

Sexually Exploited Girls in Need of Services, Not Handcuffs

By Leslie Starr Heimov, Kate Walker Brown and Elizabeth Laferriere | January 20, 2016



For as long as anyone can remember, children bought and sold for sex in the United States have been ignored or worse — they have been arrested, incarcerated and released right back onto the streets. Some victims of commercial sexual exploitation (CSE) are reported to child welfare, but these cases are routinely turned away and referred to law enforcement. Our public systems have failed to identify these children as victims of child abuse in need of child welfare and community supports.

In the past few years, California has witnessed an expansion in services and attention paid to these children through the juvenile justice system. A handful of California county probation departments and juvenile courts have established innovative programs such as the [Succeed Through Achievement and Resilience \(S.T.A.R.\) Court](#) in Los Angeles County, which provides referrals for commercially sexually exploited children (CSEC), and the Girls Courts in Alameda, Orange, Sacramento and San Mateo counties. The treatment, as opposed to punishment, these programs offer CSEC has been a welcome reform.

But the changes that have taken place remain almost exclusively within the context of delinquency. Therefore, despite the increase in services, the message remains the same: Children who have been raped and traumatized by their traffickers and purchasers are criminals. Prostitutes.

In any other context our values are clear: When an adult rapes a child, the child is a victim and the adult is the criminal. When money changes hands, this same child is criminalized and the adults, more often than not, walk away.

Some claim that locking up youth is necessary for “their own protection.” This paternalistic message fails in translation. It communicates that the youth have done something wrong, rather than something wrong was done to the youth.

It is time we reform our systems so that these children are not further traumatized. All child victims of rape are victims. Period.

Acknowledging these children as victims is only the beginning. Our public systems must commit to effectively identifying CSEC. All major gatekeepers within our systems — from educators to social workers, police officers to homeless youth providers — should screen for victims and have protocols to connect them to trauma-informed services.

Systems must also prioritize prevention for at-risk children. Since children who become victims are frequently those with prior involvement with the child welfare system, we must start there. Our system and community networks must work together to reduce the number of victims by fortifying our children's and their families' protective factors, injecting preventive education into schools, and ensuring that all children have access to treatment to address prior childhood trauma and reduce their vulnerability to exploitation.

Now, as the country begins to implement the Preventing Sex Trafficking and Strengthening Families Act ([HR 4980](#)), all states share the same impetus to design policies to best serve children who are, or are at risk of becoming, CSEC. These policies include reporting requirements to determine prevalence and, ideally, begin tracking outcomes for children. Ahead of the curve is California, the state with the largest child welfare population, which is positioned to establish a model for system reform.

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In 2014, California enacted legislation (SB 855) clarifying that trafficked children are victims and, as such, are properly served by child welfare. The legislation also established the groundbreaking Commercially Sexually Exploited Children (CSEC) Program, incentivizing counties to develop and implement interagency CSEC protocols. Most critically, these protocols must include a multidisciplinary teaming approach to identify and serve CSEC, with child welfare as the lead.

Since the law's passage, child welfare agencies in 35 of California's 58 counties have engaged in cross-agency dialogue to outline current and planned CSEC protocols. All of these counties received planning funding. The California Department of Social Services (CDSS) provided additional funding to 22 of these counties to finalize and implement their interagency protocols. To assist with these efforts, CDSS established a Child Trafficking Response Unit and worked with the California Child Welfare Council's CSEC Action Team to develop a number of [resources](#), including a model interagency protocol.

On Dec. 1, multidisciplinary teams from 21 counties convened for an innovative, peer-based [learning opportunity](#) organized by the CSEC Action Team and its partners. After a series of panels and simulations, county teams turned inward and worked together to digest new information and apply promising practices to their own protocols. Following the event, the CSEC Action Team launched a CSEC listserv to promote information sharing across counties on such topics as specialized child welfare units, prevention curricula and even successful Request for Proposals (RFP) for community-based providers.

Despite its progress, California still has a way to go. SB 855 is well over a year old and exploited children continue to be charged with prostitution and related offenses and sent to jail. Most

CSEC Program counties have not finalized their child welfare-led protocols and another 23 counties have not yet opted into the program. Up until now, training for social workers and probation officers has been inconsistently applied throughout the state, and many system providers still believe in the need to detain CSEC for their own good.

Despite the slow start, there are strong indicators pointing to California being on the right path. Many additional counties are expected to opt into next year's CSEC Program. The more advanced efforts in Los Angeles have led to plummeting arrest rates in pilot sites following the implementation of the [Law Enforcement First Responder Protocol for CSEC](#).

Additionally, the county recently collaborated with [Rights for Girls](#) to launch the "No Such Thing as a child prostitute" public awareness campaign, and created a regional task force led by the Los Angeles County Sheriff's Department. Finally, 22 counties are now testing the West Coast [Commercial Sexual Exploitation Identification Tool](#) (CSE-IT). Due to the requirements of HR 4980, all social workers and probation officers across the state will soon be identifying, documenting and determining services for CSEC.

States across the country must act now to identify and serve CSEC as victims of child abuse. They can begin by learning from the progress we've made in California.

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