

NON-CRIMINALIZATION OF JUVENILE SEX TRAFFICKING VICTIMS

JuST Response Fact Sheet

January 2016

CHILD SEX TRAFFICKING VICTIM OR CRIMINAL?

Under most states' laws, it's *BOTH*!

- As of November 1, 2016, only 19 states and DC had non-criminalization provisions.
- That means, 31 states still criminalize children for prostitution.

Children are criminalized for prostitution offenses in the majority of states even though the majority of state trafficking laws and the federal sex trafficking law recognize any commercially sexually exploited child—including any child bought or sold for sex through prostitution—as a sex trafficking victim.

Injustice

Non-criminalization = fairest response, and most consistent with the purpose and intent of state and federal sex trafficking laws.

By criminalizing sex trafficked children for their own exploitation, we are sending them the wrong message—we are sending the message that they are somehow responsible for their own victimization.

Retraumatization

Criminalization = arrest, detention and adjudication in an adversarial process

“. . . the trauma of physical restraint . . . further intensifies trauma already endured by trafficking victims.” JuST Response Non-Criminalization policy paper

Access to Services

Labels define how we respond to victims. Criminalizing child sex trafficking victims undermines efforts to shift perceptions of exploited youth away from victim-blaming and toward restorative, protective approaches.

Juvenile detention facilities are often not designed or equipped to offer the type of trauma-informed services that are critical to responding appropriately to the needs of child sex trafficking victims.

Read the policy paper at <http://sharedhope.org/what-we-do/bring-justice/just-response>

Survivor Voices

“I was not a child prostitute or child sex worker. I was a victim and survivor of child rape.” - Withelma "T" Ortiz Walker Pettigrew, Change.org petition

“[T]he concrete box ... seemed no less invasive than the horror of the streets. ...it wasn't all too different than the mental confinement I endured from my pimp. I was interrogated for hours on end, ... and locked in like a dog in a kennel.” - Withelma “T” Ortiz Walker Pettigrew (House Subcommittee Hearing March 2014)

“As I was being exploited, beaten and traumatized I was also being *arrested* on a regular basis by law enforcement. – Barbara Amaya, Why Are Victims Arrested More Than Exploiters? (May 2016)

What You Can Do:

- **Get informed:** Read the [Non-Criminalization of Juvenile Sex Trafficking Victims Policy Paper](#) and download [your state's Report Card](#)
- **Take Action:** Track and take action on pending bills at our [Legislative Action Center](#)
- **Spread the word:** [Raise awareness](#) by becoming an Ambassador of Hope