



**Immunity in  
Reporting Laws  
for Sex Workers  
and Sex  
Trafficking  
Survivors:  
A Summary for  
Policymakers**

**Five states allow sex workers and sex trafficking survivors to report crimes like sex trafficking and assault without being arrested for prostitution :**

**Alaska**

**California**

**Utah**

**Oregon**

**Colorado**

**Could your state be next?**

## **Alaska State Law, 2016, SB91**

- Modifies prostitution statute to say:
  - A) A SELLER can't be charged with prostitution IF
  - B) The evidence for prostitution was gained from a good faith report that
  - C) The person with the VICTIM or WITNESS of
  - D) A short list of heinous crimes

## **Anchorage Municipality Prostitution Code, 2017, A0 2017-84**

- Mostly same as above, but modifies municipal prostitution code

## **California, 2019, SB233**

- Prohibits *arrest* on ANY misdemeanor sex work or drug charge for
  - A) Victims and witnesses reporting a list of serious crimes, if
  - B) The prostitution or drug conduct is related to the crime reported

## **Utah, 2019, HB40**

- A prosecutor may not prosecute a SELLER if
  - A) The selling was committed at or near the time that the seller
  - B) Was a victim or witness of a list of crimes and
  - C) The seller reports or attempts to report to law enforcement in good faith



## **Oregon, 2019, SB596**

- A) If a person contacts emergency services or law enforcement to report a "person felony" (felony level crime against a person)
- B) Any statements or evidence related to prostitution cannot be used against the person reporting

## **Colorado, 2022, HB 22-1288**

- A) A victim of sex trafficking OR witness of a list of crimes
- B) Is immune from arrest or prosecution for prostitution charges if
  - 1) They report to emergency services or law enforcement or a medical provider
  - 2) AND the evidence for the prostitution charge was obtained as a result of the person seeking, needing, or reporting assistance

**Two States allow sex workers  
and sex trafficking survivors to  
report sexual assault, but not  
other crimes like sex  
trafficking or child  
pornography, without being  
charged with prostitution:**

**New Hampshire  
Montana**

### **New Hampshire, 2021, HB123**

- 1) It is a defense to a prostitution charge AND
- 2) A person shall not be arrested, charged, or convicted of prostitution IF
  - A) The person was a victim of (only) sexual assault AND
  - B) Evidence for prosecution was gained as a proximate result of the person reporting
- 3) Any victim seeking medical care shall receive a rape kit with no requirement of reporting to law enforcement
- 4) This shall not be construed to limit law enforcement's ability to
  - A) seize evidence from victims of sexual assault
  - B) detain or arrest victims of crimes other than sexual assault

### **Montana, 2021, HB520**

- Expands Good Samaritan law to sex workers and sex trafficking survivors reporting only sexual assault.

