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**Attorney General Balderas, Representatives Louis and Thomson to Present Bill to Strengthen Protections for Victims and Survivors of Human Trafficking**

*Santa Fe, NM*---Attorney General Hector Balderas and Representatives Georgene Louis and Elizabeth Thomson have introduced House Bill 56, which is aimed at modernizing New Mexico's anti-human trafficking laws to protect the rights of human trafficking victims and survivors, particularly children who are trafficked in the State. The bill, which was passed unanimously by the House of Representatives during the 2020 legislative session, will have its first committee hearing today in the House Consumer and Public Affairs Committee.

"Human trafficking is one of the most violent crimes in our society, and our laws are severely outdated and do not protect the interests of those who are subject to this horrific abuse," said Attorney General Balderas. "I am grateful for the leadership of Representatives Louis and Thomson, as we fight to ensure to end the scourge of human trafficking in New Mexico."

Representative Louis added: "House Bill 56 seeks justice by helping the most vulnerable and holding wrongdoers accountable for their actions. Native Americans make up 11% of New Mexico's population but account for a quarter of trafficking victims. This session is ripe to get this bill passed."

"The crime of human trafficking may seem invisible for many, but this horrendous crime is all too common and it leaves deep and lasting damage on its victims," said Representative Elizabeth Thomson. "With this legislation, we are working to aid the victims and the law enforcement officials who are seeking justice against human traffickers, and passing these much-needed reforms will be a real step forward in ending human trafficking in New Mexico."

House Bill 56 strengthens New Mexico's laws against human trafficking, especially for trafficking a minor. The bill:

- Brings New Mexico's anti-human trafficking statutes in line with national standards to ensure that a trafficker will be held accountable for their isolation of a victim or survivor from sources of help and the creation of dependency in them;
- Expands safe harbor provisions so that survivors of trafficking will not be criminally liable for forced prostitution;
- Incorporates protections against the exploitation of a victim or survivor's sexual history or history of commercial sexual activity and reputation evidence of sexual conduct as not having bearing on whether a victim or survivor has been trafficked;

- Clarifies that a minor cannot consent to being trafficked for sex;
- Makes individual acts of trafficking clearly and separately punishable under the law;
- Makes human trafficking an underlying offense to racketeering so that New Mexico law enforcement may investigate and prosecute traffickers that operate as a criminal enterprise;
- Requires that traffickers forfeit any ill gotten gains from trafficking other human beings;
- Increases the statute of limitations for prosecuting the crime of human trafficking, as victims and survivors are often conditioned by their trafficker to distrust police, are discouraged or threatened from reporting their crime, or are isolated from means of help;
- Establishes that human trafficking is a serious violent offense under New Mexico law;
- Updates the Notification of Crime Victims Act to ensure that human trafficking survivors, who are currently not given the same rights of notice and an opportunity to confront their abusers like other survivors of violent crime, are given the same rights, and that children are afforded the same;
- Makes human trafficking a registerable offense under New Mexico's current Sex Offender Registration Notification Act;
- Increases the basic sentence for a human trafficking conviction, which current New Mexico law punishes less severely for trafficking a person than trafficking a controlled substance.

The full text of House Bill 56 can be found here:

<https://www.nmlegis.gov/Sessions/21%20Regular/bills/house/HB0056.pdf>

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