



2017 LEGISLATIVE SESSION AG REQUEST LEGISLATION

Establish a Human Trafficking Protection Order

Create a criminal no contact order for human trafficking related offenses to protect victims from their traffickers.

PROBLEM

Research shows there is a likelihood of repeated harassment and intimidation directed at victims of trafficking. Victims must be protected from their traffickers. Unfortunately, existing protection orders are insufficient.

BACKGROUND

Established no contact orders, such as **sexual assault protection orders** and **domestic violence protection orders**, are not sufficient or appropriate to protect many victims of human trafficking.

- Human trafficking and promoting prostitution are not sex offenses. Consequently, prosecutors and trafficking victims cannot obtain a sexual assault protection order to prohibit contact between victims and their traffickers
- Domestic violence protection orders require the victim be living with, or have lived with the trafficker in the past, which is not always the case. If the trafficking victim is a minor, the prosecutor would also need to establish a “dating relationship.” The relationship between a trafficker and his or her victim has been established for the purpose of exploitation. Therefore, categorizing it as “domestic violence” is inaccurate and counter to the real nature of these crimes.

LEGISLATION (SB 5029 - HB 1079)

Establishes a specific human trafficking protection order to protect victims from their traffickers. This criminal no contact order requires the defendant to stay away from the home, school, or business of the victim, and refrain from contacting, intimidating, or threatening the victim. A willful violation of the court order is a gross misdemeanor. Any law enforcement agency in the state can enforce the order.



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