

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-First Session
March 2, 2021**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:04 a.m. on Tuesday, March 2, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblywoman Selena Torres, Vice Chair
Assemblywoman Natha C. Anderson
Assemblywoman Annie Black
Assemblywoman Tracy Brown-May
Assemblywoman Venicia Considine
Assemblywoman Jill Dickman
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Susie Martinez
Assemblyman Andy Matthews
Assemblyman Richard McArthur
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Lisa Krasner, Assembly District No. 26
Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34

STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Judith Bishop, Committee Manager
Kyla Beecher, Committee Secretary
Cheryl Williams, Committee Assistant



OTHERS PRESENT:

James Dold, Chief Executive Officer, Human Rights for Kids, Washington, D.C.
John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office; and representing Washoe County Public Defender's Office
Jessica Adair, Chief of Staff, Office of the Attorney General
Nicole Reilly, Ombudsman, Office of Ombudsman for Victims of Domestic Violence, Office of the Attorney General
Melissa Broudo, Private Citizen, New York City, New York
Katie Roe Ryan, System Director, Nevada Government Relations, Dignity Health—St. Rose Dominican
Kim Yaegar, Director, Member Relations, Nevada Trucking Association
Tessyn Opferman, representing Nevada Women's Lobby
Lauren Boitel, Executive Director, ImpactNV; and Chair, Nevada Policy Council on Human Trafficking
Jeff Blom, Chief Investigations and Security Officer, Love Justice International, Lincoln, Nebraska
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department
Timothy Farkas, Finance Director, Ameresco, Framingham, Massachusetts
David Bobzien, Director, Office of Energy, Office of the Governor
David Cherry, Government Affairs Manager, City of Henderson
Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League
David Dazlich, Director, Government Affairs, Vegas Chamber
Ross E. Armstrong, Administrator, Division of Child and Family Services, Department of Health and Human Services

Chair Flores:

[Roll was called. Committee rules and protocol were explained.] We have two bills that we will be going over. We are going to take them in the order they appear; starting with Assembly Bill 143, followed by Assembly Bill 153, and then we will do public comment. I am going to open the hearing on Assembly Bill 143.

Assembly Bill 143: Establishes provisions concerning victims of human trafficking. (BDR 18-856)

Assemblywoman Lisa Krasner, Assembly District No. 26:

I am here to present Assembly Bill 143, which establishes provisions concerning victims of human trafficking. As I walk you through the bill, please refer to the amendment [[Exhibit C](#)] posted on the Nevada Electronic Legislative Information System (NELIS) not the original bill, because we are proposing several changes.

Human trafficking has been described as a form of modern-day slavery impacting our most vulnerable populations. It is a serious problem in Nevada that warrants the full attention of state government. Sex trafficking is a brutal, complex, and widespread crime in which

children are used in commercial sex and adults are targeted through force, fraud, and coercion to engage in activity against their will.

A research brief published by the University of Nevada, Las Vegas, showed that Nevada was tied for ninth in the nation for human trafficking cases reported in 2017, with 199 cases. Recently, the Federal Bureau of Investigation and the United States Attorney's Office announced that more human trafficking cases were filed in Nevada in 2020 than in any previous year. This shows that despite recent efforts to address the issue, more needs to be done.

Human trafficking comes in many forms and includes involuntary servitude, which is when an individual assumes rights of ownership over another person; pandering; sex trafficking; and forced labor. The most common form of trafficking in Nevada is sex trafficking, at 89 percent, which is significantly higher than the national average of 70 percent.

Assembly Bill 143 will help victims of human trafficking in a more efficient and direct manner. By empowering the Department of Health and Human Services' Division of Child and Family Services (DCFS) to develop a statewide plan in cooperation with the Office of the Attorney General, more attention will be given to helping victims of human trafficking and providing them with the resources they need.

In addition to the development of a statewide plan, A.B. 143 will also require us to form a statewide task force on human trafficking. The statewide task force on human trafficking will consist of interested parties and stakeholders to assist the Division in carrying out its duties. The statewide task force will allow stakeholders to communicate, collaborate, and coordinate their efforts.

Additionally, the amended version requires the DCFS to designate a human trafficking specialist inside the Victims of Crime Act compensation program and to maintain an online directory of services for victims of human trafficking. The amendment also makes the provisions of the plan detailed in the bill discretionary instead of required, which will remove the fiscal note placed on the original version of the bill entirely. There is a zero-fiscal note with the amendment.

The goals of the statewide plan will be to address the delivery of service to victims of human trafficking and may include:

- The identification of victims of human trafficking.
- Assisting victims of human trafficking to access governmental benefits and services to which they may be entitled.
- Resources for victims of human trafficking including medical, psychological, housing, education, job training, child care, victims' compensation, legal, and other services for victims of human trafficking.
- Developing strategies to increase awareness of human trafficking and the services available to victims.

- The establishment and maintenance of community-based services for victims of human trafficking.
- Assistance to victims of human trafficking with family reunification or to return to their place of origin if they would like.

Finally, the bill requires the administrator of DCFS to periodically review the statewide plan to ensure that it complies with the provisions of the bill.

Chair Flores and Committee members, this is the conclusion of my presentation. I urge your support of A.B. 143, which will improve the lives of human trafficking victims and raise awareness of the issue of human trafficking in our state. I am happy to answer any questions you may have, and I thank you for allowing me this time to present my bill before you.

[Written testimony was submitted, [Exhibit D.](#)]

Chair Flores:

Thank you, Assemblywoman Krasner. I know you have been working rigorously to get rid of that fiscal note, which I think everybody is doing this session. I appreciate your doing all of that work. At this time, I would like to open it up for questions.

Assemblywoman Krasner:

Chair Flores, I have a copresenter, James Dold. May he present prior to the questions? I believe his testimony may help with the Committee members' understanding of the bill.

Chair Flores:

Good morning and welcome.

James Dold, Chief Executive Officer, Human Rights for Kids, Washington, D.C.:

Thank you for the opportunity to speak before your Committee today. I also want to thank Assemblywoman Krasner for her leadership in championing this very important legislation to help human trafficking victims throughout the state of Nevada. Human Rights for Kids is a 501(c)(3) nonprofit based in Washington, D.C. I am also a board member of the Survivor Alliance, which is an anti-trafficking organization that works to elevate the voices and experiences of human trafficking survivors around the world. At Human Rights for Kids, we are working to promote and protect the human rights of children across the United States in a variety of different settings: in the educational space, juvenile justice, and in child welfare.

I come to this work from a very unique perspective. I actually grew up in Las Vegas. I am a proud alumnus of John S. Park Elementary School, John C. Fremont Middle School, and the Advanced Technologies Academy. I also graduated from the University of Nevada, Las Vegas. I am a first-generation college graduate. The trajectory of my career really began when I was a child growing up in Las Vegas. Unfortunately, I grew up in the inner city, as some might surmise from some of the schools that I went to.

Early on in my life, I was a victim of child sexual abuse, which later exposed me to a child predator in my early teenage years. When I was 13 years old, I was in the Boy Scouts of America. At that time, it was connected to the Christian Life Community, which was a church in Commercial Center, right off Sahara Avenue and Maryland Parkway. I attended from right after my seventh-grade year into high school. I was at a Boy Scout fundraising function when I met a family of a Cub Scout in my Boy Scout troop. Like a lot of skilled child predators, the mother of the Cub Scout took a particular interest in me. As a kid from the inner city who did not have a whole lot and who was dealing with trauma from early childhood abuse where I did not feel like I was getting the support I needed from my family, it made it very easy for a skilled child predator to work their way into my life. It started out relatively innocuously. It started off in a way where she was taking me out to fast food restaurants, taking me to concerts, and building the trust and confidence that so many predators do when they are targeting young children. That really helped build that level of trust for me. I began to open up about my earlier childhood experiences of being a victim of sexual abuse when I was five years old and the resentment and anger that I harbored toward my parents for not doing what I thought they should be doing in response to that particular situation.

The situation began to evolve and escalate from what I thought was seemingly a concerned adult to an adult who began to sexually abuse me. It started off as sort of physical touching; it escalated from there to more extreme forms of sexual abuse, to eventually statutory rape. From the end of my seventh-grade year through my eighth-grade year in middle school, I was leaving every day and going to this family's house where this woman was engaged in these various forms of sexual abuse of me. As a kid, as a 13- and 14-year-old boy, it was something, to be quite honest and frank, I thought that I wanted. I thought, Here is this person who seemingly cared for me and loved me. I was getting affection and attention that I was not getting at home. I thought this was a person whom I actually loved. Like a lot of cycles of violence, it began to deteriorate from where this person started to engage in physical and emotional abuse of me. That, in addition to the sexual abuse, created what is known as a traumatic bond.

I had this bond with my abuser where I felt that every time she was angry with me, physically violent with me, or emotionally abusive to me, that it was somehow my fault as a 13- or 14-year-old boy. I was then in a position where I was willing to do anything to get back into her graces. Eventually, I ended up running away from home. I moved in with this other family, with her family, where I continued to endure physical, sexual, and emotional abuse.

After a while, the traumatic bond that I had formed was used as a way to get me to do anything that she wanted me to do. That included essentially becoming a domestic servant. I was coming home from school every day and going directly to this house where I now lived. I was taking care of children. I was performing household chores such as cleaning the kitchen, the living room, and the bedrooms. I was cooking and cleaning. I was essentially the servant to this family and their children at a time, when, as a boy, I should have been out playing football, chasing girls my age, or doing a whole host of other things that children

usually engaged in around that time. Instead, my childhood was being stolen from me, and I was a victim of what we know today as modern-day slavery.

That was my life for two years. I endured that situation from my eighth-grade year in middle school until about midway through my sophomore year in high school. A number of factors led to me being able to eventually break the traumatic bond that I had with my abuser. It was a very long and arduous process. It is very hard to explain the impact that traumatic bonding has on children. It is the most severe form of dysfunctional attachment that you could ever have with a person. It is oftentimes referred to in cases of domestic violence or exploitative cults. People often ask, Why did you not leave? For many victims, especially child victims in these situations, you feel like you cannot leave.

The issue of traumatic bonding, particularly for children, is that it is used in both a labor and sex trafficking context all the time. Traffickers are very skilled at getting what is known as the "DNA" of the child by developing this cycle of violence and this traumatic bond, which then is the psychological hold that they have over the child where they are willing to do anything, which was the case for me. Thankfully, because of the mentors in my life, and football and wrestling coaches in high school, I was able to break free of that hold. I moved back in with my family and went on to graduate from high school. I was the only person who was raised by my parents to finish high school in the community where we lived.

I never forgot those experiences. After I finished law school at the University of Maryland, I started working at an anti-human trafficking organization called Polaris Project. That is where I first came in contact with Assemblyman John Hambrick and began working with various members of the Nevada Legislature to combat human trafficking. I am proud to say, that in 2013 I worked with Assemblyman William C. Horne, who I know is a lobbyist up there now, but back then he was the majority leader. He sponsored Assembly Bill 146 of the 77th Session, which criminalized what happened to me as a child. It is known as the involuntary servitude of a child trafficking statute, located in *Nevada Revised Statutes* Chapter 200. It was important because it was a validation for what had happened to me. Unfortunately, by the time I reported the crime to law enforcement, I was 27 years old. The statute of limitations had passed. There was no way for me to get any sort of recourse. By working with Assemblyman Horne, I was able to work with law enforcement and then-Attorney General Catherine Cortez Masto, who is now a senator, on a complete anti-human trafficking framework, including A.B. 146 of the 77th Session.

As we continue to work to create an anti-human trafficking framework in Nevada, one of the glaring pieces of that framework that was missing was this bill that is before you today, A.B. 143. I cannot tell you how important it is to have a plan in place for the delivery of services and the identification of trafficking survivors. Oftentimes, we see that survivors are unwilling to come forward and cooperate in law enforcement investigations because they have been brainwashed to believe that law enforcement is the enemy and they will be looked at as a common criminal. Some of them have convictions on their record. Sometimes they are prostitution-related and sometimes they are for other nonviolent crimes such as drug possession and the like.

Somebody who was very close to me growing up was an adult survivor of sex trafficking. Her boyfriend brainwashed her. He was a domestic violence abuser. He used her drug addiction—she had an addiction to heroin—to control her and force her into prostitution in northern Nevada, in Reno. Eventually, she was arrested for possession of stolen property related to what he was forcing her to do, which was pawn stolen goods. Even though there was a sense that she was a victim, she was not provided with the services that she needed. She never ended up coming forward about her experiences, specifically with him as a sex-trafficking survivor. She spent six years in jail for the charges that she was facing.

I used that as an anecdote to explain to you what it is like for a lot of trafficking survivors who are coming out of these situations. That traumatic bond that we have is just so intense there is a brainwashing that has happened. These are particularly acute for children who are not experienced in the world and who are still struggling to figure out what it is they have gone through in their lives. A lot of us are dealing with these issues, whether it is the traumatic bond, mental health issues, or a drug addiction like the person that I mentioned before.

It is absolutely imperative that there is a plan in place, when they are identified, for the delivery of services for everything, from addiction counseling, mental health, health care, housing, and legal assistance. By creating that framework and having a victim services plan, that puts into place a protocol for how to get a victim services or at least tell them what services are available to them. We are increasing the likelihood that the trust between the victim and law enforcement will be created and that they will be able to meaningfully participate in the prosecution of their traffickers.

As another anecdote, a great example would be a study that was done by Arizona State University with the Las Vegas Metropolitan Police Department that found, between 2011 and 2019, there were approximately 833 cases of child sex trafficking, 70 percent of which never proceeded to trial. This article can be found in the *Las Vegas Review-Journal*. One of the reasons for this is, again, everything that I mentioned about how difficult it is for children to come forward with all of the complexities of the trauma that survivors are dealing with.

For us to be able to combat human trafficking, two things are absolutely essential. The first is this victim services plan to help victims recover from their situation and rebuild their lives, which is going to increase the likelihood that they will be in a position to help prosecute their trafficker. The second is having a statewide task force in place that helps build a collaboration among law enforcement agencies, nonprofit governmental organizations, and victim services providers. Having those wraparound services and having everything in place is going to put Nevada in a position to more effectively combat this crime.

I will close out my testimony. I will be able to take any question from Chair Flores or members of the Committee. I just want to say that this legislation is so important to sending an unmistakable message to the victims of trafficking through the state that we see you, we hear you, we care for you, and we are here for you. With that, I urge this Committee's favorable support of Assembly Bill 143. Thank you.

[Written testimony was submitted, [Exhibit E.](#)]

Chair Flores:

Thank you. Before I go to the members, I am probably going to say something you hear often, sir. I just wanted to say how important your story is. Thank you for allowing that to be one to empower other humans going through these problems and trying to help other humans. I think, at times, we have all been through difficult things. Sometimes, we use that as a catapult to fight and empower other people. I just wanted to say thank you for your strength, bringing such an important topic to this Committee, and helping Assemblywoman Krasner. I am confident we will be able to achieve something together.

Assemblyman Ellison:

I really enjoyed the presentation. There is a lot of it out there. I was on several conference calls with the Office of the Attorney General when they talked about some of the sex trafficking and what they were trying to do in the state of Nevada. The truckers stepped up to the plate at that time and helped a lot of people be the watchdogs out there. It worked out wonderfully. It was amazing that they could actually save some of these people.

If anybody ever gets a few moments, there is a movie that came out two years ago. I have it if you want to watch it. It is called *8 Days*. It is a true story about a girl who was kidnapped and put into sex trafficking. The mother would not let up, even when some of the other people would. They finally got her out of there. This is happening every day. This was a young high school girl. It is a great movie.

When I read through this bill originally, before I got the new mock-up, the fiscal note was really high and I thought it would be. I would like to know how Assemblywoman Krasner worked up, got this thing done, and moved this bill forward. I think it is a great bill. The biggest thing is some of the stuff in the financial part that she has gotten out of there. I would like to know how she got it done. Maybe we can all learn from it.

Assemblywoman Krasner:

Thank you for your question. I worked in conjunction with the Attorney General's Office and Ross Armstrong from the Department of Health and Human Services' Division of Child and Family Services on the amendment. If you look at the amendment that is posted on NELIS [[Exhibit C](#)] you will see that the language went from mandatory language to permissive language. With that permissive language, the fiscal note was removed by the Department of Health and Human Services' Division of Child and Family Services.

Assemblywoman Anderson:

I wanted to echo Chair Flores' thank you to Mr. Dold for being vulnerable with us and sharing his story so that others can grow from it. Also, thank you Assemblywoman Krasner. I know that this is something you have been working on for many years. I have two questions. The first has to do with just an understanding. Has the task force been removed from the bill? Is the task force still in place and planned in the current budget system? I am kind of confused by one element.

Assemblywoman Krasner:

Posted on NELIS is the amended version of the bill [[Exhibit C](#)], which does show that the fiscal note has been removed and it is a zero. Currently, here in Nevada, we have regional human trafficking task forces. We have a regional task force on human trafficking in the north and we have a regional human trafficking task force in the south. However, we do not have a statewide plan or statewide human trafficking task force. A statewide task force will allow those regional groups to communicate, coordinate, and cooperate their efforts and services on a statewide level to victims of human trafficking.

Assemblywoman Anderson:

Thank you so much. I just needed that clarification to make sure I understood it. My other question has to do with the term "periodically review" [line 28, page 3, [Exhibit C](#)]. I do not know if that is a yearly review or if it is more in conjunction with the legislative session. With that review, will there be any sort of report or any sort of documentation about necessary changes or some of the ideas that have been brought forward and how they are being utilized or how they might be more of an opportunity for change? I guess it is more about that term "periodically." How will that review be utilized?

Assemblywoman Krasner:

When we crafted the amendment to the bill, I worked with the Attorney General's Office and Ross Armstrong with the Department of Health and Human Services. Whenever you mandate something, there is going to be a fiscal note. Because of COVID-19, our state is in a budget crisis. In an effort to get a zero-fiscal note, we made things permissive and we left them open. The Division of Child and Family Services, in conjunction with the statewide human trafficking task force and the Attorney General's Office, will make decisions on how they want the task force to run, who they want to be the members, and if they want the existing members of the regional task forces in the north and south to be the members. We want them, with their institutional knowledge and many years of work in human trafficking, to be the people on the task force and for them to choose people who are interested parties and stakeholders and having knowledge of those human trafficking issues to be the people that are on it. If they want to meet twice a year, if they want to meet quarterly, I want that to be left up to them. While I have been working on the issue of human trafficking for many years, there are people in this state that have been working on it for a much longer time than me. I do not want to direct them on how to set up a task force. We are creating a vehicle for them to implement and put the task force together in way that they think is best using the federal guidelines in an effort to communicate, cooperate, and coordinate their efforts on a statewide basis for the victims of human trafficking.

Assemblywoman Anderson:

Thank you for the clarification on who the members would be. I believe I am going to make a connection that the periodic review will also be based upon that expertise from the task force. Am I making that connection correctly?

Assemblywoman Krasner:

Yes, that is correct.

Assemblywoman Thomas:

I appreciate this time for me to engage with A.B. 143. My heart just aches. I have two questions. One is to Assemblywoman Krasner. Thank you for presenting this bill. Mr. Dold, thank you so much for sharing your story. With your permission, I would like to be a cosponsor of A.B. 143.

Assemblywoman Krasner:

Yes, of course, Assemblywoman Thomas.

Assemblywoman Thomas:

Thank you so much. I know that you have been working on this for quite some time. I have a question about section 1, subsection 2(a): the identification of victims of human trafficking, [line 10, page 2, [Exhibit C](#)]. How did you come about that? Why would you want to have their identification known? I am looking at the confidentiality. I want them to be able to come and speak freely. Mr. Dold's presentation was just riveting, and we can make a movie out of that. He told the story from point A to point B. He was not afraid to tell his story. But at 13 years old, my concern is how those victims of trafficking would feel about people knowing who they are.

Assemblywoman Krasner:

The identification of human trafficking victims listed in the bill is not identifying them to the whole world. It is education for law enforcement on how to identify human trafficking victims. I was speaking to a law enforcement officer just a couple of days ago, and he said they do receive some training on this because it is such a big problem in the state of Nevada. The women will not make eye contact with law enforcement officers. They will pretend that they are maybe the girlfriend of the pimp or abuser. They are so afraid that if they are identified by law enforcement, law enforcement would try to help them, and if they ever got back, their pimp or abuser would be there to beat them up. There is a lot of violence in this crime. It is for law enforcement to learn how to identify victims of human trafficking, not for us to identify them to the whole world. I am very conscientious about our victims of human trafficking. I would never agree to anything that would put them in a position like that.

Assemblywoman Considine:

Thank you, Assemblywoman Krasner and Mr. Dold for bringing this bill, for testifying on it, for bringing this to the attention of everyone who can see this, and making change in the future. I noticed throughout the bill that the term "victim" is the word that is used, and Mr. Dold used "survivor." I know that, although these are victims, as they move through the process, some of the processes will allow them to rebuild a life out of trafficking and they use that word "survivor" instead of "victim." I just wanted to ensure that the task force, if they choose to use that word "survivor," they would not be required to use "victim." Will you leave it up to the task force to determine issues like that?

Assemblywoman Krasner:

Yes, that is correct. Much of this legislation is modeled after federal legislation and deals specifically with statewide human trafficking task forces. Currently, there are 26 states,

including Guam, which have enacted statewide legislation regarding a human trafficking task force.

I know what you are saying. They are survivors, and that is so important. Maybe when the task force is enacting their provisions, they can put that in. Just for the purposes of the bill, that is the language that is prescribed.

Assemblywoman Considine:

That answers my question. I just wanted to make sure that "survivor" will be the word. If someone identifies as a survivor, that is what they will be able to use.

Assemblywoman Torres:

I do apologize if you answered this early on in the presentation. I jumped from another hearing to this one. I know that we are designating the human trafficking specialist with the Victims of Crime Act compensation program and the amendment clarified that would be under Victims of Crime Act (VOCA). I want to confirm that is going to be under VOCA and not the Violence Against Women Act (VAWA).

Assemblywoman Krasner:

Yes, that provision was actually put in there by Ross Armstrong, who is the Administrator of the Division of Child and Family Services. That was another piece that would allow us to get a zero fiscal note. It is VOCA.

Assemblywoman Torres:

I do not know if he happens to be on the call or not, or if he will be testifying later. I just want some clarification of whether or not it is VOCA or VAWA and whether or not that would be taking any of the VOCA or VAWA funds that are currently being used. Would that reallocate them or is that funded differently? Would it not impact the allocation of those dollars? That is my only concern with this legislation. I really do appreciate the intent, but I am hoping we can get some clarity on that position. It would add additional responsibilities to an individual in that office. Could we get some guidance on that?

Assemblywoman Krasner:

It is the Victims of Crime compensation program. It is VOCA. Through researching what other states are doing under the federal program, it is my understanding that there are specific dollars that are available to statewide human trafficking task forces. My understanding is that those are the dollars that our state would like to go after, the ones that are available exclusively to statewide human trafficking task forces. Again, Mr. Armstrong is on the call and he is planning on testifying. He can further clarify that.

Assemblywoman Black:

Do you know how many victims of human trafficking there are in Nevada?

Assemblywoman Krasner:

Trying to tell you exactly how many victims there are would be based on those identified by law enforcement and picked up by law enforcement. I am guessing that for every one who is picked up, there are probably nine more that were not picked up and were not identified. That is the problem.

Assemblywoman Black:

Maybe you can follow up with just the ones who we have identified. The ones who we have not identified, there is no way to know that. Is there a way to attach a fine to this for the perpetrator so that we can help fund the program and offset some of the costs?

Assemblywoman Krasner:

In Nevada, sex trafficking is at a rate of 89 percent; the national average of sex trafficking victims is 70 percent. Nevada is 19 percent higher than the national average. I believe there is already legislation that does put a crime on the john or the pimp who is forcing the sex trafficking.

Assemblywoman Black:

I am sure. I am just wondering if there is a way to add a small additional fine to help fund the program.

James Dold:

There is some anecdotal data that might be helpful to answering your question. The organization that I previously worked at, the Polaris Project, runs the National Human Trafficking Hotline for the U.S. Department of Health and Human Services. It is the largest victim-centered hotline in the nation. In 2019, they received over 443 calls where they identified victims of human trafficking, specifically in Nevada, which comprised both labor and sex trafficking. It included children as well as adults. It is not comprehensive in scope because it is calls that come into the hotline where there have either been victims calling seeking assistance or there are high indicators of a trafficking situation where victims have been identified. That information has then been relayed to law enforcement.

I will also note that last year, following up on what Assemblywoman Krasner had mentioned, there were eight successful prosecutions by the U.S. Attorney General alone at the federal level. It gives a little glimpse of one of the key problems: this is a hidden crime. As in my situation, I was not identified by law enforcement or anybody until I was much older and comfortable coming forward, in part because I was sort of hidden away in a house performing labor and services. That is one of the other key problems with this. It is so hidden. We know that every year the National Human Trafficking Hotline receives more and more calls where they have identified survivors, specifically from Nevada. As more word gets out and more awareness gets created, more victims will have been identified.

Chair Flores:

Members, do you have any additional questions? [There were none.] At this time, I would like to invite those wishing to speak in support of Assembly Bill 143.

John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office; and representing Washoe County Public Defender's Office:

I am testifying for both myself and Kendra Bertschy, Deputy Public Defender, from the Washoe County Public Defender's Office. We want to thank Assemblywoman Krasner for bringing this bill forward and Mr. Dold, whom I consider a personal friend, for sharing his story with this Committee. Oftentimes, legislation addresses things in the criminal system; however, solely addressing penalties on perpetrators leaves victims in the cold. This legislation is going to bring victims the services that they need. We are fully standing behind giving victims services because statistics show that people who are victimized become victimizers later in life. We at the public defender's office are all about breaking the cycle. Thank you for bringing this legislation forward and working so hard on it. I know Assemblywoman Krasner has been working hard on these issues for as long as I have been appearing at the Legislature, and we appreciate that.

Chair Flores:

Assemblyman Ellison, it is my understanding he wanted to take you up on the offer of borrowing that film from you.

Assemblyman Ellison:

You bet.

Jessica Adair, Chief of Staff, Office of the Attorney General:

On behalf of Attorney General Ford, we wholeheartedly support this bill and thank Assemblywoman Krasner for sponsoring this important legislation. This bill complements our existing plans to facilitate a statewide response for human trafficking enforcement and support of services. We look forward to continuing to work with the Legislature, state, local, and federal governments, and community stakeholders to invest in service for survivors.

Nicole Reilly, Ombudsman, Office of Ombudsman for Victims of Domestic Violence, Office of the Attorney General:

First, I want to say thank you so very much to Assemblywoman Krasner and Mr. Dold for their powerful testimony. I am here to testify in support of A.B. 143 as it will aid in the flow of information across the state and assist the development of statewide best practices in responding to human trafficking as a whole.

Melissa Broudo, Private Citizen, New York City, New York:

Thank you all for your consideration on this critical matter. It was really an honor to hear my friend, James Dold, speak. I am an attorney and longtime advocate for all people in the sex trade, including survivors of human trafficking. I really think that the Nevada bill is so thoughtful in its creation around family reunification, support for employment, and any other services that survivors might need. As pointed out by the man from the Clark County Public Defender's Office, it is so important that rather than being criminalized, people are given the proper support. What I have seen representing survivors of human trafficking in public defense in New York City is so often they have to deal with the ramifications of a criminal record, rather than receive support as survivors. I want to thank you and encourage members

of the community, survivors of human trafficking as well as members of the sex industry, to be more generally included in this legislation.

Katie Roe Ryan, System Director, Nevada Government Relations, Dignity Health–St. Rose Dominican:

I am a member of the Nevada Policy Council on Human Trafficking. I have provided a letter of support to the Committee on behalf of St. Rose [[Exhibit F](#)]. I just wanted to also thank Assemblywoman Krasner for bringing this bill back for another session. As you have heard in the testimony, all Nevadans deserve to live a life free of violence, exploitation, and slavery.

Kim Yaeger, Director, Member Relations, Nevada Trucking Association:

We have been focused on this issue for well over nine years, beginning with former Attorney General Cortez Masto, when she was in office. We adopted Truckers Against Trafficking and did a complete little road trip in introducing the training materials that Truckers Against Trafficking offer. We are still committed to combating this horrific crime, and we do so by providing training for over a million truck drivers, to date, on how to recognize and to report the signs of human and sex trafficking. We have been committed to support Awaken and supporting our survivors in Nevada. We have also contributed to training for over 120 Nevada law enforcement officers and over 160 employers from Nevada's casinos and the Regional Transportation Commission. Thank you so much for your time. We are in full support of [A.B. 143](#).

Tessyn Opferman, representing Nevada Women's Lobby:

It is the top priority of the Nevada Women's Lobby to support legislation that protects those who are survivors of domestic and sexual violence, including survivors of human trafficking. In Nevada, we are ranked ninth in the nation for the number of cases of human trafficking. It is critical that we come up with plans to help these survivors access health care, child care, education, job security, and more. That starts with legislation like [A.B. 143](#). We need to fortify the safety net we have in place. This is a strong step in that direction. Thank you so much to Assemblywoman Krasner for bringing this bill forward and for the powerful testimony presented. The Nevada Women's Lobby urges you to pass this bill and thanks you for your time.

Lauren Boitel, Executive Director, ImpactNV; and Chair, Nevada Policy Council on Human Trafficking:

This is a diverse cross section of community leaders and survivors from the public, private, and NGO [nongovernmental organization] sectors to come together to pursue collaborative long-term systemic strategies to decrease sex trafficking in our state. On behalf of the Nevada Policy Council on Human Trafficking, we would like to formally support the amended version of [A.B. 143](#). We feel a statewide task force and central resource hub on the Department of Health and Human Services site will allow for our coordinated efforts of sharing information and providing resources to victims through our collective framework that will not only break down regional silos, but also improve our grant competitiveness and increase the much needed potential funds Nevada receives for victim and survivor support.

Nevada has shown great leadership in improving state laws to better protect and support trafficking victims. In fact, Shared Hope International names us the most-improved state in 2019. However, as Assemblywoman Krasner mentioned, the United States Department of Justice reported more Nevada human trafficking cases filed in 2020 than any other previous year. We must continue this meaningful progress. We feel that A.B. 143 is an important step to this end.

[A letter was submitted, [Exhibit G](#)].

Jeff Blom, Chief Investigations and Security Officer, Love Justice International, Lincoln, Nebraska:

Love Justice International is a nongovernmental organization that conducts counter-human trafficking program work domestically and in 18 countries around the world. As we all know, human trafficking is an egregious crime against another individual that is unique from nearly all the crimes in that the victim is continuously victimized by the trafficker and exploiters. As an expert on the subject of human trafficking, working 15 years in this sector, overseas and domestically, and serving 20 years in law enforcement, I have seen firsthand the effect human trafficking has on survivors and the need for a coordinated effort to combat it. Assembly Bill 143 provides three essential elements to the holistic victim-focused approach to countering human trafficking: prevention, protection, and prosecution. Prevention is through the development of awareness of human trafficking, detection and identification training of potential victims for law enforcement, and support programs available for survivors. Protection is through the development of a victim services plan providing assistance to survivors of human trafficking through governmental benefits which can facilitate the recovery and begin the process of healing and trust-building. Healing and trust-building are the first steps to gain cooperation with the prosecution of their traffickers. Finally, prosecution will be approved through the statewide task force which promotes information sharing amongst stakeholders, multijurisdictional case cooperation, and interagency collaboration as human trafficking often crosses jurisdictional boundaries. The biggest challenges I personally have are the difficulty of detecting and identifying potential victims of trafficking and building trust and cooperation with the survivors to assist in the prosecution of their traffickers. Assembly Bill 143 will implement critical components that can help overcome these challenges through a coordinated effort and victims' services plan. Love Justice International supports A.B. 143. I urge the Assembly to support A.B. 143.

[A letter was submitted, [Exhibit H](#).]

Chair Flores:

Could we go to the next caller wishing to speak in support of Assembly Bill 143? [There was no one.] At this time, I would like to invite those wishing to speak in opposition to Assembly Bill 143.

Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:

We are in support of the intent of this bill. I thank Assemblywoman Krasner for her dialogue and conversation. Unfortunately, based on rules of the Committee, at this time, we are opposed to A.B. 143. As many of you might know, approximately 80 percent of human trafficking cases are in the Clark County area. Clark County has had a very successful human trafficking task force for quite a long time now. The north also has a very successful human trafficking task force. There is currently very good communication that takes place between the two task forces. Our first concern is that the bill does not designate who the members would be of a statewide task force or what the makeup of that task force would be. Resources that are vital to the local task forces could potentially be diverted to a state task force. This is a concern that Vice Chair Torres raised, and we share that same concern. Clark County has unique challenges that may not be the same in other parts of the state. Our fear is the state task force could create red tape or bureaucracy that could make it more difficult for victims in our area to get the resources they need. We are in support of the intent but, unfortunately, opposed to the bill. We look forward to working with Assemblywoman Krasner to hopefully improve upon it.

Chair Flores:

Could we please go to the next caller wishing to speak in opposition to Assembly Bill 143? [There was no one.] At this time, I would like to invite those wishing to speak in the neutral position for Assembly Bill 143. [There was no one.]. Assemblywoman Krasner, do you have any closing remarks?

Assemblywoman Krasner:

No, I do not.

Chair Flores:

Thank you, again, for taking on this task. I trust you will work with a lot of folks on the Committee who may have additional questions and with Mr. Callaway. Again, thank you to Mr. Dold for coming out and really empowering folks through your story. We appreciate your being here this morning with us. Please, let us know when we can be of service to you. We are here to help.

[[Exhibit I](#), [Exhibit J](#), [Exhibit K](#), and [Exhibit L](#) were submitted but not discussed and are included as exhibits.]

With that I would like to close out the hearing on Assembly Bill 143. I will open the hearing on Assembly Bill 153 and invite Assemblywoman Bilbray-Axelrod to present it.

Assembly Bill 153: Revises provisions governing performance contracts. (BDR 27-708)

Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34:

I am excited to be here. I had the pleasure of serving two terms on the Assembly Committee on Government Affairs. It is nice to be back in this Committee, where I feel very

much at home. I am here to present Assembly Bill 153, which revises provisions governing performance contracts. Assembly Bill 153 clarifies the use of any savings realized through the use of performance contracts at the local level and encourages the use of performance contracts at the state level.

You might be asking, What is a performance contract? Performance contracting is an alternative funding source, a way to make operating cost saving improvements now without tapping into capital budgets. The resulting cost savings pays for a project over time. The agency benefits immediately by getting new equipment, expertise from energy professionals, ongoing maintenance services, and the ability to accomplish many projects all at once.

This is how it works: A using agency enters into an agreement with an energy service company (ESCO). The ESCO will identify and evaluate savings opportunities and then recommend a package of improvements to be paid for through utility and operational savings. Many types of building improvements can be funded through existing budgets: new lighting technologies; boilers and chillers; energy management controls; landscaping irrigation systems; and trash compaction, just to name a few. Performance contracting allows agencies to make the facility upgrades now with no up-front capital and pay over time through the utility and operational savings that are a result. While contract payments occur during the useful life of the assets, if the savings are not available to make payments with over time, then the benefit of the performance contract is reduced. The ongoing benefits of the project do not change so the company performing work is not hurt, but the agency is not getting the full benefit of the performance contract. Essentially, Assembly Bill 153 allows the savings to be put back into the payment of the cost-savings project.

Finally, I wanted to let the Committee know that we are continuing to work with the Legislative Counsel Bureau (LCB) on clarifying language for a friendly amendment. The goal would be to clarify permissible use of state-level energy savings performance contracts, savings specific to financing costs. The LCB has been very responsive but, as you know, overwhelmed. We appreciate working with them in gauging to make this bill perfect—well, maybe not perfect, but really good.

Timothy Farkas, Finance Director, Ameresco, Framingham, Massachusetts:

I am the finance director for a company that works within these statutes. These statutes have been on the books for about 15 years. We have gotten feedback from local governments and so forth that we really should do something to tighten up this language a little. This really is a clarifying bill for both statutes. *Nevada Revised Statutes* Chapter 332 pertains to local governments including school districts. *Nevada Revised Statutes* Chapter 333A pertains to state agencies.

As Assemblywoman Bilbray-Axelrod very clearly spelled out, the benefits occur over time. Those benefits should be available to make sure that they are there for the payments that occur over time. That is the whole premise, a budget-neutral way to get energy efficiency and renewable energy projects done. All of our projects are green energy. They are very much a target of the new State of Nevada Climate Initiative by the Governor, which was

released on December 1, 2020. This clarifying legislation will help state and local governmental agencies and entities with the new State of Nevada Climate Initiative.

Assemblywoman Bilbray-Axelrod:

I did also want to note that Senator Chris Brooks is primary joint sponsor on this bill. He was also a member of the Assembly Committee on Government Affairs a few sessions back.

Chair Flores:

Is Senator Brooks also joining us today?

Assemblywoman Bilbray-Axelrod:

He is not. He is a strong supporter.

Chair Flores:

With that, members, I would like to open it up for questions.

Assemblywoman Black:

When I was on the city council in Mesquite, this was something that we were working on doing. One of our departments, Mesquite Parks and Recreation, actually had one of these studies done and did a whole bunch of things that saved the city a lot of money. I think this is a great idea. I wish that we were able to incentivize our department and had some way in finding cost savings like this. I know that it is probably done on a case-by-case basis in the municipalities. I think this is a great idea. Thank you for bringing this bill.

Assemblyman Ellison:

I have a real small question. Is this strictly for municipalities like the cities, the counties, the school districts, and these kinds of agencies? Is that correct?

Timothy Farkas:

Yes, that is correct: local governments and state agencies.

Assemblywoman Torres:

Have you reached out to local governments? I do not see that they submitted any testimony. I am just wondering if you could tell me where local governments are with the legislation.

Assemblywoman Bilbray-Axelrod:

Everyone that I have talked to has been very supportive. I know that we have folks in support at the Office of Energy within the Office of the Governor. I have had many conversations with municipalities and local governments. To be honest, I have not really, knock on wood, gotten pushback from anyone. I did not really do a lot to get all of the support that maybe I should have. I apologize for that. As I said, no one has offered any pushback. Mr. Farkas, would you like to say anything else about that?

Timothy Farkas:

We have support from local governments. If they do not speak today, we will provide letters from several local governments. I expect one or two to speak in support today.

Assemblywoman Anderson:

It is pretty straightforward. I do have one small clarifying question on the term "continually review" in section 2, subsection 2. Is that a yearly review? Is that every six months? Is that in preparation for the Legislature? I realized that sometimes means different things to different departments. I did not know if you had an idea of what you were looking for that "continually review."

Timothy Farkas:

That is the language that we are trying to clarify. We would like for it to be a little more specific, as well. That is exactly what we are talking about with LCB. Again, they have been very helpful in this process. The reference would probably be to the legislative budget session at some point because that is the point of continuing payments and benefits into multiple biennia. That will be clarified in the future version.

Chair Flores:

Members, do we have any additional questions? [There were none.] At this time, I would like to go to the phones and invite those wishing to speak in support of Assembly Bill 153.

David Bobzien, Director, Office of Energy, Office of the Governor:

Assemblywoman Bilbray-Axelrod very elegantly described how performance contracting works. Mr. Farkas properly noted that performance contracting is a component of Nevada's recently released State of Nevada Climate Initiative. Our letter in support makes note of that connection to the State of Nevada Climate Initiative [[Exhibit M](#)]. Here is a wonderful example of the Legislature considering how to move forward with our climate goals. I would also like to note, and this is hopefully of use to each individual member as they are in communication with their home local governments, that the Governor's Office of Energy conducts a performance contracting audit assistance program. We provide assistance to local governments at the front end of the performance contracting journey. We provide money to assist with the energy audit that happens at the outset of the program, identifying opportunities for energy savings that can allow governments to kickstart their performance contracting experience.

David Cherry, Government Affairs Manager, City of Henderson:

The City of Henderson has used performance contracting to complete a street lightbulb conversion from high pressure sodium to induction lighting, which created a 40 percent cost savings. We have also used this tool to help pay for our trail lighting conversion, which has increased the longevity of the equipment used to illuminate our outside trail, helping us to save on costs. We are currently upgrading boilers and chillers at city facilities under a performance contract that will slash costs by increasing energy efficiency in heating and cooling. As a rule, when looking at performance contracts, they are only done when the city can create a positive return on investment within the first ten years. For these reasons, we

support A.B. 153 and we thank the bill sponsor for bringing forth this legislation which will help ensure this incentive for cost savings remains a valuable tool.

Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League:

We are here in support of A.B. 153. Energy efficiency is the cheapest and fastest way to meet our growing demands while reducing the pollution that drives dangerous climate change and harms our health. The cleanest energy source is the one you do not have to produce in the first place. Energy efficiency is also critical to meeting our state's climate goals. Performance contracting is an opportunity for governments to make energy efficiency upgrades that reduce energy costs and the associated pollution. This will make it easier for governments to engage in these types of contracts. We urge your support on A.B. 153.

David Dazlich, Director, Government Affairs, Vegas Chamber:

I am here to testify in support of A.B. 153. We believe that this clarifying language will encourage further use of the performance contracts. We believe that offering more opportunity for them is a good use of taxpayer money. We urge a yes vote.

Chair Flores:

Could we go to the next caller wishing to speak in support of Assembly Bill 153? [There was no one.] At this time, I would like to invite those wishing to speak in opposition to Assembly Bill 153. [There was no one.] I would like to invite those wishing to speak in the neutral position for Assembly Bill 153. [There was no one.]

Assemblywoman Bilbray-Axelrod, do you have any closing remarks?

Assemblywoman Bilbray-Axelrod:

Thank you very much for hearing this bill today. As you see, it has a broad base of support. I would really appreciate your support on this bill. Thank you to all of those who called in support and to Mr. Farkas.

Chair Flores:

I want to put Assemblyman Matthews' remarks on the record. We were having some technical audio issues, but he did want to express a thank you for your presentation, mention that he appreciates the bill, and he supports the measures to facilitate cost savings. We will be having technical issues like this and I will try to get you on the record whenever I can. At this time, I would like to close out the hearing on Assembly Bill 153.

I would like to go to public comment.

Ross E. Armstrong, Administrator, Division of Child and Family Services, Department of Health and Human Services:

I attempted to testify in neutral during the hearing for Assemblywoman Krasner's bill related to victims of human trafficking, Assembly Bill 143. I did want to thank Assemblywoman Krasner for meeting with us and making modifications that allowed us to, if as amended, remove the fiscal note. The key to that was the change of language from mandatory tasks for

that task force to discretionary, which allows us to build to the system which we have the capacity for right now. To answer the question from Assemblywoman Torres about the Victims of Crime Act (VOCA) versus Violence Against Women Act (VAWA) funds, I did want to confirm that it is VOCA funds. We are not creating a new position but will provide specialized training to a member of our team. We will not be diverting funds from victims to that operation. The bill represents an important step in terms of moving forward with a health response to the crisis of human trafficking, now that we have the criminal justice response pretty well situated. I will submit some additional comments to help explain any of the fiscal note changes, the difference between VOCA and VAWA, and what this will look like for the Division of Child and Family Services, which is within the Department of Health and Human Services.

Chair Flores:

We will reopen the hearing on Assembly Bill 143 so that Mr. Armstrong's remarks can be placed on the record under the neutral position. He will also be providing some additional written remarks. I appreciate your finally being able to get in. We briefly reopened the hearing on Assembly Bill 143. We will close the hearing on Assembly Bill 143.

Could we continue with public comment? [There was none.] At this time, we will close out public comment. Members, thank you for your participation and thoughtful dialogue this morning. Again, we are grateful to the presenters for bringing these important measures forward. I want to remind you that tomorrow we are going to be having a presentation by the Las Vegas Metropolitan Police Department. Mr. Callaway will be here. Be ready to ask some thoughtful questions and engage in some good dialogue. Again, thank you for your work. This meeting is adjourned [at 10:34 a.m.].

RESPECTFULLY SUBMITTED:

Kyla Beecher
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a proposed amendment to [Assembly Bill 143](#), dated March 2, 2021, submitted and presented by Assemblywoman Lisa Krasner, Assembly District No. 26.

[Exhibit D](#) is written testimony dated March 2, 2021, submitted and presented by Assemblywoman Lisa Krasner, Assembly District No. 26, regarding [Assembly Bill 143](#).

[Exhibit E](#) is written testimony dated March 2, 2021, submitted by James Dold, Chief Executive Officer, Human Rights for Kids, Washington, D.C., in support of [Assembly Bill 143](#).

[Exhibit F](#) is a letter dated March 2, 2021, submitted by Katie Roe Ryan, System Director, Nevada Government Relations, Dignity Health–St. Rose Dominican, in support of [Assembly Bill 143](#).

[Exhibit G](#) is a letter dated March 1, 2021, submitted by Lauren Boitel, Chair, Nevada Policy Council on Human Trafficking, in support of [Assembly Bill 143](#).

[Exhibit H](#) is a letter dated March 1, 2021, submitted by Jeffrey Blom, Chief Investigations and Security Officer, Love Justice International, Lincoln, Nebraska, in support of [Assembly Bill 143](#).

[Exhibit I](#) is a letter dated February 26, 2021, submitted by Jessica Cisneros, Executive Director, Safe Embrace, in support of [Assembly Bill 143](#).

[Exhibit J](#) is a letter dated March 2, 2021, submitted by Melissa Holland, Executive Director and Co-Founder, Awaken, in support of [Assembly Bill 143](#).

[Exhibit K](#) is a letter dated March 1, 2021, submitted by Daniele Staple, Executive Director, The Rape Crisis Center, in support of [Assembly Bill 143](#).

[Exhibit L](#) is a letter submitted by Andrew Abboud, Senior Vice President, Las Vegas Sands Corporation, in support of [Assembly Bill 143](#).

[Exhibit M](#) is a letter dated February 29, 2021, submitted by David Bobzien, Director, Office of Energy, Office of the Governor, in support of [Assembly Bill 153](#).