

Virtual Advocacy Summit 2021: Legislative Priorities

Juvenile sex trafficking occurs in the United States on a daily basis to youth in vulnerable situations. The sex trafficking industry is fueled by buyers who pay traffickers to supply victims to meet their demand. Children emotionally and economically depend on others and possess an undeveloped ability to analyze decisions and understand consequences. Emotional susceptibility combined with their “high market” value and the fact that traffickers are frequently family, friends of family, “boyfriends,” or even strangers offering a “safe place to sleep and get some food,” leave young people with one or more vulnerability factors at increased risk of trafficking.

Vulnerabilities among youth

- 95% of sex trafficked youth had history of child maltreatment.
- 90% of transgender youth experiencing homelessness were offered money for sex.
- 67% of sex trafficked youth had not graduated high school.
- 41% of sex trafficked youth had at least one out-of-home placement at some point in their lives.
- 22% of youth experiencing homelessness who were offered money for sex, had it happen on the first night of their homelessness.

[Human Trafficking Prevalence and Child Welfare Risk Factors Among Homeless Youth: A Multi-City Study](#)

Vulnerability factors

- Victim of abuse or neglect,
- Living in poverty,
- Experiencing homelessness,
- Being in the foster care system,
- Running away or being thrown away,
- Having low self-esteem, and
- Identifying as LGBTQ.

Unsheltered youth are more likely to fall victim to sex trafficking. According to a [2016 report from the Family & Youth Services Bureau](#), 24% of youth living on the streets exchanged sex for money and 27.5% did so for a place to stay.

In 2018, further research from [Covenant House International](#), spanning 13 cities, studied the prevalence of human trafficking within youth experiencing homelessness populations; 20% were victims of human trafficking, including 17% who were victims of sex trafficking and 6% who were victims of labor trafficking. A total of 36% of those interviewed reported engaging in a commercial sex act at some point in their lives.

HOW CAN WE RESPOND?

End Unjust Criminalization of Trafficked Children and Youth: Trafficked children and youth often face criminalization as a result of their trafficking victimization, sometimes for serious crimes that were committed by, or coerced by their traffickers. The resulting trauma of being criminalized compounds existing trauma from their trafficking victimization and can interrupt and delay a survivor’s healing process. In addition, the long-term impact of a juvenile justice or criminal justice response to trafficking victimization interferes with survivors’ ability to seek employment, access benefits, pursue education and obtain housing. Ending unjust criminalization of trafficking survivors is an essential component of a survivor-

centered and trauma-informed response to child and youth sex trafficking.

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Ensure Access to Justice for Survivors of Online Abuse: COVID 19 has increased use of online platforms to provide essential access for those seeking to support and protect children, yet these same platforms provide predators and exploiters unprecedented access to groom and exploit children. Additionally, children whose abuse has been distributed and shared on online platforms are re-exploited every time those materials are shared, and yet child survivors lack civil legal tools to require platforms to remove these materials and prevent ongoing victimization that occurs when these materials continue to be shared. Reforms are needed to reduce the proliferation of child sexual abuse materials online and to provide survivors with civil legal tools to have these materials removed.

Prevent the Conditions that Foster Child Sex Trafficking: Traffickers rely on a steady supply of victims who can be exploited for profit, and one of the most reliable ways to maintain that supply is to exploit a potential victim's vulnerabilities. This modus operandi puts the most marginalized groups – including runaway and homeless youth, LGBTQIA+ youth, and young people of color who already face systemic oppression – at the greatest risk of trafficking victimization. Especially now, during the COVID 19 pandemic, these risks and vulnerabilities have increased exponentially, and the options for at-risk youth have further narrowed from the already limited options available before the pandemic. Accordingly, legislative priorities during the pandemic, and beyond, should focus on addressing these vulnerabilities, including a key vulnerability faced by human trafficking victims and those at risk of experiencing trafficking: housing instability.

LEGISLATIVE SOLUTIONS

Emergency Family Stabilization Act (S.220): The current economic crisis and related family stress threaten to create new waves of family conflict and youth homelessness. This leaves children in situations that are unstable, lead to frequent moves, and put families and youth at great risk of COVID-19 transmission, infection, and illness — as well as predation, violence, and trafficking. The Emergency Family Stabilization Act will support programs to keep families together and decrease out-of-home placements, as well as prevent trafficking by filling critical needs of parents and youth.

Trafficking Survivors Housing Act: Complexities around definitions and varied interpretations of eligibility requirements regarding who qualifies for access to housing services for individuals experiencing homelessness, who are also victims of trafficking, have created significant barriers for some victims attempting to obtain safety. Across many populations experiencing homelessness, but particularly for youth being trafficked, policies requiring confirmation that an individual will no longer allow them to stay beyond 14 days, or that the environment is unsafe, can create larger safety concerns. This is complicated further by juveniles trying to escape a trafficking situation who are not ever eligible

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for any housing programs funded by the U.S. Department of Housing and Urban Development due to their age of minority. This bill requires the U.S. Interagency Council on Homelessness, in coordination with other agencies, to conduct a study assessing the availability and accessibility of housing and services for individuals experiencing homelessness who are victims of trafficking or at risk of being trafficked. This bill must include specifically tailored portion of the study to look at the impact of these policies on minors' abilities to access housing services resulting in safety and stability.

EARN IT Act: Those who develop online platforms should implement innovative approaches to help stop predators and exploiters who misuse these platforms and to respond promptly and appropriately to exploitation when it happens on these platforms. EARN IT would bring together leading experts in the tech industry with leaders in the fight against sexual exploitation of children in a new national commission. EARN IT would also provide survivors access to civil remedies when platforms facilitate or promote their exploitation.

Trafficking Victims Protection Reauthorization Act: When the original Trafficking Victims Protection Act was enacted in 2000, it established the federal framework for combatting human trafficking and for providing critical protections to victims of this egregious crime. The TVPA also authorized funds for needed services and enforcement tools. The protections established in the TVPA have been strengthened and reauthorized 5 times since 2000. In our current economic crisis due to this pandemic and the wave of related family conflict and youth homelessness, we must act now to reauthorize the preventative methods and protections for trafficking victims in the United States.

Runaway and Homeless Youth and Trafficking Prevention Act (RHYTPA): A first-of-its-kind study published in 2017, Missed Opportunities: Youth Homelessness in America, found that 4.2 million young people experienced homelessness in America over 12 months. Two recent studies¹ of the prevalence of trafficking among youth experiencing homelessness found that about one in five youth have been the victim of sex and/or labor trafficking. The current version of this statute provides funding for Street Outreach, Basic Center Programs (BCP), Transitional Living Programs (TLP) including Maternity Group Homes, a National Communications System, and a National Technical Assistance Center. Reauthorization will increase funding to include expanded BCP and TLP services tailored to victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking as practicable.

¹ <https://fieldcenteratpenn.org/wp-content/uploads/2013/05/6230-R10-Field-Center-Full-Report-Web.pdf>,
<https://static1.squarespace.com/static/5887a2a61b631bfbbbc1ad83a/t/5a7490fdc8302508d6b76f1c/1517588734590/Labor+and+Sex+Trafficking+Among+Homeless+Youth.pdf>

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Targeted Appropriations Allocations: Human trafficking impacts an estimated 24.9 million people globally, earning traffickers approximately \$150 billion in illicit profits annually.² The U.S. Government currently spends about \$250 million annually combating trafficking both at home and abroad, or a small fraction of one penny on every dollar a trafficker earns. In order for the United States to lead on juvenile sex trafficking issues globally, we must significantly increase our investment in domestic prevention and intervention programs. We must strategically target funding to programs tailored to addressing the particular vulnerabilities of minors whose lives have been disrupted by family conflict and youth homelessness that have a measurable impact on preventing juvenile sex trafficking, especially in the current context of the pandemic's ripple effects.

The VOCA Fix to Sustain the Crime Victims Fund Act (S.611): Despite recognizing that commercially sexually exploited children are victims of trafficking, many states continue to criminalize child sex trafficking victims as a result of their victimization. One of the primary reasons states continue to direct exploited children and youth into the juvenile justice system is the historical and persistent lack of services available to meet the unique needs of this victim population. In recent years, states have begun utilizing VOCA grants to meet the specialized service needs of child sex trafficking victims, helping them shift toward a service-based approach. However, historically low deposits to the Crime Victims Fund are now leading to dramatic cuts to states' VOCA awards and unless urgent action is taken, child sex trafficking victims could lose access to services as a result. The VOCA Fix to Sustain the Crime Victims Fund Act would ensure the VOCA fund is not depleted and critical services and protections provided to crime victims can be sustained.

Learn More:

- Visit <https://sharedhope.org/what-we-do/bring-justice/> to access Shared Hope's research and advocacy resources.
- For technical assistance, visit: <https://sharedhope.org/legislative-technical-assistance/>

² <https://www.humanrightsfirst.org/sites/default/files/TraffickingbytheNumbers.pdf>