

Youth, Rights & Justice

ATTORNEYS AT LAW

To: Senate Judiciary Committee, 2013 Oregon Legislative Assembly

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

Date: March 26, 2013

Re: Comments Regarding SB 786

Chair Prozanski and Members of the Committee:

My name is Lynn Haxton, I am a staff attorney at Youth, Rights & Justice. We have represented roughly 50,000 children in foster care and youth in the juvenile justice system since 1975.

I have been a staff attorney for the last nine years and have represented children who are victims of Commercial Sexual Exploitation (CSEC). I am a member of Multnomah County's CSEC Steering Committee, Victim Services Implementation Team, and CSEC Legislative Committee.

SB 786 adds a new category of sex trafficking children to the crime of trafficking in persons. It requires the training of all police officers on sex trafficking; and adds the crime of trafficking in children to the definition of child abuse which triggers mandatory child abuse reporting.

This bill simultaneously recognizes the seriousness of the crime of sex trafficking in children and puts these victims at risk for criminal charges. The problem is that young trafficking victims are used by their traffickers as proxies to recruit other youth. Most of these children are or were foster care youth who have suffered abuse and neglect as young children. They have been subjected to sexual and physical abuse at rates of 71% to 95% prior to their commercial sexual exploitation.¹ With backgrounds of severe trauma resulting in limited self-worth, they are easy prey to trauma bonding or Stockholm syndrome. They are groomed, romanced, manipulated and then forced into the life. Pimps provide a powerful mix of loving care alternated with violence, threats, and dehumanizing behavior ensuring that they can manipulate these victims into recruiting and training other victims.

SB 786 adds the crime of trafficking in persons under 18 years of age for the purpose of sexual exploitation to the list of offenses that require sex offender registration. This very serious consequence would apply to a young trafficking victim who simply passes a message from a trafficker to another child because the bill's language includes any attempt to recruit a child.

Youth, Rights & Justice is recommending an amendment to SB 786 that makes it applicable to adults only. Knowing that these youth are not the intended target of the bill, we hope that the committee will see fit to ensure that these victims are protected from unintended consequences.

Thank you for this opportunity to testify. We appreciate your consideration of the amendment.

¹ The National Report on Domestic Minor Sex Trafficking, May 2009 by Shared Hope, pg. 31