



SENATE OF PENNSYLVANIA BILL SUMMARY

Senate Bill 851 Printer's No. 965

Prime Sponsor: Senator Greenleaf
Committee: Judiciary

SYNOPSIS:

This bill amends Title 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) to address the procedures applicable to victims of human trafficking who are encountered by law enforcement officers.

SUMMARY:

Safe Harbor for Sexually Exploited Children. This bill establishes the general rule that a law enforcement officer must report to the Department of Human Services any instance where a child under the age of 18 is engaged in prostitution or prostitution-related offenses, is a victim of human trafficking, or is otherwise suspected of being a sexually exploited child. The Department of Human Services must develop a statewide protocol and, in conjunction with county agencies, coordinate specialized services for sexually exploited children. The specialized services must include safe long-term housing, access to education, employment and life-skills training, trauma therapy, counseling, treatment for addictions, medical and dental care, and access to personal care items. The Department may operate safe houses.

Under the bill, law enforcement officers and prosecutors will undergo training on methods to identify and interview a sexually exploited child. The bill establishes the Safe Harbor for Sexually Exploited Children Fund in the State Treasury, which fund will be administered by the Department of Human Services. The Fund must be used for victim services and to finance a public awareness campaign to reduce demand for sex trafficking. The bill imposes monetary assessments on offenders who are convicted of trafficking offenses.

The bill amends Section 5902 of Title 18 (relating to prostitution and related offenses) to create a safe harbor for underage victims of human trafficking. After a reasonable detention for investigative purposes, a person suspected or charged with a prostitution offense will be immune from prosecution and may not be jailed, fined, or charged. The bill contains a non-exhaustive list of prostitution-related offenses for which charges may not be filed against an underage victim of human trafficking.

Tattoo Removal. This bill adds a new Section 3056 to Title 18 that provides relief in the form of reimbursement for the covering up or removal of tattoos applied by traffickers with an identifying mark. The reimbursement occurs only if the tattoo removal costs \$100 or more. The reimbursement is paid out of the Safe Harbor for Sexually Exploited Children Fund. If any expenses related to tattoo removal are subsequently covered by restitution or the proceeds of insurance or a civil suit, the claimant must reimburse the Fund for the full amount of tattoo removal expenses.

Effective Date: This bill is effective in 60 days.

BILL HISTORY:

There is no bill history during this legislative session.

Prepared by: Cawley 10/26/2015