

**Fourth Judicial District
Family Violence Coordinating Council
Serving Hennepin County**

Present: Adamson, Karen; Cichowicz, Nick; Crockford, Carrie; Eckberg, Deborah; Furnstahl, Referee Mike; Garcia, Judge Tamara; Golden, Naomi; McDaniel, Ellen; Morales, Lidia; Nelson, Melynda; Osborne, Erin; Ratner, Rachel; Saunders, Jennifer; Thunder-Solorzano, Margaret; Wilson, Kate

1. **Welcome:** Referee Mike Furnstahl, co-chair
2. **Approve 5/10/18 Minutes:** Minutes approved as submitted.
3. **WATCH report on sex trafficking:** Nick Cichowicz, Executive Director; Ellen McDaniel, Program Manager.

Nick and Ellen presented a report on the role of the judicial system in minimizing the seriousness of buying sex with women and underage girls. Their initiative was launched in 2014 with the first report released in December of 2016 and it was the first report focused on MN Statute 609.322, the role of sex traffickers.

They presented three different case studies, including information about the case and the disposition of the case. The key findings from the report indicate, "That laws written on paper alone do not change societal practices. Instead, it is through the enforcement of the laws and handling of cases in the criminal justice system that we as a society say that such behavior will not be tolerated." Key findings also include: "Many discussions related to the purchasing of sex with underage girls took place in judge's chambers instead of in open court, "Sentences imposed on buyers of sex with underage girls tend to be lenient based upon WATCH's belief that addressing the buying of sex is crucial to eliminating the sale of sex, and "Prostitution Assessments are inconsistent, are well below statutory levels, or are no imposed at all."

General recommendations included develop training and educational content focused on the public policy reasoning behind the use of undercover "guardian angel cases" and the need to treat these cases as serious crimes in an effort to deter future instances of sex purchasing, increase the knowledge level of justice partners and the general public on the role of sex trafficking in Minnesota, including the experiences of victims of sex trafficking and the particular role that buyers of sex have in promoting sex trafficking of underage girls, institute a consistent prosecutorial baseline plea offer under Minnesota Statute 609.324, with a specific focus on a baseline for Minnesota Statute 609.324.1 involving underage victims, and develop a specialized court calendar dedicated to sex buyer cases in order to hold offenders accountable for their

actions, and to address their specific behavior and its impact on the overall community and victims.

Recommendations for judicial officers from the report were to institute policies of having an official record in open court in all hearings involving buyers of sex with underage girls in order to avoid giving the impression that a buyers' conduct can be hidden from public view and to reevaluate what circumstances should support acceptance of a plea to a non-felony level offense or sentencing a case at a non-felony level.

Recommendations for prosecutors from the report were to implement specialized and dedicated prosecutors to handle all cases involving purchasing sex with underage girls, implement a practice offering their objections on the record where cases are reduced to non-felony levels, and where cases are sentenced at non-felony levels, reevaluate the circumstances under which prosecutors will negotiate pleas to non-felony level offense in light of the impacts on encouraging the sex trafficking industry, and to reevaluate the extent to which prosecutors will negotiate jail or prison time and fines in light of the impacts on encouraging the sex trafficking industry.

4. Committee reports

- a. Criminal: They recently met, they are looking for a speaker for October event and working on developing another training with CLEs
- b. Civil: This committee recently met and talked about trainings and case consultation.
- c. Juvenile: No report at this time.
- d. Advocates: They will meet next week.

5. **Announcements/open forum:** No announcements or information to share at this time.

6. Adjourn at 1:06

Future presentations/Agenda items

July 12, 2018 – HC No Wrong Door Initiative

August 9, 2018 – No meeting

Sept 13, 2018 – MSBW Legislative Update

October 3, 2018 – FVCC Resource Fair and CLE

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