

Virginia State Crime Commission

Forced Prostitution

2013

Forced Prostitution

Executive Summary

During the 2013 Regular Session of the Virginia General Assembly, three bills were introduced that dealt with the crime of prostitution. House Bill 1541 and Senate Bill 1273 both would have permitted the expungement of police and court records related to an arrest, charge, or conviction for prostitution if the person had been abducted and “induced to engage in prostitution through the use of force, intimidation, or deception.” Senate Bill 1273, as amended, would have limited expungement to those cases where the person had been abducted before the age of 16, and would only apply to prostitution offenses that occurred before the person had turned 21. House Bill 1541 did not contain those limitations, and additionally provided an affirmative defense to a charge of prostitution, if the conditions of abduction and coercion applied. The third bill, House Bill 1991, created a nearly identical affirmative defense to a charge of prostitution, if the situation of coercion applied, yet without a requirement of abduction. House Bill 1991 also would have decriminalized juvenile prostitution; any juvenile found to have engaged in prostitution would not have committed a crime, but would be subject to a CHINS petition, pursuant to Va. Code § 16.1-228. (It would still be a crime under the bill for a person to solicit any person, including a juvenile, for purposes of prostitution). These bills were referred to the Crime Commission for review.

The public policy in Virginia is to limit expungement of police and court records to those cases where an individual is actually innocent of the crime for which they were arrested or charged, or if he has received an absolute pardon from the governor. If a person is convicted, or even if his case is taken under advisement and then dismissed, he cannot receive an expungement. Changing the expungement statute, as proposed by House Bill 1541 and Senate Bill 1273, to permit a person convicted of prostitution to expunge their record, would represent a major change in Virginia policy. A practical concern with allowing prostitution convictions to be expunged is that, as they are misdemeanors, most Commonwealth’s Attorneys will not have files on these cases, especially in instances where the charge to be expunged occurred years prior.

The common law affirmative defense of duress to a criminal charge currently exists in Virginia, as stated in Sam v. Commonwealth, 13 Va. App. 312 (1991), and other cases from Virginia’s appellate courts. This defense requires that the defendant prove the threat made against him, or a member of his family, be imminent, if not immediate. Even more importantly, the defense of duress can only be asserted if the defendant did not have any opportunity to avoid the threatened harm, other than by committing the crime. The affirmative defenses proposed by House Bill 1541 and House Bill 1991 are qualitatively similar to the existing defense of duress, but do not require proof of either the imminence of the threat, or that the defendant had no opportunity to avoid

committing the crime of prostitution because of that threat. As such, they would also represent a substantial change in public policy in Virginia.

Both the available academic literature, and interviews with law enforcement and victim advocates, reveal that juvenile prostitutes are especially vulnerable to physical and psychological abuse by pimps. Many pimps begin their recruitment of young women by promising love, affection, and a better life, sometimes even playing the role of a boyfriend. Through a gradual process, the juveniles are groomed, conditioned, and then introduced to the world of prostitution. At this point, they are subjected to physical violence and/or emotional manipulation to keep them compliant and prevent them from leaving.

Recognizing that juvenile prostitutes are victims, a number of states recently have amended their statutes, either specifically prohibiting juveniles from ever being prosecuted for prostitution, or mandating that for a first prostitution offense, the juvenile be treated as a child in need of services, rather than as a delinquent or a criminal defendant. By decriminalizing juvenile prostitution, and requiring that a juvenile discovered to have engaged in prostitution be treated as a child in need of services, pursuant to Va. Code § 16.1-228, House Bill 1991 would be adopting a similar approach in Virginia. However, all available data indicates that very few juveniles are ever actually arrested for prostitution in Virginia, and typically five or fewer juveniles per year are ever proceeded against with a delinquency petition for engaging in prostitution. These figures indicate that Virginia is already handling juvenile prostitutes with a social services approach, rather than through the criminal justice system.

The Crime Commission considered these findings and the available data at its September meeting. Members took no action and made no recommendations on any of the three bills.

Background

During the 2013 Regular Session of the Virginia General Assembly, three bills were introduced that dealt with the crime of prostitution and situations where a defendant is alleged to have been forced into this activity. House Bill 1541 (HB 1541), introduced by Delegate Vivian Watts, would have permitted the expungement of police and court records related to an arrest, charge, or conviction for prostitution if the person had been abducted and was induced to engage in prostitution through the use of force, intimidation, or deception; it would also have created an affirmative defense to a charge of prostitution if a situation of abduction and inducement applied to the defendant.¹ Senate Bill 1273 (SB 1273), introduced by Senator Adam Ebbin, was initially identical to HB 1541, but was amended in the Senate Courts of Justice Committee; the affirmative defense provision was removed from the bill, and the expungement provisions would only apply if the person had been abducted before the age of 16, and only to offenses of prostitution that occurred before the petitioner had turned 21.² House Bill 1991 (HB 1991) was introduced by Delegate Jennifer McClellan, and would have prohibited any juvenile from being criminally charged with prostitution; instead, a juvenile found to have engaged in prostitution would be considered to be “a child in need of services as defined in § 16.1-228.”³ House Bill 1991 also contained an affirmative defense to prostitution available for adult defendants, similar to that proposed by HB 1541; the

defendant would only be required to prove that he was induced to engage in prostitution through the use of force, intimidation, or deception, however, and would not have to additionally prove that he had been abducted.⁴ All three bills were left in the House Courts of Justice Committee, and a letter was sent to the Crime Commission, asking for the subject matter of the bills to be reviewed.

To carry out this study request, a literature review was completed on the topic of prostitution, specifically focusing on studies that examined juvenile prostitution, and prostitutes that worked for pimps. Meetings were held with key stakeholders, including law enforcement officers, prosecutors, the Office of the Attorney General of Virginia, the FBI Behavioral Analysis Unit III, and advocates for victims of prostitution and human trafficking. The relevant statutes and case law in Virginia were reviewed, and data on arrests and prosecutions for prostitution-related offenses was collected. Finally, an informal survey was sent to the Court Service Unit (CSU) directors throughout the state, to inquire as to the frequency with which instances of juvenile prostitution are encountered.

Expungement

In Virginia, the expungement of police and court records related to a criminal charge is limited, by declared public policy, to instances where a citizen is “innocent,” or has been “absolutely pardoned for crimes for which they have been unjustly convicted. . . .”⁵ In line with this statutory language, Virginia’s appellate courts have repeatedly held that expungement is limited to instances where a person is actually innocent, and therefore cannot be used when a person has received a deferred disposition, even if he was ultimately found “not guilty.”⁶ This focus upon innocence makes Virginia’s expungement statute different from the laws found in many other states, where even actual convictions can be expunged after a period of time.⁷

Thus, under Va. Code § 19.2-392.2, a person who has been found guilty of a crime cannot seek an expungement unless he has received an absolute pardon or has been granted a writ of actual innocence. To amend this section to permit an expungement of an actual conviction, as proposed by HB 1541 and SB 1273, would be a significant change in Virginia’s public policy. If this change were made, an additional public policy question would arise—how would prosecutors respond to such petitions for expungement, especially those involving very old convictions? Prostitution is a misdemeanor offense,⁸ and as a matter of office management, many Commonwealth’s Attorneys do not keep files from misdemeanor cases for extended periods of time.

Duress as an Affirmative Defense

Virginia currently recognizes the common law affirmative defense of duress. As applied in Virginia, to obtain an acquittal, the defendant must affirmatively prove that he committed the criminal offense only because of a threat of death or serious injury.⁹ The threat can be against either the defendant or members of the defendant’s family, and while the threat of harm does not have to be immediate, it must be at least imminent.¹⁰ However, for the affirmative defense of duress to apply, the defendant must reasonably

believe that performing the criminal conduct was the only opportunity to avoid the imminent threat. If the defendant had the opportunity to avoid committing the crime, and could also have avoided the threatened harm against him or his family, he cannot assert the defense of duress.¹¹

The affirmative defenses proposed in HB 1541 and HB 1991 resemble the common law defense of duress, but differ from it in several key particulars. While the defendant must prove that he was “induced to engage in prostitution through the use of force, intimidation, or deception by another,” and in HB 1541 must also prove that he was abducted, there is no requirement that this threat be immediate or imminent. Additionally, there is no requirement under either of the bills that the defendant must avoid committing the crime if he has any reasonable opportunity to do so, such as by contacting law enforcement or appealing to a member of the general public for help. While these differences may make it easier for a defendant to successfully assert such a defense in court, they also represent a significant departure from the common law and Virginia’s current policy of only allowing the defense of duress in carefully defined circumstances, where, essentially, the defendant had “no other choice.”

Juvenile Prostitution

Literature Review

Recent studies, as well as anecdotal observations made by law enforcement and service providers, indicate a number of general trends relating to juvenile prostitution in the United States today. Female prostitutes are more likely than male prostitutes to have a pimp; one study estimates that nearly 75% of juvenile females work for a pimp.¹² According to one study, the median age that juvenile girls enter into prostitution is 14.9 years, with a range of 12.8 years to 17 years.¹³ It has also been asserted that the average age of entry into prostitution is between 11 and 13 years of age for boys, and between 12 and 14 years of age for girls.¹⁴

Contrary to popular belief, recruitment of juveniles for prostitution, at least in the United States, does not usually take the form of abrupt kidnapping or violence, at least initially. Rather, it has been frequently reported by law enforcement and service providers that pimps will gradually “win” over their victims with promises of love, a better life, or material comforts. The men who work as pimps are incredibly skillful at grooming, recruiting, and then controlling the juvenile victims who work for them. They frequently use a combination of physical violence and emotional manipulation; their victims often develop intense loyalty towards their pimps, some out of fear, and others out of feelings of dependence or emotional attachment, akin to Stockholm syndrome.¹⁵ For example: “Pimps first seek out young girls at bus stations, shelters, malls, arcades, and on the Internet, preying on those who appear vulnerable. A pimp will first act as a ‘boyfriend,’ promising love and a better life while playing on a young girl’s previously identified vulnerabilities.”¹⁶ A common recruitment tool is a promise of a better life, and after the juvenile begins to be exploited, they are often threatened and assaulted to ensure continued obedience.¹⁷ After recruitment, the victims are habituated to the idea of working as a prostitute, often with a complex series of rules, portrayed as

a “lifestyle,” or a code of conduct. The purpose of these rules is to firmly establish the dominance of the pimp in the minds of the juveniles.

Law enforcement generally observes a strong correlation between working as a street prostitute and drug use. One study found that prostitutes who began working as juveniles had higher rates of cocaine, alcohol and marijuana use than prostitutes who began working as adults.¹⁸ However, according to information gathered anecdotally by service providers from a number of pimps and former juvenile prostitutes, there is active discouragement of “hard” drug use; the pimps felt that hard drugs, such as cocaine and heroin, made the juveniles unreliable, less productive, and increased the chances of arrest, which would cut into the pimp’s profits. Law enforcement and service providers report that it is becoming more common for juvenile prostitutes, or their pimps, to advertise their services on the Internet, in lieu of “working the street.”¹⁹ A recently observed pattern is for a pimp to travel between states, or even across the country, with anywhere from two to five girls, only staying in a given city for a week or two at a time. Even if a pimp prefers to stay in one area, he will quickly move if necessary to avoid arrest, or to isolate and further control a juvenile who is becoming resistant or giving signs that she is planning on leaving.²⁰

Because of loyalty to their pimp, and/or the fear of the legal system and possibly going to jail, many juvenile prostitutes will adamantly deny that they are, in fact, working for a pimp. One law enforcement officer has expressed the opinion that if an arrested juvenile prostitute is not placed in a secure facility, her first instinct will be to flee immediately, and then contact either her pimp or the lead prostitute to whom she reports. This loyalty also explains why law enforcement and victim advocates report that successfully gaining the trust of a juvenile prostitute takes a different approach from the techniques used for other categories of victims, and necessitates multiple interviews, conducted in a patient, non-threatening manner. Frequently, juvenile prostitutes display symptoms equivalent to post-traumatic stress disorder, even after they have left the world of prostitution.²¹ Successful recovery requires treatment and therapy; otherwise, the juvenile is likely to return to prostitution. And, the life expectancy of juvenile prostitutes who do not successfully transition away from the world of prostitution is very low.²²

It is recognized that the problems of juvenile prostitution are different from those created by prostitution engaged in by adults. Determining the best approach to handling juveniles who engage in prostitution has become a widely debated topic in recent years. Arguments can be made that such juveniles should be seen as victims, not criminals, and the best response when they are encountered by law enforcement is not to arrest them, but to arrange for them to receive services and counseling.²³ Therefore, their cases should not proceed through the criminal justice system. Alternatively, it can be argued that because these juveniles are not just engaged in criminal activity, but are also involved in an extremely dangerous lifestyle, only the strict structure of the criminal justice system, and its clear sanctions for failure to comply with the terms of probation, offer these juveniles a realistic chance at rehabilitation.²⁴ A middle approach between these two extremes of thought is also possible.

In summary, the main arguments discussed in the literature *against* arresting juveniles for prostitution offenses and handling their cases in a criminal justice context are:

- Juvenile prostitutes are not willing criminals, but are victims.
- The fear of being arrested and forced into detention makes juveniles more reluctant to obtain help from authorities.
- The age and mental development of juvenile prostitutes is more deserving of treatment than punishment.
- Federal trafficking laws treat juveniles used for purposes of prostitution as victims.²⁵
- There is a dissonance between treating the juvenile as a victim of a sex crime or statutory rape, and at the same time treating the juvenile as a criminal offender for participating in the same act.

The main arguments *for* arresting juvenile prostitutes and handling their cases in the criminal justice system are:

- Doing so provides law enforcement with an effective tool for protecting these juveniles from themselves.
- The secure structure of the criminal justice or juvenile justice system may be the only way to effectively provide assistance and services to juvenile victims of prostitution.
- Without a period of detention, juvenile prostitutes are likely to return to prostitution very quickly.
- Handling cases of juvenile prostitution in the criminal justice system is an effective means of gaining the cooperation of juveniles, usually in a plea bargain context, so that they will agree to testify against pimps and traffickers.
- If juvenile prostitution is not treated as a criminal offense, it can provide a recruitment tool for pimps; e.g., “Don’t worry, even if the police stop you, they can’t arrest you or put you in jail.”

Virginia Prostitution Data

Over the five year period of Calendar Year 2008 (CY08) through CY12, there were nearly 4,000 prostitution-related arrests made in Virginia.²⁶ Of this total, only two were juveniles. The breakdown of the arrests was as follows: approximately 1,694 arrests were for prostitution in violation of Va. Code § 18.2-346(A) (both juveniles were in this category); approximately 883 arrests were for solicitation of a prostitute in violation of

Va. Code § 18.2-346(B); and an additional 342 arrests were made, but it is unclear from the data if they were for prostitution or solicitation.

Focusing directly upon prostitution, data was gathered on the number of charges and convictions for Va. Code § 18.2-346(A) in general district, juvenile and domestic relations, and circuit courts in Virginia, from Fiscal Year 2009 (FY09) through FY13. None of these charges or convictions should involve juveniles. This data is illustrated in Figure 1.

Figure 1: Va. Code § 18.2-346(A)- Charges and Convictions

Court	Fiscal Year Charge Concluded				
	FY09	FY10	FY11	FY12	FY13 [†]
General District Court*- Charges	503	613	599	488	630
General District Court**- Convictions	376	424	368	330	421
Circuit Court***- Charges	5	6	2	5	3
Circuit Court- Convictions	1	3	0	6	1
J&DR****- Charges	1	3	0	0	1
J&DR- Convictions	0	1	0	0	1

[†] Data do not include charges that were still pending at the end of FY13. * The total number of charges and convictions in general district court are the minimum number as there were additional charges and convictions that were classified as Va. Code 18.2-346 in general and not by subsection (A) or (B). ** Source: Sup. Court of Va.- General District Court Case Mgt. System. *** Source: Sup. Court of Va.- Circuit Court Mgt. System. Does not include cases from Fairfax or Alexandria. Prince William joined the system in FY09 and Va. Beach left the system in FY09. **** Source: Sup. Court of Va.- J&DR Court Case Mgt. System. Data only includes adults whose charges were handled in J&DR Court. Data prepared by Virginia Criminal Sentencing Commission.

For information on the number of juveniles charged with a prostitution-related offense, the Virginia Department of Juvenile Justice was contacted. As seen in Figure 2, very few juveniles are the subject of a delinquency petition for a prostitution-related offense, i.e., are charged with such a crime. For prostitution itself, under Va. Code § 18.2-346(A), typically 5 juveniles a year or less are ever served with a petition.

Figure 2: Total Juveniles with Prostitution Petitioned Intakes, FY09-FY13

Type of Offense	FY09	FY10	FY11	FY12	FY13
§ 18.2-346(A)- Prostitution	3	3	5	2	4
§ 18.2-346(B)- Solicitation of prostitution	1	0	1	0	2
§ 18.2-348- Aiding/assisting in procurement	0	0	0	0	1
§ 18.2-347- Maintain or frequent a bawdy place	0	0	2	0	3
§ 18.2-356(i)- Receive money for procurement/placing person to engage in sex	0	0	0	0	2
TOTAL INTAKES	4	3	8	2	12

Source: Virginia Department of Juvenile Justice

To examine the possibility that juvenile prostitution is encountered more frequently than these figures would indicate, an informal survey was sent out to the 35 juvenile and domestic relations district Court Service Units (CSUs), asking if they had encountered any instances of a juvenile involved in prostitution or human trafficking in the past three years. Sixty-nine percent (24 of 35) of the CSUs responded to the survey. Seventy-one percent (17 of 24) of the responding CSUs reported no instances of juvenile prostitution being encountered; 29% (7 of 24) reported at least one instance. The seven CSUs that did report having encountered juvenile prostitution provided a total number of 31 instances, perhaps an indication that juvenile prostitution is not evenly distributed across the state, but is concentrated in several key areas.

The one conclusion that can be safely made from all of the available data, though, is that it is extremely rare for a juvenile who is discovered by law enforcement to be engaging in prostitution to be handled through Virginia's criminal justice or juvenile justice systems.

Recent Statutory Changes in Other States

A number of states have recently modified their statutes related to juvenile prostitution, moving in a general direction of treating the offense as one better handled through counseling and social services, rather than through the criminal justice or juvenile justice system. For example, Tennessee completely decriminalized juvenile prostitution; law enforcement is required to release any juveniles discovered to be engaging in prostitution to the custody of a parent or legal guardian, as well as provide the phone number for the national human trafficking resource center hotline.²⁷ In New York, if a juvenile (under the age of 16)²⁸ is arrested for prostitution, he is statutorily required to be treated as a status offender, rather than designated as delinquent. The family court

may, in its discretion, revert the case to a delinquency petition if the juvenile has previously committed a prostitution offense, or if the minor is unwilling to cooperate with the specialized services ordered by the court.²⁹ In Washington, a juvenile's first offense for prostitution must be diverted out of the juvenile court; a second offense, however, may be treated as a delinquency.³⁰

In Minnesota and Michigan, juveniles under the age of 16 cannot be prosecuted for prostitution at all.³¹ This is also true in Connecticut, with the additional requirement that juveniles who are 16 or 17 are presumed to have been coerced into committing the offense, and can only be prosecuted if this presumption is rebutted.³² Similar to Connecticut, in Vermont, juveniles (under the age of 18) cannot be prosecuted for prostitution, if they are deemed to be victims of sex trafficking.³³ And in Illinois, no juvenile can be prosecuted for prostitution; the juvenile can only be held in temporary protective custody in the child welfare system, not a secure facility, and law enforcement must immediately initiate a child abuse investigation.³⁴

Proposed Statutory Change in Virginia

House Bill 1991 would effect changes in Virginia similar to those that have recently been made in several other states. Juvenile prostitution would effectively be decriminalized, as no juvenile could be proceeded against with a criminal petition for the crime of prostitution. (It would still be a crime to solicit a juvenile for purposes of prostitution, though). Instead, the juvenile would become the subject of a CHINS petition, pursuant to Va. Code § 16.1-228.

Decriminalizing prostitution for juveniles could create a number of unintended consequences. For example, if a juvenile were discovered to be engaging in prostitution, it could be difficult, legally, for law enforcement to detain him; without a crime being committed, the authority of law enforcement to detain a person is much more limited. In those circumstances, the law enforcement officer would have to rely upon an argument that the child was in need of services, and that there was a "clear and substantial danger to the child's life or health."³⁵ While acting as a prostitute would probably constitute such a "clear and substantial danger," it would not allow for immediate detention, automatically, under current Virginia law. Another practical difficulty could arise in instances when a juvenile is advertising for sexual services on a website. With no crime being committed by the juvenile, it could be difficult for law enforcement to obtain a search warrant, or further investigate the situation.

Even if a juvenile was taken into custody for prostitution, with juvenile prostitution having been decriminalized, it is not clear if he could then be placed in a secure facility. With prostitution having effectively been made a status offense, it would arguably be a violation of Va. Code § 16.1-248.1(1) to place the juvenile in secure detention, merely for being a child in need of services. Legally, a juvenile who is a resident of Virginia and is in need of services can be placed in a shelter, but not secure detention, and then only if the juvenile refuses to return home, and no parent, guardian, or other person is willing to provide proper supervision and care.³⁶ A juvenile who is a resident of another state could be placed in a secure facility, pursuant to Va. Code § 16.1-248.1(1), but only

if there already exists a verified petition or warrant for him. Otherwise, the juvenile from out-of-state would be placed in a shelter, and not a secure facility.³⁷

Lastly, while the objective of handling juvenile prostitutes in a social services setting, rather than treating them as criminals, is valid, the existing data indicates that this is already what is being done in the Commonwealth, whenever juvenile prostitution comes to the attention of the court system.

Conclusion

The Crime Commission reviewed information and data relating to juvenile prostitution, as well as the issues of expungement and the defense of duress under current Virginia law, at its September meeting. The following policy considerations were presented:

- Should Virginia’s expungement statute be amended, to permit the expungement of police and court records for convictions of prostitution, or charges of prostitution when the defendant was not actually innocent of the offense, if the petitioner could prove he was induced to perform in prostitution through force, intimidation or deception?
- Should a new affirmative defense to prostitution be created, similar to the existing defense of duress, that would apply to situations where the defendant was abducted for the purposes of prostitution, and/or was induced to engage in prostitution through the use of force, intimidation or deception?
- Should juvenile prostitution be decriminalized, so that a juvenile found to be engaging in prostitution would be treated as a child in need of services, and not be proceeded against with a delinquency petition?
- Should juvenile prostitution remain a criminal offense, but the law be amended to require that upon the successful completion of probation, a juvenile charged with prostitution would have the charge dismissed?

No motions were made for any of the policy considerations, and no action was taken by the Commission on these issues.

Acknowledgements

The Virginia State Crime Commission extends its appreciation to the following agencies and organizations for their assistance and cooperation on this study:

FBI Behavioral Analysis Unit III

Local Court Service Units

Virginia Criminal Sentencing Commission

Virginia Department of Juvenile Justice

Virginia State Police

¹ H.B. 1541, 2013 Gen. Assemb., Reg. Sess. (Va. 2013).

² S.B. 1273, 2013 Gen. Assemb., Reg. Sess. (as engrossed by Virginia Senate, February 4, 2013).

³ H.B. 1991, 2013 Gen. Assemb., Reg. Sess. (Va. 2013).

⁴ Id.

⁵ VA. CODE ANN. § 19.2-392.1 (2013).

⁶ Gregg v. Commonwealth, 227 Va. 504 (1984).

⁷ For example, in West Virginia, within defined limitations and not including certain offenses, a single misdemeanor conviction or multiple convictions arising from the same transaction may be expunged, provided the offense was committed when the defendant was between the ages of 18 and 26. W. VA. CODE § 61-11-26 (2013).

⁸ VA. CODE ANN. § 18.2-346(A) (2013).

⁹ Sam v. Commonwealth, 13 Va. App. 312 (1991).

¹⁰ Id. An example of an immediate threat would be a loaded gun pointed at the defendant's head. An imminent threat would be a threat that is not directly immediate, but is still impending and present, such as a threat to drive a short distance to the defendant's house and kill a member of the defendant's family, if help in carrying out a crime is not immediately given.

¹¹ Pancoast v. Commonwealth, 2 Va. App. 28 (1986).

¹² Finkelhor, D., & Ormrod, R. Prostitution of juveniles: Patterns from NIBRS. *Juvenile Justice Bulletin*, Office of Juvenile Justice and Delinquency Prevention, U.S. Dept. of Justice (2004).

¹³ Clarke, R.J., et al. Age at entry into prostitution: Relationship to drug use, race, suicide, education level, childhood abuse, and family experiences. *Journal of Human Behavior in the Social Environment*, 22, 270-289 (2012).

¹⁴ Statement of Ernie Allen, President of Nat'l. Cntr. Missing & Exploited Children, to Cong. Subcomm. on Crime, Terrorism, & Homeland Security, page 4, September 15, 2010.

¹⁵ Julich, S. Stockholm syndrome and child sexual abuse. *Journal of Child Sexual Abuse*, 14(3), 107-129 (2005).

¹⁶ Annitto, M. Consent, coercion, and compassion: Emerging legal responses to the commercial sexual exploitation of minors. *Yale Law and Policy Review*, 30(1), p. 13 (2011).

¹⁷ Albanese, J. Commercial sexual exploitation of children: What do we know and what do we do about it? *National Institute of Justice Special Report*, Office of Justice Programs, U.S. Dept. of Justice (2007).

¹⁸ Clarke, *supra* note 13.

¹⁹ See Allen, *supra* note 14.

²⁰ See, e.g., People v. Doe, 935 N.Y.S.2d 481 (2011).

²¹ See, for example, Fortier, M.A., et al. Severity of child sexual abuse and revictimization: The mediating role of coping and trauma symptoms. *Psychology of Women Quarterly*, 33(3), 308-320 (2009).

²² Potterat, J.J., et al. Mortality in a long-term open cohort of prostitute women. *American Journal of Epidemiology*, 159(8), 778-785 (2004).

²³ See Annitto, *supra* note 16.

²⁴ Id.

²⁵ 18 U.S.C. § 1591 (2013).

²⁶ Virginia State Police, *Crime in Virginia*, Arrest data, 2008-2012.

²⁷ TENN. CODE ANN. § 39-13-513(D) (West 2013).

²⁸ Under New York law, persons aged 16 or older are automatically treated as adults in the criminal justice system. N.Y. PENAL LAW § 30.00(1) (McKinney 2013).

²⁹ N.Y. FAM CT. ACT § 311.4(3) (McKinney 2013).

³⁰ WASH. REV. CODE § 13.40.070(7) (West 2013).

³¹ MINN. STAT. ANN. § 260B.007(6)(b)(1) (West 2013); MICH. COMP. LAWS ANN. § 750.448 (West 2013).

³² CONN. GEN. STAT. § 53a-82(c) (West 2013).

³³ VT. STAT. ANN. TIT. 13, § 2652(c)(1)(A) (West 2013).

³⁴ 720 ILL. COMP. STAT. 5/11-14(d) (West 2013).

³⁵ VA. CODE ANN. § 16.1-246(B) (2013).

³⁶ VA. CODE ANN. § 16.1-248.1(B) (2013).

³⁷ Id.