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Governor Mike Dunleavy STATE OF ALASKA

February 7, 2023

The Honorable Gary Stevens
Senate President
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear President Stevens:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill to clarify and improve Alaska's sex trafficking and human trafficking laws; establish the crime of patron of a victim of sex trafficking; and create a process for a sex trafficking victim convicted of prostitution to have that conviction vacated.

Alaska's sex trafficking and human trafficking statutes do not adequately address the serious nature of these offenses or provide sufficient protections for underage victims. The current language in these statutes is archaic and fails to address the realities faced by individuals forced into the labor or sex trade, creating situations where victims are unaided and perpetrators go undetected.

This legislation will restructure the human trafficking and sex trafficking statutes to address the realities of how these offenses are committed and to protect underage victims. The bill increases the penalties for all forms of trafficking, placing the most serious classification on those crimes that use force to traffic an underage person. Sex trafficking in the first, second, and third degree is now treated as a sex offense for purposes of sentencing, thereby enhancing the penalties. Sex trafficking in the first and second degree would also require sex offender registration, while sex trafficking in the third degree would not require registration.

The legislation also establishes the new crime of "patron of a victim of sex trafficking." While it is crucial to target those who traffic individuals, it is equally important to address those who create a demand for victims of sex trafficking, specifically underage victims.

The legislation also targets persons who patronize those engaging in sex work. First, it increases the penalties for this conduct and establishes mandatory minimums based on the number of times a person is convicted. If a person is convicted three times within five years, the offense will

become a felony. Sex trafficking would not exist without those who pay for sex. We cannot begin to address this scourge if we continue to look the other way as people continually fund the sex trafficking industry.

Finally, the legislation establishes a mechanism by which a person convicted of prostitution or low-level drug possession can request that the conviction be vacated if they were a victim of sex trafficking at the time of the offense. The threat of being charged with a crime is often something that traffickers will use to continue to control their victims. It is important for society to recognize that these victims often have no other choice, and they should not be treated as criminals when they are, in fact, victims themselves.

Human trafficking and sex trafficking are insidious crimes that ruin lives. It is time that our statutes adequately address the devastation this predatory conduct has on our society and protect those who need it most.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "m2" and "mg" joined together.

Mike Dunleavy
Governor

Enclosure