

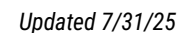
What Are Safe Reporting Laws?

Why Are They Important?

Who Do Safe Reporting Laws Help?

1. They allow trafficking victims and sex workers to safely report crimes and seek help without the fear that they themselves will be criminalized and subject to arrest, incarceration, fines, etc.
2. They equip law enforcement entities with an increased ability to identify, investigate, and convict perpetrators of violence and trafficking.

Existing Safe Reporting Laws



State	Year	Statute	Bill	State	Year	Statute	Bill
Alaska	2016	AS 11.66.100(c)	SB91	New Hampshire	2021	RSA 645:2(VIII)	HB123
California	2019	Ca. Pen. Code 647.3	SB233	Vermont	2021	13 V.S.A. 2638	H18
Oregon	2019	ORS 136.437	SB596	Colorado	2022	CRS 18-1-712.5	HB1288
Utah	2019	UT Code 76-5d-202(4)	HB40	Hawaii	2025	HRS 712-1200(7)	SB292
Washington	2019	RCW 9A.88.200	HB1382	New York ¹	2025	NYPL 230.45	A1029B
Montana	2021	MCA 50-32-609(3)	HB520	Rhode Island	2025	RIGL 11-34.1-15	S278A

Note: Hawaii, New York, and Rhode Island statutes do not yet reflect recent legislative changes.

Other Recent Legislative Efforts

New Orleans, Louisiana - Code of Ordinances Sec. [54-251.1](#) codified through Ord. No. [30348](#) 5/8/2025

Massachusetts [H1747](#) - Pending, heard in Joint Committee on the Judiciary 7/25/2025

Nevada [AB209](#) - Vetoed by the Governor 6/5/2025

Tennessee [HB1383/SB182](#) - Died in committee 3/2023

Nebraska [LB7](#) - Indefinitely postponed 4/2022

Safe Reporting and Serial Killer Investigations: Gilgo Beach & Beyond

People involved in the sex trade (whether by choice, circumstance, or coercion) often are victims of violent crime and exploitation, but frequently do not report crimes perpetrated against them due to fear of arrest. When those abusers then are not discovered by law enforcement, they are able to continue their acts of violence and exploitation with impunity. The most recent and prescient example of unmitigated violence targeting sex workers is the case of the Long Island Serial Killer. Between July 2023 and December 2024, law enforcement in Suffolk County, New York, charged Rex Heuermann for the murders of seven women whose bodies were discovered well over a decade before his arrest. Most of his alleged victims were known sex workers, and he continued patronizing sex workers while law enforcement monitored him leading up to his arrest.

As details of the investigation and news media about the case continue to emerge, it has become clear that other sex workers were aware of the suspect's violent tendencies. Unfortunately, these important tips could never be relayed to investigators, who would have arrested those individuals for prostitution. The first bodies were found in 2010, and it took 13 years to identify the suspect — years where he continued patronizing and likely perpetrating violence against sex workers. If New York had a safe reporting policy in place at that time, it is likely that this serial killer would have been discovered much sooner. New York legislators finally voted to pass its immunity law in 2025.

The Gilgo Beach killer is just one of many serial killers who deliberately and openly preyed on sex workers, taking advantage of their vulnerability and law enforcement indifference. Gary Ridgway, also known as the Green River Killer, said during his sentencing hearing, "I picked prostitutes as my victims because I hate

¹ Passed by Assembly and Senate, awaiting transmission to governor's desk

most prostitutes. ... I also picked prostitutes because they were easy to pick up without being noticed. I knew that they would not be reported missing. I picked prostitutes because I thought I could kill as many of them as I wanted without getting caught." Jack the Ripper, Robert Hansen ("the Butcher Baker"), Richard Cottingham ("the Torso Killer"), and Samuel Little were all known to have targeted sex workers, and all went undetected for many years. In the case of Cottingham, sex workers came out after his arrest to say that they had information but couldn't report it to law enforcement because they would be arrested. There are also many unsolved serial murders of sex workers across the country. Safe reporting laws could lead to the arrests of other undetected killers and prevent future violence.

Crafting a Safe Reporting Bill

Existing and proposed safe reporting laws vary in scope: some broadly protect victims from any prosecution for reporting any type of crime; others protect specific victims and/or address specific types of perpetrators; there are provisions written into penal codes that prevent arrest at the time of reporting; and there are evidence rules that forbid the admission of evidence acquired during the investigation and prosecution of a reported crime. The most robust and protective safe reporting language ensures that there are no barriers inhibiting reporters from contacting law enforcement.

Example 1 below is a very thorough safe reporting law - a victim or witness can report any crime; there are multiple crimes that a victim or witness cannot be prosecuted for; there are several different ways that a victim or witness can report a crime; the victim or witness is not compelled to participate in an investigation or trial for the reported crime; and law enforcement officers can be held liable for arresting someone that should have been immune under the law. Example 2 is a narrower (but still effective) law because it lists which crimes can be reported and is less specific about what "reporting" means. Other, more narrow laws may have fewer crimes that are eligible for protection from prosecution or require that the report result in evidence of the reported crime.

Example 1 - Rhode Island [H7165](#) (2024, as introduced)

11-34.1-15. Immunity from citation, arrest, or prosecution.

(a) A person shall not be cited, arrested, or prosecuted for a violation of §§ 11-34.1-2, 11-34.1-3, 11-34.1-4 or 11-34.1-6 [prostitution, procurement of sexual conduct for a fee; loitering for prostitution; soliciting from motor vehicle for indecent purposes] if:

(1) The person witnessed or was a victim of a crime or becomes aware that another person was a victim of a crime, and reports it to law enforcement in good faith, seeks or receives health care services as a result of the crime, or assists or attempts to assist in the investigation or prosecution of the crime; and

(2) The commission or attempted commission of the crime occurred at or around the time of, or was related to, the conduct prohibited by those sections of the general laws cited above.

(b) If the victim or witness later withdraws their cooperation due to safety concerns, physical or emotional health, or any other reason, the victim or witness shall not be charged under those sections of the general laws cited above. It is not necessary that a reported crime be prosecuted or result in a conviction in order for the protection provided by subsection (a) of this section to be applicable.

(c) A law enforcement officer shall not be immune from civil liability for citing or arresting a person for a violation of §§ 11-34.1-2, 11-34.1-3, 11-34.1-4 or 11-34.1-6 [prostitution, procurement of sexual conduct for a fee; loitering for prostitution; soliciting from motor vehicle for indecent purposes] when the officer knows or should know that the person qualifies for protection under this section.

Example 2 - California Penal Code [647.3](#)

(a) A person who reports being a victim of, or a witness to, a serious felony as defined in subdivision (c) of Section 1192.7, an assault in violation of subdivision (a) of Section 245, domestic violence in violation of Section 273.5, extortion in violation of Section 518, human trafficking in violation of Section 236.1, sexual battery in violation of subdivision (a) of Section 243.4, or stalking in violation of Section 646.9 shall not be arrested for any of the following offenses if that offense is related to the crime that the person is reporting or if the person was engaged in that offense at or around the time that the person was the victim of or witness to the crime they are reporting:

- (1) A misdemeanor violation of the California Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and Safety Code).
- (2) A violation of Section 372 [public nuisance] or subdivision (a) or (b) of Section 647 [prostitution], or former Section 653.22 [loitering for prostitution - repealed], if the offense is related to an act of prostitution.

There are multiple variables that can change between laws:

- What crimes a victim or witness can report (any crime vs. enumerated offenses)
- What specific prostitution-related or other crimes the reporter is protected against prosecution for
- What "reporting" means, i.e. contacting emergency services at the time of the crime, seeking healthcare, participating in an investigation, contacting law enforcement after the incident, etc.
- The nexus between the crime reported and the immunity sought, i.e. if evidence must be gathered from the report; requiring the reported crime and the committed crime to be reasonably proximate; specifying that the report must be made in good faith; etc.

Ultimately, a useful safe reporting law will be constructed as broadly as possible such that a person in crisis can feel safe to immediately come forward and seek help.

Media Coverage

[CBS 6 Albany: New York legislature passes bill granting immunity to sex trafficking victims](#)

[WWNO: City Council passes law to protect sex workers from arrest, prosecution at local level](#)

[Newsday: Victims of trafficking deserve immunity](#)

[Reason: At State Legislatures Summit, Groups Lobby for Changes to Sex Work Laws](#)

[Business Insider: Sex workers are human too. They deserve protections for reporting violence.](#)

[Denver Post: Colorado sex workers gain new protections under law signed by Gov. Jared Polis](#)

[The Crime Report: Want To Reduce Violence Against Sex Workers? Offer Them Immunity](#)

[Denver Post: "Brutalized with little recourse": Colorado lawmakers take a first step to protect sex workers](#)

[Gothamist: Bill would allow sex workers to report crime without fear of prosecution](#)

[Pix11: Manhattan DA supports bill providing immunity to sex trafficking survivors](#)

[The New York Times: The Gilgo Beach Suspect May Have Hunted Them. Now They're Key Witnesses.](#)

[WNYC: The Victims on Gilgo Beach](#)

[Newsday: Sex-worker immunity would have helped Gilgo Beach probe](#)

[PIX 11: Manhattan DA supports bill providing immunity to sex trafficking survivors](#)

[Gothamist: Bill would allow sex workers to report crime without fear of prosecution](#)

Laws by State

Alaska

Sec. 11.66.100. Prostitution.

(Subsections a-b omitted)

(c) A person may not be prosecuted under (a)(1) of this section if the

(1) person witnessed or was a victim of, and reported to law enforcement in good faith, one or more of the following crimes:

- (A) murder in the first degree under AS 11.41.100;
- (B) murder in the second degree under AS 11.41.110;
- (C) manslaughter under AS 11.41.120;
- (D) criminally negligent homicide under AS 11.41.130;
- (E) assault in the first degree under AS 11.41.200;
- (F) assault in the second degree under AS 11.41.210;
- (G) assault in the third degree under AS 11.41.220;
- (H) assault in the fourth degree under AS 11.41.230;
- (I) sexual assault in the first degree under AS 11.41.410;
- (J) sexual assault in the second degree under AS 11.41.420;
- (K) sexual assault in the third degree under AS 11.41.425;
- (L) sexual assault in the fourth degree under AS 11.41.427;
- (M) sexual abuse of a minor in the first degree under AS 11.41.434;
- (N) sexual abuse of a minor in the second degree under AS 11.41.436;
- (O) sexual abuse of a minor in the third degree under AS 11.41.438;
- (P) sexual abuse of a minor in the fourth degree under AS 11.41.440;
- (Q) robbery in the first degree under AS 11.41.500;
- (R) robbery in the second degree under AS 11.41.510;
- (S) extortion under AS 11.41.520;
- (T) coercion under AS 11.41.530;
- (U) distribution of child sexual abuse material under AS 11.61.125;
- (V) possession of child sexual abuse material under AS 11.61.127;
- (W) sex trafficking in the first degree under AS 11.66.110;
- (X) sex trafficking in the second degree under AS 11.66.120;
- (Y) sex trafficking in the third degree under AS 11.66.130; or
- (Z) sex trafficking in the fourth degree under AS 11.66.135;

(2) evidence supporting the prosecution under (a)(1) of this section was obtained or discovered as a result of the person reporting the crime to law enforcement; and

(3) person cooperated with law enforcement personnel.

California

Penal Code 647.3.

(a) A person who reports being a victim of, or a witness to, a serious felony as defined in subdivision (c) of Section 1192.7, an assault in violation of subdivision (a) of Section 245, domestic violence in violation of Section 273.5, extortion in violation of Section 518, human trafficking in violation of Section 236.1, sexual battery in violation of subdivision (a) of Section 243.4, or stalking in violation of Section 646.9 shall not be

arrested for any of the following offenses if that offense is related to the crime that the person is reporting or if the person was engaged in that offense at or around the time that the person was the victim of or witness to the crime they are reporting:

(1) A misdemeanor violation of the California Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and Safety Code).

(2) A violation of Section 372 or subdivision (a) or (b) of Section 647, or former Section 653.22, if the offense is related to an act of prostitution.

(b) Possession of condoms in any amount shall not provide a basis for probable cause for arrest for a violation of Section 372 or subdivision (a) or (b) of Section 647, or former Section 653.22 if the offense is related to an act of prostitution.

Colorado

18-1-712.5. Immunity for sex workers and persons who are victims of human trafficking for sexual servitude and who suffer or report an assault - definition.

(1) As used in this section, unless the context otherwise requires, "person" means:

(a) A person who is the victim of an offense set forth in subsection (3) of this section;

(b) A person who is a victim of human trafficking of a minor for sexual servitude pursuant to section 18-3-504; or

(c) A witness to an offense set forth in subsection (3) of this section.

(2) A person is immune from arrest and prosecution for prostitution as described in section 18-7-201, soliciting for prostitution as described in section 18-7-202, and a prostitute making display as described in section 18-7-207, if the person seeks assistance from a law enforcement officer, the 911 system, or a medical provider and if the evidence for the charge of prostitution, soliciting prostitution, or a prostitute making display was obtained as a result of the person seeking assistance, as a result of the need for assistance, or as a result of the reporting of assistance. This subsection (2) also applies to equivalent municipal charges and arrests.

(3) A person who is a victim of one of the following offenses, or a person who witnesses one of the following offenses, qualifies for the immunity from prostitution charges as described in subsection (2) of this section:

(a) Murder in the first degree, as described in section 18-3-102;

(b) Murder in the second degree, as described in section 18-3-103;

(c) Manslaughter, as described in section 18-3-104;

(d) Criminally negligent homicide, as described in section 18-3-105;

(e) Vehicular homicide, as described in section 18-3-106;

(f) Assault in the first degree, as described in section 18-3-202;

(g) Assault in the second degree, as described in section 18-3-203;

(h) Assault in the third degree, as described in section 18-3-204;

(i) Vehicular assault, as described in section 18-3-205;

(j) Menacing, as described in section 18-3-206;

(k) Criminal extortion or aggravated extortion, as described in section 18-3-207;

(l) Reckless endangerment, as described in section 18-3-208;

(m) First degree kidnapping, as described in section 18-3-301;

(n) Second degree kidnapping, as described in section 18-3-302;

(o) False imprisonment, as described in section 18-3-303;

(p) Enticement of a child, as described in section 18-3-305;

- (q) Internet luring of a child, as described in section 18-3-306;
- (r) Sexual assault, as described in section 18-3-402;
- (s) Unlawful sexual contact, as described in section 18-3-404;
- (t) Sexual assault on a child, as described in section 18-3-405;
- (u) Human trafficking for involuntary servitude or human trafficking of a minor for involuntary servitude, as described in section 18-3-503;
- (v) Human trafficking for sexual servitude or human trafficking of a minor for sexual servitude, as described in section 18-3-504; or
- (w) Stalking, as described in section 18-3-602.

(4) The immunity described in subsection (2) of this section for the offense of prostitution is not grounds for suppression of evidence in other criminal charges. Nothing in this section prohibits the prosecution of a person for offenses other than those listed in subsection (2) of this section, or to limit the ability of a district attorney or law enforcement officer to obtain or use evidence from a report, recording, or any other statement provided pursuant to subsection (2) of this section to prosecute an offense other than those listed in subsection (2) of this section. Nothing in this section prohibits the provision of immunity pursuant to other sections of law, as applicable, including section 18-1-711.

Hawaii

§712-1200 Prostitution.

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

(2) As used in this section:

"Minor" means a person who is less than eighteen years of age.

"Seeks medical or law enforcement assistance" includes but is not limited to making, or assisting someone who is making, a report to the 911 system, a poison control center, a medical provider, a reproductive health provider, or any law enforcement agency or providing care to someone who is awaiting the arrival of medical or law enforcement personnel.

"Sexual conduct" means "sexual penetration", "deviate sexual intercourse", or "sexual contact", as those terms are defined in section 707-700, or "sodomasochistic abuse" as defined in section 707-752.

[Subsections 3-6 omitted]

(7) Notwithstanding this section or any other law to the contrary, a person who in good faith seeks medical or law enforcement assistance for themselves or another person, or is the subject of another person's good faith act seeking medical or law enforcement assistance, shall not:

- (a) Be arrested, charged, prosecuted, or convicted;
- (b) Have their property be subject to civil forfeiture; or
- (c) Otherwise be penalized,

pursuant to this section if the probable cause or evidence for the arrest, charge, prosecution, conviction, seizure, or penalty was gained as a result of seeking medical or law enforcement assistance; provided that this subsection shall not apply to any other criminal offense.

Montana

50-32-609. Good Samaritan protections.

(3) The provisions of 45-5-601(2)(a) [prostitution] do not apply to a person reporting a crime under 45-5-502 [sexual assault] or 45-5-503 [sexual intercourse without consent].

New Hampshire

645:2 Prostitution and Related Offenses. –

[Subsections I-VI omitted]

VII. As used in this section, "reports being the victim of a sexual assault or other crime" means reporting the initial crime to law enforcement and does not include further cooperation.

VIII. It shall be a defense to a violation of this section that a person reports being the victim of a sexual assault as defined in RSA 632-A:2, 632-A:3, or 632-A:4. A person who reports being the victim of such an offense shall not be arrested, prosecuted, or convicted for a violation of this section if the evidence for the charge was gained as a proximate result of the person's reporting. Any victim seeking medical treatment following a sexual assault will be afforded all options of care outlined in the New Hampshire attorney general's sexual assault medical forensic exam protocol without making a report to or cooperating with law enforcement.

IX. Nothing in this section shall be construed to limit the admissibility of evidence in connection with the investigation or prosecution of a crime involving a person who is not protected as provided in paragraph VIII. Nothing in this section shall be construed to limit the lawful seizure of any evidence or contraband. Nothing in this section shall be construed to limit or abridge the authority of a law enforcement officer to detain or place into custody a person as part of a criminal investigation who is not protected by the provisions of paragraph VIII.

New Orleans, Louisiana

Sec. 54-251.1. - Immunity from prosecution.

(a) No person who is a victim or a witness to a crime, or who becomes aware that another person is a victim of a crime, shall be arrested, charged, or prosecuted for an offense under section 54-251, 54-252, or 54-253 of this chapter or a for violation arising under chapter 30, article VII of this Code, as a result of that person, while acting in good faith and in reasonable proximity to the occurrence of the crime or under circumstances reasonably related to the crime, reporting the crime, seeking healthcare services as a result of the crime, or attempting to assist in the investigation or prosecution of the crime. For purposes of this section, the term "crime" is intended to be interpreted broadly and encompass any act that reasonably appears to be a crime, regardless of whether it results in a criminal charge, arrest, or conviction.

(b) No person granted immunity pursuant to subsection (a) shall be subject to forfeiture of property for any violation for which immunity is provided by this chapter, except for prima facie contraband.

(c) No person granted immunity pursuant to subsection (a) shall be subject to sanctions for a violation of a condition of pretrial release, condition of probation, or condition of parole as a result of the person's reporting of the crime, seeking healthcare services as a result of the crime, or attempting to assist in the investigation or prosecution of the crime.

(d) No person granted immunity pursuant to subsection (a) shall be arrested on an outstanding warrant for any of the offenses for which immunity is provided in this section if that person's immediate whereabouts were obtained as a result of the person reporting a crime, seeking healthcare services as a result of a crime, or attempting to assist in the investigation or prosecution of a crime.

(e) This subsection does not apply to outstanding federal warrants or outstanding warrants issued from other states, or for warrants unrelated to a crime for which immunity is provided in this section.

(f) Any immunity arising under this section shall not apply when the person claiming immunity is reasonably believed to have committed the crime of human trafficking or a crime involving the abuse or exploitation of children and the person's arrest arises from circumstances related to those crimes.

Oregon

136.437 Use of evidence in prosecution of prostitution offense.

(1) If a person contacts an emergency communications system or a law enforcement agency to report the commission of a person felony, any statements or other evidence relating to the crime of prostitution under ORS 167.007 obtained as a result of the person making the report may not be used in the prosecution of the person for prostitution or attempted prostitution.

(2) The prohibition on the use of statements or other evidence described in this section does not apply to evidence relating to a criminal offense other than prostitution, or to the prosecution of an offense other than prostitution or attempted prostitution.

(3) As used in this section:

(a) "Emergency communications system" has the meaning given that term in ORS 403.105.

(b) "Person felony" has the meaning given that term in the rules of the Oregon Criminal Justice Commission.

Rhode Island

11-34.1-15. Immunity from citation, arrest, or prosecution.

(a) A person shall not be cited, arrested, or prosecuted for a violation of § 11-34.1-2, or §11-34.1-4 if:

(1) The person witnessed or was a victim of a crime or becomes aware that another person was a victim of a crime, and promptly reports it to law enforcement in good faith or assists or attempts to assist by cooperating in the investigation or prosecution of the crime including by providing truthful testimony; and

(2) The commission or attempted commission of the crime occurred at or around the time of, or was related to, the conduct prohibited by those sections of the general laws cited above.

(b) If the victim or witness later withdraws their cooperation due to safety concerns or physical or emotional health, the victim or witness may not be charged under those sections of the general laws cited above. It is not necessary that a reported crime be prosecuted or result in a conviction in order for the protection provided by subsection (a) of this section to be applicable.

Utah

76-5d-202. Engaging in prostitution.

(Subsections 1-3 omitted)

(4) A prosecutor may not prosecute an actor for a violation of Subsection (2) if the actor engages in a violation of Subsection (2) at or near the time the actor witnesses or is a victim of any of the following offenses, or an attempt to commit any of the following offenses, and the actor reports the offense or attempt to law enforcement in good faith:

(a) assault as described in Section 76-5-102;

(b) aggravated assault as described in Section 76-5-103;

(c) mayhem as described in Section 76-5-105;

(d) aggravated murder, murder, manslaughter, negligent homicide, child abuse homicide, or homicide by assault as described in Chapter 5, Part 2, Criminal Homicide;

(e) kidnapping, child kidnapping, aggravated kidnapping, human trafficking or aggravated human trafficking, human smuggling or aggravated human smuggling, or human trafficking of a child as described in Chapter 5, Part 3, Kidnapping, Trafficking, and Smuggling;

(f) rape as described in Section 76-5-402;

(g) rape of a child as described in Section 76-5-402.1;

(h) object rape as described in Section 76-5-402.2;

(i) object rape of a child as described in Section 76-5-402.3;

(j) forcible sodomy as described in Section 76-5-403;

(k) sodomy on a child as described in Section 76-5-403.1;

(l) forcible sexual abuse as described in Section 76-5-404;

(m) sexual abuse of a child as described in Section 76-5-404.1, or aggravated sexual abuse of a child, Section 76-5-404.3;

(n) aggravated sexual assault as described in Section 76-5-405;

(o) sexual exploitation of a minor as described in Section 76-5b-201;

(p) aggravated sexual exploitation of a minor as described in Section 76-5b-201.1;

- (q) sexual exploitation of a vulnerable adult as described in Section 76-5b-202;
- (r) burglary of a dwelling as described in Subsection 76-6-202(3)(b);
- (s) aggravated burglary as described in Section 76-6-203;
- (t) robbery as described in Section 76-6-301;
- (u) aggravated robbery as described in Section 76-6-302; or
- (v) theft by extortion as described in Section 76-6-406 under the circumstances described in Subsection 76-6-406(1)(a)(i) or (ii).

Vermont

§ 2638. Immunity from liability

(a) As used in this section:

- (1) "Human trafficking" has the same meaning as in section 2651 of this title.
- (2) "Prostitution" has the same meaning as in section 2631 of this title.

(b) A person who, in good faith and in a timely manner, reports to law enforcement that the person is a victim of or a witness to a crime that arose from the person's involvement in prostitution or human trafficking shall not be cited, arrested, or prosecuted for a violation of the following offenses:

- (1) section 2632 of this title (prostitution);
- (2) section 2601a of this title (prohibited conduct);
- (3) 18 V.S.A. § 4230(a)(1)-(3) (cannabis possession);
- (4) 18 V.S.A. § 4231(a)(1) and (2) (cocaine possession);
- (5) 18 V.S.A. § 4232(a)(1) and (2) (LSD possession);
- (6) 18 V.S.A. § 4233(a)(1) and (2) (heroin possession);
- (7) 18 V.S.A. § 4234(a)(1) and (2) (depressant, stimulant, and narcotic drugs possession);
- (8) 18 V.S.A. § 4234a(a)(1) and (2) (methamphetamine possession);
- (9) 18 V.S.A. § 4235(b)(1) (hallucinogenic drugs possession); and
- (10) 18 V.S.A. § 4235a(a)(1) (Ecstasy possession).

(c) The immunity provisions of this section apply only to the use and derivative use of evidence gained as a proximate result of the person reporting to law enforcement that the person is a victim of or a witness to a crime that arose from the person's involvement in prostitution or human trafficking and do not preclude prosecution of the person on the basis of evidence obtained from an independent source.

(d) A person who qualifies for immunity pursuant to subsection (b) or (c) of this section shall not be subject to the provisions of 18 V.S.A. chapter 84, subchapter 2 concerning property subject to forfeiture, except that prima facie contraband shall be subject to forfeiture.

(e) Except in cases of reckless or intentional misconduct, law enforcement shall be immune from liability for citing or arresting a person who is later determined to qualify for immunity under this section.

Washington

RCW 9A.88.200 Emergency assistance—Criminal immunity.

(1) A person acting in good faith who seeks emergency assistance for a victim of an offense included in subsection (4) of this section may not be charged or prosecuted for prostitution under RCW 9A.88.030, or an equivalent municipal ordinance, if the evidence for the charge of prostitution was obtained as a result of the person seeking emergency assistance.

(2) A person who is a victim of an offense included in subsection (4) of this section and is seeking emergency assistance on account of the offense may not be charged or prosecuted for prostitution under RCW 9A.88.030, or an equivalent municipal ordinance, if the evidence for the charge of prostitution was obtained as a result of the need for emergency assistance.

(3) The protection in this section from prosecution for prostitution is not grounds for suppression of evidence in other criminal charges.

(4) A victim of one of the following offenses, or a person seeking emergency assistance on his or her behalf, qualifies for immunity from prostitution charges as provided in subsections (1) and (2) of this section:

- (a) Any violent offense as defined in RCW 9A.030;
- (b) Assault in the third degree under RCW 9A.36.031;
- (c) Assault in the fourth degree under RCW 9A.36.041, or an equivalent municipal ordinance;
- (d) Rape in the third degree under RCW 9A.44.060.

Pending Legislation

Massachusetts

Section 34B: Any person who, in good faith, reports a crime shall not be charged or prosecuted for (i) possession of a controlled substance under section 34, (ii) sex for fee under chapter 272 section 53A subsections (a) or (b), (iii) loitering under chapter 161 section 95, (iv) trespassing under chapter 266 section 120, (v) soliciting under chapter 272 section 8, or (vi) conspiracy to commit any of the aforementioned offenses under chapter 94C section 40, or found in violation of a condition of probation or pretrial release as determined by a court or a condition of parole, as determined by the parole board if the evidence for the above enumerated offenses was gained as a result of reporting a crime.

If the reporting victim or witness later withdraws their cooperation with law enforcement, the victim or witness may not be charged under those sections of the laws cited above. It is not necessary that a reported crime be prosecuted or result in a conviction in order for the protection provided by this section to be applicable.

New York

§ 230.45 Limited immunity from prosecution.

1. This section applies where a person is the victim of or a witness to a crime (including an individual who becomes aware that another person is a victim of a crime), and has engaged or is alleged to have engaged in an act prohibited under section 230.00 or 230.03 of this article at or in reasonable proximity to the time of the crime or under circumstances reasonably related to the crime, and, in good faith but not prior to, during or subsequent to an arrest or investigation for such prohibited act, (a) reports the crime to a criminal law enforcement agency, (b) if medically necessary, seeks or receives health care services as a result of the crime, or (c) attempts to assist in the investigation or prosecution of the crime. No such victim or witness to the crime shall be charged or prosecuted for an offense under section 230.00 or 230.03 of this article which is alleged to have been committed at or in reasonable proximity to the time of the crime or under circumstances reasonably related to the crime for which the person is a victim or witness. As used in this section, "crime" shall include an act that reasonably appears to be a crime, regardless of whether it results in a conviction as a crime.

2. Where a victim or witness to a crime believes that the conditions for immunity pursuant to subdivision one of this section have been met and such victim or witness has been erroneously charged under section 230.00 or 230.03 of this article, such victim or witness may request a hearing to be conducted no later than fifteen days after the charge or charges have been filed to move the court to decide whether conditions for immunity have been met. At such hearing, the court shall be permitted to accept all legally permitted evidence, including legally permissible hearsay, in support of both parties. If, after conducting such hearing, and by clear and convincing evidence, the court determines that the conditions for immunity were met, then the charge or charges shall be dismissed. If, after conducting such hearing, the court determines that the conditions for immunity were not met, then the charges shall not be dismissed and immunity shall be denied.

Failed Legislation

Nebraska

Sec. 2. (1) A person shall not be arrested or prosecuted for an eligible offense if such person witnessed or was the victim of a crime of violence and such person:

(a) Either:

(i) In good faith, reported such crime of violence to law enforcement; or

(ii) Requested emergency medical assistance for the victim of such crime; and

(b) Evidence supporting the arrest or prosecution of the eligible offense was obtained or discovered as a result of such person reporting such crime of violence to law enforcement or requesting emergency medical assistance.

(2) A person shall not be arrested or prosecuted for an eligible offense if:

(a) Evidence supporting the arrest or prosecution of the person for an eligible offense was obtained or discovered as a result of the investigation or prosecution of a crime of violence; and

(b) Such person cooperates with law enforcement in the investigation or prosecution of a crime of violence.

(3) For purposes of this section:

(a) Crime of violence means:

(i) A violation of section 28-303, 28-304, 28-305, 28-308, 28-309, 28-310, 28-310.01, 28-311, 28-311.03, 28-313, 28-314, 28-316.01, 28-319, 28-319.01, 28-320, 28-320.01, 28-322.02, 28-322.03, 28-322.04, 28-322.05, 28-323, 28-324, 28-386, 28-507, 28-703, 28-707, or 28-831;

(ii) An offense that has as an element the threat to inflict serious bodily injury or death on another person, the infliction of serious bodily injury on another person, or causing the death of another person; or

(iii) Attempt, conspiracy, solicitation, being an accessory to, aiding and abetting, aiding the consummation of, or compounding a felony with any of the offenses listed in subdivision (3)(a)(i) or (ii) of this section as the underlying offense; and

(b) Eligible offense means:

(i) A violation of subsection (3) or (13) of section 28-416, a violation of section 28-801, 28-801.01, 28-804, 28-806, or 28-441 or a violation of a city or village ordinance prohibiting loitering for the purpose of engaging in prostitution or a similar offense; or

(ii) Attempt, conspiracy, solicitation, being an accessory to, aiding and abetting, aiding the consummation of, or compounding a felony with any of the offenses in subdivision (3)(b)(i) of this section as the underlying offense.

Nevada

Notwithstanding any other provision of law, a prostitute is immune from criminal liability for committing a violation of NRS 201.353 or paragraph (b) of subsection 1 of NRS 207.030 if:

1. The prostitute seeks medical assistance from a 911 emergency service or medical provider; and

2. The evidence for the alleged violation was obtained as a result of:

(a) The prostitute seeking medical assistance;

(b) The immediate need for medical assistance; or

(c) The reporting of a need for medical assistance.

Tennessee

(a) As used in this section:

- (1) "Criminal act" means any misdemeanor or felony criminal offense;
- (2) "Prostitution" has the same meaning as defined in § 39-13-512; and
- (3) "Reporting person" means a person reporting a criminal act who is eligible for the protections provided under this section.

(b) A person who in good faith reports a criminal act, committed against the person or another, shall not be arrested, charged, or prosecuted for prostitution if the evidence for the arrest, charge, or prosecution for the offense of prostitution resulted solely from the person's report of the criminal act.

(c) In an action based on a reported criminal act for which a reporting person is subpoenaed as a witness by a party, or otherwise testifies at trial, the reporting person must be considered a victim for the purposes of Rule 412 of the Tennessee Rules of Evidence.