

National State Law Survey: Racketeering

State ¹	State racketeering or gang crimes statute includes sex trafficking or CSEC offense as predicate acts	Predicate acts (sex trafficking and/or CSEC specific)	Criminal Penalties (Term of Imprisonment)	Financial Penalties
Alabama	No	N/A	N/A	N/A
Alaska	No	N/A	N/A	N/A
Arizona	Yes	Sexual exploitation of a minor; child sex trafficking; sex trafficking; trafficking of persons for forced labor or services	4–10 years	Victim restitution; asset forfeiture; civil action
Arkansas	Yes	Any felony that is a crime of violence or a crime of pecuniary gain	Penalty enhanced up to two categories in addition to penalty of predicate act	Penalty enhanced up to two categories in addition to penalty of predicate act
California	Yes	Human trafficking; any crime involving commercial sexual exploitation of a minor	Predicate offense penalty (not a separate offense)	Predicate offense penalty (not a separate offense); asset forfeiture
Colorado	Yes	Human trafficking for sexual servitude; sexual exploitation of children; solicitation for child prostitution; pandering of a child; keeping a place of prostitution; pimping of a child	8–24 years	\$5,000–\$1,000,000 fine; asset forfeiture; civil action
Connecticut	Yes	Promoting prostitution in the first degree; employing a minor in an obscene performance; trafficking in persons	1–20 years	Up to \$25,000 fine; asset forfeiture
Delaware	Yes	Sexual exploitation of a child; promoting prostitution of the first or second degree; trafficking an individual	2–25 years	Minimum \$25,000 fine or restitutionary fine; up to \$100,000 civil penalty; asset forfeiture; civil action
DC	Yes	Any felony or violent misdemeanor	Up to 5 years	Up to \$12,500 fine
Florida	Yes	Kidnapping; human trafficking; procuring a	Up to 30 years	Up to \$10,000 fine or restitutionary fine;

¹ Evaluations of state law are based on legislation enacted as of August 1, 2018. For related policy goals, background information, and select statute highlights, please visit http://sharedhope.org/wp-content/uploads/2015/11/Issue_Briefs/Issue_Briefs_1.4.pdf.

		minor for prostitution; selling or buying of minors; commercial sexual exploitation of children		asset forfeiture
Georgia	Yes	Prostitution; keeping a place of prostitution; pimping; pandering; trafficking of persons for labor or sexual servitude	5–20 years	Up to \$25,000 fine or three times the defendant's pecuniary gain; asset forfeiture; civil action
Hawaii	Yes	Kidnapping; solicitation of a minor for prostitution; sex trafficking	Up to 10 years	Up to \$25,000 fine; asset forfeiture
Idaho	Yes	Human trafficking; interstate trafficking in prostitution; receiving pay for procurement; detention for prostitution; accepting earnings of prostitute; inducing minor into prostitution	Up to 14 years	Up to \$25,000 fine; asset forfeiture
Illinois	Yes	Trafficking in persons; indecent solicitation of a child; promoting juvenile prostitution; patronizing a minor engaged in prostitution	7–30 years or for the term authorized under predicate act, whichever is higher	Up to \$250,000 fine or twice the gross of intended proceeds, whichever is higher; asset forfeiture
Indiana	Yes	Human trafficking and sex trafficking; child exploitation; promoting prostitution	1–6 years	Up to \$10,000
Iowa	Yes	Specified unlawful activity including human trafficking and commercial sexual exploitation of children	Up to 25 years	Asset forfeiture; civil action
Kansas	Yes	Human trafficking or aggravated human trafficking; sexual exploitation of a child; commercial sexual exploitation of a child	109–123 months	Up to \$300,000 fine
Kentucky	Yes	Engaging in, promoting, or permitting prostitution or human trafficking	10–20 years	\$1,000–\$10,000 fine or twice the defendant's pecuniary gain
Louisiana	Yes	Pandering; human trafficking; trafficking of children for sexual purposes; sale of minor children; pornography involving juveniles; computer-aided	Up to 50 years	Up to \$1,000,000 fine or three times the pecuniary gain or loss caused, whichever is higher

		solicitation of a minor; prostitution; soliciting prostitutes; inciting prostitutes; promoting prostitution; letting premises for prostitution; enticing persons into prostitution; keeping a disorderly place; letting a disorderly place; operation of places of prostitution		
Maine	No	N/A	N/A	N/A
Maryland	Yes	Human trafficking; receiving earnings of prostitute; house of prostitution; any crime of violence	Up to 15 years for participation in a gang (up to 25 years if crime resulted in victim's death); up to 20 years for organizing or supervising a gang	Up to \$1,000,000 fine (\$5,000,000 if crime resulted in victim's death); asset forfeiture
Massachusetts	Yes	Child exploitation; enticement of a child under 16; human trafficking; prostitution	Up to 15 years	Up to \$25,000 fine; asset forfeiture
Michigan	Yes	Child sexually abusive activity or material; pandering; human trafficking	Up to 20 years	Up to \$100,000 fine; asset forfeiture
Minnesota	Yes	Solicitation, inducement, and promotion of prostitution or sex trafficking	Up to 20 years	Up to \$1,000,000 fine or civil penalty; asset forfeiture
Mississippi	Yes	Prostitution, procuring prostitutes; enticing a child for concealment, prostitution, or marriage; exploitation of children; human trafficking	Up to 20 years	Up to \$25,000 fine or restitutionary fine; asset forfeiture; civil action
Missouri	No	N/A	N/A	N/A
Montana	Yes ²	Any felony committed in associated with a criminal street gang	1–3 years plus term authorized under predicate act	Financial penalties applicable under the predicate offense
Nebraska	Yes	Pandering; keeping a place of prostitution; sex trafficking of a minor; any act related to the visual depiction of sexually explicit conduct prohibited in the Child Pornography Prevention Act	Up to 4 years under the racketeering law; up to 2 years under the gang crimes law	Up to \$25,000 fine or restitutionary fine under the racketeering law; up to \$10,000 under the gang crimes law

² Montana has not enacted a racketeering statute, but Mont. Code Ann. § 45-8-404 (Additional sentence for criminal street gang-related felony) provides an enhanced penalty for the commission of a felony "committed for the benefit of, at the direction of, or in association with any criminal street gang"

Nevada	Yes	Pandering and sex trafficking; trafficking in persons	5–20 years	Up to \$25,000 fine or restitutionary fine; asset forfeiture
New Hampshire	No	N/A	N/A	N/A
New Jersey	Yes	Human trafficking; prostitution and related offenses; endangering the welfare of children	10–20 years for first degree crimes or 5–10 years for second degree crimes under the racketeering law; 15–30 years under the gang crimes law	Up to \$200,000 fine for first degree crimes or up to \$150,000 fine for second degree crimes; minimum \$25,000 fine to the Human Trafficking Survivor’s Assistance Fund; victim restitution; asset forfeiture
New Mexico	Yes	Any offense involving promoting prostitution, including enticement of children and human trafficking	9–15 years	Up to \$10,000 fine; asset forfeiture
New York	Yes	Promoting prostitution in the first through third degree; sex trafficking	1–25 years	Up to \$5,000 fine or twice the defendant’s pecuniary gain, whichever is higher; victim restitution; asset forfeiture
North Carolina	Yes	Any felony under Chapter 14 (Criminal Law) including human trafficking, sexual servitude, solicitation of prostitution, patronizing a prostitute, promoting prostitution, first through third degree sexual exploitation of a minor, and employing or permitting minor to assist in offense under this Article	5–6 months	Asset forfeiture
North Dakota	Yes	Child pornography; prostitution; human trafficking	Up to 10 years	Up to \$20,000 fine; victim restitution; asset forfeiture; civil action
Ohio	Yes	Compelling prostitution; promoting prostitution; trafficking in persons	2–8 years	Up to \$15,000 fine or three times the defendant’s pecuniary gain or gross loss caused; asset forfeiture
Oklahoma	Yes	Human trafficking; trafficking in children; minors—procuring for participation in pornography; child under 18 years of age—	Up to 10 years	Fine up to three times the defendant’s pecuniary gain or gross loss caused; up to \$100,000 civil penalty; asset forfeiture

		procuring for prostitution, lewdness or other indecent act; child under 18—inducing, keeping, detaining, or restraining for prostitution		
Oregon	Yes	Using child in display of sexually explicit conduct; compelling prostitution; trafficking in persons	Up to 20 years	Up to \$375,000 fine; asset forfeiture
Pennsylvania	Yes	Human trafficking; prostitution and related offenses	Up to 20 years	Up to \$25,000 fine
Rhode Island	Yes	Any act involving prostitution or exploitation for commercial or immoral purposes including sex trafficking of a minor	Up to 10 years	Up to \$10,000 fine; asset forfeiture
South Carolina	Yes	Trafficking in persons; engaging a child for sexual performance; producing, directing, or promoting sexual performance by a child; sexual exploitation of a minor in the first and second degree; promoting prostitution of a minor; participating in prostitution of a minor; attempt of any of the above	Up to 10 years depending of the prohibited act	Up to \$10,000 fine depending on the prohibited act; asset forfeiture; civil action
South Dakota	Yes ³	Any felony or violent misdemeanor committed as part of a pattern of street gang activity	Penalty enhanced to next highest classification	Penalty enhanced to next highest classification
Tennessee	Yes	Aggravated sexual exploitation of a minor; trafficking for a commercial sex act	12–30 years	Up to \$250,000 fine or three times the defendant’s pecuniary gain or loss caused; asset forfeiture
Texas	Yes	Continuous sexual abuse of young child or children; solicitation of a minor; promotion of prostitution; aggravated promotion of prostitution; compelling prostitution; trafficking of	Penalty enhanced to one category higher	Penalty enhanced to one category higher; up to \$250,000 civil penalty; asset forfeiture; dissolution of enterprise

³ South Dakota has not enacted a racketeering statute; S.D. Codified Laws § 22-10A-1 (Street gang activity – Definitions), however, enhances penalties for felonies committed as part of a “pattern of street gang activity.”

		persons; any offense classified as a felony under the Tax Code		
Utah	Yes	Sexual exploitation of a minor; human trafficking; human smuggling; aggravated human trafficking and aggravated human smuggling; prostitution; aiding prostitution; exploiting prostitution; aggravated exploitation of prostitution	1–15 years (enhanced penalties may also apply)	Up to 10,000 fine or twice the defendant's pecuniary gain (enhanced penalties may also apply); asset forfeiture
Vermont	No	N/A	N/A	N/A
Virginia	Yes	Taking, detaining, etc., a person for prostitution; human trafficking; receiving money for procuring person; receiving money from earnings of male or female prostitute; commercial sex trafficking; abduction with intent to extort money or for immoral purpose	5–40 years	Up to \$1,000,000 fine; asset forfeiture
Washington	Yes	Commercial sexual abuse of a minor; promoting commercial sexual abuse of a minor; trafficking, promoting travel for commercial sexual abuse of a minor; permitting commercial sexual abuse of a minor	3–198 months depending on level of participation in the profiteering activity; penalties enhanced for criminal street gang-related felony offenses	Up to \$50,000 fine depending on level of participation in the profiteering activity; penalties enhanced for criminal street gang-related felony offenses; asset forfeiture
West Virginia	Yes	Abduction of person; kidnapping or concealing child; soliciting, etc. a minor via computer; use of minors in filming sexually explicit conduct; employment or use of minor to produce obscene matter or assist in doing sexually explicit conduct; receiving support from prostitution; pimping	Up to 10 years	Up to \$25,000 fine
Wisconsin	Yes	Sexual exploitation of a child; trafficking of a child; soliciting a child for prostitution	Up to 15 years	Up to \$50,000 fine or twice the defendant's pecuniary gain or loss caused, whichever is higher; asset forfeiture

Wyoming	Yes	Promoting prostitution	Up to 1 year	Up to \$1,000 fine
Totals:	44 states & DC have racketeering or gang crimes statutes that include sex trafficking or CSEC as predicate acts.			