



House Judiciary Committee

March 18, 2015

Testimony on:

SB 214

Written Testimony By:

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Secretary

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Testimony of:

Phyllis Gilmore, Secretary
Kansas Department for Children and Families
Topeka, Kansas

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**Chairman Barker, Vice Chair Macheers, Ranking Member Carmichael and
Members of the Committee:**

SB 214 amends statutes regarding human trafficking and related crimes, commercial sexual exploitation of a child, civil action for human trafficking victims and restitution.

As it relates to the Code for Care of Children, the bill amends 38-2202(dd) to add to the definition of sexual abuse the following “sexual abuse also shall include allowing, permitting or encouraging a child to engage in aggravated human trafficking, as defined in K.S.A. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another.”

The bill amends K.S.A. 38-2271(a) in Child in Need of Care Code by adding the conviction of a parent for “human trafficking or aggravated human trafficking” or “commercial sexual exploitation of a child” (as statutorily defined and established by the State by clear and convincing evidence) as a basis for a presumptive finding “parent is unfit” by reason of such conduct.

K.S.A. 38-2309(b) provides that the official file shall be open for public inspection unless it is not in the best interest of a juvenile who is less than 14 years of age. Information identifying victims and alleged victims of human trafficking or aggravated human trafficking as offenses shall not be disclosed or open to public inspection.

38-2310(c) is amended to add records relating to human trafficking or aggravated human trafficking as records of law enforcement and agencies and municipal courts concerning offenses committed by a juvenile 14 years or more of age which shall not be disclosed or open to the public inspection.

DCF has historically worked with children subjected to trafficking and wants to continue to serve and protect these victims as effectively as possible. The revisions proposed by this bill will be supportive to ensure added protection and services for human trafficking victims.

DCF supports SB 214. Thank you for the opportunity to present this testimony to the Committee.