

State Senate
State of Tennessee



NEWS RELEASE

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Growth of human trafficking in Tennessee spurs alliance of TBI, local advocacy groups and state legislators

NASHVILLE, Tenn. -- The alarming growth of human trafficking in Tennessee has resulted in state legislators, the Tennessee Bureau of Investigation and other advocacy groups joining together to attack the problem of child prostitution and human trafficking in the state. The combined effort has resulted in a strong package of legislation that was approved during the recently adjourned legislative session. Bills sponsored by Senate Judiciary Committee Chairman Brian Kelsey (R-Germantown and Senate Health and Welfare Committee chairman Rusty Crowe (R-Johnson City), reflect the legislature's ongoing efforts to combat the problem; especially after a 2010 TBI study revealed an escalation in the crime.

"Trafficking and sex slavery in Tennessee are more prevalent than previously thought," said Senator Crowe. "I was pleased to join the fight with Senator Kelsey in co-sponsoring much of this legislation."

"I'm very proud of the work being carried out across the state to prevent human trafficking," state Senator Kelsey. "Organizations like the International Justice Mission (IJM) at Milligan College, and other Tennessee Colleges and Universities within our state are helping to raise awareness in combating human trafficking. Their efforts are at the front line in the battle to stop these terrible crimes."

Sarah Underwood, President of the Milligan Chapter of IJM said, "I am just happy that people so close to home are realizing the issue and taking action to fight it. It has been incredible to see that even little events or fundraisers like the ones we have had at Milligan College are starting to make a difference. People are starting to notice what is going on. They are beginning to become education and on fire. I am proud of Tennessee and especially my college population, for stepping up and showing determination to fight this evil. We need to continue to educate, tighten our law and pray."

The TBI report showed human sex trafficking is a widespread problem in Tennessee, with 78 of the 95 counties reporting the crime has occurred within their boundaries over a 24 month period. In addition the average age of a sex trafficking victim is 13, according to the study. In Washington and Carter Counties, there have been between 26 and 50 cases involving juveniles each. Regarding adult human trafficking, Washington County had 51 to 100 cases and Carter County had between 26 and 50.

“One in three children who run away from home is approached for commercial sexual exploitation within 48 hours of running away,” said Senator Crowe. “Since the TBI study was released, the legislature has worked very hard to address the problems we face with human trafficking, passing several new laws that strengthen penalties against traffickers in 2011, 2012 and this year.

“The Tennessee General Assembly has shown incredible leadership in the fight against human trafficking,” said Margie Quin, TBI Assistant Special Agent in Charge. “Members have leveraged the TBI report to pass sweeping changes to the TCA which strengthen our laws and increase our ability to protect children. Of the 21 counties that reported the highest number of kids being trafficked, 17 were rural. This is neither an urban problem nor a foreign national problem. The TBI study demonstrates this to be an everywhere and anybody problem and the stakes are Tennessee’s kids.”

Senator Crowe said the TBI has gone above and beyond in working with legislators and various anti-trafficking groups in the state on the bills enhancing penalties against those who patronize or promote the illegal act.

Human trafficking bills passed this year include:

- [Senate Bill 1032](#), which increases the charge of promoting the prostitution of a minor from a Class E felony to a Class A or B felony.
- [Senate Bill 1027](#), which allows children who are victims of trafficking for commercial sex acts and patronizing prostitution the opportunity to testify outside of the courtroom by using a two-way closed circuit television. Currently, the same courtesy is afforded to victims of aggravated sexual battery, rape, incest, aggravated child abuse, kidnapping, aggravated kidnapping, especially aggravated kidnapping and criminal intent to commit any of the offenses above.
- [Senate Bill 1028](#), which extends the statute of limitations for commercial sex acts and soliciting the sexual exploitation of a minor to ten years after the victim turns 18 and patronizing and promoting prostitution of minor to 15 years after the victim has turned 18. In many instances, victims are unaware of the fact they are victims at the time of their 18th birthday. This legislation would allow them more time and maturity to make that realization.
- [Senate Bill 1030](#), which prohibits defendants from using consent as a defense in the cases of solicitation, sexual exploitation of a minor, aggravated sexual exploitation of a minor and especially aggravated sexual exploitation of a minor.
- [Senate Bill 1033](#), which creates a new Class D felony offense for promoting travel for prostitution. The bill also deletes the definition of “sexual servitude” and

changes it to “commercial sex act” and ensures that the purchase is an offense punishable under Tennessee law.

- [Senate Bill 1034](#), which would create grounds for the termination of parental rights when a parent or guardian is convicted of trafficking for commercial sex acts.
- [Senate Bill 1035](#), which provides defendants or victims of sex trafficking restitution of special damages that include medical- and counseling-related expenses the victim incurred as a result of sex trafficking and other offenses.
- [Senate Bill 1036](#), which would create a Human Trafficking Task Force. The group would be composed of 19 members and would be charged with the duty of creating a plan for the prevention of human trafficking within the state. The chairman of the committee would be appointed by the governor and the remaining members by various departments.
- [Senate Bill 1038](#), which adds trafficking for commercial sex acts, promoting prostitution, patronizing prostitution, solicitation of a minor, soliciting the sexual exploitation of a minor and exploitation of a minor by electronic means to the list of criminal acts that can constitute a charge of unlawful debts.
- [Senate Bill 1390](#), which broadens the definition of custodian to include anyone who physically possesses or controls a child. This new law enables Child Protective Services to remove a child from the care of a trafficker in cases in which the trafficker is not a parent, guardian or legal custodian, which, under current law, are the only people considered custodians.
- [Senate Bill 446](#), which adds aggravated sexual exploitation of a minor, trafficking for commercial sex acts, patronizing prostitution and promoting prostitution, to the list of offenses for which a minor or a law enforcement officer posing as a minor might be solicited. According to the Tennessee Department of Corrections, there has been an average of almost 15 admissions each year over the past 10 years for trafficking for commercial sex acts, patronizing prostitution, promoting prostitution, and aggravated sexual exploitation of a minor.
- [Senate Bill 1029](#), which adds trafficking for commercial sex acts to the list of gang-related offenses.
- [Senate Bill 1031](#), which would prohibit the lack of knowledge of a person’s age as a defense against the charges of patronizing prostitution or soliciting the sexual exploitation of a minor. The legislation does provide an exception to this prohibition in instances where the defendant and victim are within four years of age of each other.

I appreciate the work of the TBI, Senate Judiciary Committee Chairman Brian Kelsey, the students at Milligan College, other university groups and advocate who have worked to help us bring our laws up to date so we can truly begin to attack the problem,” added Senator Crowe. “Traffickers go after the most vulnerable citizens in our society. We must strengthen our laws to attack this problem. These bills will go a long way in helping us in this effort.”

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