

Assembly Bill No. 694

CHAPTER 126

An act to amend Section 1161 of the Evidence Code, relating to evidence.

[Approved by Governor August 19, 2013. Filed with
Secretary of State August 19, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 694, Bloom. Admissibility of evidence: victims of human trafficking.

Existing law prohibits the admissibility of evidence that a victim of human trafficking, as defined, has engaged in any commercial sexual act as a result of being a victim of human trafficking in order to prove the victim's criminal liability for any conduct related to that activity.

This bill would instead prohibit the admissibility of evidence that a victim has engaged in any commercial sexual act as a result of being a victim of human trafficking in order to prove the victim's criminal liability for the commercial sexual act.

The people of the State of California do enact as follows:

SECTION 1. Section 1161 of the Evidence Code is amended to read:

1161. (a) Evidence that a victim of human trafficking, as defined in Section 236.1 of the Penal Code, has engaged in any commercial sexual act as a result of being a victim of human trafficking is inadmissible to prove the victim's criminal liability for the commercial sexual act.

(b) Evidence of sexual history or history of any commercial sexual act of a victim of human trafficking, as defined in Section 236.1 of the Penal Code, is inadmissible to attack the credibility or impeach the character of the victim in any civil or criminal proceeding.