



The author(s) shown below used Federal funding provided by the U.S. Department of Justice to prepare the following resource:

Document Title: Failure to Appear: Domestic Minor Sex Trafficking Victims Experience with the Juvenile Justice System and their Readiness to Change

Author(s): M. Alexis Kennedy, Andrea N. Cimino, Michele R. Decker

Document Number: 253457

Date Received: August 2019

Award Number: 2015-VF-GX-0064

This resource has not been published by the U.S. Department of Justice. This resource is being made publically available through the Office of Justice Programs' National Criminal Justice Reference Service.

Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

Title: *Failure to Appear: Domestic Minor Sex Trafficking Victims' Experience with the Juvenile Justice System and their Readiness to Change*

Award Number: 2015-VF-GX-0064

Investigators: M. Alexis Kennedy, Andrea N. Cimino, and Michele R. Decker

I. Purpose

Thousands of American youth are commercially sexually exploited (CSE) each year. Despite state and federal legislative efforts intended to protect domestic minor sex trafficking (DMST) victims (i.e., Trafficking Victims Protection Act, 2000), states like Nevada continue to arrest DMST victims and manage them through the juvenile delinquency system. Most DMST victims are also involved in the child welfare system (Kennedy, 2018). A challenge of working with DMST victims is that they frequently refuse law enforcement assistance or run away from child welfare placements, returning to their traffickers instead (Holger-Ambrose, Langmade, Edinburgh & Saewyc, 2013). Reasons for these failed attempts at assistance remain unclear, but may reflect a combination of structural factors (e.g., criminalization policies, culture), systemic inadequacies (i.e., in juvenile justice, schools, or child welfare) and/or individual factors (e.g., victims' unwillingness or inability to disentangle from CSE or their traffickers). This purpose of this mixed-methods project was to identify, from young adult survivors of DMST, barriers that prevented them from leaving CSE, facilitators to exiting, and how systems can better serve them.

Rationale for the research

The critical gap in our knowledge about service provision for DMST victims is why victims resist help from providers, what might help victims reconnect with providers, and how to increase victims' readiness to leave, or exit CSE. The Intentions to Exit Prostitution (IEP) theoretical model explains and predicts an exit from street prostitution (Cimino, 2012, 2013,

under review), but had not been validated with DMST victims who have unique needs and frequent interactions with service professionals than adults. Therefore, the project's goals are:

Goal 1: To understand the facilitators and barriers DMST victims face when seeking assistance from the juvenile delinquency system and child protective services.

Objective 1.1: Interview young adult DMST victims on their reasons for running away from agencies offering them assistance, the programs/services that could or would have prevented their CSE, and what persons or resources helped facilitate a successful desistance from CSE.

Goal 2: To understand and assess DMST victims' readiness to leave exit.

Objective 2.1: Refine and validate the IEP with CSE victims trafficked in adolescence.

Objective 2.2: Assess to what extent traumatic experiences, social provisions, and other health attributes affect DMST victims' readiness to exit CSE.

II. Project Design and Methods

Design. This project utilized an exploratory, sequential mixed-methods approach (Creswell & Plano Clark, 2011) to broadly uncover why DMST victims do not seek help and to quantify various aspects of the CSE exiting process, including the unique interplay of risk and protective factors. To answer these aims, we sought young adults (ages 18-24) who were commercially sexually exploited before age 18. The study used validated measures as well as new items on perceived facilitators and barriers to exiting revealed in the qualitative phase. Procedures were guided by best practices for research on gender-based violence (WHO, 2001) and trafficking victims (Zimmerman & Watts, 2003) and were approved by university Institutional Review Boards and DOJ Human Subjects Protection Office.

Procedure. The qualitative phase (Goal 1) included interviews with young adult DMST

victims following a narrative tradition (Polkinghorne, 1995, 2010; Creswell, 2009). DMST victims were recruited from and interviewed at non-profit agencies serving CSE youth in Nevada. After provided informed consent, participants were interviewed (45-90 minutes) at these agencies by trained graduate- or PhD-level researchers, some of whom were survivors, which assisted in building rapport, kept participants near to staff members with whom that had close relationships with, and was a safe space to discuss traumatic events (Hollander, 2004). The audio recorded, semi-structured interviews followed a guide that had participants describe (a) their life prior to, (b) during, and (c) after sexual exploitation. Participants had freedom to discuss other topics of their choice, while ensuring that the research aims were addressed (Patton, 2015). Participants received a \$40 gift card for the interview. Interviews were transcribed (identifiers removed) and analyzed with Dedoose, a web-based qualitative software program.

The quantitative phase (Goal 2) surveyed young adult DMST victims on their trafficking experiences, intentions to exit, involvement with criminal justice and child welfare, and physical and mental health. Recruitment was conducted through the same service organizations as in the qualitative phase. All measures, including the IEP, were vetted by 12 DMST survivors to ensure they were sensitive to trauma. After learning of the study, potential participants contacted researchers for eligibility screening and informed consent at which time they received a unique link to a secure, online survey. Participants received a \$25 gift card for completing the survey. Data were analysed with SPSS software.

Subjects: Qualitative. The demographics of the 41 interviewees match prior research on DMST victims in Nevada. About half of the participants were African American (49%), followed by mixed-race (13%), Hispanic-White (12%), and White Non-Hispanic (10%) with an average age of 19.1 years old. The majority (80%) said they were sexually exploited after the age

13, with a smaller portion (15%) entering prior to age 13 (2% were missing; average age of entry was 14.8). About half (49%) had prior involvement in CPS. Aligning with previous research, 88% of the participants were homeless, ran away, or were kicked out of their home before age 18. Nearly two-thirds (73%) reported being pimped at some point before age 18. The majority of the sample (88%) were arrested as a juvenile and of those, 49% had been arrested multiple times.

Subjects: Quantitative. As of the writing of this report, a total of 94 DMST victims completed the survey (unfunded data collection is ongoing). Sample demographics were similar to prior research on juvenile victims. The ethnic breakdown was 36.7% African-American, 34.4% Hispanic-White, 15.6% White Non-Hispanic, 9% mixed-race, and 4.3% other race. The average age was 20.2 years old and 96% self-reported their gender as female.

III. Data Analysis and Results

Goal 1: Qualitative Data Analysis. The analytic strategy was a theory-driven thematic analysis (Braun & Clarke, 2006) focused on identifying risks and missed opportunities to intervene following the socio-ecological model (Bronfenbrenner, 1977). A priori codes were developed representing individual, relationship, community, and society levels of the model. Data were further categorized by when in the participants' exploitation history, the risk or missed opportunity occurred; namely, prior to exploitation, during exploitation, during an attempt or actual exit from exploitation, and finally, re-exploitation (re-entry). Analysis involved several rounds of open and focused coding. All transcripts were read and coded by two researchers. Trustworthiness techniques included peer debriefing (during interviews and analysis), an audit trail, and theoretical/analytic triangulation (Creswell, 2007; Lincoln, 1995; Lincoln & Guba, 1985).

Qualitative Findings. The main finding from the qualitative phase was a stage-graded analysis of risks and missed opportunities to intervene with DMST victims. This model was presented at two national conferences and will be published as a monograph (due to its 70+ page length) with the Center for Crime and Justice Policy at the University of Nevada, Las Vegas. Briefly, the model showed that some risks, such as homelessness, substance use, associating with antisocial peers, and living in a high crime and/or sexualized environment (i.e., Las Vegas) were present in all stages of exploitation. Several participants were bullied at school when their ankle monitor was exposed, causing stigmatization that drove deeper into CSE and away from helpers. Participants reported a number of missed opportunities to intervene ranging from child welfare workers who did not believe allegations of abuse, teachers who failed to recognize and/or report abuse and CSE signs, officers who said “call it a night” upon seeing youth solicit on the streets, attorneys who spoke on their behalf without understanding their case, and judges who unsympathetically imposed harsh sentencing. It is important to note that participants also reported positive interactions with social workers, police, delinquency judges, and other program personnel; treating them as victims, not criminals and “ruling with heart” were common attributes among these individuals. In fact, an officer who bought a victim food when she was hungry, an investigator who caught a victim’s rapist-trafficker and a service provider who was “always there” were some of the most lasting positive memories for these young women.

In examining the risks and missed opportunities through the lense of exploitation stage, patterns emerged. For example, there are a greater number of individual- and family-level risks (e.g., childhood maltreatment, parent/caregiver illegal activity, etc.) and fewer community-level risks (e.g., mistreatment in foster care or group home) in the pre-exploitation stage as well as more relationship- (e.g., friends, boyfriend-pimps, peers, etc.) and community-level risks (e.g.,

mistreatment from child welfare, police and the justice system) in the exploitation, attempted exit, and re-exploitation stage; taken together, these results indicate addressing risks and supporting families are integral for preventing CSE, including early intervention from child welfare, followed by the school system, and then becoming less relevant. As victims become more deeply involved in CSE, community organizations, particularly the juvenile justice system, play a larger role in addressing CSE; however by this time, victims were so badly harmed by providers and routinely treated like criminals, that they lost trust in the persons and institutions designed to help them. DMST victims who exited and were not re-exploited reported having supportive relationships, peers modeling prosocial behavior, and a fair and judicious use of criminal deterrents (convictions, detention). Participants stated better education in detention and employment opportunities for youth with a record would help them stay out of CSE.

Goal 2: Quantitative Data Analysis. The primary goal of the quantitative data was to assess readiness to leave CSE and to evaluate the psychometric properties of the IEP with an adolescent population. Due to significant shortening of the grant period, we were unable to achieve the needed sample size required for the confirmatory factor analysis and validation of the IEP (Obj. 2.1) and the analyses regressing intention on other IEP constructs, controlling for PTSD, trauma, and other demographic variables (Obj. 2.2). Reliability and bivariate analyses of the IEP are presented instead. These preliminary analyses explored whether current involvement in CSE was an indicator of key constructs of the IEP including glamorizing and risk-recognition attitudes, normative beliefs, resilient efficacy, and stigma. Descriptive analyses were conducted to characterize attempts to leave CSE and other CSE correlates. Data collection (unfunded) will continue after the grant period until sample size sufficient for power is achieved.

Quantitative Findings. The majority of participants (70%) said that they were no longer engaged in CSE and about 30% were still selling or trading sex. Reliability statistics showed good internal consistency among IEP items (glamor $\alpha = .864$; risk $\alpha = .78$, resilience $\alpha = .73$, stigma $\alpha = .77$). According to preliminary analyses, the sample as a whole did not overly glamorize prostitution ($M, SD = 2.55, 1.09$). However, when stratified by self-reported current involvement in CSE, significant differences were noted. First, those who were still involved were more likely to endorse glamorizing attitudes than those who had exited ($F = 90.32, p < .001; M, SD = 3.74, 0.53$ and $2.04, 0.85$, respectively) and less risk recognition than those who exited compared to those who were still involved ($F = 7.25, p < .01; M, SD = 3.89, 0.38$ and $4.33, 0.79$, respectively) as hypothesized in the IEP theoretical model. Also as hypothesized, those who exited reported higher levels of resilient efficacy than those who were still involved ($F = 15.34, p < .001; M, SD = 4.15, 0.77$ and $3.45, 0.76$, respectively). Both groups reported similar levels of stigma associated with CSE ($M, SD = 3.45, 0.86$ and $3.32, 0.65$). We find these results promising and anticipate validating the IEP with more time to collect a larger sample.

Other results show that 60% of the population had been involved with child protective services and 60% of the population had a history of running away. The average age when they first ran away was 14. Additionally, 73% of the participants said they had been homeless before the age of 18. When asked about juvenile justice involvement, 55.7% said that they had been held in juvenile detention before the age 18. Nearly half (47.7%) were arrested and held for prostitution-related offenses before the age 18, despite federal legislation such as the Trafficking Victims Protection Act (TVPA, 2000), which defines CSE minors as victims.

IV. Discussion of findings

Taken together, results from both phases of the project show that DMST victims experience early CPS involvement and high levels of housing instability (e.g., running away, being kicked out) that appear highly influential in their sexual exploitation. This finding is consistent with other literature on sexually exploited adults (Cronley et al., 2016) and demonstrates that these are vulnerable children with few options to survive, thus, pointing to the importance of early intervention at the family-level. Both the qualitative and quantitative results revealed that a high proportion of DMST victims are involved with the delinquency system, often multiple times before age 18. This finding suggests that the juvenile delinquency system can be a valuable setting for encouraging desistance from CSE; however, as explained in by the interviewees, interventions at this level must incorporate supportive, mentoring relationships and offer tangible rehabilitation, such as education and employment opportunities. These recommendations align with research on best practices with similar groups (Preble et al., 2015).

In addition to completing the qualitative and quantitative goals of the proposed project, additional scholarly products on the qualitative data were submitted to peer-reviewed journals, including: *Friends, Family, and Boyfriends: An Analysis of Relationship Pathways Into Commercial Sexual Exploitation*, analyzes how relationships with friends, family, and significant others and contextual factors influence the choice to trade sex. It highlights the harsh homelife, instability, and vulnerability victims experience prior to being introduced to CSE via important relationships. *“They said they were going to help us get through this...”*: *Documenting Domestic Minor Sex Trafficking Victims’ Interactions with Police while Trading Sex*, details law enforcement officers’ interaction with DMST victims (positive and negative) contrasted to the victim-centered goals of state and federal legislation designed to protect them. It shows how a lack of resources for trafficking victims exacerbates the problem of arresting victims rather than

offering them alternatives to detention. *Correctional Experiences of Female-Identified Survivors of Commercial Sexual Exploitation* explores how females who were arrested experienced the juvenile justice system, including obstacles they faced while detained and stigmatization during and after incarceration. Finally, *Adolescent development and sex trafficking: Achievement of developmental tasks in the context of sexual exploitation* provides an analysis of how CSE is affected by and affects typical adolescent developmental milestones.

Although unfunded quantitative data collection is ongoing, the research team has plans to publish multiple research papers and present on these data, including validation of the IEP. Other planned manuscripts based on the quantitative data include: the effect of violence and early traumatic events on mental health, patterns of underage homelessness and child welfare involvement, and how age at entry and criminal justice involvement before age 18 affect adherence to conventional goals. We anticipate at least one doctoral dissertation to focus on the quantitative data. Collaborations have begun with medical and nursing students to examine injuries experienced while trading sex and interactions with healthcare providers.

V. Implications for policy and practice

By listening to survivors and their stories, this study's findings highlight opportunities to change criminal justice and child welfare policies and practices. Our results identify multiple points of contact with service agencies, police, and CPS both prior to and during exploitation, pivotal times of change in these victims' lives, where intervention could occur. Participants felt that more support when their family was at risk for being homeless would have prevented some from ever becoming involved in CSE. Policies such as the McKinney-Vento Homeless Assistance Act (1987), which mandates certain school-based support are in place for homeless youth, offers an opportunity to reach at-risk children and families. The current practice of

detaining CSE victims in the juvenile delinquency facilities is expensive compared to supportive services (Justice Policy Institute, 2014). Moreover, participants criticized them for lacking rehabilitative and counseling services and some were harmed by the resultant stigmatization and diminished employability. These findings call into question the current criminal justice approach for DMST victims-- if it does not work, is expensive, is not well received, and introduces harm, why continue such practices? An alternative suggested by our participants is to create a more supportive, home-like environment that is staffed with qualified professionals and mentors who understand CSE. Our findings and extant literature show that the relationships survivors formed with supportive adults before, during, and after CSE have a tremendous effect on exiting (Preble et al., 2015). Many of the survivors expressed their frustrations with practices and policies in the criminal justice and the child welfare systems; trauma-informed care within these systems could better serve the needs of victims (Clawson, Salomon, & Grace, 2008).

VI. Rights Management

The investigators will maintain exclusive rights to the data for five years after its collection. Data are owned by the University of Nevada, Las Vegas. Permission to use copy-written material, including the IEP, can be secured by contacting Cimino.

References

- Brofenbrenner, U. (1977). Toward an Experimental Ecology of Human Development. *American Journal of Psychology*, 32(7), 513-531. doi:10.1037/0003-066X.32.7.513.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative research in psychology*, 3(2), 77-101.
- Cimino, A. N., Madden, E., Hohn, K., Cronley, C., Kennedy, M. A., Davis, J. & Magruder, K. (2017) Childhood maltreatment and child protective services involvement among the commercially sexually exploited: A comparison of women who enter as juveniles or as adults. *Journal of Child Sexual Abuse*, 26(3), 352-371, doi: 10.1080/10538712.2017.1282575
- Cimino, A. N. (under review). Developing a theory of intentions to exit prostitution: A qualitative study.
- Cimino, A. N. (2013). Developing and testing a theory of intentions to exit street-level prostitution: A mixed methods study. (Doctoral dissertation). Arizona State University, Tempe, AZ. Retrieved from ProQuest.
- Cimino, A. N. (2012). A predictive theory of intentions to exit street-level prostitution. *Violence Against Women*, 10(8), 1235-1252. doi: 10.1177/1077801212465153
- Clawson, H. J., Salomon, A., & Grace, L. G. (2008). *Treating the hidden wounds: Trauma treatment and mental health recovery for victims of human trafficking*. Washington, DC: Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services.
- Creswell, J.W. (2009). *Qualitative, Quantitative, and Mixed Methods Approaches to Research Design*.

- Creswell, J. W., & Plano Clark, V. L. (2011). Choosing a mixed methods design. *Designing and conducting mixed methods research*, 53-106.
- Cronley, C., Cimino, A. N., *Hohn, K., Davis, J. & Madden, E. (2016) Entering sex work in adolescence: Youth homelessness predicts earlier entry into prostitution. *Journal of Aggression, Maltreatment and Trauma*, 25(9), 893-908, doi: 10.1080/10926771.2016.1223246
- Holger-Ambrose, B., Langmade, C., Edinburgh, L. D., & Saewyc, E. (2013). The illusions and juxtapositions of commercial sexual exploitation among youth: Identifying effective street-outreach strategies. *Journal of child sexual abuse*, 22(3), 326-340.
- Hollander, J. A. (2004). The social contexts of focus groups. *Journal of contemporary ethnography*, 33(5), 602-637.
- Justice Policy Institute. (2014). Sticker shock: Calculating the full price tag for youth incarceration. Washington, DC: Justice Policy Institute. Accessed at http://www.justicepolicy.org/uploads/justicepolicy/documents/sticker_shock_final_v3.pdf
- Kennedy, M.A. (2018). CSEC fast facts 2017: Report prepared for Clark County Family.
- Lewis-O'Connor, A., & Alpert, E. J. (2017). Caring for survivors using a trauma-informed care framework. *Human Trafficking Is a Public Health Issue* (pp. 309-323). Springer, Cham.
- Lincoln, Y. S. (1995). Emerging criteria for quality in qualitative and interpretive research. *Qualitative inquiry*, 1(3), 275-289.
- Lincoln, Y. S., & Guba, E. G. (1985). *Naturalistic inquiry* (Vol. 75). Sage.
- McKinney-Vento Homeless Assistance Act of 1987, Pub. L. No. 100-77, § 11301 Stat. 4832 (1987).

- Patton, M. Q. (2015). *Qualitative research and methods: Integrating theory and practice*.
- Polkinghorne, D. E. (1995). Narrative configuration in qualitative analysis. *Qualitative Studies in Education, 8*, 5-23.
- Polkinghorne, D. E. (2010). The practice of narrative. *Narrative Inquiry, 20*(2), 392–396.
- Preble, K., Aguirre, R. TP., & Cimino, A. N. (2015) Supportive Exits: A Best Practices Report for a Sex Worker Intervention. *Journal of Human Behavior in the Social Environment, 26*(2), 162-178. doi:10.1080/10911359.2015.1082852
- Trafficking Victims Protection Act of 2000, H.R. 3244, 106th Cong., 2nd sess. (2000).
- World Health Organization. (2001). *Putting women first: Ethical and Safety Recommendations for Research on Domestic Violence Against Women*. World Health Organization.
- Zimmerman, C., Watts, C., & WHO. (2003). *WHO ethical and safety recommendations for interviewing trafficked women*.

Below we list scholarly products, including under review and in progress manuscripts, and completed, accepted, and planned refereed conference presentations resulting from this project. All manuscripts and presentations will (a) reference funding support provided by the U.S. Department of Justice award number: 2015-VF-GX-0064; (b) state that the findings and conclusions reported are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice; follow (c) International Committee of Medical Journal Editors (ICMJE) guidelines on authorship, including a statement on contributorship and conflicts of interest.

Peer Reviewed Scholarly Articles In Progress or Under Review

Reed, S., Kennedy, M.A., Cimino, A., & Decker, M.R. (*in press*). Friends, family, and boyfriends: An Analysis of relationship pathways into commercial sexual exploitation. *Child Abuse & Neglect*

Bejinariu, E.A., Kennedy, M.A., Cimino, A., & Decker, M.R. (in progress). “They said they were going to help us get through this...”: Documenting Domestic Minor Sex Trafficking Victims’ Interactions with Police while Trading Sex.

Thaller, J., Cimino, A., Kennedy, M.A., & Decker, M.R. (under review). Adolescent development and sex trafficking: Achievement of developmental tasks in the context of sexual exploitation.

Trejbalova, T., Kennedy, M.A., Cimino, A., & Decker, M.R. (in progress). Correctional experiences of female-identified survivors of commercial sexual exploitation.

Non-Refereed Publications

Cimino, A.N., Kennedy, M.A., Decker, M.R., Naaktgeboren, C., Thompson, K., Saenz, D. & Lhaksampa, T. (in progress). Addressing Missed Opportunities to Intervene with Domestic Minor Sex Trafficking (DMST) Survivors.

Conference Presentations

Cimino, A.N., Thompson, K., Saenz, D., Kennedy, M.A. “Addressing Missed Opportunities to Intervene with Domestic Minor Sex Trafficking Survivors: An Analysis of Stage-graded Risks.” 23rd International Summit on Violence, Abuse & Trauma (IVAT), La Jolla, CA, September 6-9, 2018

Stout, K.R., Kennedy, M.A., Cimino, A.N., & Decker, M.R. (2018). “I feel like they don’t do their jobs” Perspectives on CPS from Trafficked Youth. 2018 American Society of Criminology, Atlanta, GA, November 14-17, 2018.

Thaller, J., Cimino, A.N., & Kennedy, M.A. “Adolescent Development and Sex Trafficking: The Role of Adult Caregivers and Service Providers in Entry and Exit.” 14th International Congress of Qualitative Inquiry, Urbana-Champaign, IL, May 16-18, 2018.

Cimino, A.N., Kennedy, M. A., Decker, M.R., Thompson, K., Ferranti, C., & Lee, H. “Identifying Missed Opportunities to Intervene with Domestic Minor Sex Trafficking (DMST) Survivors.” National Conference on Health and Domestic Violence, San Francisco, CA. September 27-28, 2017. [symposium]