The third annual Protected Innocence Challenge report released on November 7, 2013 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, almost three years later, the legislative changes introduced and enacted so far during the 2014 session demonstrate that the call for change continues to be answered. Strong momentum in the 2014 session addressing domestic minor sex trafficking reflects the efforts of advocates across the country who are using the Protected Innocence tools to press for change, and the state legislators who are responding to the challenge and introducing laws to fix the gaps that allow trafficked children to remain vulnerable, unidentified and deprived of vital services and justice. Not only are the vast majority of states introducing legislation relating to domestic minor sex trafficking, but several states are tackling 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**

**Arizona**
Enacted a law adding sex trafficking and commercial sexual exploitation of children offenses as predicate crimes under the racketeering law.

**Colorado**
Pending legislation substantially revises the human trafficking law to specifically criminalize trafficking of children for commercial sexual activity and ensures availability of the racketeering law to combat domestic minor sex trafficking.

**Michigan**
Pending legislation revises the human trafficking law to expand the conduct that constitutes domestic minor sex trafficking, eliminating the need to prove force, fraud or coercion in any case involving a minor victim.

**New Hampshire**
Pending legislation amends the trafficking in persons law to eliminate the requirement to prove force, fraud or coercion when the victim of sex trafficking is a minor.

**Delaware**
Pending legislation expands protection for minor victims under the human trafficking law by removing the staggered penalties based on age and use of force or threat.

**Louisiana**
A pending bill amends the definition of “racketeering activity” to include several offenses involving commercial sexual exploitation of children.
CRIMINAL PROVISIONS ADDRESSING DEMAND

**California**
Pending legislation would amend the human trafficking law to reach those who purchase sex with a child and require convicted buyers to register on the sex offender registry.

**Maryland**
Enacted a bill that enhances the penalty for enticing or harboring a child under 16 for the purpose of prostitution from a misdemeanor to a felony.

**Rhode Island**
A pending bill would raise the maximum penalty for sex trafficking of a minor to 50 years imprisonment.

**Illinois**
Introduced a bill that would allow seizure of a vehicle if a defendant is convicted of promoting juvenile prostitution or child pornography offenses. DC – Pending legislation ensures traffickers who use the Internet to commit sex trafficking of children face additional penalties.

**Virginia**
Enacted legislation that requires buyers convicted of solicitation of prostitution with a minor to register as sex offenders.

**New York**
Penalties for buying sex with a minor would be enhanced by pending legislation.

**New Jersey**
Pending legislation would require buyers convicted of human trafficking or commercial sexual exploitation of children offenses to register as sex offenders.

**Ohio**
Pending legislation amends the solicitation law to specifically criminalize soliciting a minor for prostitution by providing a heightened penalty and requires those convicted of soliciting a minor for prostitution to register as a sex offender.

**Colorado**
Pending legislation prohibits defendants from raising mistake of age as a defense to human trafficking of a child for sexual servitude.

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**Iowa**
Amendments to the pimping law ensure traffickers face heightened penalties when the victim is a minor.

**Louisiana**
Pending legislation requires seizure and forfeiture of traffickers’ personal property when convicted of offenses involving commercial sexual exploitation of children through prostitution.

**Tennessee**
Amended the patronizing prostitution law to refer to the trafficking in persons law for prosecution when the victim is a minor, significantly enhancing the penalty for buying sex with a minor.

**Indiana**
Pending legislation amends the solicitation law to make solicitation of a minor for prostitution a felony offense.

**Hawaii**
Passed legislation that prohibits a defense that the defendant did not know the victim was a minor and requires buyers convicted of soliciting a minor for prostitution to pay a fine of at least $5,000.

**Maryland**
Enacted a bill that enhances the penalty for enticing or harboring a child under 16 for the purpose of prostitution from a misdemeanor to a felony.

**Washington**
Pending legislation would amend the human trafficking law to reach those who purchase sex with a child and require convicted buyers to register on the sex offender registry.

**Michigan**
Pending legislation amends the solicitation law to make solicitation of a minor for prostitution a felony offense.

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Criminal Provisions for Facilitators

Michigan
Introduced a bill amending the human trafficking statute to criminalize those who knowingly benefit or receive anything of value from participation in a human trafficking enterprise.

New York
Under a pending bill, persons who knowingly fail to make reasonable efforts to stop premises they possess or control from being used for prostitution of a child would face criminal liability.

Pennsylvania
Pending legislation criminalizes knowingly benefiting financially or receiving anything of value from the commission of a human trafficking offense.

Protective Provisions for Child Victims

South Dakota
Established a civil cause of action for victims of human trafficking offenses committed under state or federal law.

New Hampshire
Pending legislation protects minors from juvenile delinquency proceedings and criminal prosecution for prostitution-related offenses committed as a direct result of being trafficked.

Utah
The prostitution law now directs minors suspected of a first prostitution offense to child welfare services instead of delinquency proceedings and requires law enforcement to refer all minors suspected of prostitution to child welfare.

Colorado
Passed legislation that allows a prosecution for human trafficking of a minor for sexual servitude to be brought at any time.

Delaware
Pending legislation extends "rape-shield" protections to minor victims of sex trafficking, provides mandatory restitution and a civil cause of action for human trafficking victims and eliminates the statute of limitations for prosecuting domestic minor sex trafficking.

Michigan
New legislation allows the county attorney to refer a minor charged with prostitution to the department of human services as a child is in need of services instead of commencing delinquency proceedings.

Iowa
Pending legislation makes minors immune from prosecution for prostitution offenses and requires law enforcement to take minors engaging in these offenses into protective custody.

New York
Under a pending bill, persons who knowingly fail to make reasonable efforts to stop premises they possess or control from being used for prostitution of a child would face criminal liability.

Florida
Passed a bill that establishes new guidelines for child welfare to assess victims and provide housing in safe houses or foster homes and appropriates funds to implement specialized victim services.

Iowa
Enacted legislation specifically criminalizes knowingly sharing in the earnings of a minor engaged in prostitution or knowingly providing a place for the purpose of a minor to engage in prostitution.

Arizona
Facilitators convicted under the child prostitution law face longer sentences and higher minimum penalties under recently enacted legislation.

Iowa
New legislation allows the county attorney to refer a minor charged with prostitution to the department of human services as a child is in need of services instead of commencing delinquency proceedings.

Michigan
Passed a bill that makes minors immune from prosecution for human trafficking and requires law enforcement to refer minors suspected of engaging in prostitution to specialized services.
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