

Domestic Child Sex Trafficking Policy Statement

Children should never be bought or sold for sex or labor. All courts should be trained to identify and respond to potential exploitation of children.

Under Federal and most state laws, third party traffickers and sex buyers all fall within the definition of traffickers. If a minor is involved in a commercial sex act, no force, fraud or coercion is required and consent of the minor is not a defense.

Child sex trafficking is a market-driven business and generates an estimated \$150-\$172 billion every year (Niethammer, 2020). Every person who buys sex from a child should be prosecuted and held accountable.

While children who have been abused and neglected, who have histories of personal, historical or intergenerational trauma are most vulnerable to trafficking, the enormous growth of the internet has made every child with access to social networking and video gaming sites vulnerable to sexual exploitation.

The data is indisputable. Between 2021-2023 the number of online enticement reports (online enticement of children for sexual acts) increased by more than 300%. In 2024 the National Center for Missing and Exploited Children (NCMEC) received more than 546,000 reports of online enticement, an increase of 192% over 2023 (NCMEC, 2024). Of those who were reported missing, 92% were speaking with adults online before their missing incident.

Because children enter the child welfare system due to abuse and neglect, they are especially vulnerable to being trafficked, and that vulnerability is amplified for those who are in foster care and out of home placements. Children who run from placements and go missing are known to be at increased risk of exploitation.

Both global and domestic research shows that almost half of child sex and labor trafficking cases began with family member involvement (CTDC, n.d.; Polaris, 2022; Sprang & Cole, 2018). Families traffic their children for money, for rent, for drugs, or due to family history and/or circumstances.

Judges have a unique role in preventing the trafficking and retraumatizing of exploited children, to ensure resources are available for those in the child welfare system, in juvenile courts, and for those who are victims and witnesses in criminal cases.

Therefore, the NCJFCJ adopts the following policies:

The NCJFCJ supports legislation to strengthen criminal laws and to provide services to exploited children and youth, including the regular reauthorization and strengthening of the Trafficking Victims Protection Act (TVPA) and the Justice for Victims of Trafficking Act (JVTA), and grant funding for judicial training through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and Office on Violence Against Women (OVW).

The NCJFCJ supports trauma responsive courts and offers training to court systems nationwide on establishing trauma informed and responsive courts.

A child is not legally, developmentally, or socially able to choose to become involved in the commercial sex industry. No person should be prosecuted for crimes that were a direct result of exploitation.

Online child sexual exploitation, trafficking, and sextortion are a result of a perfect storm of vulnerability: unlimited access by children and increased sophistication and organization by perpetrators. Victims are getting younger and younger due to increased access and livestreaming.

The NCJFCJ supports legislation that would allow criminal and civil actions against internet platforms where conduct underlying a claim includes advertising, promoting, presenting, distributing or soliciting sex from children or child sexual abuse material; and that establishes a broad-based commission to develop best practices for providers of internet services.

The NCJFCJ supports the development of curricula in schools designed to prevent sexual exploitation of children, including education about the risks of online exposure and recruitment.