



## Vermont State Facts

### Criminalization of DMST

1. Vermont's sex trafficking laws define a minor under the age of 18 used in a commercial sex act as a human trafficking victim without regard to use of force, fraud, or coercion.

### Criminal Provisions Addressing Demand

2. Within the trafficking laws, the purchase of commercial sex acts from sex trafficking victims is a separate and distinct crime called solicitation. However, the general solicitation of prostitution laws do not distinguish between buying commercial sex acts with an adult versus a minor, making it possible for some buyers of sex with minors to be identified as "johns" and charged with this lesser offense thereby avoiding the serious penalties of the sex trafficking solicitation law.

### Criminal Provisions for Traffickers

3. Offenders convicted under Vermont's sex trafficking statute face penalties of 20 years to life imprisonment and a fine up to \$100,000. They are also required to register as sex offenders, pay restitution to the victim and could be subject to civil liability for damages to the victim.
4. In the first-ever prosecution under the federal Trafficking Victims Protection Act for forced prostitution, Dennis Paris was convicted and sentenced to 30 years in prison followed by 5 years of supervised release and \$46,116 in restitution to the victims for sex trafficking two girls from Vermont, using heroin and violence to keep them under control.<sup>1</sup> The investigation following one of the Vermont girls' outcries led to many more victims, including three girls who had been friends in 9<sup>th</sup> grade at East Hartford High School when Paris recruited them and would have them engage in prostitution during their lunch breaks and return them to school.<sup>2</sup>

### Protective Provisions for Child Victims

5. The state human trafficking law declares that any minor under 18 is immune from prosecution for prostitution or obscenity offenses and shall be treated as a child in need of care or supervision. This is not reflected in the prostitution statutes which could lead to a disparity in treatment for minors not identified as trafficking victims.
6. Children in need of services (CHINS) may be returned to their home if the parents and the home are deemed safe but trauma bonds with a trafficker frequently lead to a minor running away to return to the trafficker. Statutory provisions for specialized care and shelter for victims of domestic minor sex trafficking are needed to ensure the intervention and safety of trafficking victims who are designated CHINS as a result of immunity from prosecution for prostitution or obscenity offenses.
7. Sex trafficking victims who commit crimes beyond prostitution as a result of their trafficking may raise an affirmative defense that the crime was committed due to force, fraud, or coercion by the trafficker.

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<sup>1</sup> <http://www.justice.gov/opa/pr/2008/October/08-crt-920.html>.

<sup>2</sup> <http://www.vanityfair.com/politics/features/2011/05/sex-trafficking-201105>.