

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1217

DATE: April 13, 2011

Version: As introduced

Authors: Smith and others

Subject: Civil liability; sex trafficking victims

Analyst: Rebecca Pirius, 651-296-5044

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This bill creates a civil cause of action for a sex trafficking victim against a person who violates section 609.322 (crime of sex trafficking; solicitation, inducement, and promotion of prostitution). It authorizes the court to award damages, including punitive damages, attorney fees, and costs.

Paragraph (b) provides that evidentiary rules set forth in section 611A.83 apply to this new cause of action. Section 611A.83 outlines certain evidentiary protections for civil actions involving coercion for use in prostitution. Under this section, testimony and evidence produced in the case may not subject the plaintiff to criminal prosecution and may not be used against a testifier in any other investigation or proceeding. It also provides that evidence of convictions for prostitution or related offenses is inadmissible in the civil action for purposes of attacking the plaintiff's credibility. These evidentiary protections do not apply to any subsequent prosecution of a violent crime.