

ALBUQUERQUE - Attorney General Hector Balderas joined 49 other state and territorial attorneys general in a bi-partisan coalition urging Congress to affirm that all law-enforcement agencies retain their traditional authority to fight sex trafficking.

In a letter to Congress, the attorneys general ask representatives to amend the Communications Decency Act to clarify that states, localities and territories retain authority to investigate and prosecute facilitators of child sex trafficking wherever they operate, including online. The simple word addition to the CDA proposed in this letter will help to ensure that citizens and children are effectively protected throughout the entire country, in all courts.

“I’m urging Congress to act swiftly to amend this law so that we can continue to aggressively fight to protect New Mexico children from sex traffickers and the most violent, sexual predators,” Balderas said. “Our number one priority is protecting our children and the New Mexico Internet Crimes Against Task Force’s mission cannot be obstructed – the safety and innocence of our children is at stake.”

The intention of the CDA is to protect children from indecent material online. It was never was intended to place facilitators of child sex trafficking outside the reach of law enforcement. However, according to the attorneys general, the CDA is being used as a shield by those who profit from prostitution and crimes against children. In some cases, courts have interpreted certain provisions of the CDA to provide immunity from state prosecution to online classified ad sites, such as Backpage.com, that promote and profit from human trafficking.

“It is both ironic and tragic that the CDA, which was intended to protect children from indecent material on the Internet, is now used as a shield by those who profit from prostitution and crimes against children,” the attorneys general wrote.

In addition to New Mexico, the following states and territories signed onto the letter: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin and Wyoming.

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