

Initiative 108: Penalties for Human Trafficking of a Minor

Placed on the ballot by citizen initiative • Passes with a majority vote

Initiative 108 proposes amending the Colorado statutes to:

- mandate a sentence of life in prison without parole for child sex trafficking convictions; and
- expand child sex trafficking to include buying sexual activity with a minor.

What Your Vote Means

YES

A “yes” vote on Initiative 108 increases the penalties for child sex trafficking to life in prison without parole, and expands child sex trafficking to include buying sexual activity with a minor.

NO

A “no” vote on Initiative 108 keeps the existing felony criminal penalties for child sex trafficking with a sentencing range of 8 to 48 years in prison plus a mandatory parole period.

Summary and Analysis of Initiative 108

What is child sex trafficking?

Child sex trafficking occurs when a minor is made to perform a sexual act through force, fraud, or coercion. Generally, a minor cannot legally consent to sexual activity with an adult. The trafficker makes the child available for sexual acts in exchange for money or other compensation. This is one of many crimes with which a child sex trafficker or a buyer could be charged, such as solicitation or commercial sexual activity with a child.

How does the measure change penalties for child sex trafficking?

This measure increases the penalty for child sex trafficking to life in prison without the possibility of parole. Table 1 outlines the current penalties for those convicted of child sex trafficking and the penalties if Initiative 108 is approved. The table reflects the range of potential penalties under current law, but the actual sentence would depend on the specifics of the crime and the outcome of the trial.

Table 1
Current and Proposed Penalties for Child Sex Trafficking

Policy	Felony Classification	Penalties
Current Law	Class 2 felony	8 to 48 years in prison and mandatory 5 years parole
Initiative 108	Class 1 felony	Life in prison without parole

Argument For Initiative 108

- 1) Child sex trafficking causes profound and lifelong trauma for victims. People who commit this crime deserve a life sentence. The punishment outlined in the measure is clear, definite, and ensures that offenders cannot harm more children. The measure sends a strong message that Colorado takes these heinous crimes seriously and will be a powerful deterrent to child sex traffickers. Initiative 108 ensures that justice is served, children are protected, and victims have a sense of security.

Argument Against Initiative 108

- 1) Initiative 108 will not stop child sex trafficking or help victims. Harsher sentences do little to target organized trafficking networks, and instead punish low-level operatives. Due to the power imbalance of trafficking, victims are often coerced into committing crimes. Victims may be discouraged from reporting trafficking due to fear of being sentenced to life in prison. Additionally, the measure prioritizes punishment over prevention, diverting resources from proven strategies that combat child sex trafficking.

Information about the organizations supporting and opposing this measure is available on the Colorado Secretary of State's website:

www.coloradosos.gov/pubs/elections/Initiatives/ballot/contacts/2026.html

Fiscal Impact of Initiative 108

The fiscal impact will be included in the second draft.