

## Juvenile Courts and Programs for Victims of Child Sex Trafficking

### *Bill Analysis: SB 92*

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Senate Bill 92 (SB 92), by Senators Leticia van de Putte and Ken Paxton, would amend sections of the family code to authorize the use of pretrial diversion courts for juvenile prostitutes who are also victims of human trafficking.<sup>1</sup> Additionally, the bill promulgates procedures for the sealing of the juvenile's record upon the completion of a diversion program.<sup>2</sup> Finally, the bill amends chapter 152 of the human resources code to authorize a juvenile board to "establish a trafficked persons program ... for the assistance, treatment, and rehabilitation" of juvenile prostitutes who have been the victims of child sex trafficking.<sup>3</sup>

The primary justification for this legislation is public safety and the importance of providing aid to victims of child sex trafficking. It is worth noting, however, that the bill is also likely to provide notable cost savings for counties. In 2011, 6,526 individuals were arrested in Texas for prostitution and commercial vice, and because the first three convictions constitute a misdemeanor, counties were forced to bear the significant burden of the costs.<sup>4</sup>

The overwhelming majority of prostitution arrests are of repeat offenders.<sup>5</sup> SB 92 is aimed at reducing the number of repeat arrests by empowering counties to help child prostitutes who have been victims of human trafficking escape the "revolving door" of repeated arrests.

<sup>1</sup> SB 92, 83rd Session (2013).

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Marc A. Levin, "Examining Prostitution Diversion Initiatives," Texas Public Policy Foundation (Apr. 2013).

<sup>5</sup> Ibid.

<sup>6</sup> M. Felini, E. Ryan, J. Frick, S. Bangara, L. Felini, & R. Breazeale. Dallas Prostitution Diversion Initiative Annual Report, 2009-10 (cited in Examining Prostitution Diversion Initiatives).

<sup>7</sup> Ibid.

<sup>8</sup> Rick Jervis, "Child sex rings spike during Super Bowl week," *USA Today* (1 Feb. 2011).

<sup>9</sup> Eleanor Goldberg, "Super Bowl is Single Largest Human Trafficking Incident in U.S.: Attorney General," *The Huffington Post* (6 Feb. 2013).

Dallas County has had encouraging early success reducing prostitution re-arrests among adult offenders with a prostitution diversion initiative called "New Life." The arrest rate for New Life participants from 2007-10 was 47 percent, compared to 64 percent among those who went to jail.<sup>6</sup> Moreover, the number of offenses reported to the Dallas Police Department from truck stops that were targeted as prostitution hot spots fell from over 900 before the program was implemented to under 400 after implementation.<sup>7</sup>

Texas, unfortunately, may be at a greater risk than many other states for child sex trafficking problems because of its desirability as a destination for major events. In February of 2011, when Arlington, Texas hosted the Superbowl, Attorney General Greg Abbot observed that "[t]he Super Bowl is the greatest show on Earth, but it also has an ugly underbelly. ... [i]t's commonly known as the single largest human trafficking incident in the United States."<sup>8</sup> Indeed, during that Superbowl week, 133 arrests were made in the Dallas area for underage prostitution.<sup>9</sup>

Child sex trafficking is a terrible tragedy. SB 92 ensures that the state deals with this tragedy in a manner that is sensible and humane. It also empowers counties to explore alternatives to jail that are less expensive and more effective. ★