

Testimony of Rachel Lloyd

Thank you Senator Durbin and members of the Subcommittee for inviting me here today to testify about the commercial sexual exploitation and trafficking of children and youth in the US.

In 1997, I came to the US as a survivor of commercial sexual exploitation to work with adult women in the commercial sex industry. As I did outreach on the streets and prisons, I was struck by how many of the women I was meeting were actually girls, often very young girls who had experienced unimaginable violence and abuse. Yet they were, at best, falling through the cracks of systems unwilling and ill-equipped to address their needs. At worst, and most frequently, they were shamed, vilified and stigmatized by a society that viewed them as ‘bad girls’ or ‘dirty girls’ and regularly incarcerated them as ‘criminals’.

In 1998, in response to the overwhelming need for services for this population, I founded Girls Educational and Mentoring Services, GEMS, on my kitchen table. Twelve years later, GEMS is the nation’s largest provider of services to commercially sexually exploited and trafficked girls and young women, serving over 275 girls and young women through direct services and providing outreach and preventive education to over 1,000 at-risk girls each year.

“In Our Own Backyard” is a fitting title for this hearing as every day GEMS sees the commercial sexual exploitation and trafficking of children in New York, and as a national trainer and advocate sees the exploitation of children in every community across the country. Yet for many years the approach to this issue has been “Not in My Backyard”. Trafficking and sexual exploitation has been something that people believed, or wanted to believe, happened in other places. Yet the few statistics that there are on this issue paint a disturbing picture. There are an estimated 100,000 children bought and sold for commercial sex in the US and an estimated 300,000 children are at risk for commercial sexual exploitation each year.

Some studies estimate the median age when a girl is first exploited to be between 12-14 years old. Throughout the US, girls are being bought and sold by adults to adults. Girls are sold on the streets, in strip-clubs, brothels, truck-stops and with increasing frequency on internet sites like Craigslist and Backpages. In 2001, a report from the University of Pennsylvania called this issue the ‘most hidden form of child abuse’ in our country. I would add that for years it’s also been the most ignored.

The same strategies used with international trafficking victims are used on American girls and women. You don’t have to be chained to a bed to think you can’t leave, you don’t have to be from another country to not believe that you have options and resources in this one and you don’t have to be undocumented to be mistrustful of law enforcement.

Like their international counterparts, some girls in the US are literally kidnapped and forced into the sex industry, although you'll rarely see these girls on the news or hear about an Amber Alert for them. Many girls are lured by the promise of a better life, seduced by an adult man who preys upon their youth, naïveté and most commonly their prior histories of abuse. An estimated 70-90% of commercially sexually exploited youth are victims of childhood sexual abuse prior to their recruitment into the sex industry. Many of these children are runaways or homeless, making them easy targets for exploiters and traffickers. The promises quickly turn to threats and violence, girls are isolated from any source of support and become solely dependent upon their abuser, their family may be threatened, their ID taken, and they are consistently told that no-one will believe them, no-one will help them. Sadly, many victims find this to be true, as they encounter social workers, cops, nurses in emergency rooms, judges and prosecutors, and community members who either treat them with scorn and disgust or simply look the other way.

While the Trafficking Victims Protection Act was passed in 2000, and reauthorized three times since, it is only very recently that there has been a concerted effort to view and treat American girls as trafficking victims. As a nation, we've graded and rated other countries on how they address trafficking within their borders and yet have effectively ignored the sale of our own children within our own borders. We've created a dichotomy of acceptable and unacceptable victims, wherein Katya from the Ukraine will be seen as a real victim and provided with services and support, but Keshia from the Bronx will be seen as a 'willing participant', someone who's out there because she 'likes it' and who is criminalized and thrown in detention or jail. We've turned a blind eye to the millions of adult men who create the demand because they believe they have the right to purchase another human being. We've allowed popular culture to glorify and glamorize the commercial sex industry and particularly pimp culture. Our policies and economic choices have left huge numbers of children at high risk for many things, including commercial sexual exploitation, simply because of the zip code they live in. And we've allowed the juvenile and criminal justice systems to treat victims of heinous violence and abuse as criminals, while the adult men who've bought and sold them go free. We've sent 12, 13, 14 year old girls to juvenile detention facilities and ignored the fact that these children aren't often even old enough to legally consent to sex, and they are in fact statutory rape victims.

Yet there is change. Today's hearing signifies how far we have come in beginning to address this issue. The attention of the federal government is critical in addressing this issue and the presence of representatives from law enforcement, the Department of Justice and the State Department's Trafficking in Persons Office demonstrates significant progress in the recognition of what's happening to children in our own backyard. Slowly we're beginning to use the appropriate language, recognizing that calling children who are victims of rape, sexual assault, and violence prostitutes is neither helpful nor accurate. Using the terminology 'child prostitution' or 'child prostitute' conjures up stereotypes and misconceptions about who these children and how to treat them. One of the most important things for the domestic violence movement to do was name what was happening. It was violence and it was happening in a domestic situation. It is critical that

we accurately label this crime against children as commercial sexual exploitation and domestic trafficking. In doing so, we can begin to make the shift from treating these youth as criminals, and instead treating them as victims, which they rightfully deserve.

In 2008, New York became the first state in the nation to pass legislation that addressed the criminalization of children who were sexually exploited and trafficked. This victory was due in large part to the efforts, courage and voices of the girls and young women at GEMS who journeyed up to Albany year after year, who testified before state legislators and city council members, spoke to the press and participated in awareness raising events – sharing their stories with the hope of changing the system for their peers. New York’s Safe Harbor for Exploited Youth Act converts charges of prostitution for children under 16 to a Persons In Need of Supervision case, thereby shifting the focus from juvenile justice into child welfare. The Safe Harbor Act also mandates the creation of a safe house for victims and training for law enforcement and service providers who come into contact with trafficked and exploited children. While the law does not go into effect until April 1, 2010, the shift in New York’s systemic and institutional response is already happening. Across the country, several states are trying to follow suit and pass their own version of the Safe Harbor Act. It is my hope that in 10 years, it will seem ludicrous that we once incarcerated some of our nations most victimized and vulnerable children.

Yet despite gains made in awareness and advocacy, in law enforcement prosecuting cases of traffickers and service providers recognizing a need for different treatment, we still have a long way to go. Children across the country are still being treated as criminals. In Texas a 13 year old girl was recently charged with an act of prostitution, while the adult man who had recruited and sold her was set free. In the last few months alone, GEMS has been contacted by organizations and individuals looking for training and technical assistance in cities and states across the nation including, San Diego, San Bernadino, Tennessee, Hawaii, Miami, Tampa, Indiana, Ohio, Portland, Oakland, Connecticut, and Philadelphia. All of these places are witnessing the sale of children in their own communities and yet few have any resources to address this issue. Currently there are less than 50 beds specifically for victims of commercial sexual exploitation and domestic trafficking and approximately a dozen specialized service providers. Many states do not have any specialized services at all, and those of us who are directly serving victims do so with a scarcity of resources and support. Monies allocated in the TVPRA for services for domestic victims have yet to be appropriated.

Incarcerating children for their victimization is not only unjust, it doesn’t work. Services work, support works. Love works. When girls are afforded the opportunity to be safe and valued and cared for, they are able to thrive and flourish. Victims of commercial sexual exploitation and trafficking have myriad needs and require comprehensive services. They need to be in an environment where they’re supported, not judged, cared for, not shamed. They need a variety of shelter and housing options, including crisis shelter, therapeutic foster homes, residential treatment and long-term independent and transitional living programs. They need individual, group and family counseling and mental health treatment to address the intense trauma that they’ve experienced in the commercial sex industry and often prior to their recruitment, which has manifested as

depression, anxiety, PTSD, self-mutilation and substance abuse. They need medical treatment that is sensitive and comprehensive, addressing not only their sexual health, but their physical trauma from repeated violence, and their overall wellness including lack of proper nutrition and pregnancy and parenting issues. They need education, both formal and informal, to help them return to school and to learn critical life skills which they've been deprived of during their exploitation. They need job readiness skills, employment training and viable employment opportunities to help them achieve economic independence. They need the opportunity to develop their skills and talents, to have fun, to create healthy relationships with their peers, and to be supported in a strengths-based environment. They also need to see other girls, young women and adult women who have experienced and overcome the same challenges so that they can be empowered to make the transition from victim to survivor from survivor to leader. All of these services require resources which are currently limited.

Commercially sexually exploited and trafficked youth have not been high on anyone's agenda or priority list. While commercial sexual exploitation can and does happen to any child, this issue disproportionately affects low-income children, children of color, children who've been in the child welfare system, children who've been in the juvenile justice system, children who rarely have a voice in public policy, children who are frequently ignored. Traffickers and exploiters know who to target, who'll be featured on the news, who'll be seen as a 'real' victim. Issues of race, class, and prior victimization have ensured that these children are frequently invisible in our national dialogue, yet it's incumbent on us to make sure that all victims, all children and youth are treated with equity and compassion and afforded the resources that they need and deserve to heal and grow.

As a survivor-led agency, GEMS believes that survivors need to be at the forefront of this movement and has been committed for over a decade to ensuring that the voices and experiences of survivors are integral in the development and implementation of programs and policies designed to serve them. Today, you have the opportunity to hear from Shaquana, a young woman, college student, outreach worker, activist and leader who I have the privilege of working beside every day. And while Shaquana is an extraordinary young woman, she is not unique in either her experiences, nor in her intelligence, resilience and courage. Every day at GEMS, we serve extraordinary girls and young women who are growing, learning and most importantly healing in the community of love and support we've created and who are in turn supporting and empowering their peers, advocating for change, raising public awareness and demonstrating leadership on this issue. If teenage girls and young women who've experienced heinous violence and exploitation are able to take action and be change agents in fighting against commercial sexual exploitation and domestic trafficking, it begs the question: what are our local, state and federal legislators and representatives doing? I challenge you today to join our young women in ending the sale of children in our country.