

# The Criminalization of Child Trafficking

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May, 20, 2016



# Introduction

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1. The sex trafficking of minors refers to predators coercing or forcing children to live in sexually binding predicaments without choice.
2. Based on research from Hodge (2008), the trafficking of children has grown tremendously to the point of organized crime.
3. Sexual acts include forced prostitution and entrapping young minors as sex slaves (Hodge, 2008).
4. Many children who ask for help or end up in law enforcement custody can succumb to jail time and other disciplinary actions, despite being underaged (Barnert et. al, 2016).

# The Facts

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According to [traffickingresourcecenter.org](http://traffickingresourcecenter.org) there were 5,544 US cases reported in 2015. About 1,621 were minors and California, Texas and Florida were the top three states with the most reports.

The website also reported how profitable sex trafficking has become, with traffickers using harsh punishment against their victims to maintain control and increase profits.

Most of the cases are called in through community members or the victims themselves.



# The Scope of the Problem

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Before 2012, no laws were preventing the use of jail time to punish sexually trafficked minors.

When they chose to seek help (medical or law enforcement), they would be arrested and tried as prostitutes (Barnert et. al, 2016).

However, the United States have historically used juvenile prostitution as punishment for trafficked minors (Curtis, 2012).



# Impact of Sex Trafficking

According to Cowell(n.d.), sexually exploited children tend to exhibit anxious, depressive, and runaway behavior.

The trafficking resource center also states, trafficked minors will also show symptoms and signs that mimic child maltreatment. The minor will typically show bruises, broken bones, poor hygiene, and low medical assistance.

These children also lose the opportunity to obtain an education and remain in school (zoe.org)

## Human Trafficking 101

### HOW DOES HUMAN TRAFFICKING AFFECT OUR SCHOOLS?

Trafficking can involve school-age youth, particularly those made vulnerable by challenging family situations, and can take a variety of forms including forced labor, domestic servitude, and commercial



sexual exploitation (i.e., prostitution). Those who recruit minors into forced prostitution violate federal anti-trafficking laws, even if there is no coercion or movement across state lines. The children at risk are not just high school students—studies demonstrate that pimps prey on victims as young as 12. Traffickers may target minor victims through social media websites, telephone chat-lines, after-school programs, on the street, at shopping malls, in clubs, or through friends recruiting other friends.

Source: U.S. Department of Education. Human Trafficking of Children in the United States a Fact Sheet for Schools. Retrieved December 19, 2012 from <http://www2.ed.gov/about/offices/list/osdfs/factsheet.pdf>

# Policy Responses

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After 2012, a legislation called the Safe Harbor Law was passed to protect child victims of sexual trafficking (Barnert et. al, 2016).

Instead of arresting and criminalizing, professionals would need to work within the child welfare system to address the needs of the minor (Barnert et. al, 2016).

# Policy Responses Cont'd

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Since the passage of the Safe Harbor law, some weaknesses have presented themselves:

Barnert et. al (2016) reported that not only was the Safe Harbor Law poorly implemented but it also lacked adequate funding. These weaknesses lead to many professionals continuing to use law enforcement due to lack of clarity.

Therefore, despite the best efforts of the United States government, there is still room for improvement.

# Recommended Policy Reforms

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Although the Safe Harbor law was a bold move, another policy should be introduced and focused on the individuals who are exploiting these minors.

Currently, the Federal Bureau of Investigations (FBI) are using creative tactics to arrest the buyers and sellers who are involved in child pornography. These strategies are helping to reduce predatory activity and instances of child pornography.

Therefore, a policy should be created for child trafficking that includes similar tactics.



# Recommendations Cont'd

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In addition to law enforcement strategies, the policy should also provide sufficient funding for the victims.

The aid can account for medical attention, temporary housing, nourishment, and the educational needs of sex trafficking minors.



# Conclusion

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In spite of the Safe Harbor law being a step in the right direction, preventative actions are also necessary.

Also, the recommendations can help with the downside of the Safe Harbor law and seek to combat the root of the problem.



# References

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