

Comparison Matrix - States with Safe Harbor Laws

	Connecticut	Illinois	Minnesota	New York	Washington	
Asset Forfeiture Available?	Yes (for pimps only)	Yes (for pimps; for johns, only for possessing child porn)	Yes (for both pimps and johns)	Yes (for pimps: all proceeds and equipment used; for johns: only for possessing child porn)	Yes (for both pimps and johns)	
Civil remedy Available?			Yes (6 yr Statute of Limitations)		Yes (3 yr Statute of Limitations)	
Restitution?	May be ordered as part of a pimp's sentence	Convicted traffickers must pay restitution	Victim of any crime has right to restitution from convicted offender	May be court-ordered	May be court-ordered	
Vehicle Impoundment Available?	No	Yes	No	No	Yes	
Prosecution of Pimps?	1-20 yrs for trafficking; 10-25 yrs for employing a minor in an obscene performance; 25-50 yrs for sexual assault of a minor	No "mistake of age" defense for pimps; 4-15 yrs for trafficking, 6-30 yrs if trafficking involves coercion or a minor under 17	Up to 20 yrs for trafficking, enhanced to 25 if aggravating factors (e.g. more than 1 victim)	Cf. to federal law (as much as 10 yr-life); fines \$5,000 or double the profit collected by the pimp, whichever is greater; Consent of minor defense possible	7-26 yrs for trafficking and promoting commercial sexual abuse of a minor; if trafficking includes kidnapping or results in death, 10-33 yrs.	

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Prosecution of Johns?	HT law does not apply to buyers & law does not distinguish btwn buying a minor or an adult	"Mistake of age" defense exists for johns	3 yrs for soliciting children to engage in sexual conduct; 5, 10, or 20 yrs for soliciting a child for prostitution; no defense based on consent of minor	Not a trafficking crime; 4 yrs for patronizing a prostitute under 14 , 2-7 yrs if under 11	"Mistake of age" defense exists only if john made attempt to ascertain age beyond relying on minor's statement	
Protection of Minors from Prosecution?	Minors under 16 are immune from prosecution; minors ages 16 & 17 get presumption of coercion	Minors under 18 immune from prosecution & taken into protective custody	Minors considered "sexually exploited youth" and are removed from delinquency adjudication	Minors not immune from prosecution, but presumed to be victims of trafficking	Diversion is required for minor's first offense; minors are accountable for prostitution unless found to be trafficking victims	
Services Provided to Minors?*	Yes - thru Dept. of Children & Families	Yes - thru Dept. of Child & Family Services	Yes - thru child welfare services**	Yes - thru Office of Child & Family Services	Yes - thru Office of Crime Victims	
Charges Vacated for Victims?	No	Yes	Juvenile Court may expunge records at its discretion	Yes	Records expunged by application, if no incidents for 2 yrs	

*If services are provided through the state's Child and Family Services Agency, the law may need to include "trafficker" within the definition of "caregiver" and "trafficking" within the definition of "abuse and neglect" in order for that agency to be able to conduct an investigation

**The state legislation already contains the above language