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**MEMORANDUM**

**TO:** All House Members  
**FROM:** Representative Brian Ellis *B7C*  
**DATE:** October 31, 2011  
**SUBJECT:** Cosponsorship—Human Trafficking

In the near future, I plan to introduce legislation which will amend Title 18 and Title 42 to further build on Pennsylvania's commitment to respond to the human tragedy that is brought about by those engaged in promoting the enslavement of others through prostitution and the trafficking of persons for commercial sex.

Currently, Trafficking in Persons occurs under Pennsylvania law when a person knowingly traffics or attempts to traffic another person, knowing that the victim will be subjected to forced labor or services. My bill will ensure that the present human trafficking law addresses the specific problem of sexual exploitation by adding "commercial sex" to the prohibitions against forced labor and services. "Commercial sex" will be defined to include sexual acts performed or provided by persons under 18, or sexual acts performed by those over the age of 18 as a result of another person placing them in fear of harm, physical restraint or coercion, through abuse of the law or legal process, or by withholding important documentation such as passports or immigration papers.

In addition to strengthening the existing crime of Human Trafficking, my bill will create new ways to prevent and correct the problems created by the human trafficking of individuals for commercial sex. To accomplish this goal my bill will create the new offense of Selling or Buying of Minors into Commerical Sex to allow for the prosecution of parents who sell or transfer the custody of their children knowing that their children will then engage in commercial sex and a new civil action for individuals who have been coerced into prostitution.

According to the US Department of Justice, sexual exploitation is a significant part of human trafficking. Women often become enslaved to perform sexual acts believing they are lawfully emigrating from their home country to pursue economic opportunities in the United States. Some who leave their homeland knowing that they will work as prostitutes are led to believe it will be temporary, and that they will be able to transfer to legitimate work after they have established the ability to do so, only to find they remain under the control of the trafficker. Some pay others to arrange transportation to the United States and are then assessed additional "charges" when they arrive and are forced to "work off" their debt through prostitution.

My bill will hold those accountable who take advantage of our children and subject them to commercial sex. Furthermore, my bill will allow individuals who have been subjected to this conduct and similar coercion into prostitution the ability to hold those who have taken advantage of them civilly liable.

If you are interested in joining me as a co-sponsor of this legislation please contact: Bethann Gebhart at [bgebhart@pahousegop.com](mailto:bgebhart@pahousegop.com).