

NCHTC - August 2026

Legislative Topics

Victims' Rights

Solicitation of Commission
Support

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Representing *with* Purpose



Overall Goal



- ❑ Coordinated, Comprehensive and Strategic Statewide Effort is Required to Improve:
 - ❑ Disjointed Process for Bill Review, Stakeholder Endorsement and Introduction
 - ❑ Patchwork of Legislation which Creates Gaps in Victims' Rights
 - ❑ Perception that NC is Behind Other States in Trafficking Victims' Rights Laws

Near-Term Legislative Priorities for Commission Consideration



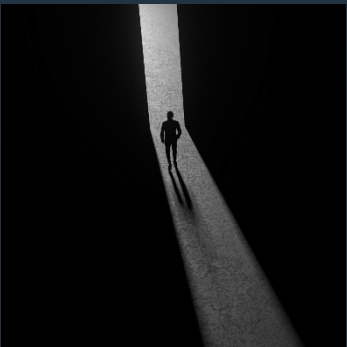
Enact Survivor Justice Legislation

The law would create a resentencing petition process for survivors of abuse and exploitation requiring courts to consider trauma and coercion and authorizing sentence reduction where justice requires.



Expand Criminal Records Relief for Survivors

Amend NCGS 15.A-1415 (human trafficking expungement statute) to expand categories of offenses eligible for full vacatur. This change would better reflect the survivor experience of criminalization, making intended relief more accessible.



Alternative Forms of Victim Testimony to Avoid Re-Traumatization

Amend § 15A-1225.1 (Child witnesses; remote testimony) to include adult victims of domestic violence, unlawful sexual behavior, stalking, or human trafficking or propose new law providing closed circuit or other forms of remote testimony for certain crime victims upon a showing of risk for re-traumatization.

Questions?

Commission Support?

Does the Commission support the Survivor's Justice Act?

If so, can that endorsement be made public?

Does the Commission support the proposed changes to:

NCGS § 15.A-1415 (human trafficking expungement statute)

NCGS § 15A-1225.1 (child witnesses; remote testimony)

Future collaboration to advance legislative priorities

N.C. SURVIVORS' JUSTICE ACT



74% to 95%

of women incarcerated in the U.S. have experienced domestic or sexual violence.

North Carolina can join states like **Oklahoma** and **Georgia** in recognizing the connection between victimization and criminal prosecution—and ensuring survivors have a meaningful opportunity for sentencing relief.

WHY IT MATTERS

Society's understanding of human trafficking and domestic violence has evolved significantly, but North Carolina law has not fully kept pace.

The NC Survivors' Act would provide a targeted path for survivors whose offenses were connected to abuse they experienced, while affecting a relatively small population of individuals in North Carolina prisons.

The **North Carolina Domestic Violence Commission** has endorsed the Act as part of its FY2025–26 legislative agenda.

KEY IMPACTS OF THE SURVIVORS' JUSTICE ACT



01
SENTENCE
MITIGATION

Allow a survivor's history of abuse to be considered when determining an appropriate sentence—both at the time of sentencing and upon resentencing.

- Allows survivors to present relevant evidence seeking a departure from mandatory minimums.
- Creates a pathway for **eligible** survivors currently incarcerated to request resentencing.
- Requires a high evidentiary standard and/or prosecutorial discretion for resentencing relief.



02
SELF-DEFENSE
REFORM

Modernize North Carolina's self-defense law to better reflect the realities of human trafficking and domestic violence.

Proposed changes would:

- Allow courts to consider the perspective of a reasonable person experiencing abuse.
- Ensure evidence of abuse may be considered when establishing a self-defense claim.



03
REDUCED
SENTENCES

Create a new statutory mitigating factor that would allow judges, in their discretion, to reduce prison sentences for qualifying survivors.



New York enacted similar legislation in 2019.

Over **6** years, it has **ONLY** received:

213

applications for
resentencing relief

78

grants of
resentencing relief

Supporting
Survivors of
Human
Trafficking &
Domestic
Violence