



For Some It's Trial-Bar First, Victims of Sex Trafficking Second

By: Carl Szabo

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The views of NetChoice do not necessarily represent the views of its underlying members.

What if there was a bill that would make it easier for federal, state, and local law enforcement to prosecute sex-traffickers?

What if the bill applied to sex-traffickers in back-alley streets or back-alley websites?

What if the bill provided victims with automatic compensation, saving victims the pain and cost of a civil trial?

What if the bill had the support of law enforcement groups like: the FBI Agents Association, Fraternal Order of Police, Major Cities Chiefs Association, and National Association of Assistant United States Attorneys?

What if the bill had the support of victim's groups like: the U.S. Institute Against Human Trafficking, Concerned Women for America, Faith & Freedom Coalition, and The Covering House?

And what if the bill has the support of tech groups like: CCIA, Engine, i2Coalition, Internet Association, NetChoice, SIIA, and many others?

Well such a bill exists, the Fight Online Sex Trafficking Act of 2017 (FOSTA) sponsored by Rep. Ann Wagner and Chairman Bob Goodlatte.



With so much going for it, it should be a bill that everyone, except sex-traffickers, supports.

Too bad the trial-bar is leading the opposition to FOSTA as the trial-bar puts its own interests ahead of victims of sex-trafficking.

The problem for the trial-bar is a core benefit to victims, court ordered remedies for harm. This means that as soon as a sex-trafficker is sentenced under FOSTA, victims receive court ordered compensation for their harm. Of course, the court ordered remedy removes the need to hire a trial attorney and pay them a significant percentage of the compensation – something the trial-bar abhors.

In an attempt to thwart FOSTA and all the good it can do for victims of sex-trafficking, the trial-bar has launched an intensive campaign of misinformation.

This misinformation is being foisted onto posters and into the mouths of otherwise FOSTA supporters. Unaware of the good that FOSTA can bring, some are parroting the trial-bar's self-serving demands for civil trials – something that FOSTA eliminates the need for.

Another piece of good news that you won't hear from the trial-bar's anti-FOSTA campaign, is that the *Jane Doe v Backpage* case recently overcame Backpage's arguments that Section 230 protected it.

The prior failure of the victims to overcome Backpage's claims of Section 230 protections had been the rallying cry for the trial-bar. Backpage, a notorious website that hosted sex-trafficking ads had claimed itself immune from prosecution under Section 230 of the Communications Decency Act.

But now, thanks to a properly-plead case, this civil suit by victims against Backpage is now moving into discovery.

Thankfully, many in Congress are not falling for the trial-bar's antics.

FOSTA was unanimously approved in Committee in December, so the sooner we move this bill to the House floor and through Congress, the sooner we can start sending criminals to prison and compensating victims for the horrors of sex trafficking.