



Testimony Re: H-7527 Uniform Act on Prevention of and Remedies for Human Trafficking
House Committee on Judiciary
February 23, 2016
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Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony on H-7527.

We would like to offer our strong support for the provision of H-7527 that grants immunity from prosecution for children under age 18 who are trafficking victims and we applaud the sponsors' efforts to address the issue of human trafficking in our state.

H-7527 would ensure that children and youth who are victims of commercial sex trafficking are not prosecuted for prostitution or solicitation to commit a sexual act. Although we are not aware of any cases in recent years in which a juvenile in Rhode Island was charged with prostitution, this bill is critically important to prevent the practice from occurring in the future.

Many states, including Connecticut and Massachusetts, have passed similar "safe harbor" laws that establish that any minor involved in prostitution is considered to have been coerced or forced into doing so. These laws are based on the premise that children lack the capacity to consent to sexual activity and any minor involved in commercial sexual activity is, due to their age, a victim of sexual abuse.

Children and youth who become involved in commercial sexual activity have frequently experienced psychological and emotional trauma earlier in their lives. Many have been victims of abuse and neglect, lived in out-of-home placement, and experienced homelessness. Victims of trafficking are often extremely vulnerable to manipulation, lacking adequate support systems and possessing poor self-esteem. Although some victims may appear to be willing participants in the commercial sexual activity, they have often had traumatic life experiences that make them ripe for exploitation.

Victims of sex trafficking, like other sexual abuse victims, benefit from therapeutic treatment to address the psychological problems caused by their traumatic experiences. Child victims of trafficking experience high rates of Post-Traumatic Stress Disorder (PTSD), mood disorders, and substance abuse disorders. Some victims may need to receive residential treatment outside of their homes for their own safety and protection; however, this treatment should be provided through the child welfare system and not the juvenile justice system. Youth who have been victimized should not be held in a correctional facility, a setting ill-equipped to provide the therapeutic environment needed for recovery from abuse.

We hope that this legislation is the beginning of a conversation in Rhode Island about how best to respond to the needs of underage victims of trafficking and ensure that they receive needed treatment and are safe from further victimization.

Thank you for the opportunity to comment.