

<b>Area of Law</b>	Criminal Provisions Addressing Demand
<b>The Policy Point</b>	The state sex trafficking law can be applied to buyers of commercial sex acts with a victim of domestic minor sex trafficking.
<b>The Legislative Solution</b>	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, a failure to make the actions of the buyer a crime under a serious, specific criminal statute guarantees that the investigation and prosecution of these crimes will not rise in priority status, as they continue to be viewed as a mere “vice” crime or “quality of life” crime, rather than the rape and sexual abuse of a child which child sex trafficking actually is. 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.

**Select Statute Highlights**

**Iowa**

Iowa’s human trafficking statute expressly applies to buyers. 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.”

**Louisiana**

La. Stat. Ann. §14:46.3(A)(1) (Trafficking of children for sexual purposes) states in part, “It shall be unlawful: (1) For any person to knowingly recruit, harbor, transport, provide, sell, purchase, obtain, or maintain the use of a person under the age of eighteen years for the purpose of engaging in commercial sexual activity.”

**Oklahoma**

Okla. Stat. Ann. tit. 21, § 748(B) states, “It shall be unlawful to knowingly engage in human trafficking.” Okla. Stat. Ann. tit. 21, § 748(A)(6)(b) defines “human trafficking for commercial sex,” in part, as “. . . purchasing . . . by any means, a minor for purposes of engaging the minor in a commercial sex act.”

**Rhode Island**

R.I. Gen. Laws § 11-67-6(b)(2) (Sex trafficking of a minor) expressly applies to buyers of sex from minors, making it a crime when a person “purchases a minor for the purposes of commercial sex acts” without regard to whether the victim was forced, deceived, or coerced to commit the commercial sex act.

**Tennessee**

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.”

**Texas**

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).”

Vermont

Vt. Stat. Ann. tit. 13, § 2655(a) (Solicitation) is codified within the human trafficking laws and makes it illegal for a person to “knowingly solicit a commercial sex act from a victim of human trafficking.”

Washington

Wash. Rev. Code § 9A.40.100 provides that “a person is guilty of sex trafficking . . . when such person buys, purchases, or receives . . . [from] another person [who] has not attained the age of eighteen years and is caused to engaged in a sexually explicit act or a commercial sex act.”