

Bill	<b>SB 78: Criminal Law - Human Trafficking - Victims Under Age 21</b>
Sponsor	Senator Forehand

## The Issue

- State laws protect minors from certain vices, such as alcohol, until they reach the age of 21, and protection from commercial sexual exploitation should be no different.
- Even though minors are defined as under 18, studies show that brain development continues well past this age. The brain reaches full adult weight at 21 and the areas of the brain that control risky behavior may not develop until age 25.<sup>1</sup>
- The susceptibility of older youth to human trafficking also continues beyond the age of 18. Older youth trafficking victims are low-cost, low-risk investments for traffickers because they are easily manipulated, easily replaceable, and can be sold repeatedly.
- The lack of state laws that protect older youth from commercial sexual exploitation makes them especially vulnerable to exploitation, since they are identified as prostitutes, rather than victims. This makes it easier for traffickers to isolate and control older youth victims.
- Older youth face similar long-term effects from the trauma they experience as victims of commercial sexual exploitation and sex trafficking.<sup>2</sup>

## Legislative Solution

Ensure that the state human trafficking law protects older youth by including victims up to age 21 under those protections.

## How SB 78 Addresses the Issue

- Includes victims up to age 21 as human trafficking victims for all human trafficking offenses.
- Accounts for the particular vulnerability of older youth as well as minors.
- Raises the stakes for traffickers who try to avoid serious penalties under the human trafficking law by exploiting vulnerable older youth.
- Protects a broader range of victims by making human trafficking a felony when the victim is under 21, regardless of the use of force, fraud or coercion.

<sup>1</sup>See U.S. Department of Health and Human Services Office of Population Affairs Adolescent Brain Development Module defining adolescence spanning the ages of 10-24. Available at: [http://www.hhs.gov/opa/familylife/tech\\_assistance/etraining/adolescent\\_brain/Overview/what\\_is\\_adolescence/index.html](http://www.hhs.gov/opa/familylife/tech_assistance/etraining/adolescent_brain/Overview/what_is_adolescence/index.html); see also, “Maturation of the Prefrontal Cortex” module available at: [http://www.hhs.gov/opa/familylife/tech\\_assistance/etraining/adolescent\\_brain/Development/prefrontal\\_cortex/index.html](http://www.hhs.gov/opa/familylife/tech_assistance/etraining/adolescent_brain/Development/prefrontal_cortex/index.html)

<sup>2</sup>House Resolution 2730, sponsored by Representatives Karen R. Bass (D-CA) and Tom Marino (R-PA) recommends extending specialized care and services to age 21 for foster care youth who have been trafficked.

