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SOUTH CAROLINA

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 5.5 points.
- Currently ranked 15th in the nation.
- Allows for a child welfare response to non-caregiver child sex trafficking cases and provides for a specialized child sex trafficking response through its Child Abuse Response Protocol.
- Provides child sex trafficking victims with access to specialized, community-based services and establish-

es a clear process for connecting child victims with those services.

- Requires the use of a multi-disciplinary team (MDT) response in all cases of child sex trafficking.
- Prohibits the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses committed as a result of their trafficking victimization.

SAFE HARBOR STATUS:

State law protects some, but not all minors, from being criminalized for prostitution offenses; minors who are not identified as child sex trafficking victims may still be subjected to arrest and prosecution for their own victimization.

Issue		Grade	Score	Summary
	1. Criminal Provisions	B	$\frac{15}{17.5}$	Policy goals accomplished related to buyer accountability under the trafficking law, buyer and trafficker accountability under state CSEC laws, mistake of age defenses, decoy defenses, and business entity liability under the trafficking law. Gap remains related to financial penalties.
	2. Identification of and Response to Victims	F	$\frac{15.5}{27.5}$	Policy goals accomplished related to foreign national victims, non-criminalization for sex trafficking offenses, affirmative defenses for violent felonies, child abuse definitions, and non-caregiver trafficking cases. Gaps remain related to third party control, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, and juvenile court jurisdiction.
	3. Continuum of Care	D	$\frac{9.5}{15}$	Policy goals accomplished related to community-based services, MDT responses, and services through child welfare. Gaps remain related to services through the juvenile justice system, extended foster care services, and appropriations.
	4. Access to Justice for Trafficking Survivors	D	$\frac{9}{15}$	Policy goals accomplished related to restitution and civil remedies. Gaps remain related to civil orders of protection, crime victims' compensation, vacatur, and statutes of limitation.
	5. Tools for a Victim-Centered Criminal Justice Response	D	$\frac{6}{10}$	Gaps remain in all areas, including hearsay exceptions, alternatives to live, in-court testimony, victim-witness supports, and privileged communications.
	6. Prevention and Training	F	$\frac{2}{15}$	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 affirmative defenses for violent felonies and civil remedies are extended to sex trafficked youth.
	 Child Labor Trafficking		5	Protections related to affirmative defenses for violent felonies, child abuse definitions, non-caregiver trafficking cases, community-based services, services through child welfare, restitution, and civil remedies are extended to child labor trafficking victims.

OVERALL GRADE
TIER II

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