Wisconsin Department of Justice Review of Policy Approaches Used to Combat Trafficking

The following categories represent a variety of policy approaches used throughout the U.S. to combat human trafficking. A " \checkmark " in the title indicates that Wisconsin has a law that falls within that category. Please note that state statutes within each category vary greatly and most do not provide the same level of relief to victims of labor trafficking as is provided to victims of sex trafficking.

Immunity

• Trafficked victims cannot be charged with crimes committed as a result of being trafficked.

Affirmative Defense

 Victims can assert, as an affirmative defense, that offenses were committed as a result of being trafficked.

Record Clearing

• Victims of trafficking with a conviction for prostitution (or related non-violent offenses) can petition the court to have the conviction expunged or vacated.

Demand Focused

Solicitation and labor violations are aggressively investigated and prosecuted;
 substantial fines are levied on perpetrators.

Safe Harbor

• Victims receive statutorily created and supported services and are provided specific legal protections (such as immunity and pre-trial diversion).

Civil Damages

 Courts are permitted to award actual and punitive damages to victims of human trafficking.

Pre-trial Diversion

• Justice officials are given discretion to divert [so-called] offenders who have been trafficked into programs and services rather than charge them.

Fund Victim Services

- Legislative appropriations are ear-marked for services for HT victims.
- Fines on traffickers & johns are ear-marked to pay for HT victim services.
- A Treasury fund is created from siezed assets to fund anti-HT initiatives.

State Coordination

- A state-funded HT Coordinator or HT Council has statutory duties to build capacity and collaboration throughout the state.
- Mandatory training is legislated for state & county personnel.