

JUSTICE FOR VICTIMS OF TRAFFICKING ACT

- Creates a “Domestic Trafficking Victims’ Fund” within the Treasury, which the Attorney General can use to fund victims’ support programs for victims of human trafficking and child pornography. This fund is deficit neutral and financed through fines on persons convicted of child pornography, human trafficking, child prostitution, sexual exploitation, and human smuggling offenses. This fund will increase the federal resources available for domestic human trafficking victim support by up to \$30 million per year.
- Allows American citizens and lawful permanent residents who are victims of human trafficking to obtain official recognition of their status from the Department of Health and Human Services. Currently, only non-citizens are eligible for obtaining an official certification—creating confusion, and limiting the amount and quality of services available for domestic human trafficking victims.
- Creates a victim-centered model block grant to help States and local governments develop and implement comprehensive victim-centered programs to train law enforcement to rescue victims, prosecute human traffickers, and restore the lives of victims. This grant program will be funded entirely through the “Domestic Trafficking Victims’ Fund” created by the bill.
- Will increase the availability of restitution and witness assistance for trafficking victims by allowing all property involved in a human trafficking offense to be forfeited to the government, while allowing the Attorney General to use the Asset Forfeiture Fund to compensate victims who provide information or act as witnesses.
- Allows state and local human trafficking task forces to obtain wiretap warrants within their own state courts without federal approval in order to investigate crimes of child pornography, child sexual exploitation, and human trafficking.
- Improves the federal racketeering statute by allowing law enforcement to prosecute any person or entity that knowingly assists an organized crime enterprise in committing two or more acts of human trafficking. Current racketeering law only allows for prosecution of a person who participates in the “operation” or “management” of a criminal enterprise, not persons who provide material support from outside the enterprise’s management hierarchy.
- Requires regular reporting on the number of human trafficking crimes by making human trafficking a Part I offense for purposes of the Uniform Crime Reporting Program. Requires law enforcement to upload available photos of missing into the National Criminal Information Center database and to notify the National Center for Missing and Exploited Children of any child reported missing from a foster care family home or childcare institution.
- Reduces demand for human trafficking by clarifying current law and encouraging police, prosecutors, judges, and juries to target and punish persons who purchase illicit sexual activities from trafficking victims as human traffickers, rather than petty criminals
- Increases the maximum penalties for five human trafficking-related offenses: (1) enticement into slavery; (2) possession of slaves aboard vessels; (3) obstruction of a human trafficking investigation; and; (4) repeat child exploitation and trafficking offenders. Clarifies the sex tourism statute so that law enforcement no longer has to prove that the sexual exploitation of a minor was the sole or dominant reason for travel involving sex tourism.
- Reduces affirmative defenses for persons who exploit children through interstate prostitution—requiring them to show by clear and convincing evidence, rather than a preponderance of the evidence (current law), that they believed the child to be an adult.