

<p>Area of Law</p>	<p>Criminal Provisions Addressing Demand</p>
<p>The Policy Point</p>	<p>The state sex trafficking law can be applied to buyers of commercial sex acts with a victim of domestic minor sex trafficking.</p>
<p>The Legislative Solution</p>	<p>Demand for commercial sex acts with young people is the driving force behind the child sex trafficking industry. However, the men who demand and purchase sex acts with minors often remain nameless and faceless and are frequently referred to by the innocuous term “johns” or not arrested at all. Many state sex trafficking laws fail to include the criminal actions of buyers, leaving out a critical element of the crime of sex trafficking, and ignoring the importance of criminal deterrence necessary to combat child sex trafficking. Also, failure to include buyers as sex trafficking offenders limits the definition of child sex trafficking to those victims who are controlled by a third party, leading to misidentification of those victims who are exploited for sex by buyers without the involvement of a trafficker. The federal sex trafficking law, 18 U.S.C. § 1591, applies to the actions of buyers, as do certain provisions of the Mann Act, 18 U.S.C.A. § 2421 et seq., permitting the federal law enforcement to vigorously investigate and prosecute buyers of commercial sex acts with minors. It is therefore critically important that states enact or amend human trafficking to apply to the criminal actions of buyers and attempted buyers of sex acts with minors.</p>

<p>Select Statute Highlights</p>	
<p>Iowa</p> <p>Iowa Code § 710A.2(4) states, “A person who knowingly engages in human trafficking by soliciting services or benefiting from the services of a victim . . . if the victim is under the age of eighteen . . . is guilty of a class ‘C’ felony.” Iowa Code § 710A.1(4)(b) defines “human trafficking to include, “knowingly purchasing or attempting to purchase services involving commercial sexual activity from a victim or another person engaged in human trafficking.”</p>	<p>Rhode Island</p> <p>Pursuant to R.I. Gen. Laws § 11-67-6(b)(2), (c) (Sex trafficking of a minor) “Any person who . . . [s]ells or purchases a minor for the purposes of commercial sex acts . . . shall be guilty of a felony . . .”</p>
<p>Louisiana</p> <p>Pursuant to La. Stat. Ann. §14:46.3(A)(1) (Trafficking of children for sexual purposes), “It shall be unlawful: (1) For any person to knowingly recruit, harbor, transport, provide, sell, purchase, receive, isolate, entice, obtain, or maintain the use of a person under the age of eighteen years for the purpose of engaging in commercial sexual activity.”</p>	<p>Tennessee</p> <p>Tenn. Code Ann. § 39-13-309 (Trafficking for commercial sex acts) states, “(a) A person commits the offense of trafficking a person for a commercial sex act who . . . (2) Recruits, entices, harbors, transports, provides purchases or obtains by any means another person for the purpose of providing a commercial sex act.”</p>
<p>Oklahoma</p> <p>Okla. Stat. Ann. tit. 21, § 748(B) states, “It shall be unlawful to knowingly engage in [h]uman trafficking.” Okla. Stat. Ann. tit. 21, § 748(A)(6)(b) defines “human trafficking for commercial sex,” in part, as “. . . purchasing or obtaining, by any means, a minor for purposes of engaging the minor in a commercial sex act.”</p>	<p>Texas</p> <p>Tex. Penal Code Ann. § 20A.02(a)(8) (Trafficking of persons) applies to buyers of sex with domestic minor sex trafficking victims. Tex. Penal Code Ann. § 20A.02(a) (8) states, “A person commits an offense if the person knowingly. . . engages in sexual conduct with a child [under 18] trafficked in the manner described in Subdivision (7).” Section 20A.02(a)(7) states, “A person commits an offense if the person knowingly . . . traffics a child and by any means causes the trafficked child to engage in, or become the victim of, conduct prohibited by: (A) Section 21.02 (Continuous Sexual Abuse of Young Child or Children); (B) Section 21.11 (Indecency with a Child);</p>

Section 2.1 (continued)

(C) Section 22.011 (Sexual Assault); (D) Section 22.021 (Aggravated Sexual Assault); (E) Section 43.02 ((Prostitution); (F) Section 43.03 (Promotion of Prostitution); (G) Section 43.04 (Aggravated Promotion of Prostitution); (H) Section 43.05 (Compelling Prostitution); (I) Section 43.25 (Sexual Performance by a Child); (J) Section 43.251 (Employment Harmful to Children); or (K) Section 43.26 (Possession or Promotion of Child Pornography).”

Washington

Wash. Rev. Code § 9A.40.100(1)(a)(i)(B) states, “a person is guilty of trafficking in the first degree when . . . such person . . . obtains, buys, purchases, or receives by any means another person knowing, or in reckless disregard of the fact . . . that the person has not attained the age of eighteen years and is caused to engage in a sexually explicit act or a commercial sex act.” Wash. Rev. Code Ann. § 9A.40.100(3)(a)(i) states, “A person is guilty of trafficking in the second degree when such person . . . obtains, buys, purchases, or receives by any means another person knowing, or in reckless disregard of the fact . . . that the person has not attained the age of eighteen years and is caused to engage in a sexually explicit act or a commercial sex act.”