

HOUSE BILL NO. 5840

June 25, 2024, Introduced by Reps. Fitzgerald, Breen, Brenda Carter, Hope, Rheingans, Weiss, Koleszar, Glanville, Hill, Conlin, Pohutsky, Mentzer, Xiong, Steckloff, Byrnes, Rogers, McFall, Witwer and Coffia and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 462g (MCL 750.462g), as amended by 2017 PA 53.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 462g. (1) The testimony of a victim is not required in a
2 prosecution under this chapter. However, if a victim testifies,
3 that testimony need not be corroborated.

4 (2) ~~Expert testimony as to the behavioral patterns of human~~
5 ~~trafficking victims and the manner in which a human trafficking~~

1 ~~victim's behavior may deviate from societal expectations is~~
2 ~~admissible as evidence in court in a prosecution under this chapter~~
3 ~~if the expert testimony is otherwise admissible under the rules of~~
4 ~~evidence and laws of this state.~~**In a prosecution under this**
5 **chapter, a witness may be qualified by the court as an expert if**
6 **the witness has specialized knowledge beyond that possessed by the**
7 **average layperson based on the witness' experience with, or**
8 **specialized training or education in, criminal justice, behavioral**
9 **sciences, or victim services issues related to human trafficking**
10 **that will assist the trier of fact in understanding the dynamics of**
11 **human trafficking, victim response to human trafficking, and the**
12 **impact of human trafficking on victims during and after**
13 **victimization.**

14 (3) If qualified as an expert under subsection (2), a witness
15 may testify and provide the witness's opinion regarding specific
16 types of victim responses and victim behaviors.

17 (4) The opinion of a witness who has been qualified under
18 subsection (2) regarding the credibility of any other witness,
19 including the victim, is not admissible.

20 (5) A witness who has been qualified under subsection (2) may
21 be called to testify as an expert as provided in this section by
22 either the prosecution or the defense.