

## Committee on Criminal Justice

### **CS/SB 1294 — Victim and Witness Protection**

by Fiscal Policy Committee and Senators Flores, Grimsley, Sachs, and Bullard

The bill increases protections for minors and victims of human trafficking. Specifically the bill:

- Increases the eligible age of a child victim or witness who may have his or her testimony videotaped or who may testify by closed circuit television from under 16 years of age to under 18 years of age;
- Increases the age of under 16 to under 18 to extend the protections of court orders intended to protect a victim or witness from severe emotional or mental harm due to the presence of the defendant and in the definition of “sexual offense victim or witness;”
- Allows a person appointed by the court pursuant to s. 914.17, F.S., to make a motion to the court to enter a protective order on behalf of the victim or witness;
- Eliminates a potential defense to human trafficking crimes by specifying that a victim’s lack of chastity or the willingness or consent of a victim is not a defense to prosecution if the victim is under 18 years of age at the time of the offense; and
- Amends the Rape Shield Law to include prosecutions for human trafficking and lewd or lascivious offenses in which the admission of certain evidence about the victim is limited.

If approved by the Governor, these provisions take effect July 1, 2016.

*Vote: Senate 40-0; House 114-0*