

Human Trafficking

A Local Law Enforcement Perspective

*Investigator Crystal Sedevie
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Human Trafficking Laws



- 940.302 Human trafficking
- 948.051 Trafficking of a child
- 948.081 Patronizing a child
- 944.31 Patronizing prostitutes



- US Code, Title 22, Chapter 78-Trafficking Victims Protection
- Trafficking Victims Protection Act of 2000
- The Customs & Facilitations & Trade Enforcement Reauthorization Act of 2009
- Intelligence Reform & Terrorism Prevention Act of 2004
- PROTECT Act of 2003
- Civil Asset Forfeiture Reform Act of 2000
- The Mann Act of 1910

Wisconsin Human Trafficking Laws



940.302 Human trafficking

(1) In this section:

(a) “Commercial sex act” means any of the following for which anything of value is given to, promised, or received, directly or indirectly, by any person:

1. Sexual contact.

2. Sexual intercourse.

3. Except as provided in sub. (2) (c), any of the following:

a. Sexually explicit performance.

b. Any other conduct done for the purpose of sexual humiliation, degradation, arousal, or gratification.

(b) “Debt bondage” means the condition of a debtor arising from the debtor’s pledge of services as a security for debt if the reasonable value of those services is not applied toward repaying the debt or if the length and nature of the services are not defined.

(c) “Services” means activities performed by one individual at the request, under the supervision, or for the benefit of another person.

(d) “Trafficking” means recruiting, enticing, harboring, transporting, providing, or obtaining, or attempting to recruit, entice, harbor, transport, provide, or obtain, an individual.

(2) (a) Except as provided in s. 948.051 (Trafficking a Child), whoever knowingly engages in trafficking is guilty of a Class D felony if **all** of the following apply:

1. **One** of the following applies:

- a. The trafficking is for the purposes of labor or services.
- b. The trafficking is for the purposes of a commercial sex act.

940.302 Continued....

2. The trafficking is done by **any** of the following:

- a. Causing or threatening to cause bodily harm to any individual.
- b. Causing or threatening to cause financial harm to any individual.
- c. Restraining or threatening to restrain any individual.
- d. Violating or threatening to violate a law.
- e. Destroying, concealing, removing, confiscating, or possessing, or threatening to destroy, conceal, remove, confiscate, or possess, any actual or purported passport or any other actual or purported official identification document of any individual.
- f. Extortion.
- g. Fraud or deception.
- h. Debt bondage.
- i. Controlling or threatening to control any individual's access to an addictive controlled substance.
- j. Using any scheme, pattern, or other means to directly or indirectly coerce, threaten, or intimidate any individual.
- k. Using or threatening to use force or violence on any individual.
- L. Causing or threatening to cause any individual to do any act against the individual's will or without the individual's consent.

940.302 Continued....

(b) Whoever benefits in any manner from a violation of par. (a) is guilty of a Class D felony if the person knows or reasonably should have known that the benefits come from or are derived from an act or scheme described in par. (a).

(c) Whoever knowingly receives compensation from the earnings of debt bondage, a prostitute, or a commercial sex act, as described in sub. (1) (a) 1. and 2., is guilty of a Class F felony.

Wisconsin Human Trafficking Laws

948.051 Trafficking of a child

(1) Whoever knowingly recruits, entices, provides, obtains, harbors, transports, patronizes, or solicits or knowingly attempts to recruit, entice, provide, obtain, harbor, transport, patronize, or solicit any child for the purpose of commercial sex acts, as defined in s. 940.302 (1) (a), is guilty of a Class C felony.

(2) Whoever benefits in any manner from a violation of sub. (1) is guilty of a Class C felony if the person knows that the benefits come from an act described in sub. (1).

(3) Any person who incurs an injury or death as a result of a violation of sub. (1) or (2) may bring a civil action against the person who committed the violation. In addition to actual damages, the court may award punitive damages to the injured party, not to exceed treble the amount of actual damages incurred, and reasonable attorney fees.

How does Law Enforcement find out?

Victim/Survivor reports directly to LE

Victim/Survivor seeks services & agrees to report to LE

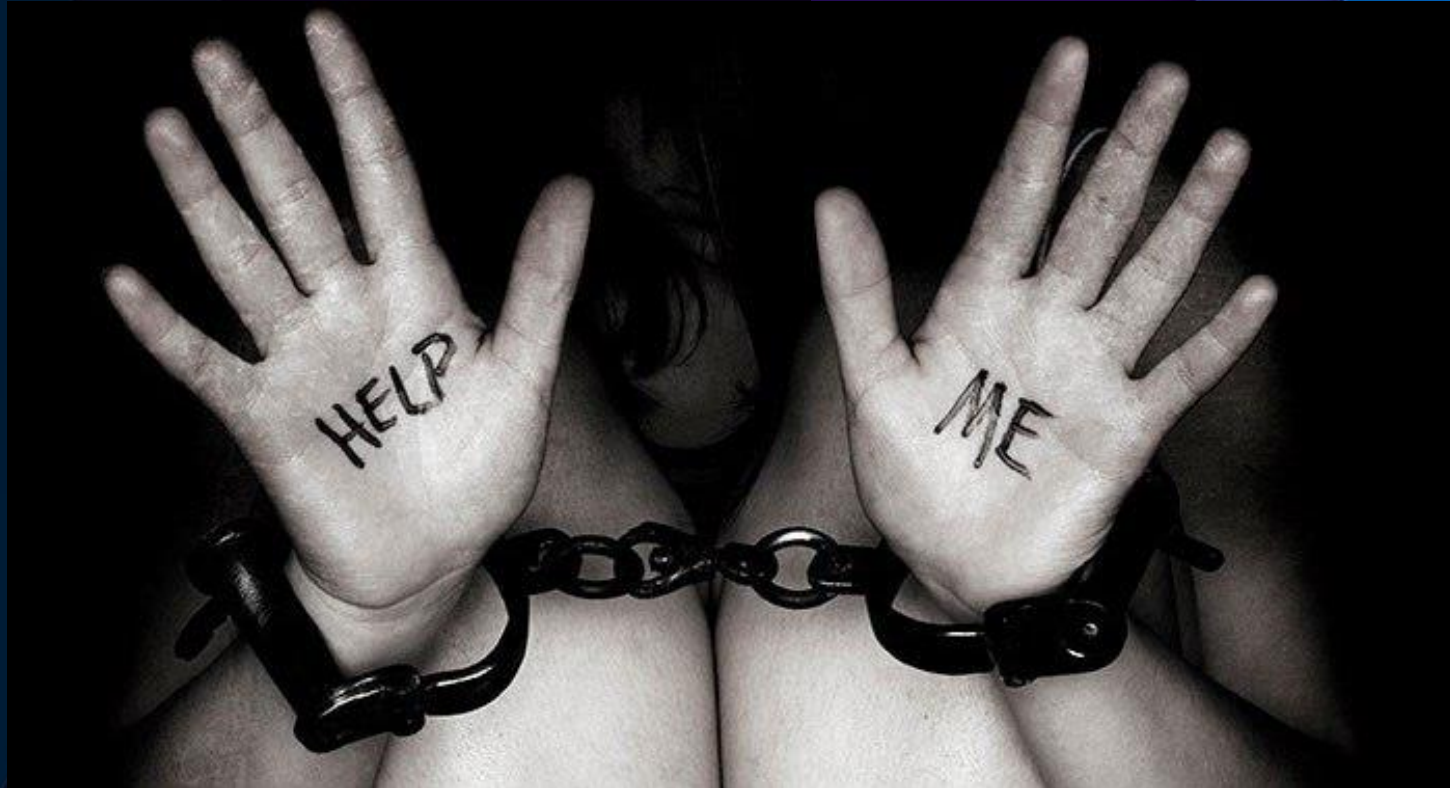
Online ads-Backpage & Craigslist-Casual Encounters **SHUT DOWN**

Reports are made to LE (by citizens, other LE, etc)

Undercover Stings

LE sees “warning signs” on a traffic stop, domestic violence call, suspicious activity, “Survivor” Sex Trafficking

*Human Trafficking requires a
different response from Law Enforcement*



Do we have those resources?

Survivors Safe & Free

La Crosse Task Force to End Modern Slavery



Working to establish a 24 hour advocacy program

- Where do we find appropriate advocates?
- Training
- Funding
- Other resources for survivors

Prosecutors drop child trafficking charges against La Crosse man

Anne Jungen La Crosse Tribune Jun 12, 2018

Prosecutors dropped charges against a La Crosse man accused of abducting and sex trafficking a child.

William Gerrish, 55, pleaded no contest in La Crosse County Circuit Court on Friday to felony bail jumping and contributing to the delinquency of a minor for providing her methamphetamine, said his attorney, Bernardo Cueto.



Gerrish

Circuit Judge Scott Horne placed Gerrish on three years on probation.

A 17-year-old runaway in August said Gerrish provided for her after she ran from her foster home and that he gave her drugs and had sex with her on multiple occasions, according to the criminal complaint. The girl also said Gerrish wanted to make money by having her work as a stripper at bachelor parties.

Police arrested Gerrish Aug. 8 when they were on their way to Kenosha.

Prosecutors dismissed nine crimes filed against Gerrish, including child abduction, two counts of child trafficking, and child enticement, because of a lack of evidence. Charges can be refiled if evidence surfaces, District Attorney Tim Gruenke said.

"He faced being imprisoned for the rest of his life," Cueto said. "I was able to prove to the government that there was no merit to the serious allegations against Mr. Gerrish."

Daniel Heintz, 51, is charged with having sex with the teen. His case is set for trial on July 9.

+48 La Crosse County Circuit Court felony cases in June

Prosecutors drop charges against man accused of sex with child trafficking victim

Tribune staff Jun 26, 2018

Prosecutors dropped charges Monday against a man accused of having sex with a child trafficking victim.

In August a 17-year-old girl told police that William Gerrish, 55, took her in after she ran away from her foster home and gave her drugs in exchange for sex, according to a criminal complaint. They were on their way to Kenosha when the car they were in was stopped on I-90 near Rockland.

The girl said Gerrish wanted to make money by having her work as a stripper and that he allowed his friend, 51-year-old Daniel Heintz, to have sex with her for drugs, according to a complaint.



Heintz

Heintz, no permanent address, was charged with sexual intercourse with a child over 16, a misdemeanor, and benefiting from child trafficking, a felony with a maximum 40-year sentence.

Judge Todd Bjerke dismissed the case against Heintz after District Attorney Tim Gruenke told the court that prosecutors could not corroborate the girl's story and that records cast doubt on her credibility.

Earlier this month prosecutors dropped child abduction, child trafficking and child enticement charges against Gerrish, who was sentenced to three years probation after pleading no contest to felony bail jumping and contributing to the delinquency of a minor for providing methamphetamine to the girl.



Gerrish

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Questions?

Thank you!