

Joint Committee on Ways and Means

Carrier – House: Reps. Hanna/Barker  
Carrier – Senate: Sens. Winters/Brown

Revenue: No revenue impact

Fiscal: Fiscal statement issued

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Action: Do Pass as Amended and Be Printed B-Engrossed

Vote: 21 – 0 – 0

House – Yeas: D. Edwards, Galizio, Garrard, Hanna, Jenson, Morgan, Nathanson, Nolan, Shields  
– Nays:  
– Exc:

Senate – Yeas: Bates, Carter, Devlin, Gordly, Johnson, Morse, Nelson, Schrader, Verger, Westlund, Whitsett, Winters  
– Nays:  
– Exc:

Prepared By: Tim Walker, Legislative Fiscal Office

Meeting Date: 6/20/07

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**WHAT THE MEASURE DOES:** Creates the crime of subjecting another person to involuntary servitude in the first and second degree with first degree set as a Class B felony and second degree as a Class C felony. Creates the crime of trafficking in persons and sets the penalty as a Class B felony. Allows the victim to seek restitution from a convicted defendant for the gross income or value to the defendant of the victim's labor or services or the value of the victim's labor or services computed using the Oregon minimum wage and overtime provisions of the Fair Labor Standards Act. Includes the crimes of involuntary servitude and human trafficking within Oregon's racketeering statute. Allows commencement of a civil action 6 years, rather than 2 years, after conduct constituting human trafficking occurred. Creates a civil cause of action for damages against the person involved in trafficking. Creates a civil cause of action for damages against the person involved in trafficking. Allows a victim to raise the defense of duress when the victim was forced to commit a crime.

**ISSUES DISCUSSED:**

- Slavery
- Reporting to ICE versus State
- Coercion statute
- Relation to kidnapping

**EFFECT OF COMMITTEE AMENDMENT:** Deletes the requirement to establish the Task Force on Trafficking in Persons.

**BACKGROUND:** Human trafficking is a form of modern-day slavery. Victims of human trafficking are young children, teenagers, men and women. Approximately 800,000 to 900,000 victims annually are trafficked across international borders world wide, and between 14,500 and 17,500 of those victims are trafficked into the U.S., according to the U.S. Department of State. Victims of human trafficking are subjected to force, fraud, or coercion, for the purpose of sexual exploitation or forced labor.