

Current Through December 31, 1999

Child Abuse and Neglect State Statutes Elements

Crimes

Number 31
Child Prostitution

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

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Child Prostitution

Child prostitution statutes address patronizing a child prostitute, inducing or employing a child to work as a prostitute, or actively aiding the promotion of child prostitution. Some state statutes prohibit child prostitution and all associated parties in very general terms, while other states specify the various acts and participants.

Child Abuse Crimes: Child Prostitution (Current through December 31, 1999)

Alabama	Ala. Code § 13A-12-110 et seq. (Michie 1994 & Supp. 1999)
Alaska	Alaska Stat. § 11.66.110 (Michie 1996)
Arizona	Ariz. Rev. Stat. Ann. § 13-3206 (West 1989) Ariz. Rev. Stat. Ann. § 13-3212 (West 1989)
Arkansas	Ark. Code Ann. § 5-70-101 (Michie 1997) Ark. Code Ann. § 5-70-104 (Michie 1997)
California	Cal. Penal Code § 266 (West 1988) Cal. Penal Code § 267 (West 1988)
Colorado	Colo. Rev. Stat. § 18-7-401 et seq. (1999)
Connecticut	Conn. Gen. Stat. Ann. § 53a-85 et seq. (West 1994)
Delaware	Del. Code Ann. tit. 11, § 1352 et seq. (1995)
District of Columbia	D.C. Code Ann. § 22-2704 (1996)
Florida	Fla. Stat. Ann. ch. 796.03 (Harrison Supp. 2000)
Georgia	Ga. Code Ann. § 16-6-13 (1999)
Hawaii	Haw. Rev. Stat. Ann. § 712-1200 et seq. (Michie 1999)
Idaho	Idaho Code § 18-5609 (1997) Idaho Code § 18-5611 (1997)
Illinois	720 Ill. Comp. Stat. § 5/11-14 et seq. (West 1993 & Supp. 1998)
Indiana	Ind. Code § 35-45-4-4 (Michie 1998)
Iowa	Iowa Code § 725.3(2) (West 1993 & Supp. 1998)
Kansas	Kan. Stat. Ann. § 21-3512 (1995) Kan. Stat. Ann. § 21-3513 (1995)

Kentucky	Ky. Rev. Stat. Ann. § 529.030 (Banks-Baldwin 1995)
Louisiana	La. Rev. Stat. Ann. § 14:82 et seq. (West 1986 & Supp. 2000)
Maine	Me. Rev. Stat. Ann. tit. 17-A, § 852 (West 1983 & Supp. 1998) Me. Rev. Stat. Ann. tit. 17-A, § 855 (West 1983)
Maryland	Md. Ann. Code art. 27, § 426 (1996)
Massachusetts	Mass. Gen. Laws Ann. ch. 272, § 4A (West 1992) Mass. Gen. Laws Ann. ch. 272, § 4B (West 1992)
Michigan	Mich. Stat. Ann. § 28.203 (Callaghan 1990)
Minnesota	Minn. Stat. Ann. § 609.322 et seq. (West Supp. 2000)
Mississippi	Miss. Code Ann. § 97-5-5 (1994)
Montana	Mont. Code Ann. § 45-5-603 (1999)
Nebraska	Neb. Rev. Stat. § 28-805 (1995)
Nevada	Nev. Rev. Stat. § 201.360 (1997)
New Hampshire	N.H. Rev. Stat. Ann. § 645:2 (1996)
New Jersey	N.J. Stat. Ann. § 2C:34-1 (West Supp. 1999)
New Mexico	N.M. Stat. Ann. § 30-6A-4 (Michie 1994)
New York	N.Y. Penal Law § 230.04 et seq. (McKinney 2000)
North Carolina	N.C. Gen. Stat. § 14-190.18 (1999) N.C. Gen. Stat. § 14-190.19 (1999)
North Dakota	N.D. Cent. Code § 12.1-29-02 (1997)
Ohio	Ohio Rev. Code Ann. § 2907.21 (Anderson 1999) Ohio Rev. Code Ann. § 2907.22 (Anderson 1999)
Oklahoma	Okla. Stat. Ann. tit. 21, § 1087 (West Supp. 2000) Okla. Stat. Ann. tit. 21, § 1088 (West Supp. 2000)
Oregon	Or. Rev. Stat. § 167.017 (1997)
Pennsylvania	18 Pa. Cons. Stat. Ann. § 5902 (Supp. 2000)
Rhode Island	R.I. Gen. Laws § 11-9-1(c) (Supp. 1999)
South Carolina	S.C. Code Ann. § 16-15-415 (West Supp. 1999) S.C. Code Ann. § 16-15-425 (West Supp. 1999)

South Dakota	S.D. Codified Laws § 22-23-2 (Michie 1998)
Texas	Tex. Penal Code Ann. § 43.05 (West 1994)
Utah	Utah Code Ann. § 76-10-1306 (Supp. 1999)
Washington	Wash. Rev. Code Ann. § 9.68A.100 (West Supp. 2000)
West Virginia	W. Va. Code § 61-8-7 (1997) W. Va. Code § 61-8-8 (1997)
Wisconsin	Wis. Stat. Ann. § 948.07 (West Supp. 1998) Wis. Stat. Ann. § 948.08 (West 1996)
Wyoming	Wyo. Stat. Ann. § 6-4-103 (Supp. 1999)

FEDERAL LEGISLATION

U.S. Code	18 U.S.C.A. § 2423 (West Supp. 2000)
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Child Abuse Crimes: Child Prostitution
(Current through December 31, 1999)

ALABAMA**Ala. Code § 13A-12-110 (Michie 1994 & Supp. 1999)**

A person advances prostitution if, acting other than as a prostitute or a patron of a prostitute, he knowingly causes or aids a person to commit or engage in prostitution, procures or solicits patrons for prostitution, provides persons or premises for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise.

A person profits from prostitution if, acting other than as a prostitute receiving compensation for personally-rendered prostitution services, he accepts or receives money or other property pursuant to a prior agreement with any person whereby he participates or is to participate in the proceeds of prostitution activity.

Ala. Code § 13A-12-111 (Michie 1994 & Supp. 1999)

A person commits the crime of promoting prostitution in the first degree if he knowingly advances or profits from prostitution of a person less than 16 years of age. Promoting prostitution in the first degree is a class B felony.

Ala. Code § 13A-12-112 (Michie 1994 & Supp. 1999)

A person commits the crime of promoting prostitution in the second degree if he knowingly advances or profits from prostitution of a person less than 18 years of age. Promoting prostitution in the second degree is a class C felony.

ALASKA**Alaska Stat. § 11.66.110 (Michie 1996)**

A person commits the crime of promoting prostitution in the first degree if the person as other than a patron of a prostitute, induces or causes a person under 16 years of age to engage in prostitution; or induces or causes a person in that person's legal custody to engage in prostitution. In a prosecution under this section, it is not a defense that the defendant reasonably believed that the person induced or caused to engage in prostitution was 16 years of age or older.

ARIZONA**Ariz. Rev. Stat. Ann. § 13-3206 (West 1989)**

A person who takes away any minor from such person's father, mother, guardian or other person having the legal custody of such person, for the purpose of prostitution, is guilty of a class 4 felony. If the minor is under 15 years of age, taking a child for prostitution is a class 2 felony.

Ariz. Rev. Stat. Ann. § 13-3212 (West 1989)

A person commits child prostitution by knowingly: causing any minor to engage in prostitution; using any minor for purposes of prostitution; permitting a minor under such person's custody or control to engage in prostitution; receiving any benefit for or on account of procuring or placing a minor in any place or in the charge or custody of any person for the purpose of prostitution; receiving any benefit pursuant to an agreement to participate in the proceeds of prostitution of a minor; financing, managing, supervising, controlling or owning, either alone or in association with others, prostitution activity involving a minor; transporting or financing the transportation of any minor through or across this state with the intent that such minor engage in prostitution.

Child prostitution is a class 2 felony, and if the minor is under 15 years of age it is punishable pursuant to section 13-604.01.

ARKANSAS**Ark. Code Ann. § 5-70-101 (Michie 1997)**

A person advances prostitution if, acting other than as a prostitute or a patron of a prostitute, he knowingly: causes or aids a person to commit or engage in prostitution; procures or solicits patrons for prostitution; provides persons or premises for prostitution purposes; operates or assists in the operation of a house of prostitution or a prostitution enterprise; or engages in any other conduct designed to institute, aid, or facilitate an act or enterprise of prostitution.

A person profits from prostitution if, acting other than as a prostitute receiving compensation for personally rendered prostitution services, he accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of prostitution.

Ark. Code Ann. § 5-70-104 (Michie 1997)

A person commits the offense of promoting prostitution in the first degree if he knowingly advances prostitution, or profits from prostitution, of a person less than 18 years old.

CALIFORNIA**Cal. Penal Code § 266 (West 1988)**

Every person who inveigles or entices any unmarried female, of previous chaste character, under the age of 18 years, into any house of ill fame, or of assignation, or elsewhere, for the purpose of prostitution, or to have illicit carnal connection with any man; and every person who aids or assists in such inveiglement or enticement; and every person who, by any false pretenses, false representation, or other fraudulent means, procures any female to have illicit carnal connection with any man, is punishable by imprisonment in the state prison, or by imprisonment in a county jail not exceeding one year, or by a fine not exceeding \$2,000 or by both such fine and imprisonment.

Cal. Penal Code § 267 (West 1988)

Every person who takes away any other person under the age of 18 years from the father, mother, guardian, or other person having the legal charge of the other person, without their consent, for the purpose of prostitution, is punishable by imprisonment in the state prison, and a fine not exceeding \$2,000.

COLORADO**Colo. Rev. Stat. § 18-7-401 (1999)**

Prostitution by a child means either a child performing or offering or agreeing to perform any act of sexual intercourse, fellatio, cunnilingus, masturbation, or anal intercourse with any person not the child's spouse in exchange for money or other thing of value or any person performing or offering or agreeing to perform any act of sexual intercourse, fellatio, cunnilingus, masturbation, or anal intercourse with any child not the person's spouse in exchange for money or other thing of value.

Prostitution of a child means either inducing a child to perform or offer or agree to perform any act of sexual intercourse, fellatio, cunnilingus, masturbation, or anal intercourse with any person not the child's spouse by coercion or by any threat or intimidation or inducing a child, by coercion or by any threat or intimidation or in exchange for money or other thing of value, to allow any person not the child's spouse to perform or offer or agree to perform any act of sexual intercourse, fellatio, cunnilingus, masturbation, or anal intercourse with or upon such child. Such coercion, threat, or intimidation need not constitute an independent criminal offense and shall be determined solely through its intended or its actual effect upon the child.

Colo. Rev. Stat. § 18-7-402 (1999)

A person commits soliciting for child prostitution if he: solicits another for the purpose of prostitution of a child or by a child; arranges or offer to arrange a meeting of persons for the purpose of prostitution of a child or by a child; or directs another to place knowing such direction is for the purpose of prostitution of a child or by a child. Soliciting for child prostitution is a class 3 felony.

Colo. Rev. Stat. § 18-7-403 (1999)

Any person who does any of the following for money or other thing of value commits pandering of a child: inducing a child by menacing or criminal intimidation to commit prostitution; or knowingly arranging or offering to arrange a situation in which a child may practice prostitution. Pandering by inducing is a class 2 felony. Pandering by arranging is a class 3 felony.

Colo. Rev. Stat. § 18-7-403.5 (1999)

Any person who intentionally gives, transports, provides, or makes available, or who offers to give, transport, provide, or make available, to another person a child for the purpose of prostitution of the child commits procurement of a child, which is a class 3 felony.

Colo. Rev. Stat. § 18-7-404 (1999)

Any person who has or exercises control over the use of any place which offers seclusion or shelter for the practice of prostitution and who performs any one or more of the following commits keeping a place of a child prostitution if he: knowingly grants or permits the use of such place for the purpose of prostitution

of a child by a child; or permits the continued use of such place for the purpose of prostitution of a child or by a child after becoming aware of facts or circumstances from which he should reasonably know that the place is being used for purposes of such prostitution. Keeping a place of prostitution is a class 3 felony.

Colo. Rev. Stat. § 18-7-405 (1998)

Any person who knowingly lives on or is supported or maintained in whole or in part by money or other thing of value earned, received, procured, or realized by a child through prostitution commits pimping of a child, which is a class 3 felony.

Colo. Rev. Stat. § 18-7-405.5 (1999)

Any person who by word or action, other than conduct specified in section 18-7-403(1)(a), induces a child to engage in an act which is prostitution by a child commits inducement of child prostitution. Inducement of child prostitution is a class 3 felony.

Colo. Rev. Stat. § 18-7-406 (1999)

Any person who performs any of the following with a child not his spouse commits patronizing a prostituted child: engages in an act which is prostitution of a child or by a child; or enters or remains in a place of prostitution with intent to engage in an act which is prostitution of a child or by a child. Patronizing a prostituted child is a class 3 felony.

CONNECTICUT

Conn. Gen. Stat. Ann. § 53a-85 (West 1994)

A person advances prostitution when, acting other than as a prostitute or as a patron thereof, he knowingly causes or aids a person to commit or engage in prostitution, procures or solicits patrons for prostitution, provided persons or premises for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise, or engages in any other conduct designed to institute, aid or facilitate an act or enterprise of prostitution.

A person profits from prostitution when acting other than as a prostitute receiving compensation for personally rendered prostitution services, he accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of prostitution activity.

Conn. Gen. Stat. Ann. § 53a-86 (West 1994)

A person is guilty of promoting prostitution in the first degree when he knowingly advances or profits from prostitution of a person less than 16 years old. Promoting prostitution in the first degree is a class B felony.

Conn. Gen. Stat. Ann. § 53a-87 (West 1994)

A person is guilty of promoting prostitution in the second degree when he knowingly advances or profits from prostitution of a person less than 18 years old. Promoting prostitution in the second degree is a class C felony.

DELAWARE**Del. Code Ann. tit. 11, § 1352 (1995)**

A person is guilty of promoting prostitution in the second degree when the person knowingly advances or profits from prostitution of a person less than 18 years old. Promoting prostitution in the second degree is a class E felony.

Del. Code Ann. tit. 11, § 1353 (1995)

A person is guilty of promoting prostitution in the first degree when the person knowingly advances profits from prostitution of a person less than 16 years old. Promoting prostitution in the first degree is a class C felony.

Del. Code Ann. tit. 11, § 1356 (1995)

A person advances prostitution when, acting other than as a prostitute or as a patron thereof, the person knowingly causes or aids a person to commit or engage in prostitution, procures or solicits patrons for prostitution, provides persons or premises for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise or engages in any other conduct designed to institute, aid or facilitate an act or enterprise of prostitution.

A person profits from prostitution when, acting other than as a prostitute receiving compensation for personally rendered prostitution services, the person accepts or receives money or other property pursuant to an agreement or understanding with any person whereby the person participates or is to participate in the proceeds of prostitution activity.

DISTRICT OF COLUMBIA**D.C. Code Ann. § 22-2704 (1996)**

Any person who, for the purpose of prostitution, persuades, entices, or forcibly abducts a child under 16 years of age from his or her home or usual abode, or from the custody and control of the child's parents or guardian, shall be punished by imprisonment for not less than 2 years and not more than 20 years; whoever knowingly secretes or harbors any child so persuaded, enticed, or abducted shall be punished by imprisonment for not more than 8 years.

FLORIDA**Fla. Stat. Ann. ch. 796.03 (Harrison Supp. 2000)**

A person who procures for prostitution, or causes to be prostituted, any person who is under the age of 18 years commits a felony of the second degree.

GEORGIA**Ga. Code Ann. § 16-6-13 (1999)**

A person convicted of pandering when such offense involves the solicitation of a person under the age of 17 years to perform an act of prostitution or the assembly of two or more persons under the age of 17 years at a fixed place for the purpose of being solicited by others to perform an act of prostitution shall be guilty of a felony and shall be fined not less than \$2,500 nor more than \$10,000 or shall be imprisoned for not less than one year nor more than five years, or both fined and imprisoned. Adjudication of guilt or imposition of sentence for a conviction of a second or subsequent offense of pandering involving a person under the age of 17 years pursuant to this subsection, including a plea of nolo contendere, shall not be suspended, probated, deferred, or withheld.

HAWAII**Haw. Rev. Stat. Ann. § 712-1200 (Michie 1999)**

A person commits the offense of prostitution if the person engages in, or agrees or offers to engage in, sexual conduct with another person for a fee.

Haw. Rev. Stat. Ann. § 712-1201 (Michie 1999)

A person advances prostitution if, acting other than as a prostitute or a patron of a prostitute, he knowingly causes or aids a person to commit or engage in prostitution, procures or solicits patrons for prostitution, provides persons for prostitution purposes, permits premises to be regularly used for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise, or engages in any other conduct designed to institute, aid, or facilitate an act or enterprise of prostitution.

A person profits from prostitution if, acting other than as a prostitute receiving compensation for personally-rendered prostitution services, he accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of prostitution activity.

Haw. Rev. Stat. Ann. § 712-1202 (Michie 1999)

A person commits the offense of promoting prostitution in the first degree if the person knowingly advances or profits from prostitution of a person less than 16 years old. Promoting prostitution in the first degree is a class B felony.

Haw. Rev. Stat. Ann. § 712-1203 (Michie 1999)

A person commits the offense of promoting prostitution in the second degree if the person knowingly advances or profits from prostitution of a person less than 18 years old. Promoting prostitution in the second degree is a class C felony.

IDAHO**Idaho Code § 18-5609 (1997)**

Every person who induces or attempts to induce a person under the age of 18 years to engage in prostitution shall be guilty of a felony punishable by imprisonment in the state penitentiary for a period of not less than two years, which may be extended to life imprisonment, or by a fine not exceeding \$50,000, or by both such fine and imprisonment.

Idaho Code § 18-5611 (1997)

Any person who induces or attempts to induce a person under the age of 18 years to patronize a prostitute shall be guilty of a felony.

ILLINOIS**720 Ill. Comp. Stat. § 5/11-14 (West Supp. 1998)**

Any person who performs, offers or agrees to perform any act of sexual penetration for money, or any touching or fondling of the sex organs of one person by another person, for money, property, token, object, or article or anything of value for the purpose of sexual arousal or gratification commits an act of prostitution.

720 Ill. Comp. Stat. § 5/11-15 (West 1993)

Any person who performs any of the following acts commits soliciting for a prostitute: solicits another for the purpose of prostitution; arranges or offers to arrange a meeting of persons for the purpose of prostitution; or directs another to a place knowing such direction is for the purpose of prostitution.

720 Ill. Comp. Stat. § 5/11-15.1 (West 1993)

Any person who violates any of the provisions of section 11-15(a) of this act commits soliciting for a juvenile prostitute where the prostitute for whom such person is soliciting is under 16 years of age. Soliciting for a juvenile prostitute is a class 1 felony.

720 Ill. Comp. Stat. § 5/11-17.1 (West 1993)

Any person who knowingly violates any of the provisions of section 11-17 of this act (keeping a place of prostitution) commits keeping a place of juvenile prostitution when any prostitute in the place of prostitution is under 16 years of age. Keeping a place of juvenile prostitution is a class 1 felony. A person convicted of a second of subsequent violation of this section is guilty of a class X felony.

720 Ill. Comp. Stat. § 5/11-19.1 (West Supp. 1998)

Any person who receives any money, property, token, object, or article or anything of value from a prostitute under 16 years of age, not for a lawful consideration, knowing it was earned in whole or in part from the practice of prostitution, commits juvenile pimping. Juvenile pimping is a class 1 felony.

720 Ill. Comp. Stat. § 5/11-19.2 (West Supp. 1998)

A person commits exploitation of a child when he or she confines a child under the age of 16 against his or her will by the infliction or threat of imminent infliction of great bodily harm, permanent disability or disfigurement or by administering to the child without his or her consent or by threat or deception and for other than medical purposes, any alcoholic intoxicant or a drug and: compels the child to become a prostitute; or arranges a situation in which the child may practice prostitution; or receives any money, property, token, object, or article or anything of value from the child knowing it was obtained in whole or in part from the practice of prostitution. Exploitation of a child is a class X felony.

INDIANA**Ind. Code § 35-45-4-4 (Michie 1998)**

A person who knowingly or intentionally entices or compels another person to become a prostitute; commits promoting prostitution, a Class C felony. However, the offense is a Class B felony under subdivision if the person enticed or compelled is under 18 years of age.

IOWA**Iowa Code § 725.3(2) (West 1993 & Supp. 1998)**

A person who persuades, arranges, coerces, or otherwise causes a minor to become a prostitute or to return to the practice of prostitution after having abandoned it, or keeps or maintains any premises for the purpose of prostitution involving minors or knowingly shares in the income from such premises knowing the character and content of such income, commits a class C felony.

KANSAS**Kan. Stat. Ann. § 21-3512 (1995)**

Prostitution is performing for hire, or offering or agreeing to perform for hire where there is an exchange of value, any of the following acts: sexual intercourse; sodomy; or manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another.

Kan. Stat. Ann. § 21-3513 (1995)

Promoting prostitution is: establishing, owning, maintaining or managing a house of prostitution, or participating in the establishment, ownership, maintenance, or management thereof; permitting any place partially or wholly owned or controlled by the defendant to be used as a house of prostitution, procuring a prostitute for a house for prostitution; inducing another to become a prostitute; soliciting a patron for a prostitute or for a house of prostitution; procuring a prostitute for a patron; procuring transportation for, paying for the transportation of, or transporting a person within this state with the intention of assisting or promoting that person's engaging in prostitution; or being employed to perform any act which is prohibited by this section.

Promoting prostitution is a class A person misdemeanor when the prostitute is 16 or more years of age. Promoting prostitution is a severity level 6, person felony when the prostitute is under 16 years of age.

KENTUCKY**Ky. Rev. Stat. Ann. § 529.030 (Banks-Baldwin 1995)**

A person is guilty of promoting prostitution in the first degree when he knowingly advances or profits from prostitution of a person less than 18 years old.

Promoting prostitution in the first degree is a class C felony if the minor so used is less than 18 years old at the time the minor engages in the prohibited activity; class B felony if the minor so used is less than 16 years old at the time the minor engages in the prohibited activity; and class A felony if the minor so used incurs physical injury thereby.

LOUISIANA**La. Rev. Stat. Ann. § 14:82 (West Supp. 2000)**

Prostitution is: a) the practice by a person of indiscriminate sexual intercourse with others for compensation; b) the solicitation by one person of another with the intent to engage in indiscriminate sexual intercourse with the latter for compensation.

La. Rev. Stat. Ann. § 14:82.1 (West 1986 & Supp. 1999)

It shall be unlawful: a) for any person over the age of 17 to engage in sexual intercourse with any person under the age of 17 who is practicing prostitution, and there is an age difference of greater than two years between the two persons; b) for any parent or tutor of any person under the age of 17 knowingly to consent to the person's entrance or detention in the practice of prostitution.

Whoever violates the provisions of this section shall be fined not more than \$5,000 or imprisoned, with or without hard labor, for not less than two years nor more than ten years, or both.

La. Rev. Stat. Ann. § 14:86 (West 1986)

Enticing persons into prostitution is committed when any person over the age of 17 entices, places, persuades, encourages, or causes the entrance of any other person under the age of 21 into the practice of prostitution, either by force, threats, promises, or by any other device or scheme. Whoever commits the crime of enticing persons into prostitution shall be imprisoned, with or without hard labor, for not less than two years nor more than ten years.

MAINE**Me. Rev. Stat. Ann. tit. 17-A, § 852 (West 1983 & Supp 1998)**

A person is guilty of aggravated promotion of prostitution if he knowingly promotes prostitution of a person less than 18 years old. Aggravated promotion of prostitution is a Class B crime.

Me. Rev. Stat. Ann. tit. 17-A, § 855 (West 1983)

A person is guilty of patronizing prostitution of a minor if in return for another's prostitution he gives or agrees to give a pecuniary benefit either to the person whose prostitution is sought or to a third person and

the person whose prostitution is sought has not yet attained his 18th birthday. Patronizing prostitution of a minor is a Class D crime.

MARYLAND

Md. Ann. Code art. 27, § 426 (1996)

Any person who, being parent, guardian or having legal charge of another person, consents to his or her taking or detention by any person for the purpose of prostitution or illegal sexual intercourse, is guilty of pandering, and upon conviction shall be punished by imprisonment for a term not more than 12 years, and fined not more than \$5,000, in the discretion of the court.

MASSACHUSETTS

Mass. Gen. Laws Ann. ch. 272, § 4A (West 1992)

Whoever induces a minor to become a prostitute, or who knowingly aids and assists in such inducement, shall be punished by imprisonment in the state prison for not more than five, nor less than three years, and by a fine of \$5,000.

Mass. Gen. Laws Ann. ch. 272, § 4B (West 1992)

Whoever lives or derives support or maintenance, in whole or in part, from the earnings or proceeds of prostitution committed by a minor, knowing the same to be earnings or proceeds of prostitution, or shares in such earnings, proceeds or monies, shall be punished by imprisonment in the state prison for not less than five years and by a fine of \$5,000.

MICHIGAN

Mich. Stat. Ann. § 28.203 (Callaghan 1990)

Any person who shall take or entice away any female under the age of 16 years, from her father, mother, guardian, or other person having the legal charge of her person, without their consent, either for the purpose of prostitution, concubinage, sexual intercourse or marriage, shall be guilty of a felony, punishable by imprisonment in the state prison not more than 10 years.

MINNESOTA

Minn. Stat. Ann. § 609.322 (West Supp. 2000)

Whoever, while acting other than as a prostitute or patron, intentionally does either of the following may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$40,000 or both: solicits or induces an individual under the age of 16 years to practice prostitution; or promotes the prostitution of an individual under the age of 16 years; or receives profit, knowing or having reason to know that it is derived from the promotion of prostitution, of an individual under the age of 16 years.

Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than 10 years or to payment of a fine of not more than \$20,000 or both: solicits or induces an individual at least 16 but less than 18 years of age to practice prostitution; or solicits or induces an individual to practice prostitution by means of force; or uses a position of authority to solicit or induce an individual to practice prostitution; or promotes the prostitution of an individual who is at least 16 but less than 18 years of age.

Minn. Stat. Ann. § 609.324 (West Supp. 2000)

Whoever intentionally does any of the following may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$40,000, or both: engages in prostitution with an individual under the age of 13 years; or hires or offers or agrees to hire an individual under the age of 13 years to engage in sexual penetration of sexual contact.

Whoever intentionally does any of the following may be sentenced to imprisonment for no more than ten years or to payment of a fine of not more than \$20,000, or both: engages in prostitution with an individual under the age of 16 years but at least 13 years; or hires or offers or agrees to hire an individual under the age of 16 years but at least 13 to engage in sexual penetration or sexual contact.

Whoever intentionally does any of the following may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both: engages in prostitution with an individual under the age of 18 years but at least 16 years; or hires or offers or agrees to hire an individual under the age of 18 years but at least 16 years to engage in sexual penetration or sexual contact.

Any person, other than one related by blood, adoption, or marriage to the minor, who permits a minor to reside, temporarily or permanently, in the person's dwelling without the consent of the minor's parents or guardian, knowing or having reason to know that the minor is engaging in prostitution may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

MISSISSIPPI

Miss. Code. Ann. § 97-5-5 (1994)

Every person who shall maliciously, willfully, or fraudulently lead, take, carry away, decoy or entice away, any child under the age of 14 years, with intent to detain or conceal such child from its parents, guardian, or other person having lawful charge of such child, or for the purpose of prostitution, concubinage, or marriage, shall, on conviction, be imprisoned in the penitentiary not exceeding 10 years, or imprisoned in the county jail not more than one year, or fined not more than \$1,000, or both.

MONTANA

Mont. Code Ann. § 45-5-603 (1999)

A person commits the offense of aggravated promotion of prostitution if he purposely or knowingly: a) commits any of the following acts; promotes prostitution of a child under the age of 18 years, whether or not he is aware of the child's age; or b) promotes the prostitution of one's spouse, child, ward, or any person for whose care, protection, or support he is responsible. A person convicted of aggravated promotion of prostitution shall be imprisoned in the state prison for any term not to exceed 20 years or be fined an amount not to exceed \$50,000, or both.

NEBRASKA**Neb. Rev. Stat. § 28-805 (1995)**

Any person not a minor commits the offense of debauching a minor if he or she shall debauch or deprave the morals of any boy or girl under the age of 17 years by: lewdly inducing such boy or girl carnally to know any other person; or soliciting any such boy or girl to visit a house of prostitution or other place where prostitution, debauchery, or other immoral practices are permitted or encouraged, for the purpose of prostitution or sexual penetration; or arranging or assisting in arranging any meeting for such purpose between any such boy or girl and any female or male of dissolute character or any inmate of any place where prostitution, debauchery, or other immoral practices are permitted or encouraged; or arranging or aiding or assisting in arranging any meeting between any such boy or girl and any other person for the purposes of sexual penetration.

Debauching a minor is a class I misdemeanor.

NEVADA**Nev. Rev. Stat. § 201.360 (1997)**

A person who: a) is the spouse, parent, guardian, or other legal custodian of a person under the age of 18 and permits, connives at or consents to the minor's being or remaining in any house of prostitution; or b) decoys, entices, procures or in any manner induces a person, under the age of 21 years, to go into or visit, upon any pretext or for any purpose whatever, any house of ill fame or prostitution, or any room or place inhabited or frequented by any prostitute, or used for purposes of prostitution, is guilty of a felony.

NEW HAMPSHIRE**N.H. Rev. Stat. Ann. § 645:2 (1996)**

A person is guilty of a misdemeanor if the person: a) solicits, agrees to perform, or engages in sexual contact or sexual penetration in return for consideration; or b) induces or otherwise purposely causes another to violate the above paragraph; or c) transports another into or within this state with the purpose of promoting or facilitating such other in engaging in conduct in violation of the above paragraph; or d) not being a legal dependent incapable of self support, knowingly is supported in whole or in part by the proceeds of violation of the above paragraph; or e) knowingly permits a place under such person's control to be used for violation of the above paragraph; or f) pays, agrees to pay, or offers to pay another person to engage in sexual contact or sexual penetration with the payor or with another person. A person is guilty of a class B felony if such person violates the provisions of subparagraphs (b), (c), (d) or (e) above and the violation involves another person who is under the age of 18.

NEW JERSEY**N.J. Stat. Ann. § 2C:34-1 (West Supp. 1999)**

A person commits an offense if the actor knowingly promotes prostitution of a child under 18 whether or not the actor mistakenly believed that the child was 18 years of age or older, even if such mistaken belief was reasonable; or the actor knowingly engages in prostitution with a person under the age of 18, or if the

actor enters into or remains in a house of prostitution for the purpose of engaging in sexual activity with a child under the age of 18, or if the actor solicits or requests a child under the age of 18 to engage in sexual activity.

NEW MEXICO

N.M. Stat. Ann. § 30-6A-4 (Michie 1994)

Any person knowingly receiving any pecuniary profit as a result of a child under the age of 16 engaging in a prohibited sexual act with another is guilty of a second degree felony, unless the child is under the age of 13, in which event the person is guilty of a first degree felony.

Any person hiring or offering to hire a child over the age of 13 and under the age of 16 to engage in any prohibited sexual act is guilty of a second degree felony.

Any parent, legal guardian or person having custody or control of a child under 16 years of age who knowingly permits that child to engage in or to assist any other person to engage in any prohibited sexual act or simulation of such an act for the purpose of producing any visual or print medium depicting such an act is guilty of a third degree felony.

NEW YORK

N.Y. Penal Law § 230.04 (McKinney 2000)

A person is guilty of patronizing a prostitute in the third degree when, being over 21 years of age, he patronizes a prostitute and the person patronized is less than 17 years of age. Patronizing a prostitute in the third degree is a class A misdemeanor.

N.Y. Penal Law § 230.05 (McKinney 2000)

A person is guilty of patronizing a prostitute in the second degree when, being over 18 years of age, he patronizes a prostitute and the person patronized is less than 14 years of age. Patronizing a prostitute in the second degree is a class E felony.

N.Y. Penal Law § 230.06 (McKinney 1989)

A person is guilty of patronizing a prostitute in the first degree when he patronizes a prostitute and the person patronized is less than 11 years of age. Patronizing a prostitute in the first degree is a class D felony.

N.Y. Penal Law § 230.25 (McKinney 1989)

A person is guilty of promoting prostitution in the third degree when he knowingly advances or profits from prostitution of a person less than 19 years old. Promoting prostitution in the third degree is a class D felony.

N.Y. Penal Law § 230.30 (McKinney 1989)

A person is guilty of promoting prostitution in the second degree when he knowingly advances or profits from prostitution of a person less than 16 years old. Promoting prostitution in the second degree is a class C felony.

N.Y. Penal Law § 230.32 (McKinney 1989)

A person is guilty of promoting prostitution in the first degree when he knowingly advances or profits from prostitution of a person less than 11 years old. Promoting prostitution in the first degree is a class B felony.

NORTH CAROLINA**N.C. Gen. Stat. § 14-190.18 (1999)**

A person commits the offense of promoting prostitution of a minor if he knowingly: a) entices, forces, encourages, or otherwise facilitates a minor to participate in prostitution; or b) supervises, supports, advises, or protects the prostitution of or by a minor. Violation of this section is a Class D felony.

N.C. Gen. Stat. § 14-190.19 (1999)

A person commits the offense of participating in the prostitution of a minor if he is not a minor and he patronizes a minor prostitute. As used in this section, patronizing a minor prostitute means: soliciting or requesting a minor to participate in prostitution; paying or agreeing to pay a minor, either directly or through the minor's agent, to participate in prostitution; or paying a minor, or the minor's agent, for having participated in prostitution, pursuant to a prior agreement. Violation of this section is a Class F felony.

NORTH DAKOTA**N.D. Cent. Code § 12.1-29-02 (1997)**

The offense of facilitating prostitution is a class C felony if the actor intentionally causes another to remain a prostitute by force or threat, or the prostitute is the actor's spouse, child, or ward, or a person for whose care, protection, or support he is responsible, or the prostitute is, in fact, less than 16 years old.

OHIO**Ohio Rev. Code Ann. § 2907.21 (Anderson 1999)**

No person shall knowingly do any of the following: (1) compel another to engage in sexual activity for hire; (2) induce, procure, encourage, solicit, or request, or otherwise facilitate a minor to engage in sexual activity for hire, whether or not the offender knows the age of the minor; (3) pay or agree to pay a minor, either directly or through the minor's agent, so that the minor will engage in sexual activity, whether or not the offender knows the age of the minor; (4) pay a minor, either directly or through the minor's agent, for the minor having engaged in sexual activity, pursuant to a prior agreement, whether or not the offender knows the age of the minor; (5) allow a minor to engage in sexual activity for hire if the person allowing the child to engage in sexual activity for hire is the parent, guardian, custodian, person having custody or control, or person in loco parentis of the minor. Whoever violates this section is guilty of compelling

prostitution. Except as otherwise provided in this division, compelling prostitution is a felony of the third degree. If the offender commits a violation of division (1) of this section and the person compelled to engage in sexual activity for hire in violation of that division is less than 16 years of age, compelling prostitution is a felony of the second degree.

Ohio Rev. Code Ann. § 2907.22 (Anderson 1999)

No person shall knowingly: (1) establish, maintain, operate, manage, supervise, control, or have an interest in a brothel; (2) supervise, manage, or control the activities of a prostitute in engaging in sexual activity for hire; (3) transport another, or cause another to be transported across the boundary of this state or of any county in this state, in order to facilitate the other person's engaging in sexual activity for hire; (4) for the purpose of violating or facilitating a violation of this section, induce or procure another to engage in sexual activity for hire.

Whoever violates this section is guilty of promoting prostitution, a felony of the fourth degree. If any prostitute in the brothel involved in the offense, or the prostitute whose activities are supervised, managed, or controlled by the offender, or the person transported, induced, or procured by the offender to engage in sexual activity for hire, is a minor, whether or not the offender knows the age of the minor, then promoting prostitution is a felony of the third degree.

OKLAHOMA

Okla. Stat. Ann. tit. 21, § 1087 (West Supp. 2000)

No person shall: offer, or offer to secure, a child under 18 years of age for the purpose of prostitution, or for any other lewd or indecent act, or procure or offer to procure a child for, or a place for a child as an inmate in, a house of prostitution or other place where prostitution is practiced; receive or to offer or agree to receive any child under 18 years of age into any house, place, building, other structure, vehicle, trailer, or other conveyance for the purpose of prostitution, lewdness, or assignation, or to permit any person to remain there for such purpose; or direct, take, or transport, or to offer or agree to take transport, or aid or assist in transporting, any child under 18 years of age to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution, lewdness, or assignation.

Any person violating the provisions of this section shall, upon conviction, be guilty of a felony.

Any owner, proprietor, keeper, manager, conductor, or other person who knowingly permits any violation of this section in any house, building, room, or other premises or any conveyances under his control or of which he has possession shall, upon conviction for the first offense, be guilty of a misdemeanor and punishable by imprisonment in the county jail for a period of not less than 6 months nor more than one year, and by a fine of not less than \$500 nor more than \$5000. Upon conviction for a subsequent offense pursuant to this subsection such person shall be guilty of a felony. The fine for a subsequent offense shall not be less than \$5,000 nor more than \$25,000.

Okla. Stat. Ann. tit. 21, § 1088 (West Supp. 2000)

No person shall: by promise, threats, violence, or by any device or scheme, including but not limited to the use of any controlled dangerous substance prohibited pursuant to the provisions of the Uniform Controlled Dangerous Substances Act, cause, induce, persuade, or encourage a child under 18 years of age to engage or continue to engage in prostitution or to become or remain an inmate of a house of prostitution or

other place where prostitution is practiced; keep, hold, detain, restrain, or compel against his will, any child under 18 years of age to engage in the practice of prostitution or in a house of prostitution or other place where prostitution is practiced or allowed; directly or indirectly keep, hold, detain, restrain, or compel or attempt to keep, hold, detain, restrain, or compel a child under 18 years of age to engage in the practice of prostitution or in a house of prostitution or any place where prostitution is practiced or allowed for the purpose of compelling such child to directly or indirectly pay, liquidate, or cancel any debt, dues, or obligations incurred, or said to have been incurred by such child.

Any person violating the provisions of this section, upon conviction, shall be guilty of a felony. The fine for a violation of this section shall not be less than \$5,000 nor more than \$25,000. Such fine shall be in addition to any other punishment provided by law and shall not be in lieu of other punishment.

Any owner, proprietor, keeper, manager, conductor, or other person who knowingly permits a violation of this section in any house, building, room, tent, lot or premises under his control or of which he has possession shall, upon conviction for the first offense, be guilty of a misdemeanor punishable by imprisonment in the county jail for a period of not less than 6 months nor more than one year, and by a fine of not more than \$5,000. Upon conviction for a subsequent offense pursuant to provisions of this subsection such person shall be guilty of a felony punishable by imprisonment for a period of not less than one year nor more than ten years, or by a fine of not less than \$5,000 nor more than \$25,000.

OREGON

Or. Rev. Stat. § 167.017 (1997)

A person commits the crime of compelling prostitution if the person knowingly induces or causes a person under 18 years of age to engage in prostitution or induces or causes the spouse, child, or stepchild of the person to engage in prostitution. Compelling prostitution is a Class B felony.

PENNSYLVANIA

18 Pa. Cons. Stat. Ann. § 5902 (Supp. 2000)

An offense under this section constitutes a felony of the third degree if the actor promotes prostitution of a child under the age of 16 years, whether or not he is aware of the age of the child.

A person commits a summary offense if he hires a prostitute or any other person who is 16 years of age or older to engage in sexual activity with him, or if he enters or remains in a house of prostitution for the purpose of engaging in sexual activity. A person commits a misdemeanor of the third degree if the person hires a prostitute or any other person who is under 16 years of age, whether or not the person is aware of the age of child.

RHODE ISLAND

R.I. Gen. Laws § 11-9-1(c) (Supp. 1999)

Every person who shall exhibit, use, employ or shall in any manner or under pretense so exhibit, use, or employ any child under the age of 18 years to any person for the purpose of prostitution or for any other

lewd or indecent act shall be imprisoned not exceeding 20 years or be fined not exceeding \$20,000, or both.

SOUTH CAROLINA

S.C. Code Ann. § 16-15-415 (West Supp. 1999)

An individual commits the offense of promoting prostitution of a minor if he knowingly: a) entices, forces, encourages, or otherwise facilitates a minor to participate in prostitution; or b) supervises, supports, advises, or promotes the prostitution of or by a minor. An individual who violates this section is guilty of a felony and, upon conviction, must be imprisoned for not less than three years nor more than ten years.

S.C. Code Ann. § 16-15-425 (West Supp. 1999)

An individual commits the offense of participating in the prostitution of a minor if he is not a minor and he patronizes a minor prostitute. As used in this section, patronizing a minor prostitute means: soliciting or requesting a minor to participate in prostitution; paying or agreeing to pay a minor, either directly or through the minor's agent, to participate in prostitution; or paying a minor, or the minor's agent, for having participated in prostitution, pursuant to a prior agreement. Mistake of age is not a defense to a prosecution under this section. A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned not less than two years nor more than five years.

SOUTH DAKOTA

S.D. Codified Laws § 22-23-2 (Michie 1998)

Any person who promotes prostitution of a minor is guilty of a class 5 felony.

TEXAS

Tex. Penal Code Ann. § 43.05 (West 1994)

A person commits an offense if he knowingly causes by any means a person younger than 17 years to commit prostitution. An offense under this section is a felony of the second degree.

UTAH

Utah Code Ann. § 76-10-1306 (1999)

A person is guilty of aggravated exploitation if the person procured, transported, or persuaded or with whom he shares the proceeds of prostitution is under 18 years of age or is the wife of the actor. Aggravated exploitation of prostitution is a felony of the second degree.

WASHINGTON**Wash. Rev. Code Ann. § 9.68A.100 (West Supp. 2000)**

A person is guilty of patronizing a juvenile prostitute if that person engages or agrees or offers to engage in sexual conduct with a minor in return for a fee, and is guilty of a class C felony.

WEST VIRGINIA**W. Va. Code § 61-8-7 (1997)**

Any person who shall procure an inmate for a house of prostitution, or who, by promises, threats, violence, or by any device or scheme, shall cause, induce, persuade or encourage a person to become an inmate of a house of prostitution for a person; or any person who shall, by promises, threats, violence, or by any device or scheme cause, induce, persuade or encourage an inmate of a house of prostitution to remain therein as such inmate; or any person who shall, by fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, procure any person to become an inmate of a house of ill fame or to enter any place in which prostitution is encouraged or allowed within this state, or to come into or leave this state for the purpose of prostitution, or who shall procure any person to become an inmate of a house of ill fame within this state or to come into or leave this state for the purpose of prostitution; or shall receive or give or agree to receive or give any money or thing of value for procuring or attempting to procure any person to become an inmate of a house of ill fame within this state, or to come into or leave this state, shall be guilty of pandering. Provided, that where the inmate referred to in this section is a minor, any person violating the provisions of this section shall be guilty of a felony.

W. Va. Code § 61-8-8 (1997)

Any person who, knowing another person to be a prostitute, shall live or derive support or maintenance, in whole or in part, from the earnings or proceeds of the prostitution of such prostitute, or from money loaned or advanced to or charged against such prostitution by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, or shall tout or receive compensation for touting for such prostitution, shall be guilty of pimping. Provided, that where the prostitute referred to in this section is a minor, any person violating the provisions of this section shall be guilty of a felony.

WISCONSIN**Wis. Stat. Ann. § 948.07 (West Supp. 1998)**

Whoever, with intent to cause the child to engage in prostitution, causes or attempts to cause any child who has not attained the age of 18 years to go into any vehicle, building, room or secluded place is guilty of a class BC felony.

Wis. Stat. § 948.08 (West 1996)

Whoever intentionally solicits or causes any child to practice prostitution or establishes any child in a place of prostitution is guilty of a class C felony.

WYOMING**Wyo. Stat. Ann. § 6-4-103 (Supp. 1999)**

A person commits a felony if he knowingly or intentionally entices or compels another person to become a prostitute. The crime is a felony punishable by imprisonment for not more than 5 years, a fine of not more than \$5,000, or both, if the person enticed or compelled is under 18 years of age.

FEDERAL LEGISLATION**U.S. CODE****18 U.S.C.A. § 2423 (West Supp. 2000)**

A person who knowingly transports any individual under the age of 18 years in interstate or foreign commerce, or in any commonwealth, territory or possession of the United States, with intent that the individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than fifteen years, or both.

A person who travels in interstate commerce, or conspires to do so, or a United States citizen or an alien admitted for permanent residence in the United States who travels in foreign commerce, or conspires to do so, for the purpose of engaging in any sexual act (as defined in section 2246) with a person under 18 years of age that would be a violation of section 2241 et seq., if the sexual act occurred in the special maritime and territorial jurisdiction of the United States, shall be fined under this title, imprisoned not more than 15 years, or both.