WHO IS THERE TO HELP US?

How the System Fails Sexually Exploited Girls in the United States

Examples from Four American Cities

ECPAT-USA, Inc.

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ACKNOWLEDGEMENTS

This report would not have been possible without the cooperation of numerous informants around the country who do the thankless and difficult work of directly assisting sexually exploited children and advocating for them. We are extremely grateful to them for their work and their assistance in undertaking this report. In addition, this report salutes those law enforcement agents who are sympathetic to the plight of sexually exploited children, in a system that generally does not see them as worthy of assistance. The complete list of informants is in the Resources chapter.

Four sexually exploited girls, very recently exited from sexual exploitation, agreed to be interviewed for this research. This report is dedicated to them.

Thanks to the Sister Fund and the Reebok Human Rights Foundation for financial support for this report.

EXECUTIVE SUMMARY

If a girl is trafficked into this country as a foreign national, they will find a place for her to live. She'll get skills, health treatment. Our girls? There's nowhere for them to go and stay. They have no education, no marketable skills, horrible health. People see our girls as "asking for it." Why didn't she run away [from the pimp]?

Adams



Everyone is concerned about trafficking of women and children from other countries. I don't think people want to understand that this is happening to our own girls in our own neighborhoods.

Jacob

AN AMBER ALERT FOR "OUR GIRLS"

This report signals an Amber Alert* for American girls, (under 18 years of age) who, in large numbers, are being prostituted in their own back yards—and back alleys—yet are uncounted, unseen and denied the resources becoming available to girls brought illegally into this country from abroad.

Its main purpose is to increase public awareness about the true nature of girls in prostitution, to understand that they are victims, and to press for reform on their behalf, especially in the areas of prevention and services that will assist them to exit "the life" as it is called.

The report is primarily a qualitative investigation based on interviews with girls themselves, children's advocates, service providers, law enforcement officials and others, in primarily four cities—New York, Atlanta, Minneapolis, and San Francisco. Little hard data is available.

A New Law: Its Hopes and Dissapointments

In the year 2000 a ground-breaking new law was passed by the U.S. Congress and signed by President Clinton called the Trafficking Victims Protection Act (TVPA) (Public Law 106–386). It indicates the government's commitment to treat trafficked persons as victims who are eligible for services and to prosecute traffickers and their associates.

^{*} The AMBER (America's Missing: Broadcast Emergency Response) plan is a voluntary partnership between law-enforcement agencies and broadcasters to activate an urgent bulletin, Amber Alert, in the most serious child abductions. It was named for 9-year-old Amber Hagerman, who was kidnapped and brutally murdered in Arlington, Texas, in 1996.

"...implementation of the TVPA to date, both in terms of services and prosecutions, has assisted girls from abroad while ignoring girls in similar situations from the U.S."

Especially significant for advocates of prostituted girls and boys who are citizens or residents of the U.S. was the clear language stating that all persons under 18 years old involved in a commercial sex act are automatically defined as victims whether or not they were brought (or trafficked) into the U.S. from another country, whether or not they are trafficked across state lines, and no matter how "consensual" their participation. However, the implementation of the TVPA to date, both in terms of services and prosecutions, has assisted girls from abroad while ignoring girls in similar situations from the U.S.

Prostituted Girls in the U.S. Are off the Radar

The majority of prostituted girls are literally hidden behind closed doors in escort services, massage parlors, dance clubs and other "legal" establishments where sex is bought and sold. They are often abused or rejected by overwhelmed families, unseen by their schools and face contempt from their schoolmates and contemporaries. When arrested, many slip through the adult system overnight with false IDs and/or bail paid by their pimps. Girls held in the juvenile justice system are often returned to abusive home situations. released back on the street or mandated to group homes or facilities which neither recognize nor address their problems.

Youth agencies, therapists, social workers, even foundations, are sometimes reluctant to deal with this population. Ultimately, viewing themselves in the mirrors held up by families, schools and society, the denial, disassociation, shame and low self-worth of girls make them most invisible to themselves.

OVERVIEW: THE MISSING FACTS AND FIGURES

The dearth of published facts and figures about the numbers and lives of sexually exploited girls highlights the hidden nature of child prostitution in the U.S. and the pressing need for systematic and verifiable information.

In 2001, a study published by the University of Pennsylvania School of Social Work (Estes & Weiner, 2001) estimated the number of children believed to be "at risk" of sexual exploitation to be between 200,000 and 300,000. Others estimate it to be substantially higher.

The Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) acknowledges the inadequacy of statistical and research information about juvenile prostitution. (Finkelhor & Ormrod, 2004) Institutions that could collect data rarely do. Aware of the sensitivity and need for confidentiality around the

issue, youth agencies tend to not include the question in their intake questionnaire or interview.

Extrapolating from other relevant data, NISMART (National Incidence Studies of Missing, Abducted, Runaway and Throwaway Children) estimates that nationally 450,000 children run away from home each year and that one out of every three teens on the street will be lured toward prostitution within 48 hours of leaving home.

Despite the overall lack of formal data, the collective knowledge and perspectives based on direct experience provided by service providers, outreach workers, legal and law enforcement officials is useful. Their evaluations and estimates range from consistent in some areas (e.g. childhood histories of sexual abuse, troubled families, overall numbers and ages of entry) to divergent in others (e.g. class, race, and social and economic backgrounds.) All pointed to the urgent need for better data collection.

Age of Entry into Prostitution

Anecdotal evidence and experience suggest 13 or 14 as the typical age of girls entering the life. According to some advocates, that age is "plummeting" to 10 and 11. Special outrage at the prostitution of prepubescent girls is appropriate, but the majority of prostituted girls are in their teens and an overemphasis on this age group runs the risk of diluting attention to the prostitution of older adolescents.

Domestic Trafficking

A sizeable number of girls are trafficked interstate along well-worn circuits that include the Southwest, (Los Angeles, Las Vegas and Reno), the Pacific Northwest circuit (Hawaii to California), and the Northern and Eastern circuit (New England and New York south to Florida). A center for sports events and conventions, a city like Atlanta is both a good stopover and a popular destination spot for pimps. Eighty percent of prostituted girls in California, according to one service provider, are moved around among different counties and suffer the same isolating and disorienting impact as those who are trafficked interstate.

Who Are the Girls and Where Are They From?

All the interviews underscored that juvenile prostitution occurs in every part of the country and that whatever the girls' racial and ethnic origins, the vast majority, at least of those who are arrested, are from poor families.

"Special outrage at the prostitution of prepubescent girls [aged 10 and 11] is appropriate, but an emphasis on this age group should not dilute concern about the prostitution of adolescents."

CHOICE OR COERCION? VICTIM OR WILLING PARTICIPANT?

"Advocates argue that juvenile prostitution is a crime, but not victimless. Prostituted girls are the victims and the pimps and johns the criminals."

Although the legal definition of trafficking in the TVPA makes clear that all persons under 18 engaged in a "commercial sex act" are victims, most state laws treat the act of prostitution, as a crime, with no reference to age. This inconsistency raises the level of debate about whether or not girls are in prostitution by choice or coercion, whether they are victims or willing participants.

The public, by and large, has come to view prostitution as a victimless crime and makes little distinction between adults and adolescents under 18. Advocates argue that juvenile prostitution is a crime, but not victimless. Prostituted girls are the victims and the pimps and johns the criminals.

American teens usually turn to prostitution as a result of desperation or manipulation by adults. They are not generally kidnapped, sold, lured to a new country with false promises or locked up in a brothel and chained to a bed. And they are not "sexually liberated college" girls."

From all appearances, the majority of prostituted girls do not see themselves as victims until many years later and only then if they are well out of the life. They often cling to the false belief that they are doing what they want, that their pimp is the only one who can save them, that he will fulfill all his promises and that their lives will change.

IN THE LIFE

Out of the Frying Pan and into the Fire

Prostitution for young girls is rarely, if ever, the result of a conscious well-reasoned decision. Vulnerable to the related seductions of love, money and glamour, they are easy prey to recruitment by pimps, unaware of the danger they face and how hard it is to exit. Once in the life, they are subjected to constant violence from pimps, johns and often the police.

From Risk To Reality: Childhood Conditioning

Early sexual abuse: Widespread and unaddressed childhood sexual abuse among prostituted girls is well-documented and usually perpetrated by someone known and trusted, whether relative, neighbor or family friend. A 1994 National Institute of Justice report (Freeman) claims that sexually abused children are 28 times more likely to be arrested for prostitution at some point in their lives than peers who did not suffer abuse.

Other circumstances: Many other factors contribute to girls' vulnerability. Exposed to physical, emotional and verbal abuse, they may be "throwaways", rejected, abandoned or ejected from their homes. A proliferating sex industry that targets young females, peer pressure, a media bombardment of consumer values and glamorizing of sex and easy money are all powerful lures to girls with no job skills, no guidance and no base of support.

Courtship and recruitment: Doubling as lover, love dealer, confidant, father and eventually a kind of emotional executioner, a pimp serves as middle man, entrepreneur and trafficker to meet and make huge profits from the demand for young female bodies.

While individual recruitment styles vary, the pimp's basic strategy remains constant and strikingly simple. Win their trust and love, turn them out on the street; and make sure you maintain total control. Most often, a pimp will stake out a girl, approach her directly and maneuver a way into her life—at a party, introduced by a friend, window shopping or walking down the street.

When the Honeymoon is Over

Learning the rules: How and when a girl takes her first actual step into taking money for sex depends on the pimp and his assessment of control. It can be an almost imperceptible, or she can be taken to an abandoned building and gang raped and turned over to the pimp's stable of other girls. Whatever the length of time or method, a girl is handed a clear and non-negotiable set of rules. The pimp's ultimate goal is twofold: to keep his girls dependent on him and to make as much money as possible for himself.

Crime and punishment: Violence from pimps and johns forms the hard core of experience for prostituted girls. This ranges from torture meted out by pimps to "discipline" and punish prostituted girls for any perceived infraction of the rules, including money shortages, attempts to run away, or just to keep them off balance and in line. At the same time, the pimp tightens the noose of dependency, convincing a girl increasingly as time goes by, that he is the only one who loves her, that she is useless and worthless without him and that she deserves the punishment she receives.

Drugs and alcohol: Drugs and alcohol are indisputably central to the life of a prostituted girl. But the interviews place different emphasis on their role. Some outreach workers, who largely come contact with homeless and street youth, suggest that prostitution is an outcome of addiction and endorse drug counseling as the appropriate primary treatment. Advocates who deal with hardcore

"Doubling as lover, love dealer. confidant, father and eventually a kind of emotional executioner, a pimp serves as middle man. entrepreneur and trafficker to meet and make huge profits from the demand for young female bodies."

pimped girls contend that drugs are a secondary issue, used to numb out from the pain. Recovery from prostitution, they say, is totally bypassed in treatment facilities that lump together pimped prostitutes who are using drugs and drug users who sporadically, or not at all, sell their bodies.

Psychic Damage/Trauma and Coping Skills

In addition to sustaining violence and other physical health consequences of prostitution, girls suffer devastating damage to their psyches. Some research indicates that two-thirds of prostituted girls and women, have suffered from PTSD (Post Traumatic Stress Disorder), in contrast to fewer than 5 percent of the general population. (Farley, 1998)

Symptoms of trauma, though, can be easily overlooked and often manifest themselves in behaviors that seem to reinforce the belief that girls are willing participants rather than victims. These include defensive, often aggressive, responses by sexually exploited girls to efforts of assistance by law enforcement officials and welfare workers.

"Brainwashing," "Stockholm Syndrome," "domestic violence," "battered wife syndrome" and "love addiction" have all entered the public conversation as relevant explanations. Captors become saviors. The pimp is the only person who cares about them and satisfies their simultaneous need for love and punishment.

Building on Strength and Resilience

Many symptoms of trauma are described as coping mechanisms, or survival skills, that constitute a compelling internal arsenal of self-help tools to make the intolerable tolerable. In their efforts to win legal and attitudinal recognition for a victim status, some advocates point out that sexually exploited girls should not be seen or treated only as victims, nor their "survival skills" dismissed as only symptoms. They often display enormous strengths of character that need to acknowledged, accepted and called on in the healing process.

Exiting the Life: Trial and Error

How and when girls leave the life and what happens to them afterward is not well understood. It happens in many ways and often long after girls have turned 18. Although the four girls interviewed for this study do not represent even a sample, their responses can be instructive. Their ages of entry ranged from 12 to 15 years. Two of the four have children, one of which was born during their time in prostitution. All said they were glad to be out, although it was a challenge finding work, staying on track, developing new relationships, giving up old habits, not slipping back into despair, and the temptation to return was never gone.

"Symptoms of trauma, though, can be easily overlooked and often manifest themselves in behaviors that seem to reinforce the belief that girls are willing participants rather than victims."

INTO THE SYSTEM: EXIT OR NO EXIT?

Most of the interviews revealed that the bureaucratic, fragmented, overburdened and outmoded system of American justice fails girls in prostitution. The vast majority of sexually exploited girls are both stigmatized and trivialized by a system which often operates as if its main function is to get them in and out as speedily as possible without having to recognize or meet their needs.

The central issue facing the justice system is whether it views and treats prostituted girls as victims or offenders. A Department of Justice report (Finkelhor & Ormrod, 2004) substantiates a high level of confusion around this issue. It says that juvenile prostitutes can be viewed primarily as victims in the control of unscrupulous adults and commercial vice or as willing participants in an illegal trade and objectionable activity. Welfare and reform organizations tend to approach them as victims of specific exploiters and/or general social conditions. The police are more likely to view them as criminal offenders. In fact, the legal system can treat them as both offenders and victims.

"The vast majority of sexually exploited girls are both stigmatized and trivialized by a system which often operates as if its main function is to get them in and out as speedily as possible without having to recognize or meet their needs."

In the "Eyes" of the Law

With the exception of 13 counties in Nevada, state laws in the U.S. criminalize the act of prostitution with no reference to age. At the same time, most states consider "carnal knowledge" of a person under "the age of consent" (16 to 18, depending on the state) as statutory rape no matter how mutual the act or whether the exchange of money is involved. When state lines are crossed, it becomes a federal crime. Under the TVPA any person below 18 years old "induced to perform" a commercial sex act is considered a victim of a "severe form of trafficking" and the crossing of state lines is not required for it to be designated a federal crime.

In the "Name" of the Law

A girl's first encounter with the system is usually the police. Once arrested, the vast majority of girls lie about their ages. Passing as over 18 will get them into adult court and the criminal justice system where they will at worst spend a night in jail and, in the morning, be back out into the arms— or hands—of their pimps.

Without a mindset that views girls as victims, there is little incentive to investigate, prosecute and sentence pimps and johns with more than a fine and a warning. Empathetic police and others are forced to work unofficially and on their own time and expense.

An obvious conundrum arising from the acknowledged need to hold girls for their own good has generated much recent conversation among advocates. For some, putting an offender label, even a misdemeanor, on a girl who is, in fact, a victim, only further criminalizes her. For others, especially in law enforcement, arrest can have a protective and potentially restorative value.

While knowledgeable people may disagree about whether arrest and incarceration are appropriate solutions, they are in full agreement about two issues: First, that a way must be found to detain and offer girls better services and, second, that the juvenile justice and family court system, designed to do just that, is a failure.

The Juvenile Justice System

It is impossible to know what percentage of arrested girls actually wind up in the juvenile justice system. Those who do, are often caught in a revolving door circling between prostitution and an institution that is outmoded as well as ineffective in practice, and to a large extent in judicial philosophy as well.

Placed in group homes with other juveniles arrested for drugs, assault, theft or other categories of "delinquent" behavior, (and often arrested themselves for such offences) sexually exploited girls keep their prostitution under wraps to avoid stigma, even abuse, from the other girls or staff. In many cases, even girls in group homes for non-sexrelated crimes will be recruited and enter prostitution for the first time.

There is Another Way—A Way Out!

Service agencies and advocates: Most traditional youth and helping organizations recognize and provide for the immediate necessities of children involved in commercial sexual exploitation. Few, however, are sufficiently equipped to address or even recognize their specialized and long-term psychological needs.

If there is a changing environment, much credit goes to the small number of under-funded private non-profit service agencies in a small number of cities. All focus on the needs of exploited girls and women. Services range from court advocacy, harm reduction (providing services without requiring that a girl exit the life), counseling, therapy, job training, and in a very few cases, residential housing.

Translating the Legal View of Girls as Victims into Proactive Prosecution of Exploiters

When change is mandated from the top, new attitudes and new definitions of victim and criminal can lead to a shift in laws, policy and actions. Since 2000, a steadily increasing number of major federal and local programs, investigations and prosecutions against

"Placed in group homes with other juveniles arrested for drugs, assault, theft... sexually exploited girls keep their prostitution under wraps to avoid stigma, even abuse, from the other girls or staff."

pimps have taken place. A small but increasing number of districts, boroughs and a few cities have instituted penalties for johns.

Key Pimp Prosecution

Supported by community concern and judicial instructions, a creative and aggressive prosecutorial approach resulted in 15 pimp convictions, including two sentenced to 30 years, a new Georgia state law that made pimping of minors a felony and the opening of a badly-needed facility to provide housing, training and other programs for prostituted teens. The year-long investigation and process involving 52 girls as potential witnesses also raised public awareness about the victimization of prostituted girls, and a positive conspicuous change in many of the girls themselves.

National FBI Initiative

Operation Innocence Lost, created in 2003, gave priority to proactive cracking down on pimping, pandering and interstate trafficking of children. The new program was in part stimulated by the TVPA, in which crossing a state line is no longer required to qualify underage prostitution as a federal crime.

New Probation Approach

An innovative program of San Francisco's juvenile probation department started in 2000 has operated on the premise that prostituted girls need a variety of immediate and ongoing services housing, jobs, medical services and longer term psychological help to address trauma and childhood abuse.

A Long Way to Go

Advocates maintain that these changes are still far too few, too slow and in constant risk of fading under the weight of the behemoth system, public indifference and lack of continuing political will. The system is badly strained and fragmented with little departmental or jurisdictional cooperation, or even contact.

Sustainable change will require an integrated approach that includes consistency of laws and actions that clearly identify girls as victims of criminal acts, implement more aggressive pursuit of pimps and johns, protect the legal rights of prostituted girls and provide a range of services for girls that will deal with their mental and physical health, support their strengths and get them back on their feet.

"The system is badly strained and fragmented with little departmental or jurisdictional cooperation, or even contact."

SONYA'S STORY

Sonya was 19 and out of the life for nine months when she was interviewed for this report. She started at 12, the same age that she would start middle school. For most of those seven years, Sonya worked for "somewhere around a dozen pimps" to the best of her recollection, and was trafficked to "about" nine states, although again, no exact number came to mind.

At 12, Sonya had already slipped easily through the cracks. She was only a name to her new teachers; her father had abandoned the family; her older sister was on drugs; and she describes her mother as "overprotective" and a "workaholic" who seemed unable to keep her head above water or do more than yell and scream. Sonya ran away.

I could have left at any time and she wouldn't even notice.

I hopped on a city bus where I met a lady, named Jenny, who was a "ho." She asked me if I wanted a job. I said sure. We went to her home where I helped her around the house. She paid me with drugs. "Here, have a couple of joints!" I looked up to her as a mom, and felt that she cared. She would sit and talk to me, about things that moms are supposed to talk about with their kids and showed me a whole lifestyle. Then her cousin Thomas Monroe, Tommy, showed up and he was the one who got me into it.

Tommy told Sonya how beautiful she was. He showered her with jeans, jewelry and promises.

Oh my god, it was so cool. I wanted somebody just like him. I believed everything he said. If he said "the sky was falling in," I'd go and hide. We did a lot of smoking and drinking and I was hooked on coke. He wanted me to be his girlfriend (have sex with him) but I said, "No! You're too old."

Then one day, he just raped me.
Tommy became Sonya's boyfriend

A few months later, this white guy came over and said I was pretty. Tommy asked me right in front of him, "why don't you go f*** him?" After that he made me walk up and down the street everywhere we went. If someone looked over their shoulder, he'd holler for them to come back. I'd get in the car and do it. And then he'd come and collect me.

One night, out of nowhere, Tommy accused Sonya of having sex with his cousin. He was high on drugs. He grabbed my ear, started hitting me and then tied my feet to a doorknob. He made me just sit there, made me cry and then had sex with me. It was so weird.

Sonya was 14 when she was first trafficked across state lines. We just got in the car and drove to Chicago leaving everything behind. It was dark when we got there. He brought me to this kind of apartment warehouse with a lot of young girls there—black, white, everything. I asked who they were and he said, "these are my girls." He sat me down and told me, either I am with him this way or not at all.

The girls showed me about the escort service and working the block. Then Tommy began treating me badly. He locked me in a room and left me without food or water. All he left me was some coke. He said this was my punishment, but I didn't know for what. All I heard were the trains going by. I thought about jumping out, but it was so high. Then after maybe three days he came back and got me. All the way home, we would stop and go with truckers and then go back in his motel room.

The day before Thanksgiving, Thomas told me his brother died and threw me in the car like it was my fault. He brought me to a guy's house and told me I was a bad girl and don't deserve to live. He threw me in the room and tried to assault me. But I didn't want him to touch me. I *yelled, "Get away!" He knocked me unconscious and I blacked out.*

I woke up to Tommy whispering in my ear: I'm a bad girl; I have no purpose in life; I'm just a sex toy. He just kept whispering these things over and over. Then he passed out on top of me, after having sex with me. I stayed so still, just lying there, and waited for hours.

Once Sonya was sure he was gone, she pulled out, grabbed her stuff, climbed down a two-story drain pipe and started running.

Sonya made it home and Tommy was arrested for drug dealing. She tried going back to school, but was already behind a whole year. At first her mother was so glad to see her and then "went back to her old ways of criticizing and beating up on [her]."

Then one day Tommy called me from prison. He told me his mom was sick and that I should go see her at the hospital. He gave me the room number and told me not to talk to anyone. So I go to the room and there's this girl, her ribs caved in, large patches of hair gone. She was almost dead. She looked at me and started screaming. I had no idea who this was. Sonya ran home to a phone call from Tommy the minute she stepped inside the door. He just said to her,

"If you ever say anything, that's what will happen to you. Bitch!"

Sonya needed money for the drugs and nice clothes she was used to.

Over the next years, Sonya would go with a number of different pimps. Each time, she would leave and find a new one, always thinking he is going to be right. At first, "he would treat [her] as [she] wanted to be treated." But in the end, "they were all the same."

Sonya was arrested more than once. Mostly—passing easily for 18—she was released on bail, usually paid by her pimp or one of his girls. Or she might be placed in rehab where she would stay clean for a few months. "Everyone knew me in juvenile court," she said. The staff in jail didn't look down on her, but the judge would never see past her record. "I was a piece of shit." Arrested and charged with aggravated robbery, auto theft, drugs and prostitution, Sonya did time in Iowa where she kept running away.

There was nothing but cornfields so I didn't get anywhere. Then they sent her to South Dakota for a harder lockdown.

Sonya was trafficked interstate for much of her time with pimps. Although one ran into another, Sonya can name Charles and Jamison and Harley who took her all over—to Phoenix, Chicago, Wisconsin where they worked casinos, business conventions and trade shows. Harley had lots of girls. They would sit in the car, four packed in the back, the favorite girl in the front seat.

I was Harley's favorite, so young and little .Tommy's girls didn't like me because I was making so much money. That would make them work harder and he would still beat them. Harley's girls were a lot nicer. We would always talk to each other and I wouldn't feel so alone or scared.

Sonya did try to leave, more than once, but she would always go back for one reason or another.

She would go home and Tommy would call her. She would go to her sister's where Ricky came and got her. George would pull up to her on the street where she was working and order Sonya back into the car. Or she would go back, just on her own. And then there was the money, "even though I got to keep NOTHING," she said. "James or Charles or Ricky would just pull up where I was dropped off and grab it."

In jail once again, Sonya was mandated to Breaking Free, a Minneapolis agency serving exploited women and girls. She said that they were really helping her to talk, "to figure out who I am to know what I'm feeling and not be afraid. "

I never knew anything but prostitution [she says now]. Once you're in it, you're not good for anything else. No job. No life. So you get right back in and keep telling yourself excuses. I never knew the person I could be. Now I'm a lady. A good speaker. I never had any goals before. Now I have goals. I want a job. My own place. A family and a future.

And most of all, Sonya says she is glad to be feeling again. She has made new friends and even some boyfriends. But she is very wary. "You never know who you can trust," she says. "I haven't got to what's a real relationship. I'm not into that stage. Not yet!"

Still Sonya struggles with herself and to get money – for cigarettes and basic necessities. She has applied for so many jobs, but each time, she says, she is judged by her by past. And she is just 19 years old.

An Amber Alert For "Our Girls"

The numbers of American girls being sold is way higher than girls from Thailand or Mexico. And the number of American men buying them is also way higher. But when it comes to low income young women or young men of color, from right here, or those who are runaways and throwaways—they are not seen with sympathy. There is no Amber Alert for our girls.

CLOSED ...

Lloyd

Sure, it's worse to be sold by your parents than doing it on your own. But that said, the experience is the same. There is that extreme level of betrayal and once you're on the street, you're on the street.

Goodman

This report asserts that we have a problem in the United States, and a big one. It signals an Amber Alert¹ for American girls (under 18 years of age) who, in large numbers, are being prostituted in their own back yards —and back alleys—yet are uncounted, unseen and denied the resources becoming available to girls brought illegally into this country from abroad.

This report is based on interviews with 30 informants over a one year period. The full list of interviewees and resources consulted is in the Resources chapter.

The Population

The investigation focuses specifically on the situation of girls² under 18 years of age³ who are born and raised the U.S., who are victims of commercial sexual exploitation, who are under the control of pimps, and/ or trafficked across state, county or city lines, or put out on the street in their own neighborhoods. Although the girls covered in this report may also be among the much larger population of girls who work underground (in escort services, dance clubs, massage parlors, through pagers, the Internet) and/or those engaged in survival sex (selling sex sporadically for drugs, to help their families, to find a place to live or feed themselves),

¹ The AMBER (<u>America's Missing: Broadcast Emergency Response</u>) plan is a voluntary partnership between law-enforcement agencies and broadcasters to activate an urgent bulletin, Amber Alert, in the most serious child abductions. It was named for 9-year-old Amber Hagerman, who was kidnapped and brutally murdered in Arlington, Texas, in 1996.

² Although many boys under 18 are victimized by commercial sexual exploitation, it is generally believed that they are less likely to be in the control of pimps and less likely to be trafficked across state lines.
³ Children are people under 18 years old, as defined in the UN Convention on the Rights of the Child and the federal Trafficking Victims Protection Act.

this paper focuses on prostituted girls put on the street because they are most visible. While drawing on generalizations and group descriptions, it fully recognizes the unique and individual character and experience of each girl.

The report also focuses on pimps in large part because many estimates (mostly anecdotal and unofficial) put the vast majority of prostituted girls under their control. One major study estimated that 75 percent of runaway and sexually exploited girls are controlled by pimps. (Estes & Weiner, 2001) Trapped in a continuing cycle of violence, drugs and degradation, they have an even harder time leaving the life than girls without pimps.

Aim of Report

Its main purpose is to increase public awareness about the true nature of girls in prostitution, to understand that they are victims, and to press for reform on their behalf especially in the areas of prevention and services that will assist them to exit "the life" as it is called. The public includes the majority of "customers" (johns or tricks), who may be considered principled and upstanding citizens but who need to understand their role in the terrible harm they are doing to children. The report also aims to ensure that American girls receive services to protect them and to strengthen the prosecution and penalties for pimps. By themselves, these efforts may not decrease the demand, but they can help to decrease easy access to young girls as the supply.

Research

This report is primarily a qualitative investigation based on personal interviews with girls themselves, child advocates, service providers, law enforcement officials and others. Hard data is lacking and admittedly difficult to obtain. Collective views and experiences of individuals closely involved with the issue are critical to developing that data and also to a deeper understanding of the issue. The report also draws to a limited extent on literature, including press coverage, reports and books.

Regional Coverage

Selective, rather than comprehensive, the research focuses primarily on four cities—New York, Atlanta, Minneapolis and San Francisco. It also includes interviews with individuals from Houston, Detroit, Baltimore, Las Vegas and the FBI in Washington, D.C. The four cities were selected for two reasons: first, because they have effective community-based service agencies that deal specifically with this population of prostituted girls; and secondly, because they represent diverse geographic regions of the U.S. and reflect the nationwide scope of the problem.

Data

Concerted effort to gather hard data or even reasonable estimates about the many important characteristics of this population produced disappointing results. A very few published sources provide overall, though variable, estimates of numbers. Anecdotal information relating to class, ethnic and economic backgrounds, average age of recruitment and length of time in prostitution was valuable, although nearly wholly anecdotal and often divergent depending on experience and best guesses. Clearly, better data collection must take place if there is to be real reform.

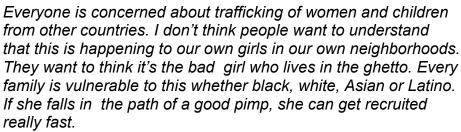
Use of Language

The use of several of the most frequently used terms and phrases became relevant in preparing this paper. They reflect both attitudes towards commercial sexual exploitation of children and expressions used by girls themselves. Most significant is the decision to use the term "prostituted" or "sexually exploited" girls rather than "prostitutes" to connote victimization rather than active choice. "Juvenile prostitution" is the most common phrase used by law enforcement officials, although more and more they are using "sexually exploited." "In the life" (time involved in prostitution); "john" or "trick" are commonly used by girls, advocates and others who work with them; "turned out" means put on the street; "track" refers to the street itself; and "ho" (short for whore) has become a common expression, not only among commercially sexually exploited girls, but peer populations. In addition, while this paper supports the notion of commercially sexually exploited girls as victims, it cautions that the word "victim" should not be overused or oversimplified. Girls should be addressed as survivors as well to emphasize their strengths and resilience.

A New Law: Its Hopes and Dissapointments

If a girl is trafficked into this country as a foreign national [and she is rescued] they will find a place for her to live. She'll get skills, health treatment. Our girls? There's nowhere for them to go and stay. They have no education, no marketable skills, horrible health. People see our girls as "asking for it." Why didn't she run away [from the pimp]?

Adams



Jacob

In the year 2000 a ground-breaking new law was passed by the U.S. Congress and signed by President Clinton called the Trafficking Victims Protection Act (TVPA) (Public Law 106–386). It signals the government's commitment to treat trafficked persons as victims who are eligible for services and to prosecute traffickers⁴ and their associates. A person is defined as the victim of a "severe form of trafficking" if s/he has been involved in a commercial sexual act that 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."⁵

For advocates of prostituted girls and boys who are citizens or residents of the U.S., this legislation held special significance and hope. Although already existing U.S. legislation, such as statutory rape laws and the federal Mann Act, were in place to protect children from sexual exploitation, they were rarely applied. Especially significant about the new TVPA was the clear language stating that all persons under 18 years old involved in a commercial sex act are automatically defined as victims whether or not they were brought (or trafficked) into the U.S. from



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⁴ The definition of human trafficking in the TVPA is specific and detailed. But, in general, human trafficking is understood to mean the transporting of persons across borders for the purpose of exploitation and profit.

⁵ Our italics. The TVPA equally aims to address trafficking for non-sexual labor, although this paper only addresses sex trafficking and exploitation.

another country [emphasis added], whether or not they are trafficked across state lines, and no matter how "consensual" their participation.

Following a decade of persistence by advocacy groups, international sex trafficking as a form of slavery has received much recent attention. In a speech to the United Nations in September 2003 President Bush referred specifically to the "special evil in the abuse and exploitation of the most innocent and vulnerable" and called for severe punishment of "[t]hose who create these victims and profit from their suffering." Several times since, he has expressed his determination to address the issue of human trafficking. In July, 2004, the U.S. Department of Justice sponsored a three-day conference in Florida, entitled "National Conference on Domestic Trafficking and Prostitution".

The presence and participation of President Bush, Attorney General John Ashcroft, and Jeb Bush, Governor of Florida at the July 2004 Conference seemed to indicate that this issue is being taken seriously at the highest level of government and that due attention would be paid to domestic trafficking and prostitution. But none of the speeches by the three top government officials made any mention of American girls, only foreign victims.

Moreover, the implementation of the TVPA to date, both in terms of services and prosecutions, has assisted girls from India and Mexico while ignoring girls in similar situations from Indiana and New Mexico. Federal funding for legal and medical services, housing, long-term care and other services are now being provided to foreign victims, but not to those born or raised in the U.S. When questioned, Department of Justice officials pointed out that the intent of the TVPA was to provide trafficked children with immigration relief, something not necessary for American victims. They also said that pre-existing American laws (in the Mann Act and statutory rape laws) make the TVPA unnecessary for American victims. These responses ignore the lack of services for domestic victims and the fact that these laws do not result in protecting prostituted girls.

⁶ President George Bush, United Nations General Assembly, September 23, 2003.

PROSTITUTED GIRLS IN THE U.S. ARE OFF THE RADAR

Child sexual exploitation is the most hidden form of child abuse in the U.S. and North America today.

(Estes & Weiner, 2001)

A major characteristic of prostituted girls is their invisibility. For some, this may seem beneficial as it keeps them out of the way of the law and reduces the perception of girls on the street as a "public nuisance." For advocates, the invisibility of sexually exploited girls is a central part of the problem, which is reflected in several ways.



The majority of prostituted girls are literally hidden behind closed doors in escort services, massage parlors, dance clubs and other legal establishments where sex is sold. Although legal for adults, these establishments are not legal for girls under 18. The population of girls who are on the street, or "track" and covered in this report are more visible than others; but they too are hidden, in motels, hotel rooms and generally packed into high-vice areas known for crime and prostitution and usually ignored by police except for periodic neighborhood cleanups.

Out of Mind

On the one hand, a growing public attitude views prostitution as a victimless crime; "it's the world's oldest profession," "it's not hurting anyone" and "there is nothing we can do about it." As long as girls are in somebody else's neighborhood, their prostitution doesn't even exist. Some believe that prostitution should be legalized and respected as a free if limited economic choice, sometimes without distinguishing between adults and those under 18.

Not Worth Saving

Another, although declining, image of prostituted girls held by some members of the public and law enforcement is that they are at best a public nuisance and at worst, immoral, bad kids, if not criminal. American girls are not seen as "innocent victims" as are poor (and "exotic") young foreign girls who are kidnapped, sold and lured to the U.S. Rather, they are seen as willing participants, mostly inner city teenagers who know just what they are getting into and deserve what they get. These girls are often depicted as the same population of unmarried teenagers who get pregnant in order to collect welfare checks.



Thrown Away by Families, Communities and Peers

Girls in prostitution may also be invisible to their families, often the very source of their vulnerability. In some cases they are survivors of direct sexual abuse, including rape. In others, girls are physically abused, abandoned or kicked out of the house by families overwhelmed by economic circumstances and unable to handle life stresses including their own children. The rate of murder for sexually exploited young girls is unknown because, as interviews suggest, people do not call to report them missing. They are totally off the radar.

Stigma and Discrimination from Peers, Schools and Detention Centers

Sexually exploited girls also face disdain and contempt from their schoolmates and other contemporaries, particularly the teenage hierarchies at juvenile homes and detention centers. One high-school teacher pointed to the common use of the word "ho" in his classroom as a frequent and non-specific epithet hurled at any girl who meets with her classmates' disapproval.

Passed Through the System

The revolving-door system of criminal and juvenile justice contributes to the invisibility of prostituted girls. When arrested, many slip through the adult system overnight with false IDs only to be "rescued" by their pimps who pay bail and/or wait outside the police station. Girls held in the juvenile justice system are offered few services and more often than not, returned home to abusive or overwhelmed families, released back on the street or mandated to group homes or facilities which neither recognize nor address their problems.

Untreated/Unwelcome by the Social Service Community

Some youth agencies, therapists, social workers, even foundations are reluctant to deal with this population. The demeanor and behavior of prostituted girls may be distasteful to well-meaning socially-concerned people and groups who are not trained to recognize and deal with the suffering embedded in their defensive, aggressive and mistrusting conduct.

Nowhere in the Data

A stark reminder and reinforcement of the invisibility of sexually exploited girls is the nearly total absence of hard accurate data about their numbers, ages, backgrounds and other important characteristics.

And Most Invisible to Themselves

Ultimately, viewing themselves in the mirrors held up by families, schools and society, the denial, disassociation, shame and low self-worth of girls make them most invisible to themselves. This self-image and denial only add to the suffering and trauma that girls endure and invisibility itself becomes a brutal form of stigma.

OVERVIEW: THE MISSING FACTS AND FIGURES

It goes without saying that hard data is a sine qua non of serious reform. It brings official and institutional credibility to the existence and scope of a problem. It provides ammunition and lays the groundwork for new and/or improved legislation, programs and public awareness campaigns. Statistical evidence can demonstrate what is needed and where; it can facilitate decision making about resource allocation. A lack of data often infers a lack of interest, difficulty in assembling information, or both.

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The absence of published facts and figures beyond estimates and small scale local information about the lives of sexually exploited girls highlights the hidden nature of child prostitution in the U.S. and the pressing need for systematic and verifiable qualitative and quantitative information.

In 2001, researchers Richard Estes and Neil Weiner at the University of Pennsylvania School of Social Work published a report about child sexual exploitation in the U.S. It gave a rough estimate of the numbers of children the researchers believe to be "at risk" of sexual exploitation in the U.S. Their estimates are in the mid-200,000 range. The researchers indicate their desire to have quantifiable data, but they had insufficient resources to undertake that type of report.

Despite the lack of formal data, however, collective anecdotal knowledge and experience is copious and useful. Service providers, outreach workers, legal and law enforcement officials shared their knowledge and perspectives based on direct experience, interactions and their own investigations. Their evaluations and estimates ranged from reasonably consistent in some areas (e.g. childhood histories of sexual abuse, troubled families, overall numbers and ages of entry) to divergent in others (e.g. class, race, and social and economic backgrounds). All pointed to the urgent need for better data collection.

Published and official estimates and sources for the overall numbers of sexually exploited girls (and children) are extremely limited and admittedly difficult to collect. This is due to the highly secretive and hidden nature of prostitution both in reality (e.g. in escort and other underground services⁸)

⁷ Estimated numbers refer to both boys and girls, although the majority of prostituted children are girls and many of them are in the control of pimps. Although this report focuses on girls and pimps, its aims to bring attention to the prostitution of all children.

⁸ The Manhattan phone book alone lists 30 pages of escort services; undoubtedly a large number of those escorts are under 18. (New York Times, October 11, 2004)

and in the data. According to law enforcement officers interviewed, more than half the arrested girls pass themselves off as over 18 and are out of the system without ever being identified as children. And of those girls who wind up in juvenile court, respondents estimated that 50 percent are arrested for theft, drug and alcohol related charges, curfew violations, and other "collateral" or "status" offences. Misdemeanors are not recorded, and efforts at public surveys through interviews of girls are not likely to bear accurate results.

Overall, hard data is micro, (contained in arrest records), local, unrepresentative and significantly low. In San Francisco, for example, "we see only the girls who end up in detention," said probation officer Julie Posadas. Of the 300 recorded juvenile arrests in a given year, she indicated 15 percent to 20 percent have prostitution charges, another 30 percent have prostitution in their history, and both figures are in stark contrast to the estimated 10,000 to 15,000 thousand young people on the street in San Francisco alone.

The U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) acknowledges the inadequacy of statistical and research information about juvenile prostitution. Current information culled from 76 agencies in 13 states in the newly-established NIBRS (National Incident Based Reporting System) indicates a total of 241 known juvenile arrests between 1997 and 2000 (out of 13,814 total prostitution arrests.) Still, OJJDP regards an expanded version of NIBRS as a potential source of official data collection and pattern analysis. (Finkelhor & Ormrod, 2004)

Recorded data rarely distinguishes by sex, age, type of prostitution (e.g. escort, strip clubs, street, etc.), pimps, and other important statistics. Adult prostitution surveys are relied on to determine trends and patterns of juveniles. And some advocates have suggested that police departments fudge numbers on rape and violent crimes to present a more "upstanding" image of their city for tourists and conventions.

Institutions that could collect data rarely do. When girls are brought to hospitals bruised and beaten by a pimp or john, the source of injury is rarely recorded. Aware of the sensitivity and need for confidentiality around the issue, youth agencies tend to not include the question in their intake questionnaire or interview. And even service agencies committed to this population acknowledge that they do not keep careful data. Covenant House in Detroit conducted an anonymous survey of girls in its crisis shelter about sexual exploitation and nearly 100 percent responded that they had been involved in sex for money and that many had been arrested. "They were much more truthful if they didn't have to put their names on it," said Stephanie Taylor, Outreach Coordinator. "But it doesn't help in the numbers game."

At the same time, published estimates of overall trends do exist, such as that of the University of Pennsylvania mentioned above. Many consider this estimate to be low, and other possibly more accurate sources (such as non-profit groups that work with prostitutes) suggest there are between 500,000 to 600,000 prostituted children in the United States. (Flowers, 1998, cited in Freeman, 2000) Considering the large number of adult prostitutes who entered the life as children, many experts would support this larger number.

Extrapolating from other relevant data, NISMART (National Incidence Studies of Missing, Abducted, Runaway and Throwaway Children) estimates that nationally 450,000 children will run away from home each year and 13,000 from juvenile facilities (Runaway Children, NYS -DCJS Website.) It found that one out of every three teens on the street will be lured toward prostitution within 48 hours of leaving home. (cited in Freeman, 2000) For the year 1999, NISMART-2 estimated that 71 percent of the nearly 1,700,000 youth with a "runaway/ throwaway" episode, are potentially endangered by hard drugs, sexual or physical abuse or presence in a place where criminal activity was taking place. (NISMART 2, 2002)

Age of Entry into Prostitution

Without more accurate numbers, the correct age of girls entering the life is hard to calculate. On the one hand, many successfully conceal their age with false IDs. On the other, our interviewees strongly convey the idea that nearly any conversation with adult sex workers will reveal that the majority were adolescents when they entered the life.

Anecdotal evidence and experience suggest 13 or 14 as the typical age of girls entering the life. Research studies with women and girls in prostitution found that large percentages began as teens. Interviews during the 1990s of those who had begun in prostitution before age 18, nearly two thirds had entered the life before age 15 and one third between ages 11 and 13. (Raphael, 2004)

According to some advocates, that age is "plummeting" and more than one person knew of 10 and 11 year olds. Pimps have figured out that younger girls are in greater demand and bring in more money. They are sophisticated enough to keep 11 and 12 year olds off the streets and watched closely until they can be shown the ropes and trusted to obey instructions. One police officer suggested that most of the younger girls who show up on the radar by "getting busted" are hoping to get away from the pimp.

Special outrage at the prostitution of prepubescent girls is entirely appropriate and a way of bringing attention to the serious nature of the problem. Yet, the vast majority are estimated to be teenagers, and an overemphasis on pre-adolescents runs the risk of diluting attention to the prostitution of older adolescents. Media stories, for example, when reporting on child prostitution or pimp prosecutions often make a point of mentioning girls as young as 10 or 11 leaving the impression that they are the majority and that older girls are not worth the story. Such stories may serve to reinforce the belief that teenagers are not children, that they are prostituting themselves by choice, know what they are doing, and are responsible for their actions. (See Choice or Coercion).

Average Length of Time in the Life

Information about when, how and why girls exit prostitution is another critical component of improving services and focusing resources; it is also an extremely difficult process to track. Depending on the vantage point, questions about the average time that girls remain in the life produced wide-ranging answers ranging from a few months to 20 years. Law enforcement officers and service providers who deal with adult women have the longest perspective, allowing them to see the seamless segue of so many children into adult prostitution. Those who work primarily with young people see only those girls they witness or help to exit, and without follow-up there is little chance to assess the permanence.

Several people interviewed maintained that the longer a girl is trapped in the life and the more her every move is controlled by a pimp, the more her sense of self worth is diminished and the harder it is to extricate herself. If a girl is very lucky, she may be "rescued" by the police, by a sympathetic juvenile court or by an empathetic service agency, such as GEMS (Girls Education and Mentoring Services) in New York or CEASE (Center to End Adolescent Sexual Exploitation) in Atlanta. But such opportunities are more often serendipitous than premeditated. In addition, like Sonya, many formerly prostituted girls and women refer to time in jail as the main impetus in their exiting from the life. This fact furthers the debate between those who believe that arrest and even jail time can benefit sexually exploited girls and those who argue it is permanently harmful. In response, many have suggested a form of detention that is not criminalizing and does not convey the punitive nature of arrest.

Domestic Trafficking

Service providers and law enforcement officers, most notably from the FBI, cited a sizeable number of girls who are trafficked interstate. Respondents pointed to regular circuits, including the Southwest circuit covering Los Angeles, Las Vegas and Reno, the Pacific or Northwest circuit extending from Hawaii to California, and the Northern and Eastern circuit from New England and New York south to Florida. As a center for sports events and conventions, a city like Atlanta is both a good stopover as well as a popular destination spot for pimps.

Advocates noted the powerful physical and emotional impact on girls of being transported from state to state. Trafficked girls can experience severe disorientation and isolation. They are unable to connect to friends or family and may be severely punished by their pimps for even picking up the phone to make contact. Running away from a pimp in an unfamiliar city, they find themselves stuck with no alternative but more prostitution. A girl may be put in jail very far away from where she lives and with no one to call. Informants recounted stories such as those of girls who have no idea where they were and were disconnected from their homes and the real world. One girl only recognized winter because they were standing outside in the snow waving down cars.

Eighty percent of prostituted girls in California, according to one service provider, are moved around among different counties and suffer the same isolating and disorienting impact. (Freeman) In the interest of prosecuting pimps, although U.S. law, statutory rape and the federal Mann Act consider sex (consensual or otherwise) with a minor and crossing a state line for such purposes a felony, prosecution of such cases is rare—even more so in the case of prostituted girls. Such laws may be getting new attention in light of the TVPA, which renders the crossing of state lines irrelevant, at least from a prosecutorial perspective. The Racketeer Influenced and Corrupt Organization (RICO) Act, requiring some measure of interstate activity, is being increasingly used to prosecute pimps.

Who Are the Girls and Where Are They From?

Who are the prostituted young females born and raised in the U.S.? Where do they come from? What are their ethnic, class and economic backgrounds? Again, without data critical to prevention and intervention, discussion of the topic produced inconclusive answers, though strong and differing opinions.

That juvenile prostitution occurs in every part of the country was underscored in all the interviews. Although respondents agreed about the diversity of ethnic backgrounds, they expressed sharp differences in emphasis and the political, social and cultural implications drawn.

One national report stated definitively that, "while other common denominators exist, such as drugs, alcohol, and child abuse, there is no causative relationship with socioeconomic status." (National Center for Missing and Exploited Children, 2002). Another says that "the majority of children involved in CSEC (Commercial Sexual Exploitation of Children) are white and come from working and middle class families." Frank Barnaba, of the Connecticut-based Paul and Lisa Program, told Newsweek in 2004 that "compared to three years ago we've seen a 70 percent increase in kids from middle and upper middle class backgrounds." "People don't want to believe this is happening or could happen to 'my children or my child's best friend," said Eileen Jacob, Director of the FBI program Operation Innocence Lost, estimating that the majority of the estimated 1,600,000 runaway children are white. Pimps want white girls and they are worth more, she said.

Ethnic and racial backgrounds differ, of course, according to the region of the country. The majority of runaways, girls from the Midwest, and those trafficked along the circuits tend to be white. Girls from urban areas and those who are exploited in their own cities tend to be more African-American. Additionally, the majority of girls seen by Minneapolis' Breaking Free and by SAGE (Standing Against Global Exploitation) in San Francisco are African-American, in part because they are the majority of girls arrested and in part because these agencies are located in poor African American areas.

While interviews addressed primarily white and African-American populations, Covenant House outreach worker Mike Blockson also referred to Houston's Asian and Latino communities. The Asian community, he said, takes care of itself and does not welcome outside help or interference, including police action. Prostituted Latina girls are found largely in the popular cantinas, or "mom and pop" clubs, where 12-17 year-old girls are paid to "model" onstage and dance with male clients to get them drunk. These girls, he said, are attracted by the lure of "easy money" and to help their families, who welcome the financial assistance and often look the other way. Such activities place these young Latina girls at higher risk of drugs and deeper involvement in prostitution. Schools, he said, are aware of an increasing dropout rate but are having a difficult time tracking the girls.

Whatever the girls' racial and ethnic origins, most agreed that the vast majority, at least of those who are arrested, are from poor families. "The first case I ever had was a white female named Shirley," said Alesia Adams, Director of CEASE. Her mother was a prostitute who introduced Shirley to her pimp. "Everywhere I put her, she would run right back to the pimp,"

said Adams. "The first time they found her stark naked on the street after 10 different men had slept with her. She had crack cocaine, marijuana and alcohol in her system and the worst case of genital herpes I've ever seen. And this girl had just turned 12." It is not that poor girls have greater need, but the families of suburban and middle class girls, said Adams, generally have resources, and can get their kids out of the court system and into specialized treatment and long-term care.

This increasing emphasis on girls from white, suburban and middle class families, while intended to bring attention to the problem out of the ghetto and into the mainstream, is troublesome to some. They argue that it only reinforces racism and feeds the mythology about what kinds of girls are—and are not—worth helping.

Stories about "some poor little white girl from Kansas kidnapped by some older bad black pimp and taken to another big bad city like New York or Los Angeles are supposed to bring change," said Rachel Lloyd, Director of GEMS, "as opposed to an African American girl who's grown up in her own neighborhood, whose aunt was probably a prostitute, whose father or cousin may be a pimp, and she's working four blocks down the street from where her mother lives."

The girls served by SAGE are generally minorities and from the poor working class. They are not, stressed Laurel Freeman, Director of Youth Programs at SAGE, the sexually liberated college girls the media likes to portray. "They do this because they do not have money. They do not have parents who are giving them allowances" and often don't have parents "period." Just like the girls from Thailand, these girls do not have other options, said Freeman.

CHOICE OR COERCION? VICTIM OR WILLING PARTICIPANT?

It's a disgrace that the public would think any 12,13 or 14 year old girl wants to have 20 different strangers touching her body, or to touch theirs. It's just unbelievable thinking, but continues to go on. Even social service funders often tell us they do not fund "this population" and I had one tell me "we don't waste our money on whores."

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Adams

No one chains them to the bed and forces them to have sex. They are forced in the sense that they are 14 or 15 year olds who don't have the maturity of an adult to make reasoned decision. Should they know better? Yes, but they only know what we teach them.

Communiello

From a legal perspective, the definition of trafficking in the TVPA makes clear that all persons under 18 engaged in a "commercial sex act" are victims. At the same time, most state laws treat juvenile prostitution as a crime. This inconsistency only draws attention to the contradiction and raises the level of debate about whether or not girls are in prostitution by choice or coercion, whether they are victims or willing participants.

The public, by and large, has come to view prostitution as a victimless crime, a harmless, if illegal activity between two consenting parties. Although advocates see this view as a more liberal version of the older finger-pointing-bad-girl-get-them-off-the-streets attitude, they argue that it still badly misses the reality. Juvenile prostitution is indeed a crime, but it is not victimless. Prostituted girls are the victims and the pimps and johns who exploit them the criminals.

While sexually exploited girls may be voluntarily "selling sexual favors" in the strictest sense of the term, there is usually little individual choice involved. Teens usually turn to prostitution as a result of desperation or due to manipulation by adults.

Deconstructing the Word "Choice"

So why does this view persist? Unlike foreign girls trafficked into the U.S. or at least the image conveyed, American teenagers are not so visibly victims. They are not generally kidnapped, sold, lured to a new country with false promises or locked up in a brothel and chained to a bed. From all appearances, they engage in sex for money willingly and for all the "wrong" reasons—glamour, money and adventure.

Even more damning, is the fact that the majority of prostituted girls do not see themselves as victims until many years later and only then if they are well out of the life. Even in the face of terror, self-debasement or the knowledge that there is *no other* choice, they often cling to the false belief that they are fine, that their pimp is the only one who can save them, and that he will fulfill all his promises and their lives will change. As Sonya stated, "I could have made better choices although I know too it wasn't my fault." Sexually exploited girls often express resentment at being rescued and loyalty to their pimps can be intense and relentless. In this way, some say, they appear to be "digging their own graves" when it comes to winning support or changing public attitudes.

Such a choice, though, may be aptly described as "volunteer slavery" (Farley, 1998) articulating both the appearance of choice and overwhelming coercion behind that choice. As one former prostitute testifies:

In a sense I made a choice. I could have left. But I didn't think I could survive on my own, and I couldn't go back home. I didn't have anywhere to go...he reminded me of that again and again. He kept telling me I was free to walk out and then that I had no choice, that I wasn't good for anything else. So I felt that I could've walked out and also that I couldn't. (National Center for Missing and Exploited Children, 2002)

"It's really hard to fit us into a nice little victim box," said Lloyd of GEMS and formerly sexually exploited herself. "It is much easier for society to look at us with scorn and disgust and simply assume that we're out there because we like it." For Lloyd, the choice these girls make is to not stay in their house and be used by their stepfather or others.

It is telling to note that when the girls who were interviewed for this study, all recently out of the life, were asked to evaluate the comparative role and responsibility of family, society and themselves in entering and remaining in prostitution they all ascribed over 75 percent as their "choice" and refused to see themselves as victims. To what extent this connotes denial and the results of trauma or the need for agency and decision making needs further investigation.

According to Queens County, New York prosecutor Anthony Communiello, referring to New York State practice, it is a close call. Traditional law enforcement requires physical force, that is, for a girl to be "grabbed by the hair, thrown into the car or van and carried away against her will" for a girl to be seen as a victim. But whatever you call this, he said, it's force. "She is dragged down emotionally, totally dependent on her pimp for basic needs and on the unwavering belief that she can't survive without him." This view of force, or coercion, possibly a bit fuzzy from a legal perspective, is a positive step towards defining girls as "victims" and determining how they should be treated by a criminal justice system, helping agencies, policy makers and legislators.

For still other legal officers and advocates, it is not even "close" and behavior is a moot point. Because they are not yet the age of legal consent, girls under 18 are automatically victims.

"There's a reason why kids can't vote, buy liquor, enter into a legal agreement, etc.," said Atlanta prosecutor Janis Gordon. "We don't expect the same level of responsibility that goes with citizenship." They do not have the experience or maturity of adults who are capable of making their own decision. That's why penalties for pimps increase, the younger the victim.

Some Questions Raised

Viewing girls as victims also raises some important questions. First, is the current conversation around the issue of arresting, or holding girls for protection, even against their will. Does this actually criminalize or protect them? A second question relates to overuse of the term "victim." Although it has important value for legal terminology, does it also weaken a desired perception and reality of intelligence, coping skills and decisions that prostituted girls draw on to survive in a dangerous and hostile environment? "We are very resilient," said Lloyd, "we have skills and abilities and talents that kept us alive on the street; we just need a different way to channel them."

However, might the suggested use of the word survivor, direct attitudes back to the belief that girls are not in fact victims, but volunteers? If they use their strengths to survive, why can't they also use them to escape or leave the life? Even with awareness of family abuse and suffering, it is still a challenge to eliminate the skepticism. "What about all the others who were abused as children but never resort to prostitution?" "Is child abuse so prevalent in our society that its consequences are dismissible?"

IN THE LIFE

I don't think a 13 year old just leaves her Barbie behind and says, "I'm going out there to work as a prostitute."

McAndrews

From what we see, nearly every girl recruited in prostitution has had something negative going on in her life that led her in that direction. I don't think people think much about child prostitution to begin with, and when they do, don't realize that this is the continuation of their abuse, not the beginning of it.

Jacob

Children do not just wander into prostitution and pornography. Rather the process is a complex one and invariably requires the involvement of adults—as initiators of sex with children, as recruiters into prostitution and pornography, and, in time, as pimps, traffickers, and sexual "customers."

(Estes & Weiner, 2001)

Out of the Frying Pan and into the Fire

Few girls enter the life of prostitution as the result of a well-reasoned decision. Vulnerable to the related seductions of love, money and glamour according to advocates, they are easy prey to recruitment by pimps, unaware of the danger they face and how hard it is to exit. Once in the life, they are subjected to constant violence from pimps, johns and often the police. At a moment when they can and should be given the opportunity to improve their lives, pimped and prostituted girls are further degraded by an overburdened system of law enforcement, justice and social services that simultaneously criminalizes and ignores them and their needs.

From Risk to Reality: Childhood Conditioning

The act of prostitution may literally begin in adolescence, but its foundation is usually laid well before. While pimps and johns exploit girls' vulnerability, they do not create it. Most of the prostituted girls are among the 1,600,000 runaways/throwaways—who more than likely had something to run away from. (National Center of Missing and Exploited Children, 2002)



Early sexual abuse: Widespread and unaddressed childhood sexual abuse among prostituted girls is well-documented, usually perpetrated by someone they knew and trusted, whether father, stepfather, brother, cousin, neighbor or family friend. A National Institute of Justice report from 1994 (cited in Freeman, 2000) claims that sexually abused children are 28 times more likely to be arrested for prostitution at some point in their lives than peers who did not suffer abuse. Data collected at Huckleberry House, an adolescent facility in San Francisco, showed that 90 percent of girls in prostitution had been sexually molested. (Flowers, 1998) A study of 130 individuals working as prostitutes (75 percent of them female) in San Francisco found that 57 percent reported a history of childhood sexual abuse with an average of three perpetrators. (Farley, 1998, cited in Freeman, 2000) A Canadian study found 82 percent of females had backgrounds of sex abuse prior to entry into prostitution. (Farley and Barkan, 1998; McIntyre, 2002, cited by Freeman)

These are significant figures, and those who work with prostituted children believe that the direct link to early sexual abuse must be understood by policy makers, legislators, law enforcement and the public. First, they say, it should be noted that what makes girls vulnerable to prostitution and especially to pimps is less the fact of childhood sexual abuse than the silence around it. They point to the complex often contradictory behaviors set in motion by the early violation of soul and body that goes unaddressed that often result in behaviors that set the stage for exploitation.

These behaviors include, for example, rebelliousness, school failure and truancy. It often sets off an obsessive search for love, care and protection (what all children need) to erase the abuse. That search, though, is accompanied by a contradictory and deep mistrust for all but those who turn out to most closely resemble their original betrayer. Childhood abuse can often ignite a powerless rage turned to self-loathing, low self-esteem and a simultaneous tug of war between the desire for punishment and salvation. Keenly aware of this complex dynamic, the successful pimp is only too ready to exploit this vulnerability and duplicate the abuse over and over and over. Unaddressed childhood sexual abuse also helps to explain the intense loyalty of girls to their pimps that is frustrating to many, especially law enforcement officers.

Other circumstances: Although it is accurate and easy enough to single out sexual abuse as the major precondition to prostitution, many other factors contribute to girls' vulnerability. Research shows a large percentage of girls with at least one parent involved in excessive drinking or illegal drug use. (Raphael, 2004) Surprisingly though, Raphael reports, many researchers do not sufficiently examine family dysfunction, dwelling instead on behaviors of women in prostitution as if they had occurred in a vacuum.

Exposed to physical, emotional and verbal abuse, they may be "throwaways," rejected, abandoned or ejected from their homes because they are "too hard to handle" or simply unwanted. They are not necessarily "bad parents," professionals maintain. They are most often poor, single-parent or intact families that are just too overwhelmed to provide a stable nurturing home, act as role models or they lack the patience for the inevitable developmental and behavioral struggles with teenage daughters. A proliferating sex industry that targets young females, peer pressure, a media bombardment of consumer values and glamorizing of sex and easy money are all powerful lures to girls with no job skills, no guidance and no base of support.

Many girls are failing in school or have dropped out, without help, without attention to the reasons, or often without attention at all. Schools and guidance counselors are "just not paying attention," said one service provider. They see these girls as delinquents and when their situation is reported, school officials shrug "we just keep picking her up and she keeps running away." They need to open their eyes and look at why this is happening. A comparative study shows "not attending school and not working" as a paramount high social risk factor for U.S. youth between 16 and 19 years old. (Estes & Weiner, 2001) All those interviewed pointed to the importance of early intervention and prevention support for families, schools and girls.

Courtship and recruitment:

My mom took off with my sister, leaving me behind to live with my grandmother. I never felt like she wanted me. I always thought if I could find and convince my mom to let me live with her, everything would be ok. But when I got to Baltimore, she didn't want me. Then I met M, when I was 14. He loved me so much and I was always afraid he would leave me too. That's why he could ask me to do anything for him and I did. So when he asked me to go make us some money, I did. (YANA, T)

Most of us never expected to be involved in the life, but because of our age, the abuse we'd already experienced and the pervasive messages about our sexuality and worth as young women that we receive every day in the media, we were vulnerable to a smooth-talking recruiter who promised us the world. Or at least a new pair of sneakers and jeans which at the time felt like the world to us. (Lloyd)

On their own, perhaps some adolescent girls would find their way in and out of the life of prostitution or skirt around its edges with a reasonable chance of exit and limited long-term damage. But a pimp in the picture drastically reduces those chances. Doubling as lover, confidant, father, love dealer, and eventually a kind of emotional executioner, he serves as middle man, entrepreneur and trafficker to meet and make huge profits from the demand for young female bodies.

Pimps do not happen serendipitously upon adolescent girls wandering around the city. They know just where to go and what they are looking for. Videos, used for training (and for bragging), and testimony in a landmark Atlanta pimp prosecution in 2000, reveal that they have done their homework well. "You've got to be a virtual psychologist, a manipulator, a dream seller," offered one pimp. "Most of them have been abused sexually by their parents... been raped so many times they feel they might as well get money for it. Well, it's my job to teach them that it's better to get paid for it than do it for free," said another. (Hansen, 2003)

While individual recruitment styles vary, the basic strategy remains constant and strikingly simple. Win their trust and love; turn them out on the street; and make sure you maintain total control. A pimp knows he will find girls at bus stations, parties, teenage hangouts, the mall,

movies, on the street, outside and even inside schools, in group homes and jails. Sometimes he may send his "bottom bitch" or favorite "ho" in his stable, as an envoy, showing a novice the way to easy money, and then not even enter the picture until she is in full swing, seduced by a new pair of jeans, jewelry, hungry for more and still unaware of the large hidden cost ahead. Sometimes he will find a new recruit through one of his prostitutes in a group home who brags about her boyfriend and convinces a girl to run away with her.

Most often, a pimp will stake out a girl, approach her directly and maneuver a way into her life—at a party, introduced by a friend, window shopping or walking down the street. He will encourage her to talk about herself and tailor his rap to her situation. If, for example, she is a truant from school, running away from an authoritarian father, or feeling lonely and undesirable, he will tell her she is too smart for school, buy her food and clothing, commiserate or rhapsodize about her beauty and worth. He can be tender, gentle, loving, passionate, loyal and full of promises—that include the moon and earth, usually in the form of designer jeans, regular manicures and "all the Subway sandwiches you can eat." At some point she is hooked and the way out becomes more and more elusive.

When the Honeymoon is Over: The Impact of Prostitution on Girls

Even then, I don't think they expect to be sleeping with 20 and 30 men a night. These pimps are grooming them. "Do me a favor; I did one for you." Then he puts her out on the street and she still doesn't understand, until she gets the hell beat out of her and has no place else to go and nothing else to do but what he tells her. By then, he's already beat her and she's just grateful that he didn't kill her. (Communiello)

A slave was non human property, bought and sold, moved from place to place without consent, controlled with physical violence, subject to unlimited sexual use by the master and anyone else they chose, kept no money and owned no clothing. And masters could kill a slave at will without consequences. How much does that differ from a child prostitute and her pimp? (Adams)

Especially as a girl reaches this developmental crossroads of adolescence, the damaging impact of prostitution may be far reaching and long lasting. Subjected to constant violence, seduction, threats, her body and soul are under daily assault. A prostituted girl is bruised and wounded, kept off balance and vulnerable to health problems. She suffers from fear, confusion and a series of losses—loss of school, loss of safety, loss of role models and of healthy peer relationships and loss of self—that are difficult to recapture.

Learning the rules: How and when a girl takes her first actual step into taking money for sex depends on the pimp and his assessment of control. It may take one week or six months; it can be an almost imperceptible one time favor, a way of building their future together. Or, she can be taken to an abandoned building, gang raped, introduced and handed over to the pimp's stable of other girls.

Whatever the length of time or method, a girl is handed a clear and non-negotiable set of rules. She is given a list of prices and time allocation for specific sex acts or activities. She is instructed to earn a minimum amount per session, instructed to not even look at another pimp and sometimes branded with a permanent tattoo as his possession. New recruits are given a street name, false IDs and carefully schooled on how to lie or withhold information to the arresting officer or court. Most of all, they are prohibited from identifying or even acknowledging the existence of their pimp or making any effort to leave. Infraction of any rule warrants punishment, the nature and severity of which the pimp determines at his discretion. The pimp's ultimate goal is twofold: to keep his girls dependent on him and to make as much money as possible for himself.

As pimps are well aware, the issue of money for girls is loaded and complex. On the one hand, it becomes a symbol of control and power over her abusers (directly the john and indirectly in the person of her early abuser); on the other, by turning it over to her pimp, she is, in her mind, ensuring that he will take care of her in a way that she so badly needs. That this belief is also illusory only reinforces the necessity to cling to it.

<u>Crime and punishment</u>: Violence from pimps and from johns forms the hard core of experience for girls in the life of prostitution. Outreach workers report frequent signs of assault including bruises, whip marks and black eyes as well as STDs, including HIV/AIDS. Regular beatings, often torture, are meted out by pimps to "discipline" and punish prostituted girls for any perceived infraction of the rules, most often money shortages, attempts to run away, or just to keep them off balance and in line. This includes being hit on the back, head, arms and hands and toes with baseball bats, pipes, two-by-fours and hammers as well as branded with irons, burned with acid, pistol whipped, tied to doorknobs and gang rapes. Sharon, now a prostituted adult, told an interviewer:

One time when I wanted to leave, he filled up the bathtub with water, poured a bottle of gin into it and made me sit in it with open sores. More than once, he would hold a gun to my head and tell me I had to continue sucking as long as he wanted. If I fell asleep or bit him, if my teeth even touched him, he would blow my head off. (National Center for Missing and Exploited Children)

At the same time, the pimp tightens the noose of dependency, convincing a girl increasingly as time goes by, that he is the only one who loves her, that she is useless and worthless without him, and that she deserves the punishment she receives. There is little more devastating to body and soul than the combination of physical and psychic torture, humiliation and degradation. The pimp makes love to you beats you and whispers in your ear that you are worthless and nothing without him. And you believe he is right. Karen remembered it this way:

I had taken off and came back, knowing there was a punishment waiting for me but not when it was coming. One day he took me to this apartment building and was talking real quiet about my leaving, so I had a kind of warning. He told me that the he had to teach me a lesson because he loved me and I had really hurt him. He didn't want to hurt me, but if he didn't do anything to make me pay for what I did that I would call him a wimp and wouldn't have any respect for him....

We went into the bedroom after he decided that he wasn't going to hurt me because he loved me so much. We started making love and I'm really feeling like he's treating me to this night off. Then he gets up, leaves the room, comes back and he ties me up... I didn't know if I was going to get beat or what, but he told me he wasn't going to hurt me so I believed him.

Then he took his belt off and started whipping me. I don't know how long that went on when he said, "You think that's all you deserve?" And I said "no." He said, "this hurts me more than it hurts you," which is a typical line he always used.... I stayed with him for almost seven more years after that. (National Center for Missing and Exploited Children, 2002)

Drugs and alcohol: Drugs and alcohol are indisputably central to the life of a prostituted girl. But the interviews elicited discussion and debate about their specific role. Does the need to support a drug habit drive teenagers into prostitution? Do pimps introduce girls to drugs, specifically to promote addiction and increase their control? Do prostituted girls use drugs to self-medicate? Does it matter?

While advocates agree about the harmful impact of heavy substance use, they differ about the relevance for treatment approaches. Some outreach workers, who largely come in contact with homeless and street youth, tend to see prostitution as an outcome of addiction and endorse drug counseling as the appropriate primary treatment. Advocates who deal with hardcore pimped girls contend that drugs are a secondary issue, used to numb out and cope with the pain. Recovery from prostitution, they say, is totally bypassed in treatment facilities that lump together pimped prostitutes who are using drugs and drug users who sporadically. or not at all, sell their bodies.

There is a big difference between youth who trade sex on the street for drug money and a girl who is under control of a pimp, Lloyd points out. Most are not drug addicted when recruited, but the longer they stay in the life, the more they numb themselves and learn to disconnect with alcohol and weed. "That love addiction, to someone who tells you you're pretty is far more powerful than any drug. Most pimps do not want their girls using drugs because the drug becomes the pimp. He doesn't want his prostitutes spending 'his' money on drugs," said Lloyd.

Psychic Damage/Trauma and Coping Skills

In addition to sustaining violence, drug addiction, STDs including HIV/AIDS, and other physical health consequences of prostitution, girls suffer devastating damage to their psyches. Interviews with prostitutes around the world revealed that two-thirds suffered from PTSD (Post Traumatic Stress Disorder), in contrast to fewer than 5 percent of the general population, and in a higher percentage as well as more severe form than that suffered by Vietnam veterans. (Farley, 1998) Their self-esteem is so damaged, they don't believe they could ever be cared for, respected in society or appreciated in personal relationships, the study said.

Sexually exploited youth have no sense of future and live for immediate satisfaction, as "empty shells hollowed out by violence, coercion and intimidation." (Paul and Lisa Program) Entering the life of prostitution may allow girls to escape a difficult home situation, but only at the price of short-circuiting their own growth and development. (Finkelhor & Ormrod, 2004) Symptoms include, among others, flashbacks, nightmares, numbness and disassociation, especially during sex and during any stressful period.

Symptoms of trauma, though, can be invisible to the untrained or indifferent eye and easy to overlook. In fact, they often manifest themselves in behaviors that seem to reinforce the belief that girls are perpetrators not victims, and if victims, willing victims. Particularly off-putting to many law enforcement and traditional caring professionals are, for example, the defensive, often aggressive, responses by sexually exploited girls to efforts of assistance. This includes "lying through their teeth" as well as lashing out, mistrust, seductiveness, manipulation and other forms of acting out. "These girls are not little eight year olds molested by a neighbor or boy scout leader," said Jacob of the FBI. "They are tough, hard, can swear like sailors, and they say a lot of things at 15 that we as adults have never even thought of."

This includes rejecting offers of "rescue", insisting that they are just fine, and an intense unshakeable loyalty to their pimps. The biggest problem with juvenile prostitutes, explained San Francisco police inspector, Lynn Atkinson, is that they don't see themselves as victims: "The young girls we arrest aren't flagging us down for help; and when we try to go after their pimps, they cover for their man like he's daddy."

These behaviors, advocates, such as Atkinson and others who better grasp the nature of trauma explain, must be understood as a function of a girl's entangled dynamic with her pimp. Mentally, they have set up a protective barrier to preserve their fragile and damaged sense of self. They need to believe that this was their choice and that they are perfectly fine. They need to believe that one day they will be recognized by those who prostitute them as someone really special and that their lives will change. (Paul and Lisa Program)

I was so young and so naïve. I tried to convince myself mostly that they were my boyfriends and not pimping me. "I'm not a ho." I believed he wanted me, cared about me and all those girls (his other whores) were just jealous. That all I was doing was for him and me to build our own empire. I was to keep quiet and not believe them because they were just trying to hurt me. (Friedman)

"Brainwashing" "Stockholm Syndrome," "domestic violence," "battered wife syndrome" and "love addiction" have all entered the public dialogue as relevant explanations. Early abuse may set the pattern, but not always. Bonding with a captor also has deep psychic roots. What feels like love develops from a series of variables—degradation, humiliation, unpredictability. Captors become saviors. The pimp is the only person who cares about them and satisfies their simultaneous need for love and punishment.

¹⁴ Stockholm syndrome is the identification by captives with their captor to protect themselves against the reality of their actual powerlessness.

Building on Strength and Resilience

Many symptoms of trauma are described as coping mechanisms, or survival skills that constitute a compelling internal arsenal of self-help tools to make the intolerable tolerable. They may reflect a desperate distortion of the adolescents' drive to claim their autonomy. For example, in order to preserve a shred of dignity and self-assertion, prostituted girls might make a clear distinction between violence from a john and from a pimp, who in their eyes is not a pimp and whose violence is often seen as discipline and punishment.

In their efforts to win legal and attitudinal recognition for a victim status, some advocates are quick to point out that they do not want sexually exploited girls to be seen or treated only as victims. Nor do they want their "survival skills" to be dismissed as only symptoms. Sexually exploited girls often display enormous strengths of character that need to be acknowledged, accepted and called on in the healing process. Many programs serve the immediate and service needs of prostituted girls, but, for reasons ranging from sensitivity to discomfort, avoid addressing their emotional needs and mental state, including their inner resources.

"They are the smartest, most resilient kids I've run into," said Julie Posadas, a San Francisco probation officer. They know how to assess people really fast, figure out who is safe and who isn't, who is real and who is fake, which makes it essential that all manner of professionals dealing with them be authentic. Young people are trying to figure out who they are, she said, "and if you slip up, these children will not tolerate you."

Exiting the Life: Trial and Error

How and when girls leave the life and what happens to them afterward is not well understood. It happens in many ways and often long after girls have turned 18. Although the four girls interviewed for this study are not meant to represent even a sample, their responses can be instructive. All four were in a detention or arrest situation and introduced or mandated to one of the few service agencies that deal specifically with this population.

Their time after exiting the life ranged from 2 ½ years to three months. Three of the four were now over 18; their ages of entry ranged from 12 to 15 years. Two of the four have children, at least one of which was born during their time in prostitution. All said they were glad to be out, although it was a challenge finding work, staying on track, developing new relationships, giving up old habits, not slipping back into despair, and the temptation to return was never gone. All of them said they thought about leaving the life long before they finally did, and even tried.

For Sonya, now nineteen, seven years and 20 pimps after she began thinking about escaping the life to actually do it. She had already been trafficked to Texas, Iowa, Arizona, Colorado and a host of other states she couldn't remember. What took her seven more years? There was nowhere to go and no one would want her; fear they would track her down and beat her; hope that any one of her 20 pimps would deliver on their promises of undying love and many mansions; nice clothes and fancy restaurants. Sonya said that she did try several times but would always go back "for one reason or another." After several bouts of jail time, Sonya was

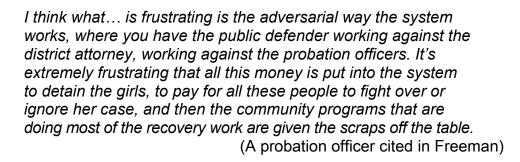
mandated to Breaking Free, an agency for exploited women and girls in Minneapolis. She is with them now, a year later. Sonya said:

If only I had known about them sooner. All the other times I thought, "So what if I get out? I don't know what else to do." The cops called me "ho," "prostitute" and treated me like shit. The courts told us we should know better; we could get out if we wanted to and find other things to do. But we couldn't. And they never gave us any help.

INTO THE SYSTEM: **EXIT OR NO EXIT?**

It is society's responsibility to protect girls, even from their bad judgment.

Jacob



Ambiguity exists because when a juvenile has sex with an adult in exchange for money, the juvenile may have committed a prostitution offense and may also be a victim of a statutory or other sex crime. Presumably, when the juvenile is pimped, they will be seen as victims, and when they take a more active role such as soliciting, they will be seen as offenders.

(NISMART-2)

The institutions of American justice and welfare bear individual and collective responsibility to assist prostituted girls in exiting the life and to help prevent others from entering it. Leading or responding to public opinion, social norms, and the law, the system may carry out, ignore or turn its back on that responsibility.

It is easy and probably accurate to say that the bureaucratic, fragmented, vastly overburdened and outmoded system of American justice fails girls in prostitution (as it does many other populations of children in critical need of assistance). The vast majority of sexually exploited girls are both stigmatized and trivialized by a system that often operates as if its main function is to get them in and out as speedily as possible without having to recognize or do anything to meet their needs.

The central issue facing the justice system is the way in which it views and treats prostituted girls: Are they victims or offenders? A report by the Department of Justice substantiates a high level of confusion or uncertainty around this issue. "Juvenile prostitutes can be viewed primarily as victims



in the control of unscrupulous adults and commercial vice," the report states. (Finkelhor & Ormrod, 2004)

They can also be viewed as willing participants in an illegal trade and objectionable activity. Welfare and reform organizations tend to approach (them) as victims of specific exploiters and/or more general social conditions. The police are more likely to view them as criminal offenders. In fact, the legal system can treat them as both offenders and victims.

This section of the report focuses specifically on the impact of the justice system on the lives of prostituted girls. How are they viewed in the eyes of the law? How are they treated by the police, prosecutors, courts and welfare agencies? What services are they provided to help meet their needs?

In the absence of official data, solid anecdotal experience and knowledge culled from interviews call attention to a profusion of inconsistent, ambiguous and contradictory laws, policies and practices. They also show these law, policies and practices to be in a state of flux and that there are important pockets of change in attitudes and approaches by people in the justice system.

In the "Eyes" of the Law

Throughout the U.S. both adult and juvenile prostitution are clearly criminalized with the exception of 13 counties in Nevada. (NISMART-2) It is often a low priority and treated as a victimless crime that rarely results in incarceration of these women and girls (of more than a night or two) or a blot on the record. The logic of using this law to prosecute a sexually exploited girl, while allegedly innocuous, leaves her as far from the exit door as ever.

Meanwhile, most states also consider "carnal knowledge" of a female under "the age of consent" (16 to 18, depending on the state) as statutory rape no matter how mutual the act; when state lines are crossed, it becomes a federal crime. That this law is rarely enforced is beside the point. What is relevant is that the underage female in the eyes of the law is clearly a victim on whom an older male has perpetrated a crime. The only difference between statutory rape and juvenile prostitution is the exchange of money for sex, where the victim is often treated as an offender.

Under the TVPA any person younger than 18 years old "induced to perform" a commercial sex act is considered a victim of a "severe form of trafficking." It demands that American children, as well as children brought into this country, are duly protected under the law and provided appropriate services, no matter how they enter the life—and no matter how they present themselves while in custody.

There is a critical disconnect between coexisting state and federal laws. While the federal statute draws a new picture of prostituted girls as victims, the vast majority of state and local systems continue to treat them as offenders. In nearly all states, pimping is also a misdemeanor, although some increasing legislation, for example, in Georgia, now considers it a felony.

In the "Name" of the Law

Following the letter and the spirit of the law then becomes a trail of mixed messages. Interpretation and application are up for grabs and every step of the process plays directly into the hands of the pimp. A pimp helps a girl to easily exit the legal system, but she is no closer to exiting the life.

A girl's first encounter with the system is usually the police. Most often she will be picked up in a neighborhood sweep or by an undercover cop, arrested and charged with loitering or soliciting, both misdemeanors. Once arrested, the vast majority of girls lie about their ages. Being over 18 will get them into adult court and the criminal justice system where they will at worst spend a night in jail and, in the morning, be back out into the arms—or hands—of their pimps. Skillfully trained, girls have been provided with fake IDs, new identities, and ironclad histories that may serve as a permanent free pass from the dreaded juvenile system where they are held, investigated, traced and placed—but rarely provided the services or support they need to exit the life.

The absence of consistent laws or clear guidelines fuel uncertainty among police on how to deal with juvenile prostitutes. It is still common practice for them to treat girls as offenders, with indifference, harassment, and/or the opportunity to trade sex for a free ride. T, 18, put it this way:

When I got arrested, everyone from the cops to the judge to my own public defender looked at me like I was a bug or something. And my god, when they found out I was pregnant it was like I must have killed one of their family members; like they had never known anyone as horrible as me. I think most people think that we like it and there is something wrong with us. (YANA, T)

Even when police are instructed to treat prostituted girls as victims of pimps, and/or they make the effort to be sympathetic, the anger, mistrust and overall "bad attitude" of the girls themselves only reinforce entrenched beliefs and behaviors that they are on the streets by choice and not victimized.

"They are going to curse you out for sure," say members of the growing ranks of "savvy" and sympathetic law enforcement. All they know are adult males "who want to get into their pants, then along comes an undercover cop posing as a john and as soon as the girl says 'yes,' he jumps out of a cake and yells, 'Surprise! I'm a police officer," as one police detective described the scene. "You can't just sit there and take away the only person who ever cared for them without offering them something different."

Police station interaction can provide an excellent opportunity for early intervention with quality social service programming. But sympathetic officers say that there are many missed opportunities (Freeman, 2000) and their hands are tied. Breaking down resistance and earning the trust of sexually exploited girls requires skill, understanding and badly needed training for police officers, reinforced by messages from the top that it needs to be taken seriously. Individuals who behave towards girls with contempt or indifference are more likely to be encouraged by the present system and those who offer compassion and respect, more likely to struggle against it.

Suspecting a girl of being underage, for example, they are discouraged from checking out her background. Arrested girls are not fingerprinted; district attorneys are usually loathe to file charges on individuals arrested for a misdemeanor and authorize their quick release. (Freeman) Without a mindset that views girls as victims of others rather than themselves, there is little incentive to investigate, prosecute and sentence pimps and johns with more than a fine and a warning. Empathetic police and others are forced to work unofficially and on their own time, often at 3:00 A.M. when there are no resources available for a sexually exploited girl, including a place for her to spend the night. One of the major gaps described by all is the lack of transitional housing or places for girls to go other than back out onto the street.

An obvious conundrum arising from the acknowledged need to hold girls for their own good has generated much recent conversation among advocates. For some, putting an offender label, even that of a misdemeanor with little punitive consequence, on a girl who is, in fact, a victim, only further criminalizes her. For others, especially in law enforcement, arrest can have a protective and potentially restorative value. "Until she gets real help," said Lynn Atkinson, Inspector of the San Francisco Vice Unit, Crimes against Prostitutes, "any place there is a door without locks, a girl will be out the back to go meet her 'boyfriend.' We need to keep them locked up, give them time to calm down, have some time away from their pimps."

In South Dakota, St Croix, Minnesota, Iowa, and other states she has forgotten, Sonya was overall in 14 treatment and lockup facilities. In jail, she said, "it's all screwed up when they can lock you up for so long and when you are so young. It takes away everything. Each time I gave up more hope that I could ever do or be anything."

Did *anyone* help? Once in a long while she would meet staff members who cared, who, she said, liked their jobs and were not doing it for the money. At the same time, it was only her time in jail that got her to Breaking Free. On her own, she never would have found them, nor they her.

While advocates may disagree about whether arrest and incarceration are appropriate solutions, they are in full agreement about two issues: First, that a way must be found to detain and offer girls better services and, second, that the juvenile justice and family court system, designed to do just that, is a failure.

The Juvenile Justice System

We had one girl who in her mind was making a lot of money and could have "Subway sandwiches" whenever she wanted. Now she tells us, "I'm in a home with all these girls, who call me names." So when the pimp calls up and says, "you want to come back to me," she's going to jump in that car so fast. (Posadas)

It is impossible to know what percentage of arrested girls actually winds up in the juvenile justice system. Those who do, are often caught in a revolving door that keeps them circling back and forth between prostitution and an institution that is outmoded as well as ineffective in practice, and to a large extent in judicial philosophy as well. Depending on the jurisdiction, a girl can be detained for up to 48 hours until her disposition hearing, until her family can be located, until she is released or placed in a home or other facility. In theory, the detention period (and/or placement) is intended to have a rehabilitative function that provides her with counseling and other services.

Unfortunately, advocates maintain that these services are in short supply and that supportive police and probation officers have to scramble to get a girl help before she is released. The window of opportunity is very narrow, leaving them only "scraps off the table," said one San Francisco probation officer, such as brief visits from counselors or referrals to the handful of service agencies that deal with this population. She is then returned to a family from which she may have run away in the first place or placed in a foster or group home or other facility where her needs are commonly unrecognized and ignored.

Placed in group homes with other juveniles arrested for drugs, assault, theft or other categories of "delinguent behavior" or "status crimes" (and often arrested themselves for such offences), sexually exploited girls keep their prostitution under wraps to avoid stigma, even abuse, from the other girls or staff. Moreover, despite a noted increase in number of females in the system, policies and programs for juvenile offenders are largely designed for boys with a focus on short-term security rather than support. Mental health services are largely geared to juvenile inmates in what they describe as "severe crisis," such as suicide attempts, while the trauma and pain of girls who "numb out," such as many prostituted girls, are dutifully ignored as non-crises. (Posadas)

At the first chance they get, most girls will run back to their pimp and the street, which they often say are safer than a group home or juvenile facility. Or they may be enticed to run away by another girl in the facility to a new pimp. In many cases, even girls in group homes for non-sex-related crimes will be recruited and enter prostitution for the first time.

Sonya was out of the life for three months when she was interviewed for this report. She said that she kept trying to leave the life but would always go back. In and out of treatment, she began to rob stores, went back into prostitution and was caught during a robbery. She served 18 months for aggravated robbery, auto theft, drugs and prostitution in Iowa and kept running away. "There was nothing but cornfields," she said. "So I didn't get anywhere and then they sent me to South Dakota for a harder lockdown." How was she treated by the justice system? "Everyone knew me in juvenile court," she said. The staff looked down on her and the Judge could never see past her record. "I was a piece of shit."

There Is Another Way—A Way Out!

There are scattered places where people are working to review and reform policies and practices in response to passage of the TVPA.

<u>Service agencies and advocates</u>: Most traditional youth and helping organizations recognize and provide for the immediate necessities of children involved in commercial sexual exploitation. Few, however, are sufficiently equipped to address or even recognize their specialized and long-term psychological needs.

If there is a changing environment, a large measure of credit goes to the small number of committed advocates, under-funded individuals and private non-profit service agencies in a small number of cities. These are the groups that have been struggling for the better part of a decade outside the system to bring attention and services to girls whose needs are unrecognized, ignored and/or further abused inside the system. Those who contributed to this report include: GEMS in New York City, Breaking Free in Minneapolis, SAGE in San Francisco, and CEASE in Atlanta. Representatives of You Are Not Alone (YANA) (Baltimore), Paul and Lisa (Connecticut) and Covenant House in four cities were also interviewed. Others include proactive organizations such as Children of the Night in Los Angeles and others in Washington, D.C. and Chicago.

The size of these agencies range from a single staff person at CEASE to over a dozen at SAGE. All focus on the needs of exploited girls as well as women. Services range from and often include court advocacy, harm reduction (providing services without requiring that a girl exit the life), counseling, therapy, job training and, in a very few cases, residential housing. Some agencies were founded and are staffed by women who were prostituted as children. They have in common a dual insistence on dealing head-on with trauma experienced by prostituted girls and building on their resilience and strengths. They are also among the most persistent advocates of legal and systemic reform.

Their success rate and respect is evidenced in part by the excellent formal and informal relationships they have developed with elements of the courts and law enforcement in their cities. Girls are routinely referred or mandated to them. For example, when asked what happens to their "rescued" girls, Sergeant Shannon of the Las Vegas Metropolitan Police Department's Vice Unit, said they go right to Children of the Night in Los Angeles. In New York, "we send them to GEMS," said an officer. In San Francisco and Minneapolis, SAGE and Breaking Free run effective "john schools" to which arrested customers are mandated. In Atlanta, the one woman show, CEASE, runs back and forth to court, juvenile detention centers and responds to the continuing call for help and support from girls themselves.

Translating the Legal View of Girls as Victims into Proactive Prosecution of Exploiters When change is mandated from the top, new attitudes and new definitions of victim and criminal can both lead to and result from a shift in laws, policy and actions. Since 2000, a steadily increasing number of major federal and local programs, investigations and prosecutions against pimps have taken place. A small, but increasing number of districts, boroughs and a few cities, including San Francisco, Minneapolis, Detroit and Brooklyn, have instituted penalties for johns. These range from required john schools to impounding their cars with a heavy fine and/or posting their picture on the Internet.

Key Pimp Prosecution

A single juvenile judge in Atlanta, supported by community concern, called for services, shelter, and a new state law to make pimping of minors a felony. A creative and aggressive prosecutorial approach that won 15 pimp convictions, including two sentenced to 30 years, shows what can be done.9

In the late 1990s, as in most other states, Georgia state law deemed pimping of minors a misdemeanor; prosecutions were rare and arrested girls were treated as offenders. Hands tied by restrictive state law, Assistant U.S. Attorney, Janis Gordon, unleashed the federal RICO Statute to attack the problem. "What we had here was clearly, if loosely, organized crime," said Gordon, now a state judge, citing a laundry list of federal violations—drugs, false IDs, transporting/trafficking girls across state lines, extortion, check fraud and money laundering—to prosecute.

The impact of the case reached beyond new legal precedent and successful large-scale convictions. It resulted in a new Georgia state law to make pimping a felony and the opening of a badly-needed facility, called Angela's House, to provide housing, training and other programs for prostituted teens. The year-long investigation and pretrial process involving 52 girls as potential witnesses also brought some important lessons: the raising of public awareness about the victimization of prostituted girls, the coming together of the community and a conspicuous change in many of the girls themselves.

For Gordon, treating the girls who testified against their pimps as victims, made a huge difference. She credited a long process that included sensitive preparation by federal and local law enforcement officials as well as the involvement of women's groups who sat with the girls in court and took them out to lunch while they waited to testify. Just being around these women and being treated with respect was important to them, she said. They entered the process defensive, mistrustful and totally loyal to their pimps. But as time went on, they began to feel safe and to talk. "Many of them were so proud when they testified," said Gordon.

National FBI Initiative

The importance of political will from the top is also evidenced in a new FBI initiative, Operation Innocence Lost, created in June, 2003. While always a federal crime, pimping, pandering and interstate trafficking of children was not a FBI priority. But a new political resolve combined with the TVPA, in which crossing a state line is no longer required to qualify underage prostitution as a federal crime, has opened the door to major changes in attitudes and actions. Eileen Jacob, Executive Director of the initiative, stressed the communication between Washington, D.C. headquarters and the field offices which are encouraged to "go out there" and proactively investigate child prostitution in all areas—escort services, massage parlors, strip clubs, etc. "They come back to us and say we found such and such and we provide investigative and prosecutorial resources."

Jacob emphasized the importance of careful and usually long investigations when RICO is used to ensure a foolproof case and lengthy incarcerations. "You can do a shoddy

⁹ The 2000 "Queens Plaza Boys" prosecution in New York City was another successful, but smaller campaign against pimps.

investigation and put a pimp away for two years," she said, so when he gets out he is right back in business. "Or you can work a year and put a guy away for 85 years," she said, noting a recent case in St. Louis, "so he can never come out and do it again." While Jacob demurred in suggesting that incarceration has a deterring impact, she said "it does get them off the streets."

New Probation Approach

Julie Posadas is the Coordinator of the Girls' Justice Initiative, an innovative program of San Francisco's juvenile probation department started in 2000. The program provides varied services to girls in detention ranging from crisis counseling and therapy to victim advocacy and health education concerning pregnancy prevention, sexual decision making and building self-esteem.

What is innovative about this model, according to Posadas, is its recognition of and direct response to two key factors: first, that prostituted girls need a variety of services that are both immediate and ongoing, including housing, jobs, medical services and longer term psychological help to address trauma and childhood abuse; and second, that help can only be offered and not imposed. Funded and supported by a stream of city agencies, the program partners with specifically-selected community organizations with good track records. This includes, for example, SAGE, where girls can interact with people who really care about them and the United Way of the Bay Area, which performs data-based case management, court advocacy support and mentoring. The program relies on a police department that is more concerned with the safety and protection of prostituted girls than with harassing them.

A Long Way to Go

Extending well-deserved praise to these changes, advocates maintain that they are far too few, too slow, too small and in constant risk of fading under the weight of the powerful and behemoth system as well as public indifference and lack of continuing political will. The system is badly strained and fragmented with little departmental or jurisdictional cooperation, or even contact. This, they argue, reflects both inertia and competition that stand in the way of expanding or even helping the best changes to become permanent.

For example, San Francisco, said Posadas, remains like an island, and dealing with girls from out of the county are a "nightmare." Detained for a week in San Francisco, they will usually be sent back to their home county where trauma is not recognized and there are *no* services. While San Francisco's Mission Street might see a decline in prostitution, rural Solano County is a "paradise" for pimps. "They parade their prostituted girls to the fields at night and turn them out." The police don't see it as a problem, are not pressured by the community and don't bother the pimps or johns, she said.

In Atlanta, while highly praising the changes, Adams of CEASE is frustrated by her agency's struggles to keep girls from falling between the systemic cracks. Case workers from the Department of Family and Children (DFAC) are so busy with the thousands of starving, neglected or abused babies, she points out, they are not going to bother about helping a fourteen or fifteen year old girl who's making money on the street. "In a few years, anyway, she'll be out of the system and out of their hair." And only three years after the successful

pimp prosecutions and legal improvements, pimps brazenly returned to the scene of their crime in force to serve up their stable of girls at the 2003 NFL playoff. (Hansen, 2003)

Although financial support for these service providers is increasing, allowing them to expand their work, they continue to lift the burden from the back of the system, where it belongs. Modeled on their successes, using their knowledge and expertise, social service support needs to become an integrated part of the system.

This will require a multi-dimensional and integrated approach that includes a greater consistency of laws and actions that clearly identify girls as victims of criminal acts, implement more aggressive pursuit of pimps and johns as the criminal actors, protect the legal rights of prostituted girls, provide a range of services that are compassionate, humane and directed towards helping prostituted girls deal with their mental and physical health, support their strengths and get them back on their feet.

RECOMMENDATIONS

ECPAT-USA calls on officials at the highest level to publicly denounce in the strongest terms the pimps and johns who sexually exploit American children in the same terms and with the same urgency that they denounce international traffickers and to state in the clearest terms that prostituted children are victims, not criminals.

Drawing from programs, laws and services established to assist victims of international sex trafficking, the following recommendations are based on the conviction that these efforts can and should be adapted without delay to serve American children. Although this report deals specifically with girls and pimps, these recommendations refer to boys and girls under the age of 18.



Law Enforcement and Prosecution

Federal:

- Provide funding for training of criminal justice agents, including judges, police and prosecutors about young American victims of human trafficking within the U.S.
- Adapt for American children, the current Department of Justice program of funding and establishing joint federal-local anti-trafficking task forces across the country.

State:

 Establish model laws for child sexual exploitation and pornography, specifically by making pimping of children a felony in all jurisdictions.

Local (city, county, etc.):

- Facilitate the prosecution of customers of prostituted children as child sex abusers and place them on sex offender lists.
- Support the expansion of schools for johns in jurisdictions across the country

Services

Provide dedicated federal funding streams, similar to those now established for foreign victims of trafficking, for sexually exploited American children.

Establish and fund a series of safe houses and transitional living facilities for sexually exploited children around the country.

Develop and fund nationwide training programs for all youth workers and social service agencies about early intervention and the specific needs of sexually exploited children, including those related to physical and mental health.

Increase partnerships with and funding for successful agencies now serving the population of sexually exploited children.

Establish model programs in several cities formalizing existing linkages between service agencies with effective strategies and criminal justice departments.

Develop recommendations and guidelines for services to prostituted children for health organizations such as the American Academy of Pediatrics, the American Psychological Association, the American Public Health Association and the Society for Adolescent Medicine.

Identify and disseminate best practices in services for sexually exploited young people.

Prevention

For current and potential johns:

- Conduct nationwide public information campaigns targeted at men to inform them that the purchase of sex with a child is abuse and of the harm that it does to children.
- Provide services for men who need advice and support about how to stop sexually exploiting girls and women.

In schools:

Establish and disseminate model prevention programs in schools so that young people can learn how to recognize commercial sexual exploitation, about the risks, about healthy relationships and where and how to find help when a young person is threatened or involved as a victim.

General public:

 Produce and distribute literature (fliers, posters, brochures) and PSAs (public service) announcements), similar to those currently used for drug prevention, about risks and warning signs for parents.

Research and Data Collection

Investigate the kind of programs that are beginning to be developed and implemented to prevent children from becoming sexually exploited and those that help them exit successfully.

Produce and publicize studies on the mental and physical health impact on children of commercial sexual exploitation.

Obtain critical data on child prostitution through surveys and interviews with law enforcement, service agencies, children and adults in prostitution. Areas would include, for example, numbers, sex, ages, early histories, ethnic and economic backgrounds, entry into and length of time in prostitution, how and why they exited, what kind of help they need and/or receive.

Produce a study on the economic impact of health problems of sexually exploited children.

RESOURCES

Personal Interviews

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Atkinson, Lynn, Vice Inspector, Crimes Against Prostitutes Unit, San Francisco Police Department

Benton, Lisa, Outreach Worker, Covenant House, Atlanta

Blockson, Michael, Outreach Worker, Covenant House, Houston

Bragin, Martha, Associate Professor, John Jay College of Criminal **Justice**

Breault, Susan, Director, The Paul and Lisa Program, Connecticut

Carter, Vednita, Director, Breaking Free, Minneapolis

Clay, Cyndee, HIPS. (Helping Individual Prostitutes Survive), Washington DC

Coley, Carolyn, Outreach worker, Covenant House, Atlanta

Communiello, Anthony, Assistant District Attorney, Queens, New York

Durkin, Amy, YANA (You Are Not Alone), Baltimore

Freeman, Laurel, Director of Youth Programs, The SAGE Project

(Standing against Global Exploitation), San Francisco

Friedman Joy, Case Manager, Breaking Free, Minneapolis

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Joyce, Dennis, Teacher, Landmark High School, New York

Kennedy, Tom, Vice President, Covenant House, New York

Lloyd Rachel, Director, GEMS (Girls Education and Mentoring Services), New York

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Prial, Elizabeth, Special Agent, FBI

Shannon, Steve, Sergeant, Metropolitan Police Department, Las Vegas

Taylor, Stephanie, Outreach Worker, Covenant House, Detroit

Sonva*

Chandra *

Theresa *

Eve *

Celeste *

Celeste's mother

YANA Focus Group, T

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ECPAT Mission Statement

ECPAT is a network of organizations and individuals working together for the elimination of child prostitution, child pornography and trafficking of children for sexual purposes.

It seeks to encourage the world community to ensure that children everywhere enjoy their fundamental rights free from all forms of commercial sexual exploitation.