



# 2017 LEGISLATIVE SESSION AG REQUEST LEGISLATION

## Extending the Statute of Limitations for Human Trafficking and Commercial Sexual Abuse of a Minor

Acknowledge the serious nature of human trafficking related offenses, including the commercial sexual abuse of children, and the power, control, and exploitation exerted over victims, by extending the statute of limitations. This will better allow prosecutors to punish traffickers, and victims to find justice.

### PROBLEM ONE: STATUTE OF LIMITATIONS

Currently, the statutes of limitations for human trafficking,<sup>1</sup> commercial sexual abuse of a minor,<sup>2</sup> and promoting commercial sexual abuse of a minor<sup>3</sup> are only **3 years** after the commission of these crimes. Victims of human trafficking are often under the control of their trafficker for significant periods and may be unwilling or unable to report their perpetrator until free from their control. Often, the statute of limitations has expired, creating a barrier to justice.

### PROBLEM TWO: DEFINITION OF COMMERCIAL SEXUAL ACTIVITY

Washington’s human trafficking laws have inconsistent definitions for commercial sexual activity, and some fail to recognize the reality of these crimes, which often involve an exchange of drugs for the commercial sex act. The statutes governing **commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, and promoting prostitution** must be made consistent with other human trafficking-related statutes.

### LEGISLATION (SB 5030 - HB 1078)

Improves Washington’s human trafficking-related laws by:

- Extending the statute of limitations for human trafficking to ten years after the commission of the crime – the same statute of limitations as non-lethal arson;
- Extending the statute of limitations for commercial sexual abuse of a minor and promoting sexual abuse to the victim’s **thirtieth birthday**, consistent with many other sex crimes committed against minors;<sup>4</sup>
- Replacing “fee” with “anything of value” to reflect the practical reality of the crimes, which often times involves an exchange of drugs for the commercial sex act.



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1: RCW 9A.40.100

2: RCW 9.68A.100

3: RCW 9.68A.101

4: Examples of crimes with similar statutes of limitations include child rape (RCW 9A.44.079), incest (RCW 9A.64.202), sexual exploitation of a minor (RCW 9A.68A.040), and child molestation (RCW 9A.44.083) are among the sex offenses that can be prosecuted until the victim’s thirtieth birthday if the victim is a minor.