

SB18-055
CONCERNING THE CRIMES AGAINST CHILDREN SURCHARGE IN CASES
INVOLVING TRAFFICKING OF CHILDREN

Senator Tim Neville
Representatives Edie Hooton and Kevin Van Winkle

(this bill passed the Senate Finance Committee
unanimously and passed on the Senate consent calendar)

The Crimes Against Surcharge was created by statute in 2006. There have been two additional enhancements. The Surcharge benefits the 15 nationally accredited Children's Advocacy Centers (CACs) throughout the State. There are more than 880 CACs in the United States. The Surcharge is paid by perpetrators who physically and sexually abuse children.

The Children's Advocacy Centers work with a multi-disciplinary team of professionals, comprised of the District Attorney, law enforcement, human services, medical and mental health professionals, a trained forensic interviewer and family/victim advocates. Children who have made an outcry of sexual abuse are taken to the CAC in their judicial district for a forensic interview and follow up services. The CAC remains involved throughout the investigation of the case.

FOCUS OF HB18-55

The focus of this bill is on human trafficking. The CACs work with the FBI on these cases. While the Surcharge fund is intended to penalize perpetrators, a judge may waive the fees if the person is found to be indigent. SB 55 requires the fines to be doubled, understanding that traffickers may still claim indigency. However, the court is required to delay any finding of indigency for 6 months following conviction.