

Juvenile Justice Vision 20/20 Training Event
An Overview of Forms, Dynamics, Scope and Challenges of Cases Involving Human
Trafficking Victims in State Courts
October 29, 2015
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In the keynote address, Steven Weller and Miriam Goodman provided an overview of national research on human trafficking and different approaches to dealing with juvenile trafficking victims in the courts. Special focus of the session was on sexually exploited children, including trauma suffered by these victims, understanding the pathways into sexual slavery, how traffickers and pimps lure juveniles into “The Life” and control victims, and the first steps in responding.

Human trafficking occurs when an individual or organization induces, recruits, harbors or transports a person by force, fraud, or coercion for the purpose of involuntary servitude. While debt bondage or forced labor occurs, sexual slavery is the most common fate of juvenile trafficking victims. The definition of human trafficking does not include moving victims across the borders of states or countries. Human trafficking is a violation of both state and federal law.

Juvenile trafficking victims are both male and female. Victims are often runaways that were abused or neglected at home, and childhood trauma is the most common risk factor. Poverty and homelessness are also risk factors, but case studies show that 50-80% of victims were previously involved with Child Protective Services. Traffickers snare victims by appealing to the runaway’s need and desire for love, attention, and material goods.

Traffickers often begin their relationship with victims by pretending to be their boyfriend, a person that will provide for their needs, including the need for love, attention, and protection. The juvenile’s response to this initial demonstration of care and attention—their need for this love and acceptance—can be so strong that the juvenile will resist treatment and refuse to act as a witness against the trafficker even after the trafficker has forced the victim into sexual slavery and otherwise abused the victim. Statistics indicate that, on average, a runaway is hooked in by a trafficker within 48 hours.

Society at large, including the juvenile justice system and social workers, has tended to have a punitive attitude towards trafficking victims. A female or male juvenile that is selling sex can be charged with prostitution, and is often labeled a “prostitute.” In reality, a 15-year-old, for example, working as an escort will almost always be working under the control of a trafficker, or “pimp”, and will be under the constant threat of physical violence, emotional abuse, legal consequences, or even harm to the victim’s family. Traffickers often initiate drug use by victims as a means of control. Juveniles are seldom in The Life by choice. Replacing the word “prostitute” with the word “victim” gives social services’ workers and criminal justice officials a more accurate perspective.

Historically, juvenile trafficking victims have been picked up by police and processed through the court system for infractions such as drug possession or sales, prostitution, theft, and even status offenses such as truancy. The juvenile, already victimized by the trafficker and likely a past victim of abuse or neglect at home, is then traumatized again by the justice system. In short,

the juvenile justice system must shift its response to these victims from punitive to supportive. New laws and increased awareness of the victimization of children and teens by traffickers is beginning to change how the juvenile justice system and juvenile services responds to these crime victims.

There are significant challenges ahead. New state statutes have not resulted in many cases of prosecution of traffickers at the state level. Successful prosecution of traffickers lags because victims are often uncooperative witnesses and because there is little case law precedence to guide prosecutors. Police, prosecutors, and the juvenile justice system have historically held the victim culpable for illegal activities that they were forced to engage in, and treatment responses for these adolescents have been punitive instead of supportive.

To begin to meet these challenges, executive leadership in the state must:

- Establish vision and long-term strategic direction for courts, the juvenile justice system, and communities
- Develop long-term multi-system capacity to provide services
- Establish inter-agency and system infrastructure for supporting services
- Assure that effective inter-agency work processes are established and maintained
- Work cooperatively and collectively to establish a strong fiscal foundation for ongoing service delivery