



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.

State ¹	Does state law extend non-criminalization protections to other offenses arising from a child's trafficking victimization? ²	Included offenses	Relevant statute(s)
Alabama	No	N/A	N/A
Alaska	No	N/A	N/A
Arizona	No	N/A	N/A
Arkansas	No*	N/A	N/A
California	No*	N/A	N/A
Colorado	Yes	"Prostitution-related activity," including soliciting for prostitution, keeping a place of prostitution, and prostitute making display	Colo. Rev. Stat. Ann. § 18-7-209 (Immunity from prostitution-related offenses – Victims – Human trafficking of a minor for involuntary servitude – Human trafficking of a minor for sexual servitude)
Connecticut	No*	N/A	N/A
Delaware	No	N/A	N/A
District of Columbia	No	N/A	N/A
Florida	No	N/A	N/A
Georgia	No*	N/A	N/A
Hawaii	Yes	Promoting prostitution	Haw. Rev. Stat. § 712-1201(3) (Advancing prostitution; profiting from prostitution; definition)
Idaho	Yes	Child sex trafficking	Idaho Code Ann. § 18-8608 (Human sex trafficking of a child)
Illinois	Yes	Promoting prostitution	720 Ill. Comp. Stat. Ann. 5/11-14.3(a) (Promoting prostitution)
Indiana	No	N/A	N/A
Iowa	No*	N/A	N/A

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 An asterisk (*) indicates that although state law does not fully protect child sex trafficking victims from criminalization for status offenses, misdemeanors, or felonies, it provides a trafficking-specific affirmative defense and/or a petition-based dismissal process for specified offenses. Unlike non-criminalization protections, these protections apply only during court proceedings and do not prevent arrest, detention, charging, or prosecution. If unsuccessful, victims may still be convicted or adjudicated delinquent despite their status as trafficking victims.

State ¹	Does state law extend non-criminalization protections to other offenses arising from a child's trafficking victimization? ²	Included offenses	Relevant statute(s)
Kansas	No*	N/A	N/A
Kentucky	Yes	Status offenses	Ky. Rev. Stat. Ann. § 630.125 (Child not to be charged with or found guilty of status offense related to human trafficking)
Louisiana	Yes	Any offense	La. Rev. Stat. Ann. §§ 14:46.3(E) (Trafficking of children for sexual purposes); 14:83(C)(1) (Soliciting for prostitutes)
Maine	No*	N/A	N/A
Maryland	Yes	Trafficking offenses, qualifying misdemeanors (e.g., substance-related offenses, property and theft crimes, fraud and false statement offenses, traffic and licensing violations, and public order and morality offenses), and violations	Md. Code Ann., Crim. Law § 1-402 (No prosecution if a minor is a victim of sex trafficking or human trafficking)
Massachusetts	No	N/A	N/A
Michigan	Yes	Children under 16: commercial sexual exploitation offenses ³	Mich. Comp. Laws Ann. § 750.450 (Aiding, assisting, or abetting; penalty)
Minnesota	No	N/A	N/A
Mississippi	Yes	Sex trafficking and promoting prostitution	Miss. Code Ann. §§ 97-3-54.1(4) (Human trafficking act; prohibited conduct; penalty); 97-29-51(3) (Prostitution; misdemeanor procuring services of prostitute; felony promoting prostitution; penalties)
Missouri	Yes	Conspiracy	Mo. Rev. Stat. § 562.041 (Responsibility for the conduct of another)
Montana	Yes	Sex trafficking and nonviolent offenses	Mont. Code Ann. § 45-5-709(1) (Immunity of child – Sex therapy participants)
Nebraska	Yes	Trafficking-related conduct	Neb. Rev. Stat. Ann. § 28-831(3) (Human trafficking; labor trafficking or sex trafficking; labor trafficking of a minor or sex trafficking of a minor; prohibited acts; penalties)
Nevada	Yes	Certain low-level offenses, including misdemeanors (e.g., obstructing a public officer, trespassing, and working in prohibited establishments), county or	Nev. Rev. Stat. Ann. § 62C.015(2), (3) (Treatment of child who engages in prostitution or solicitation for prostitution or who engages in certain unlawful acts in connection with

³ All minors under 18 are presumed to be trafficking victims if found engaging in commercial sex or trafficking-related conduct. However, this presumption does guarantee immunity from arrest or prosecution. Mich. Comp. Laws Ann. § 750.451(7) (Violation of MCL 750.448, 750.449, 750.449a(1), 750.450, or 750.462; prior convictions; penalty; prosecution of person under 18 years of age; presumption; report; investigation by department of human services; “prior conviction” defined).

State ¹	Does state law extend non-criminalization protections to other offenses arising from a child's trafficking victimization? ²	Included offenses	Relevant statute(s)
		municipal ordinances (e.g., jaywalking, loitering), and curfew violations ⁴	commercial sexual exploitation; report of commercial sexual exploitation to agency which provides child welfare services)
New Hampshire	Yes	Nonviolent offenses	N.H. Rev. Stat. Ann. § 633:7(VI), (VII) (Trafficking in persons)
New Jersey	No*	N/A	N/A
New Mexico	Yes	Accessory to trafficking	N.M. Stat. Ann. § 30-52-1(E) (Human trafficking)
New York	Yes	Child sex trafficking	N.Y. Penal Law § 230.34-A(1) (Sex trafficking of a child)
North Carolina	No*	N/A	N/A
North Dakota	Yes	Misdemeanors, including forgery, theft offenses, insufficient funds or credit offenses, and drug offenses involving possession, manufacture, or paraphernalia	N.D. Cent. Code § 12.1-41-12(1)–(3) (Immunity of minor)
Ohio	No	N/A	N/A
Oklahoma	Yes	Misdemeanors and nonviolent felonies	Okla. Stat. tit. 21, §§ 748.2(E)(2) (Rights of victims of human trafficking – Civil action against perpetrator); 1029 (Engaging in prostitution, etc. – Soliciting or procuring – Residing or being in place for prohibited purpose – Aiding, abetting or participating – Child sex trafficking – Presumption of coercion)
Oregon	No*	N/A	N/A
Pennsylvania	No	N/A	N/A
Rhode Island	No	N/A	N/A
South Carolina	Yes	Trafficking-related offenses, prostitution-related offenses (e.g., aiding or abetting prostitution, procuring or soliciting, indecent exposure, using or maintaining places for prostitution, transporting persons for prostitution, and leasing property for such purposes), nonviolent misdemeanors, and Class F felonies	S.C. Code Ann. § 16-3-2020(G) (Trafficking in persons; penalties; defenses)
South Dakota	No	N/A	N/A
Tennessee	No*	N/A	N/A

⁴ In addition, Nev. Rev. Stat. Ann. § 201.303 (Rebuttable presumption that pandering, sex trafficking or facilitating sex trafficking committed under duress) creates a rebuttable presumption that a child sex trafficking victim charged with a trafficking offense acted under duress.

State ¹	Does state law extend non-criminalization protections to other offenses arising from a child's trafficking victimization? ²	Included offenses	Relevant statute(s)
Texas	No	N/A	N/A
Utah	No	N/A	N/A
Vermont	Yes	Obscenity offenses	Vt. Stat. Ann. tit. 13, § 2652(c)(1) (Human trafficking)
Virginia	No*	N/A	N/A
Washington	No	N/A	N/A
West Virginia	Yes	Commercial sexual exploitation offenses, including aiding or abetting prostitution, if "the court [determines] that the minor was coerced into the criminal behavior"	W. Va. Code Ann. § 61-14-8(a), (b) (Immunity for minor victim of sex trafficking)
Wisconsin	No*	N/A	N/A
Wyoming	Yes	Any criminal act	Wyo. Stat. Ann. § 6-2-708 (Victim defenses; vacating convictions)
Totals:	22 states extend non-criminalization to other offenses arising from a child's trafficking victimization.		