



NEVADA

Legal System	Constitution	Bill of Rights	Form of Government
Common Law Statutory Law	Written	Yes	Republic

A. Criminal Statutes

1. Human Trafficking and Related Statutes

a. Nev. Rev. Stat. Ann. § 201.300 (2019) – Pandering and Sex Trafficking

i. Summary

A person is criminally liable for sex trafficking if a person:

- (1) Induces, causes, recruits, harbors, transports, provides, obtains or maintains a child to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution;
- (2) Induces, recruits, transports, provides, obtains or maintains a person by any means, knowing, or in reckless disregard of the fact, that threats, violence, force, intimidation, fraud, duress or coercion will be used to cause the person to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution;
- (3) By threats, violence, force, intimidation, fraud, duress, coercion, by any device or scheme, or by abuse of any position of confidence or authority, or having legal charge, takes, places, harbors, induces, causes, compels or procures a person to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution;
- (4) Takes or detains a person with the intent to compel the person by force, violence, threats or duress to marry him or her or any other person; or
- (5) Receives anything of value with the specific intent of facilitating a violation of this paragraph.

Nev. Rev. Stat. Ann. § 201.300(2)(a).

In a prosecution under Nev. Rev. Stat. Ann. § 201.300,

expert testimony concerning the prostitution subculture ... is admissible for any relevant purpose, including, without limitation, to demonstrate:

- (a) The dynamics of, and the manipulation and psychological control measures used in, the relationship between a prostitute and a person who engages in pandering or sex trafficking in violation of [Nev. Rev. Stat. Ann. § 201.300]; and
- (b) The normal behavior and language used in the prostitution subculture.

Nev. Rev. Stat. Ann. § 201.305(1). “The effect of pandering or sex trafficking may not be offered against a defendant pursuant to subsection 1 to prove the occurrence of an act that forms the basis of a criminal charge against the defendant.” Nev. Rev. Stat. Ann. § 201.305(2).

“Consent of a victim to pandering or sex trafficking to an act of prostitution is not a defense to a prosecution for any of the acts prohibited by” Nev. Rev. Stat. Ann. § 201.300. Nev. Rev. Stat. Ann. § 201.300(4).

“In a prosecution for sex trafficking a child pursuant to [Nev. Rev. Stat. Ann. § 201.300(2)], it is not a defense that the defendant did not have knowledge of the victim’s age, nor is reasonable mistake of age a valid defense to a prosecution conducted pursuant to” Nev. Rev. Stat. Ann. § 201.300(2). Nev. Rev. Stat. Ann. § 201.300(5).

If a violation of [Nev. Rev. Stat. Ann. § 201.300] is committed by a person who is:

- (1) Less than 18 years of age at the time of the commission of the violation;
- (2) Prosecuted in a criminal proceeding as an adult; and
- (3) A victim of sex trafficking or facilitating sex trafficking,

there is a rebuttable presumption that the person who committed the violation acted under duress.

Nev. Rev. Stat. Ann. § 201.303.

The Nevada Attorney General has concurrent jurisdiction with district attorneys for a prosecution of sex trafficking and may also charge related offenses if committed in violation of Nev. Rev. Stat. Ann. § 201.300. Nev. Rev. Stat. Ann. § 201.345.

ii. Sentencing

Sex trafficking is a category B felony for which a court shall sentence the convicted defendant to imprisonment in the state prison for three to 10 years, and may impose a fine of up to USD 10,000. Nev. Rev. Stat. Ann. § 201.300(2)(b)(1).

If the sex trafficking victim is less than 14 years of age when the offense is committed, sex trafficking is a category A felony for which a court shall sentence the convicted defendant to “imprisonment in the state prison for life with ... eligibility for parole beginning when a minimum of 15 years has been served,” and may impose a fine of up to USD 20,000. Nev. Rev. Stat. Ann. § 201.300(2)(b)(2)(I).

If the sex trafficking victim is at least 14 years of age but less than 16 years of age when the offense is committed, sex trafficking is a category A felony for which the court shall sentence the convicted defendant to “imprisonment in the state prison for life with ... eligibility for parole beginning when a minimum of 10 years has been served,” and may impose a fine of up to USD 10,000. Nev. Rev. Stat. Ann. § 201.300(2)(b)(2)(II).

If the sex trafficking victim is at least 16 years of age but less than 18 years of age when the offense is committed, sex trafficking is a category A felony for which the court shall sentence the convicted defendant to “imprisonment in the state prison for life with ... eligibility for parole beginning when a minimum of five years has been served,” and may impose a fine of up to USD 10,000. Nev. Rev. Stat. Ann. § 201.300(2)(b)(2)(III).

“A court shall not grant probation to or suspend the sentence of a person convicted of sex trafficking a child pursuant to” Nev. Rev. Stat. Ann. § 201.300(2). Nev. Rev. Stat. Ann. § 201.300(3).

“If a person is convicted of a violation of [Nev. Rev. Stat. Ann. § 201.300(2)], the victim of the violation is a child when the offense is committed and physical force or violence or the immediate threat of physical force or violence is used upon the child, the court may, in addition to the” other punishments permitted by statute, impose a fine of up to USD 500,000. Nev. Rev. Stat. Ann. § 201.352(1).

“If a person is convicted of a violation of [Nev. Rev. Stat. Ann. § 201.300(2)], the victim of the offense is a child when the offense is committed and the offense also involves a conspiracy to commit a violation of [Nev. Rev. Stat. Ann. § 201.300(2)], the court may, in addition to the” other punishments permitted by statute, impose a fine of up to USD 500,000. Nev. Rev. Stat. Ann. § 201.352(2).

“In addition to any other penalty, the court may order a person convicted of a violation of any provision of [Nev. Rev. Stat. Ann. § 201.300] to pay restitution to the victim” Nev. Rev. Stat. Ann. § 201.325(1). Restitution may include:

- (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;
- (b) The cost of transportation, temporary housing and child care;
- (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;
- (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;
- (e) The cost of repatriation of the victim to his or her home country, if applicable; and
- (f) Any and all other losses suffered by the victim as a result of the violation of any provision of [Nev. Rev. Stat. Ann. § 201.300].

Nev. Rev. Stat. Ann. § 201.325(2). Under Nev. Rev. Stat. Ann. § 201.325, a “victim” is “any person (a) [a]gainst whom a violation of any provision of [Nev. Rev. Stat. Ann. § 201.300] has been committed; or (b) [w]ho is the surviving child of such a person.” Nev. Rev. Stat. Ann. § 201.325(4).

iii. Statute of Limitations

Except as otherwise provided in Nev. Rev. Stat. Ann. § 171.095, an indictment for sex trafficking must be found, or an information or complaint filed, within six years after the commission of the offense. Nev. Rev. Stat. Ann. § 171.085(3).¹ “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

An indictment must be found, or an information or complaint filed, for any offense constituting ... sex trafficking of a child as defined in [Nev. Rev. Stat. Ann. § 200.300], before the victim is:

- (1) Thirty-six years old if the victim discovers or reasonably should have discovered that he or she was a victim of ... sex trafficking by the date on which the victim reaches that age; or
- (2) Forty-three years old if the victim does not discover and reasonably should not have discovered that he or she was a victim of ... sex trafficking by the date on which the victim reaches 36 years of age.

Nev. Rev. Stat. Ann. § 171.095(b).

If, at any time during the period of limitation,

¹ The 2021 amendatory provisions increasing the timeframe from four to six years apply to a person who: (1) committed sex trafficking before July 1, 2021, if the applicable statute of limitations has commenced but has not yet expired on July 1, 2021; or (2) commits sex trafficking on or after July 1, 2021. 2021 Nevada Laws Ch. 180 (A.B. 113).

a victim of sex trafficking or a person authorized to act on behalf of a victim of sex trafficking files with a law enforcement officer a written report concerning the ... sex trafficking, the period of limitation prescribed by [statute] is removed and there is no limitation of the time within which a prosecution for the ... sex trafficking must be commenced.

Nev. Rev. Stat. Ann. § 171.083(1).

“If a victim of sex trafficking is under a disability during any part of the period of limitation ..., and a written report concerning the sexual assault or sex trafficking is not otherwise filed, the statute of limitations is tolled while the victim is under a disability” Nev. Rev. Stat. Ann. § 171.083(3). A victim of “sex trafficking is under a disability if the victim is insane, intellectually disabled, mentally incompetent or in a medically comatose or vegetative state.” Nev. Rev. Stat. Ann. § 171.083(4).

b. Nev. Rev. Stat. Ann. § 201.301 (2017) – Facilitating Sex Trafficking

i. Summary

A person is guilty of facilitating sex trafficking if the person:

Facilitates, arranges, provides or pays for the transportation of a person to or within this State with the intent of:

- (1) Inducing the person to engage in prostitution in violation of [Nev. Rev. Stat. Ann. § 201.300(2)(a)(1), (2), or (3)];
- (2) Inducing the person to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution in violation of [Nev. Rev. Stat. Ann. § 201.300(2)(a)(1), (2), or (3)]; or
- (3) If the person is a child, using the person for any act that is prohibited by [Nev. Rev. Stat. Ann. § 200.710 or § 200.720 (unlawful to use minors in producing pornography or as subject of sexual portrayal in performance)].

Nev. Rev. Stat. Ann. § 201.301(1)(a).

A person is also guilty of facilitating sex trafficking if the person:

Sells travel services that facilitate the travel of another person to this State with the knowledge that the other person is traveling to this State for the purpose of:

- (1) Engaging in sexual conduct with a person who has been induced to engage in sexual conduct or prostitution in violation of [Nev. Rev. Stat. Ann. § 201.300(2)(a)(1), (2), or (3)];
- (2) Soliciting a child who has been induced to engage in sexual conduct or prostitution in violation of [Nev. Rev. Stat. Ann. § 201.300(2)(a)(1), (2), or (3)]; or
- (3) Engaging in any act involving a child that is prohibited by [Nev. Rev. Stat. Ann. § 200.710 or § 200.720].

Nev. Rev. Stat. Ann. § 201.301(1)(b).

Finally, a person is guilty of facilitating sex trafficking if the person:

[t]ravels to or within this State by any means with the intent of engaging in:

(1) Sexual conduct with a person who has been induced to engage in sexual conduct or prostitution in violation of [Nev. Rev. Stat. Ann. § 201.300(2)(a)(1), (2), or (3)], with the knowledge that such a person has been induced to engage in such sexual conduct or prostitution; or

(2) Any act involving a child that is prohibited by [Nev. Rev. Stat. Ann. § 200.710 or § 200.720].

Nev. Rev. Stat. Ann. § 201.301(1)(c).

If a violation of [Nev. Rev. Stat. Ann. § 201.301] is committed by a person who is:

- (1) Less than 18 years of age at the time of the commission of the violation;
- (2) Prosecuted in a criminal proceeding as an adult; and
- (3) A victim of sex trafficking or facilitating sex trafficking,

there is a rebuttable presumption that the person who committed the violation acted under duress.

Nev. Rev. Stat. Ann. § 201.303.

The Nevada Attorney General has concurrent jurisdiction with district attorneys for a prosecution of facilitating sex trafficking and may also charge related offenses if committed in violation of Nev. Rev. Stat. Ann. § 201.301. Nev. Rev. Stat. Ann. § 201.345.

ii. Sentencing

Facilitating sex trafficking is a category B felony. If the victim is 18 years of age or older, the court shall sentence a person to imprisonment in the state prison for one to six years. If the victim is less than 18 years of age, the court shall sentence a person to imprisonment in the state prison for three to 10 years. Nev. Rev. Stat. Ann. § 201.301(2).

“If a person is convicted of a violation of [Nev. Rev. Stat. Ann. § 201.301(1)], the victim of the violation is a child when the offense is committed and physical force or violence or the immediate threat of physical force or violence is used upon the child, the court may, in addition to the” other punishments permitted by statute, impose a fine of up to USD 500,000. Nev. Rev. Stat. Ann. § 201.352(1).

“If a person is convicted of a violation of [Nev. Rev. Stat. Ann. § 201.301(1)], the victim of the offense is a child when the offense is committed and the offense also involves a conspiracy to commit a violation of [Nev. Rev. Stat. Ann. § 201.301(1)], the court may, in addition to the” other punishments permitted by statute, impose a fine of up to USD 500,000. Nev. Rev. Stat. Ann. § 201.352(2).

iii. Statute of Limitations

An indictment for facilitating sex trafficking must be found, or an information or complaint filed, within six years after commission of the offense. Nev. Rev. Stat. Ann. § 171.085(3).² “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

² The 2021 amendatory provisions increasing the timeframe from four to six years to file a complaint for a violation of section 201.301 apply to a person who: (1) committed the offense before July 1, 2021, if the applicable statute of limitations has commenced but has not yet expired on July 1, 2021; or (2) commits the offense on or after July 1, 2021. 2021 Nevada Laws Ch. 180 (A.B. 113).

c. Nev. Rev. Stat. Ann. § 200.463 (2013) – Involuntary Servitude

i. Summary

A person is guilty of holding another person in involuntary servitude when a person knowingly subjects, or attempts to subject, another person to forced labor or services by:

- (a) Causing or threatening to cause physical harm to any person;
- (b) Physically restraining or threatening to physically restrain any person;
- (c) Abusing or threatening to abuse the law or legal process;
- (d) Knowingly destroying, concealing, removing, confiscating or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of the person;
- (e) Extortion; or
- (f) Causing or threatening to cause financial harm to any person.

Nev. Rev. Stat. Ann. § 200.463(1).

ii. Sentencing

The crime of involuntary servitude is a category B felony for which the sentence is:

- (a) Imprisonment in the state prison for seven to 20 years, and a possible fine up to USD 50,000, where the victim suffers substantial bodily harm while held in involuntary servitude or in attempted escape from it.
- (b) Imprisonment in the state prison for five to 20 years, and a possible fine up to USD 50,000.

Nev. Rev. Stat. Ann. § 200.463(2).

“In addition to any other penalty, the court may order a person convicted of a violation of any provision of [Nev. Rev. Stat. Ann. § 200.463] to pay restitution to the victim” Nev. Rev. Stat. Ann. § 200.466(1). Restitution may include:

- (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;
- (b) The cost of transportation, temporary housing and child care;
- (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;
- (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;
- (e) The cost of repatriation of the victim to his or her home country, if applicable; and
- (f) Any and all other losses suffered by the victim as a result of the violation of any provision of [Nev. Rev. Stat. Ann. § 200.463].

Nev. Rev. Stat. Ann. § 200.466.

iii. Statute of Limitations

An indictment for involuntary servitude “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

d. Nev. Rev. Stat. Ann. § 200.4631 (2019) – Involuntary Servitude of Minors

i. Summary

A person who has physical custody of a minor, allows a minor to reside in his or her residence, is in a position of authority over a minor or provides care for any length of time to a minor and who knowingly:

- (a) Obtains labor or services from the minor by causing or threatening to cause serious harm to the minor or by engaging in a pattern of conduct that results in physical injury to the minor, sexual abuse of the minor or sexual assault of the minor pursuant to [Nev. Rev. Stat. Ann. §] 200.366; or
- (b) Benefits, financially or by receiving anything of value other than sexual gratification from the labor or services obtained by the conduct specified in paragraph (a),

is guilty of holding a minor in involuntary servitude.

Nev. Rev. Stat. Ann. § 200.4631(1).

The victim’s consent to the performance of any labor or services is not a valid defense to a prosecution. Nev. Rev. Stat. Ann. § 200.4631(3).

“Nothing in this section shall be construed to prohibit a parent or guardian from requiring his or her child to perform common household chores under the threat of the reasonable exercise of discipline by the parent or guardian of the child.” Nev. Rev. Stat. Ann. § 200.4631(4).

“Serious harm” is defined as:

any harm, whether physical or nonphysical, including, without limitation, psychological, financial or reputational harm, that is sufficiently serious, under the circumstances, to compel a reasonable person of the same background and in the same circumstances as the victim to perform or to continue to provide labor or services to avoid incurring that harm.

Nev. Rev. Stat. Ann. § 200.4631(5)(b).

ii. Sentencing

A person who is found guilty of holding a minor for involuntary servitude is guilty of a category A felony and shall be punished by imprisonment in the state prison for life without the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served, and may be further punished by a fine of at least [USD] 50,000.

Nev. Rev. Stat. Ann. § 200.4631(2).

iii. Statute of Limitations

An indictment for involuntary servitude of minors “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(3). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

e. Nev. Rev. Stat. Ann. § 200.464 (2013) – Recruiting Another Person to Be Held in Involuntary Servitude or Benefiting From Another Held in Involuntary Servitude

i. Summary

A person is criminally liable, unless a greater penalty is provided pursuant to Nev. Rev. Stat. Ann. § 200.4631 (involuntary servitude of minors) or § 200.468 (trafficking in persons for illegal purposes), if one knowingly:

1. Recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person, intending or knowing that the person will be held in involuntary servitude; or
2. Benefits, financially or by receiving anything of value, from participating in a violation of [Nev. Rev. Stat. Ann. § 200.463 (involuntary servitude) or § 200.4631 (involuntary servitude of minors)].

Nev. Rev. Stat. Ann. § 200.464.

ii. Sentencing

A person who violates section 200.464 is guilty of a category B felony and shall be punished by imprisonment in the state prison for one to 15 years and a possible fine of up to USD 50,000. Nev. Rev. Stat. Ann. § 200.464.

“In addition to any other penalty, the court may order a person convicted of a violation of any provision of [Nev. Rev. Stat. Ann. § 200.463] to pay restitution to the victim” Nev. Rev. Stat. Ann. § 200.466(1). Restitution may include:

- (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;
- (b) The cost of transportation, temporary housing and child care;
- (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;
- (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;
- (e) The cost of repatriation of the victim to his or her home country, if applicable; and
- (f) Any and all other losses suffered by the victim as a result of the violation of any provision of [Nev. Rev. Stat. Ann. § 200.463].

Nev. Rev. Stat. Ann. § 200.466.

iii. Statute of Limitations

An indictment for involuntary servitude “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

f. Nev. Rev. Stat. Ann. § 200.465 (2019) – Assuming Rights of Ownership Over Another Person; Purchase or Sale of Person

i. Summary

A person is criminally liable for assuming rights of ownership of another person if the person:

1. Assumes or attempts to assume rights of ownership over another person;
2. Sells or attempts to sell a person to another;
3. Receives money or anything of value in consideration of placing a person in the custody or under the control of another;
4. Buys or attempts to buy a person;
5. Except as otherwise provided in chapter 127 of [the Nevada Revised Statutes], pays money or delivers anything of value to another in consideration of having a person placed in his or her custody or under his or her power or control; or
6. Knowingly aids or assists in any manner a person who violates any provision of this section.

Nev. Rev. Stat. Ann. § 200.465.

ii. Sentencing

A person convicted under this section is guilty of a category B felony and shall be punished by imprisonment in the state prison for five to 20 years, and may be fined up to USD 50,000. Nev. Rev. Stat. Ann. § 200.465.

“In addition to any other penalty, the court may order a person convicted of a violation of any provision of [Nev. Rev. Stat. Ann. § 200.465] to pay restitution to the victim” Nev. Rev. Stat. Ann. § 200.466(1). Restitution may include:

- (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;
- (b) The cost of transportation, temporary housing and child care;
- (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;
- (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;
- (e) The cost of repatriation of the victim to his or her home country, if applicable; and
- (f) Any and all other losses suffered by the victim as a result of the violation of any provision of [Nev. Rev. Stat. Ann. § 200.465].

Nev. Rev. Stat. Ann. § 200.466.

iii. Statute of Limitations

An indictment for a violation of section 200.465 “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

g. Nev. Rev. Stat. Ann. § 200.467 (2007) – Trafficking in Persons for Financial Gain

i. Summary

A person is criminally liable if they:

transport, procure transportation for or assist in the transportation of or procurement of transportation for another person into the State of Nevada who the person knows or has reason to know does not have the legal right to enter or remain in the United States in exchange for money or other financial gain.

Nev. Rev. Stat. Ann. § 200.467(1).

ii. Sentencing

“A person who violates the provisions of [Nev. Rev. Stat. Ann. § 200.467(1)] is guilty of trafficking in persons and, unless a greater penalty is provided pursuant to” Nev. Rev. Stat. Ann. §§ 200.464 (involuntary servitude) or 200.468 (trafficking in persons for illegal purposes), is guilty of a category B felony. Nev. Rev. Stat. Ann. § 200.467(2). A court shall sentence the offender to imprisonment in the state prison for one to 10 years, and may impose a fine of up to USD 50,000. Nev. Rev. Stat. Ann. § 200.467(2).

“In addition to any other penalty, the court may order a person convicted of a violation of any provision of [Nev. Rev. Stat. Ann. § 200.467] to pay restitution to the victim” Nev. Rev. Stat. Ann. § 200.469. Restitution may include:

- (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;
- (b) The cost of transportation, temporary housing and child care;
- (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;
- (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;
- (e) The cost of repatriation of the victim to his or her home country, if applicable; and
- (f) Any and all other losses suffered by the victim as a result of the violation of any provision of [Nev. Rev. Stat. Ann. § 200.467].

Nev. Rev. Stat. Ann. § 200.469.

iii. Statute of Limitations

An indictment for a violation of section 200.467 “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

h. Nev. Rev. Stat. Ann. § 200.468 (2013) – Trafficking in Persons for Illegal Purposes

i. Summary

A person shall not transport, procure transportation for or assist in the transportation of or procurement of transportation for another person into the State of Nevada whom the person knows or has reason to know does not have the legal right to enter or remain in the United States with the intent to:

- (a) Subject the person to involuntary servitude or any other act prohibited pursuant to [Nev. Rev. Stat. Ann. § 200.463 (involuntary servitude), Nev. Rev. Stat. Ann. § 200.4631 (involuntary servitude of minors), or Nev. Rev. Stat. Ann. § 200.465 (assuming rights of ownership over another person; purchase or sale of person)];
- (b) Violate any state or federal labor law, including, without limitation, 8 U.S.C. § 1324a [unlawful employment of aliens]; or
- (c) Commit any other crime which is punishable by not less than 1 year imprisonment in the state prison.

Nev. Rev. Stat. Ann. § 200.468(1).

ii. Sentencing

“A person who violates the provisions of [Nev. Rev. Stat. Ann. § 200.468(1)] is guilty of trafficking in persons for illegal purposes and” is guilty of a category B felony. Nev. Rev. Stat. Ann. § 200.468(2). A court shall sentence the offender to imprisonment in the state prison for one to 20 years, and may impose a fine of up to USD 50,000. Nev. Rev. Stat. Ann. § 200.468(2).

“In addition to any other penalty, the court may order a person convicted of a violation of any provision of [Nev. Rev. Stat. Ann. § 200.468] to pay restitution to the victim” Nev. Rev. Stat. Ann. § 200.469. Restitution may include:

- (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;
- (b) The cost of transportation, temporary housing and child care;
- (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;
- (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;
- (e) The cost of repatriation of the victim to his or her home country, if applicable; and
- (f) Any and all other losses suffered by the victim as a result of the violation of any provision of [Nev. Rev. Stat. Ann. § 200.468].

Nev. Rev. Stat. Ann. § 200.469.

iii. Statute of Limitations

An indictment for a violation of section 200.468 “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

i. Nev. Rev. Stat. Ann. § 200.4685 (2017) – Trafficking in Children

i. Summary

Pursuant to Nevada’s trafficking in children statute, a person shall not:

- (a) Recruit, transport, transfer, harbor, provide, obtain, maintain or solicit a child in furtherance of a transaction, or advertise or facilitate a transaction, pursuant to which a parent of the child or a person with custody of the child places the child in the physical custody of another person who is not a relative of the child, for the purpose of permanently avoiding or divesting himself or herself of responsibility for the child.
- (b) Sell, transfer or arrange for the sale or transfer of a child to another person for money or anything of value or receive a child in exchange for money or anything of value.

Nev. Rev. Stat. Ann. § 200.4685(1).

The provisions of [Nev. Rev. Stat. Ann. § 200.4685(1)] do not apply to:

- (a) A placement of a child with a relative, stepparent, child-placing agency or an agency which provides child welfare services;
- (b) A placement of a child by a child-placing agency or an agency which provides child welfare services;
- (c) A temporary placement of a child with another person by a parent of the child or a person with legal or physical custody of the child, with an intent to return for the child, including, without limitation, a temporary placement of a child while the parent of the child or the person with legal or physical custody of the child is on vacation, incarcerated, serving in the military, receiving medical treatment or incapacitated;
- (d) A placement of a child in accordance with [Nev. Rev. Stat. Ann. §§] 127.330, 159A.205 or 159A.215;
- (e) A placement of a child that is approved by a court of competent jurisdiction; or
- (f) Delivery of a child to a provider of emergency services pursuant to [Nev. Rev. Stat. Ann. §] 432B.630.

Nev. Rev. Stat. Ann. § 200.4685(2).

ii. Sentencing

“A person who violates the provisions of [Nev. Rev. Stat. Ann. § 200.4685(1)] is guilty of trafficking in children and shall be punished for a category C felony as provided in [Nev. Rev. Stat. Ann. §] 193.130.” Nev. Rev. Stat. Ann. § 200.4685(3).

“In addition to any other penalty, the court may order a person convicted of a violation of any provision of [Nev. Rev. Stat. Ann. § 200.4685] to pay restitution to the victim” Nev. Rev. Stat. Ann. § 200.469. Restitution may include:

- (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;
- (b) The cost of transportation, temporary housing and child care;
- (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;
- (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;
- (e) The cost of repatriation of the victim to his or her home country, if applicable; and
- (f) Any and all other losses suffered by the victim as a result of the violation of any provision of [Nev. Rev. Stat. Ann. § 200.4685].

Nev. Rev. Stat. Ann. § 200.469.

iii. Statute of Limitations

An indictment for a violation of section 200.4685 “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

j. Nev. Rev. Stat. Ann. § 613.080 (2013) – Involuntary Servitude Prohibited

i. Summary

Nevada’s involuntary servitude statute provides:

1. The immigration to this State of all slaves and other people bound by contract to involuntary servitude for a term of years is hereby prohibited.
2. It is unlawful for any company, person or persons to collect the wages or compensation for the labor of the persons described in subsection 1.
3. It is unlawful for any corporation, company, person or persons to pay to any owner or agent of the owner of any such persons mentioned in subsection 1 any wages or compensation for the labor of such slaves or persons so bound by the contract to involuntary servitude.
4. Unless a greater penalty is provided in [Nev. Rev. Stat. Ann. §§ 200.463 (involuntary servitude), 200.4631 (involuntary servitude of minors), 200.464 (recruiting, enticing a person to be held in involuntary servitude), or 200.468 (trafficking in persons for illegal purposes)], a violation of any of the provisions of this section is a gross misdemeanor.

Nev. Rev. Stat. Ann. § 613.080.

ii. Sentencing

A person convicted of a gross misdemeanor shall be punished by imprisonment in the county jail for not more than 364 days, a fine of not more than USD 2,000, or both. Nev. Rev. Stat. Ann. § 193.140.

iii. Statute of Limitations

An indictment for a violation of section 613.080 “must be found, or an information or complaint filed, within 2 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.090(1). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

k. Nev. Rev. Stat. Ann. § 199.480 (2019) – Conspiracy

i. Summary

Whenever two or more persons conspire to commit a violation of Nev. Rev. Stat. Ann. §§ 200.463 (involuntary servitude), 200.464 (involuntary servitude), 200.465 (assuming ownership over another; purchase or sale of person), 200.467 (trafficking in persons for financial gain) or 200.468 (trafficking in persons for illegal purposes), 201.200 (sex trafficking), or 201.201 (facilitating sex trafficking), each person is criminally liable. Nev. Rev. Stat. Ann. § 199.480(1).

ii. Sentencing

Each person who violates [Nev. Rev. Stat. Ann. § 199.480(1)] is guilty of a category B felony. A court shall sentence each offender to imprisonment in the state prison for one to six years and may impose a fine of up to USD 5,000. Nev. Rev. Stat. Ann. § 199.480(1).

iii. Statute of Limitations

An indictment for a violation of section 199.480 “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

l. Nev. Rev. Stat. Ann. § 201.395 (2021) – Advancing Prostitution

i. Summary

The crime of advancing prostitution occurs when:

a person who owns, leases, operates, controls or manages any business or property and who:

- (a) Knows or should know that illegal prostitution is being conducted at the business or upon such private property;
- (b) Knows or should know that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in [Nev. Rev. Stat. Ann. §] 200.463; and
- (c) Fails to take reasonable steps to abate such illegal prostitution within 30 days after the date on which the person knows the circumstances set forth in paragraphs (a) and (b).

Nev. Rev. Stat. Ann. § 201.395(1).

A person who owns, leases, operates, controls or manages any business or private property shall be deemed:

- (a) To know that illegal prostitution is being conducted at the business or upon the private property of the person if a law enforcement agency has notified the person who owns, leases, operates, controls or manages the business or private property, in writing, of at least three incidents of illegal prostitution that occurred at the business or upon the private property of the person within a period of 180 consecutive days.

- (b) To know that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in [Nev. Rev. Stat. Ann. §] 200.463 if, in light of all the surrounding facts and circumstances which are known to the person at the time, a reasonable person would believe, under those facts and circumstances, that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in [Nev. Rev. Stat. Ann. §] 200.463.
- (c) To have taken reasonable steps to abate such illegal prostitution if the person has:
 - (1) Filed a report of such illegal prostitution with a law enforcement agency;
 - (2) Allowed a law enforcement agency to conduct surveillance or an unrestricted undercover operation;
 - (3) Promoted ongoing education about such illegal prostitution for employees; or
 - (4) Used any other available legal means to abate such illegal prostitution.

Nev. Rev. Stat. Ann. § 201.395(3).

ii. Sentencing

Unless a greater penalty is provided by a specific statute, a person who is guilty of advancing prostitution shall be punished for a category C felony under Nev. Rev. Stat. Ann. § 191.130. Nev. Rev. Stat. Ann. § 201.395(2). A court shall sentence a convicted person to imprisonment in the state prison for one to five years, and may impose a fine of up to USD 10,000, unless a greater fine is authorized or required by statute. Nev. Rev. Stat. Ann. § 191.130.

iii. Statute of Limitations

An indictment for a violation of section 201.395 “must be found, or an information or complaint filed, within 3 years after the commission of the offense.” Nev. Rev. Stat. Ann. § 171.085(4). “An indictment is found when it is presented by the grand jury in open court, and there received and filed.” Nev. Rev. Stat. Ann. § 171.100.

m. Nev. Rev. Stat. Ann. § 201.354 (2021) – Dismissal of Sex Trafficking Victims From Prosecution for Prostitution or Solicitation for Prostitution

With limited exceptions, if “at any time before the trial of a prostitute charged with a violation of [the prostitution statute], the prosecuting attorney has reason to believe that the prostitute is a victim of sex trafficking, the prosecuting attorney shall dismiss the charge.” Nev. Rev. Stat. Ann. § 201.354(11).

n. Nev. Rev. Stat. Ann. § 200.3772 (2017) – Confidentiality for Victims of Certain Sexual Offenses

A victim of a sexual offense, an offense involving a pupil or child or sex trafficking may choose a pseudonym to be used instead of the victim’s name on all files, records and documents pertaining to the ... sex trafficking, including, without limitation, criminal intelligence and investigative reports, court records and media releases.

Nev. Rev. Stat. Ann. § 200.3772(1).

“A victim who chooses to use a pseudonym shall file a form to choose a pseudonym with the law enforcement agency investigating the sexual offense, offense involving a pupil or child or sex trafficking. The form must be provided by the law enforcement agency.” Nev. Rev. Stat. Ann. § 200.3772(2).

o. Nev. Rev. Stat. Ann. §§ 174.227, 174.228 (2019) – Videotaped Depositions of Sex Trafficking Victims

A court may order, for good cause shown, the taking of a videotaped deposition to be used instead of testimony at trial in cases of victims of sex trafficking or facilitating sex trafficking. Nev. Rev. Stat. Ann. § 174.227(1). There is a rebuttable presumption that good cause exists where the district attorney seeks to take the deposition of a person alleged to be a victim of sex trafficking. Nev. Rev. Stat. Ann. § 174.227(1)(d).

A court may allow a videotaped deposition of a victim of sex trafficking or facilitating sex trafficking to be used at trial under specified circumstances. Nev. Rev. Stat. Ann. § 174.228(2).

p. Nev. Rev. Stat. Ann. § 62E.275 (2021) – Vacatur and Sealing of Record for Certain Child Trafficking Victims

If a child has been adjudicated delinquent for certain unlawful acts, “the child may petition the juvenile court for an order [v]acating the adjudication[] and [s]ealing all records relating to the adjudication.” Nev. Rev. Stat. Ann. §62E275(1). The unlawful acts that qualify for the petition are acts in violation of:

- (a) [Nev. Rev. Stat. Ann. §] 201.354, for engaging in prostitution or solicitation for prostitution, provided that the child was not alleged to be a customer of a prostitute;
- (b) [Nev. Rev. Stat. Ann. §] 207.200, for unlawful trespass;
- (c) [Nev. Rev. Stat. Ann. §] 463.350(b)(1), for loitering; or
- (d) A county, city or town ordinance, for loitering for the purpose of solicitation or prostitution.

Nev. Rev. Stat. Ann. § 62E275(1). The petitioner’s participation in the unlawful act must have resulted from being a victim of trafficking in persons as described in the Trafficking Victims Protection Act of 2000, 22 U.S.C. §§ 7101 *et seq.* or a victim of involuntary servitude as described in Nev. Rev. Stat. Ann. §§ 200.463 or 200.4631. Nev. Rev. Stat. Ann. § 62E.275(3)(b). The petitioner also must file the petition “with due diligence after the petitioner has ceased being a victim of trafficking or involuntary servitude or has sought services for victims of such trafficking or involuntary servitude.” Nev. Rev. Stat. Ann. § 62E.275(3)(c).

q. Nev. Rev. Stat. Ann. § 179.247 (2021) – Vacatur and Sealing of Record for Certain Trafficking Victims

A person convicted of engaging in prostitution or solicitation of prostitution (if not an alleged customer), any other state crime that is not a crime of violence, or any county, city, or town ordinance for loitering for the purpose of solicitation or prostitution may petition to have the judgment vacated and case records sealed if certain conditions are met. Nev. Rev. Stat. Ann. § 179.247(1), (2). The petitioner’s participation in the unlawful act must have resulted from being a victim of trafficking in persons as described in the Trafficking Victims Protection Act of 2000, 22 U.S.C. §§ 7101 *et seq.* or a victim of involuntary servitude as described in Nev. Rev. Stat. Ann. §§ 200.463 or 200.4631. Nev. Rev. Stat. Ann. § 179.247(3)(b). The petitioner also must file the petition “with due diligence after the petitioner has ceased being a victim of trafficking or involuntary servitude or has sought services for victims of such trafficking or involuntary servitude.” Nev. Rev. Stat. Ann. § 179.247(3)(c).

r. Nev. Rev. Stat. Ann. §§ 217.010 – 217.270 (2019) – Compensation for Sex Trafficking Victims

Nevada has a program to compensate victims of sex trafficking and facilitating sex trafficking. In such a case, the compensation officer “shall not consider the wrongful act, provocation or any other behavior of the victim that directly or indirectly contributed to the injury or death of the victim.” Nev. Rev. Stat. Ann. § 217.180(2).

s. **Nev. Rev. Stat. Ann. § 207.360 (2019) – Racketeering**

Sex trafficking and involuntary servitude are among the predicate offenses listed in Nevada’s racketeering statute.

2. Online Child Sexual Exploitation and Child Pornography Offenses

Nev. Rev. Stat. Ann. § 200.710 – Unlawful to Use Minor in Producing Pornography or As a Subject of Sexual Portrayal in Performance

Nev. Rev. Stat. Ann. § 200.720 – Promotion of Sexual Performance of a Minor

Nev. Rev. Stat. Ann. § 200.725 – Preparing, Advertising or Distributing Material Depicting Pornography Involving a Minor

Nev. Rev. Stat. Ann. § 200.727 – Use of Internet to Control Visual Presentation Depicting Sexual Conduct of a Person Under 16 Years

Nev. Rev. Stat. Ann. § 200.730 – Possession of Visual Presentation Depicting Sexual Conduct of a Person Under 16 Years of Age

Nev. Rev. Stat. Ann. § 200.737 – Use of Electronic Communication Device by Minor to Possess, Transmit or Distribute Sexual Images of Minor

3. Nev. Rev. Stat. Ann. § 179D.441 (2007) – Sex Offender Registry

The offense of sex trafficking is a sexual offense as defined by Nev. Rev. Stat. Ann. § 179D.097(1)(q), and a person convicted of a sexual offense is required to register as a sex offender. Nev. Rev. Stat. Ann. § 179D.441.

B. Civil Liability Statutes

1. Nev. Rev. Stat. Ann. § 41.690 (2021) – Civil Lawsuits for Damages Resulting From Criminal Violation if Perpetrator Was Motivated by Certain Characteristics of Victim

a. Summary

A person who has suffered injury as the proximate result of the willful violation of the provisions of, among other Nevada statutes, Nev. Rev. Stat. Ann. §§ 200.465 (assuming rights of ownership over another person), 200.467 (trafficking in persons for financial gain), or 200.468 (trafficking in persons for illegal purposes), by a perpetrator who was motivated by the injured person’s actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation, or gender identity or expression, may bring a lawsuit against the perpetrator. Nev. Rev. Stat. Ann. § 41.690(1).

The liability imposed by this section is in addition to any other liability imposed by law. Nev. Rev. Stat. Ann. § 41.690(2).

“Gender identity or expression” has the meaning ascribed to it in Nev. Rev. Stat. Ann. § 193.0148.

b. Damages and Other Relief

A person may recover actual damages and any punitive damages which the facts may warrant. The court shall award the prevailing plaintiff costs and reasonable attorney’s fees. Nev. Rev. Stat. Ann. § 41.690(1).

c. Statute of Limitations

A lawsuit brought under this section must be commenced within three years. Nev. Rev. Stat. Ann. § 11.190(3).

2. Nev. Rev. Stat. Ann. § 41.1399 (2019) – Civil Lawsuits By Trafficking Victims

a. Summary

“[A] victim of human trafficking may bring a civil action [lawsuit] against any person who caused, was responsible for or profited from the human trafficking.” Nev. Rev. Stat. Ann. § 41.1399(1). A “victim of human trafficking” means “a person against whom a violation of any provision of [Nev. Rev. Stat. Ann. §§] 200.463 to 200.468, inclusive, 201.300 ... or 201.395, or 18 U.S.C. §§ 1589, 1590 or 1591 has been committed.” Nev. Rev. Stat. Ann. § 41.1399(10)(a). The lawsuit may be brought “in the district court of [Nevada] in the county in which the prospective defendant resides or committed any act which subjects him or her to liability under this section.” Nev. Rev. Stat. Ann. § 41.1399(2).

The victim’s consent is not a defense to a lawsuit brought under this section. Nev. Rev. Stat. Ann. § 41.1399(9).

At the court’s discretion, “[t]wo or more persons may join as plaintiffs in one action [lawsuit] if the claims of those plaintiffs involve at least one defendant in common.” Nev. Rev. Stat. Ann. § 41.1399(8)(a). “Two or more persons may be joined in one action [lawsuit] as defendants if those persons may be liable to at least one plaintiff in common.” Nev. Rev. Stat. Ann. § 41.1399(8)(b).

“It is not necessary that the defendant be investigated, arrested, prosecuted or convicted for a violation of any provision of [Nev. Rev. Stat. Ann. §§] 200.463 to 200.468, inclusive, 201.300 ... or 201.395, or 18 U.S.C. §§ 1589, 1590 or 1591 to be found liable in a civil action [lawsuit] brought under this section.” Nev. Rev. Stat. Ann. § 41.1399(10)(b).

b. Damages and Other Relief

A prevailing plaintiff in a civil lawsuit “brought under this section may recover actual damages, compensatory damages, punitive damages, or any other appropriate relief” and attorney’s fees and costs. Nev. Rev. Stat. Ann. § 41.1399(4). If the defendant’s acts were willful and malicious, the court may award the plaintiff three times the amount of any actual damages. Nev. Rev. Stat. Ann. § 41.1399(4).

The court may also award such injunctive relief as the court deems appropriate. Nev. Rev. Stat. Ann. § 41.1399(3).

c. Statute of Limitations

The statute of limitations for a civil lawsuit brought under this section

does not commence until:

- (a) The plaintiff discovers or reasonably should have discovered that he or she is a victim of human trafficking and that the defendant caused, was responsible for or profited from the human trafficking;
- (b) The plaintiff reaches 18 years of age; or
- (c) If the injury to the plaintiff results from two or more acts relating to the human trafficking, the final act in the series of acts has occurred,

whichever is later.

Nev. Rev. Stat. Ann. § 41.1399(5).

The statute of limitations for a lawsuit brought under this section “is tolled for any period during which the plaintiff was under a disability. For the purposes of this subsection, a plaintiff is under a disability if the plaintiff is insane, a person with an intellectual disability, mentally incompetent or in a medically comatose or vegetative state.” Nev. Rev. Stat. Ann. § 41.1399(6).

3. Nev. Rev. Stat. Ann. § 41.1396 (2009) – Civil Lawsuits for Injuries Suffered by Minor Victims of Pornography

a. Summary

Any person who, while under the age of 16 years, appeared in any film, photograph, or other visual presentation engaging in sexual conduct and who suffered personal or psychological injury as a result may bring an action [lawsuit] against any person who, while over the age of 18, knowingly and willfully:

- (a) Promoted the film, photograph, or other visual presentation;
- (b) Possessed the film, photograph, or other visual presentation; or
- (c) Used the Internet to control the film, photograph, or other visual presentation, with specific intent to view the film, photograph, or other visual presentation.

Nev. Rev. Stat. Ann. § 41.1396(1).

It is not a defense that a defendant did not know or engage in sexual conduct with the plaintiff. Nev. Rev. Stat. Ann. § 41.1396(4).

b. Damages and Other Relief

A prevailing plaintiff may recover “actual damages, which shall be deemed to be at least [USD] 150,000, plus attorney’s fees and costs.” Nev. Rev. Stat. Ann. § 41.1396(2).

c. Statute of Limitations

A lawsuit brought under this section “may be commenced at any time.” Nev. Rev. Stat. Ann. § 11.215(2).

C. Additional Statutes Specific to Human Trafficking

1. Nev. Rev. Stat. Ann. §§ 608.140 *et seq.* – Payment and Collection of Wages

To recover unpaid wages, an employee must first submit a written demand for wages owed to the employee. If the dispute is not resolved within five days, the employee may bring a civil lawsuit to collect unpaid wages and may recover attorney’s fees. Nev. Rev. Stat. Ann. § 608.140. An employer may also be subject to criminal and administrative penalties. Nev. Rev. Stat. Ann. §§ 608.180 or 608.195(1).

More information is available at: http://labor.nv.gov/About/Forms/FORMS_FOR_EMPLOYEES/.

2. Nev. Rev. Stat. Ann. § 217.462 (2017) – Confidential Address

Victims of human trafficking may apply to the state to use a fictitious address.

3. Nev. Rev. Stat. Ann. § 432C.150 (2019) – Maintenance of Information by Agency Which Provides Welfare Services

An agency which provides child welfare services shall not provide information maintained by the agency which provides child welfare services to a juvenile court only to facilitate a determination by the court related to the adjudication of a child who is accused of:

- (a) Sex trafficking a child in violation of [Nev. Rev. Stat. Ann. § 201.300]; or

(b) Facilitating sex trafficking of a child in violation of [Nev. Rev. Stat. Ann. § 201.301].

Nev. Rev. Stat. Ann. § 432B.620(4).

4. Nev. Rev. Stat. Ann. § 217.530 (2015) – Contingency Account for Victims of Human Trafficking

This section creates an account for establishing or providing programs or services to victims of human trafficking.

5. Nev. Rev. Stat. Ann. § 289.510 (2020) – Peace Officers’ Training on Human Trafficking

All peace officers in Nevada must complete at least 12 hours of continuing education annually in courses that address topics including human trafficking.

6. Nev. Rev. Stat. Ann. § 432B.620 (1999) – Certification of Peace Officers Who Regularly Investigate Sexual Abuse or Sexual Exploitation of Children

Peace officers assigned to regularly investigate cases of sexual exploitation of children under the age of 18 years must be certified to carry out those duties by the Peace Officers’ Standards and Training Commission.

7. Nev. Rev. Stat. Ann. § 432.157 (2019) – Children’s Advocate for Child Sex Trafficking Victims

The Children’s Advocate is within the Office of the Attorney General for Nevada and is appointed by the Nevada Attorney General. Nev. Rev. Stat. Ann. § 432.157(1), (2). The Children’s Advocate may, among other things, investigate and prosecute any alleged crime involving the exploitation of children, including sex trafficking (Nev. Rev. Stat. Ann. § 201.300(2)), facilitating sex trafficking (Nev. Rev. Stat. Ann. § 201.301(1)), living from earnings of a prostitute (Nev. Rev. Stat. Ann. § 201.320), or advancing prostitution (Nev. Rev. Stat. Ann. § 201.395). Nev. Rev. Stat. Ann. § 432.157(4).

8. Nev. Rev. Stat. Ann. § 439.539 (2017) – Department of Public Health and Services for Sex Trafficking Victims

The Department of Public Health must facilitate meetings to coordinate efforts to provide services for victims of sex trafficking.

9. Nev. Rev. Stat. Ann. § 217.020 (2021) – Nevada State Plan for Services to Human Trafficking Victims

This section ensures the development of a statewide plan for the delivery of services to victims of human trafficking and forms the State of Nevada Human Trafficking Coalition.

D. Significant Cases

1. *Lipsitz v. State*, 442 P.3d 128 (Nev. 2019)

The defendant trespassed into a residential treatment facility, where he sexually assaulted the victim, an 18-year-old patient seeking treatment for substance abuse and trauma related to her experience as a victim of sex trafficking. Based on evidence that the victim was medically unable to appear at trial, the trial court allowed the victim to testify by audiovisual transmission.

The Nevada Supreme Court held that allowing the victim to testify via simultaneous audiovisual transmission pursuant to procedures adopted in the Nevada Supreme Court Rules did not violate the defendant’s rights under the Sixth Amendment’s Confrontation Clause.

2. *A.J. v. Eighth Judicial District Court in and for the County of Clark*, 394 P.3d 1209 (Nev. 2017)

Petitioner A.J. had lived in foster care for most of her life. At age 15, A.J. was recruited by an older man into the Las Vegas sex trade. In 2015, the police stopped A.J. while she was walking back and forth on a Las Vegas street. A.J. refused to provide identification but admitted she had been working as a prostitute for approximately three months. She was arrested for soliciting prostitution and loitering. As a juvenile, A.J. was transferred to juvenile court and charged with obstructing an officer based on her refusal to provide identifying information. She was placed on probation for 12 months. Thereafter, A.J. admitted to a violation of probation and was ordered detained. A.J. petitioned for a writ of mandamus directing the juvenile court to vacate its orders adjudicating her as a delinquent and applying the provisions of Nev. Rev. Stat. Ann. § 62C.240, which requires the trial court to enter a consent decree requiring the provision of services to address the sexual exploitation of a juvenile arrested for solicitation.

The Nevada Supreme Court held that section 62C.240 was enacted to ensure that children are treated as victims of commercial sexual exploitation rather than as juvenile delinquents. Because A.J. was arrested only for engaging in prostitution or soliciting prostitution, she was entitled to the protections afforded under Nev. Rev. Stat. Ann. § 62C.240. The Nevada Supreme Court ordered the juvenile court to set aside the earlier orders adjudicating A.J. as a delinquent and further ordered the court to issue a consent decree, including services to address A.J.'s needs as specified by statute.

E. Academic Research/Papers

ASU OFFICE OF SEX TRAFFICKING INTERVENTION RESEARCH, TRICK ROLL STUDY: FORCED CRIMINALITY IN SEX TRAFFICKING SITUATIONS (2020).

John Calvert, *Cybercrime and Child Exploitation*, 24 NEV. LAW. 17 (2016).

Chariane K. Forrey, Note, *America's "Disneyland of Sex": Exploring the Problem of Sex Trafficking in Las Vegas and Nevada's Response*, 14 NEV. L. J. 970 (2014).

F. Resources

National Trafficking Hotline (Nevada):

<https://humantraffickinghotline.org/state/nevada>

Nevada Attorney General – Human Trafficking in Nevada:

http://ag.nv.gov/Human_Trafficking/HT_Home/

Nevada Attorney General's Office, *Human Trafficking Resource Guide*:

http://ag.nv.gov/uploadedFiles/agnv.gov/Content/Human_Trafficking/2019_NV_Statewide_Human_Trafficking_Resource_Guide...pdf

Shared Hope International, Nevada Report Card (2019):

https://sharedhope.org/PICframe9/reportcards/PIC_RC_2019_NV.pdf

Shared Hope International, Nevada Analysis and Recommendations (2019):

https://sharedhope.org/PICframe9/analysis/PIC_AR_2019_NV.pdf

U.S. Department of Health & Human Services, *Nevada: Efforts to Combat Trafficking* (2017):

https://nhhtac.acf.hhs.gov/sites/default/files/2019-06/nevada_profile_efforts_to_combat_human_trafficking.pdf

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