

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 3946

STATE OF NEW JERSEY

DATED: JUNE 11, 2026

The Senate Judiciary Committee reports favorably Senate Bill No. 3946.

This bill establishes human trafficking response teams; expands the crime of human trafficking and eliminates the statute of limitations for human trafficking crimes; modifies training and education requirements related to human trafficking; and appropriates \$1 million to the New Jersey Commission on Human Trafficking.

Human Trafficking Response Teams

Under the bill, the county prosecutor's office in each county is required to establish a Human Trafficking Response Team, or enter into a collaborative agreement with another county to share the services of that county's response team. The response team is to be comprised of at least one of the following: (1) a law enforcement officer; (2) at least one health care professional with experience in mental health care and substance use disorder treatment; (3) a person with experience in the investigation of human trafficking by the Department of Labor and Workforce Development, or the Division of Child Protection and Permanency or the Institutional Abuse Investigation Unit in the Department of Children and Families; and (4) in counties in which a child advocacy center or multidisciplinary team has been established, a representative of the child advocacy center or multidisciplinary team. Response team members are required to complete a training program related to human trafficking risks and prevention.

The Attorney General is required to either establish a State Human Trafficking Response Team that consists of the same members as provided in categories (1) through (4) above; or attend a county response team meeting as it relates to cases within that county that are prosecuted by the Department of Law and Public Safety.

The Attorney General is required to adopt rules and regulations to effectuate the purposes of this bill, and is required to establish guidelines governing a county Human Trafficking Response Team's response to a report of human trafficking.

Attorney General Guidelines for Investigation

In response to a report of human trafficking at the request of a victim of human trafficking, or a report of suspected human trafficking

in accordance with guidelines established by the Attorney General, the response team is required to:

(1) facilitate the investigation, management, and disposition of the report;

(2) provide treatment, counseling, legal, and forensic medical services to a victim of human trafficking in accordance with the standard protocols developed by the Attorney General; and

(3) provide appropriate referrals for medical and social service agencies; information regarding the identification and treatment of health care needs associated with human trafficking; and appropriate follow-up care for human trafficking victims and their families.

Funding for Human Trafficking Response Teams

The bill appropriates \$750,000 from the General Fund to the New Jersey Commission on Human Trafficking to be used for the formation and maintenance of county-based multi-disciplinary teams. To the extent possible, the Legislature is required to ensure that sufficient appropriations are provided annually to maintain the human trafficking response teams established under the bill.

Liability Specific to Advertisers

Under the bill, an advertisement or offer for employment or dating is required to include an educational message on human trafficking, to be displayed in a clear and conspicuous manner, and establishes criminal and civil penalties for failing to comply with this requirement. A person who violates this requirement is guilty of a crime of the third degree and is subject to a civil penalty of not less than \$250,000. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both. The bill provides that a person who commits a second or subsequent offense is to be sentenced to an extended term.

Expansion of Criminal Liability

The bill eliminates the statute of limitations for human trafficking crimes, and the crime of sexual contact. The bill also amends current law to provide that an attempt to commit the crime of human trafficking is a crime of the first degree, the same degree under current law for committing the crime or a conspiracy to commit the crime. A crime of the first degree is punishable by a term of imprisonment of 10 to 20 years, a fine of up to \$200,000, or both.

The bill further provides that a victim who suffers an injury or loss as a result of human trafficking, may bring a civil action against a person who commits the crime of human trafficking, a person who acts in concert with the perpetrator, and a person who directly *or indirectly* knowingly, or with reckless disregard, benefits from the crime. The bill defines “knowing” or “knowingly” to mean, with respect to information, that a person: (1) has actual knowledge of the

information; or (2) acts in deliberate ignorance of the truth or falsity of the information; or (3) acts in reckless disregard of the truth or falsity of the information.

The provisions of the bill provide that monetary damages imposed on a corporation or other entity, or a representative in a civil action are to be limited to the policy limits of an applicable insurance policy held by the corporation or other entity if it reports an allegation of child abuse or neglect in a timely manner. The bill also expands the crime of failure to report an act of child abuse or sexual abuse of a child, by adding provisions concerning a person's efforts to prevent or attempt to prevent the making of a report. Such criminal prevention efforts would be graded as a crime of the fourth degree, punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both. If an employer engaged in such criminal prevention efforts, the employer would be guilty of a crime of the third degree, punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both.

In addition to damages and other equitable relief, the bill also requires an order of restitution to the victim of the offense or the prosecutorial or law enforcement entity responsible for investigating or prosecuting the offense. The proceeds from any sale of property that is forfeited pursuant to the State's civil asset forfeiture laws as a result of a prosecution for human trafficking is to be applied first toward the payment of the order of restitution. The restitution is required to include, but not be limited to costs related to: (1) medical treatment including physical and occupational therapy and rehabilitation; (2) necessary transportation, temporary housing, and child care expenses; (3) investigation costs, prosecution, attorney's fees, victim advocate fees, and other court-related costs; (4) necessary relocation expenses incurred by the victim and any family or household members of the victim; (5) costs associated with restoration of the victim's credit rating; (6) restoration of the victim's immigration status; and (7) reimbursement for any other financial losses, whether direct or indirect, suffered by the victim.

Expansions of Civil Liability

The bill provides that, with regard to the court's consideration of relevant evidence related to the prosecution of a human trafficking offense, pursuant to Rule 903 of the Rules of Evidence, authentication of the certain types of evidence, enumerated in the bill, may be made by certification of the records custodian or authorized representative of a financial institution, remote computing service, print media or electronic communication provider, or other provider. In lieu of a certification, the court may authorize a representative of a company that provides these services to testify in a video or remote format. The court also is to consider expert testimony by a person who possesses a background in or demonstrates a specialized knowledge of the legal,

policy, educational, social, or psychological aspects of human trafficking.

The bill modifies the definition of “abused child” to provide that a child under the age of 18 is an abused child if a parent, guardian, or other person with custody or control over the child commits or allows to be committed an act of human trafficking against the child.

In addition to civil liability for certain other crimes as provided under current law, the bill provides that the following individuals or entities are not entitled to immunity from civil liability for damages resulting from human trafficking offenses or advertising commercial sexual abuse of a minor caused by a willful, wanton, or grossly negligent act of:

- a public entity or public employee; or
- a nonprofit corporation, society or association organized exclusively for religious, charitable, educational or hospital purposes, or its trustee, director, officer, employee, agent, servant or volunteer.

Additional Considerations under the Rules of Evidence

In addition, the bill expands current law to permit an ex parte application for an order authorizing the interception of a wire, or electronic or oral communication if the interception may provide evidence of the commission of an offense of stalking, luring or enticing a child, a human trafficking or related offense, impersonation or identity theft; or a third or fourth degree crime of cyber-harassment.

Training Requirements for Certain Investigations

The bill creates new trauma-informed training requirements related to human trafficking advocacy and education for the following: judges and judicial personnel, assistant and deputy attorneys general, county prosecutors, assistant county prosecutors, municipal prosecutors, juvenile justice commission officers and employees, assistant and deputy public defenders and other attorneys appointed by the public defender; county board of social services employees, and members of a human trafficking response team established under the bill. The Commission on Human Trafficking is required to approve a nonprofit organization to provide the mandatory training required under the bill. The bill appropriates \$250,000 to the commission for the development and administration of the training program.