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FACT SHEET 2013
S.B. 92

Texas Must Address the Needs of Domestic Minor Sex Trafficking Victims *Implement an Alternative Treatment Program in Lieu of Punishment*

VICTIMS OF DOMESTIC MINOR SEX TRAFFICKING (DMST) NEED CRITICAL TREATMENT OPTIONS

Every year, approximately 100,000 youth are victimized through prostitution in the U.S.¹ In Texas, practitioners have estimated that number to be as high as 3,000.² In accordance with the federal Trafficking Victims Protection Act (2000), any youth who is recruited, harbored, transported, provided as, or obtained for the purpose of commercial sexual acts should be considered a victim, not a criminal.³ Unfortunately, this designation has not fully addressed the needs of youth who engage in prostitution, resulting in many youth unable to access to treatment and other tools necessary to exit the life of prostitution.

Also sadly, by exploiting a youth's trust, sex traffickers are able to influence their victims to carry fraudulent identification, resulting in their adjudication as a delinquent or their criminalization as an adult.⁴ Additionally, youth involved in prostitution face frequent rates of arrest for drug possession and running away.⁵ These lead to a criminal record and the lifelong barriers associated with it.

Texas must support efforts to identify youth at risk of engaging in prostitution and prioritize the treatment of DMST victims over any system involvement. Youth identified as a victim of sexual exploitation must be treated as a victim – not a criminal.⁶

KEY FINDINGS

- Between 2006 and 2012, an average of 45 youth were referred to Texas' juvenile probation departments for prostitution-related offenses each year.⁷
- Between 2006 and 2011, an average of 55 youth were arrested in Texas for prostitution-related offenses each year.⁸
- Youth who are DMST victims are subject to serious psychological disorders: post-traumatic stress disorder, substance abuse disorders, self-harming disorders, and developmental disorders, among others⁹
- Most youth who are DMST victims suffer from untreated physical and sexual abuse, only exacerbating their exposure to trauma and increasing the degree of treatment needed to address their conditions.¹⁰
- 1 in 3 youth are lured into commercial sexual exploitation within 48 hours of running away.¹¹

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT S.B. 92 BY SENATOR VAN DE PUTTE

- **S.B. 92** allows courts to divert identified DMST victims from the justice system and place them in treatment.
- **S.B. 92** requires any treatment program used to address DMST victims to focus on early identification of youth at risk of engaging in prostitution, and to encourage prompt placement into the program.
- **S.B. 92** aims to safeguard a victim's future by requiring that the victim's case be dismissed upon successful completion of treatment.

Citations on reverse.

Citations

¹ Ernie Allen, National Center for Missing & Exploited Children, Testimony for the Victims' Rights Caucus/Human Trafficking Caucus, U.S. House of Representatives (July 19, 2010).

² Texas Juvenile Probation Commission, "Alternatives to Juvenile Justice for Youth Involved in Prostitution," Report to the 82nd Legislature (January 2011).

³ Trafficking Victims Protection Act (TVPA) of 2000 §103(8), (9).

⁴ Shared Hope International, *The National Report on Domestic Minor Sex Trafficking: America's Prostituted Children* (May 2009).

⁵ Ibid.

⁶ Trafficking Victims.

⁷ Texas Juvenile Probation Commission, "Alternatives to Juvenile Justice for Youth Involved in Prostitution," Report to the 82nd Legislature (January 2011), p. 4, in conjunction with referral data provided to the Texas Criminal Justice Coalition (TCJC) by the Texas Juvenile Justice Department (TJJD).

⁸ Texas Department of Public Safety, Crime Records Services, Texas Crime Report for 2006-2011, http://www.txdps.state.tx.us/administration/crime_records/pages/crimestatistics.htm.

⁹ Shared Hope International, *The National Report on Domestic Minor Sex Trafficking: America's Prostituted Children* (May 2009).

¹⁰ Kate Brittle, *Child Abuse by Another Name: Why the Child Welfare System is the Best Mechanism in Place to Address the Problem of Juvenile Prostitution*, 36 Hofstra Law Review 1339, 1343 (2008).

¹¹ Trafficking Hope.org, FAQ's: Human Trafficking Stats, <http://www.traffickinghope.org/human-trafficking-stats.php>.