

Youth, Rights & Justice

ATTORNEYS AT LAW

To: House Judiciary Committee, 2013 Oregon Legislative Assembly

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

Date: February 18, 2013

Re: Opposition to HB 2334

Chair Barker 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 the Multnomah County CSEC Steering Committee, the Victim Services Implementation Team, and Multnomah County CSEC Legislative Committee.

This bill has serious consequences, but we should question whether many of those consequences are unintended and undesirable. As an advocate for CSEC victims, I have two serious concerns with HB 2334: the unintended consequences for CSEC victims and the expenditure of more and more public funds on prisons rather than on services to help victims escape traffickers and be safe.

HB 2334 expands the elements of compelling prostitution to include attempt language to make prosecution of pimps easier for District Attorneys. The potential problem is that young trafficking victims are also used by their traffickers as proxies to reach out to other youth.

YRJ opposes this bill as it expands the crime of compelling prostitution to include an act as small as a CSEC victim relaying a message to another minor from a trafficker. By adding attempt language to the compelling prostitution statute, the minor could be charged with a Measure 11 crime even by this act alone. Victims prosecuted under this statute would also be required to register as sex offenders. Rather than helping them, these victims would suffer serious consequences relating to sex offender registration, which include restrictions on where they live, who they live with, where they work or go to school.

Pimps provide a powerful mix of loving care alternated with violence, threats, and dehumanizing behavior ensuring that they can manipulate these victims into reaching out to other victims. While this reprehensible behavior should have serious consequences for the real perpetrators, we also need to invest more in helping the victims escape and stay safe. This requires greater investment in shelters and treatment.

We oppose this bill because exploited youth are highly vulnerable to manipulation and could be charged and sentenced under Measure 11, as a result. We frankly can't think of a worse use of limited resources. We hope that the committee will not pass this bill, but will instead consider more promising and effective approaches to protect the children that we are all trying to help.