

**POLICY GOAL 4.3** Sex trafficked children and youth may vacate delinquency adjudications and criminal convictions for any offense arising from trafficking victimization.

State <sup>1</sup>	Does state law allow child sex trafficking victims to vacate delinquency adjudications? <sup>2</sup>	Does relief extend to delinquency adjudications for any offense arising from trafficking victimization?	Does state law allow sex trafficked children and youth to vacate criminal convictions?	Does relief extend to criminal convictions for any offense arising from trafficking victimization?
Alabama	No	N/A	No	N/A
Alaska	No	N/A	No	N/A
Arizona	No	N/A	No <sup>3</sup>	N/A
Arkansas	No	N/A	No	N/A
California	Yes	No; non-violent offenses only	Yes	No; non-violent offenses only
Colorado	No	N/A	No	N/A
Connecticut	No	N/A	Yes	No; mandatory for prostitution offenses (discretionary for class C/D/E felonies, unclassified felonies punishable by not more than 10 years, or any misdemeanor)
Delaware	Yes	No; non-violent offenses only	Yes	No; non-violent offenses only
District of Columbia	No	N/A	Yes	No; excludes enumerated offenses, including trafficking, murder, specified sexual abuse-related offenses, etc.
Florida	Yes	No; non-violent offenses only	Yes	No; non-violent offenses only
Georgia	Yes	No; “sexual crimes” only	Yes	Yes

<sup>1</sup> Evaluations of state laws are based on legislation enacted as of August 1, 2021. For more information on the importance of this policy goal, please visit [https://reportcards.sharedhope.org/wp-content/uploads/2021/11/IssueBrief\\_4.3.pdf](https://reportcards.sharedhope.org/wp-content/uploads/2021/11/IssueBrief_4.3.pdf).

<sup>2</sup> An asterisk (\*) indicates that vacatur is only available in cases involving coercion and/or control by a trafficker.

<sup>3</sup> Although Arizona has a trafficking-specific vacatur law on the books, it only applies to convictions that occurred before July 24, 2014, leaving many survivors without access to this critical remedy. Ariz. Rev. Stat. Ann. § 13-909(A) (Vacating the conviction of a sex trafficking victim; requirements). Further, Ariz. Rev. Stat. Ann. § 13-909(A) applies only to violations of Arizona’s prostitution offense, which fails to recognize the array of crimes trafficking victims are charged with and leaves many survivors without any avenue for relief.

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Hawaii	No	N/A	Yes	No; prostitution offenses only
Idaho	No	N/A	Yes*	No; prostitution offenses only (unless the court determines otherwise)
Illinois	No	N/A	Yes	No; prostitution offenses only
Indiana	Yes*	No; offenses that “did not result in bodily injury to another person” only	Yes*	No; offenses that “did not result in bodily injury to another person” only
Iowa	No	N/A	No	N/A
Kansas	No	N/A	No	N/A
Kentucky	Yes	No; excludes sex crimes and violent offenses	Yes	No; excludes violent offenses
Louisiana	Yes	No; prostitution offenses only	No	N/A
Maine	No	N/A	No	N/A
Maryland	No	N/A	Yes	No; qualifying offenses, including prostitution, certain drug-related offenses, trespass, misdemeanor theft, etc., only
Massachusetts	Yes	No; specified offenses, including prostitution and drug-related offenses, only	Yes	No; specified offenses, including prostitution and drug-related offenses, only
Michigan	Yes	No; child sex trafficking victims only have the right to vacate adjudications for prostitution-related offenses (vacatur of other offenses is a conditional privilege)	Yes	No; trafficking-specific provision only applies to prostitution-related offenses
Minnesota	No	N/A	Yes	Yes
Mississippi	No	N/A	Yes	No; Human Trafficking Act violations only
Missouri	Yes	No; prostitution offenses only	No	N/A
Montana	No	N/A	Yes	No; prostitution, promoting prostitution, and another non-violent offense only
Nebraska	Yes	Yes	Yes	Yes
Nevada	Yes	No; prostitution-related offenses, unlawful	Yes	No; only prostitution-related offenses or an

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		trespass, and loitering only		offense other than a crime of violence
New Hampshire	Yes	No; only conduct chargeable as indecent exposure, lewdness, prostitution, or any other misdemeanor or class B felony, provided that the conduct chargeable did not involve an act of violence	Yes	No; only conduct chargeable as indecent exposure, lewdness, prostitution, or any other misdemeanor or class B felony, provided that the conduct chargeable did not involve an act of violence
New Jersey	No	N/A	Yes	No; prostitution-related offenses only
New Mexico	Yes	Yes	No	N/A
New York	No	N/A	Yes	Yes
North Carolina	No	N/A	Yes	No; non-violent offenses only
North Dakota	No	N/A	Yes	No; prostitution, misdemeanor forgery, misdemeanor theft offenses, insufficient funds or credit offenses, and certain drug-related offenses only
Ohio	Yes	No; prostitution-related offenses only	No	N/A
Oklahoma	No	N/A	No	N/A
Oregon	No	N/A	Yes	No; prostitution offenses only
Pennsylvania	No	N/A	Yes	No; criminal trespass, disorderly conduct, loitering, obstructing highways/public passageways, prostitution/related offenses, or simple drug possession offenses only
Rhode Island	No	N/A	Yes	No; prostitution and solicitation offenses only
South Carolina	No	N/A	Yes	No; prostitution and trafficking offenses only
South Dakota	Yes	Yes	No	N/A
Tennessee	No	N/A	Yes	No; requires one of the convictions to be for prostitution and otherwise excludes convictions involving the use, attempted use, or

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				threatened use of force or the use or possession of a deadly weapon
Texas	Yes	No; conduct indicating a need for supervision, including prostitution, as well as misdemeanor offenses or offenses not listed as offenses eligible for a determinate sentence or habitual felony conduct	No	N/A
Utah	Yes*	No; excludes murder and aggravated murder	Yes*	No; possession of a controlled substance, aiding prostitution, criminal trespass, theft, possession of a forged writing or device for writing, retail theft, unlawful possession of another's identification document, lewdness, prostitution, and sexual solicitation only
Vermont	No	N/A	Yes	No; excludes arson causing death, certain assault and robbery crimes, murder, manslaughter, kidnapping, unlawful restraint, maiming, sexual assault, aggravated sexual assault, and burglary offenses
Virginia	Yes	No; prostitution-related offenses only	Yes	No; prostitution-related offenses only
Washington	Yes	No; only class B or C felonies, excluding most violent offenses and crimes against the person, certain enumerated felonies, and promoting prostitution, as well as misdemeanors/gross misdemeanors (exceptions apply)	Yes	No; only class B or C felonies, excluding most violent offenses and crimes against the person, certain enumerated felonies, and promoting prostitution, as well as misdemeanors/gross misdemeanors (exceptions apply)
West Virginia	Yes	No prostitution offenses only	Yes	No prostitution offenses only
Wisconsin	Yes	No prostitution offenses only	Yes	No prostitution offenses only
Wyoming	No	N/A	Yes	Yes

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<b>Totals:</b>	<b>22 states</b> allow child sex trafficking victims to vacate delinquency adjudications.	<b>3 of those states</b> extend relief to delinquency adjudications for any offense arising from trafficking victimization.	<b>35 states &amp; DC</b> allow sex trafficked children and youth to vacate criminal convictions.	<b>5 of those states</b> extend relief to criminal convictions for any offense arising from trafficking victimization.