









F



TIER III

SOUTH DAKOTA

2021 Report Card on Child & Youth Sex Trafficking

Issue	Grade	Score	Highlights
 1. Criminal Provisions	F	$\frac{8.5}{17.5}$	Policy goals accomplished in areas related to buyer accountability under the trafficking law, trafficker accountability under state CSEC laws, and decoy defenses. Gaps remain in areas related to buyer accountability under state CSEC laws, mistake of age defenses, business entity liability under the trafficking law, and financial penalties.
 2. Identification of and Response to Victims	F	$\frac{3.5}{27.5}$	Policy goal accomplished related to third party control. Gaps remain in areas related to foreign national victims, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, juvenile court jurisdiction, child abuse definitions, and non-familial trafficking cases.
 3. Continuum of Care	F	$\frac{2}{15}$	Gaps remain in all areas, including services through a non-punitive system, MDT responses, services through the juvenile justice system, extended foster care services, and appropriations.
 4. Access to Justice for Trafficking Survivors	F	$\frac{8.5}{15}$	Policy goal accomplished related to civil remedies. Gaps remain in areas related to civil orders of protection, crime victims' compensation, vacatur, restitution, and statutes of limitation.
 5. Tools for a Victim-Centered Criminal Justice Response	F	$\frac{4}{10}$	Gaps remain in all areas, including hearsay exceptions, alternatives to live, in-court testimony, victim supports, and privileged communications.
 6. Prevention and Training	F	$\frac{0}{15}$	Gaps remain in all areas, including training for child welfare, juvenile justice agencies, law enforcement, prosecutors, and school personnel as well as prevention education in schools.
EXTRA CREDIT	 Youth	1	Protection related to civil remedies is extended to sex trafficked youth.
	 Child Labor Trafficking	1	Protection related to civil remedies is extended to child labor trafficking victims.

OVERALL GRADE
TIER III

F 28.5

LEARN MORE

TOOLKIT: To see how South Dakota compares, visit reportcards.sharedhope.org/toolkit.

ISSUE BRIEFS: To better understand a policy goal, visit reportcards.sharedhope.org/issue-briefs.

SOUTH DAKOTA SPECIFIC RESOURCES

To better understand South Dakota's grade, access an in-depth analysis of its laws under the advanced legislative framework and review its historical progress by visiting reportcards.sharedhope.org/southdakota.

TECHNICAL ASSISTANCE

For legislators and partner non-profits that assist elected officials in creating legislation, request a consultation with our Policy Team online at sharedhope.org/legislative-technical-assistance. We will set up a meeting to discuss your legislative goals and create a customized goal for ongoing technical assistance, bill drafting services, and legislative support.