

CHILD SEX TRAFFICKING IN THE UNITED STATES

The following document provides a brief overview of child sex trafficking in the United States. The definition, relevant Federal law, statistics, and sample of prosecutions are included below. The document is intended to provide a basic understanding of this issue and should not be viewed as exhaustive.

AN OVERVIEW OF CHILD SEX TRAFFICKING

Trafficking of minors for the purpose of commercial sex acts is a form of modern-day slavery. Child sex trafficking occurs when a person under the age of 18 is induced to engage in commercial sex. Unlike other forms of trafficking, there is no need to show that a minor has been forced, coerced or defrauded into engaging in commercial sex. If a minor has been induced to perform commercial sex in any way, that minor is a victim of human trafficking.

SELECT FEDERAL LAWS RELEVANT TO CHILD SEX TRAFFICKING

- **Trafficking Victims Protection Act (TVPA) of 2000** was the first comprehensive federal act to combat human trafficking through measures of prevention, protection, and prosecution. It was reauthorized in 2003, 2005, and 2008. Under this statute, the crime of sex trafficking of children occurs when a person under 18 years of age is induced to engage in commercial sex. Penalties for this crime are as high as life imprisonment for the most severe cases.¹
- **Mann Act of 1910** makes it a felony to knowingly transport a person in interstate or foreign commerce for prostitution or any sexual activity for which a person can be charged with a criminal offense, or to persuade, induce, entice or coerce any person to travel across state lines to engage in prostitution or other immoral purposes, or attempt to do so.²
- **The Racketeer Influenced and Corrupt Organizations Act (RICO Act)**³, passed in 1970, created new rules for admitting evidence of organized crime by creating a way to make a claim based on a “pattern,” defined as two occurrences of “racketeering activity,” which is defined as behavior that violates other specified laws, federal statutes or state laws.⁴ The Trafficking Victim Protection Reauthorization Act (TVPRA) allows “trafficking in persons” to be included in the definition of a “racketeering activity.”⁵

RELEVANT STATISTICS

The following are existing statistics on the sex trafficking of U.S. citizen minors. The availability of statistics on human trafficking is limited due to the crime’s hidden nature, limited awareness by law enforcement and social service providers, and lack of research.

- According to the National Center for Missing and Exploited Children, approximately 100,000 children are at risk of being commercially sexually exploited annually.⁶
- The average age of entry into the commercial sex industry is between 12 to 14 years old.⁷

TYPES OF CHILD SEX TRAFFICKING

Although child sex trafficking may occur within a wide range of situations, it is often found in the following forms. This list is not exhaustive nor is it a fixed indicator that trafficking is taking place without further investigation.

- **Pimp-Controlled Prostitution and Stripping:** A pimp exerts control over minors who provide commercial sex to paying customers where the pimp retains the profit. Pimps recruit vulnerable girls



through promises of love, attention and support, and use the victim's emotional and financial reliance to induce the girls into commercial sex. Pimp-controlled prostitution is extremely manipulative and can be exceedingly physically violent. Victims are often moved from place to place or city to city to avoid detection and increase reliance on the pimp. Sites include, but are not limited to, street-based prostitution, hotels and motels, truck stops, and exotic dance clubs.

- **Residential Brothels:** Residential brothels are typically informal, cash-based, underground businesses that operate in residential and non-commercial areas. Common venues include: homes, condos, apartments, trailers, and outdoors in agricultural areas. Typically, residential brothels maintain a flexible and mobile status; escort services or “out calls” are also used. One of the most common types of residential brothels in the U.S. is a “closed network” Latino brothel which is restricted for Latino men only. The victims present within these networks are almost always women and children from Latin America and are recruited through a variety of means, often with false promises of a good job in the United States.
- **Escort Agencies:** Though escort agencies may claim to advertise adult women to their customers, at times these agencies will advertise commercial sex with minors, often using coded language such as “barely legal” or “young” on websites or other media outlets. Pimps often use escort agencies to advertise the minor victims under their control.
- **Truck Stops:** Pimps often bring young girls to truck stops to engage in commercial sex with truck drivers. Pimps may target truck stops exclusively, may use truck stops to supplement their main market or may bring their victims to truck stops as the opportunity arises; for example, as they are en route bringing their victims to another location. Purchasers of commercial sex will search “john boards” on the internet to find truck stops where commercial sex is available. At the truck stop, pimps will advertise that girls are available using CB radios or by forcing the victims to solicit customers by going truck to truck. Johns signal that they want to purchase sex by using their headlights or stickers on their windows.

RECENT CHILD SEX TRAFFICKING CONVICTIONS

- 2011, [U.S. v. Rivas](#): Alexander Rivas, an MS-13 gang member, was convicted and sentenced in 2011 to 10 years in prison for child sex trafficking offenses after compelling two girls, aged 14 and 17, into prostitution. Rivas would procure up to 100 clients per night, and would transport the minors to the clients. Rivas carried a gun and machete to intimidate the minors as well as customers.⁸
- 2010, [U.S. v. Jones](#): Eddie Jones and Daryl Tavares each received a sentence of 25 years in prison for trafficking women and girls in Massachusetts and other states. Four others pleaded guilty to conspiracy charges related to the trafficking ring. Victims, many of whom were younger than 18 when they were trafficked, described Jones' and Tavares' brutal physical violence. One victim explained that Tavares carved her face to scar her permanently, indicating to others that she was his physical property.⁹
- 2011, [U.S. v. Kweme](#): Cooper Kweme, a 31 year old shopping mall security guard in suburban Maryland, pleaded guilty to sex trafficking of a 16-year-old girl. In October 2011 he received a sentence of 11 years in prison. Kweme met his victim on an online social networking website aimed at teenagers. After Kweme lied about his age to the girl, he initiated an intimate relationship and took sexually suggestive photos of her, which he used to advertise her for commercial sex on the internet. From March until May 2011 Kweme sold the girl for sex in the Washington, D.C. suburbs.¹⁰

CHALLENGES FACING CHILD SEX TRAFFICKING VICTIMS

The following are examples from a broad range of challenges faced by child victims of sex trafficking.

- **Criminal Charges:** Minor victims of sex trafficking are often arrested and criminalized despite their status as victims under federal law. Victims of sex trafficking may be arrested on such charges as prostitution, loitering for the purposes of prostitution or indecent exposure. When victims are treated as criminals they become less likely to reach out to law enforcement for assistance to leave a trafficking situation, even when they are in real danger.
- **Cultural Pressure:** Popular culture glamorizes the relationship between pimps and their victims in music, movies, and video games that are directly marketed towards youth. Additionally, young females are inundated with messages that being physically attractive to men gives them value. These representations strip girls of healthy self-image and may cause them to overlook the violence involved in pimping. These societal messages prime vulnerable girls to become victims of trafficking. The commercialization of sex similarly affects victims who are GLBTQ youth, particularly youth who experience isolation or homelessness due to their sexual orientation or gender identity and thus lack stable emotional or financial support.¹¹
- **Emotional Control:** Child victims of sex trafficking may not readily self-identify as victims due to the psychological abuses inflicted by their trafficker to reinforce control or shame victims into submission. As reflected by law, children lack the emotional and psychological development to engage in sexual relationships with adults.
- **Familial Sex Trafficking:** Parents or other family members may be traffickers. If the controller is a family member, it can be particularly difficult for the child to leave the situation or involve law enforcement due to shame, fear of repercussions within the family unit or fear of leaving, and emotional attachment to the family member. This creates much of the same complexity that exists with leaving an abusive relationship. Family members may also have arranged the sex trafficking situation in exchange for monetary compensation, and may also pressure the child to enter or remain in the situation to help support the family.
- **Immigration Status:** A trafficker may use visa fraud to bring a foreign national child sex trafficking victim into the United States. Traffickers often use the threat of deportation as well as document confiscation to maintain control over their victims. Children are particularly vulnerable to this manner of crime.
- **Isolation:** Child victims can be isolated from friends and family and manipulated into believing that their only possible means of support is a pimp and his or her co-conspirators for all of life's necessities. As a result, it is extremely difficult for a child victim of trafficking to extricate him or herself from a trafficking situation, and it may take repeated attempts to leave a situation.
- **Social Services:** Though social services do exist for both foreign national and domestic child victims of trafficking, there remain insufficient services to meet the scope of the problem. Domestic victims of child sex trafficking often struggle to navigate social services and other federal assistance programs, despite their legal status in the U.S. Both foreign national victims and U.S. citizen victims of pimp-control experience document confiscation which hampers their ability to access services.

Polaris Project works to empower and mobilize people from diverse backgrounds and of all ages to take meaningful action against human trafficking. Register with www.polarisproject.org/signup to receive regular updates on human trafficking in the United States.



¹ 18 U.S.C. § 1591.

² 18 U.S.C. §§ 2421 - 2428.

³ 18 U.S.C. §§ 1961 - 1968.

⁴ Kathleen Kim and Daniel Werner, *Civil Litigation On Behalf of Victims of Human Trafficking*, 3rd ed. (Southern Poverty Law Center, 2008), 44-45, http://library.lls.edu/atlast/HumanTraffickingManual_web.pdf (accessed November 8, 2010).

⁵ Ibid.

⁶ Ernie Allen, President and CEO of the National Center for Missing and Exploited Children, speaking to the House Victims' Rights Caucus Human Trafficking Caucus, Cong. Rec., 111th Cong., 2nd sess., 2010.

⁷ Ibid.

⁸ "MS-13 Member Receives 10 Years for Sex Trafficking of Juveniles." Federal Bureau of Investigation <http://www.fbi.gov/washingtondc/press-releases/2011/alexandria-ms-13-member-receives-10-years-for-sex-trafficking-of-juveniles> (accessed December 17, 2011)

⁹ "Boston Man Sentenced to 25 Years for Sex Trafficking of Minors." Federal Bureau of Investigation. <http://www.fbi.gov/boston/press-releases/2010/bs042310.htm>; (accessed December 17, 2011); "Two Boston Area Men Convicted of Sex Trafficking Children." Federal Bureau of Investigation. <http://www.fbi.gov/boston/press-releases/2009/bs110609a.htm> (accessed December 17, 2011)

¹⁰ "Montgomery County Man Sentenced 132 Months for Sex Trafficking a Minor." Federal Bureau of Investigation. <http://www.fbi.gov/washingtondc/press-releases/2011/montgomery-county-man-sentenced-132-months-for-sex-trafficking-a-minor> (accessed December 17, 2011).

¹¹ Brett M. Figlewski and Lee W. Brannon, "Trafficking and the Commercial Sexual Exploitation of Young Men and Boys," in *Lawyers' Manual on Human Trafficking* (New York, 2010): 155, <http://www.nycourts.gov/ip/womeninthecourts/LMHT.pdf> (accessed January 2, 2012).