

POLICY GOAL 4.4 State law mandates restitution for child sex trafficking and commercial sexual exploitation of children (CSEC) offenses.

State ¹	Does state law mandate restitution for child sex trafficking offenses? ²	Does state law mandate restitution for one or more CSEC offenses? ³
Alabama	Yes	Yes
Alaska	Yes	Yes
Arizona	Yes	No; discretionary
Arkansas	No; discretionary	No; discretionary
California	Yes	Yes
Colorado	Yes	Yes
Connecticut	Yes	Yes
Delaware	Yes	No
District of Columbia	No; discretionary	No; discretionary
Florida	Yes	Yes
Georgia	Yes	Yes
Hawaii	Yes	Yes
Idaho	Yes	Yes
Illinois	Yes	Yes
Indiana	Yes	No; discretionary
Iowa	Yes	Yes
Kansas	Yes	Yes
Kentucky	No	Yes
Louisiana	Yes	Yes
Maine	Yes	Yes
Maryland	No; discretionary	No; discretionary

¹ Evaluations of state laws are based on legislation enacted as of August 1, 2022. For more information on the importance of this policy goal, please visit <https://reportcards.sharedhope.org/wp-content/uploads/2022/10/2022-Issue-Briefs-4.4.pdf>.

² A “yes” response in this column indicates that restitution is either expressly available for child sex trafficking offenses or broadly available for victims of any criminal offense. Limitations and other procedural barriers may still apply.

³ A “yes” response in this column indicates that restitution is either expressly available for CSEC offenses or broadly available for victims of any criminal offenses. Limitations and other procedural barriers may still apply.

State ¹	Does state law mandate restitution for child sex trafficking offenses? ²	Does state law mandate restitution for one or more CSEC offenses? ³
Massachusetts	No; authorized ⁴	No; authorized ⁵
Michigan	Yes	Yes
Minnesota	Yes	Yes
Mississippi	Yes	No; discretionary
Missouri	Yes	No; discretionary
Montana	Yes	Yes
Nebraska	No; discretionary	No; discretionary
Nevada	No; discretionary	No; discretionary
New Hampshire	Yes	No; discretionary
New Jersey	Yes	No; discretionary
New Mexico	Yes	No; discretionary
New York	Yes	Yes
North Carolina	Yes	Yes
North Dakota	Yes	Yes
Ohio	No; discretionary	Yes ⁶
Oklahoma	Yes	Yes
Oregon	Yes	Yes
Pennsylvania	Yes	Yes
Rhode Island	Yes ⁷	No; discretionary
South Carolina	Yes	Yes
South Dakota	Yes	No; discretionary ⁸
Tennessee	Yes	Yes

⁴ Mass. Gen. Laws ch. 258B, § 3(o) (Rights of victims and witnesses of crime) provides crime victims with the right “to request that restitution be an element of the final disposition of a case and to obtain assistance from the prosecutor in the documentation of the victim’s losses.”

⁵ See *supra* note 4.

⁶ Pursuant to Ohio Rev. Code Ann. § 2929.18(B)(8)(a) (Financial sanctions; restitution; reimbursements), restitution is mandatory in CSEC cases if the offender is convicted of or pleads guilty to a human trafficking specification “that charges that the offender knowingly committed the offense in furtherance of human trafficking.” However, however, restitution is not expressly mandated if the offender is convicted of a violation of Ohio Rev. Code Ann. § 2905.32 (Trafficking in persons).

⁷ However, R.I. Gen. Laws Ann. § 11-67.1-10 (Restitution) does not mandate restitution for violations of Rhode Island’s buyer-applicable trafficking laws, R.I. Gen. Laws Ann. § 11-67.1-6 (Patronizing a victim of sexual servitude) or R.I. Gen. Laws Ann. § 11-67.1-7 (Patronizing a minor for commercial sexual activity).

⁸ Notably however, S.D. Codified Laws § 23A-28-1 (Policy of State – Enforcement) states,

It is the policy of this state that restitution shall be made by each violator of the criminal laws to the victims of the violator’s criminal activities to the extent that the violator is reasonably able to do so. An order of restitution may be enforced by the state or a victim named in the order to receive the restitution in the same manner as a judgment in a civil action.

State ¹	Does state law mandate restitution for child sex trafficking offenses? ²	Does state law mandate restitution for one or more CSEC offenses? ³
Texas	Yes	Yes
Utah	Yes	Yes
Vermont	Yes	No; discretionary
Virginia	Yes	Yes
Washington	Yes	Yes
West Virginia	Yes	Yes
Wisconsin	Yes	Yes
Wyoming	Yes	Yes
Totals:	<p>43 states mandate restitution for child sex trafficking offenses.</p> <p>6 other states & D.C. make restitution discretionary, or otherwise authorize restitution, for child sex trafficking offenses.</p>	<p>34 states mandate restitution for one or more CSEC offenses.</p> <p>15 other states & D.C. make restitution discretionary, or otherwise authorize restitution, for CSEC offenses.</p>