## **Legislative Analysis**



## INADMISSIBILITY OF CERTAIN COMMUNICATIONS WITH HUMAN TRAFFICKING VICTIM

Phone: (517) 373-8080 http://www.house.mi.gov/hfa

House Bill 5889 as introduced Sponsor: Rep. Annette Glenn

Analysis available at http://www.legislature.mi.gov

**Committee: Rules and Competitiveness** 

Complete to 5-3-22

## **SUMMARY:**

House Bill 5889 would amend the Revised Judicature Act to provide that the following are not admissible as evidence in a civil or criminal proceeding without the prior written consent of the *victim of human trafficking*:

- A confidential communication.
- A report or working paper, or a statement contained in a report or working paper, given
  or made in connection with a consultation between a victim of human trafficking and
  a counselor.

The confidentiality described above would not be waived by the presence of another individual that is necessary to effectuate the communication.

*Victim of human trafficking* would mean an individual who was or alleges to have been the subject of human trafficking as described in Chapter LXVII (Prostitution) or LXVIIA (Human Trafficking) of the Michigan Penal Code.

**Confidential communication** would mean information transmitted in connection with the rendering of crisis intervention, advice, counseling, or other assistance that is either of the following:

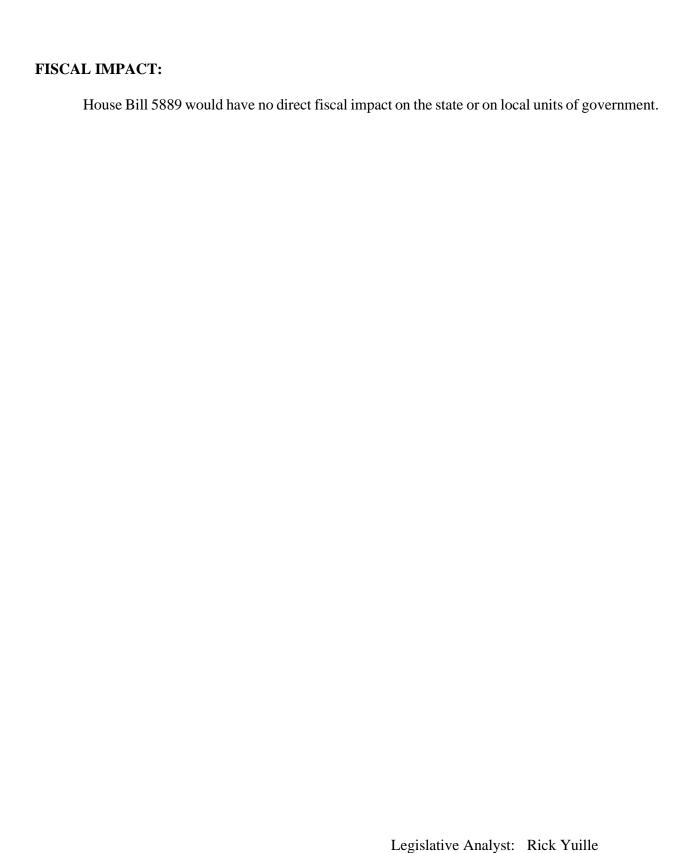
- Between a victim of human trafficking and human trafficking victim service agency staff.
- Between a victim of human trafficking or human trafficking victim service agency staff and any other individual to whom disclosure is reasonably necessary to further the interests of the victim.

Human trafficking victim service agency staff would mean an individual who is employed by or volunteers services for a human trafficking victim support agency and in that capacity provides advice, supportive services, crisis intervention, advocacy, or other assistance to victims of human trafficking.

**Human trafficking victim support agency** would mean an office, refuge, shelter, safe house, institution, agency, center, or other entity that offers assistance to victims of human trafficking and their families by providing crisis intervention, shelter, advocacy, legal service, supportive counseling, or a similar service.

Proposed MCL 600.2157c

House Fiscal Agency Page 1 of 2



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House Fiscal Agency HB 5889 as introduced Page 2 of 2