Denver Anti-Trafficking Alliance (DATA)

**House Bill 14-1273 “Human Trafficking”**

Representatives McCann & Wright and Senators Newell, Schwartz & Kefalas

**Background:** Prior to House Bill 1273, there have been several legislative efforts in Colorado to address the issue of Human Trafficking. Colorado statutes 18-3-501, 502 and 503 were passed in 2006 to address human trafficking; however, these laws lack critical elements of the federal Trafficking Victims Protection Act (TVPA) definition of the crime, making it difficult to successfully hold traffickers accountable and provide justice for victims. HB1273 brings the language and elements of Colorado’s human trafficking laws in line with the federal definition of human trafficking and the Uniform Code.

**What House Bill 1273 does:**

* Repeals and reenact, with amendments, existing provisions
* Provides a comprehensive definition of human trafficking, in line with the TVPA and the Uniform Code
* Extends Rape Shield Act provisions to crimes of human trafficking protecting victims’ rights
* Makes sex trafficking of a minor a sex offense against a child
* Eliminates the affirmative defense that a minor consented to be involved in sex trafficking
* Eliminates the affirmative defense of mistake of age for a minor in sex trafficking
* Creates mandatory restitution in human trafficking cases where appropriate
* Creates a Colorado Human Trafficking Council to coordinate state-wide efforts to combat trafficking

**Why this legislation is needed:\***

* High levels of ***international travel, tourism, immigrant population and runaway/homeless youth*** contribute to labor and sex trafficking in Colorado.
* Approximately ***441 people*** aged 12-60 were confirmed or suspected to have been **victims of sex trafficking** in Colorado between January 1, 2006 and December 31, 2013.
* **Labor trafficking** in Colorado has been found in migrant and agricultural labor, construction, restaurant, hospitality, child labor (magazine crews), hotel housekeeping, and domestic work and child care industries.
* ***50-85% of victims*** exploited for sexual servitude were formally or are currently in the child welfare system.
* ***Gaps in legislation*** limit Colorado’s ability to provide effective prosecution of traffickers.

**How the Bill Supports Public Safety & Justice:**

* ***Refines previous legislation*** addressing human trafficking in Colorado to provide further clarity to increase prosecution and conviction of human trafficking offenders.
* ***Aligns Colorado with promising practices*** that will promote social justice and protect the inherent human rights of all people who have been victims of human trafficking.
* ***Creates opportunities for Colorado stakeholders*** to build a strong multidisciplinary interagency network to support and provide comprehensive care to victims of human trafficking.

**DATA Public Policy Committee Members:**

Amy’s House

Arapahoe County Attorney’s Office

Adam’s County Attorney’s Office

Colorado Attorney General’s Office

Colorado Coalition Against Domestic Violence

Colorado Coalition Against Sexual Assault

Colorado Department of Human Services

Colorado Immigrant Rights Coalition

Colorado Organization for Victim Assistance

Denver Archdiocese

Denver City Attorney’s Office

Denver Department of Human Services

Denver District Attorney’s Office

Denver Juvenile Services Center/Safety Youth Programs

Denver Police Department

Educate 2 Protect

Focus on the Family

Jefferson County District Attorney’s Office

Jefferson County Human Services

Laboratory to Combat Human Trafficking

Rocky Mountain Children’s Law Center

Rocky Mountain Innocence Lost Task Force

Rocky Mountain Victim Law Center

Social Wellness Advocacy Network Colorado

Human Trafficking Task Force of Southern Colorado

Southern Peaks Regional Treatment Center, The Haven

University of Denver Human Trafficking Center

**For more information:** contact Becky Bullard, Denver Anti-Trafficking Alliance (DATA) Director, at rob@denverda.org