

**TESTIMONY OF**

**ERNIE ALLEN**

**PRESIDENT & CEO**

**NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN**

**FOR THE**

**SUBCOMMITTEE ON CRIME, TERRORISM AND HOMELAND SECURITY**

**COMMITTEE ON THE JUDICIARY**

**“Domestic Minor Sex Trafficking”**

**U.S. HOUSE OF REPRESENTATIVES**

**September 15, 2010**

Mr. Chairman and members of the Subcommittee, I welcome this opportunity to appear before you to discuss domestic minor sex trafficking. The National Center for Missing & Exploited Children (NCMEC) joins you in your concern for the safety of our youth and thanks you for bringing attention to this serious problem facing America's communities.

As you know, the National Center for Missing & Exploited Children is a not-for-profit corporation, mandated by Congress and working in partnership with the U.S. Department of Justice. NCMEC is a public-private partnership, funded in part by Congress and in part by the private sector. For 26 years NCMEC has operated under Congressional mandate to serve as the national resource center and clearinghouse on missing and exploited children. This statutory mandate (see 42 U.S.C. §5773) includes 19 specific operational functions, among which are:

- operating a national 24-hour toll-free hotline, 1-800-THE-LOST® (1-800-843-5678), to intake reports of missing children and receive leads about ongoing cases;
- operating the CyberTipline, the “9-1-1 for the Internet,” that the public and electronic service providers may use to report Internet-related child sexual exploitation;
- providing technical assistance and training to individuals and law enforcement agencies in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;
- tracking the incidence of attempted child abductions;
- providing forensic technical assistance to law enforcement;
- facilitating the deployment of the National Emergency Child Locator Center during periods of national disasters;

- working with law enforcement and the private sector to reduce the distribution of child pornography over the Internet;
- operating a child victim identification program to assist law enforcement in identifying victims of child pornography;
- developing and disseminating programs and information about Internet safety and the prevention of child abduction and sexual exploitation; and
- providing technical assistance and training to law enforcement in identifying and locating non-compliant sex offenders.

The CyberTipline is the national clearinghouse for leads and tips regarding child sexual exploitation crimes. It is operated in partnership with the Federal Bureau of Investigation (“FBI”), the Department of Homeland Security’s Bureau of Immigration and Customs Enforcement (“ICE”), the U.S. Postal Inspection Service, the Internet Crimes Against Children Task Forces (“ICAC”), the U.S. Secret Service, the U.S. Department of Justice’s Child Exploitation and Obscenity Section, as well as other state and local law enforcement. We receive reports in eight categories of crimes against children:

- possession, manufacture and distribution of child pornography;
- online enticement of children for sexual acts;
- child prostitution;
- sex tourism involving children
- extrafamilial child sexual molestation;

- unsolicited obscene material sent to a child;
- misleading domain names; and
- misleading words or digital images on the Internet.

These reports are made by both the public and by Electronic Service Providers, who are required by law to report apparent child pornography to the CyberTipline. The leads are reviewed by NCMEC analysts, who examine and evaluate the content, add related information that would be useful to law enforcement, use publicly-available search tools to determine the geographic location of the apparent criminal act, and provide all information to the appropriate law enforcement agency for investigation. These reports are also triaged to ensure that children in imminent danger get first priority.

The FBI, ICE and Postal Inspection Service have direct and immediate access to all CyberTipline reports, and assign agents and analysts to work at NCMEC. In the 12 years since the CyberTipline began, NCMEC has received and processed more than 943,000 reports. To date, electronic service providers have reported to the CyberTipline more than 7.8 million images/videos of sexually exploited children. To date, more than 38 million child pornography images and videos have been reviewed by the analysts in our Child Victim Identification Program, which assists prosecutors to secure convictions for crimes involving identified child victims and helps law enforcement to locate and rescue child victims who have not yet been identified.

When they hear the term “child trafficking,” most Americans think that it only happens somewhere else, in Southeast Asia or Central America. Even if they acknowledge that this crime happens in the United States, they assume the victims are foreign children brought into this country who are trafficked only in large cities.

In fact, we have learned that most of the victims of domestic minor sex trafficking are American kids who initially leave home voluntarily and are being trafficked on Main Street USA. One police commander said to me, “the only way not to find this problem in any community is simply not to look for it.” The good news is that America has begun to look. The bad news is that we have barely scratched the surface.

I’d like to briefly address four issues with you today: the scope of the problem; the growing role of the Internet; how we can respond more effectively; and what we can do to prevent kids from becoming victims.

**The Scope of the Problem:** Although it is difficult to quantify the scope of this problem with accuracy, the National Center for Missing & Exploited Children estimates that at least 100,000 American children each year are the victims of commercial child prostitution and child trafficking.

The primary basis for our estimate is the research of Dr. Richard Estes and Dr. Neil Alan Weiner at the University of Pennsylvania, funded by the U.S. Department of Justice through its National Institute of Justice. Dr. Estes and Dr. Weiner estimated that 293,000 US children are “at risk” of commercial child exploitation each year. However, they provided much greater detail and analysis.

Dr. Estes estimated that the number of 10 -- 17 year olds involved in commercial sexual exploitation in the US each year likely exceeds 250,000, with 60% of these victims being runaway, throwaway or homeless youth. Commercial sexual exploitation is broader in scope than just child prostitution, but there is little doubt that the commercial sexual exploitation of runaway, throwaway and homeless youth is overwhelmingly prostitution.

The researchers also estimated that one-third of street-level prostitutes in the U.S. are less than 18 while half of off-street prostitutes are less than 18. With the explosion in the sale of kids for sex online, it is clear that more kids are at risk today than ever before.

Thus, while 100,000 is a very conservative number, we believe it is empirically sound and defensible.

How old are the victims? For girls, the entry age is just 12-14; most boys enter this insidious world at age 11-13.

We have learned other things about this problem?

- Much of child sex trafficking is organized crime; and
- The children involved are victims.

These children are commodities for sale by an often sophisticated criminal network. They are trafficked, moved from city to city for the financial gain of those who use, abuse and control them. While historically, we have argued that the organized criminals involved in domestic child trafficking are not part of traditional Mafia or La Cosa Nostra organizations, earlier this year a federal grand jury in New York indicted members of the Gambino crime family for selling kids for sex and using the Internet to advertise them. Organized crime is drawn to this illicit industry because it offers relatively low risk and high profit. To deter them we must increase the risk and eliminate the profitability.

These children are victims of 21<sup>st</sup> century slavery. They lack the ability to walk away. The pimps who use and discard them are the criminals, as are those who purchase them. These children need to be rescued, not arrested.

One example: A posting was found of a child being advertised online in Reno, Nevada. A NCMEC analyst ran database searches on a phone number and matched the name of a missing child in NCMEC's database. The NCMEC analyst and an FBI analyst compared the missing child poster with the photo in the advertisement, and concluded that it was the same child. They alerted the Reno Innocence Lost Task Force, which located the missing child and her one-year-old baby. In the place where they were being kept, the only furniture was a couch. The baby was sleeping on a cushion on the floor.

We are encouraged by the recent passage of Safe Harbor laws in New York, Connecticut, and Illinois, mandating that these children be treated as victims. We are hopeful that other states will enact similar legislation soon, codifying this principle in law.

**The Growing Role of the Internet:** Offenders don't just parade these children on city streets any more. Today, a "customer" can shop online for a child from the privacy of his home or hotel room. Online classified ads make it possible to pimp these kids to prospective customers with little risk.

In 2008 NCMEC joined with Connecticut Attorney General Richard Blumenthal in an agreement with Craigslist, signed onto by 39 other Attorneys General. Craigslist agreed to require credit card verification in its "erotic services" section, charge those who post ads in "erotic services," require them to submit a working phone number, and aid law enforcement investigations of illegal prostitution/trafficking of children.

Recognizing that the initial agreement was not having the hoped-for effect, in 2009 Craigslist agreed to take additional steps, including shutting down "erotic services" altogether and replacing it with a new "adult services" category in which all ads would be manually reviewed by Craigslist. Nude or graphic photos would be banned. In August 2010 it appears that Craigslist shut down its "adult services" area altogether. If this has indeed occurred, it would be a positive, constructive step forward.

Yet, the problem continues to grow. It is essential to broaden the focus to the entire online classifieds industry. It is also imperative that online classified advertising sites flag and report suspicious ads to NCMEC's CyberTipline.

Let me illustrate the importance of reporting. In July 2010 a Maryland mother found a photo of her runaway daughter in a sex ad on multiple online classifieds sites. She contacted NCMEC. Working with the Maryland State Police and the FBI, the juvenile was recovered and is getting help. The pimp was arrested. The child in the ad looked young. Yet, no company reported it. There are many other examples. We need the help and vigilance of the general public and of these companies.

Some online classified ad sites cooperate with law enforcement in investigations. However, this is not eliminating the problem. These ads must not be posted to begin with.

So how can these classified ad sites determine whether or not to post an ad? They can conduct manual reviews of the ads and photos to identify words and terms known to be used in child prostitution. Web crawling tools may automate this review, by flagging key words suggestive of child trafficking. One non-governmental organization used such a tool and found that 20% of the ads it searched contained key words often used in child trafficking. Of course, these key words are possible indicators, not proof, of criminal activity. Until law enforcement is given the information necessary to open an investigation, these children will continue to suffer as hidden victims.

In addition, NCMEC encourages all classified ad websites to report these suspicious ads to the CyberTipline. Once an ad is reported to [www.cybertipline.com](http://www.cybertipline.com), NCMEC refers it to the appropriate law enforcement agency for investigation. Congress must challenge the public to report these crimes in their communities and to spread awareness of the CyberTipline. The message is simple: If you see it, know about it, or suspect it -- report it.

Of course, if we crack down on child sex trafficking on one area of the Internet, some of it will migrate to other areas. We must follow the money and follow the pimps. Like the pursuit of other kinds of criminal behavior, law enforcement will follow it wherever it goes. The goal is to make it riskier, less profitable and more difficult -- to destroy the business model for those who sell children for sex.

**How We Can Respond More Effectively:** In 2003 the U.S. Department of Justice recognized that this problem requires multi-disciplinary, multi-jurisdictional, and multi-agency partnerships. The FBI and the U.S. Department of Justice's Child Exploitation & Obscenity Section (CEOS) launched the Innocence Lost National Initiative. NCMEC is proud to be a partner in this 7-year-old effort.

This initiative spurred the creation 38 dedicated task forces and working groups throughout the U.S., involving federal, state and local law enforcement agencies, in a coordinated effort to attack the problem of child prostitution. Because most of these cases are violations of state law, they must be dealt with at the state/local level. Historically, pressure from law enforcement caused the pimps to simply move the kids to another city. Or, police simply arrested the kids.

Innocence Lost changed this. Combining the strength of multiple agencies with the U.S. Attorneys' offices, more than 1,110 child victims have been rescued. More than 600 pimps have been convicted, and, for the first time, many are getting serious sentences from the courts. Four were sentenced to life in prison, and many others were sentenced to 20-plus years.

While it is true that this problem is one of sexual exploitation, it begins because these children are missing --- runaway or throwaway children. Many of them are not reported to law enforcement. Even when some of them are reported missing, some law enforcement agencies are not entering them promptly into the FBI's National Crime Information Center database (NCIC) and, in many cases, not entering them at all.

Nearly thirty years ago, the late Senator Paul Simon of Illinois coined the phrase “runaway presumption,” meaning that police often presumed that a runaway child would come home on his own. Parents were told to wait a day or two to see if their child turned up before police would take the report.

Today, we know that slow law enforcement response puts many missing children at greater risk. Child advocacy groups estimate that as many as one-third of teen runaways/throwaways become involved in prostitution within 48 hours of leaving home.

In 1982 Congress passed the Missing Children’s Act, making it possible to enter missing child information into NCIC. In 1990 Congress passed the National Child Search Assistance Act, mandating immediate NCIC entry in every missing child case, and eliminating the waiting periods. Congress further clarified this in the Adam Walsh Child Protection and Safety Act of 2006, specifying that law enforcement must enter missing children into NCIC within 2 hours of receiving the report.

Yet, research has shown that these laws are not implemented consistently, due in part to the fact that law enforcement is faced with approximately 600,000 NCIC entries of runaway children every year. Of the missing child cases reported to NCMEC, 78% are what we call “Endangered Runaways.” These children are at the highest risk of being sexually exploited or trafficked for sex. Of the child prostitution reports made to the CyberTipline, more than 1,700 involve known missing children being prostituted. There must be comprehensive, widely-available law enforcement training in how to recognize high-risk victims and respond effectively.

There must also be strong cooperation between the federal and state governments. In July the National Conference of State Legislatures adopted a strong policy statement on human trafficking. It calls for more services for victims, enhancement of NCIC to ensure more uniform, speedy reporting, and greater federal-state collaboration. It urges the creation of a dialogue between federal and state legislative leaders.

Forty states have passed legislation to criminalize human trafficking and increase penalties. Nineteen states have created task forces, state commissions or special committees to assess this problem and develop strategies. Seventeen states have taken steps to expand services for victims. In this time of economic challenge some states are expanding the use of asset forfeiture, seizure and impoundment, increasing fines and economic sanctions, broadening the use of restitution, and similar steps.

**Prevention and Next Steps:** Increasingly, our society has sexualized children at younger and younger ages. To some extent, this has led many children to perceive some degree of sexual exploitation as normal. We must take appropriate steps to prevent children from becoming compliant victims who are taught to self-exploit.

While there are excellent laws for prosecuting the perpetrators who exploit or profit from the exploitation of children, more must be done to attack the demand. We must build greater understanding as to why there is such a large consumer market for sex with kids in this country, and address the factors that promote the sexual interest in children. Children are not sexual commodities and yet the sexual trafficking of children has never been more blatant or seemingly more normalized than it is today in this Internet era.

The American Psychological Association concluded that greater exposure to sexualized images and role models has made girls think of themselves as sexual objects. The APA report links sexualization with eating disorders, low self-esteem, and depression in girls and women (Report of the APA Taskforce on the Sexualization of Girls, 2007).

We cannot allow America's children to be bought and sold online like other services or objects. It will take greater awareness and real societal action. Social change is possible, as evidenced by the movements for tobacco-free policies, breast-cancer screening, seatbelts and mandatory child car seats.

Finally, we must provide needed services for the victims who are rescued. They must be given the tools and assistance necessary to prevent them from returning to a pimp. Long-term shelters and residential treatment programs currently lack sufficient resources. Many of the 1,100 children rescued by Innocence Lost had no place to go to get help.

In closing, I offer the following recommendations:

- Congress should reaffirm and expand the role of the federal government in attacking this problem. The current leadership role of the FBI and the Justice Department through the Innocence Lost National Initiative is historic. It should be continued and expanded. State and local law enforcement should receive training in the NCIC entry of missing children and identifying high-risk victims.
- Congress should reaffirm that child prostitution and child trafficking are not victimless crimes, and should urge states to enact laws ensuring that these children are treated as victims and not perpetrators.
- Congress and states should expand resources and services available for the victims. Today, there are some extraordinary programs doing heroic work, but there aren't enough of them and the ones that exist receive insufficient funding.
- Congress should challenge everyone to report child prostitution in their communities. The message is simple: If you see it in your city, or if you know about it, or if you suspect it, report it to the police and report it to the National Center for Missing & Exploited Children at [www.cybertipline.com](http://www.cybertipline.com).

I am encouraged to report that there is real movement and real progress. Federal, state and local governments are working together and doing more. The media is informing the nation that this is not a problem that only happens somewhere else, it is happening in big cities and small towns across America.

But we need to do more, and it is important that Congress provide leadership. We are grateful to Representatives Maloney, Smith, Poe, Speier and all the others who are spearheading the effort to provide more help to the victims and to awaken the nation to this problem of hidden victims in our midst.