

SEX TRAFFICKING: WHAT YOU NEED TO KNOW

NCJW Message: NCJW endorses and resolves to work for the recognition, prevention, and elimination of all forms of human trafficking. Women and children are the more likely victims of sex trafficking — sold into dangerous and abusive situations here in the United States. Combating sex trafficking requires a complex response that includes federal, state, and local policies addressing root causes of trafficking and the conditions that allow it to take place.

TALKING POINTS:

- ▶ **Provide survivor centered and trauma informed services for sex trafficking victims.** Trafficking survivors are the experts on their own experience and are crucial to informing service delivery, public policy, law enforcement, and advocacy efforts. Decisions made without the cooperation and consent of survivors are less likely to succeed and might even leave them more isolated, distrustful, and vulnerable to abuse. NCJW supports survivor-led efforts to help states and local governments develop and implement comprehensive survivor-centered programs and policies.
- ▶ **Collect data on sex trafficking to truly gauge the magnitude in order to adequately address the problem.** Statistics on sex trafficking are limited due to the crime's hidden nature, limited awareness by law enforcement and social service providers, and lack of research. NCJW supports legislation that would require local, state, and federal governments to regularly report data on human trafficking crimes.
- ▶ **Strengthen the child welfare system's response to sex trafficking.** Data suggest that the majority of trafficked youth in the US are in the child welfare system. In 2013, 60% of the child sex trafficking victims recovered as part of a FBI nationwide raid from over 70 cities were children from foster care or group homes. NCJW supports legislation requiring law enforcement to upload photos of missing youth into the National Criminal Information Center database and to notify the National Center for Missing and Exploited Children of any child reported missing from a foster care family home or childcare institution. Another key policy concern is identifying, documenting, and determining services for children and youth connected to the foster care system who are at risk of being trafficked.
- ▶ **Treat trafficked children as victims rather than criminals.** Current federal law defines a commercial sex act in which the person induced to perform such an act has not attained 18 years of age to be sex trafficking. However, too often children are convicted of prostitution and placed at the mercy of the criminal justice system. Children who fall victim to sex trafficking are victims of a crime and should not be treated as criminals. NCJW supports federal legislation requiring states to adopt "Safe Harbor" legislation prohibiting minors under the age of 18 from being prosecuted for prostitution.
- ▶ **End demand for the commercial sexual exploitation of children.** Children are kidnapped or easily lured by exploiters, and buyers can purchase them with ease, anonymity, and impunity. These sales can be executed quickly, conveniently, and privately over the Internet. NCJW supports efforts to enable law enforcement, courts, and anti-trafficking task forces around the country to effectively target the demand for children exploited for commercial sex.

FREQUENTLY ASKED QUESTIONS: Sex Trafficking

What is sex trafficking? The Trafficking Victims Protection Act of 2000 defines sex trafficking as the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, in which the act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age. Transportation need not be a factor.

Is sex trafficking a problem here in the United States? Yes. The FBI reports that from 2008-2010, 83% of sex trafficking victims found within the US were US citizens. Further, children and teens living on the streets are often involved in commercial sex activity.

What is the scale of the issue? Due to a lack of data, the prevalence of sex trafficking in the United States is still unknown. We do know that sex trafficking happens in all 50 states. In 2015, the National Human Trafficking Resource Center (NHTRC) reported 4,136 cases of sex trafficking.

Is this a new problem? No. This is a criminal industry that has operated in the shadows. However, growing public awareness and the increased availability of state and national hotlines has exposed the magnitude problem. The NHTRC experienced a 259% increase in calls from 2008-2012.

Who is at risk? Anyone can become a victim, but certain populations are particularly vulnerable: undocumented migrants; runaway and homeless youth; survivors of sexual abuse; and marginalized groups and individuals. Victims have often run away or been “thrown-away” from abusive or troubled homes, including foster care placements. While there is not enough data to determine the average age of entry, a 2015 study by the NHTRC found that 44% of survivors surveyed estimated that they were 17 or younger when they first engaged in commercial sex.

Traffickers specifically target these populations because they are vulnerable to recruitment tactics and methods of control.

How do traffickers recruit and control victims? Traffickers — sometimes parents or other family members — use violence, threats, lies, false promises, debt bondage, drugs, or other forms of control and manipulation to keep victims in the sex industry. Further, traffickers often take their victims’ identity documents, including birth certificates, passports, and drivers’ licenses. Criminal networks transport victims and often provide them counterfeit identification to use in the event of arrest. If a victim is able to escape, they are often unable to access shelters and services or support themselves. As a result, survivors frequently return to their traffickers.

What services do survivors need? Traffickers keep victims isolated from support and opportunity. For many survivors, it can be difficult to enter the workforce after their escape. Survivors need to build skills that will allow them to be self-supporting and independent. In the short term, survivor-centered, trauma-informed, culturally competent services are needed, including emergency housing, legal assistance, specialized health care, and counseling. In the long term, immigration relief, job training, and long term housing are crucial to helping survivors achieve lives free from exploitation. However, without addressing the systemic issues that allow trafficking to exist, including lack of education and opportunities, we will never fully eradicate the problem.

Who is penalized? Punishment for traffickers and buyers is minimal. Buyers are rarely charged or convicted for solicitation or pandering, let alone statutory rape or child endangerment. Often, it is the sexually exploited child who ends up in jail for prostitution, despite not being of age to provide consent.