



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.

State ¹	Is resentencing relief available to minors? ²	If yes, is relief available without imposing significant barriers?	Barrier(s)	Relevant statute(s)
Alabama	No	N/A	N/A	N/A
Alaska	No	N/A	N/A	N/A
Arizona	No	N/A	N/A	N/A
Arkansas	No*	N/A	N/A	N/A
California	Yes	No	Petition can only be filed by the prosecutor	Cal. Penal Code § 1172.1 (Resentencing procedures pursuant to Section 1170; requirements)
Colorado	Yes	No	20–25 year waiting period; limitations on eligible offenses	Colo. Rev. Stat. Ann. §§ 17-34-101 (Juveniles and young adults who are convicted as adults in district court and young adults convicted under twenty-one years of age – Eligibility for specialized program placement – Petitions – Definition); 17-34-102 (Specialized program for juveniles and young adults convicted as adults and young adults convicted under twenty-one years of age – Report – Definition)
Connecticut	Yes	No	Court does not have discretion to reduce the sentence below the mandatory minimum	Conn. Gen. Stat. § 53a-39 (Reduction of sentence or discharge of defendant by sentencing court or judge. Statement by victim)
Delaware	Yes	No	20–30 year waiting period	Del. Code Ann. tit. 11, § 4204A (Youth convicted in Superior Court)
District of Columbia	Yes	No	15-year waiting period	D.C. Code § 24-403.03 (Modification of an imposed term of imprisonment for violations of law committed before 25 years of age)

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, while resentencing relief is not available to minors, a juvenile parole process or like is available.

State ¹	Is resentencing relief available to minors? ²	If yes, is relief available without imposing significant barriers?	Barrier(s)	Relevant statute(s)
Florida	Yes	No	Long waiting periods; limitations on eligible offenses	Fla. Stat. § 921.1402 (Review of sentences for persons convicted of specified offenses committed while under the age of 18 years)
Georgia	Yes	Yes	N/A	to Ga. Code Ann. §§ 17-10-21 (Vacating of sentence for trafficking victim defendants); Ga. Code Ann. § 17-10-1 (Fixing of sentence; suspension or probation of sentence; change in sentence; eligibility for parole; prohibited modifications; exceptions)
Hawaii	No	N/A	N/A	N/A
Idaho	No	N/A	N/A	N/A
Illinois	Yes	No	Petition must be filed within 2 years of the judgment (only available for forcible felonies) or by the prosecutor	725 Ill. Comp. Stat. Ann. 5/122-9 (Motion to resentence by the people); 735 Ill. Comp. Stat. Ann. 5/2-1401 (Relief from judgements)
Indiana	Yes	No	Incarcerated defendants may seek sentence modification only for offenses committed or sentences imposed before July 1, 2014, excluding violent criminals, who are limited to reconsideration within 365 days; defendants sentenced before age 18 may file an additional modification petition, without the consent of the prosecutor, after 15 years (non-murder) or 20 years (murder)	Ind. Code Ann. § 35-38-1-17 (Modification of sentence)
Iowa	No	N/A	N/A	N/A
Kansas	No	N/A	N/A	N/A
Kentucky	No	N/A	N/A	N/A
Louisiana	No	N/A	N/A	N/A
Maine	No	N/A	N/A	N/A
Maryland	Yes	No	20-year waiting period; sunset on relief for minors	Md. Code Ann., Crim. Proc. § 8-110 (Sentencing of adult convicted of offense committed while minor – Reduction of sentence – Factors considered – Written decision)
Massachusetts	No	N/A	N/A	N/A
Michigan	No	N/A	N/A	N/A
Minnesota	Yes	No	Prosecutor-initiated process	Minn. Stat. § 609.133 (Sentence adjustment)

State ¹	Is resentencing relief available to minors? ²	If yes, is relief available without imposing significant barriers?	Barrier(s)	Relevant statute(s)
Mississippi	No	N/A	N/A	N/A
Missouri	No	N/A	N/A	N/A
Montana	No	N/A	N/A	N/A
Nebraska	No	N/A	N/A	N/A
Nevada	No*	N/A	N/A	N/A
New Hampshire	No	N/A	N/A	N/A
New Jersey	No	N/A	N/A	N/A
New Mexico	No*	N/A	N/A	N/A
New York	Yes	No	Limitations on eligible offenses	N.Y. Crim. Proc. Law §§ 440.47 (Motion for resentencing; domestic violence cases); 60.12 (Authorized disposition; alternative sentence; domestic violence cases)
North Carolina	No	N/A	N/A	N/A
North Dakota	Yes	No	20-year waiting period; only available to a defendant who was convicted as an adult for an offense committed <i>and completed</i> before they turned 18	N.D. Cent. Code, § 12.1-32-13.1 (Juveniles – Sentencing – Reduction)
Ohio	Yes	No	Excludes mandatory sentences and certain offenses, including sex trafficking	Ohio Rev. Code Ann. § 2929.20 (Sentence reduction through judicial release)
Oklahoma	Yes	No	Excludes offenses committed prior to the effective date of the Oklahoma Survivors Act	Okla. Stat. Ann. tit. 22, §§ 1090.4 (Lessening sentence of defendant serving sentence – Hearing); 1090.5 (Request to apply for resentencing – Evidence required to corroborate claim that defendant was a victim of domestic violence)
Oregon	Yes	Yes	N/A	Or. Rev. Stat. §§ 137.218 (Joint petition for reconsideration of conviction or sentence); 420A.203 (Eligibility for second look; report to sentencing court; hearing; disposition)
Pennsylvania	No	N/A	N/A	N/A
Rhode Island	No*	N/A	N/A	N/A
South Carolina	No	N/A	N/A	N/A
South Dakota	No	N/A	N/A	N/A
Tennessee	No	N/A	N/A	N/A
Texas	No	N/A	N/A	N/A

State ¹	Is resentencing relief available to minors? ²	If yes, is relief available without imposing significant barriers?	Barrier(s)	Relevant statute(s)
Utah	Yes	No	Limitations on eligible offenses; timing of the petition; must prove force, fraud or coercion	Utah Code Ann. § 78B-9-104 (Grounds for relief – Retroactivity of rule)
Vermont	No	N/A	N/A	N/A
Virginia	No*	N/A	N/A	N/A
Washington	Yes	No	Prosecutor-initiated process	Wash. Rev. Code Ann. § 36.27.130 (Felony resentencing)
West Virginia	No*	N/A	N/A	N/A
Wisconsin	No	N/A	N/A	N/A
Wyoming	No	N/A	N/A	N/A
Totals:	17 states + D.C. make resentencing relief available to minors.	2 states make relief available without imposing significant barriers.		