

HUMAN RIGHTS PROJECT FOR GIRLS

DOMESTIC CHILD SEX TRAFFICKING AND AFRICAN-AMERICAN GIRLS

WHAT IS DOMESTIC MINOR SEX TRAFFICKING?

Domestic Minor Sex Trafficking (DMST)ⁱ is a form of commercial sexual exploitation of children (CSEC) here in the United States. As defined in the Trafficking Victims Protection Act, it is the “recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” where the victim is a U.S. citizen or lawful permanent resident under the age of 18.ⁱⁱ

RISK FACTORS

Childhood trauma and instability makes children more vulnerable to being trafficked. Risk factors for domestic child sex trafficking include, but are not limited toⁱⁱⁱ:

- Being between the ages of 12 and 14
- Having a history of sexual and physical abuse
- Community and Family Instability and Dislocation
- Poverty
- Being female
- Being a runaway/throwaway or homeless youth
- History of child protective services and/or foster care involvement

AFRICAN-AMERICAN GIRLS ARE DISPROPORTIONATELY AT-RISK

African-American girls are more likely to experience the risk factors listed above. Studies report that African-American girls become trafficked at younger ages than their racial counterparts.^{iv} They are more likely to experience poverty, and consequently more likely to be disconnected from schools and other community supports.^v African-American girls experience physical and sexual abuse at young ages^{vi} and witness and experience multiple forms of violence at higher rates than their white peers^{vii}. In 2012, 26% of children in the foster care system were African-American.^{viii}

THE MAJORITY OF VICTIMS OF DMST ARE AFRICAN-AMERICAN GIRLS

According to the FBI, African-American children comprise 59% of all prostitution arrests for those under 18—more than any other racial group.^{ix} In a two-year review of all suspected human trafficking incidents, 40% of victims of sex trafficking were African-American.^x In Los Angeles County, 92% of girls in the juvenile justice system identified as trafficking victims were African-American. 62% of those children were from the child-welfare system and 84% were from poor communities in the southeastern part of LA County.^{xi} In Alameda County, California, 66% of all youth referred to a community agency exclusively serving CSEC were African-American.^{xii}

CHILD PROTECTIVE SERVICES CANNOT INTERVENE

Because children are not always trafficked by a family member or legal guardian, child protective services cannot always respond to reports of child sex trafficking. Without CPS as a resource, and in the absence of formal protocols mandating a child welfare response to trafficking, law enforcement officers often respond by arresting child victims for prostitution. African-American victims of domestic minor sex trafficking are much more likely to be arrested on prostitution charges^{xiii}, leaving them more vulnerable to re-traumatization in the juvenile and criminal justice systems, and depriving them of appropriate services.

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ⁱ Also known as domestic minor sex trafficking

ⁱⁱ 22 U.S.C. §7102(9)

ⁱⁱⁱ MISSEY, *Framing the Issue of the Commercial Sexual Exploitation of Children* (MISSEY 2009) http://www.missey.org/documents/framing_the_issue.pdf; Kate Walker, California Child Welfare Council, *Ending the Commercial Sexual Exploitation of Children: A Call for Multi-System Collaboration in California* (2013), pp.18-20, available at http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/Ending-CSEC-A-Call-for-Multi-System_Collaboration-in-CA.pdf,

^{iv} Francine T. Sherman & Lisa Goldblatt Grace, *The System Response to the Commercial Sexual Exploitation of Girls*, in *Juvenile Justice: Advancing Research Policy, and Practice*, 336 (Francine T. Sherman & Francine H. Jacobs eds., 2011)

^v Lauren Frohlich, Janel George, Fatima Goss Graves, Lara S. Kaufmann, & Leticia Smith-Evans, NAACP Legal Defense Fund & National Women's Law Center, *Unlocking Opportunity for African American Girls: A Call to Action for Educational Equity* (2014), p.7, available at:

http://www.nwlc.org/sites/default/files/pdfs/unlocking_opportunity_for_african_american_girls_report.pdf

^{vi} American Bar Association Commission on Domestic and Sexual Violence, Domestic Violence Statistics http://www.americanbar.org/groups/domestic_violence/resources/statistics.html#african_americans

^{vii} National Center for Victims of Crime, Action Partnership on Interventions for Black Children Exposed to Violence and Victimization, *Black Children Exposed to Violence and Victimization* <http://www.victimsofcrime.org/our-programs/other-projects/youth-initiative/interventions-for-black-children%27s-exposure-to-violence/black-children-exposed-to-violence#fn5>

^{viii} Child Welfare Information Gateway, *Foster Care Statistics 2012*, available at <https://www.childwelfare.gov/pubs/factsheets/foster.pdf>

^{ix} Federal Bureau of Investigation, *Crime in the United States 2012*, Table 43B (Fall 2013) <https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s./2012/crime-in-the-u.s.-2012/tables/43tabledatadecoverviewpdf>

^x Bureau of Justice Statistics, *Characteristics of Suspected Human Trafficking Incidents, 2008-2010*, (April 2011) <http://www.bjs.gov/content/pub/pdf/cshti0810.pdf>

^{xi} <http://latimesblogs.latimes.com/lanow/2012/05/sex-trafficking.html>

^{xii} Kate Walker, California Child Welfare Council, *Ending the Commercial Sexual Exploitation of Children: A Call for Multi-System Collaboration in California* (2013), p.22, available at http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/Ending-CSEC-A-Call-for-Multi-System_Collaboration-in-CA.pdf

^{xiii} Kimberly J. Mitchell, David Finkelhor, & Janis Wolak, Crimes Against Children Research Center, *Sex Trafficking Cases Involving Minors* (November 2013), p.5 http://www.unh.edu/ccrc/pdf/CV313_Final_Sex_Trafficking_Minors_Nov_2013_rev.pdf