Illinois legislation takes on sex trafficking, but dangers remain

By CRIntern, April 6, 2012 at 1:30 pm

A bill unanimously passed in the Illinois State House last week could make it easier to charge and convict cases of sex trafficking. But victims would still need to come forward and take the dangerous step of identifying the trafficker.

Sponsored by state Rep. Kelly Cassidy, HB 5278 eases requirements for convicting traffickers by broadening the legal definition of coercion beyond physical force. It will be voted on in the Illinois Senate by May 25.

"We're trying to make the law line up with what happens with real people when it comes to sex trafficking," said Daria Mueller, associate director of state affairs at the Chicago Coalition for the Homeless. The Chicago Coalition, in partnership with End Demand Illinois, has been central in pushing for the new legislation.

While the law would impact all instances of trafficking, Rep. Cassidy and advocates behind the new bill are most concerned with sex trafficking.

A 2008 study of 100 Chicago sex workers working under a pimp found that while 43 percent "could not leave without physical harm," even more were subjected to other forms of coercion: 76 percent suffered verbal abuse and 62 percent had money withheld.

As the law stands now, most of these forms of intimidation don't classify as trafficking.

"Unless there's been physical violence, it's difficult to bring a charge against a trafficker," said Professor Jody Raphael, senior research fellow at DePaul University College of Law and one of the authors of the study.

The proposed bill redefines "involuntary servitude" as "any scheme...that causes the person to believe that, if the person did not perform such labor or service, that person or another person would suffer serious harm or physical restraint." This would include financial, psychological, or
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