

Governor Quinn Signs Bill To Help Sex Trafficking Victims Rebuild Their Lives

Written by Katelyn Tye

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New Law Will Give Victims of Sex Trafficking a Chance to Appeal Prostitution Convictions

CHICAGO – August 6, 2011. Governor Pat Quinn today announced a new law that will help victims of sex trafficking who have been charged with prostitution by giving them the opportunity to clear their names. The new law gives victims of sex trafficking a chance to remove their convictions through a court of law.

“Sex trafficking is a truly reprehensible crime that preys on the most vulnerable. Victims deserve a chance to clear their records and rebuild their lives,” Governor Quinn said.

Illinois has taken major steps to address human trafficking by passing the 2006 anti-trafficking law and 2010 Safe Children Act, which helps support victims who were forced into the sex trade and have criminal records as a direct result of being trafficked.

Sponsored by Sen. Toi Hutchinson (D-Chicago Heights) and Rep. Karen Yarbrough (D-Maywood), Senate Bill 1036 allows defendants who are victims of human trafficking at the time of their prostitution convictions to file a motion to vacate the conviction if the defendant’s participation in the offense was the result of being a victim.

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Prostitution convictions limit victims' abilities to access housing, employment education, immigration status and parental rights. The bill also creates a new filing timeline for victims of sex trafficking because they often endure years of abuse at the hands of traffickers and customers before they are able to seek help.

"The most important thing about Senate Bill 1037 is that it makes sure that the judicial system has a mechanism to ensure that a person who has been the victim of a crime is not automatically considered a criminal," Sen. Hutchinson said. "It is good public policy to protect women and children who have been taken advantage of in this most heinous way. They can take the necessary steps to rebuild their lives and become functional members of society after suffering trauma of that magnitude."

"Victims of human trafficking are often forced into prostitution and other crimes against their own will, and too many of them are being prosecuted as criminals," Rep. Yarbrough said. "When we have evidence that involuntary human trafficking was the cause of the crime, even though the victim may not have had the ability or representation to prove it during trial, we must do the right thing and reverse their conviction so they can move on with repairing their lives."

The bill takes effect Jan. 1 and was supported by a variety of institutions, leaders and anti-crime organizations including the Chicago Coalition for the Homeless; Illinois Coalition Against Sexual Assault; Sargent Shriver Center on Poverty Law; Chicago Alliance Against Sexual Exploitation (CAASE); Lutheran Social Services of Illinois; Rape Victim Advocates; Girls Education and Mentoring Services (GEMS); Cook Co. Sheriff Tom Dart and DePaul University College of Law.

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