PROTECTED INNOCENCE CHALLENGE STATE ACTION, NATIONAL CHANGE.

2015 National Legislative Progress Report

The fourth annual Protected Innocence Challenge report released on November 6, 2014 reflected substantial improvements and revealed gaps in state legislative responses to domestic minor sex trafficking. The report examines six areas of law related to domestic minor sex trafficking resulting in a comprehensive analysis of each state's statutes to effectively combat sex trafficking of children. The Protected Innocence Challenge calls states to improve their laws to bring national change. When the inaugural report was released in 2011, 26 states received a failing grade, but states responded to the call to action, and by 2014 only 4 states had a failing grade.

Legislative changes introduced and enacted so far in the 2015 session demonstrate that this call for change continues to be answered. Strong momentum in the 2015 session addressing domestic minor sex trafficking reflects the efforts of advocates who are using the Protected Innocence tools to press for change, and the state legislators who are introducing laws to fix the gaps that allow trafficked children to remain vulnerable, unidentified and deprived of services and justice. 2015 could be the first year that all 50 states have a law specifically criminalizing sex trafficking, as Virginia enacted its first standalone sex trafficking law in March 2015, and Hawaii has a bill progressing this session. Several states are taking steps to exclude proof of force, fraud, or coercion from the definition of sex trafficking when the victim is a minor while other states are proceeding with legislation that acknowledges the role of buyers in driving the demand for sex trafficked youth and are laying the groundwork for establishing innovative protective responses for child victims.

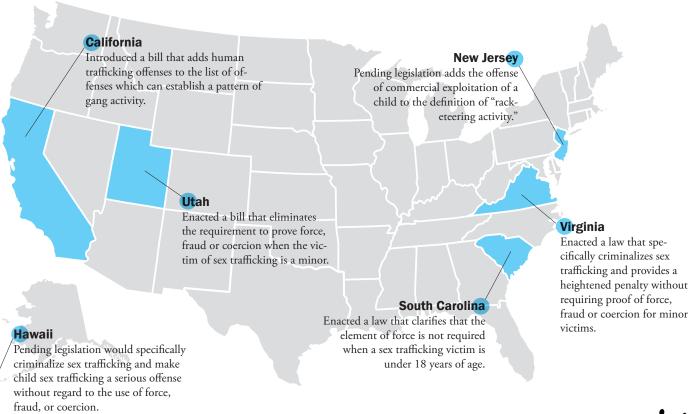
CRIMINALIZATION OF DOMESTIC MINOR SEX TRAFFICKING

Since August 1, 2014:

- **686** bills that relate to domestic minor sex trafficking were introduced.
- **48** states have introduced bills that relate to the Protected Innocence Challenge framework.
- 12 states have enacted 51 laws relating to the Protected Innocence Challenge framework.

Statistics are based on Congressional Quarterly StateTrack report summarized on March 20, 2015.

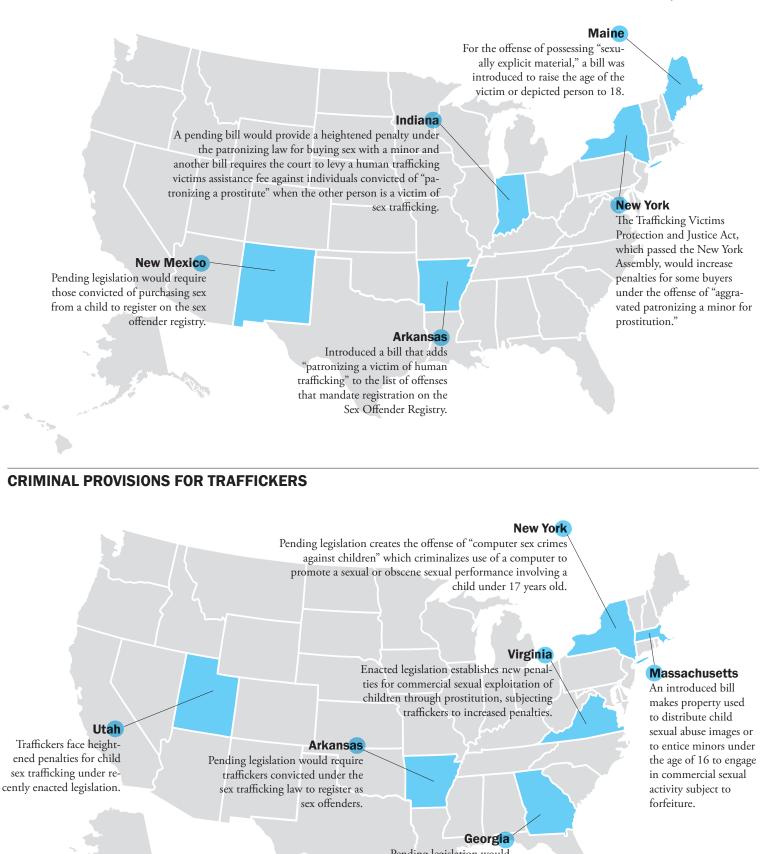
Legislative Highlight



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CRIMINAL PROVISIONS ADDRESSING DEMAND

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Pending legislation would require defendants convicted of domestic minor sex trafficking to register as sex offenders.

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CRIMINAL PROVISIONS FOR FACILITATORS

New York

Pending legislation establishes the offense of "Facilitation" which is committing the offense of sex trafficking by using commercial social networking sites or online communications.

Virginia

Maine

Facilitators face new heightened penalties under bills enacted this session that criminalize participating in commercial sexual exploitation of children offenses.

Kentucky

A bill adds conspiracy to commit selected crimes of commercial sexual exploitation of children to list of offenses for which registration on the sex offender registry is required.

Pending legislation explicitly states

engage in commercial sex.

that it is not a defense to sex traffick-

ing charges that a minor consented to

PROTECTIVE PROVISIONS FOR CHILD VICTIMS

Minnesota

Pending legislation allows for civil law suits for victims of trafficking, sets damages for sex trafficking victims and provides that no criminal case is necessary to bring a civil suit.

Nebraska

Pending legislation allows civil lawsuits for sex trafficking of minors and allows victims to use a pseudonym for confidentiality.

Kansas

Pending legislation allows civil lawsuits for victims, mandates restitution, and requires confidentiality of information about victims in police records.

Michigan

An enacted bill removed time limits for criminal indictments for child sex trafficking or commercial sexual exploitation of children offenses.

Georgia

Pending legislation extends the time limit for bringing sex trafficking cases.

to child welfare.

District of Columbia

Enacted a law to provide

immunity for minors from

prostitution charges while

requiring law enforcement

to refer the child to services

and make a report of abuse

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Hawaii

Proposed amendments to pending legislation provides that individuals subjected to sex trafficking are not liable for prostitution.

Texas

An introduced bill mandates judges to order restitution for victims depicted in child sexual abuse images.

Illinois

Pending legislation adds advertising a

minor for commercial sexual activity to the

acts within the definition of sex trafficking.

Arkansas

Missouri

Pending legislation includes selling travel services as conduct which amounts to trafficking of persons if done with knowledge that the services will be used to conduct human trafficking.

Pending legislation extends the defi-

nition of sex trafficking to include

in a commercial sexual act.

advertising a child for participation

Oregon

Pending legislation renders individuals criminally liable if they own or operate a place in which they know that minors are engaging in commercial sexual activity.

Oregon

Pending legislation provides a hearsay exception for statements made by human trafficking victims.

CRIMINAL JUSTICE TOOLS FOR INVESTIGATION AND PROSECUTION



Minnesota

Pending legislation prohibits a defense when an undercover operative is used during investigation of solicitation for

prostitution.

Nevada

Pending legislation requires child welfare agencies to report information regarding missing children who have been placed in the agency's custody to law enforcement within 24 hours.

Oklahoma

Introduced a bill that allows the Attorney General to request intercepting wire, oral or electronic communications when investigating sex trafficking or pandering.

Indiana

Pending legislation requires training for police reserve officers regarding sex trafficking and individuals who are high risk missing individuals.

District of Columbia

Enacted legislation requiring child welfare to immediately report when a child in care goes missing and requires law enforcement to report a missing child within 30 days to the National Center for Missing and Exploited Children.

Tennessee

Pending legislation allows wiretapping for investigations of sex trafficking.

Colorado

Enacted legislation requiring child welfare to report to law enforcement within 24 hours when a child in the custody of the state goes missing and law enforcement to report that missing child within 24 hours for inclusion in the National Crime Information Center database.

Hawaii

Pending legislation would allow the use of wiretapping in investigations of sex trafficking alongside involvement of organized crime.

Texas

Pending legislation addresses procedures regarding law enforcement's reporting of missing children who are under the age of 14 and are at high risk for human trafficking or exploitation.

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