

Pennsylvania Senate

Judiciary Committee

Public Hearing on Senate Bill 554:

Safe Harbor in Human Trafficking

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Testimony submitted by:

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Thank you for the opportunity to speak today and offer testimony in support of Senate Bill 554, *Safe Harbor in Human Trafficking*. My name is Debra Schilling Wolfe. I am the Founding Executive Director of the Field Center for Children's Policy, Practice & Research at the University of Pennsylvania, a collaboration of Penn's Schools of Social Policy & Practice, Law, Medicine and Nursing, and the Children's Hospital of Philadelphia. The Field Center engages in a cross-disciplinary and evidenced-based approach to improve the systemic response to victims of child abuse and neglect and those under the purview of the child welfare system. I have worked in leadership roles in the child welfare field, throughout the country and in the community, for over 30 years, focused on elevating the quality of practice and policy for maltreated children and youth.

Today I would like to share with you the results of the Field Center's new, groundbreaking research on child sex trafficking, "*A Multi-City Study of Human Trafficking Prevalence and Child Welfare Risk Factors Among Homeless Youth*."¹ I served as the co-Principal Investigator and lead author on this research, which is now in the process of publication. Just three weeks ago, we presented our findings at Shared Hope International's Juvenile Sex Trafficking (JuST) Conference.

The Field Center partnered with Covenant House International as part of the largest research study to date on the prevalence of human trafficking among homeless youth. This expansive study interviewed close to 1,000 homeless young people across 13 different cities. The Field Center's research focused intensively on three of those cities, interviewing a total of 270 homeless youth in Philadelphia, Washington, DC, and Phoenix, Arizona. In addition to examining the prevalence of trafficking, we sought, for the first time, to examine the child welfare backgrounds of child sex trafficking victims. Previous estimates claimed that between 60% and 90% of trafficking victims came from the child welfare system, although rigorous research was lacking. The goal of our research was to better understand who were most at risk to become victims of child sex trafficking, to inform and reform policy and practice, and potentially stem the pipeline to predators.

The research data were consistent among all 13 cities in the larger study, with one out of every five homeless youth disclosing that they were victims of federally-defined human trafficking. Our study found 17% of the homeless young people we interviewed to be victims of sex trafficking, and 14% reported that they exchanged sex just to survive, be it a place to sleep or food to eat.

Our findings painted a picture of what life is like for too many young people in our cities. Two out of three homeless young women reported that they were solicited for paid sex, and 22% of all homeless youth who were approached for paid sex had this happen on their very first night of being homeless. Predators are skilled at what they do; they know who is most vulnerable and set their sights on those potential victims.

¹ Wolfe, D.S., Greeson, J.K.P., Wasch, S., & Treglia, D. (in press). *A Multi-City Study of Human Trafficking Prevalence and Child Welfare Risk Factors Among Homeless Youth*. University of Pennsylvania, The Field Center for Children's Policy, Practice & Research.

How does this happen? How do 20% of our homeless youth become victims of trafficking? They told us. They told us that they were coerced and threatened. They told us that they had no one else in their life that showed in interest in them or offered to help until they met their trafficker. They told us that no one ever taught them how to live on their own – what things cost, how to find a place to live and pay for it, what is a budget. They told us that so many different people touched their bodies since they were young children that they just expected this to continue to happen. They told us that they couldn't find a job without a high school diploma. They told us that they felt that they had no other choice.

As troubling as the prevalence of child trafficking, the history of trauma experienced by these victims was equally profound. Of those young people who disclosed that they were victims of sex trafficking, 95% reported that they were abused and/or or neglected as children. About half of those who were sex trafficked (49%) reported that they had been victims of child sexual abuse. To put this in perspective, two previous studies of homeless youth, one in New York State² and another in Seattle³, found rates of sexual abuse at 21% and 29% respectively – just about half the number we found in our study on homeless youth who were sex-trafficked. Our research found the rate of sexual abuse among sex trafficking victims to be over four times higher than research shows is the lifetime prevalence rate of sexual abuse in the general population⁴.

We also asked sex trafficking victims who reported a history of child maltreatment if they told anyone about their abuse and, if so, if that person took any action on their behalf. Our research found that 59% told someone about their abuse but only 36% of those they told took any action on their behalf. More than half reported that their abuse began at age 5 or younger, and most reported repeated episodes with multiple perpetrators, with maltreatment spanning an average of 5 years. Close to two-thirds (63%) reported involvement with the child welfare system.

Children within the care of the child welfare system are particularly susceptible to traffickers who target and take advantage of their emotional and physical vulnerability. As children, victims of sex trafficking learned that adults hurt them and that they wouldn't be protected from harm. It is no wonder that they were at risk to fall into the hands of traffickers. These are young people who deserved protection and help, but were forsaken by both the adults and systems that should have both protected them and provided them with the tools they needed to survive. Instead, they were handed a prescription for multiple poor outcomes that result from a lifetime of

² Powers, J. L., Eckenrode, J., & Jaklitsch, B. (1990). Maltreatment among runaway and homeless youth. *Child Abuse & Neglect*, 14(1), 87-98.

³ Tyler, K. A., & Cauce, A. M. (2002). Perpetrators of early physical and sexual abuse among homeless and runaway adolescents. *Child abuse & neglect*, 26(12), 1261-1274.

⁴ Finkelhor, D., & Dzuiba-Leatherman, J. (1994). Children as victims of violence: A national survey. *Pediatrics*, 94(4), 413-420.

trauma.

We found that young people who engaged in selling sex often did so under threat by pimps and traffickers, ranging from violent assaults to murder. In a story that echoed others heard by our researchers, a young woman talked about meeting her trafficker at a party when she was 14 years old. She thought that he loved her, and he pressured her to have sex with other men to prove that she loved him. Once she began engaging in sex for money at his behest, he threatened to kill her if she ever stopped. She learned that he was trafficking numerous girls, advertising them on the internet on Backpage.com, and she frequently observed him violently beating them when they didn't obey his orders. She was terrified and felt that she had no choice. She didn't, if she wanted to survive. Why are we charging this victim?

Another young woman reported that, when she was just 9 years old, her mother sold her to a pimp for drugs. She watched her mother exchange something with a man on a street corner, and her mother then left her with an adult male stranger. He took her to a house where other young girls were waiting, dressed up in heels and makeup. She watched him assault another young girl and she was then forced to dress up. He brought a group of girls to a corner where a 13-year-old girl told her that they were supposed to "go have sex." Why are we charging this victim?

A third young woman told our researcher that she was repeatedly raped as a young child by her mother's boyfriend, and eventually ran away from her mother's home at age 10. On the same night that she left her mother's house, she met a man on the street who became her pimp. The pimp kept her hidden and out of school, and forced her to have sex with adult men over the course of a year before police found her at age 11. Despite her eventual rescue, she later cycled through experiences of homelessness, psychiatric hospitalization, selling sex, and incarceration during her teenage years. Why are we charging this victim?

These young people needed services, not sentences. They need adults in their lives that they can trust, not adults who, like their predators, assert control over them. Safe Harbor laws approach victims of sex trafficking in a trauma-informed manner that engages them in healing rather than perpetuating a cycle of victimization.

Safe Harbor laws are making a difference in other states. In 2016, the Field Center published a white paper entitled "*An Analysis of Safe Harbor Laws for Minor Victims of Commercial Sexual Exploitation: Implications for Pennsylvania and Other States.*"⁵ At the time of publication, two-thirds of states had enacted some form of Safe Harbor laws, with the first enacted in New York in 2010. As these laws were relatively new, little outcome data was available at the time. However, even at that early date, one of the more promising findings was found in Minnesota, considered national model legislation, which evaluated its program after the first year of

⁵ Wasch, S., Wolfe, D.S., Levitan, E.H., and Finck, K. (2016). *An Analysis of Safe Harbor Laws for Minor Victims of Commercial Sexual Exploitation: Implications for Pennsylvania and Other States*. University of Pennsylvania, The Field Center for Children's Policy, Practice & Research.

implementation. Minnesota demonstrated a dramatic increase in both charges and convictions against sex traffickers after enacting Safe Harbor legislation.

Several other publications endorse the provisions of Senate Bill 554. In 2015, the National Institute of Justice released a report entitled, *“Identifying Effective Counter-Trafficking Programs and Practices in the U.S.”* What is germane to Pennsylvania’s Safe Harbor legislation is that the report found that granting prosecutorial immunity to minors benefitted prosecutions, with the authors hypothesizing that minors would be more likely to cooperate in the investigatory process with the protections offered by Safe Harbor.⁶

The National Conference of State Legislatures issued a comprehensive report in April 2017 on *“Safe Harbor: State Efforts to Combat Child Trafficking,”* citing that, in 2016 alone, 28 states enacted 51 bills addressing the trafficking of minors. They reported that the recent trend in state child trafficking policy is to treat trafficked youth as survivors of trauma rather than as perpetrators of crimes.⁷ Senate Bill 554, *Safe Harbor in Human Trafficking*, is in line with findings of the National Conference on State Legislatures and its passage would shift the focus where it should be: on treating victims as victims and focusing on pimps, perpetrators, and predators as the real criminals.

⁶ Bouche, V., Farrell, A., and Wittmer, D. (2015). *Identifying Effective Counter-Trafficking Programs and Practices in the U.S.: Legislative, Legal, and Public Opinion Strategies that Work*. National Institute of Justice.

⁷ Williams, R. (2017). *Safe Harbor: State Efforts to Combat Child Trafficking*. National Conference of State Legislatures.