



Rachel Lloyd, above, founder and executive director of Girls Education and Mentoring Services (GEMS), a nonprofit that helps girls avoid or escape sexual exploitation, speaks to one of the group members, Tuesday, July 1, 2008 in New York. New York, and many other states, have sought to prosecute sexually exploited youth. State laws generally contradict the federal Trafficking Victims Protection Act of 2000, which defines sex trafficking as a commercial sex act induced by force, fraud or coercion or involving a minor. Child advocates want state laws to reflect federal law. "This is a billion dollar industry that targets some of the most vulnerable children in the state," said Lloyd "Adults are out there looking for vulnerable kids and criminalization is not the solution ... when in any other case this would be statutory rape." A new bill N.Y. Gov. Paterson is reviewing would help child prostitutes avoid harsh prosecution. They would be treated as victims and get services to help escape exploitation in the sex trade. (AP Photo/Mary Altaffer)

NY considers help to victims of child prostitution

By VALERIE BAUMAN

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ALBANY, N.Y. (AP) — Tiffany was 12 when her mother died. That was the same year she ran away from her sister's house, lived on the streets for six weeks and met the man who two days later became her pimp.

Under New York state law, girls like Tiffany could be prosecuted for breaking the law. But a new bill Gov. David Paterson is reviewing would help child prostitutes avoid harsh prosecution. They would be treated as victims and get services to help escape exploitation in the sex trade.

"As a young girl, when you're under the age of 17, you cannot consent to sex, and you're forced to have sex with someone for money — I feel like that's statutory rape," said Tiffany, who asked that her last name not be used because she was a victim of sexual violence.

The governor's office has said only that officials there will review the measure when it's sent to them.

Now 18, Tiffany has received her GED, does outreach for other young women and hopes to go to college. She spent a year-and-a-half in jail for assault before she was introduced to a mentoring program.

New York — and many other states — have sought to prosecute sexually exploited youth. State laws generally contradict the federal Trafficking Victims Protection Act of 2000, which defines sex trafficking as a commercial sex act induced by force, fraud or coercion — or involving a minor. Child advocates want state laws to reflect federal law.

The Safe Harbour bill that passed the Assembly in June would allow children under the age of 15 avoid criminal proceedings on their first prostitution arrest and instead be considered a "person in need of supervision." The bill would offer them services to start over.

In any future arrests, the youths could defend themselves as victims of sex trafficking in court to avoid harsh prosecution and stiff penalties. The judge would have discretion in those cases.

Arresting children exploited as prostitutes can further traumatize them and impose a stigma that is difficult to escape, said Rachel Lloyd, the founder and executive director of the Girls Education and Mentoring Services, a nonprofit that helps girls avoid or escape sexual exploitation.

Only Washington state and California have considered legislation similar to the Safe Harbour Act, said Karen Stauss, the managing attorney and policy counsel for the Polaris Project, an organization fighting human trafficking.

According to the National Incidence Studies of Missing, Runaway and Throwaway Children, an estimated 450,000 children run away from home every year. Living on the streets, one out of every three teens will be lured into prostitution within 48 hours of leaving home.

But intervention has helped girls like Tiffany.

"I'm not in the life anymore," she said. "I have a job, I live on my own and I have my own apartment. I see a counselor, and I've learned to love myself and (to) be able to deal with situations in another way. I don't have to run away from my problems."