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MASSACHUSETTS

2023 Report Card

TIER II

GRADES ARE BASED SOLELY ON AN ANALYSIS OF STATE STATUTES. While we recognize the critical importance of non-legislative responses to propel progress, grading on statutory law provides a clear mechanism for evaluating policy goals across all states while ensuring that survivor-centered reforms are an enduring part of states' responses.

STATE HIGHLIGHTS:

- Between 2021-2023, raised score by 4 points.
- Currently ranked 25th in the nation.
- One of only 8 states to require a specialized multi-disciplinary response to cases of child sex and labor trafficking.
- Extended foster care services are available to youth under 23 years of age, providing an especially vulnerable

group of young people access to services and care that may mitigate risk factors to harm, including exploitation.

- Allows child and youth victims of sex or labor trafficking to seek accountability for their offenders through civil processes.

SAFE HARBOR STATUS:

One of 21 states that fail to prohibit the criminalization of minors for prostitution offenses, thus allowing commercially sexually exploited minors to be held criminally accountable for their own victimization.

Issue		Grade	Score	Summary
	1. Criminal Provisions	C	$\frac{13.5}{17.5}$	Policy goals accomplished related to buyer and trafficker accountability under state CSEC laws, decoy defenses, business entity liability under the trafficking law, and financial penalties. Gaps remain related to buyer accountability under the trafficking law and mistake of age defenses.
	2. Identification of and Response to Victims	F	$\frac{9}{27.5}$	Policy goals accomplished related to third party control and child abuse definitions. Gaps remain related to foreign national victims, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, juvenile court jurisdiction, and non-caregiver trafficking cases.
	3. Continuum of Care	D	$\frac{10}{15}$	Policy goals accomplished related to MDT responses, services through child welfare and the juvenile justice system, and extended foster care services. Gaps remain related to community-based services and appropriations.
	4. Access to Justice for Trafficking Survivors	C	$\frac{11.5}{15}$	Policy goal accomplished related to civil remedies. Gaps remain related to civil orders of protection, crime victims' compensation, vacatur, restitution, and statutes of limitation.
	5. Tools for a Victim-Centered Criminal Justice Response	D	$\frac{6.5}{10}$	Policy goal accomplished related to privileged communications. Gaps remain related to hearsay exceptions, alternatives to live, in-court testimony, and victim-witness supports.
	6. Prevention and Training	F	$\frac{1}{15}$	Gaps remain in all areas, including training for child welfare, juvenile justice agencies, law enforcement, prosecutors, and school personnel as well as prevention education in schools.
EXTRA CREDIT	 Youth		2	Protections related to civil remedies and privileged communications are extended to sex trafficked youth.
	 Child Labor Trafficking		4	Protections related to financial penalties, MDT responses, civil remedies, and privileged communications are extended to child labor trafficking victims.

OVERALL GRADE
TIER II

F 57.5