

Snapshot

November 2009



Overview of domestic trafficking of minors in the United States

The Federal Trafficking of Victims Protection Act (TVPA) of 2000 defines domestic human trafficking as the recruitment, harboring, transportation, provision, or obtaining of a U.S. citizen for the purposes of labor or services and/or commercial sex acts. Because victims under the age of 18 are manipulated into trafficking, in Minnesota, there is no requirement to prove force, fraud, or coercion, and minors cannot consent to their own sexual exploitation. Trafficking does not require movement — children can be trafficked and never leave their homes.

Human trafficking is the third most profitable business for organized crime after drug and firearms trafficking. It is a crime in which victims are forced, tricked, or coerced into sexual exploitation or forced labor. In the past, trafficking has been viewed as an international problem. However, there has been growing awareness of trafficking of American citizens and residents within national borders.

Child trafficking can involve either labor or sexual exploitation of children, or in some cases, both. Labor exploitation is work that poses hazards to the physical, mental, spiritual, moral, and social health and development of a child. It is difficult to estimate the number of U.S. children who are domestically trafficked and exploited for labor purposes, and little research is available on this topic.

Sexual exploitation includes prostitution, pornography, and/or stripping. Because more information and research is available about child sex trafficking, this snapshot focuses on this aspect of human trafficking.

Who are the victims of domestic minor sex trafficking?

It is estimated that more than 100,000 children in the U.S. are victims of commercial sexual exploitation, or domestic minor sex trafficking (Smith, Vardaman, & Snow, 2009). Most victims are young girls, of diverse racial/ethnic backgrounds, who are first victimized between 12-14 years of age. Specific risk factors for commercial sex trafficking include poverty, substance abuse, gang involvement, physical and emotional isolation, and prior sexual or physical abuse.

Homeless and runaway youth are especially vulnerable to sexual exploitation in order to survive—trading sex for shelter, food, safety, and other basic needs. Children engaging in survival sex are considered trafficking victims under federal law because often an adult has benefited from their victimization. An estimated 30 percent of youth living in shelters, and 70 percent of street youth, have at one point been victimized through such sexual exploitation (Estes & Weiner, 2001).

In 2006, the Minnesota Legislature passed a law mandating that the Department of Public Safety convene a 22-member human trafficking task force.

This task force is charged with collecting and analyzing data related to the nature and extent of human trafficking in Minnesota, developing a training plan to address the issues associated with trafficking in our state, and creating a public awareness campaign to raise awareness of this issue around our state.

Highlights of findings and recommendations from a September 2006 report to the Minnesota legislature, are as follows:

- Labor and sex trafficking occurs in Minnesota, but the extent of trafficking is difficult to assess.
- Minnesota's service providers need knowledge and training to meet the extensive and unique needs of those who have experienced trafficking.
- Training is also needed for law enforcement, clergy, and medical professionals.

http://www.dps.state.mn.us/OJP/cj/publications/Reports/2006_Human_Trafficking.pdf

Relationships with pimps/traffickers

An estimated 75 percent of minors exploited through prostitution are controlled by a trafficker, or pimp, according to the U.S. Department of Justice. Traffickers/pimps employ, recruit, and entice children by preying on their vulnerabilities, and forming relationships with them as romantic partners or care-takers, in order to gain trust.

Through a manipulative process, traffickers/pimps use fear, isolation from the public and their family, and threats of violence toward the victim and his or her family to break a victim's sense of control, self-worth, and autonomy. Victims can become trauma-bonded to their trafficker/pimp, impeding their identification, rescue, and treatment. They often feel compelled to protect their trafficker/pimp because they have gained a sense of "family" with him or her.

Traffickers/pimps avoid sharing identifiable information, so victims who come into contact with law enforcement or other service organizations are unable to provide adequate information about the trafficker/pimp, hindering chances of an investigation.

Impact of sex trafficking

The trauma of the experience of trafficking can interfere with age-appropriate development and place a child at greater risk of future Post-traumatic Stress Disorder (PTSD), anxiety, depression, and conduct disorders. Traumatized children may develop disconnected and distorted ways of processing emotions such as anger and

fear, and have difficulty forming healthy relationships with others. Teenagers with PTSD symptoms are at greater risk for other problems, including alcohol and drug use, suicide, eating disorders, school truancy, criminal activity, and dating violence.

Recommendations for policy and practice

The Victims' Protection Act was enacted to prevent human trafficking, protect victims, and prosecute those responsible. While the efforts of this legislation have led to some improvements, there are still numerous research and service gaps in the area of domestic minor trafficking, including concerns about identifying and treating victims. Additionally, it is important to increase agencies' and systems' knowledge of laws and best practices for providing services, provide effective services, and decrease demand for exploited children.

Identifying victims

We need to improve our ability to identify trafficking victims. Law enforcement, child protective services, healthcare facilities, and other agencies may unknowingly come into contact with trafficking victims who are seeking help. Agencies must adopt screening tools and develop protocols to identify and collect information about victims.

Law enforcement, child protective services, and other systems across the U.S. currently have inconsistent or non-existent methods for systematically documenting information about domestic minor trafficking victims, such as basic

demographics, how they entered trafficking, victimization history, or history of receiving services.

This lack of information results in professional and public misunderstanding about sex trafficking, limits the availability of services, and makes it difficult for researchers to assess the impact of these crimes on society.

Treating victims as victims

Once detected by authorities, trafficking victims are frequently put in jails, juvenile detention facilities or prisons. Law enforcement may be unable to determine the true identity and age of a child victim because of false identification supplied by the trafficker/pimp, or may simply believe that the victim is a prostitute in need of incarceration and prosecution.

Victims of trafficking are often wrongly incarcerated for their alleged “involvement” in prostitution, lack access to appropriate services and resources, and acquire a criminal history that impedes future employment, housing options, and education. Incarceration also limits access to victim reparations. Additionally, victims may face the stigma of prostitution when receiving services, which may impact the way in which they are treated by services providers and others in the community.

Once a child is identified as a victim of sex trafficking, the child is often placed in a juvenile facility to protect him or her and to ensure he or she is available for testimony and prosecution of the trafficker/pimp. Victims of other sexual crimes, including victims of rape, child sexual abuse, or domestic violence, are rarely detained for the same purposes. The detention of the victim conflicts with the victim status of minors under the protection act, and can re-victimize the child and limit the services available to him or her.

Law enforcement often mistakenly apply the criteria for adult trafficking for youth victims. Under the Trafficking Victims Protection Act, proof of force, coercion, or fraud is not necessary for determining that children involved in commercial sexual exploitation are victims of domestic

minor trafficking. Further compounding the problem of misidentifying domestic minor trafficking victims are state laws that do not always align with federal laws. Variations in state and federal statutes, and the inconsistent application of existing laws, have implications for the identification, prosecution, and sentencing of pimps/traffickers and buyers of children, while also impeding services and reparations for victims.

Serving victims

Victims experience extensive trauma and manipulation, and are at risk for a number of medical and mental health issues. There are few services specific to youth victims of sex trafficking across the U.S., especially protective shelters. As recently as 2009, Shared Hope International identified only five residential facilities dedicated to serving child victims of commercial sexual exploitation in the U.S.

In addition to limited shelter resources, there are few specialized services for child victims of sex trafficking. Victims may be treated as victims of other forms of child sexual abuse, which may not address the complexities of the trafficker/pimp manipulation and trauma-bond. They have unique needs associated with their traumatic experiences, and these needs must be identified during intake and through the monitoring and treatment processes. An emerging service model is trauma-informed services that address behaviors in the context of past and present underlying traumatic experiences. This type of treatment can be more successful than conventional approaches. Trauma-informed services help mental health practitioners and others better understand the immediate consequences of traumatic events and their subsequent impact on long-term coping and well-being.

Targeting demand

Current laws and policies focus primarily on the protection and treatment of victims and prosecution of traffickers/pimps. Prevention efforts that attempt to reduce demand for children victimized through commercial sexual exploitation are more limited. Traditional methods of



To learn more

about this issue

go to

www.wilderresearch.org



AMHERST H.
WILDER
FOUNDATION
ESTABLISHED 1906

Wilder Research

Information. Insight. Impact.

451 Lexington Parkway North
Saint Paul, Minnesota 55104
651-280-2700; FAX 651-280-3700
www.wilderresearch.org

identifying buyers rely upon sting operations, which are problematic when working with minors. By law, anyone purchasing sex with a minor is guilty of domestic minor sex trafficking, yet few are arrested, and fewer are charged and punished. Buyers have access to sexually exploited youth almost anywhere, but the most common points of access are online solicitations, strip clubs and adult video stores, and near large events, such as sporting activities. Traffickers/pimps create concentrations of victims in these areas, where buyers are encouraged to act on this temptation and exploitation. To combat public perception that youth victims of sex trafficking are “willing participants” and to reduce demand, buyers should be held accountable and considered child sexual predators when dealt with by the law. This shift in terminology and perception would more closely align with the public perception of adults who engage in any other form of child sexual exploitation.

Resources

The following resources were used in development of this snapshot:

The Advocates for Human Rights. (2008) *Sex Trafficking Needs Assessment for the State of Minnesota*. http://www.mnadvocates.org/sites/608a3887-dd53-4796-8904-997a0131ca54/uploads/REPORT_FINAL.10.13.08.pdf

Children of the Night. (n.d.). Retrieved July 20, 2009: <http://www.childrenofthenight.org/home.html>

Holm-Hansen, C., & Martell Kelly, L. (2007). *Critical issues in sexual assault*. Wilder Research. Website: <http://www.wilder.org/report.html?id=1995>

Smith, L.A., Vardaman, S.H., & Snow, M.A. (2009). *The National Report on Domestic Minor Sex Trafficking*. Shared Hope International. Website: www.sharedhope.org/dmst/national_report.asp

U.S. Department of Justice: Child Exploitation and Obscenity Section, Domestic sex trafficking of minors. (2007). Website: <http://www.usdoj.gov/criminal/ceos/prostitution.html>

Williamson, C. & Prior, M. (2009). Domestic minor sex trafficking: A network of underground players in the Midwest. *Journal of Child and Adolescent Trauma*, 2:1, 46-61.

Authors: Amy Leite, Monica Idzelis, Laura Martell Kelley, and Julie Atella, Wilder Research
November 2009