



A Comparative Analysis of Federal and State Sex Trafficking Laws and Legal Framework

Donya Mills

Advisor, Professor Kallsen

Purpose Of Study

To improve sex trafficking laws by comparing Trafficking Victims Protection Act and safe harbor laws in certain states to the federal law

Abstract

The present sex trafficking regulations in the United States are explored in this research. Sex trafficking is a current form of modern slavery in which people are forced, coerced, or frauded into engaging in sexual behavior. The federal law Trafficking Victims Protection Act was established to fight this problem by preventing and protecting victims while prosecuting sex traffickers. The safe harbor law, which protects juveniles from being prosecuted as offenders by the criminal court system, was also enacted. The issue is that the law varies from one state to the next.

Research Question

How are federal law implemented in states compared to state laws?

By examining this comparison, the researcher can indicate if it is better to have sex trafficking laws be the same nation wide or not.

Methods

-Content analysis using data from government website and technical reports

Results and Analysis

The research showed that since Trafficking Victims Protection Act is a federal law it is implemented in all states, but the safe harbor law is only implemented in 36 states. The Trafficking Victims Protection Act is very similar in all the states with only a couple minor changes and the safe harbor law is also essentially the same in every states. In conclusion, federal and state laws are essential implemented the same in each state the only difference is that federal laws is in every state. However, how the law varies from one state to the next is important and needed because each state deals with sex trafficking in a different way. The Trafficking Protection Act and safe harbor laws go more into detail depending on the state to make it easier to prosecute the offenders.

Select References

Human Trafficking Issue Brief Safe Harbor Fall 2015. <https://polarisproject.org/wp-content/uploads/2019/09/2015-Safe-Harbor-Issue-Brief.pdf>.

Human Trafficking Task Force, <https://humantrafficking.ohio.gov/laws.html>.

"Laws and Human Trafficking." Your Eyes Save Lives - Help Kentucky End Human Trafficking, <https://youreyessavelives.ky.gov/Pages/Laws-and-Human-Trafficking.aspx>.

"Safe Harbor Laws." Home, <https://www.kcrj.us/community-justice/human-trafficking/safe-harbor-laws>.