



VILLANOVA UNIVERSITY  
CHARLES WIDGER SCHOOL OF LAW

THE INSTITUTE TO ADDRESS  
COMMERCIAL SEXUAL EXPLOITATION

## Pennsylvania Senate Bill No. 1009 (2022)

SB 1009 (2022) proposes amendments to Pennsylvania's vacatur statute to increase human trafficking survivors's access to justice in the form of criminal record relief.

### EXPANDS POST-CONVICTION RELIEF FOR VICTIMS OF HUMAN TRAFFICKING

- Survivors of commercial sexual exploitation are routinely criminalized for conduct their traffickers make them do.
- Vacatur is a legal remedy that applies only to victims of sex trafficking.
- Survivors seeking to utilize the remedy are faced with major substantive and procedural challenges.
- SB 1009 seeks to correct these challenges.

### INCREASES NUMBER OF VACATUR ELIGIBLE CRIMES

- Currently, there are only six crimes eligible for vacatur: criminal trespass (3503), disorderly conduct (5503), loitering and prowling at night time (5506), obstructing highways and other public passages (5507), prostitution (5902), and simple possession of a controlled substance.
- This is inadequate because traffickers force their victims to commit a wide range of crimes.
- S.B. 1009 adds: theft by deception (3922), retail theft (3929), and contempt (42 § 4132).

### REQUIRES NOTICE TO THE DISTRICT ATTORNEY

- This legislation will give the court exclusive authority to determine whether an individual should be granted vacatur relief.
- SB 1009 will give more survivors a chance to access the remedy and have their day in court.



The Villanova Law Institute to Address  
Commercial Sexual Exploitation

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