



## Relief from Sex Offender Registration for Unjustly Criminalized Trafficking Survivors

**ONE OF THE MOST HARMFUL COLLATERAL CONSEQUENCES FOR UNJUSTLY CRIMINALIZED TRAFFICKING** survivors is the requirement to register as a sex offender. This mandate can have devastating impacts on nearly every aspect of a survivor's life, creating significant hurdles to healing, undermining access to critical supports, and increasing the risk of further involvement in the criminal justice system.<sup>1</sup> Additionally, in these cases, the requirement to register as a sex offender may not even be based on the survivor's own overt acts but, instead, results from the survivor being unjustly convicted as a co-conspirator alongside those responsible for their exploitation.<sup>2</sup>

Sex offender registration impacts survivors in numerous ways. The monitoring and residency restrictions imposed by these laws can severely limit interactions with family members, especially those with young children, and may even prevent survivors from attending family events. Travel may also be restricted due to registration requirements. Employment opportunities are curtailed, particularly in fields that involve working with children, and the residency limits make finding suitable housing and seeking educational opportunities more difficult. These restrictions compound the consequences of the underlying conviction and significantly hinder survivors' ability to rebuild their lives.

Sex offender registration laws were initially created to allow law enforcement to monitor serious offenders who were considered at high risk of reoffending.<sup>3</sup> However, as these laws expanded to include more crimes and increased monitoring,<sup>4</sup> they did not incorporate adequate safeguards to prevent unjust application. This expansion has led to the harsh and punitive imposition of registration requirements on victims of crime, including trafficking survivors. Despite the clearly unjust outcomes, there are very limited and narrow legal remedies available for survivors seeking removal from sex offender registries and relief from the burdensome requirements.<sup>5</sup>

One potential avenue for relief is vacating the underlying conviction, which is only possible in states with broad vacatur laws.<sup>6</sup> Many states, however, do not have laws broad enough to vacate registrable offenses. In states that do allow trafficking survivors to petition for vacatur of a wide range of convictions resulting from their victimization, relief may be available since the requirement to register is based on the conviction itself.

Ideally, relief from sex offender registration should be granted as part of the vacatur process, sparing survivors from another retraumatizing court proceeding. States should consider incorporating relief from registration into their vacatur laws so that it is automatically provided upon vacatur of the underlying offense. Where such integration does not exist, survivors may be required to seek relief through separate legal processes.

States may also address the unjust impact of sex offender registration on criminalized trafficking survivors by amending registration laws. Some states, such as Tennessee and Colorado, have enacted exceptions and provisions for early termination specifically for trafficking survivors whose convictions stem from their own victimization. These legislative steps represent important progress toward alleviating the burdens faced by unjustly criminalized survivors.

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- 1 The Sentencing Project, *Responding to Crimes of a Sexual Nature: What We Really Want Is No More Victims* (Dec. 2025), <https://www.sentencingproject.org/policy-brief/responding-to-crimes-of-a-sexual-nature-what-we-really-want-is-no-more-victims/>
  - 2 Shared Hope International, *Responding to Sex Trafficking: Victim-Offender Intersectionality* (Dec. 2022), [https://sharedhope.org/wp-content/uploads/2022/12/SH\\_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality-1.pdf](https://sharedhope.org/wp-content/uploads/2022/12/SH_Responding-to-Sex-Trafficking-Victim-Offender-Intersectionality-1.pdf)
  - 3 Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No. 103-322, § 170101, 108 Stat. 1796, 2038 (codified as amended at 42 U.S.C. § 14071) (repealed 2006).
  - 4 Megan's Law, Pub. L. No. 104-145, 110 Stat. 1345 (1996) (codified as amended at 42 U.S.C. § 14071) and Adam Walsh Child Protection and Safety Act of 2006, Pub. L. No. 109-248, 120 Stat. 587 (codified as amended in scattered sections of 18 U.S.C., 28 U.S.C., and 42 U.S.C.).
  - 5 Collateral Consequences Resource Center, *50-State Comparison: Relief from Sex Offender Registration Obligations* (updated 2025), <https://ccresourcecenter.org/state-restoration-profiles/50-state-comparison-relief-from-sex-offender-registration-obligations/>
  - 6 See the Policy Goal #7 Issue Brief for more background on vacatur laws