

Treating Trafficking Offenders as Violent Offenders



It's a brutal, violent crime; there needs to be strong action.

HB 294 updates the law to better reflect the seriousness of human trafficking or promoting human trafficking by treating those convicted of such heinous crimes as violent offenders and requiring that they serve no less than 85 percent of the sentence imposed before being eligible for probation or parole. Previously, the minimum time required to be served was often only 20 percent.

Human Trafficking

Those who are guilty of intentionally subjecting one or more persons to forced labor or services or commercial sexual activity through the use of force, fraud, or coercion.

- Guilty of a Class C Felony (5-10 years imprisonment)
- BUT currently eligible for parole after just 1-2 years.
- HB 294 would require 4.25-8.5 years be served before parole.

Human Trafficking Which Involves Serious Physical Injury to the Victim or a Minor

When serious physical injury is caused or a minor is involved, it is treated more seriously.

- Guilty of a Class B Felony (10-20 years imprisonment)
- BUT currently eligible for parole after just 2-4 years.
- HB 294 would require 8.5-17 years be served before parole.

Human Trafficking a Minor Which Involves Serious Physical Injury to the Victim

When serious physical injury is caused, the crime is treated more seriously.

- Guilty of a Class A Felony (20-50 years imprisonment)
- BUT currently eligible for parole after just 2-8 years.
- HB 294 would require 17-42.5 years be served before parole.

Promoting Human Trafficking

Those who are guilty of intentionally benefiting financially or receiving something of value from knowing participation in human trafficking or recruits, entices, harbors, transports, provides, or obtains by any means another person (or attempts to do so), knowing that the person will be subjected to human trafficking.

- Guilty of a Class D Felony (1-5 years imprisonment)
- BUT currently eligible for parole after just 4 months-1 yr.
- HB 294 would require 10.2 months-4.25 years be served before parole.

Promoting Human Trafficking of a Minor

- Guilty of a Class C Felony (5-10 years imprisonment)
- BUT currently eligible for parole after just 1-2 years.
- HB 294 would require 4.25-8.5 years be served before parole.

Note: Ranges for current parole eligibility determined by 501 KAR 1:030.