

NEWS

Moore & Van Allen Attorney Sarah Byrne Helps Lead Charge with North Carolina's New Human Trafficking Law

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Moore & Van Allen PLLC (MVA) is pleased to congratulate the efforts of firm attorney Sarah Dohoney Byrne and the North Carolina Human Trafficking Commission for their work to bring about Governor Roy Cooper's passing of House Bill 198: Human Trafficking Commission Recommendations.

Governor Cooper, who signed the bill into law on July 22 based on a unanimous vote in the North Carolina General Assembly, stated: "This bill will help crack down on human trafficking and protect the victims of this horrible crime, and I appreciate both parties coming together to make these important updates to our law."

Last December, Byrne, who founded and leads MVA's Human Trafficking Pro Bono Project, was asked by the Human Trafficking Commission to chair the committee that drafted the post-conviction relief and civil remedy provisions of the new legislation.

Specifically, the new law will:

- Expand the grounds and streamline the process for human trafficking victims to expunge or vacate convictions for nonviolent crimes that were committed as a direct result of the individual being a victim of human trafficking.
- Create a civil cause of action for victims to recover damages from individuals who trafficked them or financially benefited from the trafficking activity.
- Expand the definition of "sexual servitude" to apply to all instances of buyer conduct.
- Prohibit the promotion or sale of "sex tourism" services.

"We are thrilled with this legislative change because of the impact it will have on human trafficking survivors and their path to independence. Through my work with the firm's Human Trafficking Pro Bono Project, I realized the significant gap in expunction and vacatur relief in North Carolina for victims of this crime," Byrne said. "Many human trafficking survivors have incurred criminal records for offenses that were forced or coerced during their victimization, but most have not been eligible for relief under existing state law. These legislative changes significantly broaden the categories of eligible offenses, more closely aligning relief with the reality of the victim experience."

MOORE & VAN ALLEN ATTORNEY SARAH BYRNE HELPS LEAD CHARGE WITH NORTH CAROLINA'S NEW HUMAN TRAFFICKING LAW

Byrne developed and launched the firm's Human Trafficking Pro Bono Project in late 2013. Today, the team has assisted victims in nearly 200 matters. Areas of service include victim-witness advocacy, expunction analysis, and other civil law matters, including immigration and name-change petitions. In addition to providing direct legal representation, project leaders educate governmental, academic, and community organizations about the work and ways to engage.

"This is a real victory in the fight against human trafficking across the state - yet another step towards systemic change in support of victims who are often misunderstood by the legal system," Byrne said. "My one-on-one work with victims has given me a small glimpse of the seemingly insurmountable obstacles they face. Relief under the new law will help remove barriers to employment, housing, and education. We now have a path to reverse unjust criminalization, which will help restore and heal victims of human trafficking."

For more information about the Human Trafficking Commission, please contact North Carolina Administrative Office of the Courts Communications Director Sharon Gladwell at Sharon.Gladwell@nccourts.org; Human Trafficking Commission Senior Counsel for Policy Ryan Boyce at Ryan.S.Boyce@nccourts.org; or Human Trafficking Commission Executive Director Christine Long at Christine.S.Long@nccourts.org.