The second annual Protected Innocence Challenge report released on November 29, 2012 revealed substantial improvements in state legislative responses to domestic minor sex trafficking, as well as the gaps that remain and allow children to be sexually exploited for profit. The comprehensive analysis of each state’s existing laws was based on six areas of law critical to protecting children from and responding to domestic minor sex trafficking. Starting with the inaugural release in 2011, the Protected Innocence Challenge has been a call for state action to bring national change. Now, two years later, the legislative change accomplished during the 2013 session demonstrates that the call for change was answered. Strong momentum in the 2013 session to address domestic minor sex trafficking reflects the efforts of advocates across the country who used the Protected Innocence tools to press for change, and the state legislators who responded to the challenge and introduced laws to fix the gaps that allow trafficked children to remain vulnerable, unidentified and deprived of vital services and justice. Not only did the vast majority of states introduce legislation relating to domestic minor sex trafficking, but several states enacted legislation that tackles two of the most challenging areas of law addressed by the Protected Innocence Framework—demand and protective provisions for child victims.

**CRIMINALIZATION OF DOMESTIC MINOR SEX TRAFFICKING**

- **Washington**
  Removed requirement under the trafficking law to prove force, fraud or coercion when the victim is a minor.

- **Montana**
  Removed the requirement to prove force, fraud or coercion when a sex trafficking victim is a minor.

- **Maine**
  Established the state’s first sex trafficking law, which criminalizes child sex trafficking without requiring proof of force, fraud or coercion.

- **Nevada**
  New sex trafficking law criminalizes child sex trafficking without requiring proof of force, fraud or coercion.

- **Indiana**
  Amended the human trafficking law to provide equal protection to all minors under 18.

- **Arkansas**
  New sex trafficking law criminalizes child sex trafficking without requiring proof of force, fraud or coercion.

- **Wyoming**
  Enacted the state’s first human trafficking law. The new law includes sex trafficking of children and does not require proof of force, fraud or coercion when the victim is a minor.

- **New Jersey**
  Eliminated the requirement to prove force, fraud or coercion in child sex trafficking prosecutions.

Since August 1, 2012:
- 793 bills that relate to domestic minor sex trafficking were introduced in 48 states and D.C.
- 47 states enacted 186 bills relating to domestic minor sex trafficking
- 40 states enacted bills that impact the Protected Innocence Challenge Framework.

Statistics are based on Congressional Quarterly StateTrack report summarized on August 1, 2013.

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**CRIMINAL PROVISIONS ADDRESSING DEMAND**

- **Washington**: Added “purchasing” as prohibited conduct under the human trafficking law, making it clearly applicable to buyers.
- **Montana**: Amendments to the human trafficking and prostitution laws ensure buyers of sex with minors face substantial penalties.
- **Oregon**: A new law makes buying sex with a minor a felony.
- **Idaho**: Buyers of sex with a minor face a felony conviction and up to life in prison.
- **Montana**: Amendments to the human trafficking and prostitution laws ensure buyers of sex with minors face substantial penalties.
- **Maryland**: Established an asset forfeiture scheme that reaches traffickers’ assets.
- **California**: Traffickers convicted of sex trafficking face increased penalties and registration as sex offenders.
- **Tennessee**: Clarified that the human trafficking law applies to buyers by adding “purchasing” as prohibited conduct.
- **Hawaii**: Buyers of sex with a minor now face a felony, sex offender registration and asset forfeiture.
- **Utah**: Patronizing and soliciting sex acts with a minor are both serious offenses subject to felony conviction and asset forfeiture.
- **Virginia**: Buying sex with a minor is now a felony.
- **Tennessee**: Traffickers’ parental rights can now be terminated if convicted of human trafficking or commercial sexual exploitation of children.

**CRIMINAL PROVISIONS FOR TRAFFICKERS**

- **Washington**: Traffickers face a mandatory fee of $10,000 and an additional fine of $5,000 if an internet advertisement was involved.
- **Wyoming**: New human trafficking law requires sex offender registration for sex trafficking convictions.
- **California**: Traffickers convicted of sex trafficking face longer prison terms, substantial fines and sex offender registration.
- **Nevada**: Traffickers convicted of sex trafficking face increased penalties and registration as sex offenders.
- **Mississippi**: Convicted traffickers now face mandatory minimum sentence of 5 years and up to life in prison.
- **Tennessee**: Traffickers’ parental rights can now be terminated if convicted of human trafficking or commercial sexual exploitation of children.
**Criminal Provisions for Facilitators**

- **Arkansas**: Human trafficking law now provides additional penalties for organizations that facilitate sex trafficking.
- **Maryland**: Facilitators who benefit financially from sex trafficking now face asset forfeiture.
- **New Jersey**: Human trafficking law now reaches a broad range of facilitators who assist or enable sex trafficking.
- **Tennessee**: Enacted the offense of promoting travel services for prostitution which prohibits sex tourism.
- **Kansas**: Facilitators convicted under the new offense of commercial sexual exploitation of a child face asset forfeiture.
- **Washington**: Facilitators who assist or enable sex trafficking face a mandatory fee of $10,000 and an additional fine of $5,000 if an internet advertisement was involved.
- **Nebraska**: Facilitators who benefit financially from sex trafficking now face prosecution and fines under the human trafficking law.
- **Maine**: Facilitators now face substantial prison sentences, fines and civil liability for benefiting financially from sex trafficking.
- **New Jersey**: Human trafficking law now reaches a broad range of facilitators who assist or enable sex trafficking.
- **Minnesota**: Expanded protective response includes all minors under 18 while a statewide director and regional navigators will connect minor victims with services and shelter.

**Protective Provisions for Child Victims**

- **Kentucky**: Minors under 18 may not be prosecuted for prostitution or status offenses and must be directed to CPS for specialized services and placement.
- **Nebraska**: Minors under 18 are now immune under the prostitution law.
- **California**: Expanded the rape shield law to protect testifying victims of human trafficking.
- **Mississippi**: The prostitution law makes minors under 18 immune and directs them into an alternate process.
- **Louisiana**: Provides a process for commercially exploited minors to avoid delinquency and access needed services and housing.
- **Georgia**: A domestic minor sex trafficking victim’s delinquency adjudication can now be modified or vacated by the court.
- **North Carolina**: The prostitution law makes minors under 18 immune and directs them into an alternate process.
- **New Mexico**: Expanded services and benefits available to victims of trafficking to minor victims of sex trafficking regardless of their cooperation with law enforcement.
- **Mississippi**: The prostitution law makes minors under 18 immune from prosecution.
To find your state Report Card, track pending bills, download advocacy tools, contact your representative and take action on important advocacy initiatives, please visit: sharedhope.org/policy