

Youth, Rights & Justice

ATTORNEYS AT LAW

EXHIBIT: / HB 4146 A
2012 SESSION SEN. JUDICIARY
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SUBMITTED BY: Haxton

To: Senate Judiciary Committee, 2012 Oregon Legislature

From: Lynn Haxton, Attorney, Youth, Rights & Justice

Date: February 20, 2012

Re: Support for HB 4146

Chair Prozanski and Members of the Committee:

Youth, Rights & Justice is a non-profit organization that has represented over 50,000 children and youth in the juvenile court system since 1975. I have represented several victims of commercial sexual exploitation when I have been appointed to represent them on juvenile dependency or juvenile delinquency cases. Youth, Rights & Justice supports HB 4146.

HB 4146 is another important step in drawing a clearer distinction between the young victims of sex trafficking and the adults who create the demand and who profit from sex trafficking. HB 4146 allows the expunction of a juvenile record for an adjudication under the prostitution statute immediately upon the young person turning 18 years old.

HB 4146 removes the current waiting period for this offense only. The bill is narrowly focused on one type of crime – minors who have been sex trafficked and have as a consequence a juvenile court record for that crime. It does not affect any other adjudication for that youth.

For the past two years, the Multnomah County District Attorney's Juvenile Unit has stopped charging children who are sex trafficked with the crime of prostitution because they recognize how force and coercion are used by traffickers.

Under Oregon law, minors cannot consent to sex, therefore, it is inconsistent to prosecute minors with the crime of consenting to sex for money. Given that persons who have juvenile court records under the prostitution statute would not be charged today, **it is both fair and just to provide a clean slate to youth prosecuted under the old practices so that they can move forward with their lives.**

Youth, Rights & Justice fully supports HB 4146 because it gives persons who have previously been victims of sex trafficking, but treated as delinquents, the opportunity to expunge the record in a more expeditious manner. HB 4146 will give victims of sex trafficking the opportunity to pursue a better life with greater opportunities. We urge your support.

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