

March 20, 2007

S 1079. PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING. Filed 3/20/07. *PROVIDING PROTECTIONS FOR, AND CIVIL REMEDIES TO, VICTIMS OF HUMAN TRAFFICKING.*

Adds new GS Chapter 15D setting out protections for persons who are victims or possible victims of human trafficking, as defined in GS Chapter 14, Article 10A. Provides that these persons are entitled to state or local benefits or services, even if they are aliens not otherwise eligible. Sets out specific protections for possible victims and victims. Requires the Attorney General to contract with Legal Aid of NC, Inc., to carry out numerous responsibilities under the new statute. Requires law enforcement officials to assist trafficked persons in securing immigration status and federal benefits, and directs the NC Justice Academy to establish protocols and training for law enforcement officials for carrying out these responsibilities. Establishes a civil action that may be brought by trafficked persons against those guilty of human trafficking. Adds victims of human trafficking to the address confidentiality program established in GS Chapter 15C. Adds new GS 8-53.14 establishing an evidentiary privilege for trafficking victim counselors (as defined in section) for communications with victim. Appropriates \$800,000 for 2007-08 and \$800,000 for 2008-09 from the General Fund to the Department of Justice to carry out the act, specifying that \$700,000 must be allocated each year to Legal Aid of NC, Inc., for its contractual services under the act. Effective October 1, 2007.

Intro. by Kinnaird.

GS 8, 15A, 15C, 15D, APPROP

July 23, 2007

S 1079. PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING. Filed 3/20/07. Senate committee substitute makes the following changes to 1st edition. Deletes proposed new GS Chapter 15D (victims of human trafficking). Deletes proposed new GS 8-53.14 (trafficking victim counselor privilege).

Amends GS 14-43.11 (human trafficking) to provide that a person who is ineligible for NC state benefits or services due to not being a legal resident becomes eligible for services of any state agency if the person is a victim of an offense charged under the statute. The eligibility for the benefits terminates when the victim's eligibility to remain in the US terminates under federal law. Modifies proposed amendments to GS 15A-830(7) (defining *victim* for purposes of the Crime Victim Rights Act as a person against whom there is probable cause to believe one of a list of certain crimes has been committed) to remove the proposed addition of a person held in involuntary servitude [GS 14-43.12(b)] and a person subjected to sexual servitude [GS 14-43.13(b)].

Amends GS 15A-832 to require the district attorney to notify the Office of the Attorney General and Legal Aid of NC of human trafficking victims who qualify for state services. Modifies proposed amendments to GS 15C-4(c) to require a victim of human trafficking filing an application for the Address Confidentiality Program to submit documentation of the victim's application for federal assistance or benefits under federal human trafficking laws (was, documentation that the victim had applied for T or U nonimmigrant status).

Modifies proposed amendments to GS 15C-10 to direct the Attorney General to issue the victim a document entitling the person to have access to state benefits and services within 96 hours of receiving notice of the victim's status from the district attorney. Amends GS 7A-474.2(1) to include victims of human trafficking as eligible clients for assistance by Legal Aid of North Carolina (LANC). Amends GS 7A-474.3(b) to authorize LANC to assist human trafficking victims in obtaining federal benefits and services.

Requires the North Carolina Justice Academy to establish protocols for the training of state and local law enforcement officers.

Effective July 1, 2007, authorizes a non-recurring appropriation of \$50,000 from the General Fund to LANC for 2007-08 to provide legal assistance to human trafficking victims (was, appropriated from the General Fund to the office of the Attorney General of the Department of Justice \$800,000 for 2007-08 and \$800,000 for 2008-09 and designated \$700,000 to be allocated to contract with LANC and \$100,000 to implement the remainder of the act).

Except where otherwise noted, the act becomes effective December 1, 2007, and applies to offenses on or after that date. Makes additional conforming and organizational changes. Conforms the title.

July 31, 2007

S 1079. PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING. Filed 3/20/07. Senate amendments make the following changes to 2nd edition. Amendment # 1 deletes the proposed \$50,000 appropriation from the General Fund to Legal Aid of North Carolina Inc. and provides that the act becomes effective December 1, 2007, and applies to offenses committed on or after that date. Amendment # 2 modifies proposed GS 14-43.11(d) as follows: (1) provides that a person who is not a legal resident of North Carolina and is a victim of human trafficking must be otherwise eligible for the public benefit in order to receive state benefits or services; and (2) clarifies that the term *benefits* as used in the statute refers to *public* benefits.

September 4, 2007

SL 2007-547 (S 1079). PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING. *AN ACT PROVIDING PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING.* Summarized in *Daily Bulletin* 3/20/07, 7/23/07, and 7/31/07. Enacted August 31, 2007. Effective December 1, 2007.