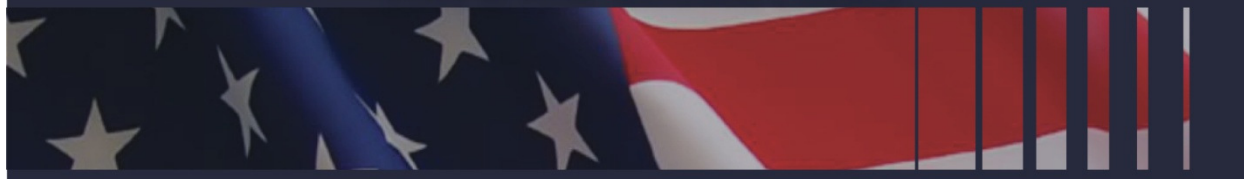


PROTECTED INNOCENCE INITIATIVE

STATE ACTION. NATIONAL CHANGE.



Delaware State Facts

Criminalization of DMST

1. Delaware’s human trafficking law includes sexual servitude of minors without requiring use of force, fraud or coercion to cause the minor to engage in commercial sex acts, and enhances the penalty when force or threat was used. Sexual servitude of a minor under age 14 and sexual exploitation of a child through pornography are felonies punishable by 2–25 years imprisonment.

Criminal Provisions Addressing Demand

2. Delaware Attorney General Beau Biden, III was one of 51 Attorneys General who signed a letter to Backpage.com calling on the company to disclose its efforts to identify and delete advertisements that facilitate sex trafficking, specifically of minors.¹
3. The sex trafficking law applies to a buyer who “causes” a minor to engage in commercial sex acts, but no CSEC laws include the crime of buying sex with a minor.
4. A man from Milford, Del. was sentenced Wednesday to five years in prison for attempted receipt of child pornography⁸

Protective Provisions for Child Victims

5. Delaware law leaves open the possibility of using a mistake of age defense in prosecutions under the sex trafficking law, allowing defendants the excuse that they did not know the person was a minor.