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## **AG SLATERY JOINS BIPARTISAN COALITION CHALLENGING EFFORTS TO WEAKEN LAWS AGAINST HUMAN TRAFFICKING AND SEX CRIMES**

Nashville- Tennessee Attorney General Herbert H. Slatery III is among a bipartisan coalition of 36 Attorneys General urging the American Law Institute (ALI) to reject proposed changes to Section 213 of the Model Penal Code (MPC) that would weaken the ability of States to prosecute sexual assault, abuse, exploitation, and trafficking crimes; jeopardize the safety of victims of these crimes; and restrict the ability of law enforcement to protect the general public from recidivist behavior.

“These proposed changes, which would exclude criminal liability for those who knowingly participate in sex trafficking and eliminate public access to sex offender registry information, are dangerous and need to be rejected,” said General Slatery.

[In the letter](#), the coalition writes, “The revisions contemplated fail to treat sex predators appropriately and would provide them more freedom to commit these heinous crimes, putting the citizens we represent at greater risk of becoming victims.”

Among the changes under consideration by the ALI:

### **Sex Trafficking**

- Removes “advertising” and “obtains” as predicate acts that can be used to establish trafficking.
- Excludes criminal liability for those who knowingly benefit from their participation in sex trafficking.
- Requires proof alleged offender knew and disregarded the age of a victim under 18 years old.
- Traffickers must be identified to establish crime of child sex trafficking has occurred.
- Excludes criminal liability for sex trafficking for buyers of commercial sex with minors.

### **Sex Offender Registries**

Offenses of sexual assault by physical force or sexual assault of an incapacitated person are not registrable – offenders are required to register only if the offender was previously convicted of a felony sexual offense.



## Herbert H. Slatery III Attorney General & Reporter

Registration for sexual assault of a minor is limited to crimes where the victim is less than 12 years old and the offender is 21 years old or older.

Registration for incestuous sexual assault of a minor is limited to crimes where the victim is under the age of 16 years old.

Renders failure to register a misdemeanor.

### **Removes the following offenses that require registration:**

- Kidnapping/attempted kidnapping
- Online enticement
- Sex trafficking
- Child sexual abuse material crimes (possession/distribution/production of child pornography)
- Sexual assault of minors older than 12 years of age
- Sexual assaults that do not involve force or restraint

Would permit only government law enforcement agencies to access registry information – there would be no public access and no access by non-profit organizations for prospective employees/applicants.

### **Removes key identifiers from registry requirements, including:**

- Date of birth
- Fingerprints/palm prints
- DNA sample
- Driver's license/identification card information/Passport (which eliminates provisions of International Megan's Law)
- Internet identifiers

The letter was signed by the Attorneys General of Mississippi, Hawaii, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Guam, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virgin Islands, Virginia, and West Virginia.

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