



Jill C. Fike
Director

Brian Scott Johnson
Deputy Director

Senate Research Office
204 Paul D. Coverdell Legislative Office Building
18 Capitol Square
Atlanta, Georgia 30334

Telephone
404.656.0015

Fax
404.657.0929

FINAL REPORT OF THE COMMERCIAL SEXUAL EXPLOITATION OF MINORS JOINT STUDY COMMISSION

COMMISSION MEMBERS

Honorable Renee Unterman, Co-Chair
Senator, District 45

Honorable Jack Murphy
Senator, District 27

Honorable Kasim Reed
Senator, District 35

Chief Gary Yandura
College Park Police Department

Judge Sanford Jones
Fulton Co. Juvenile Court

Mr. Mike Randolph
Bibb Co. Public Defender Office

Honorable Calvin Hill, Co-Chair
Representative, District 21

Honorable David Ralston
Representative, District 7

Honorable Amy Carter
Representative, District 175

Mr. Daniel Porter
District Attorney, Gwinnett Co.

Judge Melvin K. Westmoreland
Atlanta Superior Court

Judge Tom Rawlings
Office of the Child Advocate

I. INTRODUCTION

The Georgia General Assembly created the Joint Commercial Sexual Exploitation of Minors Study Commission (“the Commission”) in 2008 through the passage of Senate Resolution 445. The purpose of the Commission was to study the problem of children engaging in prostitution and related activities in Georgia.

The Commission was co-chaired by Senator Renee Unterman and Representative Calvin Hill, and included four other legislative members: Senators Jack Murphy and Kasim Reed and Representatives David Ralston and Amy Carter. The Commission also had six non-legislative members: Chief Gary Yandura of the College Park Police Department (appointed by the Georgia Association of Chiefs of Police); Mr. Danny Porter, District Attorney of the Gwinnett Judicial Circuit (appointed by the Prosecuting Attorneys’ Council of the State of Georgia); Judge Sanford Jones of the Fulton County Juvenile Court (appointed by the Council of Juvenile Court Judges); Judge Melvin K. Westmoreland of the Atlanta Judicial Circuit (appointed by the Council of Superior Court Judges of Georgia); Mr. Mike Randolph, Chief of the Bibb County Public Defender’s Office, Juvenile Division, Macon Judicial Circuit (appointed by the Georgia Public Defender Standards Council); and Judge Tom Rawlings, Executive Director of the Office of the Child Advocate (appointed by the Office of the Child Advocate).

The following legislative staff members were assigned to assist with the Commission: Ms. Rachel Moore, Senate Research Office; Ms. Jenee Burke, House Committee Services; Mr. Robert Welsh, Senate Budget and Evaluation Office; and Ms. Ravae Graham and Mr. Matthew Colvin, Senate Press Office.

The Commission held public hearings at the Capitol on five dates in 2008, September 17th, September 29th, October 17th, December 1st, and December 15th. During the course of these hearings, the Commission heard testimony from the following individuals: Stephanie Davis of the Atlanta Mayor’s Office; Kaffie McCullough and Melba Robinson of the Juvenile Justice Fund; Alex Trouteaud of the Schapiro Group; Dr. Scott Weimer of North Avenue Presbyterian Church; Cheryl DeLuca-Johnson of Street Grace; Kirsten Widner of the Barton Child Law and Policy Clinic at Emory University School of Law; Sgt. Ernest Britton of the Atlanta Police Department Child Exploitation Task Force; Deborah Espy of the Fulton County District Attorney’s Office; Special Agent in Charge John Whitaker of the GBI/High Technology Investigations Unit, Georgia ICAC Task Force; Special Agent Joe Fonseca of the FBI, Atlanta Task Force; Lt. Kevin Wiley and Officer Jim Saleda, Oakland, California, Police Department; Sharmin Bock, Assistant District Attorney for Human Exploitation & Trafficking, Alameda County, California; Mary Frances Bowley of Wellspring Living; Kasey McClure of 4Sarah, Inc.; Dr. Lois Lee of Children of the Night, Van Nuys, California; Jen Bennecke, Executive Director of the Governor’s Office for Children and Families; Cynthia Howell, Executive Director of Children’s Advocacy Centers of Georgia; Nancy Chandler, CEO of the Georgia Center for Child Advocacy; and Dr. Arletta Brinson, Executive Director of the Office of Student Programs and Services, Atlanta Public Schools.

II. BACKGROUND INFORMATION

Although prostitution is commonly thought of as a “victimless” crime between consenting adults, an alarmingly high number of minors are involved in the United States’ sex industry. Experts estimate that thousands of children under the age of 18 are sexually exploited for commercial gain each year in the United States. Georgia and metropolitan Atlanta in particular, perhaps in large part due to its position as a major U.S. transportation hub, has been at the forefront of this crisis. The Federal Bureau of Investigation ranks Atlanta among the top 14 cities in the nation

for child prostitution,¹ and experts estimate that hundreds of children are exploited each month throughout the state. The average age of a child prostitute is 14.5 years old, with most such youth entering the world of prostitution at age 13 or 14.² Given the underground nature of this type of activity, concrete numbers of children involved are difficult to obtain. However, according to an independent, multi-year study commissioned by *A Future, Not a Past.*, a statewide campaign of the Juvenile Justice Fund, as many as 200 to 300 young girls are commercially sexually exploited each month in Georgia.³ According to the recently released data from August 2007 to May 2008, researchers monitoring corridors and hotels in the Atlanta area known for prostitution activity found an average of 40 to 90 girls every month engaging in street prostitution and approximately 25 girls with johns at hotels. Moreover, an examination of Georgia's escort services identified an average of 50 to 100 underage females each month. The ongoing study is also examining the increasingly prominent role of the internet in prostitution. Researchers found that approximately 100 to 115 girls are made available through Craigslist.org ads each month, with profitable results; the study found that ads touting the youthfulness of their subjects with lines such as "just turned 18" and "barely legal" receive 132 to 175 percent more inquiries than other postings. The statistics established by this tracking study do not tell the complete story of child prostitution in Georgia; for example, the researchers did not monitor street or hotel activity outside of the Atlanta area and the study does not include sexual exploitation of boys. Nonetheless, the numbers that have emerged so far indicate a critical situation in urgent need of attention. On a typical weekend night, more girls, 129, are commercially sexually exploited in Georgia than the number killed in car accidents, 58, in an entire year.⁴

The work of prostitution carries acute risks of violence, sexually transmitted diseases, and unplanned pregnancies. In most cases, though, a child prostitute's problems begin long before his or her involvement in the sex trade. Childhood sexual abuse, parental neglect, and poverty are a few of the most prominent risk factors for child prostitution. In many cases, minors who resort to prostitution are runaways or "throwaways," children who have been ordered to leave home by their families; it has been estimated that up to 90 percent of all runaways become involved in the sex industry.⁵ Such minors often then fall into the influence of pimps, who are notorious for the abusive tactics they will use to maintain loyalty. In many cases, a pimp will use actual or the threat of violence against his prostitutes. Pimps will also use psychological manipulation to lull these minors into a false sense of protection or to instill a belief that the child could not survive without his care. According to Sharmin Bock, a human trafficking prosecutor in Alameda County, California, a common tactic of pimps is to use other prostitutes to recruit girls and to keep them in line. Once in the fold, a child prostitute will often have a difficult time exiting this life, having become totally dependent on her new "family" as her only means of support.

¹ Chris Swecker, Acting Executive Assistant Director, Law Enforcement Services, FBI, Testimony before the House Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, April 6, 2006. See <http://www.fbi.gov/congress/congress06/swecker040606.htm>.

² "Commercial Sexual Exploitation of Children in Georgia," issued by the Barton Child Law and Policy Clinic at Emory University in 2008 (hereinafter referred to as the "Barton Report"), p. 6.

³ See "Adolescent Girls in Georgia's Sex Trade: An In-Depth Tracking Study, Year One Results," June 2008.

⁴ As reported by *A Future. Not a Past.*, based on search results from the Online Analytical Statistical Information System, Georgia Department of Human Resources, Division of Public Health, Office of Health Information and Policy. See <http://oasis.state.ga.us/>.

⁵ "Hidden in Plain View," issued by the Atlanta Women's Agenda in 2005, p. 16.

To add to these difficulties, child prostitutes may find themselves in the position of being both victims of sexual exploitation and, under the letter of the law, criminals themselves. While the age of consent for sexual activity is 16 under current state law,⁶ Georgia, like all states except Michigan, has no minimum age for the offense of prostitution.⁷ Many jurisdictions, including Fulton County, have adopted a policy of not prosecuting children on prostitution charges. However, the possibility of prosecution still exists; according to data from the Georgia Department of Juvenile Justice and juvenile courts, there were at least 21 actions against minors on prostitution charges in 2006.⁸

Public awareness of child prostitution has grown in recent years, prompting an increasing number of groups and government officials to become involved in finding solutions. The administration of Atlanta Mayor Shirley Franklin has been particularly active in this movement. In 2005, her Atlanta Women's Agenda issued the report "Hidden in Plain View," which detailed commercial sexual exploitation in Atlanta. Among its findings, the report documented common areas for child prostitution activity, including a close proximity to Atlanta's many adult entertainment venues.⁹ Mayor Franklin also launched an educational campaign called the "Dear John" campaign in 2006. Moreover, several faith-based groups have become very vocal in fighting sexual exploitation in Georgia, such as Street Grace, a recently formed coalition of Atlanta churches. The increased awareness of this issue has led state and local leaders, including this Commission, to seek ways to more effectively combat the commercial sexual exploitation of children (CSEC) and to provide the best treatment possible to all victims.

III. COMMITTEE FINDINGS

Current Legal Landscape

In many respects, Georgia already has strong laws regarding cases of child sexual exploitation. Legislation passed in 2001 by the Georgia General Assembly increased the penalties for pimps and johns who exploit minors. Moreover, legislation enacted in 2006 established two new human trafficking offenses that could be used against persons sexually exploiting children. Still, many advocates believe that there is room for improvement to strengthen the prosecution of exploiters and to increase the identification of victims.

Criminal Provisions

Georgia's prosecutors currently have fairly strong laws at their disposal in making cases against pimps and johns who exploit minors. In 2001, the General Assembly enacted the Child Sexual Commerce Prevention Act¹⁰, which increased the penalties for commercial sexual exploitation. Although the offenses of pimping, pandering, and keeping a place of prostitution are normally aggravated misdemeanors, these offenses are felonies punishable by five to 20 years imprisonment and fines of \$2,500 to \$10,000 when involving the prostitution of a person under the age of 18.¹¹ It is worth noting that these harsher penalties apply to cases involving a person *under 18*, even though the age of consent in Georgia is 16.¹² In addition, prosecutors may

⁶ O.C.G.A. § 16-6-3 (2008)

⁷ Barton Report, p. 12

⁸ Barton Report, p. 15

⁹ "Hidden in Plain View," pp. 22 and 24

¹⁰ Senate Bill 33 (2001)

¹¹ See O.C.G.A. §16-6-13 (b) (2008).

¹² O.C.G.A. § 16-6-3 (2008)

charge persons who engage in sex acts with child prostitutes with statutory rape or child molestation, provided that the minor is under 16 years of age.¹³

While Georgia's laws provide stringent penalties for pimps and johns in CSEC cases, some of the witnesses who spoke to the Commission noted that the number of actual prosecutions remains relatively low. Stephanie Davis of the Atlanta Mayor's Office reported that approximately two-thirds of prostitution-related arrests are of women, with pimps and johns typically walking away. Part of the problem may lie in the challenges inherent in making a successful case on pandering and pimping charges, especially the latter. Most criminals in this field are smart enough to limit their visibility, and establishing a connection between a pimp and his prostitute can be a challenge. Moreover, with limited manpower to serve their communities, police forces must often relegate cases of pimping and pandering to a low priority compared to urgent public safety matters such as homicide or robbery. To increase the numbers of arrests and prosecutions of these predators, law enforcement representatives told the Commission that rather than altering current criminal provisions, what they truly need are more resources to fully investigate CSEC cases. Sgt. Ernest Britton of the Atlanta Police Department's Child Exploitation Task Force told the Commission that if he had five investigators who dealt exclusively with child prostitution cases, his force could make a significant dent in the number of CSEC cases in Atlanta; in contrast, the task force's counterpart in Las Vegas has approximately 20 investigators, according to Sgt. Britton. Likewise, Fulton County Assistant District Attorney Deborah Espy told the Commission that as a prosecutor, she is fairly well armed, but that more trained officers are needed to adequately tackle child prostitution in Atlanta.

Human Trafficking Law

Georgia's anti-human trafficking statute was enacted in 2006 as part of the Georgia Security and Immigration Compliance Act.¹⁴ The statute creates two criminal offenses: trafficking a person for labor servitude; and trafficking a person for sexual servitude.¹⁵ The offense of trafficking a person for sexual servitude could potentially be used to prosecute pimps or johns who sexually exploit children and covers sexually explicit conduct "which is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of 18 years."¹⁶ According to the Barton Clinic, however, the statute as currently written is overly broad, possibly hindering its use as a prosecutorial tool. The meaning of "induced or obtained," as used in the definition of "sexual servitude" is never delineated, and could be considered so broad as to cover a spectrum of activities that are not necessarily true instances of commercial sexual exploitation. Moreover, the definition of sexual servitude as "sexually explicit conduct which... is induced or obtained by a person under the age of 18 years" could be broadly construed to criminalize all sexual activity with a person under 18, effectively raising the age of consent in Georgia to 18.¹⁷

To redress these shortcomings, Ms. Widner testified to the Commission that this law should be revised to more consistently follow the U.S. Department of Justice's Model Anti-Trafficking Criminal Statute, on which the Georgia law is loosely based. Additionally, Ms. Widner advocated revising the law to provide for assets used by convicted traffickers to be used to fund services for victims.

¹³ See O.C.G.A. §§ 16-6-3 and 16-6-4 (2008).

¹⁴ Senate Bill 529 (2006)

¹⁵ O.C.G.A. § 16-5-46 (2008)

¹⁶ O.C.G.A. § 16-5-46 (a)(4) (2008)

¹⁷ See O.C.G.A. § 16-6-3 (2008).

Mandatory Child Abuse Reporting Law

The first step in helping minors who have been commercially sexually exploited is of course to identify victims. To that end, the mandatory child abuse reporting statute, found at O.C.G.A. § 19-7-5, requires teachers, doctors, law enforcement personnel, and other specified professionals who interact with children to report instances in which they reasonably suspect abuse of a child. As currently defined by the statute, “child abuse” may include instances of commercial sexual exploitation of minors. However, many advocates, including the Barton Clinic, believe that the current definition could be revised to increase the identification of youths who have been subjected to such abuse.

O.C.G.A. § 19-7-5 provides three sub-definitions for the term “child abuse.” Among them is “sexual exploitation,” defined as “conduct by a child’s *parent or caretaker* who allows, permits, encourages, or requires that child to engage in prostitution” or other sexually explicit conduct for the purpose of creating pornography [emphasis added].¹⁸ As the definition of sexual exploitation is limited to abuse at the hands of parents or caretakers, some mandatory reporters might believe that their duty to report suspected instances of child prostitution is limited to such cases. However, another sub-definition of abuse, “sexual abuse,” does appear to encompass sexual exploitation by a pimp or a john; this term is defined to mean “a person’s employing, using, persuading, inducing, enticing, or coercing any minor who is not that person’s spouse to engage in...” any of a variety of sexual acts.¹⁹ As someone who “induces, entices, or coerces” a child prostitute’s sexual activity, a pimp’s actions would fit this definition. Likewise, the john of a child prostitute clearly is “employing” or “using” a minor to perform a sex act. Thus, it does seem that a mandatory reporter who suspects a child is participating in prostitution would be required to report this. Nonetheless, Kirsten Widner of the Barton Clinic argued at the Commission’s September 29th meeting that the presence of a limited sub-definition for “sexual exploitation” has the potential to cause confusion. While it could possibly be seen as merely providing an additional ground for reporting a situation such as a parent encouraging a child to engage in prostitution when a sex act has not yet occurred, the inclusion of a separate sub-definition for “sexual exploitation” might mislead some mandatory reporters to believe they do not have to report instances of child prostitution when a parent or caretaker is not involved.²⁰ Hence, Ms. Widner urged the Commission to recommend revising O.C.G.A. § 19-7-5 to make it clear that all instances of child prostitution must be reported, regardless of who is involved.

Treatment of CSEC Victims

An ongoing subject of study for the Commission has been the options available for treating young people who have survived commercial sexual exploitation. Child sex workers often come from distressing situations that precede their involvement with prostitution. Experts cite early sexual abuse as one of the most common risk factors for sexual exploitation; other risk factors include parental neglect, conflicts in a child’s home life, poverty, and emotional or psychological factors.²¹ On top of this troubled background is the trauma of the sexual exploitation itself. Pimps routinely use violence, drugs, and other abusive tactics to coerce vulnerable minors into prostitution. The dangerous work of prostitution puts these minors at acute risk for violence and degradation at the hands of their johns, sexually transmitted diseases, and unplanned pregnancies. Because of these factors, specialized services for the unique needs of victims of commercial sexual exploitation are critical, advocates say. After undergoing repeated trauma, these minors often develop a hardened persona that can make it difficult for counselors not

¹⁸ O.C.G.A. § 19-7-5 (b)(4) (2008)

¹⁹ O.C.G.A. § 19-7-5 (b)(3.1) (2008)

²⁰ See Barton Report, p. 17.

²¹ See “Hidden in Plain View,” p.14.

specially trained to work with them. Moreover, after being manipulated into a strong sense of loyalty to their exploiters, many of these children have a tendency to return to the streets unless they are closely monitored.

Available Treatment Options

Georgia does have the good fortune to be home to one of the nation's few residential treatment facilities for girls who have been commercially sexually exploited. Angela's House, a group home run by Inner Harbour in Douglas County, provides care to female victims between the ages of 13 and 17, many of whom have been referred by Fulton County Juvenile Court. These residents receive psychiatric and medical treatment, individual and group counseling, and educational opportunities specifically designed to help them recover from this type of abuse. On October 17, 2008, the Commission visited the facilities of Inner Harbour and Angela's House, where members saw firsthand the comprehensive care provided to young victims. In a highly structured environment, girls participating in the program live in a group home and have access to a wide spectrum of services, including schooling designed to help them catch up to their appropriate grade level and psychological help from counselors who specialize in cases such as theirs. Participants even have access to unique services such as equestrian therapy and an African drumming program, among other activities on the sprawling Inner Harbour Campus. On this same day, the Commission was also able to visit the nearby Palmetto campus of Georgia Baptist Children's Homes and Family Ministries, Inc., where Wellspring Living, a non-profit organization, recently established another residential treatment facility. The Wellspring Living for Girls Program began receiving residents in October 2008, and ultimately plans on providing treatment to up to 16 victims at a time.

Although interest in such services has increased in recent years, there are still too few care options to meet the needs of all touched by this issue. Angela's House has only six beds and is only able to treat approximately 18 girls per year.²² The facility cannot provide treatment to girls with an IQ under 75 or who have severe mental health disorders. Moreover, there are currently no specialized services in Georgia available to boys who have been prostituted. CSEC victims who are unable to receive treatment in a specialized program might find services in other facilities or group homes. According to many mental health experts, however, treatment in non-specialized services can be problematic, as survivors are often subject to ridicule and shunning when placed with other young people who have not experienced similar trauma.²³ Thus, advocates for CSEC victims have lobbied the State of Georgia to increase funding for rehabilitative services. In 2008, \$560,000 was allotted in the FY 2009 budget for a regional assessment center for child victims of prostitution and trafficking. This allocation is critical to sustaining the limited rehabilitation programs currently available, as well to hopefully expanding services in the future. However, this funding has since been frozen due to the state's budget crisis.

CSEC Victims in the Judicial System

Beyond sheer lack of treatment services, several barriers exist that hinder CSEC victims from receiving appropriate care. In the first place, the victims themselves are often resistant to efforts to help them escape their situation. After being indoctrinated by their pimps, child prostitutes will often be reluctant to cooperate fully with authorities. As Sgt. Ernest Britton of the Atlanta Police's Child Exploitation Task Force told the Commission, his officers often have a difficult time convincing the girls they encounter that they are actually victims. Moreover, CSEC victims are often not identified until the victims themselves run into trouble with the law. While some

²² See Juvenile Justice Fund's website, <http://www.juvenilejusticefund.org/programs/cease/index.aspx>.

²³ Barton Report p.21 (quoting Dr. Lois Lee, President of Children of the Night)

jurisdictions such as Fulton County have a policy of not prosecuting minors for prostitution, this does not necessarily prevent child prostitutes from being arrested and detained for prostitution, even if the charges are soon dropped. The Barton Clinic reports that Fulton County Juvenile Court records indicate 11 girls between the ages of 14 and 16 were charged with prostitution in 2006, but this record may not reflect other cases in which a prostitution charge was subsequently downgraded to a lesser charge such as disorderly conduct.²⁴ It is also not uncommon for a sexually exploited youth to be arrested and detained for a non-prostitution offense, such as a status offense or probation violation. However a victim enters police custody, it can be challenging to earn the confidence of a traumatized young person in such an adversarial climate. This has led advocates to examine different possible approaches to handling victims. According to some experts, including the Barton Clinic, a partial solution would be to provide a minimum age for the crime of prostitution, making it clear that minors under a certain age are not criminally responsible in their own sexual exploitation.²⁵

While such a change to prostitution laws is still controversial, most advocates do agree that a more uniform approach is needed to ensure that all CSEC victims are appropriately treated, regardless of where they are arrested. Although metropolitan Atlanta has been at the forefront of this issue, there is a growing understanding that child prostitution affects communities throughout the state. The Juvenile Justice Fund's public awareness campaign, *A Future. Not a Past.*, last year conducted a series of meetings with law enforcement agencies throughout the state to examine how the issue of child prostitution has affected their jurisdictions. *A Future. Not a Past.* also recently began a law enforcement training program to raise awareness and to educate officials on their role in protecting CSEC victims.

Another Juvenile Justice Fund program, the Center to End Adolescent Sexual Exploitation (CEASE), is dedicated to assisting victims who come into contact with the judicial system. In partnership with the Fulton County Juvenile Court, CEASE operates a court advocacy program for sexually exploited minors, helping these victims to navigate the judicial system and to ensure that victims receive appropriate services. CEASE was also instrumental in the founding of Angela's House; thanks to its partnership with the Fulton County Juvenile Court, several girls assisted by CEASE have been referred to this facility to receive in-patient care. The efforts of the CEASE program have proven to be highly effective in helping girls break free from the sex trade. CEASE's coordinator, Melba Robinson, estimates that approximately 80 percent of the girls they assist complete the program successfully and are never again arrested for prostitution.

CSEC Protocol

Advocates for CSEC victims agree that a coordinated approach between social service providers, mandatory reporters, and the law enforcement and judicial communities is critical to ensure that all victims receive the care that they need. The jurisdictions of Fulton County and the City of Atlanta have established a set of protocols on handling victims. Agencies that participate with the protocol include Fulton County courts, Atlanta and Fulton County school systems and police departments, Fulton County Department of Family and Children Services, the Fulton County Children's Advocacy Center, and Children's Healthcare of Atlanta, among other entities.²⁶ The first section of the protocol deals with prevention and calls for agencies to share information on minors who exhibit certain signs that they may be victims of commercial sexual exploitation. This information sharing is enabled through a web-based program developed by the Fulton County Children's Advocacy that was originally known as Child Abuse

²⁴ Barton Report p. 15

²⁵ Barton Report, p. 60

²⁶ Atlanta-Fulton County Commercial Sexual Exploitation of Children Protocol, 2007, p. 2

Case Tracking Information System (CACTIS). CACTIS proved to be such a successful system that Children's Advocacy Centers (CACs) of Georgia recently launched the Multidisciplinary Team Information System (MDTIS), which will be used by all CACs throughout the state for the intake, tracking, and management of child abuse cases.

Other sections of the protocol focus on intervention, treatment, and prosecution. The agencies involved are to work together to make referrals, evaluate cases, and direct victims to appropriate resources. The protocols for prosecution aim to reduce victims' trauma by calling for a Victim-Witness Advocate to be assigned to each child victim and providing that the child will not be required to testify at pre-trial proceedings unless required by the court. The prosecution protocol section also calls for prosecutors to request convicted pimps and panderers in CSEC cases be treated as sexual predators and to ensure all plea deals include a request for jail time for all principal offenders.

IV. COMMITTEE RECOMMENDATIONS

During the course of this study, the Commission has seen the dire need for more resources for victims of commercial sexual exploitation. Despite the fact that at least 200 children a month are being prostituted in Georgia, the number of specialized services currently available can only serve a relative few. Expanding services will require a long-term commitment, but some actions can be taken immediately. In addition to several long-term goals, the Commission has identified three possible legislative actions worthy of serious consideration by the General Assembly.

Immediate Legislative Proposals

-Revise Georgia's Mandatory Child Abuse Reporting Law.

Georgia's mandatory child abuse reporting law has the potential to be a powerful tool for identifying minors victimized to commercial sexual exploitation. As discussed above, however, the presence of a sub-definition for "sexual exploitation" that is limited to parents and caretakers may cause confusion among mandatory reporters. Eliminating the words "parent or caretaker" from the sub-definition of "sexual exploitation" would make it clear that mandatory reporters have a duty to report all suspected instances of the sexual exploitation of a minor, regardless of who is involved. Of course, any change in the mandatory child abuse reporting law should be coupled with efforts to educate mandatory reporters of the change.

-Establish an ongoing funding source, such as a tax on patrons to adult entertainment venues, to be directed to resources for CSEC victims.

It is evident that services currently available to help minors recover from commercial sexual exploitation are woefully inadequate to treat all victims in Georgia. Specialized facilities such as Angela's House have proven highly effective in helping girls to escape the devastation wrought by a life of prostitution. Unfortunately, space in Angela's House is severely limited, and victims' advocates agree that there is a strong need for additional in-patient, as well as out-patient, services tailored to the unique needs of CSEC survivors. Moreover, Georgia law enforcement officers who testified to the Commission expressed a strong need for additional manpower and other resources to better investigate and prosecute these types of cases. However, securing public funding for additional resources is no easy task in this current economic climate. The FY 2009 budget passed by the General Assembly this year included \$560,000 for a regional assessment center for child victims of prostitution and trafficking, but this allotment has since been frozen due to the state's budget crisis.

One way to raise funds for additional resources would be to place a modest surcharge on patrons to adult entertainment venues, which would be specifically directed toward increased services for victims. Reports such as the Mayor's *Hidden In Plain View* demonstrate the frequent proximity between adult entertainment venues and prostitution activity.²⁷ Not only does employment in such businesses frequently serve as a stepping stone to prostitution, reports from law enforcement and researchers indicate that these businesses often serve as the very location for such illicit transactions. A fee of just a few dollars per patron could generate significant funds for desperately needed resources for victims throughout the state. The Commission is aware that First Amendment considerations would need to be taken into account in drafting such a measure; the General Assembly must take care to ensure that monies generated from a surcharge on adult entertainment patronage go directly to services for victims of sexual exploitation. Provided that such a surcharge is carefully crafted to respect the constraints of the federal constitution, this measure would supply much needed funds for additional victims' services.

-Establish a statewide minimum age of 21 for working in the adult entertainment industry.

During the course of the Commission's study, a variety of witnesses testified on the role that adult entertainment venues play in the commercial sexual exploitation of minors. As law enforcement officials such as Special Agent Joe Fonseca of the Federal Bureau of Investigation noted, exotic dancing and similar work often serves as a gateway to prostitution. Currently, there is no uniform age requirement in Georgia for working as an adult entertainer, and requirements for permits for such employment vary. The City of Atlanta passed an ordinance in 2008 that effectively outlawed adult entertainment venues from employing anyone under 21. Other jurisdictions, such as Athens-Clarke County and DeKalb County, a person 18 or older can work as an exotic dancer. Several counties require exotic dancers to have a license or permit from the county, while others only require the showing of a photo ID to their employer. Technically, a minor is not permitted to participate in nude dancing anywhere in Georgia. Nonetheless, the fact that some Georgia jurisdictions allow individuals as young as 18, persons still young enough to be in high school, to work in these establishments heightens the risk that minors will be exposed to the industry. As one former exotic dancer testified to the Commission, the use of fake identification cards to obtain employment in these establishments is a fairly frequent occurrence in the adult entertainment industry, and it is certainly not difficult for a girl aged 17 or younger to physically pass for an 18 year old. For this reason, the Commission recommends establishing a statewide minimum age of 21 for adult entertainment workers. A uniform, statewide age requirement would mandate club owners to verify the age of their performers. While such a reform would not necessarily eradicate the problem of minors participating in this industry, the Commission believes this would remove many young people from a situation that makes them vulnerable to sexual exploitation.

Long-term Recommendations

-Develop a system of care for the prevention and treatment of commercial sexual exploitation of minors.

It is vital that law enforcement, social service providers, and other professionals who may come into contact with victims or potential victims share information and work together to ensure that all receive the care they deserve. Following the example of the Atlanta-Fulton County Commercial Sexual Exploitation of Children Protocol, it would be worthwhile to develop a set of statewide protocol that outlines a uniform approach to identifying and handling victims.

²⁷ See *Hidden in Plain View*, p. 24.

-Increase treatment options for victims.

It is imperative that Georgia commit to the goal of expanding treatment options for minors who have been victimized. The establishment of regional assessment centers would provide law enforcement with an alternative to placing child prostitutes in detention; at such centers, victims could receive medical and psychological evaluations and be directed to needed services. In addition, more outpatient services are needed, both to continue care to former residents of in-patient programs and to treat victims for whom residential treatment is not appropriate. Other long-term goals should include the development of treatment programs for male victims.

-Ensure that police and prosecutors have the tools they need to go after those who prey on children.

Georgia already has strong criminal statutes to deal with pimps and johns who sexually exploit minors. Still, the numbers of successful prosecutions against such predators remains relatively low. This is not a phenomenon limited to child prostitution; the majority of prostitution-related arrests are against women, while their pimps and johns often walk away. The General Assembly should continue to consider reforms that may increase the number of arrests and prosecutions of exploiters. In an effort to increase the options prosecutors have for making cases against pimps and johns, the legislature may want to consider revising Georgia's anti-human trafficking statute. Enacted in 2006, this law has the potential to be an effective instrument for prosecuting pimps and johns who sexually exploit children. According to some legal experts, however, its statutory language is overly broad and has yet to receive much use since its creation. The Commission believes that is worthwhile for the General Assembly to revisit this issue in the future to ensure that this law can be effectively used.