



2023 REPORT

# ALASKA

## Report Cards on Child & Youth Sex Trafficking

*State Action. National Change.*



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IN 2011, SHARED HOPE RELEASED THE NATION'S FIRST LEGAL FRAMEWORK THAT CHALLENGED states to enact laws that comprehensively address the crime of child sex trafficking. When we launched the Protected Innocence Challenge project—and issued the inaugural State Report Cards—the majority of states received an “F” grade, reflecting the reality that many states’ laws failed to even recognize the crime of child sex trafficking. Since then, we have been working to lay the foundation for transformational policy, practice, and cultural change by supporting state legislators and stakeholders in identifying gaps in the fabric of laws needed to address this heinous crime. By 2019, no state received an “F” grade, and a majority of the country received an “A” or “B.”

## PROTECTED INNOCENCE CHALLENGE

### ALASKA

2019	SCORE	GRADE	7.5	17	15	9.5	12	14.5
	75.5	C	10	25	15	10	27.5	15
2011	55.5	F	3.5	5.5	10	9	17.5	10
			10	25	15	10	27.5	15

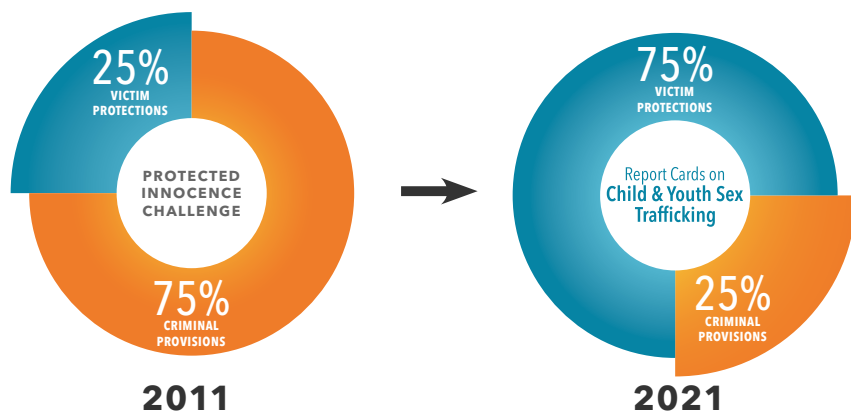
From 2011 to 2019, Alaska raised their grade under the Protected Innocence Challenge from an “F” to a “C,” enacting legislation aimed at holding offenders accountable and protecting survivors.

To view Alaska’s 2019 PIC report, visit [sharedhope.org/PICframe9/reportcards/PIC\\_RC\\_2019\\_AK.pdf](https://sharedhope.org/PICframe9/reportcards/PIC_RC_2019_AK.pdf)

## A SHIFT IN FOCUS

THE PROTECTED INNOCENCE CHALLENGE PROJECT WAS SHARED HOPE’S VISION FOR MOBILIZING collective state action to ensure national change. Building on the progress already made under that project—while preserving its most fundamental components—we released a new, advanced legislative framework in 2020 that

focuses on new policy priorities reflective of feedback and research collected from the field. This framework is meant to challenge states to take the next step in the fight against sex trafficking by focusing on the area of law where the largest gaps remain—victim protections.



## ADVANCED LEGISLATIVE FRAMEWORK

### 6 ISSUE AREAS IDENTIFIED:

CRIMINAL PROVISIONS

IDENTIFICATION OF & RESPONSE TO VICTIMS

CONTINUUM OF CARE

ACCESS TO JUSTICE FOR TRAFFICKING SURVIVORS

TOOLS FOR A VICTIM-CENTERED CRIMINAL JUSTICE RESPONSE

PREVENTION & TRAINING

### 40 POLICY GOALS ANALYZED:

### 110 TOTAL POINTS AWARDED:

States earn up to 2.5 points per policy goal

Extra credit: Protections for labor and youth 18+

100 possible points

plus up to 10 points

### FINAL LETTER GRADES ASSIGNED:

**A** | 90-110 **B** | 80-89 **C** | 70-79 **D** | 60-69 **F** | <60

#### TIER RANKING

Another way the Report Cards on Child & Youth Sex Trafficking will measure progress is through a Tier system that will help states understand how they are doing compared to other states. Especially at this stage where grades are clustered at lower levels, the Tiers help to show states where they are on a spectrum. This provides another way for states to evaluate the progress they make beyond changes to their letter grade.

#### THE TIERS ARE STRUCTURED AS FOLLOWS:

- ▶ TIER 1 = TOP 10 SCORES
- ▶ TIER 2 = MIDDLE 31 SCORES
- ▶ TIER 3 = BOTTOM 10 SCORES

F

# ALASKA

## 2023 Report Card

TIER III









**GRADES ARE BASED SOLELY ON AN ANALYSIS OF STATE STATUTES.** While we recognize the critical importance of non-legislative responses to propel progress, grading on statutory law provides a clear mechanism for evaluating policy goals across all states while ensuring that survivor-centered reforms are an enduring part of states' responses.

### STATE HIGHLIGHTS:

- Between 2021-2023, raised score by 8.5 points.
- Requires convicted offenders of child sex or labor trafficking or CSEC offenses to pay restitution to victims.
- Allows child and youth victims of sex or labor trafficking to seek accountability for their offenders through civil processes.
- The statutes of limitation have been eliminated for any criminal or civil action related to sex or labor trafficking.
- Business entities can be criminally liable for conduct amount to human trafficking.

### SAFE HARBOR STATUS:

One of 21 states that fail to prohibit the criminalization of minors for prostitution offenses, thus allowing commercially sexually exploited minors to be held criminally accountable for their own victimization.

Issue			Grade	Score	Summary
	1. Criminal Provisions		F	$\frac{10}{17.5}$	Policy goals accomplished related to buyer accountability under state CSEC laws, mistake of age defenses, decoy defenses, and business entity liability under the trafficking law. Gaps remain related to buyer accountability under the trafficking law, trafficker accountability under state CSEC laws, and financial penalties.
	2. Identification of and Response to Victims		F	$\frac{3.5}{27.5}$	Policy goal accomplished related to child abuse definitions. Gaps remain related to third party control, foreign national victims, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, juvenile court jurisdiction, and non-caregiver trafficking cases.
	3. Continuum of Care		F	$\frac{2}{15}$	Gaps remain in all areas, including community-based services, MDT responses, services through child welfare and the juvenile justice system, extended foster care services, and appropriations.
	4. Access to Justice for Trafficking Survivors		F	$\frac{8.5}{15}$	Policy goals accomplished related to restitution, civil remedies, and statutes of limitation. Gaps remain related to civil orders of protection, crime victims' compensation, and vacatur.
	5. Tools for a Victim-Centered Criminal Justice Response		F	$\frac{2}{10}$	Gaps remain in all areas, including hearsay exceptions, alternatives to live, in-court testimony, victim-witness 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		2	Protections related to civil remedies and statutes of limitation are extended to sex trafficked youth.
		Child Labor Trafficking		3	Protections related to restitution, civil remedies, and statutes of limitation are extended to child labor trafficking victims.

**OVERALL GRADE**  
TIER III

**F 31**

## WHAT IS SAFE HARBOR?

“Safe Harbor” refers to laws that insulate survivors from a punitive response and direct them toward funded, comprehensive, and protective services.





## WHY SAFE HARBOR?

These laws ensure survivors of child and youth sex trafficking are not involved in the juvenile or criminal justice system and receive trauma-informed care. Appropriate identification and access to services are vital to creating a just response for survivors of child and youth sex trafficking.

## SAFE HARBOR LAWS

Comprehensive Safe Harbor laws  
**SHOULD PROHIBIT  
ARRESTING, DETAINING,  
CHARGING, & PROSECUTING**  
all minors for prostitution offenses, regardless of  
whether a finding of trafficking victimization is  
made, and, instead, require law enforcement to  
direct child and youth survivors to  
**SPECIALIZED SERVICES & CARE.**

Safe Harbor laws  
**SHOULD ALSO PROHIBIT  
CRIMINALIZATION**  
of child sex trafficking survivors for other crimes  
committed as a result of their victimization.

Status	Safe Harbor Policy Goal
 Not met	The definition of child sex trafficking victim in the criminal code includes all commercially sexually exploited children without requiring third party control (see Policy Goal 2.1 for further analysis and <a href="#">Issue Brief 2.1</a> for background).
 Not met	State law mandates child welfare agencies to conduct trauma-informed CSEC screening for children at risk of sex trafficking (see Policy Goal 2.3 for further analysis and <a href="#">Issue Brief 2.3</a> for background).
 Not met	State law mandates juvenile justice agencies to conduct trauma-informed CSEC screening of children at risk of sex trafficking (see Policy Goal 2.4 for further analysis and <a href="#">Issue Brief 2.4</a> for background).
 Not met	State law prohibits the criminalization of minors under 18 for prostitution offenses and establishes a services-referral protocol as an alternative to arrest (see Policy Goal 2.5 for further analysis and <a href="#">Issue Brief 2.5</a> for background).
 Not met	State law prohibits the criminalization of child sex trafficking victims for status offenses, and misdemeanor and non-violent felony offenses committed as a result of their trafficking victimization (see Policy Goal 2.6 for further analysis and <a href="#">Issue Brief 2.6</a> for background).
 Not met	State law prohibits the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization (see Policy Goal 2.7 for further analysis and <a href="#">Issue Brief 2.7</a> for background).
 Not met	State law provides child sex trafficking victims with an affirmative defense to violent felonies committed as a result of their trafficking victimization (see Policy Goal 2.8 for further analysis and <a href="#">Issue Brief 2.8</a> for background).
 Not met	State law mandates a process for coordinating access to specialized services for child sex trafficking victims that does not require involvement in child-serving systems (see Policy Goal 3.1 for further analysis and <a href="#">Issue Brief 3.1</a> for background).
 Not met	State funding is appropriated to support specialized services and a continuum of care for sex trafficked children regardless of system involvement (see Policy Goal 3.6 for further analysis and <a href="#">Issue Brief 3.6</a> for background).

## STATE SUMMARY:

Alaska law does not prohibit the criminalization of minors for prostitution offenses, nor does it facilitate access to, or provide funding for, community-based services, leaving survivors vulnerable to re-traumatization caused by punitive responses and potentially underserved or disconnected from resources that are necessary to promote healing. Further, Alaska limits the definition of child sex trafficking victim by requiring third party control, preventing commercially sexually exploited children who are unable or unwilling to identify a trafficker, as well as those who are not under the control of a trafficker, from accessing protections and relief that are specifically designed for sex trafficked children.

**SAFE HARBOR RESOURCES:** For additional information, visit [reportcards.sharedhope.org/safeharbor/](https://reportcards.sharedhope.org/safeharbor/).

**SAFE HARBOR MAP:** To see our map of state Safe Harbor law development, visit [reportcards.sharedhope.org/wp-content/uploads/2022/11/SafeHarborMapDec2022.pdf](https://reportcards.sharedhope.org/wp-content/uploads/2022/11/SafeHarborMapDec2022.pdf).



This report provides a thorough analysis of Alaska’s statutes related to offender accountability and victim protections while providing recommendations for addressing gaps in those statutes.<sup>1</sup> This report does not analyze case law, agency rules, or regulations, nor does it analyze practices or initiatives that exist outside of statutory law. However, stakeholders were invited to share non-statutory responses to paint a fuller picture of the state’s anti-child sex trafficking response; where such responses were submitted, they are included as “Insights from the Field” under the respective policy goal but are not factored into the state’s grade.

For more information on how to use this Analysis Report, click [here](#).



## ISSUE 1: Criminal Provisions

### Policy Goal 1.1

The child sex trafficking law is expressly applicable to buyers of commercial sex with any minor under 18.

 **NOT MET**

Alaska Stat. § 11.66.110(a)(2) (Sex trafficking in the first degree) specifically excludes buyers from criminal liability, stating, “A person commits the crime of sex trafficking in the first degree if the person . . . as other than a patron of a prostitute, induces or causes another person who is under 20 years of age to engage in prostitution . . . .”

- 1.1.1 Recommendation: Amend Alaska Stat. § 11.66.110(a)(2) (Sex trafficking in the first degree) to make the statute applicable to the actions of buyers who “patronize” a minor for commercial sex. (See [Issue Brief 1.1](#).)

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<sup>1</sup> Evaluations of state laws are based on legislation enacted as of July 1, 2023.

### Policy Goal 1.2

Commercial sexual exploitation of children (CSEC) laws<sup>2</sup> specifically criminalize purchasing or soliciting commercial sex with any minor under 18.

● FULLY MET

Alaska law criminalizes soliciting commercial sex with minors under 18. Specifically, Alaska Stat. § 11.66.100 (Prostitution) states,

- (a) A person commits the crime of prostitution if the person
  - ....
  - (2) offers a fee in return for sexual conduct.
  - ....
- (e) Prostitution is a class C felony if
  - (1) the defendant violates (a) of this section as a patron of a prostitute;
  - (2) the prostitute is under 18 years of age; and
  - (3) the defendant is over 18 years of age and at least three years older than the prostitute.

Notably, however, Alaska Stat. § 11.66.100 requires the defendant to be over 18 years of age and at least three years older than the minor, depriving prosecutors of an additional charging option in such cases and leaving some commercially exploited children unprotected.

### Policy Goal 1.3

Commercial sexual exploitation of children (CSEC) laws<sup>3</sup> apply to traffickers and protect all minors under 18.

○ NOT MET

Alaska's CSEC laws do not specifically apply to the actions of traffickers.

- 1.3.1 Recommendation: Enact a CSEC law that addresses an array of exploitive conduct engaged in by traffickers. (See [Issue Brief 1.3](#).)

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<sup>2</sup> The phrase “commercial sexual exploitation of children” (or “CSEC”) encompasses a variety of criminal offenses committed against a child in which the child engages, or agrees to engage, in a sex act in exchange for something of value either directly or through a third party. Appropriately crafted CSEC laws can be important, additional tools available in a prosecution of child sex trafficking conduct by supplementing available penalties under the trafficking law and providing additional options for plea negotiations without requiring prosecutors to rely on unrelated or low-level offenses in that context. For this reason, we analyze trafficking laws separately from CSEC laws—even though both involve commercial sexual exploitation. For a complete list of Alaska's CSEC laws, see the appendix located at the end of this report.

<sup>3</sup> See *supra* note 2 for a full discussion on the purpose of analyzing trafficking laws separately from CSEC laws throughout this report.

**Policy Goal 1.4** Mistake of age is not an available defense in child sex trafficking prosecutions.

● FULLY MET

Alaska law prohibits a mistake of age defense in prosecutions for sex trafficking in the first degree; however, Alaska's other child sex trafficking offenses are silent regarding the permissibility of the defense.<sup>4</sup> Pursuant to Alaska Stat. § 11.66.110(b) (Sex trafficking in the first degree), "In a prosecution under (a)(2)<sup>5</sup> of this section, it is not a defense that the defendant reasonably believed that the person induced or caused to engage in prostitution was 20 years of age or older."

**Policy Goal 1.5** Use of a law enforcement decoy is not an available defense in child sex trafficking cases.

● FULLY MET

Although state trafficking laws do not expressly prohibit an offender from raising a defense based on the use of a law enforcement decoy posing as a minor, Alaska's criminal attempt statute, Alaska Stat. § 11.31.100 (Attempt), could provide prosecutors with an alternative avenue to prosecute those cases. Alaska Stat. § 11.31.100(b) states,

In a prosecution under this section, it is not a defense that it was factually or legally impossible to commit the crime which was the object of the attempt if the conduct engaged in by the defendant would be a crime had the circumstances been as the defendant believed them to be.

Accordingly, an offender could be found guilty of attempting to commit a child sex trafficking offense despite the use of a law enforcement decoy.

**Policy Goal 1.6** Business entities can be held criminally liable for conduct that violates the trafficking law.

● FULLY MET

Alaska law allows business entities to be held criminally liable for conduct that violates the trafficking law. Specifically, Alaska's trafficking offenses—Alaska Stat. § 11.66.110 (Sex trafficking in the first degree), Alaska Stat. § 11.66.120 (Sex trafficking in the second degree), Alaska Stat. § 11.66.130 (Sex trafficking in the third degree), Alaska Stat. § 11.66.135 (Sex trafficking in the fourth degree), Alaska Stat. § 11.41.360 (Human trafficking in the first degree), and Alaska Stat. § 11.41.365 (Human trafficking in the second degree)—all criminalize specified conduct

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<sup>4</sup> Conversely, a mistake of age defense is expressly permitted in CSEC prosecutions, subverting the intention of protecting children from commercial sexual exploitation and creating a weakness in laws needed to deter such conduct. Alaska Stat. § 11.66.100(b) (Prostitution) states,

In a prosecution under (e) of this section, it is an affirmative defense that, at the time of the alleged offense, the defendant

- (1) reasonably believed the prostitute to be 18 years of age or older; and
- (2) undertook reasonable measures to verify that the prostitute was 18 years of age or older.

<sup>5</sup> Alaska Stat. § 11.66.110(a)(2) states,

A person commits the crime of sex trafficking in the first degree if the person

- ....
- (2) as other than a patron of a prostitute, induces or causes another person who is under 20 years of age to engage in prostitution . . . .



committed by “a person.”<sup>6</sup> Importantly, Alaska Stat. § 01.10.060(a)(8) (Definitions) defines “person” to include “a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person.” Accordingly, business entities can be held liable for a human trafficking violation.

**Policy Goal 1.7** State law mandates that financial penalties are levied on sex trafficking and CSEC offenders and are directed to a victim services fund.

○ NOT MET

Financial penalties, including criminal fines, fees, and asset forfeiture, paid by convicted trafficking and CSEC offenders are not required to be directed into a victim services fund.<sup>7</sup>

- 1.7.1 Recommendation: Statutorily direct a percentage of financial penalties levied on trafficking and CSEC offenders into a victim services fund. (*See [Issue Brief 1.7.](#)*)

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<sup>6</sup> The substantive provisions for each of these offenses can be found under the “State Laws Addressing Child Sex Trafficking” section of the appendix located at the end of this report.

<sup>7</sup> Regarding asset forfeiture, Alaska Stat. § 11.66.145 (Forfeiture) states, “Property used to institute, aid, or facilitate, or received or derived from, a violation of AS 11.66.100(e) [Prostitution] or 11.66.110 – 11.66.135 [Sex trafficking in the first through fourth degrees] may be forfeited at sentencing.” However, a percentage of those forfeited assets is not directed into a victim services fund.



## ISSUE 2: Identification & Response to Victims

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### Policy Goal 2.1

The definition of child sex trafficking victim in the criminal code includes all commercially sexually exploited children without requiring third party control.

○ NOT MET

The definition of child sex trafficking victim does not include all commercially sexually exploited children. Alaska Stat. § 11.66.110(a) (Sex trafficking in the first degree) specifically excludes buyers from criminal liability.<sup>8</sup> Accordingly, third party control is required to establish the crime of child sex trafficking, thereby excluding commercially sexually exploited children who are not under the control of a trafficker from the definition of child sex trafficking victim.

- 2.1.1 Recommendation: Amend state law to remove third party control requirements that narrow the definition of child sex trafficking victim.<sup>9</sup> (See [Issue Brief 2.1.](#))

### Policy Goal 2.2

State law provides policy guidance to facilitate access to services and assistance for trafficked foreign national children.

○ NOT MET

Alaska law does not provide policy guidance that facilitates appropriate responses to foreign national child sex trafficking victims.

- 2.2.1 Recommendation: Statutorily provide policy guidance that facilitates access to services and assistance for trafficked foreign national children. (See [Issue Brief 2.2.](#))

### Policy Goal 2.3

State law mandates child welfare agencies to conduct trauma-informed CSEC screening for children at risk of sex trafficking.

○ NOT MET

Alaska law does not require child welfare to conduct trauma-informed CSEC screening of system-involved children and youth who are at risk of sex trafficking.

- 2.3.1 Recommendation: Statutorily require child welfare to screen system-involved children and youth at risk of sex trafficking for experiences of commercial sexual exploitation. (See [Issue Brief 2.3.](#))

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<sup>8</sup> See *supra* Policy Goal 1.1 for a full discussion of buyer-applicability under Alaska Stat. § 11.66.110.

<sup>9</sup> See generally Shared Hope Int'l, *Eliminating the Third Party Control Barrier to Identifying Juvenile Sex Trafficking Victims*, JuST Response Policy Paper (August 2015), [http://sharedhope.org/wp-content/uploads/2015/08/Policy-Paper\\_Eliminating-Third-Party-Control\\_Final1.pdf](http://sharedhope.org/wp-content/uploads/2015/08/Policy-Paper_Eliminating-Third-Party-Control_Final1.pdf) (discussing need to include all commercially sexually exploited children within sex trafficking definitions and the corresponding need to include buyer conduct in core sex trafficking offenses regardless of whether the victim is under control of a third party).

**Policy Goal 2.4** State law mandates juvenile justice agencies to conduct trauma-informed CSEC screening of children at risk of sex trafficking.

○ NOT MET

Alaska law does not require juvenile justice agencies to conduct trauma-informed CSEC screening of children and youth who are at risk of sex trafficking.

- 2.4.1 Recommendation: Statutorily require juvenile justice agencies to screen children and youth who are at risk of sex trafficking for experiences of commercial sexual exploitation. (See [Issue Brief 2.4.](#))

**Policy Goal 2.5** State law prohibits the criminalization of minors under 18 for prostitution offenses and establishes a services-referral protocol as an alternative to arrest.

○ NOT MET

Alaska law does not prohibit the criminalization of minors for prostitution offenses. Pursuant to Alaska Stat. § 11.66.100 (Prostitution), the state prostitution laws apply equally to minors and adults and only extends non-criminalization protections to persons who, in the course of engaging in conduct that violates the prostitution law, observe and report certain criminal conduct to police.<sup>10</sup> As such, minors alleged to have violated the prostitution law may be subject to arrest, detention, prosecution, and adjudication for conduct constituting their sex trafficking victimization.

- 2.5.1 Recommendation: Amend state law to prohibit the criminalization of all minors for prostitution offenses and establish a services-referral protocol in response to minors engaged in commercial sex. (See [Issue Brief 2.5.](#))

**Policy Goal 2.6** State law prohibits the criminalization of child sex trafficking victims for status offenses, and misdemeanor and non-violent felony offenses committed as a result of their trafficking victimization.

○ NOT MET

Alaska law does not prohibit the criminalization of child sex trafficking victims for status offenses nor does it prohibit charging victims with misdemeanors or non-violent felonies committed as a result of their trafficking victimization.

- 2.6.1 Recommendation: Statutorily prohibit the criminalization of child sex trafficking victims for status offenses, and misdemeanors and non-violent felonies committed as a result of their trafficking victimization. (See [Issue Brief 2.6.](#))

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<sup>10</sup> Alaska Stat. § 11.66.100(c) (Prostitution) states,

A person may not be prosecuted under (a)(1) of this section if the (1) person witnessed or was a victim of, and reported to law enforcement in good faith, one or more of the following crimes . . . (2) evidence supporting the prosecution under (a)(1) of this section was obtained or discovered as a result of the person reporting the crime to law enforcement; and (3) person cooperated with law enforcement personnel.

**Policy Goal 2.7**

State law prohibits the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization.

○ NOT MET

Alaska law does not prohibit the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization.

- 2.7.1 Recommendation: Statutorily prohibit the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization. (See [Issue Brief 2.7](#).)

**Policy Goal 2.8**

State law provides child sex trafficking victims with an affirmative defense to violent felonies committed as a result of their trafficking victimization.

○ NOT MET

Alaska law does not provide child sex trafficking victims with an affirmative defense to violent felonies committed as a result of their trafficking victimization.

- 2.8.1 Recommendation: Statutorily provide child sex trafficking victims with an affirmative defense to violent felonies committed as a result of their trafficking victimization. (See [Issue Brief 2.8](#).)

**Policy Goal 2.9**

Juvenile court jurisdiction provides for a developmentally appropriate response.

🕒 PARTIALLY MET

Alaska law does not provide age-appropriate juvenile court responses for all minors accused of engaging in juvenile or criminal conduct. While juvenile court jurisdiction extends to all minors under 18 years of age, Alaska law does not establish a minimum age for jurisdictional purposes, permits direct file and transfers to adult criminal court for minors accused of certain offenses or those previously adjudicated or convicted in the adult criminal justice system, and fails to require courts to consider the impact of trauma or past victimization in making discretionary transfer determinations.

	Minimum Age of Juvenile Court Jurisdiction	Maximum Age for Charging Youth in Juvenile Court	Automatic Transfers or Permits Direct File	Discretionary Transfers	Requirement for Court to Consider Trauma or Past Victimization
<b>Summary</b>	None. “Minor” is defined as “a person under 18 years of age . . . .”	17.	Yes. Minors 16+ years old who have been charged with certain offenses and minors previously convicted in criminal court.	Yes. Minors deemed “unamenable to treatment” may be transferred to criminal court.	No.
<b>Relevant Statute(s)</b>	Alaska Stat. § 47.12.990(12) (Definitions)	Alaska Stat § 47.12.020(a) (Jurisdiction)	Alaska Stat. § 47.12.030	Alaska Stat. § 47.12.100 (Waiver of jurisdiction)	Alaska Stat. § 47.12.100

			(Provisions applicable)		(Waiver of jurisdiction)
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Consequently, Alaska law fails to provide age-appropriate juvenile court responses to all minors, including child sex trafficking victims, as governing state statute: (1) does not establish a minimum age for juvenile court jurisdiction that is in alignment with domestic standards; (2) allows minors to be subjected to automatic transfers; and (3) does not require the juvenile court to consider past trafficking victimization or trauma when making a transfer determination.

- 2.9.1 Recommendation: Statutorily require age-appropriate juvenile court responses for all children accused of engaging in juvenile or criminal conduct. (*See [Issue Brief 2.9.](#)*)

**Policy Goal 2.10** State law defines child abuse to include child sex trafficking to ensure access to child welfare services.

 FULLY MET

Alaska law defines “child abuse or neglect” to include child sex trafficking. Pursuant to Alaska Stat. § 47.17.290(3), (18) (Definitions),

(3) “child abuse or neglect” means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child’s health or welfare is harmed or threatened thereby . . . .

....

(18) “sexual exploitation” includes

- (A) allowing, permitting, or encouraging a child to engage in prostitution prohibited by AS 11.66.100 – 11.66.150 [including prostitution and sex trafficking in the first through fourth degree], by a person responsible for the child’s welfare;
- (B) allowing, permitting, encouraging, or engaging in activity prohibited by AS 11.41.455(a) [Unlawful exploitation of a minor], by a person responsible for the child’s welfare.

**Policy Goal 2.11** State law allows for child welfare involvement in sex trafficking cases that do not involve caregiver fault and provides for an alternative, specialized response in those cases.

 NOT MET

Alaska’s child welfare code does not allow for a child welfare response in non-caregiver child sex trafficking cases. Pursuant to Alaska Stat. § 47.17.290(18) (Definitions), the definition of “child abuse or neglect” only includes child sex trafficking offenses committed “by a person responsible for the child’s welfare.”<sup>11</sup> Further, a specialized response is not statutorily required for children reported to child welfare due to trafficking victimization perpetrated by a non-caregiver trafficker.

- 2.11.1 Recommendation: Statutorily allow for child welfare involvement in child sex trafficking cases regardless of parent or caregiver fault and provide for a specialized response in those cases. (*See [Issue Brief 2.11.](#)*)

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<sup>11</sup> Alaska Stat. § 47.17.290(13) defines “person responsible for the child’s welfare” as “the child’s parent, guardian, foster parent, a person responsible for the child’s care at the time of the alleged child abuse or neglect, or a person responsible for the child’s welfare in a public or private residential agency or institution.”





## ISSUE 3: Continuum of Care

### Policy Goal 3.1

State law mandates a process for coordinating access to specialized services for child sex trafficking victims that does not require involvement in child-serving systems.

○ NOT MET

Alaska law does not mandate a process for coordinating access to specialized, community-based services for child sex trafficking victims that does not require involvement in a child-serving system.

- 3.1.1 Recommendation: Statutorily mandate a process for coordinating access to specialized services for child sex trafficking victims that does not require involvement in child-serving systems. (See [Issue Brief 3.1](#).)

### Policy Goal 3.2

State law provides for a survivor-centered multi-disciplinary team response to child sex trafficking cases.

○ NOT MET

Alaska does not statutorily require a multi-disciplinary team response to child sex trafficking cases.

- 3.2.1 Recommendation: Statutorily require a multi-disciplinary team response to child sex trafficking victims. (See [Issue Brief 3.2](#).)

### Policy Goal 3.3

State law requires child welfare to provide access to specialized services for identified sex trafficked children and youth.

○ NOT MET

Alaska law does not require child welfare to provide access to services that are specialized to the unique needs of child sex trafficking victims.

- 3.3.1 Recommendation: Statutorily require child welfare to provide access to specialized services for child sex trafficking victims. See [Issue Brief 3.3](#).

### Policy Goal 3.4

State law requires the juvenile justice system to provide access to specialized services for identified sex trafficked children and youth.

○ NOT MET

Alaska law does not provide access to specialized services for identified sex trafficked children and youth in the juvenile justice system.

- 3.4.1 Recommendation: Statutorily require the juvenile justice system to provide access to specialized services for identified sex trafficked children and youth. (See [Issue Brief 3.4](#).)

**Policy Goal 3.5** State law extends foster care services to older foster youth.

 **PARTIALLY MET**

Alaska law extends foster care services to youth under 21 years of age through a court process. However, these services are not extended to youth under 23 years of age as permitted under federal law.<sup>12</sup> Specifically, Alaska Stat. § 47.10.080(c)(1)(A)–(B) (Judgements and orders) provides,

If the court finds that the child is a child in need of aid, the court shall

(1) order the child committed to the department for placement in an appropriate setting for a period of time not to exceed two years or in any event not to extend past the date the child becomes 19 years of age, except that the department, the child, or the child’s guardian ad litem may petition for and the court may grant in a hearing

(A) one-year extensions of commitment that do not extend beyond the child’s 19th birthday if the extension is in the best interests of the child; and

(B) additional one-year extensions of commitment past 19 years of age that do not extend beyond the person’s 21st birthday if the continued state custody is in the best interests of the person and the person consents to it . . .

- 3.5.1 Recommendation: Strengthen existing law to better support transition age youth by extending transitional foster care services to youth under 23 years of age. (See [Issue Brief 3.5](#).)

**Policy Goal 3.6** State funding is appropriated to support specialized services and a continuum of care for sex trafficked children regardless of system involvement.

 **NOT MET**

The Alaska state legislature did not appropriate funds to support the development and provision of specialized, community-based services and care to child and youth survivors.

- 3.6.1 Recommendation: Appropriate state funds to support the development of and access to specialized, community-based services to child and youth survivors of sex trafficking. (See [Issue Brief 3.6](#).)

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<sup>12</sup> For more information, see Shared Hope Int’l, *Issue Brief 3.5: Continuum of Care*, <https://reportcards.sharedhope.org/issue-briefs/#IB3.5> (discussing federal laws that allow for funded foster care services to be extended to youth under 23 years of age).



## ISSUE 4: Access to Justice for Trafficking Survivors

**Policy Goal 4.1** State law allows trafficking victims to seek emergency civil orders of protection.

○ NOT MET

While civil orders of protection exist under Alaska law, this protection is not expressly available to victims of child sex trafficking and CSEC.

- 4.1.1 Recommendation: Strengthen state law to expressly allow victims of trafficking and CSEC to obtain ex parte civil orders of protection against their exploiters. (*See [Issue Brief 4.1.](#)*)

**Policy Goal 4.2** Ineligibility factors for crime victims' compensation do not prevent victims of child sex trafficking and commercial sexual exploitation of children (CSEC) from accessing compensation.

● PARTIALLY MET

Although Alaska's crime victims' compensation laws define "victim" to include victims of child sex trafficking and CSEC, ineligibility factors may prevent a commercially sexually exploited child from accessing an award.

For purposes of accessing crime victims' compensation, Alaska Stat. § 18.67.101 (Incidents and offenses to which this chapter applies) defines "victim" as anyone suffering from:

- [P]ersonal injury or death that resulted from
- (1) an attempt on the part of the applicant to prevent the commission of crime, or to apprehend a suspected criminal, or aiding or attempting to aid a police officer to do so, or aiding a victim of crime; or
  - (2) the commission or attempt on the part of one other than the applicant to commit any of the following offenses:
    - ....
    - (L) sex trafficking in violation of AS 11.66.110 [Sex trafficking in the first degree] or 11.66.130(a)(2)(B) [Sex trafficking in the third degree];
    - (M) human trafficking in any degree; or
    - (N) unlawful exploitation of a minor.

However, the Violent Crimes Compensation program contains ineligibility criteria that could operate to bar a child sex trafficking victim's claim for compensation. Under Alaska Stat. § 18.67.080(c) (Awarding compensation),

In determining whether to make an order under this section, the board shall consider all circumstances determined to be relevant, including provocation, consent, or any other behavior of the victim that directly or indirectly contributed to the victim's injury or death, the prior case or social history, if any, of the victim, the victim's need for financial aid, and any other relevant matters. In applying this subsection,

- (1) the board may not deny an order based on the factors in this subsection, unless those factors relate significantly to the occurrence that caused the victimization and are of such a nature and quality that a reasonable or prudent person would know that the factors or actions could lead to the crime and the victimization;
- (2) with regard to circumstances in which the victim consented to, provoked, or incited the criminal act, the board may consider those circumstances only if the board finds that it is more probable than

not that those circumstances occurred and were the cause of the crime and the victimization;

....

(4) if a claim is based on a crime involving domestic violence or on a crime of sexual abuse of a minor or sexual assault and the offender is

(A) convicted of one of those crimes, notwithstanding (1)–(3) of this subsection, the board may not deny an order based on considerations of provocation, the use of alcohol or drugs by the victim, or the prior social history of the victim; or

(B) not convicted of one of those crimes, the board may not deny an order based on the involvement or behavior of the victim.

In addition, Alaska Stat. § 18.67.130 (Limitations on awarding compensation) sets limits on the victim’s ability to receive compensation. Under subsection (a)(1), an application must be made within two years of the injury, and under subsection (a)(2), the victim cannot receive compensation under Alaska Stat. § 18.67.080 unless, “the personal injury or death was the result of an incident or offense listed in AS 18.67.101 that had been reported to the police within five days of its occurrence or, if the incident or offense could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made.” Alaska Stat. § 18.67.130(a)(3) states that victim compensation will not be granted unless “in the discretion of the board, the applicant has cooperated with law enforcement and prosecution officials to further prosecution of the offender if appropriate and to avoid further injury by the offender to the applicant and injury to persons in the care of the applicant who are exposed to possible injury by the offender.” Lastly, Alaska Stat. § 18.67.130(b)(3) states that compensation will not be awarded in the event that the victim “violated a penal law of the state, which violation caused or contributed to the victim’s injuries or death.”

Alaska law does not carve out any exceptions to these ineligibility factors for child sex trafficking and CSEC, which may result in denial of an award.

- 4.2.1 Recommendation: Amend state law to exempt victims of child sex trafficking and CSEC from ineligibility factors for crime victims’ compensation. (See [Issue Brief 4.2.](#))

#### Policy Goal 4.3

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

 NOT MET

Alaska law does not allow sex trafficked children and youth to vacate delinquency adjudications or criminal convictions for offenses arising from trafficking victimization.

- 4.3.1 Recommendation: Amend state law to allow sex trafficked children and youth to vacate delinquency adjudications and criminal convictions for any offense arising from trafficking victimization. (See [Issue Brief 4.3.](#))

#### Policy Goal 4.4

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

 FULLY MET

Alaska law requires an offender convicted of a child sex trafficking or CSEC offense to pay restitution. Pursuant to Alaska Stat. § 12.55.045(a) (Restitution and compensation),

(a) The court shall, when presented with credible evidence, unless the victim or other person expressly declines restitution, order a defendant convicted of an offense to make restitution as provided in this section, including restitution to the victim or other person injured by the offense, to a public, private, or

private nonprofit organization that has provided or is or will be providing counseling, medical, or shelter services to the victim or other person injured by the offense, or as otherwise authorized by law. The court shall, when presented with credible evidence, unless the victim expressly declines restitution, also order a defendant convicted of an offense to compensate a victim that is a nonprofit organization for the value of labor or goods provided by volunteers if the labor or goods were necessary to alleviate or mitigate the effects of the defendant's crime. In determining the amount and method of payment of restitution or compensation, the court shall take into account the

- (1) public policy that favors requiring criminals to compensate for damages and injury, including loss of income, to their victims; and
- (2) financial burden placed on the victim and those who provide services to the victim and other persons injured by the offense as a result of the criminal conduct of the defendant.

....

- (g) The court may not, in ordering the amount of restitution, consider the defendant's ability to pay restitution.
- (h) In imposing restitution under this section, the court may require the defendant to make restitution by means other than the payment of money.
- (i) An order of restitution made under this section is a condition of the defendant's sentence and, in cases in which the court suspends all or a portion of the defendant's sentence, the order of restitution is a condition of the suspended sentence . . . .

#### EXTRA CREDIT



Alaska law mandates restitution for victims of child labor trafficking under Alaska Stat. § 12.55.045, which requires offenders convicted of any crime to pay victim restitution.

#### **Policy Goal 4.5**      State law provides child sex trafficking victims with a trafficking-specific civil remedy.



Alaska state law allows victims of child sex trafficking to pursue civil remedies against their exploiters. Alaska Stat. § 09.10.065(a)(4), (5) (Commencement of actions for acts constituting sexual offenses) states, "A person may bring an action at any time for conduct that would have, at the time the conduct occurred, violated provisions of any of the following offenses: . . . (4) felony sex trafficking; or (5) felony human trafficking."



## EXTRA CREDIT



Alaska law provides sex trafficked youth with a trafficking-specific civil remedy under Alaska Stat. § 09.10.065(a), which applies broadly to all cases involving felony sex trafficking regardless of the victim's age.



Alaska law provides child labor trafficking victims with a trafficking-specific civil remedy under Alaska Stat. § 09.10.065(a), which applies broadly to cases involving felony human trafficking, including both sex and labor trafficking.

### Policy Goal 4.6

Statutes of limitation for criminal and civil actions for child sex trafficking or commercial sexual exploitation of children (CSEC) offenses are eliminated to allow prosecutors and victims a realistic opportunity to pursue criminal action and legal remedies.



Prosecutions for child sex trafficking offenses may commence at any time; further, the statute of limitation for a related civil action is eliminated. Pursuant to Alaska Stat. § 12.10.010(5), (9) (General time limitations),

Prosecution for the following offenses may be commenced at any time:

....

(5) a violation of . . . AS 11.66.110 — 11.66.130 [including sex trafficking in the first through third degrees] . . . when committed against a person who, at the time of the offense, was under 18 years of age;

....

(8) sex trafficking in violation of AS 11.66.110 — 11.66.130 that is an unclassified, class A, or class B felony or that is committed against a person who, at the time of the offense, was under 20 years of age;

Otherwise, Alaska Stat. § 12.10.010(b)(2) provides, “a person may not be prosecuted, tried, or punished for an offense unless the indictment is found or the information or complaint is instituted not later than . . . five years after the commission of any other offense.”

Regarding civil actions, Alaska Stat. § 09.10.065(a) (Commencement of actions for acts constituting sexual offenses) states, “A person may bring an action at any time for conduct that would have, at the time the conduct occurred, violated provisions of any of the following offenses: . . . (4) felony sex trafficking; or (5) felony human trafficking.”

## EXTRA CREDIT



Criminal and civil statutes of limitation for offenses involving sex trafficking and human trafficking are eliminated under Alaska Stat. § 12.10.010 and Alaska Stat. § 09.10.065, respectively, regardless of the victim's age.



Criminal and civil statutes of limitation for offenses involving human trafficking, including child labor trafficking, are eliminated under Alaska Stat. § 12.10.010 and Alaska Stat. § 09.10.065, respectively.



## ISSUE 5: Tools for a Victim-Centered Criminal Justice Response

### Policy Goal 5.1

Non-testimonial evidence may be admitted through a child sex trafficking-specific hearsay exception to reduce reliance of victim testimony.

○ NOT MET

Alaska law does not allow non-testimonial, out-of-court statements made by a commercially sexually exploited child to be admitted into evidence in lieu of, or for the purpose of corroborating, the child's testimony.

- 5.1.1 Recommendation: Statutorily provide a hearsay exception that applies to non-testimonial evidence in cases involving commercial sexual exploitation of children under 18 years of age. (*See [Issue Brief 5.1.](#)*)

### Policy Goal 5.2

State law provides child sex trafficking victims with alternatives to live, in-court testimony regardless of the prosecuted offense.

○ NOT MET

Alaska law does not provide child sex trafficking victims with an alternative to live, in-court testimony. Although Alaska Stat. § 12.45.046(a)(2) (Testimony of children in criminal proceedings) permits the court to order the testimony of a child under 16 years of age to be taken by closed circuit television (CCTV) during the prosecution of a specified offense, this protection does not apply to victims of sex trafficking or CSEC. Specifically, Alaska Stat. § 12.45.046(a)(2) states,

(a) In a criminal proceeding under AS 11.41 [Offenses Against the Person] involving the prosecution of an offense committed against a child under the age of 16, or witnessed by a child under the age of 16, the court

....

(2) on its own motion or on the motion of the party presenting the witness or the guardian ad litem of the child, may order that the testimony of the child be taken by closed circuit television<sup>13</sup> or through

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<sup>13</sup> Regarding use of CCTV, Alaska Stat. § 12.45.046(c) states in part,

If the court authorizes use of closed circuit televised testimony under this subsection,

(1) each of the following may be in the room with the child when the child testifies:

(A) the prosecuting attorney;

(B) the attorney for the defendant; and

(C) operators of the closed circuit television equipment;

(2) the court may, in addition to persons specified in (1) of this subsection, admit a person whose presence, in the opinion of the court, contributes to the well-being of the child.

one-way mirrors<sup>14</sup> if the court determines that the testimony by the child victim or witness under normal court procedures would result in the child's inability to effectively communicate.<sup>15</sup>

Notably, however, these protections are only available in criminal prosecutions under Chapter 41 of Title 11 (Offenses against the person), and Alaska's sex trafficking and CSEC offenses are codified under Chapter 66 of Title 11 (Offenses against public health and decency). Accordingly, the protection provided for under Alaska Stat. § 12.45.046 is unavailable to commercially sexually exploited children.

- 5.2.1 Recommendation: Strengthen existing statutory protections to allow all commercially sexually exploited children to testify by an alternative method regardless of the child's age and the offense charged. (*See Issue Brief 5.2.*)

**Policy Goal 5.3** Child sex trafficking victims have access to victim protections in the criminal justice system.

 **NOT MET**

	Child sex trafficking victims have the right to a victim advocate	Child sex trafficking victims testifying against their exploiter are provided supports in the courtroom	Child sex trafficking victims' identifying information is protected from disclosure in court records
Summary	Not statutorily required.	Not statutorily required.	Not statutorily required. <sup>16</sup>
Relevant Statute(s)	None.	None.	None.

- 5.3.1 Recommendation: Statutorily ensure that child sex trafficking victims have the right to a victim advocate, courtroom supports are provided when they are testifying against their exploiter, and their identifying information is kept confidential in court records. (*See Issue Brief 5.3.*)

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<sup>14</sup> Regarding the use of one-way mirrors, Alaska Stat. § 12.45.046(e) provides, "The attorneys may pose questions to the child and have visual contact with the child during questioning, but the mirrors shall be placed to provide a physical shield so that the child does not have visual contact with the defendant and jurors."

<sup>15</sup> Pursuant to Alaska Stat. § 12.45.046(b),

In making a determination under (a)(2) of this section, the court shall consider factors it considers relevant, including

- (1) the child's chronological age;
- (2) the child's level of development;
- (3) the child's general physical health;
- (4) any physical, emotional, or psychological injury experienced by the child; and
- (5) the mental or emotional strain that will be caused by requiring the child to testify under normal courtroom procedures.

<sup>16</sup> Under Alaska Stat. § 12.61.110 (Confidentiality of victim and witness addresses and telephone numbers) and Alaska Stat. § 12.61.140 (Disclosure of victims' names), victims' contact information may be kept confidential, but identifying information is not protected from disclosure in criminal court records.

## Policy Goal 5.4

State law provides for privileged communications between caseworkers and child sex trafficking victims.

 **PARTIALLY MET**

Alaska law does not provide for privileged communications between caseworkers and child sex trafficking victims. Although Alaska Stat. § 18.66.200(a) (Compulsory disclosure of communications prohibited) broadly states that “a victim or victim counselor may not be compelled, without appropriate consent, to give testimony or to produce records concerning confidential communications for any purpose in a criminal, civil, legislative, or administrative proceeding,” the definitions for “victim”<sup>17</sup> and “victim counselor”<sup>18</sup> under Alaska Stat. § 18.66.250 (Definitions) limit this protection to cases involving sexual assault<sup>19</sup> and domestic violence, which are not defined to include child sex trafficking.

Notably, state law protects communications made between psychologists and patients, broadly, allowing child sex trafficking victims who receive services from such professionals to benefit from the privilege.

Statute	Professional	Relevant Limitations
Alaska Stat. § 08.86.200(a) (Confidentiality of communications)	Psychologist or psychological associate	None.

- 5.4.1 Recommendation: Enact a child sex trafficking-specific caseworker privilege law that protects a child sex trafficking victim’s communications with a caseworker from being disclosed. (See [Issue Brief 5.4](#).)

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<sup>17</sup> Alaska Stat. § 18.66.250(3) defines “victim” as “a person who consults a victim counselor for assistance in overcoming adverse affects of a sexual assault or domestic violence.”

<sup>18</sup> Alaska Stat. § 1866.250(6) defines “victim counselor” as “an employee or supervised volunteer of a victim counseling center that provides counseling to victims (A) who has undergone a minimum of 40 hours of training in domestic violence or sexual assault, crisis intervention, victim support, treatment and related areas; or (B) whose duties include victim counseling.”

<sup>19</sup> Alaska Stat. § 18.66.250(2) defines “sexual assault” as, “an offense under AS 11.41-410 – 11.41.470 [Sexual Offenses] or an offense in another jurisdiction whose elements are similar to the elements of an offense under AS 11.41.410 – 11.41.470.”





## ISSUE 6: Prevention & Training

### Policy Goal 6.1

State law mandates statewide training for child welfare agencies on identification and response to child sex trafficking.

○ NOT MET

Alaska law does not mandate statewide training for child welfare agencies on identification and response to child sex trafficking.

- 6.1.1 Recommendation: Statutorily mandate statewide training for child welfare agencies on identification and response to child sex trafficking. (See [Issue Brief 6.1.](#))

### Policy Goal 6.2

State law mandates statewide training for juvenile justice agencies on identification and response to child sex trafficking.

○ NOT MET

Alaska law does not mandate statewide training for juvenile justice agencies on identification and response to child sex trafficking.

- 6.2.1 Recommendation: Statutorily mandate statewide training for juvenile justice agencies on identification and response to child sex trafficking. (See [Issue Brief 6.2.](#))

### Policy Goal 6.3

State law mandates ongoing, trafficking-specific training on victim-centered investigations for law enforcement.

○ NOT MET

Alaska law does not mandate ongoing, trafficking-specific training on victim-centered investigations for law enforcement.

- 6.3.1 Recommendation: Statutorily mandate ongoing, trafficking-specific training on victim-centered investigations for law enforcement. (See [Issue Brief 6.3.](#))

### Policy Goal 6.4

State law mandates trafficking-specific training on victim-centered investigations and prosecutions for prosecutors.

○ NOT MET

Alaska law does not mandate trafficking-specific training on victim-centered investigations and prosecutions for prosecutors.

- 6.4.1 Recommendation: Statutorily mandate trafficking-specific training on victim-centered investigations and prosecutions for prosecutors. (See [Issue Brief 6.4.](#))

**Policy Goal 6.5** State law mandates child sex trafficking training for school personnel.

○ NOT MET

Alaska law does not mandate training on child sex trafficking for school personnel.

- 6.5.1 Recommendation: Statutorily mandate trafficking-specific prevention education training for school personnel. (See [Issue Brief 6.5](#).)

**Policy Goal 6.6** State law mandates child sex trafficking prevention education in schools.

○ NOT MET

Alaska law does not mandate child sex trafficking prevention education in schools.

- 6.6.1 Recommendation: Statutorily mandate developmentally and age-appropriate child sex trafficking prevention education in schools. (See [Issue Brief 6.6](#).)

# KEYSTONE STATUTES

## State Laws Addressing Child Sex Trafficking

1. Alaska Stat. § 11.66.110(a) (Sex trafficking in the first degree) states,

A person commits the crime of sex trafficking in the first degree if the person

....

(2) as other than a patron of a prostitute, induces or causes another person who is under 20 years of age to engage in prostitution; or

....

Alaska Stat. § 11.66.110(a)(1), (a)(3) is a class A felony punishable by imprisonment for 4–7 years and a possible fine up to \$250,000. Alaska Stat. §§ 11.66.110(c), 12.55.125(c)(1), 12.55.035(b)(2). Alaska Stat. § 11.66.110(a)(2) is an unclassified felony punishable by imprisonment for 20–35 years, depending on the victim’s age, and a possible fine up to \$500,000. Alaska Stat. § 11.66.110(d), 12.55.125(i)(1)(A), 12.55.035(b)(1).

2. Alaska Stat. § 11.66.120 (Sex trafficking in the second degree) states,

(a) A person commits the crime of sex trafficking in the second degree if the person

(1) manages, supervises, controls, or owns, either alone or in association with others, a prostitution enterprise other than a place of prostitution;

(2) procures or solicits a patron for a prostitute; or

(3) offers, sells, advertises, promotes, or facilitates travel that includes commercial sexual conduct as enticement for the travel; in this paragraph, “commercial sexual conduct” means sexual conduct for which anything of value is given or received by any person.

(b) Sex trafficking in the second degree is a class B felony.

A class B felony is punishable by imprisonment for 1–3 years and a possible fine up to \$100,000. Alaska Stat. § 12.55.125(d)(1), 12.55.035(b)(3).

3. Alaska Stat. § 11.66.130 (Sex trafficking in the third degree) states,

(a) A person commits the crime of sex trafficking in the third degree if the person

(1) receives compensation for prostitution services rendered by another; and

(2) with the intent to promote prostitution,

(A) manages, supervises, controls, or owns, either alone or in association with others, a place of prostitution;

(B) as other than a patron of a prostitute, induces or causes another person who is 20 years of age or older to engage in prostitution;

(C) receives or agrees to receive money or other property under an agreement or understanding that the money or other property is derived from prostitution; or

(D) engages in conduct that institutes, aids, or facilitates a prostitution enterprise.

....

(c) Sex trafficking in the third degree is a class C felony.

A class C felony is punishable by imprisonment for 0–2 years and a possible fine up to \$50,000. Alaska Stat. §§ 12.55.125(e)(1), 12.55.035(b)(4).

4. Alaska Stat. § 11.66.135 Sex trafficking in the fourth degree) states,

- (a) A person commits the crime of sex trafficking in the fourth degree if the person
  - (1) receives compensation for prostitution services rendered by another; and
  - (2) engages in conduct that institutes, aids, or facilitates prostitution under circumstances not proscribed under AS 11.66.130(a)(2)(D) [Sex trafficking in the third degree].

....

- (c) Sex trafficking in the fourth degree is a class A misdemeanor.

A class A misdemeanor is punishable by up to 1 year imprisonment and a possible fine up to \$25,000. Alaska Stat. § 12.55.135(a), 12.55.035(b)(5).

5. Alaska Stat. § 11.41.360 (Human trafficking in the first degree) states,

- (a) A person commits the crime of human trafficking in the first degree if the person compels or induces another person to engage in sexual conduct, adult entertainment, or labor in the state by force or threat of force against any person, or by deception.

....

- (c) Human trafficking in the first degree is a class A felony.

A class A felony is punishable by imprisonment for 4–7 years and a possible fine up to \$250,000. Alaska Stat. §§ 12.55.125(c)(1), 12.55.035(b)(2).

6. Alaska Stat. § 11.41.365 (Human trafficking in the second degree) states,

- (a) A person commits the crime of human trafficking in the second degree if the person obtains a benefit from the commission of human trafficking under AS 11.41.360 [Human trafficking in the first degree], with reckless disregard that the benefit is a result of the trafficking.
- (b) Human trafficking in the second degree is a class B felony.

A class B felony is punishable by imprisonment for 1–3 years and a possible fine up to \$100,000. Alaska Stat. § 12.55.125(d)(1), 12.55.035(b)(3).

## State Laws Addressing Commercial Sexual Exploitation of Children (CSEC)

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1. Alaska Stat. § 11.66.100 (Prostitution) states,
  - (a) A person commits the crime of prostitution if the person
    - ....
    - (2) offers a fee in return for sexual conduct.
    - ....
  - (e) Prostitution is a class C felony if
    - (1) the defendant violates (a) of this section as a patron of a prostitute;
    - (2) the prostitute is under 18 years of age; and
    - (3) the defendant is over 18 years of age and at least three years older than the prostitute.

A class C felony is punishable by imprisonment for 0–2 years and a possible fine up to \$50,000. Alaska Stat. §§ 12.55.125(e)(1), 12.55.035(b)(4).



## RESOURCES

**REPORT CARDS PROJECT:** For more information on the Report Cards Project, visit [reportcards.sharedhope.org](https://reportcards.sharedhope.org).

**TOOLKIT:** To see how your state compares, visit [reportcards.sharedhope.org/toolkit](https://reportcards.sharedhope.org/toolkit).

**ISSUE BRIEFS:** To better understand a policy goal, visit [reportcards.sharedhope.org/issue-briefs](https://reportcards.sharedhope.org/issue-briefs).

**SURVEY CHARTS:** To see where the nation stands as a whole on a particular issue, visit [reportcards.sharedhope.org/state-survey-charts](https://reportcards.sharedhope.org/state-survey-charts).

## HIGHLIGHTED RESOURCES

### Community-Based Services White Paper



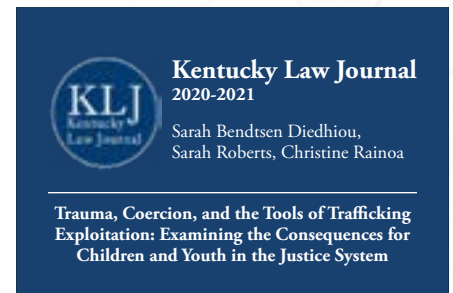
This white paper discusses the importance of providing comprehensive, trauma-informed services to all child sex trafficking victims, regardless of system involvement, and provides examples of state statutory responses.

### Victim-Offender Intersectionality Report



This report examines the phenomenon of sex trafficking survivors entering the criminal justice system for allegedly engaging in sex trafficking conduct and provides tools for criminal justice stakeholders to assist in identifying and responding to these cases in a trauma-informed manner.

### Trauma, Coercion, and the Tools of Trafficking Exploitation



This law journal article examines the harms of relying on a juvenile justice-based response for serving child sex trafficking victims, the importance of enacting strong non-criminalization laws, the intertwined nature of sex trafficking victimization and criminalized conduct, and the importance of using a trauma-informed lens in response.

## TECHNICAL ASSISTANCE

For legislators and policy advocates assisting elected officials in creating legislation, request a consultation with our Policy Team online at [sharedhope.org/legislative-technical-assistance](https://sharedhope.org/legislative-technical-assistance). We will set up a meeting to discuss your legislative goals and create a customized plan for ongoing technical assistance, bill drafting services, and legislative support.

## ADVOCACY ACTION CENTER

The Advocacy Action Center is an online resource that allows individuals to join the fight against child sex trafficking either through legislator engagement or by signing a petition. For more information, visit [act.sharedhope.org/actioncenter](https://act.sharedhope.org/actioncenter).



Contact your legislators, letting them know you want greater protections for child sex trafficking victims and increased accountability for their exploiters.



Sign a petition to show your support for issues that advance justice for child sex trafficking survivors.



Help end the criminalization of child sex trafficking survivors! Several states can still criminalize child sex trafficking victims for prostitution. Sign the petition to show your support for changing these laws.