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**Testimony in Support of Senate Bill 214
Presented to the House Judiciary Committee
By Attorney General Derek Schmidt**

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Mr. Chairman, members of the committee, thank you for this opportunity to present testimony in support of Senate Bill 214.

Two years ago, the Legislature adopted comprehensive reform to our state laws against the scourge of human trafficking. You toughened penalties, established support for victims, and made numerous other changes that are making a real difference in the lives of trafficking victims, particularly children. We have seen prosecutions under the criminal provisions of the new law, and we are providing support to victims. To put into perspective the difference you have made, consider just one fact: In 2009, the various grantees of the Office of the Attorney General reported providing services to two victims of human trafficking; in fiscal year 2014, our grantees reported serving more than 350 trafficking victims.

We are working to improve awareness, and awareness leads to intervention, support and, in appropriate cases, prosecution.

Senate Bill 214 builds upon the success we are achieving. It proposes four additional changes to the law.

First, it authorizes victims of human trafficking to go to court to seek civil relief for the harm caused to them. Currently, 35 states allow survivors of trafficking to sue their abuser. The language we have proposed is modeled on the Uniform Act on the Prevention of and Remedies for Human Trafficking.

Second, it amends the Child in Need of Care Code to include aggravated human trafficking of a minor. The CINC Code was updated in 2013 to include commercial sexual exploitation of a child, but not aggravated human trafficking. This change is needed to ensure that victims of aggravated human trafficking are afforded the protections available in the Child in Need of Care process.

Third, it clarifies the law related to recovery of restitution. The concept of restitution is embedded in current law, but in cases such as this it often is difficult to calculate the amount. This proposal is aimed at making the existing restitution provision more operational in the real

world, and it also adds the concept that in the event a trafficking victim does not seek or obtain restitution for himself or herself then restitution may be ordered to be paid to the Human Trafficking Victim Assistance Fund in order to help other victims.

Fourth, it makes a large number of conforming changes in various statutes to reference the new crime of Commercial Sexual Exploitation of a Child, which was created in 2013. Essentially, when we created this new crime, we failed to insert references to it in numerous places throughout the statutes. A similar problem, although less widespread, also existed with respect to the crimes Human Trafficking and Aggravated Human Trafficking, created in 2005. Thus, the bulk of this rather thick bill is devoted to making these important conforming changes and increasing uniformity in the role of these human trafficking-related crimes throughout the statutes.

Mr. Chairman, thank you for your consideration. We are making a positive difference for exploited Kansans, and I thank you and the committee for your dedication to this cause. This bill proposes that we take the next step and continue adopting measures that might properly be considered “best practices” nationwide. I encourage you to recommend it favorably, and I would stand for questions.

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