

SAFE HARBOR FOR TRAFFICKING VICTIMS: CRIME VICTIMS - NOT CRIMINALS

Changes in Michigan law have adopted a victim-centered approach to sex trafficking victims.

The legislature had adopted Safe Harbor provisions which shield both minor and adult victims of sex trafficking from criminal liability for the prostitution related crimes they commit at the hands of their trafficker.

MINOR SEX TRAFFICKING

- Under 16 fully protected from prostitution charges¹
- Presumes a minor found in prostitution is a trafficking victim²
- Mandates Law Enforcement refer to CPS³
- Mandates CPS investigation - including **dependency** determination⁴
- Minor **dependency**: alleged to have committed a commercial sexual act⁵

[1] MCL 750.448, MCL 750.449

[2] MCL 750.451(6)

[3] MCL 750.451(7)

[4] MCL 750.451(8)

[5] MCL 712A.2(b)(3)(C)

ADULT SEX TRAFFICKING

Special Deferral of Prostitution Proceedings

- If prostitution committed as direct result of human trafficking.
- Victim proves more likely than not
- Under court supervision
- Avoids conviction for prostitution

MCL 750.541C

MINORS AND ADULTS

Clears past prostitution convictions they were forced to commit by their traffickers⁶

[6] ADULTS: MCL 780.621; MINORS: MCL 712A.18e



If you are a victim of human trafficking or have identified someone you think may need help, contact the National Human Trafficking Resource Center at: 888-3737-888.

The national, toll-free hotline, is available to answer calls from anywhere in the country, 24-hours a day, 7-days a week, every day of the year. **All calls are confidential.**