

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT

Ninety-Sixth SESSION
2021 South Dakota Legislature

Senate Bill 148

An Act to establish the crime of torture of a human trafficking victim and provide a penalty therefor.

A prison/jail population cost estimate statement is required for SB148 because the bill would create a new Class 2 felony for "[a] person who, with the intent to cause cruel physical or mental pain, inflicts serious bodily injury or serious mental injury upon a human trafficking victim while the victim is the subject of human trafficking[.]"

Under current law, SDCL 22-49-2 is a Class 2 felony for first-degree human trafficking, and SDCL 22-49-3 is a Class 4 felony for second-degree human trafficking. There have been no convictions for SDCL 22-49-2 or SDCL 22-49-3 in the last ten years.

It is expected that a significant number of those who would be convicted of torture of a human trafficking victim under this bill might also be convicted of human trafficking under current law. Because of the absence of convictions under current human trafficking law, the impact on prison and jail costs is expected to be negligible.

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