



2025 REPORT CARD & TOOLKIT

SOUTH DAKOTA



Protection, not punishment.
Services, not sentences.
Healing, not harm.

“
Girls, boys,
people—
just like me
—dream of a
world where
all victims of
sex trafficking
can experience
freedom.”

YVONNE FRYAR

DEAR FRIENDS & PARTNERS,

When I was 16 years old, I was arrested and sentenced to adult prison, resulting in doing a total of 9 years. My so-called “crimes” were the direct result of being trafficked, yet instead of protection and support, I was punished. I know firsthand what it means to be caught, not by my trafficker, but by a system that failed to see me as a victim.

I share this because my story is not unique. Across the country, countless girls, boys, and young people are still being unjustly incarcerated for acts they were forced, coerced, or compelled to commit in the context of their victimization. This cycle of punishment deepens trauma, closes doors to healing, and denies survivors the freedom every child deserves.

The *Just Like Me Campaign* was born out of this urgent need for change. Rooted in years of survivor leadership, research, and advocacy, this campaign seeks to end the unjust criminalization of Domestic Minor Sex Trafficking (DMST) victims. The *Just Like Me Toolkit* you hold is more than a set of resources; it is a roadmap for transformation. Within these pages you’ll find the legislative agenda, report cards, and practical tools needed to advance policies that protect survivors, prevent exploitation, and open pathways to justice and restoration.

But a toolkit alone cannot create change. It will take all of us, advocates, policymakers, community leaders, and allies, standing together to demand better laws, fight systemic injustices, and lift up the voices of lived experience. Together, we can ensure that no child is ever treated as a criminal for their own exploitation.

This campaign is deeply personal to me, and I am honored to stand alongside you in this movement. I invite you to not only read and share this toolkit, but to use it, meet with lawmakers, educate your community, and take action. The future of justice depends on what we do today.

With gratitude and determination,

YVONNE FRYAR

Senior Manager of National Survivor Outreach | Lived Experience Professional

Just Like Me Campaign Leader
Shared Hope International

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Evaluations of state laws are based on legislation enacted as of July 1, 2025.

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INTRODUCTION

The *Just Like Me Report Cards* are a natural outgrowth of Shared Hope International’s long-standing commitment to ending the unjust criminalization of trafficking survivors. Rooted in years of research, collaboration, and legislative advocacy, this initiative responds to the real and ongoing harms that many survivors face within the criminal justice system. Shared Hope seeks to advance a holistic vision: not only to prevent unjust criminalization, but also to repair the harm done, ensuring that all survivors—whether children, youth, or those survivors already carrying the burdens of criminalization—are seen, heard, and protected.

CAUGHT! HOW AND WHY TRAFFICKING SURVIVORS ARE CRIMINALIZED

In the context of enforcing criminal laws to hold offenders accountable, the familiar phrase “catching a criminal” often comes to mind. But for trafficking survivors who face criminalization for acts committed as a result of their trafficking, “caught” takes on a very different meaning.

These survivors are caught between two experiences of harm—each with profoundly different implications. Their own experiences of victimization should open the door to services and supports necessary for healing. However, criminalization for acts committed as a result of that victimization can shut that door, cutting them off from critical resources and deepening their vulnerability to re-exploitation.

This reality underscores the need for a clear and empathetic understanding of where victimization and criminal conduct intersect—and why survivors so often receive punishment instead of support. Survivor-centered policymaking must begin with this understanding to prevent the ongoing and unjust cycle of exploitation and criminalization.

UNDERSTANDING UNJUST CRIMINALIZATION

To grasp how unjust criminalization happens, we must first understand the multiple contexts in which survivors are charged with crimes and the factors that drive them toward criminalized behavior. These offenses often fall into three categories:

1. CRIMES INHERENT TO CHILD SEX TRAFFICKING VICTIMIZATION

Survivors may be charged with offenses that are inherent to their trafficking—such as prostitution-related crimes or status offenses like truancy or curfew violations. These are not acts of willful criminal intent but rather the outcomes of exploitation.

2. FORCED CRIMINALITY

Survivors are often compelled or forced to commit offenses by their trafficker or another abuser. This type of coercion or force may not always appear obvious. A survivor may have access to a phone or car, which can falsely suggest agency. In other cases, threats made to the survivor—possibly regarding a child with whom the survivor and trafficker share parental rights—or another loved one may be the true source of control. Without a deep understanding of an individual’s motivations, underlying trauma, history of abuse and exploitation, and other unique vulnerabilities or risk factors, these acts are easily misinterpreted as voluntary criminal conduct.

“These are not acts of willful criminal intent but rather the outcomes of exploitation.”

3. SURVIVAL OFFENSES

While all offenses committed as a result of trafficking victimization are, to some degree, survival-based, this category refers to offenses committed without direct coercion but that are necessitated by their circumstances. Examples include shoplifting to meet basic needs withheld by a trafficker, selling drugs to avoid selling sex, or violent actions taken to escape the trafficking situation. These acts are not about criminality—they are about survival.

“[T]rauma-behaviors are often mistaken for criminal intent.”

WHY SURVIVORS MAY NOT BE IDENTIFIED AS TRAFFICKING VICTIMS

When a trafficking survivor is seen through the lens of an offender, it becomes far harder for them to be identified—and supported—as a victim. Their dual identity creates a barrier to services, legal protections, and healing.

Part of the problem is systemic: The initial facts available in a criminal case often do not reveal the survivor’s exploitation. Instead, trauma-behaviors are often mistaken for criminal intent. Further, survivors may not disclose—or even recognize—their own victimization. This is why proactive, trauma-informed investigations are essential. Without this approach, the coercion and control exerted by their exploiters remains hidden, and survivors are left to carry the weight of crimes they were compelled to commit.

Beyond systemic failures, unjust criminalization persists because of deeply held ideological beliefs. As the slow development of Safe Harbor laws over the past two decades shows, there remains a strong reluctance to limit the criminal justice system’s authority or “control” over survivors—even when their “crimes” are direct outcomes of their trafficking. Even when force or coercion is recognized, others believe survivors who engage in criminal conduct still hold a degree of liability or culpability. As such, despite growing recognition that coercion disproves criminal intent, punitive responses continue. And as long as these beliefs persist, survivors will continue to find themselves “caught” in the damaging cycle of exploitation and criminalization.

Lived Experience Expert Vetter Process



Effective, systemic change must be guided by those with lived experience. In developing the *Just Like Me Legislative Agenda*—the foundation of our newest report cards—we utilized a trauma-informed vetting process to engage ten lived experience experts. The goal was to ensure that our resources are shaped by those who best understand where legal reform is most urgently needed to address unjust criminalization and support healing and long-term stability for survivors.

Too many are still being “caught”—not as victims in need of protection, but as offenders—criminalized for actions they were compelled to commit as a result of their exploitation. This survivor-centered vetting process shaped our Top Ten list of policy goals, which prioritize protections against criminalization and expand access to community-based services. Now, we call on you—advocates, lawmakers, and allies—to take the next step: demand legal reform that reflects the lived realities of survivors and reject punitive responses to exploitation. Advance laws that don’t just “catch” harm, but help end it.

TAKE ACTION

KEY OBJECTIVES

Change starts with informed action. Whether you are a first-time advocate or a seasoned policy champion, these three objectives outline practical steps you can take to support legislative change and promote justice for trafficking survivors.

These actions are designed to help you move from awareness to impact—starting with education and ending with direct communication with those who hold decision-making power in your state.

1. GET INFORMED

Before you take action, it is essential to understand the legal landscape in your state. Start by reviewing the Legal Analysis section in this toolkit. It provides an overview of your state's laws related to each of the 10 policy priorities examined in this toolkit, identifies gaps in statutory protections, and highlights policy considerations from those with lived experience.

Knowing where your state stands will allow you to:

- ▶ IDENTIFY AREAS OF NEEDED LEGAL REFORM.
- ▶ SPEAK CONFIDENTLY AND ACCURATELY ABOUT YOUR STATE'S LAWS.
- ▶ TAILOR YOUR ADVOCACY EFFORTS TO WHAT IS MOST CRITICALLY NEEDED IN YOUR STATE.

2. TALK WITH YOUR LEGISLATORS

Legislators need to hear from the people they represent—that includes you. They are more likely to act on an issue when they know their constituents are paying attention and care deeply about it, so one of the most effective ways to influence policy is by speaking directly with your representatives.

We encourage you to:

- ▶ REACH OUT TO YOUR LEGISLATORS BY PHONE, EMAIL, OR IN-PERSON MEETING.
- ▶ USE THE TIPS IN THE ADVOCACY 101 SECTION OF THIS TOOLKIT TO GUIDE YOUR CONVERSATIONS.
- ▶ BE RESPECTFUL, CLEAR, AND PERSONAL—YOUR STORY AND PERSPECTIVE MATTER.

To help you get started, scan or click the QR code to view and send a pre-drafted letter directly to your legislators, urging them to prioritize survivor-centered legal reform. This letter includes:

- ▶ **A CONCISE SUMMARY OF CURRENT LEGISLATIVE PRIORITIES.**
- ▶ **A LINK TO OUR COMPREHENSIVE POLICYMAKER'S GUIDE (AVAILABLE JANUARY 2026).**
- ▶ **AN INVITATION FOR LEGISLATORS TO REQUEST INDIVIDUALIZED TECHNICAL ASSISTANCE FROM OUR TEAM.**



go.sharedhope.org/dearlegislator

3. EMAIL YOUR GOVERNOR

Governors have significant power to shape policy development—and they can play a key role in a survivor's experience of justice. From granting clemency to championing new legislation, a governor's leadership can drive statewide change.

Scan or click the QR code to easily contact your governor's office and advocate for clemency reform and broader support for trafficking survivors. The linked letter includes:



- ▶ **KEY CONSIDERATIONS FOR ENSURING THE CLEMENCY AND PARDON PROCESS IS AN ACCESSIBLE FORM OF RELIEF FOR TRAFFICKING SURVIVORS.**
- ▶ **EXAMPLES OF HOW GOVERNORS ACROSS THE COUNTRY CAN LEAD ON THIS ISSUE.**
- ▶ **A REQUEST TO PRIORITIZE SURVIVORS IN POLICY DECISIONS AND STATE-LEVEL INITIATIVES.**

go.sharedhope.org/deargovernor

EVERYONE CAN HELP

You don't need to be an expert to make a difference—just informed, passionate, and willing to speak up. These three objectives provide a clear pathway for action. Whether you complete one or all three steps, your voice can help shape a future where trafficking survivors are supported and protected.

ADVOCACY 101

Effective advocacy starts with preparation, relationship-building, and a clear, compelling message. It's okay if you don't know everything—what matters most is showing up, sharing your experience, and making a clear ask. Come prepared with talking points, keep it brief, be respectful, and always follow up.

QUICK TIPS FOR ENGAGING WITH YOUR LAWMAKERS

The tips below will help you feel confident and make your advocacy efforts count.



DO

- ▶ **KNOW WHO REPRESENTS YOU:** Use your state legislature and Congress websites to look up your lawmakers and their districts.
- ▶ **PREPARE, PREPARE, PREPARE:** Bring talking points, fact sheets, and your state's Report Card. You can find many resources in this toolkit!
- ▶ **TAILOR YOUR MESSAGE:** Know the lawmaker's committee assignments and voting history to better align your ask.
- ▶ **SHARE YOUR STORY:** Lived experience and frontline stories bring your issue to life and leave a lasting impression.
- ▶ **BE DIRECT AND CONCISE:** Lawmakers and staff are busy—get to the point and include a specific ask (e.g., support legislation, introduce a bill, make anti-trafficking a priority).
- ▶ **BUILD RELATIONSHIPS:** Follow up after the meeting, stay in touch with updates, and offer to be a resource.
- ▶ **MOBILIZE OTHERS:** Lawmakers pay attention when groups of constituents show up with the same message.
- ▶ **RESPECT STAFF:** Legislative staff are key gatekeepers and often highly influential—develop a strong relationship with them.
- ▶ **DRESS PROFESSIONALLY:** Whether in-person or virtual, your presentation matters.
- ▶ **FOLLOW UP:** Send a thank-you note, follow up with any requested materials, and track progress on your issue.



DON'T

- ▶ **DON'T FORGET YOUR ASK:** Always include a clear and actionable request.
- ▶ **DON'T "WING IT":** Take time to research the legislator and practice your key points in advance.
- ▶ **DON'T ARGUE OR PRESSURE:** Advocacy is about education and persuasion—not confrontation.
- ▶ **DON'T DISMISS STAFF:** If the legislator is unavailable, treat the meeting with their staff just as seriously.
- ▶ **DON'T TAKE OFFENSE:** Lawmakers are often overbooked; it's not personal if they can't meet in person.
- ▶ **DON'T GET DISCOURAGED:** Change takes time. Every meeting, email, and call helps build momentum.

LEGISLATIVE AGENDA

This legislative agenda is designed to provide a consistent measure of state progress while simultaneously operating as a dynamic tool to account for ever-evolving practices that are informing and shaping system responses to child and youth sex trafficking. As such, it will be able to adapt to incorporate the expanded knowledge that comes from implementation.



ISSUE 1: REMOVING DEFINITIONAL BARRIERS TO IDENTIFICATION

1. State law should ensure any commercially sexually exploited child can be legally identified as a “child sex trafficking victim.”



ISSUE 2: PREVENTING UNJUST CRIMINALIZATION

2. State law should prohibit the criminalization of minors under 18 for prostitution offenses.
3. State law should prohibit the criminalization of child sex trafficking victims for status offenses, misdemeanors, and felony offenses committed as a result of their trafficking victimization.
4. State law should protect minors from being prosecuted as adults..



ISSUE 3: ADDRESSING COLLATERAL CONSEQUENCES OF CRIMINALIZATION

5. State law should eliminate mandatory minimum sentences for all offenses committed by minors.
6. State law should provide child sex trafficking survivors with an opportunity to seek relief from continued incarceration for crimes committed as a result of their victimization.
7. State law should allow sex trafficked children and youth to vacate convictions for any offenses arising from their victimization.

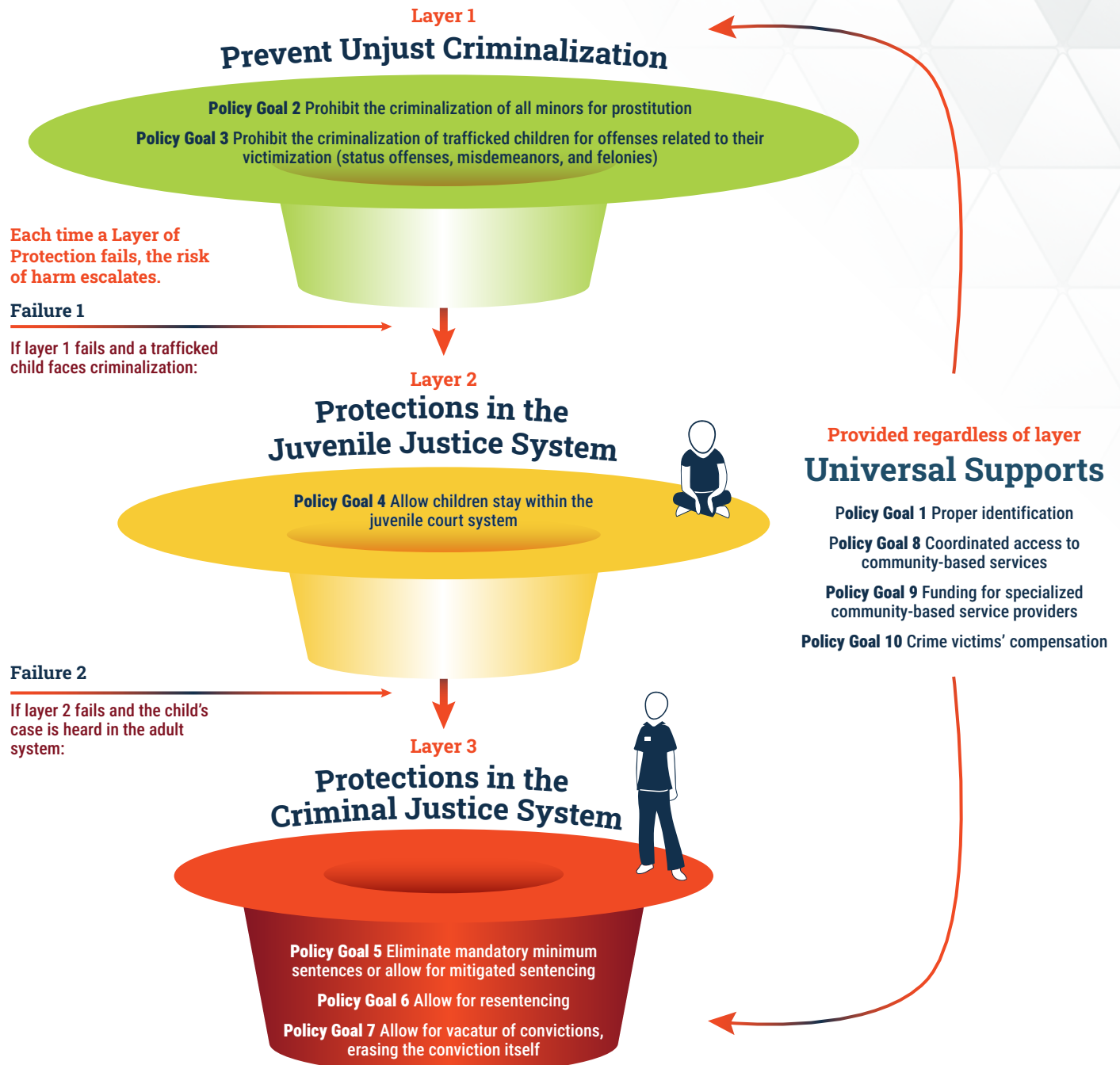


ISSUE 4: PROVIDING CRITICAL SUPPORTS TO SURVIVORS

8. State law should establish a coordinated, community-based service response for trafficked children without requiring involvement in child-serving systems.
9. State funding should be appropriated to support access to specialized, community-based service providers and a continuum of care for sex trafficked children.
10. State law governing crime victims’ compensation should ensure victims of child sex trafficking and commercial sexual exploitation of children (CSEC) are not prevented from accessing compensation due to ineligibility factors.

LAYERS OF PROTECTION

This layered protection model responds to the complex and escalating harms trafficked children and youth face within the legal system. Early identification as victims—not offenders—is critical to unlocking protective responses. If initial protections fail, each successive layer offers additional safeguards to mitigate harm. At every stage, surrounding supports promote stability, healing, and justice for survivors.



WHY IT MATTERS:

Without these critical protections, trafficked children and youth are too often punished instead of protected—facing criminalization for actions rooted in exploitation, coercion, and survival. This layered protection model recognizes their victimization and demands justice. By ensuring early identification, preventing unjust criminalization, addressing long-term consequences, and providing access to specialized care, this model offers a path to safety, stability, and healing.



GRADES ARE BASED SOLELY ON AN ANALYSIS OF STATE STATUTES. While policies, practices, and other non-legislative efforts play a vital role in addressing child and youth sex trafficking, the protections examined under the *Just Like Me Report Cards* must be written into law to ensure they are enforceable, equitable, consistent, and enduring.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

Issue		Grade	Score	Summary
	1. Inclusive Definitions	A	$\frac{10}{10}$	Law allows for identification as a child sex trafficking victim without requiring third-party control.
	2. Protection from Unjust Criminalization	F	$\frac{6}{30}$	Gaps remain in all areas, including non-criminalization for prostitution offenses, expanded non-criminalization, and juvenile court jurisdiction.
	3. Legal Relief	F	$\frac{5}{30}$	Gaps remain in all areas, including mitigated sentencing, resentencing, and vacatur.
	4. Survivor-Centered Supports	D	$\frac{20}{30}$	Law includes dedicated funding and removes common barriers to crime victims' compensation. Gap remains related to community-based services.
EXTRA CREDIT	18+	Youth	2	Appropriations and crime victims' compensation
	CLT	Child Labor Trafficking	2	Appropriations and crime victims' compensation
OVERALL GRADE		F	45	
TIER II				

GRADING

The *Just Like Me Report Cards* assign a point value of 0 to 10 for each of the 10 policy goals included under the four issue areas noted above. That score is based on a written point allocation scheme. Those scores are added together to determine the total score, which translates to the corresponding letter grade.

Extra credit will also be awarded for certain policy goals that extend the same protective policy to youth age 18+ and/or child labor trafficking victims. Extra credit only applies to the policy goals listed in the [extra credit issue brief](#). States can earn up to one point of extra credit per policy goal. It is important to note that some policy goals are not eligible for extra credit because they already provide protections for youth and/or child labor trafficking survivors. This exclusion does not reflect a position by Shared Hope that protections should be limited to child sex trafficking victims.

VETTOR REVIEW

State attorneys general, governors, statewide coordinators, and task force supervisors are invited to vet their state's legal analysis each year before grades are released.

LEGAL ANALYSIS

ISSUE AREA 1:

REMOVING DEFINITIONAL BARRIERS TO IDENTIFICATION



All children who have experienced commercial sexual exploitation should be recognized as victims of child sex trafficking to enable access to protections, services, and justice that often depend on this legal identification. Limiting the legal definition of victim to those under a trafficker's control unjustly excludes children exploited by buyers without trafficker-involvement, those unable, unwilling, or afraid to identify a trafficker, and those who may not yet recognize their own exploitation.

ISSUE AREA 1

REMOVING DEFINITIONAL BARRIERS TO IDENTIFICATION

Policy Goal 1: State law should ensure any commercially sexually exploited child can be legally identified as a “child sex trafficking victim.”

● Met

It is imperative that all children who have experienced commercial sexual exploitation are rightfully identified as victims of child sex trafficking. This legal designation enables a child’s ability to access protections, services, and justice that are specifically designed for impacted young people. To support proper identification, the core child sex trafficking law should include all children with experiences of commercial sex, including those exploited by a buyer, regardless of whether the child has, or identifies, a trafficker.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: In South Dakota, any child who is bought or sold for sex can be identified as a trafficking victim—regardless of whether a trafficker is involved. This enables access to services and protections that hinge on formal trafficking victim status, no matter who exploited the child.

- ▶ Buyer conduct is expressly criminalized under the trafficking law, which prohibits purchasing or soliciting a minor for commercial sex.
S.D. Codified Laws § 22-49-1
- ▶ Third party control—or trafficker involvement—is not required to establish the offense. Exploitation by a buyer alone is sufficient.

“ From Lived Experience Experts

“Removing third-party control is essential because no child should ever be labeled a criminal for the exploitation done to them by others. When a child is commercially sexually exploited, they are not making a choice—they are being victimized by force, fraud, or coercion. Recognizing every exploited child as a victim of sex trafficking is critical to ending cycles of injustice and providing the protection, healing, and restoration they deserve.”

YVONNE FRYAR

LEGAL ANALYSIS

ISSUE AREA 2:

PREVENTING UNJUST CRIMINALIZATION



No child should be prosecuted for prostitution, recognizing that all children involved in commercial sex are victims of sex trafficking, not offenders. Additionally, child sex trafficking victims should not be criminalized for offenses—including status offenses, misdemeanors, or felonies—committed as a result of their exploitation and should be protected from being charged as accomplices. More broadly, all minors should be afforded the child-centered and rehabilitative-focused responses that are unavailable in the criminal justice system.

This is especially important for children affected by trafficking or other adverse experiences, who are often criminalized for behavior linked to their trauma or victimization—sometimes without recognizing themselves as victims.

ISSUE AREA 2

PREVENTING UNJUST CRIMINALIZATION

Policy Goal 2: State law should prohibit the criminalization of minors under 18 for prostitution offenses.

○ Not Met

Children who have experienced commercial sexual exploitation are not prostitution offenders; contrarily, all children with experiences of commercial sex are victims of sex trafficking and should be identified and responded to as such. State prostitution statutes should be clearly inapplicable to persons under 18 years of age, regardless of whether trafficking victimization is formally alleged or established.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: In South Dakota, minors can be arrested, detained, charged, and adjudicated for engaging in conduct that violates the state's prostitution law.

- ▶ Although South Dakota's prostitution law applies only to adults, commercially sexually exploited children can be adjudicated as "children in need of supervision" (CHINS) for prostitution-related conduct.
S.D. Codified Laws § 26-8B-2(6)
- ▶ CHINS adjudications subject minors to a range of potentially punitive outcomes, including probation, participation in a supervised community service program, or even commitment to the Department of Corrections.
S.D. Codified Laws §§ 26-8B-2(6), 26-8B-6

RECOMMENDATION: Amend state law to prohibit all children under 18 from being charged with prostitution offenses.

EXTRA CREDIT



“ From Lived
Experience
Experts

“For us to think that we’re doing them good by putting them in a juvenile justice system or prison, that’s not creating a better system for them, that’s not creating a better life for them. That’s only criminalizing them more, and that creates more trauma.”

KIM FIGUEROA

ISSUE AREA 2

PREVENTING UNJUST CRIMINALIZATION

Policy Goal 3: State law should prohibit the criminalization of child sex trafficking victims for status offenses, misdemeanors, and felony offenses committed as a result of their trafficking victimization.

○ Not Met

To ensure that survivors of child sex trafficking are immune from liability for crimes related to their victimization, state non-criminalization laws should encompass offenses beyond prostitution, including juvenile status offenses, misdemeanors, and felony offenses. These protections should be available to child victims who are alleged to have committed such offenses due to compelled, forced, or coerced criminality, as well as crimes committed out of survival, so long as a nexus between the offense and trafficking victimization is established. Doing so accounts for the actual dynamics of trafficking, the nature and extent of control exerted by sex traffickers, and the influence of trauma on the decision-making processes and behaviors of sex trafficking survivors.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: South Dakota law does not prevent child sex trafficking victims from being criminalized for:

- ▶ Status offenses
- ▶ Misdemeanors
- ▶ Felonies
—even when those offenses result from their trafficking victimization.

RECOMMENDATION: Enact a law that prohibits the criminalization of child sex trafficking victims for all offenses committed as a result of their victimization.

EXTRA CREDIT



“ From Lived
Experience
Experts

“I see victims as young as 13 years old inside of a facility, a locked down facility where it’s secured, where they may only see the light of day one hour a day. And they’re not getting the right therapeutic services in place. They’re not healing. They’re not resolving their trauma. And therefore, unfortunately, we see a 13-year-old completely destroyed before they ever even have a chance at life.”

KIM FIGUEROA

ISSUE AREA 2

PREVENTING UNJUST CRIMINALIZATION

Policy Goal 4: State law should protect minors from being prosecuted as adults.

1 Partially Met

All minors should be afforded the child-centered, rehabilitative approaches unique to the juvenile justice system. Children who have experienced trafficking victimization face disproportionately higher rates of juvenile justice involvement, including for offenses related to their exploitation. Yet their victimization may be overlooked or misidentified—particularly for children who may not recognize their own victimization and/or whose victimization goes unrecognized by others. As such, ensuring that child-centered responses are broadly available to all justice-involved youth provides critical protections to those who have experienced exploitation.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: South Dakota law does not guarantee age-appropriate juvenile court responses for all minors accused of unlawful conduct.

STRENGTHS:

- ▶ Juvenile court jurisdiction extends to all minors under 18 years of age.
S.D. Codified Laws §§ 26-7A-1(6); 26-8C-2

WEAKNESSES:

- ▶ The minimum age for juvenile court jurisdiction is just 10 years old.
S.D. Codified Laws § 26-8C-2
- ▶ Automatic transfers or direct file to adult court are permitted for minors who:
 - Were previously transfer to adult court, or
 - Are 16 or older and charged with a Class A, B, C, or Class 1 or 2 felony.S.D. Codified Laws §§ 26-11-4; 26-11-3.1
- ▶ Discretionary transfers are permitted for any felony.
S.D. Codified Laws § 26-11-4
- ▶ Courts are not required to take trafficking or past trauma in account when making discretionary transfer decisions; however, they may consider written reports and other information related to the child's mental, physical, and social history.
S.D. Codified Laws § 26-11-4

RECOMMENDATION: Amend state law to ensure age-appropriate juvenile court responses for all children accused of unlawful conduct.

EXTRA CREDIT



“ From Lived Experience Experts

“In the case of violent offenses, multidisciplinary teams should be in place to ensure comprehensive review of cases under consideration for transfer to adult court systems. MDT’s should minimally include representatives from; juvenile probation, mental health, substance use and case management. Their shared goal must be establishing qualitative and quantitative criteria to meet a high bar for the complexities of such cases. A child sex trafficking victim should not be going to prison for killing an exploiter in self-defense.”

REV. DR. MARIAN HATCHER,
POLICY EXPERT,
SURVIVOR LEADER

LEGAL ANALYSIS

ISSUE AREA 3:

ADDRESSING COLLATERAL CONSEQUENCES OF CRIMINALIZATION (LEGAL RELIEF)



Although no child sex trafficking victim should face criminalization for offenses resulting from their exploitation, state laws must address and remedy the harmful impacts of such unjust criminalization when it does occur—particularly when children are charged or sentenced in adult court where they face harsher penalties, fewer rehabilitative supports, and lasting consequences. Accordingly, states must create sentencing

and resentencing processes that account for victimization and trauma as driving forces behind engagement in criminal offenses and allow trafficked children and youth to vacate convictions related to their exploitation.

ISSUE AREA 3

ADDRESSING COLLATERAL CONSEQUENCES OF CRIMINALIZATION

Policy Goal 5: State law should eliminate mandatory minimum sentences for all offenses committed by minors.

○ Not Met

It is imperative that survivors who are unjustly criminalized—whether due to the absence of robust non-criminalization laws or the systems’ failure to recognize victimization—have the opportunity to present evidence of their trafficking experience during sentencing. As such, state law should allow courts to depart from statutory mandatory minimum sentences when there is evidence of trafficking victimization, past trauma, or based on the young person’s age.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: In South Dakota, judges must impose the mandatory minimum sentence—even if the defendant was under 18 or a victim of trafficking when the offense occurred.

RECOMMENDATION: Amend state law to prohibit mandatory minimum sentencing when the offense was committed by a minor.

EXTRA CREDIT



“From Lived Experience Experts

“If ever there was a classification of offender that should have mitigating circumstances considered, it should be a child sex trafficking victim. They have not moved past 'formative years' and are now facing jail or prison sentences. Trafficking experience must be considered as well as the elimination of mandatory minimums for minors.”

REV. DR.
MARIAN HATCHER,
POLICY EXPERT,
SURVIVOR LEADER

ISSUE AREA 3

ADDRESSING COLLATERAL CONSEQUENCES OF CRIMINALIZATION

Policy Goal 6: State law should provide child sex trafficking survivors with an opportunity to seek relief from continued incarceration for crimes committed as a result of their victimization.

○ Not Met

Survivors who are unjustly criminalized due to coerced, compelled, or forced criminality, criminality reflecting survival, or the consequences of trauma and victimization should have the opportunity to seek relief from continued incarceration. Specifically, state resentencing processes should provide criminalized survivors with an additional chance to have trafficking- or trauma-related factors influencing their involvement in criminal offenses reconsidered. Additionally, state law should remove or limit offense-based and procedural barriers that could prevent survivors from accessing this critical form of relief.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: In South Dakota, child sex trafficking survivors who are incarcerated due to their trafficking victimization cannot request reconsideration of their sentence based on their victimization.

RECOMMENDATION: Enact a resentencing law that allows child sex trafficking survivors to seek relief from continued incarceration.

EXTRA CREDIT



“ From Lived Experience Experts

“Second Look laws are important and needed because they recognize the unique realities and subtle nuances associated with youth and young adults who are often both victims and defendants (unidentified/disregarded victims). Many juveniles and young adults (ages 18–24) are criminalized for survival actions that occurred under the violent duress of forced criminality. They are often coerced by traffickers, or caught in ‘peer offender’ cases where the line between victim and perpetrator is entangled by lack of awareness and identification training. These young people are not beyond redemption—they are often victims of trauma and forced criminality who deserve an opportunity for their growth, rehabilitation, and healing to be reflected in their process. By enacting Second Look laws, policymakers can correct unjust outcomes, promote public safety, and honor the truth that young people can—and do—change.”

KEYANA WHEATLEY

ISSUE AREA 3

ADDRESSING COLLATERAL CONSEQUENCES OF CRIMINALIZATION

Policy Goal 7: State law should allow sex trafficked children and youth to vacate criminal convictions for any offense arising from their victimization.

1 Partially Met

Trafficking victims are commonly compelled to commit criminal offenses. Beyond the immediate harms caused by criminalization, related convictions create significant barriers to short- and long-term success and wellbeing, including, but not limited to, the ability to obtain stable and accessible housing, meaningful and safe employment, and educational opportunities. To prevent ongoing discrimination and harm, state law should allow children and youth who have experienced exploitation to seek vacatur relief for convictions tied to their trafficking victimization.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: South Dakota law does not allow trafficking survivors to vacate convictions arising from their victimization, leaving those prosecuted in criminal (adult) court without access to this critical form of relief.

HOWEVER, vacatur is available for delinquency adjudications:

- ▶ North Dakota allows trafficking victims to seek expungement of a delinquency record resulting from their trafficking.
S.D. Codified Laws § 26-7A-115.1
- ▶ If granted, expungement vacates the underlying delinquency adjudication.
S.D. Codified Laws § 26-7A-115.1

RECOMMENDATION: Enact a law allowing trafficking survivors to vacate any criminal convictions that arose from their victimization.

EXTRA CREDIT



“ From Lived Experience Experts

“Post conviction and records relief policies are essential in removing unjust barriers to restore our rights, mitigate further vulnerabilities, and ensure that the law recognizes our victimization rather than perpetuating harm. So often we are punished for or because of our victimization.

Dignity and justice is what I seek when I dream of having my criminal records expunged and/or vacated.

For over five years, as Executive Director of an NGO, I was authorized to draw down nearly \$1,000,000 per year through HUD and managed an annual budget of \$2.3 million successfully. However, I would need to apply for a ‘set-aside’ or ‘special accommodations’ if I was to apply for a job with our Department of Health and Human Services or any other government job.

At 64 years old, after working in the anti-trafficking field for more than 20 years, I am unable to secure employment in government positions. I would have to apply for a special dispensation to get hired by my county or city in Minnesota. I am an anomaly, however. And I understand my privilege. I have not had to secure a job in the public sector as I have been able to work in NGO’s that, often times, welcome diversity in the form of survivor leadership, which came with these positions that we front-line and outreach type jobs.

It is far easier to buy a home with a criminal record than it is to rent. While this is set in reality, most of us do not have the means to purchase a home without employment. It doesn’t make sense.

Self-respect, dignity and justice are very important to me in my journey. So much of my life has been driven by destiny. My character and resilience is because of my journey, not in spite of it. Justice needs to be served for full circle healing.”

TERRY FORLITI

LEGAL ANALYSIS

ISSUE AREA 4:

PROVIDING CRITICAL SUPPORTS TO SURVIVORS



Survivors of child sex trafficking often have complex needs that cannot be addressed by a single agency or service provider. It is important that child sex trafficking victims not only receive a broad array of treatment but also that treatment is specialized to the unique trauma associated with commercial sexual exploitation. As such, states must strengthen the provision and accessibility of community-based services and supports specific to children and youth at risk of, or impacted by, trafficking and ensure funding is available to both service providers and those seeking care.

ISSUE AREA 4

PROVIDING CRITICAL SUPPORTS TO SURVIVORS

Policy Goal 8: State law should establish a coordinated, community-based service response for trafficked children without requiring involvement in child-serving systems.

○ Not Met

Survivors of child sex trafficking have complex needs that require specialized, trauma-informed services delivered through multiple entry points—not just through child welfare or juvenile justice. To ensure consistent, ongoing, comprehensive, statewide access to services for all impacted children and youth, states must establish a process for coordinating access to community-based services without requiring involvement in child-serving systems.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: South Dakota law does not provide for a coordinated, community-based service response for child sex trafficking survivors without requiring involvement in child-serving systems.

Investing in **Community-Based Services**

- ▶ System involvement shouldn't be the default pathway to services: systems are often under-resourced, overburdened, and may unnecessarily subject children and their non-offending caregivers to processes that cause unintentional harm.
- ▶ Community-based care works: early, voluntary, survivor-centered services improve positive outcomes, are more cost-effective, and reduce vulnerabilities to future harm, including re-exploitation.

RECOMMENDATION: Establish a coordinated, community-based response that provides consistent, statewide access to specialized, trauma-informed services for child sex trafficking survivors without requiring involvement in child-serving systems.

Services provided through child welfare and juvenile justice are addressed separately in our Policymaker's Guide.

EXTRA CREDIT



“From Lived Experience Experts

“When victims are provided with opportunities to further themselves in a safe environment, what they can do, I mean, it’s unstoppable.”

COURTNEY

ISSUE AREA 4

PROVIDING CRITICAL SUPPORTS TO SURVIVORS

Policy Goal 9: State funding should be appropriated to support access to specialized, community-based service providers and a continuum of care for sex trafficked children.

● Met

Over the years, state legislatures have made significant changes to state laws addressing care and protection for child sex trafficking victims. However, such advancements cannot be fully implemented without adequate funding; as such, states' legislatures should make appropriations to specifically support specialized CSEC services and a continuum of care through community-based services or non-governmental organizations.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: State investment is essential to ensuring equitable access to survivor-centered, trauma-informed care.

Funding to support community-based services (Annual):

- ▶ House Bill 1221 (2025)
\$5,000,000 to the Department of Public Safety to provide grants to nonprofit organizations that assist victims of commercial sexual exploitation and/or human trafficking.

EXTRA CREDIT



“ From Lived
Experience
Experts

“I remember what I needed coming out, and the supports that I needed, and how many resources weren’t available at that time and how significant it was for someone to hold my hand. And without that, it’s almost impossible to really regain that strength, that momentum, to find your identity and discover who you are.”

KIM FIGUEROA

ISSUE AREA 4

PROVIDING CRITICAL SUPPORTS TO SURVIVORS

Policy Goal 10: State law governing crime victims' compensation should ensure victims of child sex trafficking and commercial sexual exploitation of children (CSEC) are not prevented from accessing compensation due to ineligibility factors.

● Met

Crime victim compensation (CVC) is a valuable tool for receiving support to offset the financial impact experienced by crime victims, including costs associated with receiving physical and mental health care or lost income. However, many states' CVC laws prohibit or reduce financial awards based upon a number of factors, including, but not limited to, the timeliness of a victim's report to law enforcement and cooperation in a related investigation, the victim's contributory fault, and CVC filing deadlines. However, these factors are incompatible with the realities of trafficking victimization. To ensure CSE minors have access to critical financial support to increase stabilization and healing, CVC laws should provide specific exceptions to all ineligibility factors for victims of sex trafficking and CSEC.

Evaluations of state laws are based on legislation enacted as of July 1, 2025.

LAW ANALYSIS FOR SOUTH DAKOTA

SUMMARY: South Dakota law recognizes the unique experiences of child sex trafficking victims by exempting them from some ineligibility criteria—but other barriers still remain.

- ▶ The definition of "victim" includes a person who suffers serious injury or death due to criminal conduct—including child sex trafficking and CSEC.
S.D. Codified Laws § 23A-28B-1(3), (12)(a)
- ▶ Trafficking victims are expressly protected from being denied compensation based on contributory conduct.
S.D. Codified Laws § 23A-28B-25(2)(a)
- ▶ However, this exemption is offense-specific and does not protect CSEC victims. Further, compensation may be reduced or denied based on these and other ineligibility factors, unless an exception—such as good cause—applies:
 - Filing and reporting deadlines (e.g., filing after one year or reporting after five days),
§ 23A-28B-25(1)
 - Perceived participation in the offense, *§ 23A-28B-25(2)(b)*
 - Failure to fully cooperate with law enforcement, *§ 23A-28B-25(2)(c)*

A state will be considered to have "Met" the policy goal if at least one ineligibility factor has been expressly removed for this population. However, where other ineligibility criteria remain, we recommend that those also be eliminated to ensure full access to compensation.

EXTRA CREDIT



“From Lived Experience Experts

“Eligibility restrictions and ‘innocence’ requirements play a significant role in barring access to CVC for minor victims of sex trafficking and commercial sexual exploitation (CSE minors). Most states require these victims to file police reports and cooperate with prosecutors, even though visibility puts them at significant risk of retaliation. CSE minors exploited in street prostitution and other commercial sex venues cannot meet this requirement because they are rarely able to identify the sex buyers and police often do not file a report. Some states deny assistance to CSE minors with any kind of criminal record even though they may have had no control over their involvement in criminal activities that were part of their CSE victimization. Even when a CSE minor avoids these barriers, most states require them to prove that their own decisions did not contribute to their victimization, to show evidence of physical or psychological injury, and to have documentation of financial expenses and losses. The overall impact of such regulations is that traumatized CSE minors must convince the authorities of their worthiness to access critically needed financial support, which replicates the transactional structure of the crimes they have experienced. Even when approved, funds are difficult to access; in some states, victims are limited in how they can use them. Rather than providing a framework for restoration, ‘deserving victim’ bias within the CVC application process disempowers and re-traumatizes CSE minors.”

DR. ALEXANDRA 'SANDI' PIERCE

NATIONAL OVERVIEW



Maryland

97 Points **A**



Illinois

94 Points **A**



California

93 Points **A**

STATES* BY TIER

Progress is also tracked using a tiered system that allows states to see how they compare to one another. The tiers provide a clearer view of each state's relative standing, offering an additional lens for measuring improvement beyond changes to their letter grade. In the case of ties, states are listed alphabetically. If a tie results in a higher tier placement, the number of states in the following tier may be reduced accordingly.

THE TIERS ARE STRUCTURED AS FOLLOWS:

Tier 1 = Top 10 Scores | Tier 2 = Middle 31 Scores | Tier 3 = Bottom 10 Scores

TIER 1

1. MARYLAND
2. ILLINOIS
3. CALIFORNIA
4. WASHINGTON
5. NORTH DAKOTA
6. MINNESOTA
7. NEVADA
8. DISTRICT OF COLUMBIA & NEBRASKA
10. GEORGIA

TIER 2

11. FLORIDA
12. NEW MEXICO & TENNESSEE
14. NEW YORK
15. MISSISSIPPI
16. MONTANA
17. MISSOURI & NORTH CAROLINA
19. COLORADO
20. OKLAHOMA

21. NEW HAMPSHIRE
22. WEST VIRGINIA
23. LOUISIANA & OREGON
25. DELAWARE & KENTUCKY
27. INDIANA & KANSAS
29. UTAH
30. ARKANSAS & MICHIGAN

32. CONNECTICUT, NEW JERSEY, & VIRGINIA
35. MASSACHUSETTS, OHIO, & RHODE ISLAND
38. HAWAII & SOUTH DAKOTA
40. IDAHO & VERMONT

TIER 3

42. IOWA
43. WYOMING
44. PENNSYLVANIA
45. MAINE
46. SOUTH CAROLINA
47. TEXAS
48. ARIZONA
49. WISCONSIN
50. ALASKA
51. ALABAMA

STATES* BY LETTER GRADE

A

90-100+

3 STATES

B

80-89

4 STATES

C

70-79

6 STATES

D

60-69

6 STATES

F

<60

32 STATES

AVERAGE SCORE PER ISSUE



Inclusive Definitions

8.2
10

Top Scorers

32 States + D.C.
10 POINTS



Protection From Unjust Criminalization

15.2
30

Mississippi
25 POINTS



Legal Relief

13.6
30

Georgia
29 POINTS



Survivor-Centered Supports

15.7
30

Maryland, Minnesota, & Nevada
30 POINTS

* Includes all 50 states and the District of Columbia

MAP OF STATE GRADES





ISSUE 1:

Removing Definitional Barriers to Identification

ISSUE 2:

Preventing Unjust Criminalization

ISSUE 3:

Addressing Collateral Consequences of Criminalization

ISSUE 4:

Providing Critical Supports to Survivors

EXTRA CREDIT

18+

Extending Critical Supports to Youth (ages 18-23)

CLT

Extending Critical Supports to Child Labor Trafficking Survivors

FRAMING THE BROADER ISSUES

CONTEXTUALIZING THE *JUST LIKE ME* REPORT CARDS

Given the wide range of factors that can lead a trafficking victim to face criminal charges, a broad spectrum of policies is needed to prevent compounding the harms of trafficking with the trauma of unjust criminalization—and to provide relief for survivors who are already suffering its consequences. Some of these protections must be legislated to be effective, while others can be achieved through more informal processes, internal policies, and collaborative, non-legislative efforts.

Importantly, not all policy changes—legislated or otherwise—should be limited to trafficking-specific responses. In some cases, focusing solely on trafficking may be counterproductive to responding to the diverse needs that may arise for survivors of trafficking. Trafficking often involves poly-victimization and other adverse experiences that either contribute to a person’s vulnerability to trafficking or compound its harm. Thus, it is critical to remember that trafficking survivors are more than their trafficking experience, and any effective response must reflect the full context of their lives. This broader lens is especially important in legislative policymaking.

“[I]t is critical to remember that trafficking survivors are more than their trafficking experience.”

Thus, it is critical to remember that trafficking survivors are more than their trafficking experience, and any effective response must reflect the full context of their lives. This broader lens is especially important in legislative policymaking.

The *Just Like Me* Legislative Agenda elevates key statutory reforms to prevent and respond to the unjust criminalization of trafficking survivors. However, these policies exist within a larger framework of policies that collectively work to prevent harm and promote healing. These include measures to prevent unjust criminalization from occurring, ensure access to services, establish clear legal definitions that hold the true offenders—not victims—accountable, and address the direct and collateral consequences of unjust criminalization when it occurs. The following overview outlines how this legislative agenda fits into the broader movement to protect—not punish—survivors of trafficking.

Key Policies to Prevent Unjust Criminalization

- ▶ **SAFE HARBOR/NON-CRIMINALIZATION:** [Just Like Me Policy Goal 2](#) & [Just Like Me Policy Goal 3](#)
- ▶ **ROBUST SERVICE RESPONSES FOR TRAFFICKING SURVIVORS:** [Just Like Me Policy Goal 8](#)
- ▶ **DEFINITIONAL CLARITY IN HUMAN TRAFFICKING LAWS:** [Just Like Me Policy Goal 1](#)

Policies Designed to Mitigate and Provide Relief from Unjust Criminalization

- ▶ **AFFIRMATIVE DEFENSES**
- ▶ **VACATUR:** [Just Like Me Policy Goal 7](#)
- ▶ **MANDATORY MINIMUM EXCEPTIONS/SENTENCING MITIGATION:** [Just Like Me Policy Goal 5](#)
- ▶ **RESENTENCING/SECOND LOOK LAWS:** [Just Like Me Policy Goal 6](#)

Policies Addressing the Collateral Consequences of Unjust Criminalization

- ▶ [RESTORING PARENTAL RIGHTS/PREVENTING TERMINATION OF PARENTAL RIGHTS](#)
- ▶ [RELIEF FROM SEX OFFENDER REGISTRATION REQUIREMENTS FOR TRAFFICKING SURVIVORS](#)

“[T]here still remains a great need for robust responses to trafficking survivors who have been, are, or will become ensnared in the criminal justice system.”

Ideally, all unjust criminalization could be prevented through effective policies and investments in supportive services that interrupt the pipeline from adversity to exploitation to criminalization. Thus, as trafficking is a form of exploitation deeply intertwined with forced criminality, preventing criminalization of trafficking survivors would ultimately begin with preventing the vulnerabilities that lead to trafficking victimization.

Yet, as states build the infrastructure to prevent trafficking and unjust criminalization upstream, there still remains a great need for robust responses to trafficking survivors who have been, are, or will become ensnared in the criminal justice system as a result of their trafficking victimization. Many of these policies are addressed in the *Just Like Me Legislative Agenda* as they are foundational to the broader changes needed to protect trafficking survivors from unjust criminalization, but in developing legislative solutions to unjust criminalization, more can be accomplished by considering the role that intersecting policies may play in supporting and aligning with the policy goals analyzed in this report.

A SURVIVOR FAILED BY THE SYSTEM

Sage, a 15-year-old girl, was born into instability. Her home life was marked by neglect and abuse. By age 14, she had run away multiple times, eventually leaving for good after a violent incident with her mother's boyfriend. With no safe place to go, Sage began sleeping in stairwells and behind fast-food restaurants.

Sage was picked up during a police sting in a motel known for commercial sex activity. Officers arrested her for prostitution. When asked who was trafficking her; she didn't name anyone—because there was no one to name. She was meeting buyers alone, having learned how to “self-manage” from older girls she met on the street. Because state law only defines child sex trafficking as exploitation involving a trafficker, Sage was not identified as a trafficking victim.

Additionally, because she was afraid of being arrested by the male officers, Sage tried to flee the scene and punched an officer who was trying to apprehend her. Sage was charged with prostitution, violating curfew, resisting arrest, and assault on a law enforcement officer—a felony. Sage was held in juvenile detention and prosecutors treated her as a habitual offender due to prior “runaway” incidents.

Sage's assault on law enforcement charge triggered a “youthful offender” designation. Despite being 15, she was transferred to adult court and sentenced as an adult.

At sentencing, no one raised Sage's exploitation or trauma. Her court-appointed attorney had 15 minutes to review her file. She was sentenced to two years in a juvenile facility and later transferred to an adult facility at 17. Her record included prostitution, resisting arrest, and felony assault on a law enforcement officer.

Sage tried to advocate for herself in prison, submitting letters describing her experience of being coerced into commercial sex. Her petition for resentencing was denied because her offenses were not formally linked to trafficking at trial.

Upon release at age 19, Sage had felony and misdemeanor convictions that made it nearly impossible to secure stable housing or work. Her attempts to apply to community college stalled because of her criminal record. While there was a state expungement statute, it was only available in instances where the charges were ultimately dismissed or for an acquittal.

Having no stable housing and fearing having to live back on the streets, Sage reached out to a non-profit organization for housing support and case management. Because of budget cuts, no state funding was appropriated to support the non-profit, and they had a waitlist of 13 people. At no point was Sage referred to specialized services for trafficking survivors.

Sage applied for crime victims' compensation to pay help pay for a security deposit on an apartment. Her application was denied due to a missed filing deadline and the fact that she hadn't reported her exploitation to law enforcement when it happened.

Having no housing, no job, and no support, Sage became homeless and living on the streets, occasionally having to sell sex in exchange for food or a place to stay, until one day meeting the man that would traffic Sage all over again.

CONCLUSION: A SURVIVOR, NOT A CRIMINAL

Sage's story—though fictitious—illustrates how, without strong statutory protections, child sex trafficking victims are criminalized, retraumatized, and left without pathways to healing or justice. Every decision point in her case—identification, arrest, prosecution, sentencing, incarceration, and reentry—revealed gaps in state law that compounded her trauma and obstructed her recovery.

Had the 10 policy goals been in place, Sage's path would have looked entirely different:

Protection, not punishment. Services, not sentences. Healing, not harm.



APPENDIX

DEFINITIONS

CHILD: This term refers to any person under the age of 18. This term is not used interchangeably with the term “youth,” as defined below.

CHILD SEX TRAFFICKING VICTIM: The term “child sex trafficking victim” refers to any child who has experienced commercial sexual exploitation, regardless of whether anyone is charged or prosecuted in connection with their victimization and regardless of the prosecutable offense. This term includes a victim who is trafficked within the borders of the United States, regardless of their nationality, country of origin, or immigration status.

COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (CSEC): 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 sexual act in exchange for anything of value either directly or through a third party.

COMMUNITY-BASED: For the purposes of this report, “community-based” refers to any supports, services, resources, and responses—and the individuals or organizations providing them—that are available and accessed outside of formal systems (such as child welfare or juvenile justice) and outside of institutions that primarily rely on system-based infrastructure and funding.

NON-CRIMINALIZATION: Non-criminalization laws are those that prohibit arresting, detaining, charging, and prosecuting all minors for prostitution offenses, regardless of whether a finding of trafficking victimization is made. “Expanded non-criminalization laws” also prohibit criminalizing child sex trafficking survivors for other crimes committed as a result of their victimization.

SAFE HARBOR: This term refers to a law that protects victims from a punitive response and directs them toward restorative and protective services. This term includes non-criminalization protections.

TRAUMA-INFORMED¹: This term refers to policies, programs, or practices that reflect a widespread understanding of the impact of trauma exposure, including resulting vulnerabilities, behaviors and responses to the experience, and necessary measures to avoid re-traumatization. Trauma-informed responses are centered on the trauma survivor, placing priority on restoring the survivor’s feelings of safety, wellness, autonomy, and control.

UNJUST CRIMINALIZATION: This term refers to the practice of criminalizing trafficking survivors for actions they were compelled to commit as a result of their victimization. This includes arrest, detention, charges, and prosecution, or threat of punitive responses.

VACATUR: This term refers to laws that “set aside” a conviction, acknowledging that it never should have occurred, and restoring the petitioner to the status of innocent. It differs from “record expungement,” which legally destroys information from a person’s public criminal record (i.e., vacatur erases the conviction itself; expungement erases the record of it).

VICTIM/SURVIVOR: This term refers to any person who has been subjected to conduct that violates the sex trafficking law. This report uses “victim” and “survivor” interchangeably to align with statutory language and cross-agency terminology. Shared Hope recognizes that individuals who have experienced trafficking are survivors at all stages of their abuse and recovery and are not defined by their victimization. Shared Hope also recognizes that people with lived experience with trafficking may refer to themselves in many ways, which may or may not include the terms “victim” and/or “survivor.”

VICTIM-CENTERED²: This term refers to policies, programs, or practices that prioritize the needs and interests of survivors while safeguarding against re-traumatization.

YOUTH: For purposes of this report, this term refers to any person between 18 and 24 years of age (i.e., 18 to 23 year olds).

NOTE ON LANGUAGE

We separately define child sex trafficking and commercial sexual exploitation of children (CSEC), the latter encompassing a wide variety of criminal offenses that (1) are either specifically protective of children or provide an enhanced penalty when the victim is a child; (2) have a commercial component to the crime; and (3) involve some form of sex act or promise thereof. CSEC laws address, among other acts, prostitution-related activity, enticement, grooming, and sex tourism. While the conduct prohibited under CSEC laws generally overlaps with conduct prohibited under the child sex trafficking law, CSEC laws are a distinct category of offenses because they are not codified as trafficking within state statute. Our reports do not analyze laws related to child sexual abuse material (CSAM) even though CSAM can intersect with child sex trafficking and CSEC.

¹ Glossary, U.S. DEPARTMENT OF JUSTICE, OFFICE FOR VICTIMS OF CRIME <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/model-standards/5/glossary.html> (last visited Sept. 1, 2025).

² *Id.*

ADDITIONAL RESOURCES

HIGHLIGHTED RESOURCES

ROADMAP REPORT



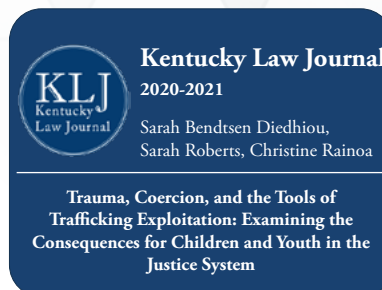
This report examines opportunities to interrupt entry points into systems and strengthen the provision and accessibility of community-based services for children and youth at risk of, or impacted by, trafficking.

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.

JuST RESPONSE COUNCIL RESOURCES

The JuST Response Council is a group of 30+ experts from around the country who collaborate to improve responses to juvenile sex trafficking victims, drawing on the group's combined research, knowledge, and expertise in services, law, and policy. To access resources developed with the input of the Council, please visit <https://sharedhope.org/what-we-do/bring-justice/just-response-council/>.

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. 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 go.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.

ISSUE BRIEFS AND NATIONAL STATE LAW SURVEYS

Issue Briefs provide insight into the significance of each policy goal and considerations for drafting legislation.

National State Law Surveys identify state-by-state progress in enacting laws that address specific issues analyzed under the *Just Like Me Report Cards*, providing a snapshot of the nation overall in a chart.

Find related resources at reportcards.sharedhope.org/related-resources/

JANUARY RELEASE



Policymaker's Guide

Our Policymaker's Guide includes an in-depth statutory analysis of over 30 points of law (including those we analyze in our *Just Like Me Report Cards*). We will not grade states on these laws. Instead, this Guide is intended to be a resource for policymakers and advocates seeking to build-out and strengthen existing statutory responses. An updated edition of the Guide will be released each January.

ACKNOWLEDGMENTS

Shared Hope International extends its deep appreciation to the many individuals who have dedicated their time and effort to the development of our report cards over the years. It is our sincere hope that the information compiled here serves as a catalyst for meaningful legal reform across the country.

We are especially grateful to the lived experience experts whose contributions of time, insight, and expertise have been invaluable. Their voices will continue to shape strong statutory protections aimed at preventing unjust criminalization and repairing harm when it occurs. We extend particular thanks to Cristian Eduardo, Terry Forliti, Yvonne Fryar, Rev. Dr. Marian Hatcher, and Dr. Alexandra 'Sandi' Pierce, who agreed to be named in recognition of their leadership and impact, as well as those who chose to remain unnamed.

Special thanks are also extended to Shared Hope's Just Response Council, Regent University School of Law's Center for Global Justice, and LexisNexis Cares whose support and research assistance was integral to the development of this toolkit and related resources.

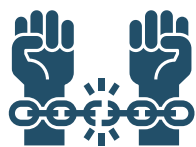
The *Just Like Me Toolkit* was drafted under the direction of Sarah Roberts, J.D., LL.M., Sarah Bendtsen, J.D., and Sidney McCoy, Esq. We further recognize the important contributions of our Shared Hope Law Fellows: Clare Becker, Katelyn Berg, Samantha Schramm, and Molly Smith. Our sincere thanks go to Christine Raino, Esq. for her assistance in drafting portions of this toolkit and to Christina Goodman for her exceptional work in designing this report and associated materials.

Each member of the Shared Hope team has played a vital role in bringing this work to fruition, and we are grateful for their commitment to advancing justice and protecting vulnerable children and youth.





**INCLUSIVE
DEFINITIONS**



**PROTECTIONS
FROM UNJUST
CRIMINALIZATION**



LEGAL RELIEF



**SURVIVOR-
CENTERED
SUPPORTS**