

TESTIMONY OF PHILLIP COSBY- PROPONENT **SB 497**
STAE DIRECTOR AMERICAN FAMILY ACTION OF KANSAS AND MISSOURI
KANSAS SENATE JUDICIARY COMMITTEE 16 February 2022

SB497 — *Authorizing the attorney general to coordinate training regarding a multidisciplinary team approach to intervention in reports involving alleged human trafficking for law enforcement agencies and requiring training on human trafficking awareness and identification for certain child welfare agencies, juvenile justice agencies, mental health professionals and school personnel.*

I concur with the need to educate a wide swath of personnel on the harms of human trafficking and agree with Kansas Attorney General Schmidt's SB 61 Human Trafficking bill concerning the "interests of this state, including, but not limited to: (1) To mitigate the adverse secondary effects of sexually-oriented businesses; ... (3) to limit harm to minors; and (4) to reduce ~~prostitution~~ *the sale of sexual relations* , crime, juvenile delinquency, deterioration in property values and lethargy in neighborhood improvement efforts."

I propose that upon the working of SB 497 bill , that **SB 352, "The Community Defense and Human Trafficking Reduction Act"**, be amended into SB 497 . The constitutionally sound Time, Place and Manner restrictions are a perfect match. You currently have SB 352 assigned to this Judiciary committee.

The Educational effort of **SB 497 should be naturally pared with the action of SB 352**. The evidence of trafficking of women is particularly severe in and around strip clubs and pornography outlets.

This legislative body did recognize the harms of pornography with its 2018 resolution No. 1762... "*Be it resolved: That we recognize pornography is a public health hazard that lead to a broad spectrum of individual and public health impacts and societal harms; and Be it further resolved: That we recognize the need for additional education, prevention, research and policy change at the community and societal levels, and we urge this chamber and other governing bodies to take appropriate steps to ensure progress is made.*" Feb 6th 2018,

The evidence of harm is not anecdotal; the lawful restrictions upon of the sex industry is based on real negative effects on communities and has been constitutionally upheld for nearly fifty years. The deleterious effects are primarily increased crime, increased STD's, blight, property devaluation, prostitution, human and drug trafficking. Sex trafficking is now the international #2 moneymaker for organized crime, behind illegal drugs. Negative effects, which constitute a substantial government interest in regulating the Time, Place and Manner restrictions of SOB's.

This bill has all the same regulatory elements as the recently court tested SOB restrictions in Missouri. All restrictive measures were found to not offend either the 1st or 14th amendments to the U.S. Constitution. The Missouri Supreme Court 9-0 unanimously ruled all restrictions as reasonable and constitutional.

KS. Barbers, Cosmetologists, and Dry Cleaners are more regulated than KS. sex businesses.

In 1973 the SCOTUS stated "**legislators are entitled to rely, in part on an appeal to common sense**"

Encl: Wichita and Lawrence Trafficking and SOB stories

SB 352 was crafted by Attorney Scott D. Berghold, Chattanooga, TN, 423.899.3025
www.adultbusinesslaw.com **Mr. Berthold successfully defended the 9-0 Missouri Supreme Court Ruling**

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Men charged with rape, human trafficking BY RON SYLVESTER

The **13-year-old girl** saw the black Cadillac Escalade pull up to a QuikTrip, and she climbed inside with a man she had never met. She had been told by another teen that this man would treat her better than the other pimps in Wichita. Last week, the girl mumbled through tears in Sedgwick County District Court to tell a judge how men bought and sold her for sex...**The girl is one of hundreds across the city** and perhaps among 2 million around the United States exploited through commercial sex, Girls and boys, **on average, enter the sex trade between the ages of 11 to 13**, according the U.S. Department of Justice...**They're exploited through strip clubs, pornography** and escort services. Investigators at the Wichita-Sedgwick County Exploited and Missing Child Unit say they have tracked **local girls being taken to cities such as Atlanta, Dallas and Las Vegas to work in the sex industry**...Wichita is among less than a dozen cities to bring such serious charges against those accused of buying and selling teenagers...In court last week, the 13-year-old testified she knew Davis simply as "Babe."...After picking her up in his Escalade, she said Davis took her to an apartment to have sex with her...He liked to try out "his girls" first before he sold them, prosecutor Marc Bennett said during his questioning of the girl...She couldn't describe the apartment..."I only saw the bedroom," she said...Davis also had sex with her at his trailer, she testified, where he lived with his girlfriend and their child. He gave the girl, a runaway from the Wichita Children's Home, a place to stay and food. He bought her a pair of shoes, and he let her keep some of the money she made...The girl said she and Davis would be in the Escalade when he would get a call from his girlfriend. "Mike" wanted to do business...Davis explained to her prices and how she would collect money, **Beneath the surface**...No one knows how many youths are currently involved in the U.S. sex trade..."These children don't count, and nobody is counting them," wrote Julian Sher in his book, "Somebody's Daughter: The Hidden Story of America's Prostituted Children and the Battle to Save Them"...Sher found available estimates of children being sold for sex at between 300,000 and 2 million...From 2007 to 2008, Countryman-Roswurm interviewed 250 youths coming through the Wichita Children's Home...She found:* 67 percent had been sexually assaulted or raped.* 46 percent had been offered food, shelter, clothing, money or drugs in exchange for sex.* 40 percent were "forced, prodded or coerced into trading sex for what they needed to survive."...Only 6 percent of these youth have the skills or the strength to get away from that situation," Country-Roswurm said. "Which means to me we have to be doing more in our society in regards to prevention."...**First, people have to start recognizing there is a problem, she said... "We say it exists beneath the surface," said Bauman. "It goes on all over our community, but it's something no one wants to talk about."**..And it exists, Countryman-Roswurm said, because people are willing to pay for sex with young girls...**False advertising**...The 13-year-old girl said she told Davis she was 17....That's not unusual, researchers say. Girls lie about their age, and pimps provide fake identification so they won't get caught trafficking children....**The girls perform in strip clubs** and are made available on Internet "escort services."...**Amateur nights at the strip clubs are big,** said Mike Nagy, a police officer who tracks runaways for the Exploited and Missing Child Unit. "On those nights, let's just say they can be lax on checking IDs."...Rehmert interviews girls who have worked in strip bars through the Wichita Children's Home's Street Outreach Program..."But for so long, we've called them prostitutes. They are victims of sexual abuse, and **they've been forced and coerced to participate in this form of slavery.... "And that's really what it is."**" <http://www.kansas.com/2011/03/13/1761061/men-charged-with-rape-human-trafficking.html#storylink=misearch> ; Ron Sylvester at 316-268-6514 or rsylvester@wichitaeagle.com

Topeka Man Sentenced For Running A Human Trafficking Ring Out Of Lawrence Club KCUR |

By Sam Zeff Published November 6, 2017 at 5:16 PM CST

A Topeka man accused of running a large human trafficking ring out of a strip club in Lawrence was sentenced to almost four years in federal prison Monday. Forty-three-year-old Frank Boswell had pleaded guilty to one count of human trafficking. The government said he would lure women in desperate circumstances into his sex ring that he ran out of Club Magic, near 24th and Alabama in Lawrence. Boswell walked into court prepared to spend at least the next 51 months in prison. But at the last minute, the government asked for less time. U.S. District Judge Daniel Crabtree told Boswell "he committed a very serious criminal act" but agreed to the shorter sentence and sentenced Boswell to prison for 46 months. He was immediately handcuffed by U.S. Marshals and taken into custody. Boswell was dressed in dark slacks, a dress shirt and vest. Half the courtroom at the federal courthouse in Topeka was packed with his relatives and supporters. Boswell performed hip-hop under the name Benefyshal and began his speech before the court with "mic check, one, two," drawing a small chuckle from the crowd and a little smile from the judge. Boswell quickly turned serious, apologizing to his family for being a burden and to the entire state of Kansas for his years of human trafficking. "I have no excuses," Boswell told the court. "I know it was wrong. I know it was immoral." The government said Boswell was managing up to 20 prostitutes at a time out of Club Magic. "Members of the organization identified single mothers, females with drug problems, or females living in shelters," says the plea deal the U.S. Attorney's office filed with the court. "For example, TW, a single mother, was living in a homeless shelter. The defendant (Boswell) told TW that he would take care of her if she worked for him." In addition to his almost four years in prison, Boswell was fined \$5,000 under the federal Justice for Victims of Trafficking Act passed two years ago.

Sam Zeff covers education for KCUR and the Kansas News Service and is co-host of the political podcast Statehouse Blend Kansas. Follow him on Twitter @SamZeff.