

## HUMAN TRAFFICKING LAWS IN WISCONSIN

Last update January 2019

Human trafficking is prohibited by federal and state law. The elements of human trafficking involve the full process of trafficking from initial recruitment of the victim to the exploitation of the victim. Attempts to traffic are also a crime.

Sex trafficking of children is a crime that involves the use of children in the commercial sex industry, whether or not any force, fraud or coercion is involved. **Any involvement of a minor in sexual acts for money or anything of value, including basic survival needs, is against the law.** 

## Trafficking of a Child (Wis. Stat. § 948.051)

ACTION:	<b>→</b>	FOR THE PURPOSE OF:
Knowingly		Commercial sex acts
Recruits or Entices or Provides or Obtains or Harbors or Transports or Patronizes or Solicitsany childOR Knowingly attempts to do		NOTE: Whoever benefits in any manner from a violation is guilty of a Class C felony if the person knows that the benefits come from the trafficking of a child.



## **Human Trafficking (Wis. Stat. § 940.302)**

ACTION:	DONE BY ANY OF THE FOLLOWING:	FOR THE PURPOSE OF:
Recruiting	Causing or threatening to cause bodily harm to any individual	Labor
or	or	or
Enticing	Causing or threatening to cause financial harm to any individual	Services
or	causing of threatening to cause finalicial flatfit to any individual	or
Harboring	Restraining or threatening to restrain any individual	A commercial sex act
or	or	A confinercial sex act
Transporting	Violating or threatening to violate a law	
	or	
or Providing	Destroying, concealing, removing, confiscating, or possessing, or	
_	threatening to destroy, conceal, remove, confiscating, or possessing, or	
or Obtaining		
Obtaining	or purported passport or any other actual or purported official	
an individual	identification document of any individual	
an individual	or Cotootion	
OD	Extortion	
OR	Or Found on deposition	
	Fraud or deception	
Attempting to	or	
do so	Debt bondage	
	or	
	Controlling any individual's access to an addictive controlled substance	
	or	
	Using any scheme, pattern, or other means to directly or indirectly, coerce,	
	threaten, or intimidate any individual	
	or	
	Using or threatening to use force or violence on any individual	
	or	
	Causing or threatening to cause any individual to do any act against the	
	individual's will or without the individual's consent	

## **Additional Wisconsin Human Trafficking Laws:**

- Child sex trafficking is classified as child abuse for the purpose of county and state child protection intervention and services. Wis. Stat. § 48.02 (1) (cm)
- Patronizing a child is a Class G felony under Wis. Stat. § 948.081.
- Third and subsequent offenses for patronizing (adults) is a Class I felony under § 944.31.
- Whoever knowingly receives compensation from the earnings of debt bondage, a person engaged in prostitution, or a commercial sex act is guilty of a Class F felony. Wis. Stat. § 940.302 (2) (c)
- A victim of trafficking for the purpose of a commercial sex act may request a court to vacate a conviction, adjudication, or finding, or to expunge the record for a violation of prostitution. Wis. Stat. § 973.015 (2m)
- In criminal proceedings alleging human trafficking, evidence of similar acts by the defendant(s) may be admissible as evidence of the person's character without regard to whether the victim of the crime is the same as the victim of the similar act. Wis. Stat. § 904.04 (2)

NOTE: Federal laws against human trafficking can be viewed at: <a href="https://www.dhs.gov/human-trafficking-laws-regulations">https://www.dhs.gov/human-trafficking-laws-regulations</a>