



POLICY GOAL #2

State law should prohibit the criminalization of minors under 18 for prostitution offenses.

State ¹	Does state law prohibit the criminalization of minors for prostitution offenses?	Limitation on protection, if any	Relevant statute(s)
Alabama	No ²	N/A	N/A
Alaska	No	N/A	N/A
Arizona	No	N/A	N/A
Arkansas	Yes, but limited	Protection hinges on identification as a trafficking victim; minors can still face related charges such as sexual solicitation	Ark. Code Ann. §§ 5-70-102(c) (Prostitution); 5-70-103(a)(2) (Sexual solicitation)
California	Yes	N/A	Cal. Penal Code § 647(b)(5) (Disorderly conduct; Punishment for violation.)
Colorado	Yes, but limited	Protection hinges on identification as a trafficking victim	Colo. Rev. Stat. Ann. § 18-7-209 (Immunity from prostitution-related offenses – Victim – Human trafficking of a minor for involuntary servitude – Human trafficking of a minor for sexual servitude)
Connecticut	Yes	N/A	Conn. Gen. Stat. § 53a-82(a) (Prostitution)
Delaware	Yes, but limited	Minors can still face related charges such as loitering	Del. Code Ann. tit. 11, §§ 1342 (Prostitution; class B misdemeanor); 787(g)(1), (g)(2) (Trafficking an individual, forced labor and sexual servitude)
District of Columbia	Yes	N/A	D.C. Code § 22-2701 (Engaging in prostitution or soliciting for prostitution)
Florida	Yes	N/A	Fla. Stat. Ann. § 796.07(2)(e) (Prohibited prostitution and related acts)
Georgia	Yes, but limited	Minors can still face related charges such as masturbation for hire	Ga. Code Ann. §§ 16-6-9 (Prostitution); 16-6-16(a) (Masturbation for hire)

¹ Evaluations of state laws are based on legislation enacted as of July 1, 2025. Responses do not include an analysis of case law, agency rules, regulations, or practices/initiatives that exist outside of statutory law.

² Alabama law provides limited protection for minors engaged in commercial sex, but only for those legally identified as “sexually exploited children,” leaving others without protection. This protection is further undermined by conflicting provisions that permit punitive responses—including adjudication as a child in need of supervision or referral to informal adjustment—a diversion like process that still involves the juvenile justice system. Ala. Code § 12-15-701(b), (d) (Protection of a commercially sexually exploited child).

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Hawaii	No	N/A	N/A
Idaho	Yes	N/A	Idaho Code Ann. § 18-5613(1), (4) (Providing commercial sexual activity)
Illinois	Yes	N/A	720 Ill. Comp. Stat. Ann. 5/11-14 (Prostitution); 5/11-14.1 (Solicitation of a sexual act)
Indiana	Yes	N/A	Ind. Code Ann. § 35-45-4-2(a) (Prostitution)
Iowa	No ³	N/A	N/A
Kansas	No	N/A	N/A
Kentucky	Yes	N/A	Ky. Rev. Stat. Ann. § 529.120 (Treatment of minor suspected of prostitution offense)
Louisiana	No ⁴	N/A	N/A
Maine	Yes	N/A	Prostitution law repealed in 2023.
Maryland	Yes, but limited	Protection hinges on identification as a trafficking victim	Md. Code Ann., Crim. Law § 1-402(B) (No prosecution if a minor is a victim of sex trafficking or human trafficking)
Massachusetts	No	N/A	N/A
Michigan	Yes, but limited	The prostitution law does not apply to minors under 16 years of age; protections for children ages 16–17 are limited (rebuttable presumption of victimization/of being forced into committing the offense)	Mich. Comp. Laws Ann. §§ 740.448 (Soliciting, accosting, or inviting to commit prostitution or immoral act; crime); 750.451(6), (7) (Violation of MCL 750.448, 750.449, 750.449a(1), 750.450, or 750.462; prior conviction; penalty; prosecution of persons under 18 years of age; presumption; report; investigation by department of human services; “prior conviction” defined)
Minnesota	Yes	N/A	Minn. Stat. Ann. § 260B.007(6), (16)(d) (Definitions)
Mississippi	Yes	N/A	Miss. Code Ann. § 97-29-49 (Prostitution; report to Department of Child Protection Services for suspected child sexual abuse or neglect if minor involved; immunity from prosecution if trafficked person involved)
Missouri	Yes	N/A	Mo. Rev. Stat. § 567.020 (Prostitution)
Montana	Yes	N/A	Mont. Code Ann. § 45-5-709(1)–(3) (Immunity – Sex therapy participants)

³ Iowa Code § 725.1 (Prostitution) applies to minors under 18 but authorizes prosecutors to refer a minor to child welfare in lieu of filing a delinquency petition.

⁴ While La. Rev. Stat. Ann. § 14:46.3(E) (Trafficking of children for sexual purposes) and La. Child. Code Ann. art. 804(3), (5) (Definitions) provide important non-criminalization protections to commercially sexually exploited minors, such protections are undermined by conflicting provisions that permit the criminalization of children for prostitution offenses.

State ¹	Does state law prohibit the criminalization of minors for prostitution offenses?	Limitation on protection, if any	Relevant statute(s)
Nebraska	Yes	N/A	Neb. Rev. Stat. Ann. § 28-801 (Prostitution; penalty; affirmative defense; immunity from prosecution; law enforcement officer; duties)
Nevada	No ⁵	N/A	N/A
New Hampshire	Yes	N/A	N.H. Rev. Stat. Ann. § 645:2 (Prostitution and related offenses)
New Jersey	No ⁶	N/A	N/A
New Mexico	Yes	N/A	N.M. Stat. Ann. § 32A-2-3(A) (Definitions)
New York	No ⁷	N/A	N/A
North Carolina	Yes, but limited	Minors can still be taken into “temporary protective custody as an undisciplined juvenile,” which may subject the child to punitive processes, including secure custody	N.C. Gen. Stat. §§ 14-204 (Prostitution); 14-205.1 (Solicitation of prostitution); N.C. Gen. Stat. § 7B-1900(2) (Taking a juvenile into temporary custody)
North Dakota	Yes	N/A	N.D. Cent. Code §§ 12.1-29-03 (Prostitution); 12.1-41-12(1)–(4) (Immunity of minor)
Ohio	No ⁸	N/A	N/A
Oklahoma	Yes, but limited	Protection hinges on identification as a trafficking victim	Okla. Stat. Ann. tit. 21, § 1029 (Engaging in or soliciting prostitution – Residing or remaining in place for prohibited purpose – Aiding, abetting, or participating in prohibited acts – Child sex trafficking – Human trafficking)
Oregon	No	N/A	N/A
Pennsylvania	Yes, but limited	Protection hinges on identification as a sexually exploited child	18 Pa. Cons. Stat. § 3065 (Safe harbor for sexually exploited children)
Rhode Island	Yes, but limited	Non-criminalization provisions create two categories of	R.I. Gen. Laws § 11-67.1-15(a)–(c) (Immunity of a minor)

⁵ While protections exist, they are undermined by conflicting provisions that allow minors who have engaged in commercial sex to be subjected to punitive processes.

⁶ N.J. Stat. Ann. § 2C:34-1(b) (Prostitution and related offenses) and N.J. Stat. Ann. § 2C:34.1.1 (Loitering for the purpose of engaging in prostitution) apply to minors under 18. However, N.J. Stat. Ann. § 2A:4A-22(g)(5) (General definitions) defines children engaged in commercial sex as a “juvenile-family crisis,” which permits identified child sex trafficking victims to be diverted away from a standard juvenile justice response.

⁷ While some commercially sexually exploited children may be directed away from traditional juvenile or criminal justice responses, New York law permits arresting, detaining, charging, and prosecuting minors for prostitution and prostitution-related offenses.

⁸ Ohio’s prostitution and solicitation laws apply to minors. However, child sex trafficking victims may be diverted to an alternative juvenile justice process for prostitution or other offenses committed as a result of their victimization. Ohio Rev. Code Ann. § 2152.021(F) (Complaint alleging that child is delinquent child or juvenile traffic offender; initiation of serious youthful offender proceedings).

State ¹	Does state law prohibit the criminalization of minors for prostitution offenses?	Limitation on protection, if any	Relevant statute(s)
		protected minors: minors identified as trafficking victims (regardless of whether a sexual act occurred), and minors who engaged in a sexual act (regardless of trafficking victim status); excluded from protection are minors who only solicit, agree, or offer to engage in a sexual act but are not identified as trafficking victims	
South Carolina	Yes, but limited	Protection hinges on identification as a trafficking victim	S.C. Code Ann. § 16-3-2020(G) (Trafficking in persons; penalties; defenses)
South Dakota	No ⁹	N/A	N/A
Tennessee	Yes	N/A	Tenn. Code Ann. §§ 39-13-513 (Prostitution – Defenses); 39-13-309(e) (Trafficking for a commercial sex act)
Texas	No ¹⁰	N/A	N/A
Utah	Yes, but limited	Minors may still be taken into custody and transported to a juvenile receiving center	Utah Code Ann. §§ 76-5d-202(1) (Engaging in prostitution); 76-5d-209(2), (5) (Sexual solicitation – Penalty); 76-5d-106(2) (Safe harbor for children as victims of commercial sex or sexual solicitation); 80-6-201 (Minor taken into temporary custody by peace officer, private citizen, or probation officer – Grounds – Protective custody)
Vermont	No ¹¹	N/A	N/A
Virginia	No	N/A	N/A
Washington	Yes	N/A	Wash. Rev. Code Ann. § 9A.88.030(1) (Prostitution)
West Virginia	Yes, but limited	Protection hinges on identification as a trafficking victim	W. Va. Code Ann. §§ 61-8-5 (Houses of ill fame and assignation; penalties; jurisdiction of courts); 61-14-8(a), (b) (Immunity for minor victim of sex trafficking)

⁹ Although the core prostitution law is inapplicable to minors, commercially sexually exploited minors are still subject to juvenile justice processes in response to their victimization. S.D. Codified Laws §§ 22-23-1, 26-8B-2, 26-8B-6.

¹⁰ While state statute provides alternative juvenile justice responses to identified child sex trafficking victims, including avenues to avoid a delinquency adjudication, such responses direct child victims towards punitive processes to access care and services..

¹¹ Vt. Stat. Ann. tit. 13, § 2652(c)(1) (Human trafficking) insulates minors from prosecution for a prostitution offense; however, Vt. Stat. Ann. tit. 13, § 2652(c)(1)(B) allows child sex trafficking victims to be treated as a “juvenile under 33 V.S.A. chapter 52 [Delinquency proceedings] or referred to the Department of Children and Families for treatment under 33 V.S.A. chapter 53 [Children in Need of Care or Supervision].” Consequently, minors referred for delinquency proceedings under Vt. Stat. Ann. tit. 33, §§ 5201–5293 face a traditional juvenile justice response to their trafficking victimization.

State ¹	Does state law prohibit the criminalization of minors for prostitution offenses?	Limitation on protection, if any	Relevant statute(s)
Wisconsin	No ¹²	N/A	N/A
Wyoming	No ¹³	N/A	N/A
Totals:	31 states + D.C. prohibit the criminalization of minors for prostitution offenses. 13 of those states offer limited protections.		

¹² Wis. Stat. Ann. § 944.30(1m), (2m) (Prostitution) applies to minors under 18; however, minors may be subject to an alternative juvenile justice process or outcome, including a deferred prosecution or consent decree.

¹³ While some commercially sexually exploited minors may be identified as “neglected children” and afforded protective responses, a minor may also be identified as a child in need of supervision (CHINS) and directed to the juvenile justice system.