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Prosecutors change tactic in child prostitution cases

by Laura Yuen, Minnesota Public Radio

February 25, 2011

St. Paul, Minn. — Child prostitutes won't face criminal charges under a new policy announced Friday by several top prosecutors from across the Twin Cities.

The county attorneys say the criminal justice system has historically responded to child trafficking by arresting the girls and treating them as delinquents.

As the trafficking of girls appears to be growing in Minnesota, prosecutors, sheriffs and police chiefs say they'll do everything in their power to protect child victims -- and not criminalize them.

For many women caught up in the sex trade, the recruitment starts young. Courtney, now 23, says she was about 15 when her pimp began selling her for sex.

"Right after you were done, he took the money, and you went back and did it again and again and again -- every day, 24 hours a day," she said. "It could be 6 o'clock in the morning. If the phone rings, you're getting up, getting dressed and seeing the guy who's calling."

Eventually, Courtney said federal agents found her, and she was jailed for more than a year. She says the FBI got involved because her pimp shuttled her across state lines.



Heather B.

"They arrested me. Not him, not anyone else. Me," she said. "He beat me for four years, he tortured me, he took me from my family. And I'm being looked at as the bad guy. And they haven't decided if I'm the victim or the perpetrator."

Courtney declined to provide her last name, because she believes she's still under investigation. MPR News couldn't independently verify Courtney's story, but the St. Paul nonprofit Breaking Free says Courtney's story is accurate and that the federal government referred her to the program, which helps sexually exploited women.

In Minnesota, prosecutors say the problem with state law is that it contains conflicting language that defines child prostitutes as delinquents, as well as victims in need of protection. That leaves it up to county attorneys to decide whether to try a teen caught up in the sex trade.

But prosecutors representing seven county attorney offices vowed Friday they'll no longer do that.

"We're not going to prosecute juveniles who are the victims of prostitution," said Ramsey County Attorney John Choi.

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- Ramsey County Attorney John Choi

Choi said such prosecutions against children were rare in his county, with only eight cases over the past five years. Under the new policy, Choi said victims will be referred to a program for teen runaways or to his office's child protection workers.

Choi and his counterparts say the sex trafficking of children is a statewide problem -- and one found increasingly in the suburbs.

Prosecutors and law enforcement officials say they're more aggressively pursuing the demand side of the sex trade. A recent study commissioned by the Women's Funding Network found a 55 percent increase in girls domestically sex trafficked over six months last year in Minnesota, many of them through ads posted on the Internet.

Dakota County Attorney Jim Backstrom said the men fueling the trade need to be held accountable.

"You ask where these people come from? Well, they're just people in the community," said Backstrom. "There's been some teachers, and people in many different professions, including some people in law enforcement who have been involved. And then they're looking not just to look at pictures anymore. They want to access children themselves."

The new procedures announced Friday focus only on children in the sex trade, not adults who were lured into it as minors. Courtney says the legal system should recognize how trapped victims feel, even after they turn 18.

"What happened when I was 15, 16, and 17 is the reason what's going on at 18, 19, and 20. Just because you turn 18 doesn't mean a pimp will stop pimping you. If not, he'll pimp you even harder," she said.

And while Courtney has escaped that life, there was a time she thought she didn't deserve to.

"I just believed I was worthless, and prostitution would be the rest of my life," she said through tears.

At the Capitol, a bill with bipartisan support aims to clarify that sexually exploited children are victims. If passed, advocates say, Minnesota would follow five other states, including New York, Georgia, and Illinois.

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