
Bill Analysis 2019 Regular Session

SPONSOR: Representatives Gail Chasey and Christine Trujillo

SHORT TITLE: Prostitution as a Delinquent Act

SYNOPSIS OF BILL: Recognizes that children engaged in prostitution are commonly victims of human trafficking and provides a mechanism for such children to receive treatment and services rather than bringing them into the juvenile justice system.

STRENGTHS: Provides a mechanism to identify victims of human trafficking and directs them to treatment and services without engaging them in the juvenile justice system. Law enforcement can, if necessary, make a referral to CYFD who can then take the child into protective custody. This model not only provides a cost savings to the State of New Mexico by keeping juveniles who have not voluntarily committed any crime out of the juvenile detention centers, but also protects children from continuing to be victimized by the adults who have exploited them by selling them for sex.

The federal government has implemented a similar model, which New Mexico can use as a guideline for establishing the treatment and services provided to child human trafficking victims.

ADDITIONAL INFO: This bill addresses a growing problem. Over the last 10 years, the profile of trafficking victims has changed. Although most victims are still women, children are now a quickly growing population reaching nearly 20% in the United States.¹

<u>S</u>afer	<u>A</u>political	<u>F</u>iscally-Responsible	<u>E</u>vidence Based	Grade
<p>Over the last 10 years, the profile of trafficking victims has changed. Although most victims are still women, children are now a quickly growing population reaching nearly 20% in the United States.¹ Taking children who are being taken advantage of and sold for sex off the streets and providing them treatment and services protects children from being exploited and prevents the spread of disease in our communities.</p>	<p>While a large number of child victims are immigrants from disadvantaged countries which may invoke an immigration debate, however these crimes are happening in New Mexico. Providing a safe environment for children who have been exploited and giving them treatment and services to obtain self-sufficiency, while simultaneously reducing crime is in the best interest of our communities.</p>	<p>In 2015 the average cost of housing a juvenile in the detention centers was \$182,000.² This money can be better utilized by providing child victims of human trafficking with treatment and services.</p>	<p>There are documented models for successfully transitioning child victims of human trafficking to the point of self-sufficiency.^{3, 4}</p>	<p>A</p>

1 UNODC, *Global Report on Trafficking in Persons 2016* (United Nations publication, Sales No. E.16.IV.6) retrieved at: http://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf

2 Albuquerque Journal: *Juvenile lockup costs escalate despite fewer incarcerated youth* (Sept. 11, 2016), retrieved at <https://www.abqjournal.com/842790/juvenile-lockup-costs-escalate-despite-fewer-incarcerated-youth.html>

3 OPJJD, *Human Trafficking – Services for Survivors*, retrieved at <https://www.ojjdp.gov/programs/human-trafficking-services.html>

4 U.S. Dept. of Health and Human Services, *Case Management and the Victim of Human Trafficking: A Critical Service for Client Success*, retrieved at: <https://aspe.hhs.gov/pdf-report/case-management-and-victim-human-trafficking-critical-service-client-success>