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Testimony before the
Senate Committee on Transportation, Public Safety,
and Veterans and Military Affairs
February 12, 2014
Senate Bill 552

Thank you, Chairman Petrowski for holding a hearing today on Senate Bill 552 which creates a civil cause of action for victims of commercial sexual exploitation.

Human trafficking is a global problem fueled by high profits and little fear of retribution for the perpetrators. It is second only to narcotics trafficking in worldwide criminal activity generating profits of more than \$32 billion annually, almost a third of which are generated in the United States. Law enforcement agencies from around Wisconsin acknowledge it is a growing concern in all our communities and are doing more to collect data on its prevalence in order to get a greater grasp of the true scope of the problem.

Senate Bill 552 allows an individual who is a victim of a commercial sex act – defined by the bill – to bring a civil action against their perpetrator and other individual who play a role in their exploitation whether or not criminal charges have been brought against that person or persons. A private right of action allows the victim to achieve greater compensation in the form of compensatory, punitive, and/or pecuniary damages. These remedies can help compensate victims for the physical and psychological abuse they suffered rather than simply supplying restitution.

Additionally, high punitive awards can place a substantial dent in the enormous financial profitability of human trafficking, creating a deterrence effect. The purpose of awarding damages in a civil action should be to deter the profitability of trafficking. Financial disincentives are important in combating trafficking because, unlike drugs or weapons which are one-time transactions, humans as products can be sold and resold repeatedly by forcing victims to prostitute themselves to multiple customers. Millions of dollars in profits can be amassed by traffickers in only one trafficking operation. Modern slavery exists because of the financial incentives, the victim's unfamiliarity with their surroundings in some cases; fear of law enforcement authorities, and, in many cases, lack of legal status. This gives the trafficker complete control of the victim often times making them fearful of escaping or seeking help.

This bill allows the victim who prevails in this action to collect actual and punitive monetary damages, costs and attorney fees, and any gross revenues earned by the actor related to his or her commercial sexual exploitation of the victim. These monetary awards will help survivors of human trafficking get their lives back on track.

I'm happy to answer any questions you may have.

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JILL BILLINGS
STATE REPRESENTATIVE

**Testimony in support of Senate Bill 552
Predator Accountability Act**

*Senate Committee on Transportation, Public Safety, Veterans and
Military Affairs
February 12, 2014*

Good morning Chairman Petrowski and members of the committee. I thank you for holding a public hearing on SB 552 which creates a civil cause of action for victims of human trafficking. The Predator Accountability Act was inspired, in part, by the June Kjome Social Justice Conference held last November in La Crosse. I was asked to draft this bill so victims and survivors of human trafficking would have the legal and financial means with which to get their lives back on track.

Under this bill, a person who is the victim of an act of commercial sexual exploitation may bring a civil action against the person who committed the act exploitation. Commercial sexual exploitation includes human trafficking and various forms of sexual exploitation. If the victim prevails in his or her action, he or she may collect damages any revenues earned by the actor related to his or her commercial sexual exploitation of the victim.

Many people do not know that human trafficking is the second largest criminal activity in the world - generating \$32 billion dollars in profits. Human trafficking is also a growing problem in Wisconsin. This bill would enable the victim to seek financial compensation for their injuries while holding the perpetrator legally responsible for their actions. In light of the enormous profits made and the damage inflicted upon victims, a civil suit with an award of monetary damages will help many victims in the process of recovery.

Thank you.