



POLICY GOAL #7

State law should allow sex trafficked children and youth to vacate convictions for any offenses arising from their victimization.

State ¹	Does state law allow sex trafficked children and youth to vacate criminal convictions?	Does relief extend to any criminal offense arising from the person's trafficking victimization?	Relevant statute(s)
Alabama	No	N/A	N/A
Alaska	No	N/A	N/A
Arizona	Yes	No; prostitution offenses only	Ariz. Rev. Stat. Ann. § 13-909 (Vacating the conviction of a sex trafficking victim; requirements)
Arkansas	No	N/A	N/A
California	Yes	No; nonviolent offenses only	Cal. Penal Code §§ 236.14 (Petition for vacatur relief of arrest for or conviction of nonviolent offense committed while victim of human trafficking); 653.29 (Petition for a recall or dismissal of sentence)
Colorado	Yes	No; excludes specified offenses	Colo. Rev. Stat. Ann. § 18-1-410.7 (Vacating certain criminal convictions for victims of human trafficking)
Connecticut	Yes	No; mandatory for prostitution offenses (discretionary for other lower-level offenses)	Conn. Gen. Stat. § 54-95c (Application to vacate prostitution conviction on basis of being a victim of trafficking in persons. Prosecutor's response. Court order)
Delaware	Yes	No; excludes violent felonies	Del. Code Ann. tit. 11, § 787(j) (Trafficking an individual, forced labor and sexual servitude)
District of Columbia	Yes	No; excludes specified offenses	D.C. Code §§ 22-1844 (Motion to vacate conviction or expunge criminal records for victims of trafficking); 22-1845 (Review by court); 22-1846 (Grants and denials of motion)
Florida	Yes	No; nonviolent offenses only	Fla. Stat. Ann. § 943.0583 (Human trafficking victim expunction)
Georgia	Yes	Yes	Ga. Code Ann. § 17-10-21 (Vacating sentence for trafficking victim defendants)

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. **State laws allowing for vacatur of delinquency adjudications are not reflected in this chart.**

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Hawaii	Yes	No; prostitution offenses only	Haw. Rev. Stat. Ann. § 712-1209.6 (Prostitution; motion to vacate conviction)
Idaho	Yes	No; prostitution offenses only (unless the court determines otherwise)	Idaho Code Ann. § 67-3014(1)–(11) (Expungement for Victims of Human Trafficking)
Illinois	Yes	Yes	20 Ill. Comp. Stat. Ann. 2630/5.2(h) (Expungement, sealing, and immediate sealing); 725 Ill. Comp. Stat. Ann. 5/116-2.1 (Motion to vacate prostitution convictions for sex trafficking victims)
Indiana	Yes	No; excludes offenses resulting in bodily injury to another person	Ind. Code Ann. § 35-38-10-2 (Vacating conviction for offense not resulting in bodily injury to another person)
Iowa	No	N/A	N/A
Kansas	No	N/A	N/A
Kentucky	Yes	No; nonviolent offenses only	Ky. Rev. Stat. Ann. § 529.160 (Expungement of records relating to violation of chapter when person charged or convicted was a victim of human trafficking at time of offense – Motion – Finding – Presumption)
Louisiana	No	N/A	N/A
Maine	No	N/A	N/A
Maryland	Yes	No; qualifying offenses (e.g., prostitution, certain drug-related offenses, trespass, misdemeanor theft) only	Md. Code Ann., Crim. Proc. § 8-302 (Motion to vacate judgment for prostitution committed under duress)
Massachusetts	Yes	No; specified offenses, including prostitution and drug-related offenses, only	Mass. Gen. Laws ch. 265, § 59 (Human trafficking – Victim participation in crime – Motion to vacate)
Michigan	Yes	No; prostitution and certain enumerated commercial sexual exploitation offenses	Mich. Comp. Laws Ann. §§ 780.621 (Application for order setting aside conviction; misdemeanor conviction; setting aside of certain convictions prohibited; victim of human trafficking violation; time and contents of application; submitting application and fingerprints to department of state police; report; application fee; contest of application by attorney general or prosecuting attorney; notice to victim; affidavits and proofs; court order; definitions); 780.621d (Timing of applications to set aside multiple convictions)
Minnesota	Yes	Yes	Minn. Stat. Ann. § 609A.03 (Petition to expunge criminal records)
Mississippi	Yes	No; Human Trafficking Act violations only	Miss. Code Ann. § 97-3-54.6 (Human trafficking Act; injunctive relief and

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			other relief for victims of trafficking; confidentiality)
Missouri	No	N/A	N/A
Montana	Yes	No; prostitution, sex trafficking, and nonviolent offenses only	Mont. Code Ann. § 46-18-608 (Motion to vacate conviction – Human trafficking victims)
Nebraska	Yes	Yes	Neb. Rev. Stat. Ann. § 29-3005 (Victim of sex trafficking; motion to set aside conviction or adjudication; procedure; court; findings; considerations; hearing; order; effect)
Nevada	Yes	No; prostitution and nonviolent offenses only	Nev. Rev. Stat. Ann. § 179.247 (Vacating judgement and Sealing of records after conviction of certain offenses: Persons eligible; petition; notice; order)
New Hampshire	Yes	Yes	N.H. Rev. Stat. Ann. § 633:7(VIII), (X)(b) (Trafficking in persons)
New Jersey	Yes	No; does not apply in cases involving murder, manslaughter, aggravated manslaughter, kidnapping, luring or enticing a child, or sexual assault	N.J. Stat. Ann. § 2C:44-1.1 (Certain convictions vacated expunged)
New Mexico	No	N/A	N/A
New York	Yes	Yes	N.Y. Crim. Proc. Law § 440.10 (Motion to vacate judgment)
North Carolina	Yes	No; nonviolent offenses only	N.C. Gen. Stat. §§ 15A-1415 (Grounds for appropriate relief which may be asserted by defendant after verdict; limitation as to time); 15A-1416.1 (Motion by the defendant to vacate a nonviolent offense conviction for human trafficking victim)
North Dakota	Yes	No; prostitution, misdemeanor forgery, misdemeanor theft offenses, insufficient funds or credit offenses, and certain drug-related offenses only	N.D. Cent. Code § 12.1-41-14 (Motion to vacate and expunge conviction)
Ohio	Yes	No; excludes enumerated offenses	Ohio Rev. Code Ann. § 2953.36 (Expungement of record of convictions available for victims of human trafficking)
Oklahoma	No	N/A	N/A
Oregon	Yes	No; prostitution offenses only	Or. Rev. Stat. § 137.221 (Vacation of judgment of conviction for prostitution)
Pennsylvania	Yes	No; criminal trespass, disorderly conduct, loitering, obstructing highways/public passageways, prostitution/related offenses, or simple drug possession offenses only	18 Pa. Cons. Stat. § 3019 (Victim protection during prosecution)

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Rhode Island	Yes	No; prostitution and solicitation offenses only	R.I. Gen. Laws Ann. § 11-67.1-17 (Motion to vacate and expunge conviction)
South Carolina	No	N/A	N/A
South Dakota	No	N/A	N/A
Tennessee	Yes	No; excludes convictions involving the use, attempted use, or threatened use of force or the use or possession of a deadly weapon	Tenn. Code Ann. § 40-32-105 (Expungement of person's public records involving offenses related to status as victim of human trafficking)
Texas	No	N/A	N/A
Utah	Yes	No; enumerated offenses (e.g., drug possession, theft, prostitution-related offenses) only	Utah Code Ann. § 78B-9-104 (Grounds for relief – Retroactivity of rule)
Vermont	Yes	No; qualifying crimes only	Vt. Stat. Ann. tit. 13, § 2658 (Prostitution conviction; motion to vacate by victim of human trafficking)
Virginia	Yes	No; qualifying offenses only	Va. Code Ann. §§ 19.2-327.17 (Contents and form of the petition for vacatur); 19.2-327.16 (Issuance of writ of vacatur for victims of commercial sex trafficking); 19.2-327.18 (Hearing on petition for vacatur); 19.2-327.19 (Relief under writ of vacatur); 19.2-327.15 (Definitions)
Washington	Yes	No; misdemeanors, gross misdemeanors, and Class B or C felonies only (exceptions apply)	Wash. Rev. Code Ann. §§ 9.94A.648 (Victims of certain offenses – Vacating records of conviction for a class B or class C felony); 9.96.080 (Victims of certain crimes vacating records of conviction)
West Virginia	Yes	No; prostitution offenses only	W. Va. Code Ann. § 61-14-9 (Petition to vacate and expunge conviction or juvenile delinquency adjudication of sex trafficking victim)
Wisconsin	Yes	No; prostitution offenses only	Wis. Stat. § 973.015(2m) (Special disposition)
Wyoming	Yes	Yes	Wyo. Stat. Ann. § 6-2-708 (Victim defenses; vacating convictions)
Totals:	37 states + D.C. allow sex trafficked children and youth to vacate criminal convictions.	7 states extend relief to any criminal offense arising from the person's trafficking victimization.	