Secretary, Lauren Amato, talked about the radio station, Curtis Media Group (La Ley). We got a contract with La Ley radio station 101.1 FM to produce and run PSA campaign in Spanish for human trafficking awareness through multi-media including radio, social media- Facebook, and La Ley website (vlog). There have been 150 News Sponsorship commercials- 15 per week for 10 weeks starting April 17th thru June 23rd. There was a lot of initiatives in this campaign including: 1378 :30 second commercials, 871 :60 second commercials for a total of 2,249 commercials. There was also 3 months of banner ads, a homepage takeover for six days, a 10 week La Ley News Sponsorship, a table at Children's Day, a Package Bill Alma's Vlog, and Day of the Child festival outreach. Alex Herring, representative of the North Carolina Human Trafficking Commission, did an interview with La Ley. In the interview, she teaches us how to identify if someone is being a victim of Human Trafficking, shares recommendations to put an end to this situation, and informs us about the resources available for the community. The video can be watched [here](#).

North Carolina Outdoor Advertising Association

Thomas "TJ" Bugbee

(See NCOAA Presentation)

Executive Director, Thomas "TJ" Bugbee, with North Carolina Advertising Association, introduced himself. He talked about how their organization and the NCHTC did previous campaigns together in the past. This time, we did a spring campaign which will be coming to an end soon. The North Carolina Outdoor Advertising Association (NCOAA) provides billboards and posters of all sizes all across the state through different companies. They can offer organizations options like this because the public education program that is run through their association. This program allows folks like the HTC to get statewide coverage using all the members billboards at a severely discounted rate. We did a combination of static billboards, bulletins, posters, and digital billboards. The digital billboards were rotating English and Spanish, and then the static ads were only in English. We had 145 billboards total- 60 digital, and 85 static across the state for 12 weeks. The average weekly impression was about 15,027,441 which equates to about 180 million impressions over the course of the campaign. We covered 60 counties, mostly on major thoroughfares (85, 40, 74) across the state and 31 of those counties had 2 or more billboards. The public education program is based on space available.

Spectrum Reach

Niel Sollod

(See Spectrum Recap)

Niel Sollod, with Spectrum Reach, introduced himself and began his presentation. There were many people that helped contribute to this project, like the Charlotte Metro Human Trafficking Task Force (CMHTTF). We used their report from this year ([See Data & The Story It Tells](#)). They had some geographies identified, zip codes, and a lot of good data that we could utilize in our data-informed approach. They also knew Charlotte extremely well which was helpful in creating our commercials since we shot them in Charlotte. The FBI was helpful with the sextortion campaign as well. Teens and adults spend a lot of time in front of screens and devices, whether videos online or tv, etc. Things are changing rapidly; it's a very fragmented space. Spectrum is connected to 7/10 homes in NC and are the primary internet and TV provider. We have partners that we cover under our domain as well, so you don't have to be a Spectrum subscriber to see these messages. We have tremendous ability to gather data from these homes because of that connectivity. We correlate that media consumption data with third party data (consumer data companies, health care, etc.). It's really a living database that keeps up on the household level. It's all de-identified and we are extremely careful about privacy. Everything is HIPAA compliant. It gives us a lot of capacity for targeting. The challenge is how can we reach our target audience over all the platforms and devices that are out there (Roku, Apple, etc.). If it's on a cable network, app downloaded, etc. then that's within our inventory repertoire. Impressions are the number of times somebody sees an ad; each time they see it is an impression. Impressions are a little different with traditional tv. We also talk about airings, or commercials or spots, and those are the instances where something airs in a program and a lot of people see it. Streaming and digital is more of a 1:1 view. The airings are the number on traditional tv and then impressions are the way to value the reach. We work with a variety of state agencies, i.e., NC ABC Commission, NC Women & Youth, etc. We're not just in NC, we're national and work with big institutions. We cover 100 counties, all the major markets in NC, 1.7 million tv households (Spectrum subscribers). We have a live 24-hour news channel, cover over 60 premium cable networks, and have more than 15 Spanish-language networks. We focused on two campaigns. Our first campaign objective was human trafficking outreach and awareness for Charlotte in conjunction with the CMHTTF. We wanted to reach victims and survivors of human trafficking, and all the support groups that could benefit from this message. Our second campaign objective was to blanket the entire state of NC to reach those most vulnerable to Sextortion schemes, and to initiate dialogue with their parents, guardians and trusted adults and provide information about resources to get help. We wanted to help kids who are victims of this realize they're not in trouble and to seek help. Our goal was to inform parents, kids, but mainly teenage boys and give them the resources like the Cyber Tip Line. NCHTC developed two landing pages for each campaign. Our strategy was to target specific audiences across screens (traditional tv, streaming tv, online website and app video and YouTube). Our primary target was devices in the households with children 12-17 years old. Our secondary focus was secondary and tertiary support stakeholders. The geographic overlay for the first campaign identified zip codes from the CMHTTF 2023 Trafficking Minors Report. The geographic overlay for the second campaign was all of NC. The messaging was custom 30 second television messages that were produced for both campaigns in English and Spanish. For Hispanic audiences, we were able to deliver almost 800,000 impressions over both campaigns. Nancy Hagan was very helpful in aiding the translation for the Spanish commercials. The time of the campaign had some big events going on, i.e. MTV awards, BET awards, NBA finals, etc. The most high-profile event (for NC) was the Stanley Cup playoffs; there were announcements on streaming and on traditional tv in the first and third round. For traditional tv in Charlotte, there were over 25,000 airings; over 44 networks reached 90% of their geographic area (households) 11 times. For streaming in Charlotte, there were 576,745 total impressions with a very high completion rate (the whole ad has to be

watched) on 19 different device types. The top devices used in television were Roku, Samsung, CTV, Amazon, and Google. For online video in Charlotte (videos that appear before or during videos on web pages, apps, and YouTube) there were 378,000 impressions with a lower completion rate (70%) generating 774 site visits. For television for the Sextortion campaign, there were 46,000 airings covering 65 networks with 88% reach 12 times. Streaming for the Sextortion campaign received almost 2 million impressions. Online video for the Sextortion campaign received 1.3 million impressions with similar completion rates and over 2,400 site visits. We contracted 11.5 million impressions for traditional tv, 2.2 impressions for streaming, and 1.2 impressions for online video. We delivered over 12.7 million impressions for traditional tv, 2.5 impressions for streaming, and 1.6 impressions for online video. Looking forward, there are many things for further comparative analysis of engagement and reporting to be investigated. Some items to explore could be interpreting the traffic on the landing pages for each campaign or reviewing the post campaign demographic composition report (to be provided 30 days after completion of campaign).

10:52 AM – Committee Reports and Action Items

Legislative Committee

Christine Long on behalf of Caitlin Brooks

(See Legislative Committee Report)

Commission Executive Director Christine Long provided an update about Senate Bill 626. Caitlin has quite a list of items that the committee would like to address and tackle. They are vetting and changing a lot. We had some opportunity and interest in doing some sort of human trafficking bill. Christine is working with Farrah Burn, Lindsay Lane, and Lindsey Roberson. They presented 6 different concepts and ideas to the senators that were interested. Some of the items on the list needed more vetting, even a very old item about the custody loophole in NC. In exploring that potential bill, we met with a lot of custody mediation folks here at AOC and realized that may be a bigger loophole than we thought. It needs additional investigating. The senators ultimately went with the three following bills. The first is to expand rights to permanent no-contact orders for victims of human trafficking offenses. The second bill is to prohibit the denial or reduction of an award from the crime victims' compensation funds solely due to conduct occurring while the claimant was a victim of human trafficking. The third bill is to expand conduct constituting a crime of human trafficking and a crime of sexual servitude. These are the three that have been passed by the House and Senate and have been sent to the Governor. They added in another section to it that has nothing to do with human trafficking, but it did go through. We can send the links out on the full bill that has gone through to the public and to the commissioners. Senator Alexander held a press conference before the first hearing on the bill. Commissioners Haigwood and Nichols were able to attend and speak. Some general legislative updates also include some technical corrections needed for the Appropriations act. The money was appropriated to us in 2021 and had dates for that budget's fiscal year. The federal pandemic relief money does not follow those dates. We decided to have those dates taken out to work with grantees longer if needed. The competitive grant, section 16.21, had language about nonprofits needing to prove their economic loss and then apply for money up to that loss. It could be extremely complicated to prove that, especially after the time that had passed so we were able to take out that language. They are now competitive human trafficking grants for direct services to victims. The new correction that we hope to go through is for the amounts to 16.20B. The language used wasn't preferred for the amounts to be given. Additional updates include the budget that has gone through the Senate. This budget would include making the Administrative Secretary position permanent and a new grant appropriation that is recurring for the Commission. This new provision would potentially give us annual funds to give out in grants. They are currently in the conference committee stage to work out the differences between the language and budgets in the House and Senate versions of the budget. The last update is 16.22 extensions and WORTH court in the budget. The other item that we hope to go through is for extensions to go the directed

grants.

Public Safety Committee
Marc Nichols
IPC Training & New Missing Persons Specialist
Lieutenant Jonathan Davis, SHP
(See IPC Presentation)

Commissioner Nichols introduced Lieutenant Jonathan Davis and Master Trooper Donald Cuff. Lieutenant Davis and Master Trooper Cuff were recently involved in IPC training, or Interdiction for the Protection of Children with the Texas DPS. Lieutenant Davis gave a brief description of what the State Highway Patrol does. IPC came about because there was no resource to find children. There were 467,000 missing children reports at that time and we learned that 1 in 4 girls and 1 in 6 boys were sexually victimized. Texas DPS created this program that is taught worldwide to address these threats. There are over 904,000 registered sex offenders in the state (2018) and an estimated 53,000 of those are non-compliant. By Sep. 2008, state and local law enforcement agencies across the nation employed more than 1.1 million persons on a full-time basis, including approximately 765,000 commissioned personnel. They asked themselves who was looking for these children and realized that nobody was. The Texas DPS came up with a threat assessment for IPC including prevention, investigation, and recovery. Investigation includes the interdiction and intelligence gathering of future offenses. Investigation includes the investigative techniques for the victim/possible victim and the investigation of the offender/possible threat to children. Crimes against children include technology facilitated crimes against children, human trafficking commercial child exploitation, missing children cases, high risk threat cases intel, and sex offender (compliance & registration). As a result of the IPC training, there have been more than 500 missing or exploited children recovered since the training began. The IPC course was introduced to NC law enforcement officers in the fall of 2021. Within 24 hours of this course being taught, a student of the first class rescued a child. There is a two-day class for the IPC training as well as for the train the trainer course (to teach the IPC course). The NC State Highway Patrol trainers include Lieutenant Jonathan B. Davis (Cary), Trooper Donald A. Cuff (Raleigh), Trooper Mark C. Nales, II (Greensboro), and Trooper Jeffrey A. Rink (New Bern). Additional trainers include Major Richard Hoffman (Retired, RPD), ABC Agent D. Helms (Mecklenburg County ABC Law Enforcement), Alex Bumgardner (Victim Service Specialist), and Traci Klein (Victim Service Specialist). The first class taught this year was in Elizabeth city, NC. A total of 16 students attended representing: NCSHP, FBI, Dare County Sheriff's Office, Raleigh PD, Camden County Sheriff's Office, Nags Head PD, Kitty Hawk PD, Perquimans County Sheriff's Office, and Pasquotank County Sheriff's Office SRO's. A total of 36 students have signed up so far for Jacksonville IPC training representing: NCSHP, Craven County Sheriff's Office, Pender County Sheriff's Office, Jacksonville PD, Sylva PD, Onslow County Sheriff's Office, Havelock PD, Winterville PD, and N.C. Probation and Parole. Our goal is to get statewide coverage and train as many as possible. A form was created for troopers and anyone that comes to these trainings to document when/if a stop occurred if nothing came of the stop.

Lieutenant Davis introduced the New Missing Persons Specialist, Melissa Walters, who replaced Nona best. Melissa has worked with SHP and has a background in silver and amber alerts. Christine noted that we have had 3 other requests in other areas of the state for the training. We have paperwork in to get credit through the NC Justice Academy. Texas DPS and Lieutenant sign a certificate for every attendee currently. Lieutenant Davis offered a 45-minute -1 hour block to present the overall aspect of the course for any interested.

Public Health Committee
Jennifer Haigwood

Commissioner Haigwood announced there hasn't been any movement for the Public Health Committee.

Appropriations Committee

Angelica Wind

HTC Grant Updates

Welcome new staff: Ashawntee Cabello and Ellen Chupik Smith

Kathy Estrada, HTC Grants Administrator

(See Appropriations Report)

Commissioner Wind reported that the Appropriations Committee has been very active and has many updates. She gave Kathy Estrada the opportunity to get us up to speed on HTC grant updates. Kathy talked about the different grants were working through including 16.20, 16.22, 16.23, and 16.21. We have had great collaboration amongst our team, AOC legal team, and NCPRO.

For Section 16.20A, Grants for Nonprofit Organizations Providing Services to Victims of Human Trafficking, there is one grant manager that manages this section of funding covering 15 organizations. The Request for Proposals was issued Feb 1, 2023, and closed out on 15 March 2023. We were awarded a little over \$3 million dollars which comes to closer to \$3 million after administrative costs. There were 18 agencies out of the 23 named agencies in Senate Bill 105 that expressed interest. After our calculations, the total to be awarded to each agency came out to \$168,888.88 after submitting their applications. We ended up only having 15 apply which left us with extra funds. We gave the agencies that applied an opportunity to come to us if they wanted more funds. All but 2 of the 15 agencies did want additional funds so the new award amount came out to \$208,686.98. Our plan is to disburse the funds in quarterly payments. All the applications we have received have been reviewed so far, and 6 of those agencies have already received the first quarter disbursement payment in the amount of \$151,540.33. We have executed contracts for 10 of the agencies, and the others are waiting on legal responses/revisions or agency signature on the contract.

For Section 16.20B, Grants to Develop, Strengthen, or Expand Human Trafficking Victim Service Programs, the same grant manager for 16.20A manages this section of funding covering 2 named agencies. The Request for Proposals was issued on 7 February 2023 and closed on 15 March 2023. We were awarded a little over \$1 million dollars for this section. Both agencies have submitted their applications and have executed contracts. We have not disbursed funds because of the fiscal year closeout due to different deadlines. The first disbursements will go out once fiscal year 2024 is opened. The first agency is Compassion to Act, which is scheduled to receive \$250,000.00 each fiscal year for two years. The second agency is North Carolina Institute Against Human Trafficking, which is scheduled to receive \$320,000.00 each fiscal year for two years.

For Section 16.22, Executive Director, Christine Long, provided the updates. This section of the Appropriations act is state money, the only section that is not pandemic relief money. We were awarded \$4.8 million dollars for domestic violence/sexual assault agencies approved through the NCCWYI, specifically for facility improvements. There were 72 agencies that received grant awards. We have two sets of quarterly reports-financial and progress. The financial side reports spending while the progress side reports what they've achieved, their goals, plans, measurements, etc. Since this is state money, we cannot use the pandemic relief administrative money and we were not appropriated any administrative money for this section. Lauren and I have been the main ones with this section of funding. We have all reports for the first 3 quarters approved for 66 agencies, and 7 agencies have spent all their funds by Q3 end. We are still working with the remaining 6 to complete reports. One agency is being investigated due to being placed on the SOFL. We have received confirmation that a 1-year extension will be granted. Legal will advise us about how and when to get those signed. All these grants were originally set to end tomorrow, June 30th but a little over 40 of the agencies have requested extensions because they have not been able to spend all their money. There has been a variety of reasons for that. This is one of the requests we have to go through the budget. We have had agencies fill out the extension paperwork we believe is needed so once it all goes through, we can sign and move forward. We will most likely have these grants open for another 6 months through the extensions. We have also been working on a monitoring plan, a plan that says how we're going to do what we're supposed to do, as part of

our office of state budget management. Through the monitoring plan, it talks about doing risk assessments on agencies. Many partners across the state have shared resources to help develop this including NCCWYI and Deana Joy. We have built our own process which we are testing through these grants. We have made a risk assessment tool, and the first step is an internal control form. We used the internal control form, financials, risk assessment tool for score, and state grant compliance forms to conduct the risk assessment. The score helps us determine whether they are low, moderate, or high risk. If they are low risk, we continue working with them as we have been (emails, etc.). If they're moderate risk, we may do a call or ask for additional documentation. The high-risk agencies would be ones that we try to conduct site visits for. We hope to close the remaining agencies that have not requested extensions in the next few weeks.

For Section 16.23, Economic Assistance Funds for Organizations that Provide Services to Victims of Domestic Violence and Sexual Assault, we were awarded \$15 million dollars. Kathy explained that half of the award went to Domestic Violence organizations and the other half of the award went to Sexual Assault programs and organizations. Each agency that applied could receive up to \$86,540 per award for domestic violence, \$71,930 per award for sexual assault, or \$236,250 per award for stand alone sexual assault. Agencies that are dual would be eligible for both the domestic violence and sexual assault awards. So far, we have received and reviewed 99 applications. The first disbursement grant list totaled over \$3 million. The second disbursement grant list totaled over \$800,000.00. The total payments that will be disbursed prior to fiscal year 2024 will be almost \$4 million dollars. There has been a total of 99 awards that have gone out for first disbursement. Roughly 25% of funds has already been obligated for section 16.23 thus far minus administrative costs. We have two grant managers working on section 16.23, and both have 44 agencies each. They have almost 80 awards each because of the dual activity of the awards.

Section 16.21, Competitive Grants for Nonprofit Organizations Providing Services to Victims of Human Trafficking, will be structured a lot differently because it's competitive. The agencies are not already named for this section of funding. We will be working with the procurement office to post this on the IPS website to ensure it's reaching as many agencies as possible. We're working on the scoring matrix, minimum and maximum awards, and the required attachments. Our goal is to release the Request for Proposals in August. The terms and conditions still need to be created by Legal.

Our organizational structure for grant management includes 6 positions. Kathy Estrada, Grants Administrator, oversees sections 16.20, 16.21, and 16.23. There are 4 grant managers (1 position is vacant). We received applications for the vacancy last night and plan to set up interviews soon. The Data Manager is the one doing the internal control forms, helping us create the forms, and helping where she can. Each member of the grant team has sections 16.21 and 16.23 except for Jacqueline. Jacqueline only has section 16.20. These agencies have specific point of contacts that they can reach out to and are able to contact Kathy if they can't reach their grant manager.

Kathy talked about Key Performance Indicators (KPIs). They are quantifiable metrics that enable organizations to gauge the process and/or success of a project. NCPRO put this together for us; it's how we're going to be measuring ourselves. We structured these around the requirements for Senate Bill 105. There are 8 sections of the KPI including performance reporting contact info, project timeframe, project impacts, geographic scope, project inputs and activities, key performance indicators (KPIs), impact evaluation, and other considerations. HTC identified 4 KPIs to include grant program development, working with agencies, manpower/structure, and victims assisted. These are the logic models we will be measured by with NCPRO.

Ellen Smith Chupik is our newest grant manager for sections 16.21 and 16.23. Ashawntee Cabello is our data manager for sections 16.21 and 16.23. Kathy provided brief introductions of them both.

11:41 AM – Labor Trafficking Settlement of H2a workers

Caitlin Ryland

(See Re Gracia Settlement)

Commissioner Haigwood welcomed Commissioner Ryland to present the court-approved settlement that

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survivors of human trafficking obtained. Commissioner Ryland provides background information about her organization, Legal Aid of NC. Legal Aid of North Carolina is a statewide organization, providing free civil legal services to all 100 counties across NC. We don't handle criminal defense work, although sometimes we represent a victim and help them assert their victims' rights as part of a criminal prosecution. We provide legal representation in civil matters that impact basic needs like safety, shelter, and economic opportunities. There are 23 offices across NC with 450 employees. We collaborate extensively with other nonprofit legal service providers in NC that also serve survivors of human trafficking. Legal Aid of NC is the third largest law firm in North Carolina. We have statewide support units that focus on representing specific vulnerable populations, for example, I am based in the farmworker unit and am the project director for our anti-human trafficking initiative. Just last year alone we received over 250,000 calls and opened over 25,000 cases. The anti-human trafficking initiative has been funded by the GCC and that funding is ending at the end of September. It was not renewed. The goals of the grant were to provide civil legal services to survivors of human trafficking and their families and to liaise with state partners including NCCAHT and the NC Human Trafficking Commission and local Rapid Response Teams throughout the state to strengthen the statewide response. Civil legal services for survivors of human trafficking that we provided would include protective orders (50b and 50c), civil remedies under anti-human trafficking laws, benefits denial appeals, expunctions, victims' rights, passport/document recovery, immigration remedies (U visas, T visas, family reunification, work authorization, ORR certification, adjustments of status to permanent residency), and other remedies (landlord/tenant, name change, etc.). The case featured today is the Gonzalez-Rodriguez vs Jose M. Gracia. This case was initially filed by Legal Aid in 2021 and the North Carolina Justice Center joined later to co-counsel in 2022. If you're an agricultural employer in NC and there is a labor need that needs filled, then you must advertise for US workers to fill those positions for a certain period. You can also apply to fill that need with foreign workers that are here on a temporary visa. You can apply as a farm, as an association of farms, or as an H2A labor contractor (kind of like a temp agency). The NC Growers Association is the largest employer of H2A workers in the country. The labor contractor recruits, transports, and sometimes houses the workers. There has been a lot of litigation, both criminal and civil human trafficking cases, that are specific to usage of the program by these temporary staffing agencies. They often have connections in the home countries of the clients. The barriers to enter in the program are very, very low. Enforcement agencies haven't figured out or don't have the resources to tackle the explosion of usage of the program by labor contractors. It's important to understand the visa is tethered to that one employer. H2A workers can only come and work for that one employer for less than a year before returning to the home country. If things go bad, the H2A worker can't take the visa and go work for another employer or outside of agriculture lawfully. The case is being presented as allegations because it settled before receiving a final decision by a judge. Legal Aid represented 3 women that were recruited in their home state in Mexico to work lawfully on temporary visas for a labor contractor here in NC. It was a big contract; the contractor had operations in multiple states. In NC in 2019 they had 624 workers and in 2020 they had 546 workers that were just here under the umbrella of H2A program in addition to their other workforce. The workers were promised wages of at least the required hourly wage rate for H2A workers. There is a specific wage rate that is set each year (\$12.25/hr. in 2019 and \$12.67/hr. in 2020). There were big promises made about the work they were going to be doing and the contracts that were filed with the US government. The workers incurred great expenses (visa, transportation related costs to travel here, etc.) One client alleged that she had to pay an additional recruitment fee which is a significant problem in the usage of the program by labor contractors. Upon arrival, the workers were told they would be working in the kitchen preparing, serving, and cooking meals to the H2A workforce working in the fields and unpacking sheds. The workers also had their passports confiscated when they arrived. The clients alleged that there were statements made where they were threatened that they would be reported to the police or immigration if the contracts weren't completed. It was also alleged that they did not receive the minimum wage for the work that they did do. They did not receive the reimbursement of the expenses paid to get here in their first

paycheck. In their work each week, they did not receive the federal minimum wage rate of \$7.25 for the contract approved by the government. The clients alleged that their employers maintained working conditions that featured verbal and physical abuse, sexual harassment, unpaid wages, and food deprivation. One client alleged that she was raped by a coworker. Legal Aid brought wage-related claims under federal law including Fair Labor Standards Act, U.S.C. § 206(a) *Failure to Pay the Minimum wage* and Fair Labor Standards Act, 29 U.S.C. § 207 *Failure to Pay Overtime*. They also brought wage-related claims under state law to include NC Wage & Hour Act, N.C. Gen. Stat. § 95-25.6 *Failure to Pay Promised Wages*. H2A workers typically take out a lot of loans to pay the initial expenses so it's extremely important to be reimbursed in the first paycheck. Sometimes the workers were working over 100 hours a week but only receiving flat rate checks. If working in agriculture, there's an exemption in our federal overtime laws that says if you're working in agriculture for an agricultural worker on a farm then you're exempt from the requirement to pay overtime for hours worked over 40 hours a week. In this case, the workers did not meet these criteria (they were cooking for a labor contractor) so the contractor should have been paying overtime. The overtime should have been approved and listed in their contracts. Legal Aid also brought federal and state human trafficking claims including Trafficking Victims Protection Reauthorization Act (18 U.S.C. § 1589 *Forced Labor*, 18 U.S.C. § 1590 *Trafficking*, 18 U.S.C. § 1592 *Unlawful Conduct with Respect to Documents in Furtherance of Trafficking*, and 18 U.S.C. § 1597 *Unlawful Conduct with Respect to Documents*) and North Carolina Human Trafficking Act, N.C. Gen. Stat. § 14-43.18. Some of these claims were the first or second time they have been used. Prior to going to trial, the clients did achieve a settlement with the defendants. In federal court if alleging violations of minimum wage, the settlement must be approved by a judge. Features of the court-approved settlement include the following: 1) defendants agreed to pay \$120,000 total but denied all liability, 2) \$102,500 to the Plaintiffs for alleged reimbursement of costs, back wages, liquidated damages, physical injury, emotional distress related to physical injury, and punitive damages, 3) \$17,500 to Plaintiffs' attorneys for fees and expenses. This wasn't just a financial settlement; the defendants also agreed to enter a 3-year consent order which included installing signage at their 25 migrant labor camp sites. There are a total of 3 signs to be installed (each in English and Spanish). Migrant farmworkers, particularly those coming from a foreign country work in labor camps in rural NC, typically don't have access to important information. The requirement to install these signs is important because it talks about their rights- to receive visitors, to receive overtime, and other important contact information. It's not a legal requirement here in NC under migrant housing act. Also subject to a 3-year consent order was to change the employers' practices for the workers that would be working for the employer in the future. These practices include the following: changes to employers' personnel policies (sexual assault policy in both English and Spanish), prohibition on possessing/controlling workers' passports or other identification documents, installation of an electronic timekeeping system for camp cooks, payment of overtime wages to labor camp cooks, timely reimbursement of workers' visa and travel-related expenses, installation of deadbolt locks on camp cooks bedroom doors that can be locked from the inside when occupied, and a requirement to accurately disclose job description in future job orders.

12:05 PM – Staff Report

Christine Long

(See Staff Report)

Commission Executive Director, Christine Long, provided updates for the Commission. The AOC Grant with GCC for training and court communities rolled under the Commission last October. The person that was previously in the role moved on to other opportunities, so we were happy to bring on Ashley Tauscher who started 4/18. Originally, the grant was set to end in September as it only lasts one year. We had to reapply for this grant and found out last week that it has been renewed for 2023-2024. Ashley helped with the IPC training in May and will help with the upcoming training in July. Several different requests from court and court programs will now be connected by Ashley. Alex Bumgardner was our MSW intern and finished her role here in April. She was previously a case manager in direct services with victims of human trafficking. She did her 2-

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semester internship with us while she was getting her master's in social work. She has completed her master's and is continuing to help with the IPC training amongst other things. We are extremely thankful for all the work and help she provided, including case assistance and training. We have accepted another student for August. Commissioners should have received an email from Nancy about the NCHTC hosting a U.S. Department Fellow. Polo Chabane, a fellow from the Kingdom of Lesotho in South Africa. She has a specific role and interest in human trafficking in that country. She spent a few days with us and met with a number of different people, including a few commissioners (thank you, Jasmine). The US Attorneys office put on a whole case presentation with their human trafficking task force and answered many of her questions about cases and different things we see here. Polo also went to UNC and met with a few other contacts. Some of the trainings we have done over the last few months (mostly Nancy) include the National Institute of Statistical Studies (NISS) Ingram Olkin Forum, Fayetteville CAC Child Abuse Prevention Annual Summit, Custody Mediation: Program Staff, Campbell University Medical School Students, IPC: Dare County, NCCQYI: Western and Eastern Region DV/SA agencies, and North Carolina Advocates for Justice (NCAJ) annual conference: paralegals. We have built some great relationships here with some different court programs and had additional training requests come in. Tomorrow is the end of the state fiscal year budget. We had to re-class ARPA expenses, ensure contractors were paid prior to June 30, and use any non-recurring appropriation funds from 2021. We ended up spending down as much as we could on different materials for trainings and education. Some was used for the IPC training, and some was used for items to give to programs related to trauma, substance use, etc. We knew could not do a conference in 2023 due to lack of funding but had talked with a few groups to coordinate or alternate conferences. We may be able to partner with the Safe House Project in January 2024. The Region IV U.S. Administration for Children and Families has been an initiative for a number of years between the 8 southern states and is hosted by the administration. We used to meet twice a year and those meetings have started in person again. Unfortunately, we couldn't attend the last meeting with the grant work going on. The next meeting will be in January. Reports to keep up with that have just been released include US Trafficking in Persons Report, Human Trafficking Institute Report on federal prosecutions, and Shared Hope International's report card.

12:19 PM – Public Comment

Jennifer Haigwood

Commission Chair Haigwood opened the floor for public comment. Pam Strickland asked about a self-assessment tool for organizations to use to determine if they were meeting standards. She is interested in the status of the tool. She also brought up the child labor laws in other states being changed to legalize labor trafficking of children. She wondered if there was a possibility or if anyone had heard anything like that being proposed here. Commission Chair Haigwood addressed the second part of Pam's comment. She is not aware of any conversations or notions to change our laws. Commissioner Ryland added that we have federal child labor laws that the US Department of Labor enforces. Executive Director, Christine Long answered the first part of Pam's comment about the self-assessment tool. We have put that on hold as we were trying to get the different grants out and ready. We have recently added it back on our list because we would like to include it as part of the Request for Proposals for the competitive grant section. We need to finalize and test the templates we currently have. Once it's done it will be ready and available for any agency. Two comments in the chat included comments from Commissioner Pennington and Christina Rary. Commissioner Pennington asked if it was possible to get a billboard closer to the outer banks area. She said she would love to place one right before the Wright Memorial Bridge heading into Dare County. Christina Rary said she would love to bring the train the trainer model to Rowan County and asked how to best connect. Audrey Boyles asked if we the public would be able to attend the August meeting in person. Executive Director, Christine Long answered that we are unsure of that right now. The HVAC work should be done; however, we have heard talk that AOC's safety internal committee has been talking about initial safety steps to take. We may have to hold one more meeting where the public attends virtually and we can always consider other locations if they decide to limit

the amount of public coming in for safety reasons. We will communicate by email and let you all know.

12:25 PM – Adjournment

Jennifer Haigwood

Commissioner Ryland moved to adjourn the meeting. Commission Chair Haigwood seconded the motion and adjourned the meeting. The next meeting is Thursday, August 24th, 2023.