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RESEARCH

The Commercial Sexual Exploitation of Children in New York City

Volume Two

Formative Evaluation: The New York City Demonstration

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As required by the original NIJ solicitation, this study involved two components: a population estimate and a formative evaluation of a citywide project intended to address the commercial sexual exploitation of children in New York City. The John Jay College of Criminal Justice implemented the population estimate and description of the exploited youth (Volume One), and the Center for Court Innovation implemented the formative evaluation (Volume Two). The two research teams also reviewed each other's work and jointly authored an Executive Summary. The authors of this volume would like to thank their John Jay colleagues, Ric Curtis, Karen Terry, Meredith Dank, Kirk Dombrowski, and Bilal Khan, for their invaluable insights and collaboration throughout.

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We thank all of the CASEC stakeholders who were interviewed and who honestly shared their views and thoughts. Representatives of the following agencies participated in interviews:

- *Social Service Agencies:* Girls Education and Mentoring Services (GEMS), Jewish Child Care Association, Safe Horizon, and Sexual Assault and Violence Prevention Intervention Program (SAVI).
- *Criminal Justice Agencies:* Brooklyn District Attorney's Office, Federal Bureau of Investigation, Midtown Community Court, New York City Law Department, New York City Police Department (including multiple divisions), Queens Criminal Court, Queens District Attorney's Office, Queens Family Court, Queens Legal Aid Society, and United States Attorney's Office.

- *Other Agencies:* New York City Administration for Children’s Services, New York City Department of Probation, New York City Department of Youth and Community Development, Port Authority of New York and New Jersey, Office of Juvenile Justice and Delinquency Prevention, and the Fox Valley Technical Assistance College.

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Chapter One

Introduction

Few crimes are more abhorrent than the commercial sexual exploitation of children (CSEC), yet few are more challenging to address. It is difficult even to grasp the extent of the problem. The United States Department of Justice, for instance, estimates that the number of children currently involved in prostitution, child pornography, and trafficking may be anywhere between 100,000 and three million (ECPAT 2005). This uncertainty is due to a host of factors. In particular, children involved in these activities may be difficult to locate and reluctant to acknowledge their age or exploitation (Houn 2001); and they may be resistant to services and interventions.

As many as 5,000 children are believed to be engaging in prostitution in New York City alone (ECPAT 2005). Arrests of city youth under 18 years for prostitution more than doubled between 1997 and 2002 (Office of the Mayor 2002), and anecdotal reports from those who work with this population suggest that it is getting younger, with more children engaged in prostitution in their early teens. A 2007 study found that on an annual basis, 2,253 exploited youth in New York City have contact with social service or public sector agencies (Gragg, Petta, Bernstein, Eisen, and Quinn 2007). The study also reported that the youth were predominantly female (85%), black (67%), and 16 or 17 years of age (59%). Just 4% were 13 years or less.

Consistent with other research, the overwhelming majority of CSEC youth had prior child welfare involvement, typically in the form of child abuse and neglect allegations or investigations (69%) or foster care placements (75%). A substantial percentage had a prior residential placement due to a juvenile delinquency arrest, and about half had prior episodes of commercial sexual exploitation (Gragg et al. 2007). Since many exploited youth may not have had direct contact with the agencies surveyed, the authors of the 2007 study believe that their methodology probably yielded a significant undercount of the city's actual CSEC population. It is also possible that aspects of the population described in the study simply reflected the particular background characteristics of those exploited youth who come to the attention of local service providers and public sector agencies.

Previous research confirms that many CSEC youth are indeed runaways, have been involved in the child welfare system, or have suffered abuse or witnessed violence at home (Brannigan and Gibbs Van Brunschot 1997; Kid and Krall 2002; Silbert and Pines 1982). Their involvement in prostitution also puts them at increased risk of using drugs (Inciardi, Pottieger, Forney, Chitwood, and McBride 1991), being sexually abused (Schissel and Fedec 1999), and engaging in criminal behavior as adults (Loeber and Ferrington 1998).

The complexities of their lives may bring these youth into contact with multiple institutions: criminal justice, child welfare, health care, and education. Yet, as documented in the 2007 study, a wide array of barriers hinder efforts to provide effective assistance, including an insufficient number of crisis shelter beds, limited funding, and lack of social service staff. Furthermore, the majority of respondents were concerned about training deficits for personnel who work with CSEC youth, ranging from clinical staff to police officers and judges (Gragg et al. 2007).

The Coalition to Address the Sexual Exploitation of Children

In 2002, led by the Mayor's Office of the Criminal Justice Coordinator, the City of New York embarked on an ambitious new initiative intended to "expand and bolster the collaborative efforts among government agencies and service providers and work to develop short- and long-term strategies to prevent and respond to CSEC in New York City" (Office of the Mayor 2002). Although CSEC involves physical abuse, pornography, prostitution, and the smuggling of children for unlawful purposes, the budding Coalition to Address the Sexual Exploitation of Children (CASEC) decided to focus solely on child prostitution. In planning meetings, CASEC defined the following as the major problems to be addressed:

- The need for increased communication and collaboration among CSEC stakeholders;
- The need for dedicated resources to prosecute the CSEC exploiters;
- The need for improved housing and other services and for the CSEC population; and
- The need for prevention services targeting at-risk youth.

In June of 2003, the Mayor's Office received funding to pursue these efforts from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). The OJJDP also funded a parallel effort in Atlanta, Georgia. This funding was motivated by the idea of testing an innovative response to CSEC in two sites and then conveying lessons learned to a broader audience. In the case of Atlanta, the lead agency was a collaborative composed of grass roots community-based organizations, offering a contrasting model to the New York City approach of centralizing operational leadership in the Office of the Mayor.

Figure 1.1 provides a simple representation of the New York City demonstration project. Funding was administered, and the overall project managed, out of the Mayor's Office of the Criminal Justice Coordinator (CJC). That office hired a dedicated project director to coordinate activities and convene CASEC meetings. In addition to fostering better information exchange and collaboration, CASEC worked extensively on establishing housing for CSEC youth citywide and developing a prevention curriculum that would target group homes and schools. Finally, a large portion of the OJJDP funding went to enhance the prosecution of exploiters in the borough of Queens (one of five counties in the city). Funding supported the work of a dedicated assistant district attorney and paralegal at the Queens District Attorney's Office, coupled with CSEC-dedicated service provision for any youth identified through that office.

Evaluating the New York City Demonstration Project

To assist CASEC, and with funding from the National Institute of Justice, the Center for Court Innovation implemented a formative, participatory evaluation. Its goals were twofold: (1) to assess and monitor CASEC initiatives and strategies, and (2) to disseminate lessons learned and best practices for other jurisdictions interested in replication. To achieve these goals, we examined the project's goals, operations, strengths, weaknesses, and obstacles to success. We also conducted a quasi-experimental analysis testing whether prosecution outcomes changed after the implementation of the enhanced prosecution initiative in Queens. Finally, to provide context for the work of CASEC, we performed a 25-year analysis of criminal justice trends in all five boroughs of New York City regarding child prostitution, exploitation, and solicitation offenses.

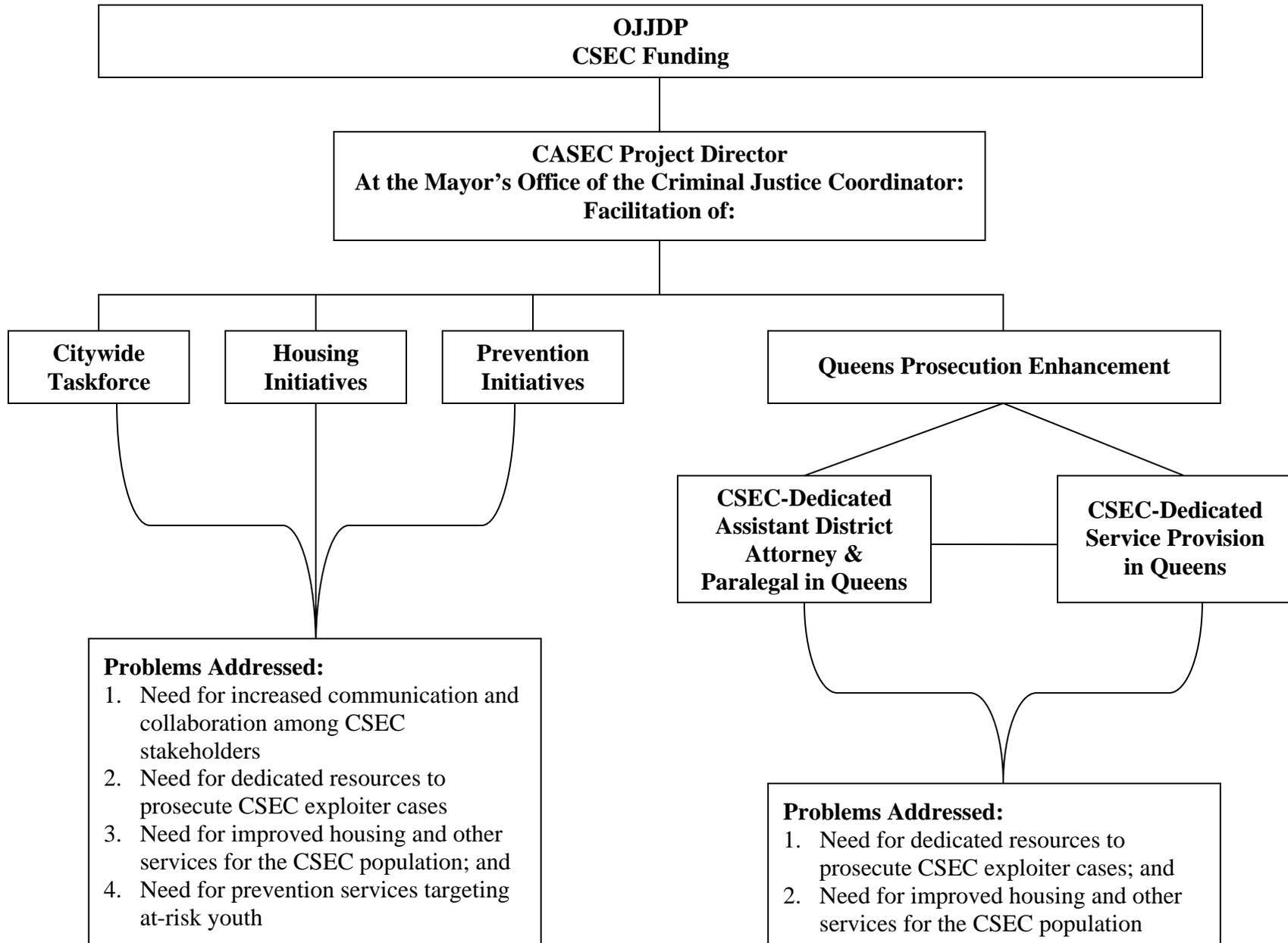
The report is organized as follows. Chapter Two describes the research design and methodology. Chapter Three presents the 25-year trend analysis, which serves to establish the preexisting criminal justice response to CSEC. Chapters Four through Eight present our evaluation of CASEC-specific initiatives and strategies. Chapter Four documents the evolution of the demonstration project as a whole and reviews core elements of the CASEC logic model (presented in summary form in Figure 1.1). Chapters Five through Eight describe each aspect of the logic model in depth: Chapter Five: The Citywide Taskforce; Chapter Six: Prosecution Initiatives; Chapter Seven: Housing and Other Programs; and Chapter Eight: Prevention.

As we conducted our evaluation, we learned a great deal about the institutional response to CSEC in New York City, beyond our immediate focus on evaluating activities that arose specifically out of the CASEC demonstration project. Accordingly, Chapter Nine provides information on other policy developments citywide. The report concludes with Chapter Ten, which highlights key achievements, obstacles, and lessons learned for replication.

In a companion report, the John Jay College of Criminal Justice presents the results of interviews with a representative sample of 249 CSEC victims in New York City (Volume One, Curtis, Terry, Dank, Dombrowski, and Khan 2008). The purposes of that report are to produce a rigorous estimate of the city's CSEC population—extending beyond those CSEC victims who have had direct contact with the criminal justice system—as well as a rich account of the population's characteristics, experiences, and service needs. It is hoped that this account will inform future policymaking efforts, both locally and nationally.

In addition, with funding from the National Institute of Justice, a research team based at Georgia State University is conducting a population estimate and formative evaluation of the parallel demonstration project in Atlanta. A report is expected later in 2008. Subsequently, the New York City and Atlanta research teams anticipate collaborating on the identification of common and dissimilar threads and lessons derived from the experiences of both sites.

Figure 1.1. Key Components of the CASEC Demonstration Project



Chapter Two

Research Design and Methodology

The research team applied a participatory framework that sought to engage CASEC staff and partners in defining the research questions and responding to initial findings. The relationship between the research team and CASEC was established during an initial information-gathering phase. Researchers regularly attended CASEC meetings, as well as implemented a multi-method formative evaluation, whose components are described in this chapter.

Logic Model

The evaluation began with the development of a comprehensive logic model that sought to relate the project's mission and goals to specific activities and outcomes. The logic model exercise served two purposes. First, the model guided the subsequent work of the evaluation, ensuring that it reflected the project's intended focus. Second, we hoped that the development of the model, completed in collaboration with CASEC staff at the Mayor's Office of the Criminal Justice Coordinator, might be useful to the project itself, clarifying how activities fit together or, as the case may be, where gaps appeared between goals and practice. In this regard, large coalitions often establish a clear mission (e.g., reduce the prevalence of CSEC) and overarching goals (e.g., link victims to services and prosecute exploitive adults), yet are unable to articulate the relationship between those goals and the coalition's actual activities. In these cases, logic model serves as a valuable reality check.

Development of the CASEC logic model drew upon the project's official planning documents (including the original funding proposal to OJJDP); exploratory interviews with core CASEC staff at the Office of the Criminal Justice Coordinator; and observations at coalition meetings. The model was designed to mirror what CASEC staff and partners themselves articulated. The research team elicited and organized the information but did not attempt to include its own perceptions concerning what kind of approach might be more appropriate or realistic.

Three months into the evaluation, the research team presented a draft logic model to core CASEC staff, discussed the goals and objectives identified therein, and underlined any apparent disparities between broad intentions and the specific activities that were known to be underway. The draft model was revised in collaboration with CASEC staff. The final model reflected the consensual view of the research team and project staff alike (see Chapter Three).

Stakeholder Interviews

Semi-structured stakeholder interviews were conducted twice: at the beginning of the evaluation period and one year later. The main purposes were to gain a better understanding of the history and nature of CASEC and to obtain stakeholder perceptions of the project's strengths, weaknesses, accomplishments, and challenges. Accordingly, the interviews covered: (a) specific responsibilities of each stakeholder agency in the city's response to CSEC; (b) the preexisting and current network of cross-agency communication and collaboration; (c) perceptions of

available services and of the prosecution of CSEC cases citywide; and (d) specific perceptions of the prosecution initiative underway in Queens (see protocol in Appendix A). An important caveat is that the evaluation period began in January of 2006, whereas the OJJDP-funded demonstration project commenced almost three years earlier, in June of 2003 (and initial planning began even earlier in the fall of 2002). Even though many project activities were still taking shape at the time of the initial round of interviews, those interviews clearly did not occur at a true baseline moment in time.

At both the initial and follow-up interviews, we also administered a quantitative survey regarding the frequency and quality of cross-stakeholder communication (see Appendix B). This survey provided insight into critical features of the CASEC collaboration: Does one party act as an information hub for the entire coalition? Are particular agencies isolated or uninvolved? Is information exchange timely and meaningful, or superficial? By administering the same communication survey at two separate times during the evaluation, we were able to discern any changes in the structure and nature of the collaboration. We believed that this nuanced understanding of the group's communication patterns would be essential not only to the improvement of CASEC but also to the assistance of other jurisdictions interested in establishing practical, effective collaborations.

A final topic covered in most of our initial interviews was the nature and quality of the data that each stakeholder agency maintains concerning the CSEC population. This topic elicited substantive information about the capacity of the coalition to engage in its own performance monitoring. The topic also enabled the research team to understand the universe of data available for quantitative components of the evaluation (see below).

Interviews were conducted with representatives from a number of CASEC partner agencies. These agencies were chosen because they represented key local, city, and federal agencies that were involved in addressing prosecution or service provision issues. Additionally, we chose both CASEC-funded and non-funded agencies to gain a broad perspective. The following is a list of participating agencies:

Service Agencies:

- Girls Education and Mentoring Services (GEMS)
- Jewish Child Care
- Safe Horizon
- Sexual Assault & Violence Prevention Intervention Program (SAVI)

Criminal Justice Agencies:

- Brooklyn District Attorney's Office
- Federal Bureau of Investigations
- Midtown Community Court
- New York City Law Department – Queens Family Court Division
- New York City Police Department – Child Recovery Unit
- New York City Police Department – Fugitive Enforcement Division
- New York City Police Department – Vice Enforcement Division
- Queens Criminal Court

Queens District Attorney's Office
Queens Family Court
Queens Legal Aid Society – Juvenile Rights Division
United States Attorney's Office

Other Government Agencies:

New York City Administration for Children's Services
New York City Department of Probation
New York City Department of Youth and Community Development
Port Authority of New York and New Jersey – Youth Services Unit

In addition, we interviewed multiple staff at the Mayor's Office of the Criminal Justice Coordinator. We also interviewed staff at the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and at the Fox Valley Technical Assistance College, which was responsible for providing technical assistance to both the New York and Atlanta demonstration projects.

CASEC Citywide Trend Analysis

The purpose of the trend analysis was to document citywide arrest and prosecution patterns over an extended period, both preceding and following the implementation of the CASEC project. Relevant offenses involves: (a) child prostitution, (b) exploitation, and (c) solicitation of a minor. The analysis of *arrest* trends would indicate the prevalence of all three types of criminal justice involvement, as well as changes over time across all five boroughs of New York City (the Bronx, Brooklyn, Manhattan, Queens, and Staten Island). The analysis of *prosecution* trends—including dispositions and sentencing—would indicate how the criminal justice system responded to the arrests and whether and how that response changed over time. Importantly, an analysis of arrest and prosecution trends does not necessarily indicate the prevalence of the underlying CSEC-related activities, many of which do not lead to justice system involvement. The analysis does illuminate the nature of the criminal justice response to CSEC.

The original plan anticipated a single dataset, merging police, adult criminal court, and family court data. However, since each agency has its own non-communicating data collection systems, and none of the agencies could provide us with identifiers that might have facilitated merging, multiple datasets were necessary. We first summarize the three datasets and then indicate how each one was used in the analysis.

Description of the Three Datasets

New York City Criminal Justice Agency: With assistance from the Office of the Criminal Justice Coordinator, we obtained 1998-2006 arrest data from the New York City Criminal Justice Agency (CJA). CJA is a nonprofit agency that, through a contractual arrangement with the city, administers a brief pre-arraignment interview to all adult defendants (16 years and older) arrested in the city, primarily to inform bail decisions. CJA also maintains a comprehensive database on both adult and juvenile arrests citywide (including defendants younger than 16). CJA provided an SPSS data file for all arrests in all five boroughs of New York City from January 1, 1998

through December 31, 2006 for the following New York State Penal Law sections (encompassing all subsections, except where expressly indicated below):

Child prostitution (for all arrestees under 19 years of age):

230.00 Prostitution

240.37 Loitering for the purpose of engaging in prostitution

Exploitation:

230.25.02 Advances or profits from prostitution of a person <19 years of age

230.30.02 Advances or profits from prostitution of a person <16 years of age

230.32 Advances or profits from prostitution of a person <11 years of age

263.05 Use of a child <16 years of age in a sexual performance

263.10 Promoting an obscene sexual performance by a child <16 years of age

263.15 Promoting a sexual performance by a child <16 years of age

Solicitation:

230.04 Patronizing a prostitute <17 years of age

230.05 Patronizing a prostitute <14 years of age

230.06 Patronizing a prostitute <11 years of age

The CJA dataset covered virtually all arrests citywide, with three caveats, all related to the child prostitution category. First, some prostitution arrests may have been voided when the police initially believed that a defendant was 16 years of age or older but later determined that the defendant was younger and thus ineligible for processing in adult criminal court. (Some but not all such cases were simply transferred to the family court and retained in the dataset.) Second, a small number of arrests may have been expunged, leading to their removal from all hard copy and electronic records. Third, standard prostitution charges are often not used for youth who are processed in the family court (see below); for this reason, the CJA data may not reveal the extent of prostitution-related arrests among the youngest categories of youth.

New York State Division of Criminal Justice Services: For defendants ages 16 and older, the New York State Division of Criminal Justice Services (DCJS) provided comprehensive arrest, disposition, and sentencing data, with the same caveats as those noted above. The DCJS dataset included all cases arrested in all five New York City boroughs on the same penal law codes as those listed above from January 1, 1982 through December 31, 2006. Notably, the arrest timeframe added 16 years over and above what CJA could provide. This made DCJS the preferred data source for arrests of individuals 16 years and older. We detected an inconsistency between the CJA dataset and the DCJS dataset: a drop-off in the numbers of child prostitution arrests contained in the DCJS dataset for the years, 2001-2003. In each of the other years of overlap between the DCJS and CJA datasets (1998-2000 and 2004-2006), the two sources yielded virtually identical arrest numbers for the 16 and older population.

New York State Unified Court System: For juveniles processed in the family court (ages 15 and younger), prosecution data was obtained from the New York State Unified Court System. Stakeholders reported that other arrest charges, mainly false personation, criminal nuisance, and loitering, were also commonly used to signify that the offense was prostitution-related. Since the family court's information system was instituted in 2004, the court could only provide data on petitions that were opened in 2004 or later. Another limitation is that New York City diverts or "adjusts" a large percentage of juvenile arrests away from prosecution, meaning that they never

reach the court. These cases are not contained in the family court’s dataset (although if charged with a classic prostitution offense, they would have been contained in the CJA dataset described above). Therefore, the available family court data can reveal the extent of the court’s caseload, and the outcome of the court’s cases, but is inadequate to estimate the prevalence of the underlying arrests. The data included family court petitions that were filed from 2004 through 2006 with the following charges, only the first two of which involve a classic “prostitution” offense:

230.00	Prostitution
240.37	Loitering for engaging in prostitution
190.23	False personation
240.35	Loitering
240.36	Loitering, 1 st degree
240.45	Criminal nuisance, 2 nd degree
240.46	Criminal nuisance, 1 st degree

To gain a more complete understanding of the types of court involvement experienced by youth ages 15 and younger, for all youth with cases meeting the above CSEC-related charge criteria, we also obtained court system data on any other family court petitions involving either the same youth or their family members. These petitions might involve non CSEC-related penal law charges or other types of family court cases of the youths and the families (e.g., abuse, neglect, family offense, custody, etc.). The timeframe for these other petitions was also 2004-2006.

Use of the Three Datasets

Defendants Ages 16 and Older: To review, the two data sources for adult criminal defendants (ages 16 or older) were CJA and DCJS. Concerning *arrest* trends, we exclusively relied on the DCJS dataset for the analysis exploitation and solicitation arrests, since DCJS covered a longer 25-year period, and the numbers closely matched CJA during every year of overlap. For child prostitution arrests, given the peculiar although seemingly confined flaw in the DCJS arrest dataset from 2001-2003, we decided to rely on CJA for arrest numbers during the period when the two datasets overlapped (1998-2006), supplemented with DCJS for the earlier period (1982-1997). Concerning *prosecution* trends, since CJA does not maintain any data on dispositions or sentences, we relied solely on DCJS. As noted above, there were really only three years where the DCJS prosecution data appeared to have omitted certain cases, and we have no reason to believe that there was any systematic bias in this omission—that the characteristics of the missing cases were unique in some way. Finally, when presenting the demographic or background criminal justice characteristics of the defendants, we also relied almost exclusively on the DCJS data, which provided a greater array of background variables.

Defendants Ages 15 and Younger: The two data sources for juvenile defendants (ages 15 and younger) were CJA and the family court. The CJA dataset included all cases that were *arrested*, but only on classic prostitution charges. From the family court, we decided to obtain data on a wider range of charges by including cases that were arrested for prostitution as well as several known proxy charges (see above). However, the family court dataset only included cases that were *prosecuted*; yet, the widespread use of diversion mechanisms with juveniles under the age

of 16 led many cases never to reach the court. As will be seen in Chapter Three, we drew upon data from both sources, while restating any notable limitations at each stage of the analysis.

Impact Analysis of the Prosecution Initiative in Queens

In addition to understanding citywide trends and characteristics of the arrested populations, we were also interested in conducting an impact analysis examining whether the exploiter-focused prosecution initiative in Queens produced any changes in prosecution outcomes, including the conviction rate, percent sentenced to jail or prison, or average length of custodial sentences. This analysis, however, was complicated by the fact that, as will be described in Chapter Six, Queens had already implemented a similar initiative as far back as 2000—prior to CASEC funding. Hence, the substantive significance of CASEC was to fund activities that were already underway, as well as to support further enhancements to those activities.

To capture the possible effects of both the CASEC-funded initiative, which began in July 2005, and the preceding initiative, which began in early 2000, we created a 10-year dataset containing all exploitation arrests in Queens from 1997 through 2006. We then divided these arrests into three groups: (1) arrests in 1997-1999, (2) arrests in January 2000-June 2005, and (3) arrests in July 2005-December 2006. The three groups respectively represented: (1) a pure pre-implementation sample (control group), (2) a sample that received the benefit of initiatives implemented independently by the Queens prosecutor (first treatment sample), and (3) a sample that received the benefit of the additional funding and enhancements resulting from CASEC (second treatment sample). The analyses then included three-way comparisons of disposition and sentencing outcomes. Due to relatively low sample sizes (see Chapter Six), we implemented relatively parsimonious multivariate models and carefully qualified all of our findings.

As an added component of the research in Queens, we conducted interviews with five young girls who were arrested on prostitution charges concerning their experiences in court and with the prosecution. The small interview sample, and our conclusion that the voice of youth had been effectively brought forth in Volume One, led us to report these findings sparingly (see Appendix C).

Technology Needs Assessment

In the initial proposal to NIJ, the evaluation team planned to assist CASEC by developing a list of performance measures and designing a brand new CSEC data collection system. First, it was envisioned that the evaluation team would assemble existing data from all grant-funded agencies on the exploiters that were prosecuted in Queens and on the youth that were served as part of CASEC-funded initiatives. It was foreseen that CASEC staff would assess the accuracy and utility of the data, and, with the research team, make appropriate changes to preexisting data systems – for instance, establishing new protocols for information exchange between the police and prosecutors. Simultaneously, CASEC and Center for Court Innovation staff would develop a blueprint for an entirely new system that staff from the Center’s technology department would build. The new system would be designed both to collect demonstration project-specific data and to become a long-term citywide resource, of use to all partner agencies.

Once the evaluation began, it became evident that the development of a single, citywide management information system was unfeasible. This was primarily because local law enforcement and criminal justice stakeholders were not interested in developing such a system to share case-level information. Furthermore, the timeframe for implementing several CASEC initiatives (especially those related to housing and prevention) was unknown during much of the evaluation period, delaying the point at which the kinds of data produced by these initiatives could be incorporated into a blueprint. Nonetheless, to gain an ongoing understanding of the city's CSEC problem, there remains a vital unmet need to collect and share higher quality data on CSEC-relevant events potentially involving multiple institutions, including the police, prosecutors, child welfare agencies, and service providers.

Chapter Three

CSEC in the Criminal Justice System

This chapter provides a 25-year analysis of child prostitution, exploitation, and solicitation cases in the New York City criminal justice system. In New York State, CSEC exploitation charges apply if the exploited youth are younger than 19 years of age. Accordingly, we applied the same age cut-off in defining “child prostitution.” As for CSEC solicitation charges, they apply when the solicitor patronized a prostitute less than 17 years of age, regardless of whether the solicitor knew the age of the individual.

Unlike the results in Volume One, the information in this chapter does not indicate the underlying prevalence of CSEC per se, since the data only pertains to youth who were arrested. Insofar as the CSEC demonstration project was led by the Office of the Criminal Justice Coordinator and largely sought to improve the *criminal justice response* to CSEC, this chapter does serve to establish the size and characteristics of the relevant target populations. The first section pertains to child prostitution trends and the second to exploitation and solicitation trends.

Child Prostitution Trends

Our 25-year child dataset included virtually all arrests that were handled in the adult criminal court, which processes child prostitution defendants ages 16-18. The available evidence indicates that this age range included the vast majority of the city’s CSEC youth (Curtis et al. 2008; Gragg et al. 2007). For the most recent nine-year period (1998-2006), we possessed data on prostitution arrests of younger defendants as well (see Chapter Two). The five sections below present:

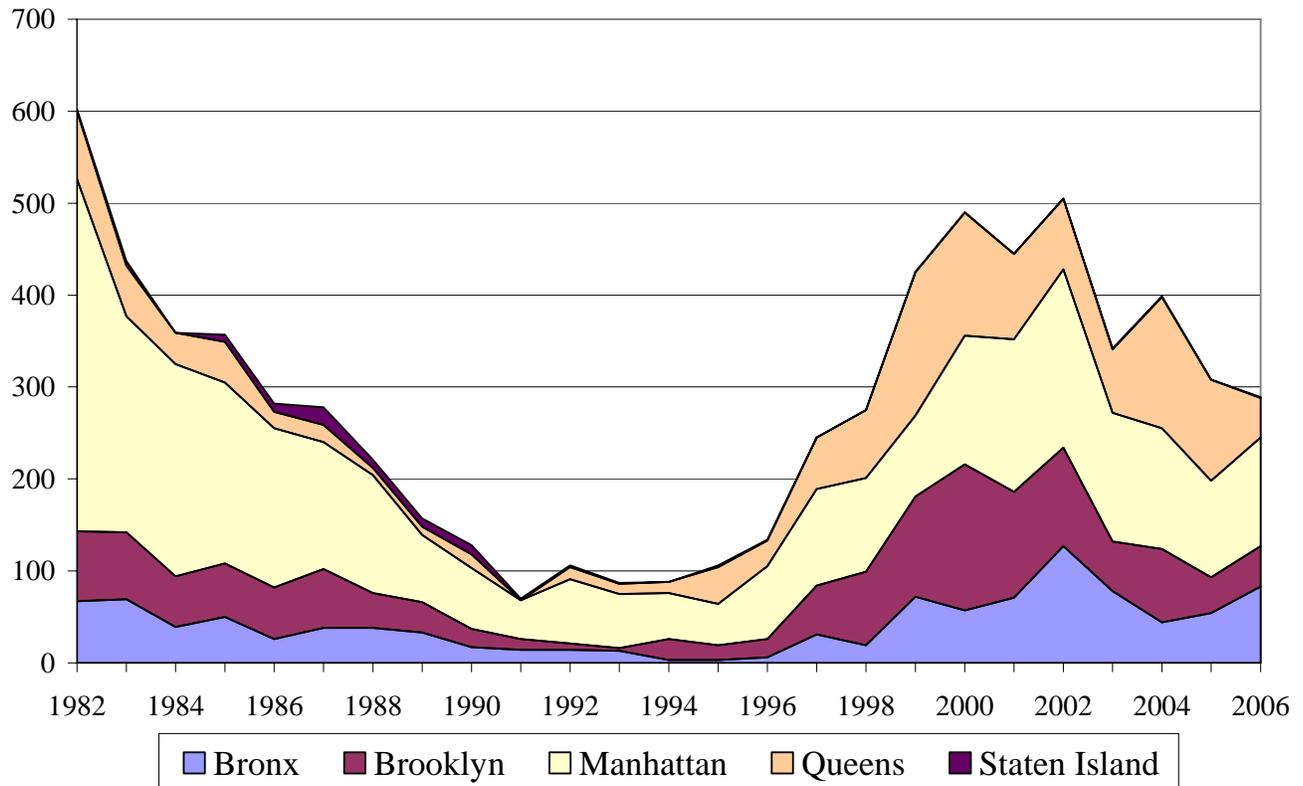
1. The 25-year trend for defendants aged 16-18;
2. The nine-year trend for *all* defendants (ages 18 and younger);
3. Defendant background characteristics;
4. Prosecution outcomes; and
5. The family court involvement of defendants age 15 and younger.

Child Prostitution Arrests, 1982-2006 (Ages 16-18)

Over the past 25 years, there were more than 7,000 prostitution arrests of youth ages 16-18, or an average of 285 per year. As shown in Figure 3.1, the first year displayed, 1982, saw the highest single-year total (602). The annual numbers declined dramatically over the next decade (reaching a low of just 70 arrests in 1991), followed by a sharp rise from the mid-1990s through the early 2000s, and another decline over the past five years (2002-2006).

It is unlikely that the number of CSEC victims swung as dramatically up and down as this data suggests. More likely is that, at least in part, the trends followed shifts in mayoral and police policies affecting the enforcement of prostitution laws. For instance, the eight-year upward trend culminating in 2002 coincided almost precisely with the period when Rudolph Giuliani was the mayor of New York. His administration was known for increasing the focus on “quality-of-life” crimes, with prostitution as a prime example.

Figure 3.1. Child Prostitution Arrests by Borough, 1982-2006



Concerning the recent decline in arrests in the mid 2000s, causality cannot be rigorously ascribed, but it is notable that the planning work of the CASEC taskforce began in 2002, and the following year (2003) saw a decline in prostitution arrests. One of the guiding themes behind CASEC and other emerging initiatives (see Chapter Nine) was the desire to change the way the criminal justice system perceived the youth who were involved in prostitution. Instead of seeing these youth as “prostitutes,” criminal justice stakeholders were encouraged to place greater emphasis on perceiving and treating them as victims. Bringing fewer such cases into the system through an arrest is consistent with these intentions. In fact, as reported in Volume One, CSEC youth interviewed in 2006 and 2007 indicated that they frequently had encounters with the police that did *not* lead to an arrest (Curtis et al. 2008). Another important factor is that prostitution in general has recently become more of an indoor activity utilizing alternative means of solicitation, such as the internet. Such practices may have led to a reduction in prostitution on the streets, also resulting in fewer arrests. This particular development has serious consequences in terms of how stakeholders respond to CSEC.

Child Prostitution Arrests, 1998-2006 (All Ages, 18 and Younger)

Since the essential nature of the trend and distribution by borough mirrors that shown above, the data in Table 3.1 combines all nine years of interest and provides the total number of prostitution

Table 3.1. Child Prostitution Arrests by Age, 1998-2006

	1998-2006	2004	2005	2006
Total number of arrests	3,825	435	341	309
Arrests per year	425			
Age 10	0.1%	0%	0%	0%
Age 11	0.1%	0%	0%	0%
Age 12	0.3%	0.2%	0.3%	0%
Age 13	1%	1%	1%	1%
Age 14	3%	4%	4%	2%
Age 15	5%	3%	4%	4%
Age 16	11%	12%	13%	14%
Age 17	21%	23%	20%	23%
Age 18	59%	56%	57%	57%
Ages 10-15	9%	8%	9%	7%
Ages 16-18	91%	92%	91%	93%
Average Age	17.2	17.2	17.2	17.3

arrests and the age breakdown. In addition, separate columns also isolate the number of arrests in the three most recent years, 2004-2006, to facilitate a comparison of arrested youth to the *total* CSEC population estimate provided in Volume One (Curtis et al. 2008).

The results indicate that the average age was 17.2 years, and 91% of the youth were ages 16-18. On the other end of the spectrum, less than 2% were age 13 or younger. Across all nine years, there was an average of 425 arrests; and in the most recent period, 435 were arrested in 2004, 341 in 2005, and 309 in 2006.

Defendant Background Characteristics

Table 3.2 provides a demographic portrait of the 16-18 year-old defendant population over the most recent decade (1997-2006), as well as a comparison of the first five years of that period (1997-2001) with the most recent five (2002-2006). These two periods respectively preceded and followed the initiation of the CASEC taskforce in 2002. The results indicate that borough-specific composition of child prostitution arrests changed somewhat, with the percentage of arrests located in Brooklyn declining from 27% to 17%, and the percentages in the Bronx and Manhattan increasing somewhat. During the entire decade, more than one-third of all arrests took place in Manhattan (35%). On the other end of the spectrum, Staten Island saw no more than one total arrest in any given year and saw zero in some years.

Table 3.2. Characteristics of Child Prostitution Defendants, 1997-2006

Number of Defendants	1997-2001 N = 1,858	2002-2006 N = 1,656	Total N = 3,514
Borough			
Bronx	14%	21%	17%
Brooklyn	27%	17%	22%
Manhattan	33%	38%	35%
Queens	26%	25%	25%
Staten Island	0%	0%	0%
Sex			
Female	79%	74%	77%
Male	14%	17%	15%
Both/transgender	7%	9%	8%
Age			
16	9%	13%	11%
17	22%	24%	23%
18	69%	63%	66%
Average age	17.6	17.5	17.6
Race/ethnicity			
Black	68%	73%	70%
Hispanic	20%	12%	16%
White	11%	12%	12%
Other	1%	3%	2%
Place of birth			
Born in the United States	74%	84%	79%
Born in Central or South America	2%	3%	3%
Born in other country	24%	13%	19%
Adult Criminal History (arrests from age 16)			
Any prior arrest	65%	59%	62%
Average number of prior arrests	4.4	4.0	4.2

Note: Demographic data is based only on the DCJS data, which is missing approximately 30% of the child prostitution arrests that took place in 2003 as well as a smaller number of arrests in each of the other years.

Twenty-three percent of the defendants were male (15%) or transgender (8%), with a slight increase in these percentages between the first and second five-year periods. The male population was primarily located in Manhattan, where 36% of all defendants were male, compared with less than 10% in the other four boroughs (results not shown). It seems likely that certain areas of Manhattan in particular cater to a male-oriented sex industry. Considering these findings, as well as those in Volume One (Curtis et al. 2008), criminal justice stakeholders and service providers should be made aware that sexually exploited children are not exclusively female, and a need exists for gender-specific services for both sexes.

Table 3.3. Child Prostitution Prosecution Outcomes, 1997-2006

	Bronx	Brooklyn	Manhattan	Queens	Total
Disposition	N = 570	N = 746	N = 1,172	N = 869	N = 3,348
Pled guilty/convicted	88%	58%	87%	84%	79%
Dismissed	5%	2%	7%	3%	4%
Adjourned in contemplation of dismissal	4%	37%	6%	12%	14%
Declined to prosecute	4%	3%	1%	1%	2%
Sentence (<i>of those pled guilty/convicted</i>)	N = 491	N = 414	N = 963	N = 710	N = 2,579
Percent sentenced to jail	18%	32%	12%	33%	22%
Average days (<i>of those sentenced to jail</i>)	9.6	18.0	13.7	15.8	14.9

Note: Cases are included only if they have reached a final disposition. This excludes 5% of the total arrest sample (cases that are pending either due to delays in case processing or because the defendant disappeared on a warrant).

¹ In most cases, time served sentenced on prostitution charges cover the period during which the arrestee was detained prior to the first arraignment court appearance, which averages about 24 hours.

The results also reveal that most of the defendants were at the upper end of the age spectrum (66% were 18 years of age). The population was predominantly black (70%), although the 2000 census indicated that the percentage of black residents in all of New York City was only 27%.

In CASEC taskforce meetings (see Chapter Five), stakeholders voiced a particular concern that much of the recent human trafficking attention has been targeting foreign-born youth and expressed a desire to have greater emphasis placed on local and domestic-born youth. Lending support to these concerns, the results indicate that most of the defendants were in fact born in the United States, with that percentage rising from 74% to 84% between the two five-year periods examined. Similarly, less than 10% of those interviewed as part of the population estimate in Volume One were born outside of the United States (Curtis et al. 2008).

Prosecution Outcomes

Table 3.3 indicates the prosecution outcomes for those cases that were handled in the adult criminal court (defendants aged 16-18), again focusing on the most recent decade. Preliminary analyses did not reveal meaningful changes within that period—or even over the entire 25 years for which data was available—but there were several borough-specific differences, which the table does represent. (Staten Island cases were excluded, since they numbered only three in total.) The results indicate that 79% of the cases were convicted, 4% were dismissed, 14% were adjourned in contemplation of dismissal (ACD), and 2% were not prosecuted (i.e., despite the arrest, the prosecutor opted not to file the case with the court). In New York State, an ACD means that the case will be dismissed six months or one year later unless the prosecutor re-opens it within that timeframe, which is rare. Not only with prostitution cases but also in general, the Brooklyn prosecutor is more likely to offer ACD dispositions with misdemeanor and violation cases than prosecutors in the four other boroughs. (Prostitution is never a felony in New York

State.) Accordingly, 37% of Brooklyn's child prostitution cases ended in an ACD, and 58% ended in a conviction. In light of the desire within the CSEC advocate community to avoid criminalizing the behavior of the exploited youth, it is perhaps surprising that such a low percentage of cases were declined for prosecution (less than 5% in every borough); however, one might also view Brooklyn's use of the ACD mechanism as broadly consistent with this desire.

Of those who were convicted, 22% were sentenced to jail: this figure ranged from 12% in Manhattan up to 33% in Queens. (Those not sentenced to jail virtually always received a time served sentence, averaging about 24 hours of pre-arraignment detention time, or a conditional discharge.) Of those sentenced to jail, two-thirds (66%) received 10 days or fewer, and only 7% received more than 30 days (results not shown).

Child Prostitution Cases in the Family Court, Youth Ages 15 and Younger

Family court data is only available for those youth who were *prosecuted* from 2004-2006, which leaves out an unknown but meaningful number that were diverted prior to prosecution (usually by juvenile probation). This dataset includes prostitution charges (prostitution and loitering for the purpose of prostitution) as well as several likely "proxy" charges that, in stakeholder interviews, the police indicated they often apply to juveniles who are engaged in prostitution.

As shown in Table 3.4, 52 of the 146 total cases (36%) were charged with a classic prostitution offense. (Over the same period, the CJA dataset indicated that 89 youth were initially *arrested* on such a charge, implying that approximately 30% of the youth were diverted from court and thus never made it into the family court dataset.) Interestingly, although 40% of the cases appeared in Manhattan, only 18% of the youth reported residing there (most lived in other boroughs of New York City). In addition, 46% of the youth were male, an even higher percentage than that reported above for the 16-18 year-old population (Table 3.2), but nearly identical to the results reported in Volume One for the entire citywide CSEC population (Curtis et al. 2008).

Most of the cases (90%) ended in either an admission (by the juvenile) or establishment (by the court) that the alleged acts were committed. Of such cases that had also reached a final disposition order, 62% were placed in a residential facility (typically non-secure), because the child was not deemed to have a stable home or other living arrangement to which to return.

The results also indicate that 20% of the juveniles were involved in a non-arrest petition during the same 2004-2006 period. Most of these petitions were persons in need of supervision (PINS) cases brought by the juvenile's parent or guardian (results not shown). PINS cases may be brought against any child 17 years of age or younger who the parent or guardian asserts is not attending school, behaving in a dangerous or out of control manner, or disobeying parents, guardians or other authority figures. In a CSEC context, such cases could involve a parent or guardian seeking the court's intervention related to the child's CSEC activity.

Finally, the results show that 23% of the juveniles had at least one family member who was a respondent on a petition filed from 2004-2006. The most common case types were juvenile delinquency or PINS (not shown).

Table 3.4. Family Court Involvement, 2004-2006

	Number	Percent
Total number of cases	146	100%
Borough of arrest and court involvement		
Bronx	29	20%
Brooklyn	15	10%
Manhattan	59	40%
Queens	41	28%
Staten Island	2	1%
Place of residence (N = 130)		
New York City	97	75%
Bronx	26	20%
Brooklyn	29	22%
Manhattan	23	18%
Queens	17	13%
Staten Island	2	2%
Non-New York City	33	25%
Other part of New York State	18	14%
Other state	15	12%
Sex (N = 145)		
Female	79	54%
Male	66	46%
Instant case arrest charge		
Prostitution	52	36%
Loitering	17	12%
False personation	70	48%
Criminal nuisance	7	5%
Finding		
Admitted or established	132	90%
Dismissed or withdrawn ¹	14	10%
Disposition (<i>of those admitted or established</i>) ² (N = 69)		
Conditional discharge	13	19%
Probation	13	19%
Placement	43	62%
Other non-arrest petition, 2004-2006	29	20%
Family court petition involving other family member	33	23%

¹ Includes one Adjournment in Contemplation of Dismissal (ACD).

² Of 132 cases with a finding of admitted or established, 70 had a final disposition order, whereas 62 (primarily cases that began in the most recent year of 2006) were still pending or in a few cases missing disposition data. One of the cases with a final order was listed as "found incapacitated," and it is excluded from the disposition order distribution.

CSEC Exploitation and Solicitation Trends

Exploitation and Solicitation Arrests, 1982-2006

Figures 3.2 and 3.3 present the 25-year trends respectively for CSEC exploitation and solicitation arrests. Interestingly, the two figures portray substantially different trends. This fact would seem to highlight the importance of how different types of CSEC-related criminal behavior are *enforced* during various periods, as opposed to the prevalence of the underlying activity.

Over the entire 25 years, there was an average of 53 CSEC exploitation arrests per year. In the first 15 years (1982 through 1996), the number of arrests ranged from 20-40 per year. Over the past decade, the numbers trended much higher, averaging 90 per year. Moreover, despite some year-to-year fluctuation, the general pattern is one of consistent upward movement throughout the past decade, which contrasts with the downward trend in child prostitution arrests over the most recent five years (see Figure 3.1 above).

In general, arrests for solicitation of minors have been far less prevalent than for either child prostitution or exploitation, averaging only 36 per year over the past 25 years. In fact, over the most recent decade (1997-2006), there was less than one-tenth as many arrests for solicitation of minors as for child prostitution, suggesting a general lack of enforcement focus on the solicitors. Other than a peculiar and inexplicable blip upwards in the solicitation numbers during a four-year period from 1986-1989, the solicitation trend is also remarkably flat. However, the borough composition changed dramatically, from a location almost exclusively in Manhattan over most of the 25-year period to a more even distribution throughout the boroughs in the 2000s.

The low number of solicitation arrests is unsurprising, given the finding from the CASEC stakeholder interviews that arresting solicitors was not seen as a way to stop the problem of CSEC. Stakeholders placed far more emphasis on the supply side (i.e., the prostitution itself). In addition, making such arrests requires resource-intensive undercover police work. Not only does enforcement require undercover police officers that appear to be underage, but implementing undercover operations also requires staff and equipment that could be used to deal with criminal behavior that is deemed more pressing (e.g., pertaining to violent or drug-related crime).

Defendant Background Characteristics

Table 3.5 provides select background characteristics for both the exploiter and solicitor populations, focusing on 1997-2006. The exploitation arrests were largely split between Brooklyn, Manhattan, and Queens, although the area chart in Figure 3.2 suggests that over the full 25-year period, exploitation arrests have shifted somewhat away from Manhattan and towards the other boroughs. The trend results for solicitation arrests are even more dramatic (see Figure 3.3), with an almost exclusive focus of enforcement activity in Manhattan until just the past decade, during which the percentage of solicitation arrests located in Manhattan dropped to one-third (33%).

Figure 3.2. CSEC Exploitation Arrests by Borough, 1982-2006

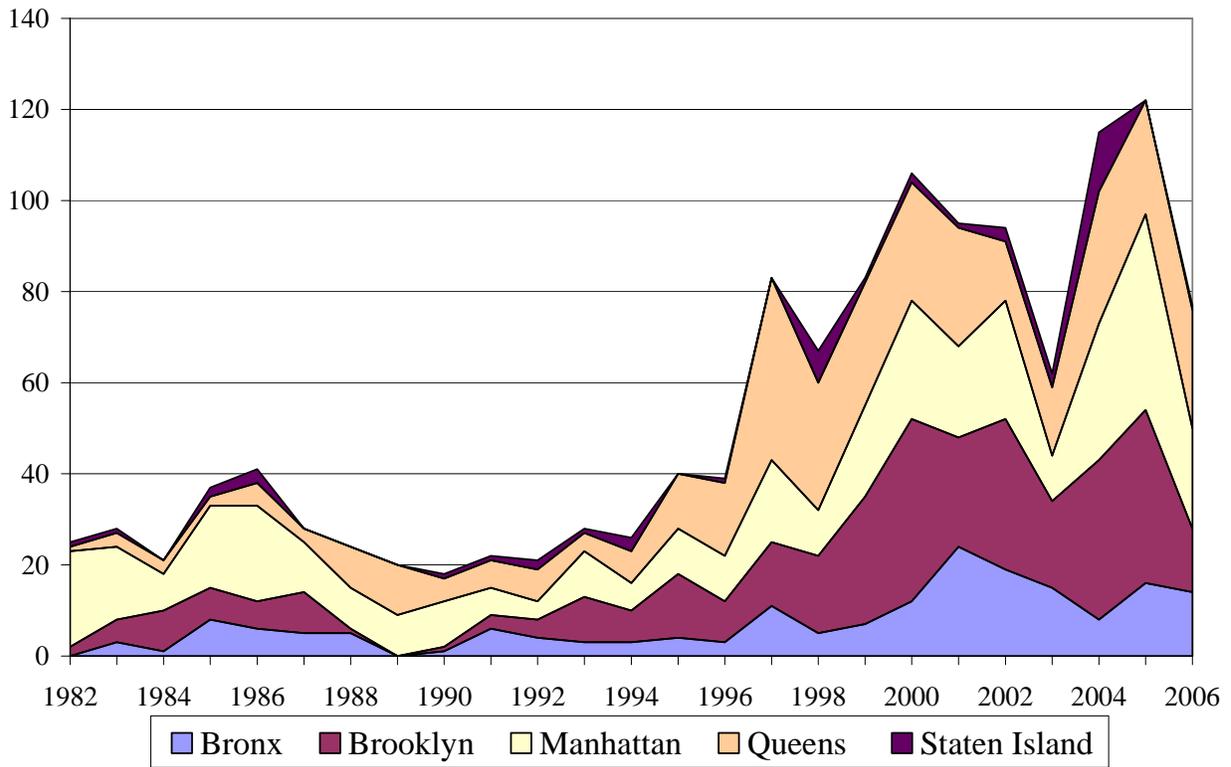


Figure 3.3. CSEC Solicitation Arrests by Borough, 1982-2006

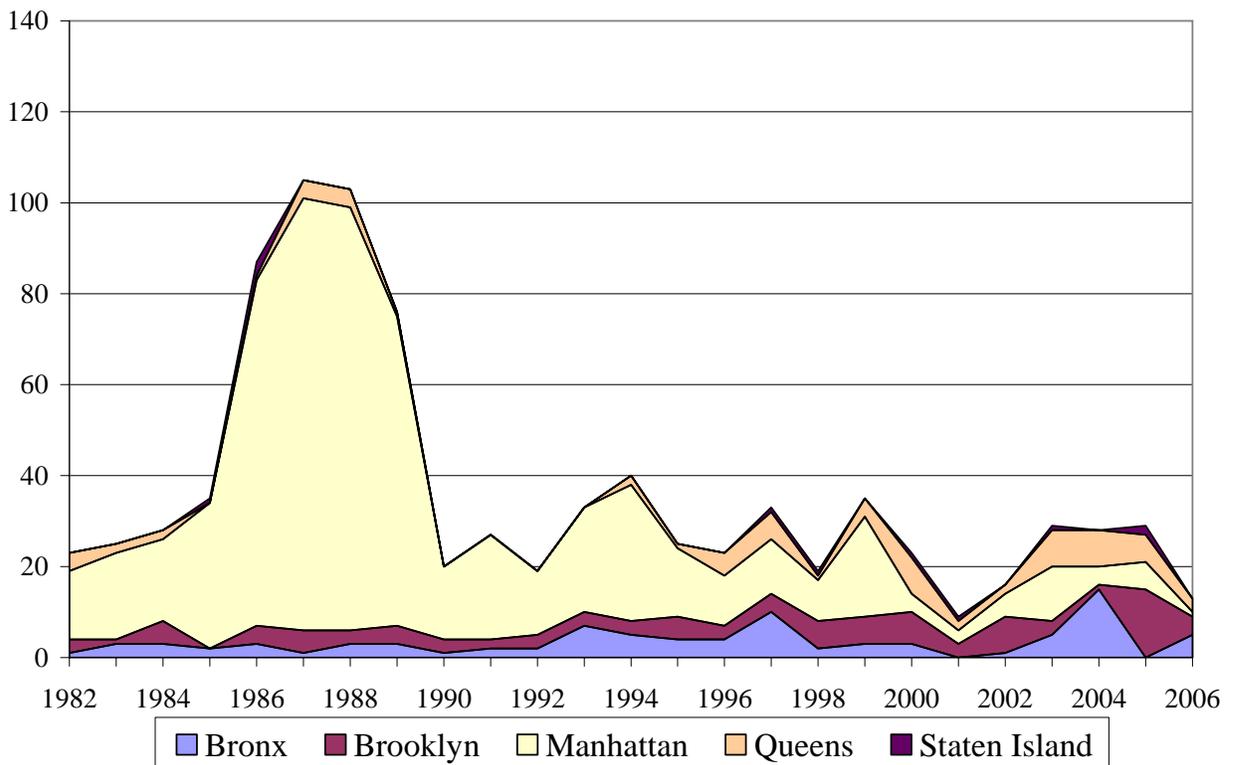


Table 3.5. Characteristics of CSEC Exploitation and Solicitation Defendants, 1997-2006

CSEC Offense Number of Defendants	Exploitation N = 904	Solicitation N = 234
Borough		
Bronx	15%	19%
Brooklyn	29%	24%
Manhattan	25%	33%
Queens	28%	21%
Staten Island	3%	3%
Sex		
Female	17%	5%
Male	81%	95%
Both/transgender	2%	0%
Age		
Average age	30.8	35.7
Race/ethnicity		
Black	44%	42%
Hispanic	28%	22%
White	21%	29%
Other	7%	8%
Place of birth		
Born in the United States	74%	63%
Born in Central or South America	20%	20%
Born in other country	6%	17%
Top exploitation charge (all are felonies)		
Advances or profits from prostitution	66%	
Child less than 11 years of age	2%	
Child less than 16 years of age	36%	
Child less than 19 years of age	63%	
Promoting a sexual performance of a child (multiple charges, less than 16 years of age)	34%	
Top solicitation charge: Patronizing a prostitute:		
Less than 11 years of age (felony)		1%
Less than 14 years of age (felony)		41%
Less than 17 years of age (misdemeanor)		58%
Adult Criminal History (arrests from age 16)		
Any prior arrest	57%	41%
Average number of prior arrests	3.6	3.2
Any prior conviction	39%	27%
Average number of prior convictions	1.3	1.5

The vast majority of the exploitation and solicitation defendants were male (81% and 95% respectively). Although a notable minority of child prostitution defendants were transgender, this category applied to barely any of those doing the exploiting and soliciting. The defendants were mostly black – more than 40% (of those arrested for child prostitution, 70% were black). Most of the defendants were born in the United States – 37% of those arrested for solicitation of a minor were born outside the U.S.

The results again suggest that most CSEC activity involves youth at the upper end of the age spectrum. Almost two-thirds of those arrested on an advancing or profiting from prostitution charge (63%) did so with children ages 16-18, and only 2% did so with children younger than 11 years (eliciting the most serious of the potential exploitation charges). Many of the exploiters appeared to have a lengthy prior criminal history, as 57% had a prior arrest (with a great many having multiple priors), and 39% had a prior conviction.

Prosecution Outcomes

Table 3.6 indicates how the exploitation and solicitation cases were prosecuted. Overall, 73% of the exploitation cases citywide ended in a conviction, 20% in a dismissal, 5% in an ACD, and 3% were not prosecuted. In addition, at least 23% of the convicted defendants were sentenced to prison, and almost half (49%) received at least some time in custody (either prison or jail). The results in Table 3.6 suggest that there are significant differences by borough, but these disappeared when controlling for defendant background characteristics (that also varied by borough). In this regard, we performed a logistic regression predicting the imposition of a custodial (jail or prison) sentence. We found that when controlling for defendant sex, age, race, exploitation charge, and criminal history, none of the boroughs were independently more likely to impose a custodial sentence (see Table 3.7). Instead, the significant predictors were: male sex ($p < .01$), having more prior arrests ($p < .001$), and having an arrest on one of the charges that involved exploiting a child younger than 16, as contrasted with the one remaining charge of profiting from the prostitution of a child in the 16-18 year age category ($p < .001$). Overall, the regression model was extremely powerful. With a relatively small number of predictors, the model explained 36.3% of the variation in whether a custodial sentence was imposed. Not surprisingly, the criminal history and charge measures had a particularly strong impact.

With regard to solicitation cases, only 30% of the defendants were convicted in Brooklyn, as compared with more than two-thirds in the three other boroughs represented. (The Staten Island numbers were insufficient to include.) The dramatic difference in the Brooklyn figure as compared with the others unmistakably signified the influence of a prosecutorial policy. Consistent with its handling of child prostitution, Brooklyn's prosecutor also made far greater use of ACDs on solicitation cases (49%). Of those solicitors who were convicted citywide, 85% did *not* receive a custodial sentence. Hence, solicitors faced less severe legal exposure than both the exploiters and the youth who were prosecuted for prostitution (see Table 3.2 above).

Table 3.6. Exploitation and Solicitation Prosecution Outcomes, 1997-2006

	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total
A) Exploitation Cases						
Disposition	N = 127	N = 255	N = 212	N = 247	N = 30	N = 871
Pled guilty/convicted	62%	58%	76%	88%	87%	73%
Dismissed	30%	29%	18%	8%	13%	20%
Adjourned in contemplation of dismissal	4%	8%	4%	3%	0%	5%
Declined to prosecute	4%	4%	1%	1%	0%	3%
Sentence (<i>of those pled guilty/convicted</i>)	N = 75	N = 141	N = 157	N = 213	N = 24	N = 610
Prison, minimum of 1-2 years	16%	14%	9%	12%	21%	13%
Prison, minimum > 2 and < 5 years	5%	4%	7%	7%	8%	6%
Prison, minimum > 5 years	3%	11%	8%	4%	4%	6%
Jail (up to one year)	23%	15%	15%	9%	13%	14%
Jail/probation split ¹	11%	9%	16%	5%	17%	10%
Straight probation	13%	18%	16%	16%	25%	17%
Other non-custodial sentence ²	29%	30%	29%	48%	13%	35%
<i>Percent sentenced to jail or prison</i>	58%	53%	55%	37%	63%	49%
Average custodial sentence length (<i>of those with a jail or prison sentence</i>) ³	17.2	34.0	25.3	28.5	24.5	27.1
A) Solicitation Cases						
Disposition	N = 41	N = 57	N = 75	N = 47		N = 220
Pled guilty/convicted	76%	30%	79%	68%		63%
Dismissed	12%	12%	16%	2%		12%
Adjourned in contemplation of dismissal	0%	49%	5%	28%		20%
Declined to prosecute	12%	9%	0%	2%		5%
Sentence (<i>of those pled guilty/convicted</i>)	N = 31	N = 17	N = 59	N = 31		N = 138
Prison (at least one year)	0%	0%	7%	3%		4%
Jail (up to one year) or jail/probation split	13%	29%	12%	0%		11%
Straight probation	3%	0%	0%	3%		1%
Other non-custodial sentence ²	74%	71%	81%	94%		84%

Note: Cases are included only if they have reached a final disposition. This excludes 4% of the total arrest sample (cases that are pending either due to delays in case processing or because the defendant disappeared on a warrant.

¹ A jail/probation split sentence involves a jail term followed by a period of time on probation.

² Most of the sentences in this category are conditional discharges, a small percentage (less than 10% of the entire population) are time served sentences or fines.

³ For indeterminate prison sentences (e.g., 1-2 years, 2-4 years, etc.), we used the minimum length for the purpose of this computation.

Table 3.7. Logistic Regression Predicting a Jail or Prison Sentence, CSEC Exploitation Arrests, 1997-2006

Variable	Odds Ratio
Male sex	2.452**
Age	.994
Race/ethnicity ¹	
Black	1.256
Hispanic	.598 ⁺
Other nonwhite (Asian, Pacific Islander, etc.)	.444
Top arrest charge ²	
Advances or profits from prostitution, child < 16 years	2.578***
Promoting a sexual performance, child < 16 years	4.516***
Number of prior arrests (to the base 10 logarithm)	6.596***
Borough ³	
Bronx	.953
Brooklyn	.905
Manhattan	1.317
Queens	.597
<i>Constant</i>	.137
Number of Cases	610
Nagelkerke R2	.363

+ p<.10 *p<.05 **p<.01 ***p<.001

Note: Cases are included only if they were convicted.

¹ The reference category is white.

² The reference category is a charge of advances or profits from prostitution, child less than 19 years. The category that is represented of advances or profits from prostitution of a child less than 16 years encompasses two separate charges, and the category of promoting a sexual performance also encompasses multiple charges (see Table 3.5 and see Chapter Two for all specific charge categories).

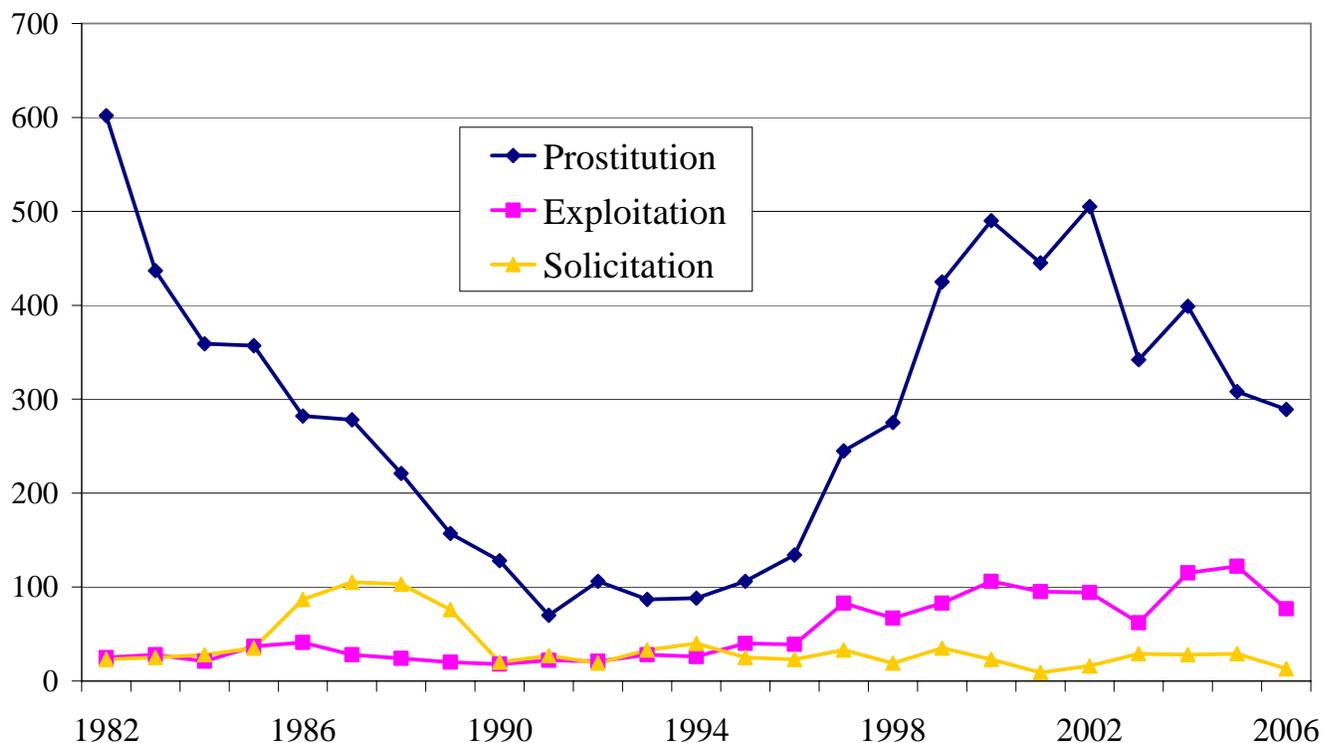
³ The reference category is Staten Island.

Assessment

This chapter served to establish the criminal justice status quo that New York City’s demonstration project sought to address. The findings highlighted both expected and unexpected findings regarding the extent and nature of the problem.

Similar to other criminal justice systems around the country, New York City’s has tended to approach CSEC by emphasizing the supply rather than the demand side of the equation. This can be seen by the sheer number of child prostitution arrests as opposed to those for exploitation and solicitation of a minor throughout the past 25 years. (See Figure 3.4, which slightly undercounts the total number of child prostitution arrests by representing those only for youth ages 16-18).

Figure 3.4. A Comparison of Child Prostitution, Exploitation, and Solicitation Arrests, 1982-2006



In examining the 25-year trends, the annual number of prostitution arrests experienced several dramatic swings, resulting in large part from shifting mayoral and law enforcement priorities and practices. Focusing on the most recent decade, child prostitution arrests increased by more than four times from the mid 1990s to the early 2000s and then declined again over the past five years. Some of the initiatives that may have been responsible for this recent decline are a change in mayoral administration, shift of prostitution to indoors, and growing citywide emphasis, symbolized by the CASEC demonstration project, on changing the perception of the youth that are sexually exploited, with a greater focus on service provision and a lesser focus on law enforcement.

Overall, this chapter provides a somewhat conservative estimate of the number of sexually exploited children that have contact with the justice system. As was learned through CASEC stakeholder interviews, there are a number of places where CASEC prostitution cases are eliminated from official criminal justice records (see Chapter Two). Most of the gaps pertain to younger defendants, especially those younger than 16 years of age who are processed in the family court. The police are not supposed to charge these defendants with prostitution (though they sometimes do), and while there are several routinely applied proxy charges, there does not exist a clear CASEC flag in any data system to enable a precise and reliable prevalence estimate. Despite the valid legal reasons for how the cases are charged (minors cannot legally consent to sex), it is obviously a detriment to the ability of the city to track the real number of CASEC youth that encounter the criminal justice system. Similarly, based on CASEC stakeholder interviews, it

is apparent that many PINS cases filed in the family court (usually by the parent or guardian of the youth) may involve sexual exploitation, yet these youth are not routinely assessed for CSEC, and the exact prevalence of this situation cannot therefore be estimated.

As expected, the majority of the youth arrested in connection with child prostitution were female; yet, consistent with what was found in Volume One, the number of boys or transgender youth is substantial, accounting for close to half of all child prostitution defendants in Manhattan. Confirming the expectations of those on the CASEC taskforce—but contradicting some of the contemporary public discourse related to CSEC—the vast majority of the youth defendants were *not* foreign-born.

Chapter Four

CASEC Origins and Logic Model

This chapter provides a brief history of how and why the New York City Coalition to Address the Sexual Exploitation of Children (CASEC) originated. The chapter then presents a logic model introducing the four major components of the project. Subsequent chapters elaborate on each component, exploring their implementation, achievements, and obstacles.

Origins of the CASEC Demonstration Project

As shown in Figure 4.1, the CASEC demonstration project began in the fall of 2002, when the Office of Juvenile Justice and Delinquency Prevention (OJJDP) asked the New York City Mayor's Office of the Criminal Justice Coordinator (CJC) to convene criminal justice and service provision stakeholders to identify gaps in services for CSEC youth who were involved in child prostitution. An initial set of meetings led to the identification of four primary needs:

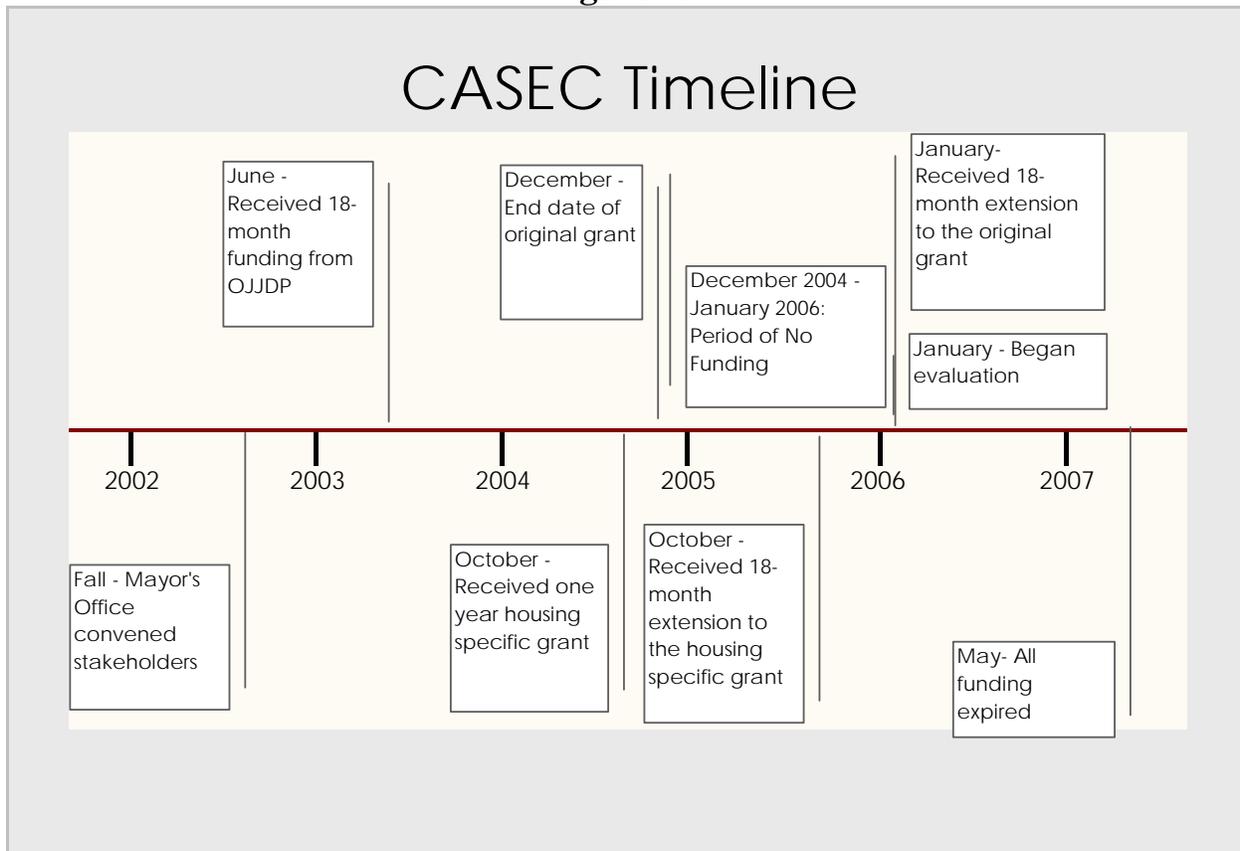
1. *Coordination*: Increased communication and collaboration among the city's CSEC stakeholders;
2. *Prosecution*: Dedicated resources to prosecute the exploiters, coupled with efforts to provide services, and *not* prosecute, those youth who were victimized by CSEC;
3. *Programs*: Immediately available and CSEC-specific housing and other services for youth who come into contact with the criminal justice system or service providers; and
4. *Prevention*: Education programs targeting at-risk youth in schools and other settings.

Following these meetings, OJJDP staff asked New York City to apply for demonstration project funding to test specific strategies and solutions. Beginning June 1, 2003, OJJDP provided funding for six additional planning months, plus one year of implementation (18 months in total). During the six planning months, the principal objectives were to convene monthly stakeholder meetings; conduct three focus groups respectively with CSEC victims, government agency representatives, and service providers; identify three key barriers to serving the CSEC population; and develop specific strategies to address each of the identified barriers. In the one-year implementation phase, CASEC would then continue to meet as a collaborative as well as implement the strategies designed in the planning period.

After receiving funding, the Mayor's CJC Office, with input from the planning group, decided to address barriers in three main areas (the three P's): Prosecution, Programs, and Prevention. The taskforce turned to these areas without the benefit of the originally proposed focus groups. In addition, the CJC Office created a formal taskforce with an expanded membership, designed to improve coordination among a broad array of CSEC stakeholders (see Chapter Five for final taskforce membership).

Following the original 18-month funding period, the CJC Office applied for extensions and new grant monies on an annual basis to continue their work. The office received a one-year grant effective October 1, 2004 specifically to develop residential housing for CSEC victims. Due to delays in the implementation of the CSEC-specific residential house (see Chapter Seven), the

Figure 4.1



the CJC Office requested and was awarded an 18-month extension on this particular grant. Simultaneously, to continue the other strategies that were developed under the initial OJJDP grant, the CJC Office also requested and was awarded an additional 18-month grant effective January 1, 2006.

After the demonstration project was underway, the National Institute of Justice sought to fund a formative evaluation, along with a population estimate that would describe the prevalence and nature of the underlying CSEC problem in New York City. In January 2006, the Center for Court Innovation and the John Jay College of Criminal Justice began the present study (with the Center leading the formative evaluation and John Jay leading the population estimate).

Core Components of the Logic Model

At the beginning of the evaluation period, the research team interviewed representatives from the CJC Office and reviewed project documents to develop a detailed diagram of project initiatives and strategies. The resulting logic model displayed in Figure 4.2 is a streamlined version of an earlier model finalized in collaboration with CASEC project staff (Appendix D).

As shown, the overarching project mission is to reduce the incidence of the commercial sexual exploitation of children (CSEC), increase the prosecution of the exploiters, and improve the

services provided to CSEC victims. To achieve that mission, the project specified the four goals of coordination, prosecution, programs, and prevention (consistent with its 2002 planning work).

Coordination

CSEC in New York City involves a vast array of stakeholders from the criminal justice, child welfare, and community-based treatment systems. To build a common knowledge base and coordinated set of strategies, the CJC Office established a citywide taskforce. The taskforce brought together representatives from the CJC office, county and federal prosecutors, defense attorneys, courts, law enforcement, child welfare agencies, and multiple service providers. As envisioned, the taskforce would serve as the linchpin for everything else that the project sought to accomplish. The model in Figure 4.2 reflects this theory of change with arrows linking the strategy of establishing a citywide taskforce not only to outcomes directly flowing from coordination but also to outcomes related to three other project goals. In effect, the stakeholders viewed better coordination as both an end in itself and a critical means for achieving all other ends.

Prosecution

Through discussions with CSEC stakeholders, the CJC Office identified two main prosecution-related problems that it wanted to address. The first was a perceived lack of case-by-case consistency in how the district attorney's offices throughout the city prosecuted exploiters. The second was a lack of evidence to prosecute the exploitation cases. To address these concerns, the CJC Office proposed the following two strategies:

- **Operation Guardian**: Through the Queens District Attorney's Office, OJJDP funding would be used to secure an assistant district attorney and paralegal who would be dedicated to prosecute exploitation cases involving minors.
- **Technology Enhancement**: Digital cameras would be provided to the New York City Police Department to assist in the gathering of evidence; and a centralized evidence database would be developed for both police officers and prosecutors.

Programs

There were three primary concerns related to services for sexually exploited youth. The first was a lack of immediate CSEC-specific housing options. The second was a lack of counseling for youth participating in the prosecution of an exploiter; the availability of such counseling might assist both the youth and prosecution efforts. The third concern related to foster care placements by the Administration for Children Services (ACS); stakeholders believed that the youth would routinely leave such placements on their own and return to their exploiters. To deal with these concerns, CASEC proposed the following two strategies:

- **CSEC-Specific Housing**: CASEC sought to establish dedicated beds in a residential placement facility located outside of New York City. It was felt not only that the youth needed an immediate housing option, but also that they needed to be in a location far enough away from New York City where they would be unlikely to run away and, conversely, the exploiters would find it difficult to find them.

- CSEC-Specific Counseling: Since the CSEC-specific prosecution initiative was based in Queens, CSEC-specific counseling services were also planned through the Queens District Attorney’s Office. These counseling services would assist criminal justice-involved youth in recovering from the trauma of sexual exploitation and would support their participation in the prosecution of their exploiter.

Prevention

CASEC members believed that there was a lack of CSEC prevention strategies targeting at-risk youth. The CJC Office proposed to develop an awareness campaign designed to deter CSEC recruitment in locations where at-risk youth spend time. Strategies included the following:

- Prevention Curricula: CSEC-specific prevention programs would be developed and implemented in group homes and schools.
- Public Service Announcements: Billboards and placards would be developed and placed in potential recruitment areas, primarily bus terminals and subways.

Operational Leadership

The Mayor’s Office of the Criminal Justice Coordinator (CJC) led the planning process, wrote the initial proposal to OJJDP, and administered the resulting demonstration project grant. Once funding was obtained, the everyday direction of prosecutorial strategies ultimately became the responsibility of the Queens District Attorney’s Office. The other strategies, including leadership of the CASEC taskforce, continued to be spearheaded by the CJC Office, through a dedicated project coordinator. In addition, the CASEC taskforce provided general guidance and continued to serve as a springboard for specific ideas and initiatives.

OJJDP-funded Technical Assistance

In addition to funding New York City and Atlanta to develop and implement demonstration projects focused on CSEC, OJJDP also funded Fox Valley Technical College, a training and technical assistance consultant on missing and exploited children’s issues, to assist both sites in identifying what areas needed to be addressed. Their role was to provide assistance as needed or requested by each site. As explained by a Fox Valley representative, “We were not proactive. We were really basically there to support them, not to direct them.”

In New York City, Fox Valley staff attended several stakeholder meetings in the initial years of the project (prior to the evaluation) and gave the project director suggestions for further training or technical assistance. Once the second project director started in February of 2005 (see Chapter Five), the Fox Valley technical assistance providers would reach out every couple of months to inquire about how things were going and whether there was anything they could provide. However, since CASEC was still in the process of identifying and planning ways to address gaps in services, Fox Valley staff reported that New York’s stakeholders did not feel that any of the proposed Fox Valley trainings were necessary. The one product that Fox Valley did provide was a report on the laws and regulations for youth placement and information sharing across child welfare and other stakeholder agencies. The purpose was to address some of the concerns and

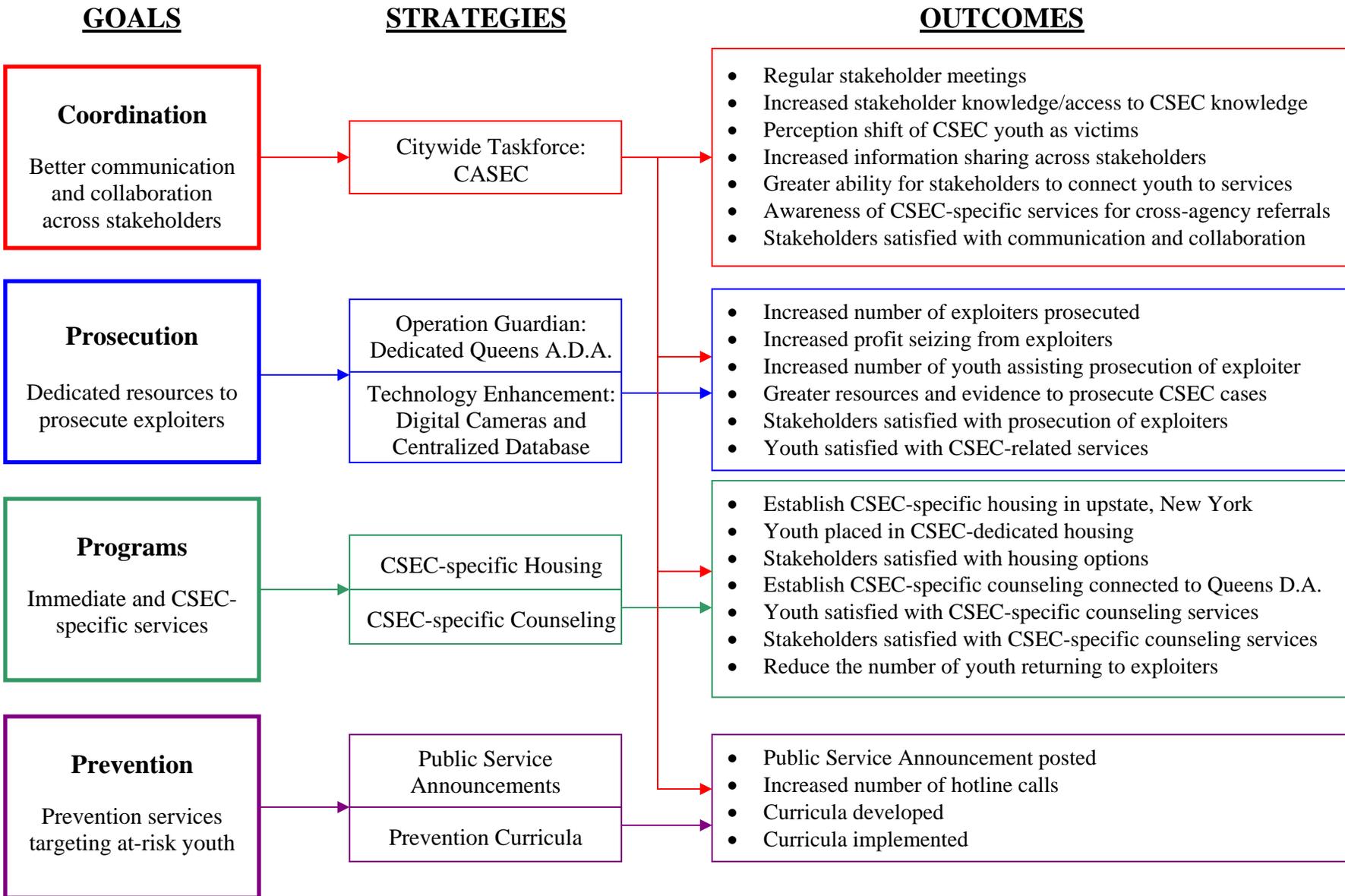
barriers that the CASEC project was experiencing in regards to the development of CSEC-specific housing (see Chapter Seven).

Assessment

With funding from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the New York City demonstration project initiated an inclusive planning process that identified four core areas of activity: coordination and “the three P’s” of prosecution, programs, and prevention. The project effectively embraced a theory of change that saw better coordination and collaboration among a broad array of stakeholders as both an important goal in and of itself and a critical means for achieving every other goal. To organize the work of the emergent taskforce—the embodiment of coordination—operational leadership rested with the Mayor’s Office of the Criminal Justice Coordinator (CJC). That office applied for OJJDP funding, administered CSEC-related grants, and provided a project director who was responsible for convening the taskforce and leading it from planning to action. As a direct agent of the mayor charged with coordinating criminal justice policy citywide, the CJC Office was arguably the only stakeholder agency with the institutional authority necessary to create and manage an effective taskforce of this nature.

Figure 4.2. CASEC Logic Model

Mission: Reduce the incidence of commercial sexual exploitation of children (CSEC), increase the prosecution of the exploiters, and improve the services provided to CSEC victims.



Chapter Five

Coordination: CASEC Citywide Taskforce

This chapter reviews the need for improved interagency coordination, describes the evolution of the CASEC taskforce, and assesses its major achievements and obstacles.

Rationale: The Need for Interagency Coordination

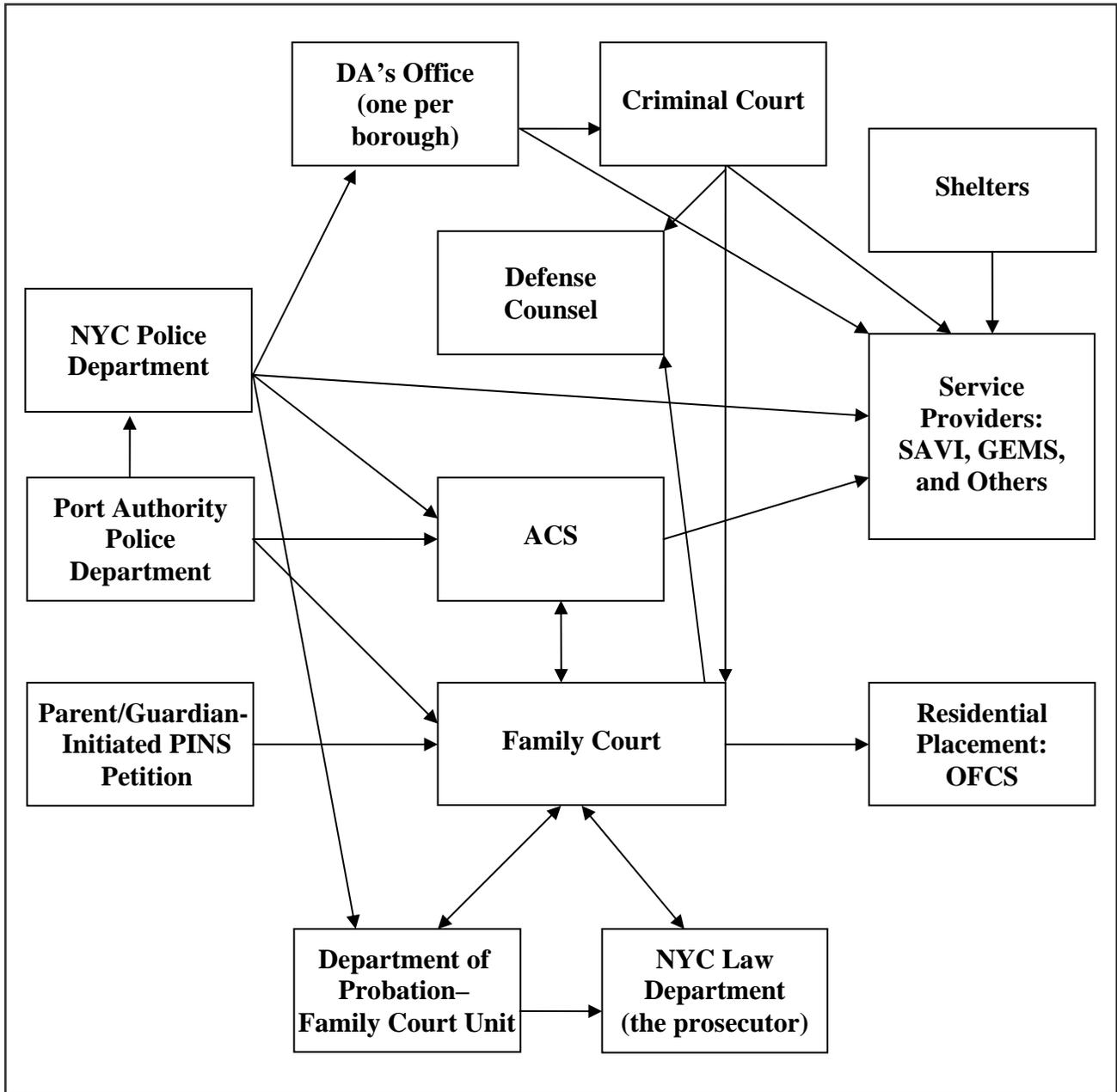
The problem of CSEC is ripe for interagency coordination, since it cuts across multiple institutions and agencies, with each one encountering a small part of the problem. Unfortunately, some of the agencies that have contact with CSEC youth do not actively try to identify their situation and provide appropriate services, but focus instead on addressing other presenting issues (e.g., criminal involvement or parental neglect).

Drawing on information obtained through stakeholder interviews, Figure 5.1 provides a CSEC System Map for New York City, identifying the many points of institutional contact with CSEC victims.¹ At present, the primary mechanism for identifying victims is through law enforcement—either the New York City Police Department or the Port Authority Police Department. If the youth are identified as age 15 or younger, the police have discretion on whether to take them to a service agency, to arrest them, or to release them on their own accord after questioning. If arrested, the youth would first be assessed by the juvenile division of the city’s Department of Probation, which might choose to divert the case from court and make a service referral instead. If probation advances the case for formal prosecution, the youth would encounter the city’s Law Department (the prosecuting agency) as well as the judges and court staff at the family court. In any of these scenarios, the Administration for Children’s Services (ACS) might become involved, leading the youth to be returned to their parent or guardian or sent to a foster home or other residential placement. If a juvenile delinquency case is pursued in the court, the youth would also be represented by counsel, typically the Legal Aid Society.

If the youth is identified as 16 years of age or older—i.e., eligible for processing in the adult criminal court, not in family court—the police would generally make an arrest if there is direct evidence of prostitution. The adult arrest would then trigger the involvement of defense counsel, the District Attorney’s Office (there is one such office for each of the city’s five boroughs) and the criminal court. In some cases, the District Attorney’s Office would seek to involve the youth in the prosecution of their exploiter as well. The most likely scenario, however, is that the youth would spend the night in jail and then be released the next day. Such a scenario contrasts with the potentially lengthy assessment process, and possibility of ACS involvement, for youth identified as a minor. Thus, many youth will inaccurately report their age as 16 years or older to avoid becoming involved in the more intensive family court process.

¹ Although the system map identifies a large number of contact points for CSEC victims, it is not meant to be exhaustive. Other agencies and providers may also have contact with and provide services to the exploited youth.

Figure 5.1. CSEC System Map



Exploited youth may also be identified through several other mechanisms in family court. One might arise in the course of handling a “persons in need of supervision” (PINS) petition brought by the parent or guardian against an uncontrollable youth; another might arise while processing a juvenile delinquency arrest that initially appeared to be unrelated to child prostitution. Even if the family court identifies a youth as exploited, information is not generally collected in a manner that allows for an assessment of the youth’s specific situation. In addition, the family court has no mechanism to collect aggregate information regarding the number of youth

identified as exploited through the petition processes. When such a youth *is* identified, the parties involved will all work with the court to make appropriate service referrals.

Non-justice agencies also have initial contact with CSEC youth. For instance, through stakeholder interviews, we learned that exploiters use shelters as a key recruitment location. Youth involved in the shelter system are vulnerable to exploiters promising a life of love, happiness, and material goods.

Regardless of how they are identified, many exploited youth are ultimately connected with service providers or child protective agencies, such as ACS. In fact, some youth may themselves initiate contact with youth service agencies, even without a referral from one of the other agencies represented in Figure 5.1. Accordingly, a wide range of service providers interact with this population; but without a forum for exchanging information, it is a challenge for these agencies to convey lessons learned to one another. The need for improved coordination is clear.

Planning Period: Taskforce Formation

Prior to 2002, collaborative efforts were informal, based more on personal than institutional relationships. This changed in the fall of 2002, when the Mayor's Office of the Criminal Justice Coordinator (CJC) convened a working group to identify gaps in the city's response (see Chapter Four). The initial group consisted of representatives from the New York City Police Department (NYPD), district attorney's offices from four of the five boroughs (except for Staten Island), the Administration for Children's Services (ACS), the city's Law Department, and the city's Department of Health and Mental Hygiene (DOHMH). As this group began to assess the issues at hand and received OJJDP funding, other stakeholders joined, especially community-based service providers who had experience working with CSEC victims. At this point, the group became known as the Coalition to Address the Sexual Exploitation of Children (CASEC).

The OJJDP grant was formally awarded to the Mayor's CJC Office in June of 2003. In the fall of 2003, the Mayor's CJC office hired a dedicated project director to convene taskforce meetings. The project director set out to develop a clearer understanding of the CSEC problem in New York City; to redefine young prostitutes as victims rather than offenders; to improve information sharing among agencies working with CSEC victims and perpetrators; and to generate long-term strategies for intervening in other sectors of the CSEC market. During the initial months after she was hired, the project director worked to meet these goals by convening taskforce meetings where stakeholders would present information regarding the work that they do, enabling them to identify gaps in services, to educate each other, and to increase the range of contacts and services known to each agency. The project director also held meetings with individual stakeholders that were specifically situated to address one or more of the identified gaps in the city's response. (For example, the project director met with the Queens District Attorney's Office to develop the prosecution initiative).

As can be determined from early meeting notes of the CASEC taskforce (prior to our evaluation involvement), the first year of meetings (through about June of 2004) consisted primarily of individual stakeholders presenting information on the work they do with the CSEC population

and the concerns they have with how the city is responding. The main needs that came out of these sessions were:

- *Emergency and long-term secure residential placement:* At every meeting, stakeholders from all disciplines voiced the need for emergency and long-term CSEC-specific housing, rather than placing youth through the Administration for Children's Services (ACS). These placements, whether in a group home or foster care, are typically non-secure, allowing the youth to leave or the exploiters to find the youth. Additionally, group homes sometimes become fruitful recruiting sites for exploiters. In addition to CSEC-specific emergency housing, many stakeholders voiced an interest in developing long-term CSEC-specific housing. Besides the inherent benefit of providing a more stable housing option, CSEC-specific housing might also address the physical and mental health issues as well as the basic skills and educational needs of the target population. Stakeholders agreed that it was imperative to establish a safe location where the youth could live while they rebuild their lives.
- *Information sharing for case prosecution:* Stakeholders believed that it was important to link databases across investigative agencies. This would allow for better and timelier case-level information sharing, enhancing efforts to prosecute the exploiters.
- *Dedicated prosecution resources:* In Brooklyn, the District Attorney's Office had dedicated an assistant district attorney to handle all exploitation cases. Due to the perceived success of this initiative, the stakeholders felt that it was important to replicate it in another borough.
- *Immediate and CSEC-specific services for justice-involved youth:* In addition to dedicating an assistant district attorney to exploitation cases, there was also a need to provide services to the exploited youth. Stakeholders anticipated two specific situations in which an exploited youth may come into contact with the criminal justice system: 1) due to a prostitution arrest or 2) because a District Attorney's Office seeks the youth's participation in the prosecution of an exploiter. Stakeholders viewed these situations as an important opportunity to link the youth to the services they need.
- *Prevention and awareness information targeting at-risk youth and the public:* All too often, young boys and girls were recruited into sexually exploitive situations in public transportation venues, alternative living placements, and schools. To address this problem, stakeholders believed that it was necessary to develop prevention and awareness information that would target at-risk youth citywide.

Stakeholder interviews, including interviews with stakeholders who had not yet joined the taskforce during the first year of meetings, revealed a broad consensus concerning every one of the preceding needs. The stakeholders also exhibited a remarkable level of agreement concerning the importance of each of the solutions adopted as part of the CASEC demonstration project (see also Chapter Six through Eight).

Demonstration Project Period: Taskforce Operation

After less than one year of convening and planning taskforce activities, the project director resigned in June of 2004. This resulted in the temporary postponement of the CASEC taskforce and halting of all activities for approximately eight months until a new project director was hired in February of 2005.

In March 2005, the new project director reconvened the CASEC taskforce. At the first taskforce meeting, the project director formally presented the three components of the OJJDP-funded demonstration project—Prosecution, Programs (Housing and Services), and Prevention. During the eight months that the taskforce did not meet, staffing changes occurred in many of the stakeholder agencies. Thus, many taskforce members that were subsequently interviewed as part of the evaluation were not aware of how priorities were initially set or why funds were distributed as they were. Even taskforce members that were around during the initial meetings in 2002 and 2003, because of the length of time that had passed, did not have a clear memory of how final decisions were made or who made them. This lack of institutional memory notwithstanding, when stakeholders were each asked to diagnosis the major problems and appropriate remedies related to CSEC, they largely coalesced around exactly what the planning group had resolved.

This first meeting of the reconvened CASEC taskforce was also attended by representatives from OJJDP and from the National Institute of Justice (NIJ). These representatives highlighted the importance of the demonstration project grant and informed the CASEC taskforce of the forthcoming OJJDP-funded evaluation that would be administered through NIJ. Ten months later, in January of 2006, the Center for Court Innovation and John Jay College of Criminal Justice began their evaluation work and became regular taskforce attendees.

Table 5.1 provides a list of the final taskforce membership. As the list makes clear, the group was truly inclusive. At the end of this chapter, we have added profiles of some of the stakeholders to give a deeper sense of the CSEC-specific services that are available citywide. The profiles are drawn from a stakeholder interviews and each agency’s website.

Beginning in March 2005, taskforce meetings were convened approximately every other month. During each meeting, the CJC project director or leader of a specific initiative would update the taskforce on progress and barriers. There was always an update on the housing initiative. In addition, the dedicated assistant district attorney who was leading the prosecution initiative in Queens, “Operation Guardian,” would always give a detailed description of new cases and of progress in prosecuting existing cases. In addition, there would be time, when applicable, for the Center for Court Innovation and John Jay to update the taskforce on the evaluation. There was also an opportunity for other stakeholders to share information. This time was usually filled by stakeholders updating the taskforce on successes or obstacles that they were experiencing, pending or approved legislation, or advice on dealing with any special situations.

One example of such a special situation arose when the Safe Harbor Act was introduced into the New York State Legislature. The Safe Harbor Act would no longer allow children who were too young to consent to sex (defined as children under the age of 18) to be charged with prostitution and would require the courts to provide counseling, medical care, and long-term shelter. At one of the taskforce meetings, an attorney mentioned that the Safe Harbor Act was going to become law. Following this meeting, the CJC project director e-mailed the taskforce members the bill so that they could read it. At subsequent meetings, taskforce members discussed the bill and its possible effects on their work. On July 2, 2008, the Safe Harbor Act was approved by the New York State Legislature and sent to the Governor of New York State, David Patterson, who signed it into law on September 26, 2008.

Table 5.1. List of Agencies on the Mayor’s Coalition to Address the Sexual Exploitation of Children (CASEC) Taskforce

Agency	Received CASEC Funds
<p>Coordination: Office of the Criminal Justice Coordinator of New York City</p>	<p>X</p>
<p>Law Enforcement NYC Police Department – VICE NYC Police Department – Fugitive Enforcement Division, Special Projects Squad Port Authority Police Department – Youth Services Unit Federal Bureau of Investigations</p>	
<p>Prosecution Bronx County District Attorney’s Office Kings (Brooklyn) County District Attorney’s Office New York (Manhattan) County District Attorney’s Office Queens County District Attorney’s Office Richmond (Staten Island) County District Attorney’s Office New York City Law Department (prosecutes youth ages 15 and younger) United States Attorney’s Office (prosecutes federal crimes, e.g., exploitation)</p>	<p>X</p>
<p>Defense Bar: Legal Aid Society – Juvenile Rights Division</p>	
<p>Court Queens Criminal Court Queens Family Court Midtown Community Court New York (Manhattan) County Supreme Court</p>	
<p>Other New York City Criminal Justice Agencies NYC Department of Juvenile Justice NYC Department of Probation</p>	
<p>Other City and State Administrative Agencies NYC Administration for Children’s Services NYC Department of Education NYC Department of Youth and Community Development NYS Office of Children and Family Services</p>	<p>X X</p>
<p>Community-Based Programs and Services Girls Education and Mentoring Services (GEMS) Jewish Child Care Association Paul and Lisa Program Safe Horizon Sexual Assault and Violence Intervention Program The Door</p>	<p>X X</p>

The taskforce meetings were also a forum to discuss funding opportunities from various city and state agencies. An example arose when the Department of Youth and Community Development representative informed taskforce members that her agency would be releasing a funding opportunity for housing. Following this, two of the taskforce members applied for and subsequently received funding in a competitive process for emergency and long-term housing. From our observations, the CASEC taskforce provided an important arena for stakeholders from many disciplines to come together to share information around their common work.

Additionally, in order to work more specifically on each individual initiative, subcommittees were created for each of the funded areas (prosecution, housing, and prevention). They generally met during the month in between CASEC taskforce meetings. Each subcommittee included individuals who were particularly relevant to that initiative. Initially, the project director from the CJC Office convened all subcommittee meetings; however, as time progressed, these meetings were directed more by the members. Occasionally, the members would express a need for a particular unrepresented perspective and invite others to join. For instance, at one of the prosecution meetings, the members voiced that they were unsure of the role and involvement of juvenile probation in family court cases. To address this, the members decided to ask a representative from juvenile probation to present at the next prosecution subcommittee meeting.

Stakeholder Perspectives I: Diagnosis of the Problem

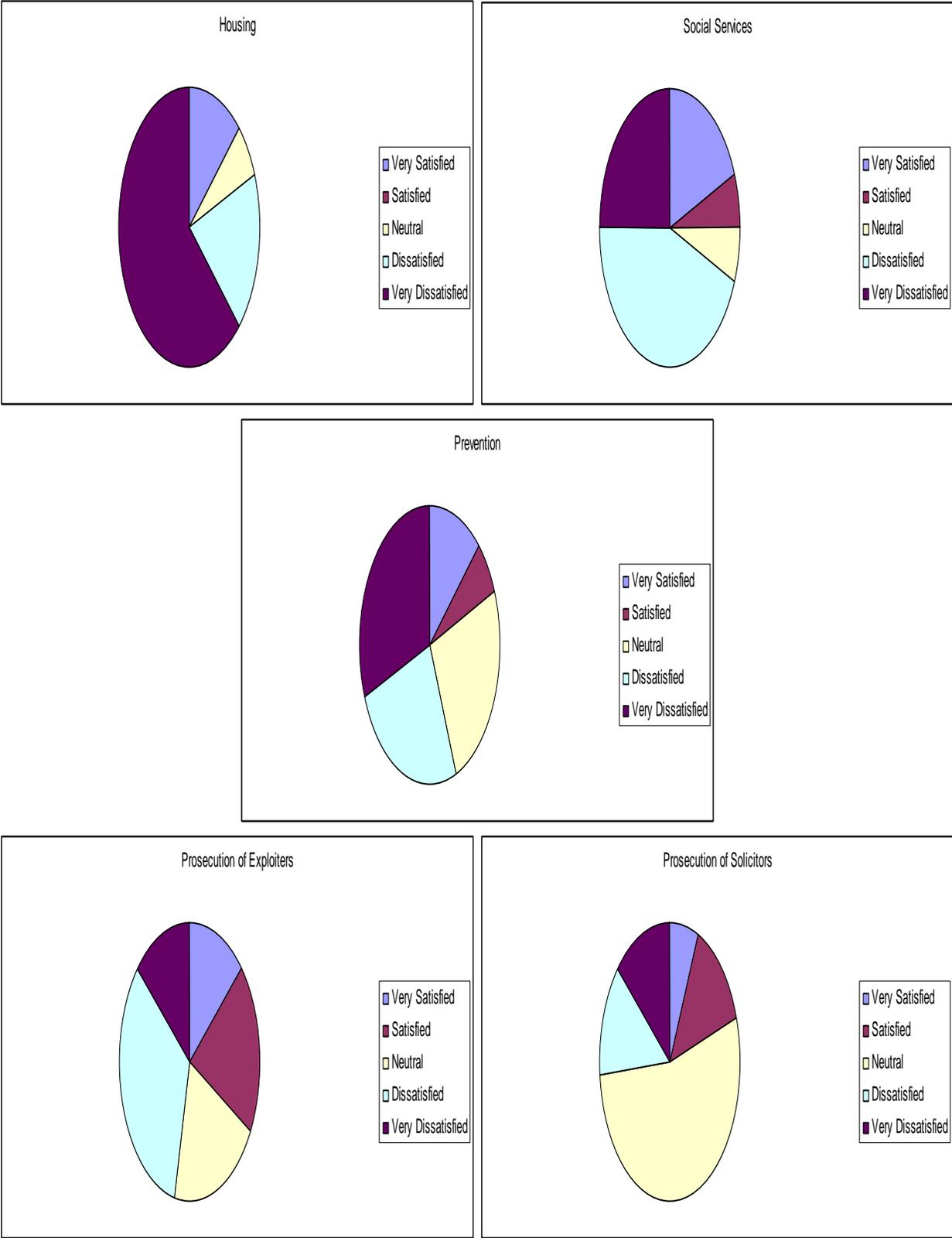
During stakeholder interviews, we sought to measure satisfaction with current resources in each CASEC initiative area (housing, services, prosecution, and prevention) and with the availability of information on exploiters and victims (survey questions in Appendix B). Those results are in this section. The next section turns to the issue of stakeholder communication and provides a comprehensive mapping of the city's CSEC network.

Satisfaction with Current Resources

Stakeholder satisfaction with current resources and programs varied depending on the substantive area. However, as a general finding, the ratings are remarkably low for a survey of this nature (see Figure 5.2). Stakeholders were most *dissatisfied* with available housing services for CSEC victims, with 13 of 16 respondents either “very dissatisfied” (10) or “dissatisfied” (3). Qualitative observations lend further support to the dire state of the housing problem. At numerous taskforce meetings, stakeholders would discuss how difficult it was to work on these cases because the housing options were “bad and worse.” Youth could be returned to a parent or guardian or to a non-secure child protective placement; however, stakeholders believed that in most cases this would be a temporary placement, because the youth would just leave and return to their exploiter. Another poor option was to mandate the youth to a secure facility, which might remove the youth from society but typically would not result in their receiving CSEC-specific services.

Stakeholders also voiced considerable concern about placing very young children, particularly on an emergency basis. Youth under the age of 15, especially 11 through 13 years, were incredibly hard to place. State law precludes placing these youth in regular non-secure child protective placements or shelters.

Figure 5.2. Satisfaction with CSEC Housing, Services, Prosecution, and Prevention



On the other end of the spectrum, stakeholders were least dissatisfied with the prosecution of exploiters and solicitors. Only a small minority of the respondents affirmed positive satisfaction (5 of 15 satisfied with the prosecution of exploiters and three of 15 with the prosecution of solicitors); but fewer respondents exhibited outright dissatisfaction than in the responses to each of the other areas surveyed. It is plausible that the CASEC prosecution initiative itself, which had been initiated slightly more than six months prior to survey implementation, contributed to the more positive impressions in this area. As mentioned elsewhere in this report, the CSEC-specific Assistant District Attorney from Queens attended each taskforce meeting and routinely updated the taskforce on the cases that were under prosecution. The prosecution of solicitors, by contrast, was rarely discussed. It was evident from stakeholder interviews that most did not believe that the prosecution of solicitors was an effective way to address the problems associated with CSEC; hence, there was little support for expanded efforts in this area.

With respect to the final two areas surveyed, most stakeholders were either “very dissatisfied” or “dissatisfied” with existing efforts in social services (11 of 16) and prevention (9 of 16); although both the survey responses and qualitative interview data indicate that these areas did not quite reach the level of urgency expressed with respect to housing.

Information about Exploiters and Victims

Overall, a majority of the stakeholders was neutral or dissatisfied with the information they had about individual exploiters and victims (see Figure 5.3). There are often valid reasons for not sharing information about individuals. Regarding the exploiters, prosecutors and defense attorneys may be unwilling to share information with other parties, because of concerns that doing so would jeopardize their cases. Regarding the victims, prosecutors, defense attorneys, and service providers may often not share information intentionally, because they are trying to protect the youth.

Whereas it may not be feasible to share case-level information consistently, the sharing of aggregate data could be improved. For example, the district attorney’s offices for each borough (Queens notwithstanding) could communicate more regularly on the number and types of exploiter cases that they are prosecuting. Feedback from other taskforce members might then yield new and different ways to prosecute the cases. In addition, service providers could share more information on the number of youth that they are serving as well as their presenting needs. Another obstacle to effective information sharing is the lack of a citywide CSEC management information system or, for many agencies, the lack of even a local system to track agency-specific CSEC events.

Stakeholder Perspectives II: The CSEC Communication Network

We asked stakeholders to rate their satisfaction with the overall frequency and quality of their communication with other CSEC stakeholders as well as to rate how frequently they contacted each specific stakeholder.

Figure 5.3. Satisfaction with Information on Exploiters and Victims

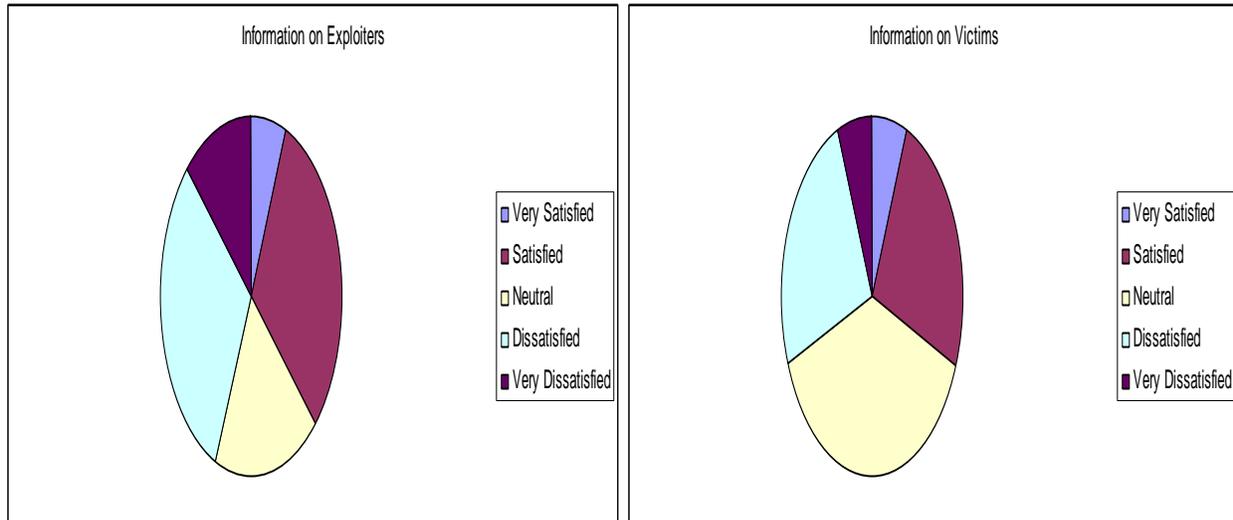
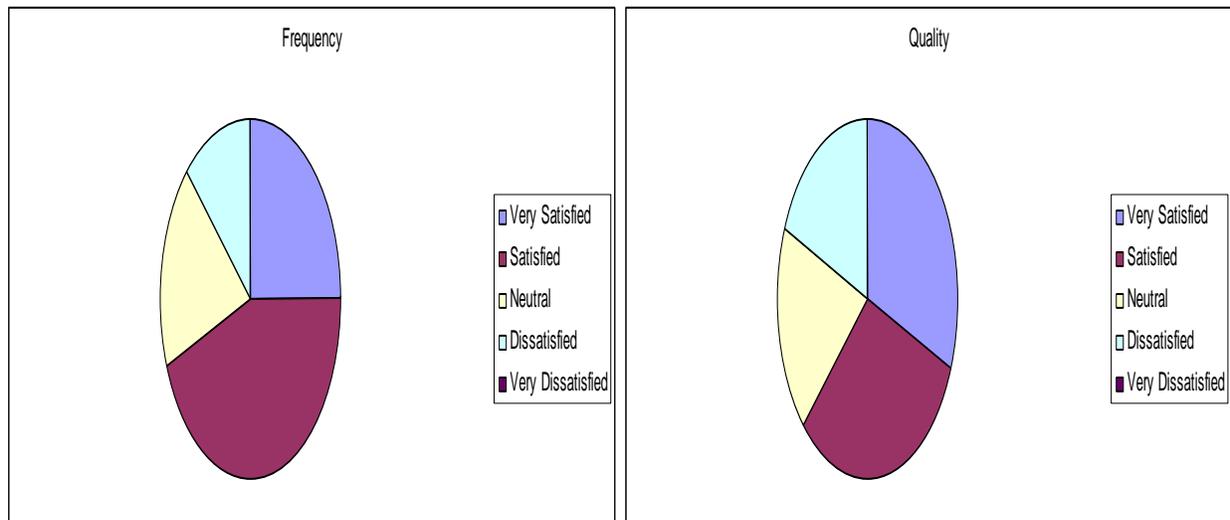


Figure 5.4. Satisfaction with Frequency and Quality of Communication

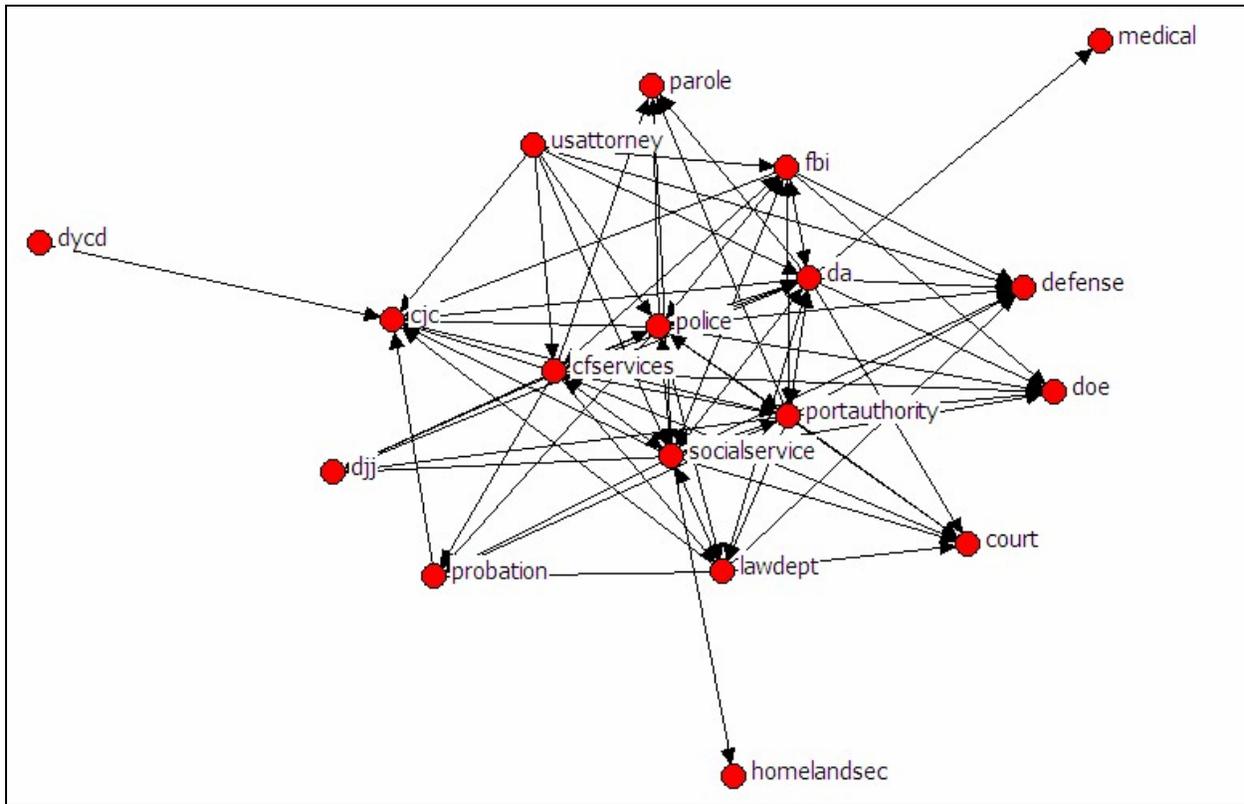


Satisfaction with Communication

A majority of the stakeholders surveyed were broadly satisfied with the frequency (11 of 16) and quality (10 of 16) of communication (see Figure 5.4). As one stakeholder elaborated:

Prior to the taskforce, I wouldn't have talked to most of the agencies on the taskforce. I would only have done so on a case-by-case basis, not at meetings and I would never talk general strategies and problems. There would never have been a dialogue with the district attorney and the Administration of Children Services, or the district attorneys office and the Juvenile Rights Division of Legal Aid.

Figure 5.5. Interagency Communication



Legend: cfscservices – Administration for Children Services and Office of Children and Family Services;
 cjc – Office of the Criminal Justice Coordinator;
 court – all courts (family court, criminal court, etc);
 da – all city district attorney’s offices (in practice, communication was mostly with offices in Queens and Brooklyn)
 defense – all defense attorneys and agencies (legal aid, etc);
 djj – Department of Juvenile Justice, doe – Department of Education;
 dycd – Department of Youth and Community Development;
 fbi – Federal Bureau of Investigations;
 homelandsec – Home Land Security;
 lawdept – New York City Law Department;
 medical – hospitals, medical examiners office;
 police – all boroughs and departments of the New York City Police Department;
 portauthority – Port Authority Police; and
 social service – Girls Education and Mentoring Services (GEMS), Sexual Assault and Violence Intervention Program (SAVI), Safe Horizon, and Jewish Child Care Association.

Interagency Frequency of Communication: Mapping the City’s CSEC Network

We asked stakeholders to identify specifically how often (daily, one to three times per week, one to three times per month, quarterly, or not at all) they communicated with other individual CSEC stakeholders.

As can be seen in Figure 5.5, the main hubs of communication are the New York City and Port Authority Police Departments, the county district attorney’s offices, child and family service

agencies (ACS and the Office of Children and Family Services), and social service providers (mainly GEMS, SAVI, and Safe Horizon, see agency profiles below). This confirms that the main CSEC stakeholders—those with the most frontline contact with sexually exploited youth—are not isolated. In fact, they comprise the center of CSEC communication, amongst each other and with other CSEC stakeholders.

Interestingly, this communication analysis shows that whereas the Mayor’s Office of the Criminal Justice Coordinator (“cjc”) communicated regularly with many CSEC stakeholders, the CJC office was not a central hub. Given its role in leading the taskforce, it might have been expected that the Office of the CJC would have been the preeminent communication hub. However, the office’s second project director sought to encourage the formation of independent connections among the other CSEC stakeholders, so that when OJJDP grant funding ended, those stakeholders would still communicate and collaborate. This message was also evident in observing taskforce meetings. In the beginning of her tenure, the second project director was the main voice at taskforce meetings, but this changed over time. Often, taskforce members would initiate topics for discussion. The project director would interject if or when necessary, but for the most part the agenda and discussion were guided by other attendees, primarily those in direct contact with victims and exploiters.

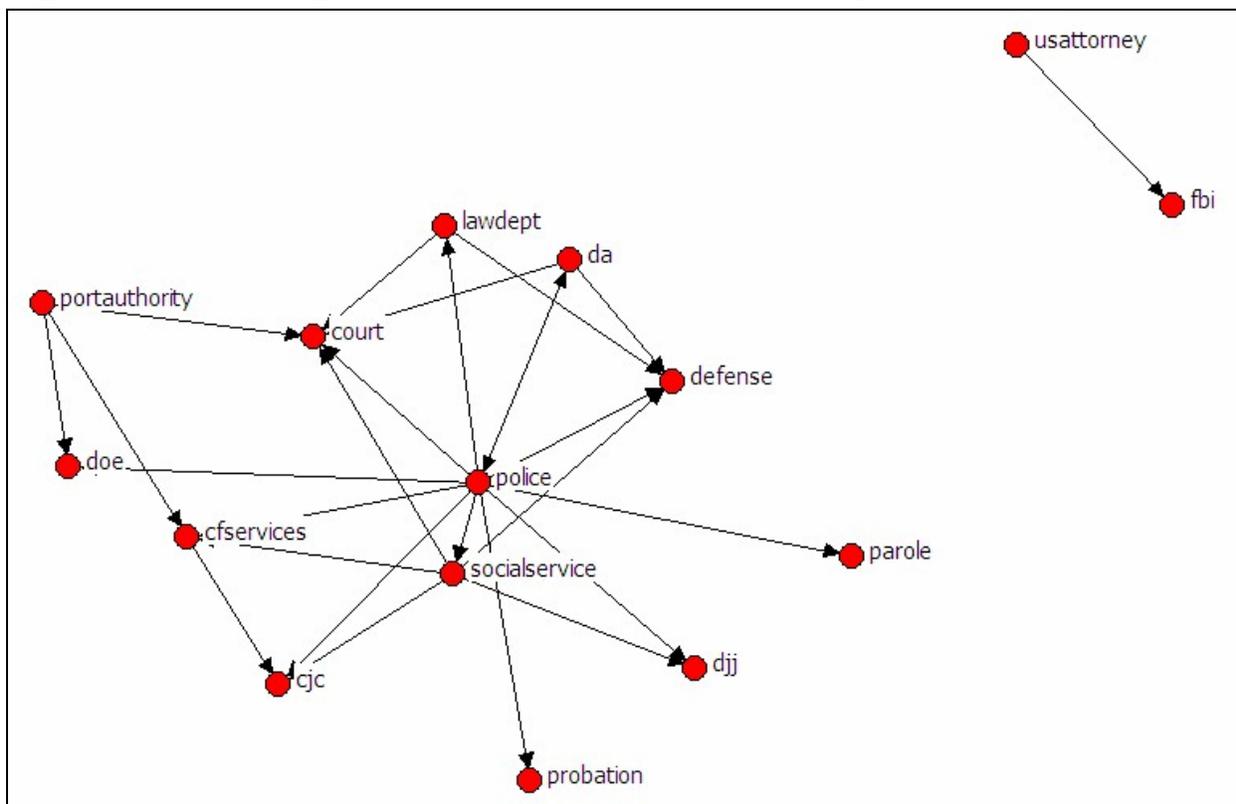
When focusing specifically on those stakeholders that reported communicating at least once a week (see Figure 5.6), it was evident that there were two main communication networks—one local and one federal. On the local front, the police were at the center; they talked to others and were themselves contacted the most. A separate analysis (results not shown) found that the police were in *daily* contact with ten other types of stakeholders, whereas *none* of those others reported daily contact with more than one other additional agency besides the police.

Social service agencies also comprised an important hub. A separate analysis (not shown) revealed that three of the individual social service agencies were tightly integrated, engaging in frequent communication with each other. Finally, the results in Figure 5.6 indicate that frontline criminal justice agencies (county courts, prosecutors, and defense agencies) communicated regularly with each other as well as with the police and social services, whereas other taskforce members, including the CJC Office, appeared on the periphery of regular communication.

On the federal front, the communication survey showed that the United States Attorney’s Office and the Federal Bureau of Investigations work very closely on federal cases involving sexually exploited youth. However, the most striking aspect of the network portrayed in Figure 5.6 is that whereas local stakeholders reported communicating amongst themselves on a weekly basis, and federal stakeholders reported communicating weekly, the stakeholders did not report weekly communication *between* the local and federal levels.

In addition to examining which stakeholders communicated, we also examined which stakeholders did not communicate. Many of the stakeholders reported that they did not interact at all with some of the non-criminal justice city agencies, such as the Department of Education and the Department of Juvenile Justice. This finding highlights a disconnection between frontline and policy level stakeholders working on the CSEC issue; the citywide agencies that appear on the periphery tend to be more involved with policy level decisions involving the CSEC population.

Figure 5.6. Most Frequent Communicators (at least weekly)



CSEC-Related Trainings

To address issues that arose through the taskforce meetings, the CJC Office developed and implemented a total of four trainings, one in 2004 and three in 2007. The first training implemented in 2004 was titled “Investigation and Prosecution of Cases Involving the Commercial Sexual Exploitation of Children.” The training served to educate CSEC stakeholders about CSEC-related investigations, the role of family court, the role of the Administration of Children’s Services, asset forfeitures, and federal prosecution. At this training, the CJC Office also provided stakeholders with a resource guide listing criminal justice, law enforcement, and social services contact information. In early 2007, the CJC Office conducted a multidisciplinary training on international human trafficking. At the end of 2007, the CJC Office conducted two final trainings, one on child pornography with an emphasis on cyber crimes and one to help stakeholders deal with changes associated with the then pending Safe Harbor Act Legislation.

Changes in the Taskforce

Throughout the CASEC project, there were a number of changes in project oversight and leadership. These changes occurred at both the federal and local level. When OJJDP funding was first provided to the CJC Office in 2003, OJJDP provided little guidance on its institutional priorities. This was partly because, prior to 2006, three successive OJJDP grant monitors oversaw the project. Additionally, OJJDP wanted to give both the New York and Atlanta sites

the time to figure out how best to address the issue of CSEC. Since early 2006, OJJDP provided greater consistency and direction. The latest project monitor engaged in regular discussions with the CASEC project director and tried to help CASEC focus their work by encouraging the implementation of all initiatives in the one borough of Queens.

In addition, there have been multiple changes in the CASEC project director. As noted above, the initial CASEC project director held the position from the fall of 2003 through June 2004. The second project director held the position from February 2005 through July of 2007. The eight-month gap in staffing at the start of the project implementation period was a significant challenge affecting the development of funded initiatives and expansion of the taskforce membership. When the second project director was hired in February of 2005, she had first to work extensively to reconvene the taskforce before proceeding to other initiatives (described in Chapters Six through Eight).

In July of 2007, when the second project director left, senior officials in the CJC Office decided that the CASEC taskforce should be merged with an existing human trafficking taskforce. This decision was beneficial because so many of the stakeholders overlapped on both taskforces and this reduced the number of meetings that some stakeholders had to attend and allowed those who previously attended only one of the meetings the opportunity to increase their network of contacts. On the other hand, merging reduced the amount of time that stakeholders spent discussing CSEC-specific issues.

From the time that the second project director left in July 2007 until May 2008 (ten months), the CASEC taskforce and initiatives were overseen by the Human Trafficking Taskforce project director. Beginning in May 2008, a third project director was hired specifically to coordinate project SAFETY (the housing component of the CASEC initiatives) and to work generally on CSEC and trafficking issues.

Assessment: Achievements and Obstacles

The stakeholders who participated in the CASEC taskforce considered the commercial sexual exploitation of children to be a serious problem. Most expressed substantial dissatisfaction, or at best neutral attitudes, regarding existing efforts to provide housing and other services for CSEC youth, preventive programs, effective prosecution of exploiters and solicitors, and effective information-sharing about individual cases.

In response to these challenges, the CASEC taskforce produced meaningful achievements. Led by the Mayor's Office of the Criminal Justice Coordinator, the taskforce was remarkably inclusive and held regular meetings that were well attended. The stakeholders exhibited a commitment to the taskforce and to the CSEC issue. Many reported going beyond their job description to assist each other and the youth. For its part, the CJC Office built the taskforce up strategically—beginning with a smaller planning group that coalesced around a unified diagnosis of what was needed (the three P's: prosecution, programs, and prevention) and then adding a wider array of members later on who represented law enforcement, other criminal justice agencies, child welfare agencies, and community-based service providers. This approach appeared to be successful. The smaller planning group succeeded in reaching a consensus

diagnosis of the problems to be addressed and necessary strategies to address them; and the larger group, while needing to be brought up to speed, neither objected nor offered a fundamentally new perspective on any of the issues that had already been resolved.

More concretely, the taskforce led to a broader awareness of existing resources and services and a more coordinated response to victims and exploiters. The communication analysis demonstrated that frontline stakeholders in direct contact with CSEC victims and exploiters had instituted regular lines of communication amongst each other; and also served as communication hubs, with varied connections to other, less central stakeholders. In addition, regular taskforce meetings also offered stakeholders an opportunity to share knowledge about relevant trainings and funding opportunities.

The work of the taskforce also encountered important obstacles. For one, faced with a vast number of agencies that encounter CSEC victims and exploiters in one capacity or another, the city does not have a unified information system to pull together all that is known at both the individual and aggregate levels; nor can many individual stakeholders agencies report useful aggregate information about the CSEC cases they encounter. An initial plan to develop such a system as part of the current evaluation proved to be unfeasible.

More importantly, the taskforce was set back by staffing changes in the CJC Office, particularly in the dedicated project director position. After the original project director resigned in June of 2004, there was an eight-month hiatus. In that time, the taskforce did not meet once. Again, in July of 2007, the project director left. However, due to the merging of the CASEC taskforce with the Human Trafficking Taskforce, and interim project oversight by the individual responsible for heading the Human Trafficking Taskforce, the CASEC initiatives were continued until a new project director was hired in May of 2008.

Partner Agency Profile

Girls Education and Mentoring Service (GEMS)

Mission

The mission of GEMS is to empower young women ages 12-21 years of age who have experienced sexual exploitation and violence to exit unsafe and abusive lifestyles and develop their full potential. GEMS is the only agency in New York City with a specific and primary focus on young women victimized by commercial sexual exploitation. GEMS extends its outreach efforts to young women involved in the criminal justice system, foster care system, and on the streets. Its programs are designed to foster resiliency and strength and to encourage young women to reach their full potential free from exploitation.

CSEC Programs and Services

GEMS provides holistic case management for its young female clients. Specific services include peer counseling, crisis counseling, individual counseling, short-term family therapy, and long-term mentoring. GEMS also conducts therapeutic, recreational, and educational groups. In addition to its services for current victims, GEMS offers preventive services for young women who are at-risk for future sexual exploitation and violence (for example, see this report, Chapter Eight). For all of its clients, GEMS can make outside referrals for legal assistance, GED classes, vocational programs, and health care.

GEMS believes that raising awareness, and creating and enforcing relevant legislation, is essential in the fight against sexual exploitation. Accordingly, GEMS also acts as an advocate, speaking out on behalf of its clients in local, national, and international efforts to effect change.

CASEC Point Person

- Rachel Lloyd

Source for additional information: <http://www.gems-girls.org/>.

Partner Agency Profile

Paul and Lisa Program

Mission

The mission of the Paul & Lisa Program is to provide prevention, early intervention, and advocacy for children, teens, and adults who have been sexually victimized through commercial exploitation and to assist them in redirecting their lives in a self-sufficient and meaningful manner.

CSEC Activities

The Paul and Lisa Program focuses on four concepts in their programming: prevention, assistance, redirection, and support.

Prevention: Through preventive education, the program informs the public about the risks associated with commercial sexual exploitation and challenges misconceptions about it, while encouraging individuals and organizations to become public advocates for this underserved and often ignored population.

Assistance: The Women's Holistic Health Education Program assists those involved in exploitive situations with accessing services and addressing the issues of addiction, violence, health risks, and effects of the exploitation on the mind, body, and spirit.

Redirection: The Direct Intervention Program offers options to those involved in commercial sexual exploitation in order to empower them to redirect their lives.

Support: The program's Case Management Services builds bridges to connect survivors to community resources that are essential to a successful recovery.

CASEC Point Person

- Frank Barnaba

Source for additional information: <http://www.paulandlisa.org>.

Partner Agency Profile

Sexual Assault and Violence Intervention (SAVI)

Mission

The mission of the Sexual Assault and Violence Intervention Program (SAVI) is to provide free and confidential counseling, advocacy, support, and referral services to past and present survivors of rape, sexual assault, incest, and domestic violence, and to their families and friends. SAVI offers a number of services and programs across New York City. These services encompass but are not limited to commercial sexual exploitation.

CSEC Activities

The Operation Guardian Program provides free counseling and support services for young survivors of commercial sexual exploitation, ages 11-19. SAVI currently works closely with and receives referrals from the Queens District Attorney's Office (see this report, Chapter Seven). SAVI also conducts targeted outreach programs to criminal justice staff and social service providers and develops prevention programming for specific high-risk populations.

Individual counseling for survivors and family members, as well as other support services, are provided by experienced social workers, psychologists, or counselors with knowledge of commercial sexual exploitation, sexual assault, domestic violence, and trauma. SAVI clinicians are trained to understand the complex similarities between sexual abuse, domestic violence, and commercial sexual exploitation.

CASEC Point Persons

- Rita Abadi

Source for additional information: <http://www.mssm.edu/savi/>.

Partner Agency Profile

Safe Horizon's Streetwork Project

Mission

Safe Horizon is the largest victim services agency in New York City. The mission of its Streetwork Project is to give homeless and disenfranchised youth an opportunity to reclaim for themselves a sense of dignity and self-worth. The program has grown from a small storefront to include outreach efforts, two Drop-In Centers, and two Residential Programs for homeless and street-involved young people. These sites reach more than 15,000 young people per year, providing emotional and concrete support. Streetwork provides youth, not limited to or primarily involving those involved in commercial sexual exploitation, with a comprehensive array of services including individual counseling, crisis intervention, access to medical and psychiatric care, hot meals, showers, and emergency shelter. Services are offered in a supportive and non-judgmental atmosphere that encourages young people to take what they need at their own pace.

CSEC Activities

Streetwork clients can include children, teens, and young adults up to the age of 24. All clients are assigned a primary counselor, who can assist them in accessing needed services, including outside referrals when necessary. The following free onsite services are available to all clients, including victims of commercial sexual exploitation: legal, medical and psychiatric services; long-term counseling; individual and group therapy; case management; advocacy; help in obtaining identification, emergency and crisis housing; GED preparation and support; help in obtaining Medicaid and other benefits, hot meals, bag lunches, showers, and clothing; wellness activities, including acupuncture, yoga, nutritional counseling, and HIV prevention counseling; parenting groups; drop-in groups, and the opportunity to socialize in a safe, non-judgmental setting.

CASEC Point Person

- David Nish

Source for additional information: <http://www.safehorizon.org/page.php?page=homelessyouth>.

Partner Agency Profile

Midtown Community Court

Mission

Launched in 1993, the Midtown Community Court targets quality-of-life offenses committed in the Midtown, Manhattan neighborhood, such as prostitution, illegal vending, graffiti, shoplifting, farebeating, and vandalism. The Midtown Community Court sentences low-level offenders to pay back the neighborhood through community service, while at the same time offering them onsite help with the problems that often underlie criminal behavior. The Court works in partnership with local residents, businesses, and social service agencies in order to organize community service projects and provide onsite social services, including drug treatment, mental health counseling, and job training. The Midtown Community Court is a demonstration project of the Center for Court Innovation, whose research department is responsible for this evaluation.

CSEC Activities

The Midtown Community Court arraigns and handles all matters up to trials for all prostitution-related misdemeanors arising from the entire borough of Manhattan. In 2007, the Midtown Community Court arraigned 574 individuals who were arrested for receiving money for sexual acts, of which 350 were female. The Court works to empower women who are victims of sexual exploitation, intimate partner violence, trauma and human trafficking through individual and group counseling, education, therapeutic creative arts, professional development and support.

The Court recently created CHOICES, a comprehensive psycho-educational program to guide adult women out of the prostitution lifestyle. CHOICES is the only comprehensive initiative in New York City for women over the age of 21 who have been arrested for prostitution. CHOICES utilizes a three-prong approach: intensive individual and supportive counseling, financial literacy, and interdisciplinary arts education and therapy.

As part of the CHOICES program, all foreign-born women are assessed and referred to an offsite partner to secure housing and safety in the event that they are victims of human trafficking. Each year, the CHOICES program serves over 100 women and is open to speakers of many languages including English, Spanish, Chinese, and Korean.

CASEC Point Person

- Angela Tolosa

Source for additional information:

<http://www.courtinnovation.org/index.cfm?fuseaction=Page.ViewPage&PageID=591¤tTopTier2=true>.

Partner Agency Profile

The Door

Mission

The Door's mission is to empower young people to reach their potential by providing comprehensive youth development services in a diverse and caring environment. Each year more than 8,000 young people, most referred by their peers, come to The Door for primary health care, prenatal care and health education, mental health counseling, legal services, GED, ESL, tutoring and homework help, college preparation and computer classes, career development services and training, job placement, daily meals, arts, sports and recreational activities.

CSEC Activities

The Door offers young people ages 12-21 comprehensive educational, health, nutritional and counseling programs, as well as legal services for young people in need of civil legal representation. All Door programs are designed specifically to meet the multiple needs of New York City's adolescents, although programs are not exclusive to those involved in prostitution or victimized by commercial sexual exploitation.

CASEC Point Person

- Natalia Gianella

Source for additional information: <http://www.door.org/>.

Chapter Six

CSEC Prosecution Initiatives

The CASEC taskforce identified and sought to address two gaps in the prosecution of exploiters: (1) a lack of dedicated resources that would enable case-by-case consistency in the prosecution of exploitation cases; and (2) a lack of admissible evidence to prosecute the cases successfully. This chapter summarizes the resulting prosecution initiatives implemented in Queens, assesses how they changed practice, and reports the results of a quantitative analysis testing for specific effects on case dispositions and sentencing outcomes.

The first section below summarizes the inherent barriers in attempting to prosecute the perpetrators of CSEC. The second section reviews several important measures that had already been implemented by the Queens District Attorney’s Office prior to CASEC. The remaining sections describe and assess the efforts initiated specifically under the CASEC demonstration project. These sections include a quasi-experimental impact analysis examining the effects on prosecution outcomes of both the District Attorney’s own measures as well as the subsequent CASEC enhancements.

Barriers to Prosecution

Exploitation cases often come to the district attorney’s office through undercover or surveillance operations conducted by the police. These undercover operations usually begin with an arrest of a victim, since the victim is typically the most visible party to the police—the exploiter is generally not on the scene. If the victim refuses to identify the exploiter, little evidence exists to proceed; but if the victim identifies the exploiter and is cooperative, the police and the prosecutors have an opportunity to collect further evidence and pursue the case.

According to staff at the Queens District Attorney’s Office, most underage CSEC victims are initially uncooperative. Many tell conflicting versions of their exploiter’s business operation. Most CSEC victims are believed to be loyal to the exploiter because of emotional, physical, sexual, or financial abuse and manipulation. Even when victims initially agree to cooperate with an investigation, they sometimes retract their story or run away. In these instances, when the victim is unavailable to testify at trial or before the grand jury, prosecution is extremely difficult.

Importantly, the preceding account reflects the perceptions of staff at the District Attorney’s Office. The results of interviews with CSEC youth in Volume One suggest that most such youth do not work directly for an exploiter (“pimp”) in the first place; and of those that do, most hold quite negative attitudes towards their exploiter.

Initiatives Implemented by the Queens District Attorney’s Office

To address these concerns, prior to the formation of the CASEC taskforce, the Queens District Attorney’s Office sought to enhance and strengthen the investigation of exploitation cases and to make greater efforts to seek plea arrangements that avoided the necessity of CSEC victims

having to testify at a public trial. In addition, the office began to develop plans to work with a social service provider, Sexual Assault and Violence Intervention Program (SAVI), to make social services available to the victim at the same time that the police and prosecutors worked to advance a successful case against the exploiter. This planned linkage with SAVI was ultimately funded and finalized as part of the CASEC demonstration project (see Chapter Seven).

Specifically, beginning in 2000, the District Attorney's Special Proceedings Bureau began an initiative designed to streamline and increase the consistency of CSEC prosecutions. The Bureau established five dedicated assistant district attorneys who would be available to prosecute CSEC cases. For each case, the bureau chief or deputy bureau chief would assign a team of two of those five attorneys to work on the prosecution. According to the District Attorney's office, the standard practice was that the bureau chief and deputy chief would first make decisions on which cases were appropriate for prosecution, the charges, how to strengthen the case, the bail request (if any), and the initial plea offer. However, once a pair of assistant district attorneys was assigned, they had discretion as to how to prepare the search warrant, how to present the evidence to a Grand Jury, and how to conduct future plea negotiations and trial strategy. Before determining what final offers to make, the attorneys were charged with collecting as much evidence as possible, independent of the CSEC victim's statement. In particular, the attorneys had to consider the following questions:

- Was it appropriate to request a search warrant for the defendant's house, car, or motel room?
- Will the defendant make a statement to an assistant district attorney?
- If the prostitution occurred in a motel, can the district attorney's office subpoena the room rental records?
- If the victim is a runaway, is it feasible to add a kidnapping charge?
- Does the defendant have a prior criminal record? And
- How likely is it that the victim will be available to testify if the case proceeds to trial?

Operation Guardian

CASEC sought to build upon, strengthen, and provide additional funding for the efforts just described. The resulting pilot program, coined Operation Guardian, was launched in July of 2005. CASEC funds were applied to fund one of the dedicated assistant district attorneys and to fund a paralegal charged with assisting the prosecution of the exploiters. Although the vast majority of the exploitation cases involved promoting child prostitution, the dedicated prosecutors began to handle some cases involving the internet luring of children for sexual purposes and child pornography. There were also a few instances where the prosecutors targeted commercial establishments that facilitated CSEC, such as strip clubs. The charges against these defendants often differed from traditional exploitation cases, but the district attorney's office felt that they represented an important part of addressing child prostitution.

In terms of what factually changed from what the Queens District Attorney's Office had been doing since 2000, case screening, assignment, and planning of CSEC cases by the bureau chief or deputy bureau chief remained the same. However, under Operation Guardian, the District Attorney's Office expanded their review of cases to include a closer look at all arrests made on

Table 6.1. Queens Prosecution Enhancement – Cases by Reporting Period

	Arrests	Indictments	Executed Search Warrants	Pre-Trial Hearings	Conviction by Trial	Guilty Pleas
July-Dec 2005	16	6	3	2	1	-
Jan-June 2006	9	4	12	1	-	-
July-Dec 2006	7	-	4	1	1	5
Jan-June 2007	3	3	-	-	-	3
July-Dec 2007	-	-	-	-	-	-
Totals	35	13	19	4	2	8

the prior day. They looked for leads, locations, and tried to identify potential exploiters. They also attempted to involve the dedicated prosecution team at the earliest possible stage of the case. They encouraged the VICE squad of the police department to contact the dedicated prosecution team at the time of the arrest or as early as possible in their investigation. In some cases, the District Attorney’s office worked with the VICE squad pre-arrest to ensure that sufficient evidence was collected to prosecute the case. Through this work, three major commercial operations were raided, and the establishments were closed under Operation Guardian.

As shown in Table 6.1, according to progress reports submitted to the Mayor’s CJC Office, from July 2005 through June 2007, Operation Guardian handled 35 exploitation arrests, indicted 13, and convicted by trial or elicited a guilty plea on 10. (Some of the cases that were not indicted as felonies may still have pled to lesser charges.) The impact analysis below will explore whether such outcomes reflected a change from the past. The subsequent sub-section will explain why zero exploitation arrests were handled in the most recent July-December 2007 period.

The Effects of Operation Guardian

Many of the anticipated effects do not lend themselves easily to quantification. The initiatives in Queens sought to improve the identification and screening of exploitation cases at the point of intake; to improve communication between the police and prosecutors; and, with the use of dedicated assistant district attorneys, to improve the consistency of how the cases were handled throughout the evidence collection and prosecution phase. Stakeholders generally expressed a perception that they had achieved all of these objectives.

In an effort to ascertain whether these perceived improvements had an impact on case outcomes, we compared prosecution outcomes among cases arrested in Queens during three periods: (1) 1997-1999 (N = 95), (2) January 2000-June 2005 (N = 122), and (3) July 2005-December 2006 (N = 38). The sample sizes were low, precluding complex multivariate models with large numbers of independent variables. It was also impossible to know whether outcomes changed in part due to changing activities among the exploiters over time. Yet, the data was certainly sufficient for an exploratory inquiry.

Table 6.2. Characteristics of Exploitation Defendants in Queens by Time Period

Time of Arrest	1997-1999	January 2000- June 2005	July 2005- December 2006
Number of Defendants	95	122	38
Sex ¹			
Male*	66%	76%	89%
Age			
Average age	32.3	30.8	29.1
Race/ethnicity***			
Black	22%	51%	34%
Hispanic	56%	20%	37%
White	12%	18%	24%
Other	11%	11%	5%
Place of birth ²			
Born in the United States***	46%	83%	71%
Top exploitation charge (all are felonies)**			
Advances or profits, child less than 16 years ³	16%	34%	21%
Advances or profits, child less than 19 years	66%	47%	37%
Promoting a sexual performance of a child (multiple charges, less than 16 years)	18%	19%	42%
Prior criminal history			
Any prior arrest***	47%	73%	47%
Number of prior arrests (base 10 log)**	0.33	0.54	0.32
Any prior conviction**	31%	52%	26%
Number of prior convictions (base 10 log) ⁺	0.19	0.27	0.14

+ p < .10 * p < .05 ** p < .01 *** p < .001

¹ Across all three period, there were a total of 59 female and 6 transgender defendants.

² Across all three periods, 60 defendants were missing information for place of birth.

³ Across all three periods, there was only one defendant arrested on a top charge of promoting prostitution in the first degree, which involves advancing or profiting from the prostitution of a person less than 11 years old.

Table 6.2 compares the background characteristics of defendants arrested during the three periods of interest. (Significance notations next to variable names indicate the results of chi square tests with categorical variables and one-way ANOVAs with other variables.) The results indicate that defendant characteristics changed rather substantially across the three periods, making problematic the generation of valid impact results. Over time, the defendants became increasingly male, domestic-born, and charged with more serious offenses (involving the exploitation of children younger than 16); and the racial composition and criminal history fluctuated as well, with the first and third periods differing from the second. In general, the charges and criminal histories became more serious after the first period, raising the prospect (though a speculative one) that initiatives begun at that time facilitated the prosecution of those who were engaged in more serious commercial operations.

Table 6.3. Exploitation Prosecution Outcomes in Queens by Time Period

Time of Arrest	1997-1999	January 2000- June 2005	July 2005- December 2006
Number of Defendants	93	121	33
Disposition			
Pled guilty/convicted	84%	90%	91%
Dismissed	12%	5%	6%
Adjourned in contemplation of dismissal	3%	3%	3%
Declined to prosecute	1%	2%	0%
Sentence (<i>of those pled guilty/convicted</i>)	N = 75	N = 109	N = 29
Prison (minimum of one year)	15%	28%	21%
Jail (up to one year) or jail/probation split	9%	16%	17%
Straight probation	23%	13%	14%
Other non-custodial sentence ¹	53%	43%	48%
Percent sentenced to jail or prison*	24%	44%	38%
Average custodial sentence length (<i>of those with a jail or prison sentence</i>)	11.6	8.1	15.2

+ p < .10 * p < .05 ** p < .01 *** p < .001

Note: Cases are included only if they were convicted. Across all three periods, four (4) convicted cases are missing sentencing information.

¹ Of the 101 total non-custodial sentences across all three time periods, 57 (27% of the total) were conditional discharges, 43 (20% of the total) were fines, and one (1% of the total) was a time served sentence.

Table 6.3 provides a simple comparison of disposition and sentencing outcomes across the three periods (after excluding a small number of cases that were not yet disposed). From examining the raw percentages, there appear to be few differences between the second and third periods, denoting the transition from what the Queens District Attorney’s Office put into place in 2000 to Operation Guardian. However, the results suggest that the conviction rate rose slightly after the first period (given rates of 84% followed by 90% and 91% respectively) and custodial sentences rose as well (given imprisonment rates of 24%, followed by 44% and 38% respectively).

Table 6.4 displays the results of two logistic regression models respectively examining whether the conviction and imprisonment rates changed, after controlling for those background characteristics on which the samples differed (see Table 6.2) and which were already known to affect prosecution outcomes, given the results reported above in Chapter Three (see Table 3.7). These regression models were necessarily parsimonious, given the relatively low samples sizes. The results suggest a slightly positive effect on the conviction rate after the initial set of prosecutorial initiatives was implemented in 2000 (p < .10). However, despite the appearance of a positive effect on the imprisonment rate in the raw percentages reported in Table 6.3, this effect

Table 6.4. Odds Ratios for Logistic Regressions Predicting the Likelihood of Conviction and Imposition of a Custodial (Jail or Prison) Sentence

Dependent Variable	Conviction	Custodial Sentence
Time period		
Arrested in January 2000-June 2005	2.342+	1.143
Arrested in July 2005-July 2006	.920	.858
Male sex	.607	2.983*
Top arrest charge ¹		
Advances or profits from prostitution, child < 16 years	.427+	4.228**
Promoting a sexual performance, child < 16 years	1.976	15.072***
Number of prior arrests (to the base 10 logarithm)	.876	12.075***
<i>Constant</i>	8.372***	.021***
Number of Cases	247	213
Nagelkerke R2	.081	.454

+ p<.10 *p<.05 **p<.01 ***p<.001

Note: Cases are included only if they were convicted. Across all three periods, four (4) convicted cases are missing sentencing information.

¹ The reference category is a charge of advances or profits from prostitution, child less than 19 years. The category that is represented of advances or profits from prostitution of a child less than 16 years encompasses two separate charges, and the category of promoting a sexual performance also encompasses multiple charges (see Table 3.5 and see Chapter Two for all specific charge categories).

disappeared in the regression model. What appears to be the case is that the defendant population became more serious in their criminal justice characteristics, which in turn elicited a higher imprisonment rate. Indeed, the charge and criminal history variables had quite overwhelming effects, with male sex also emerging as a significant predictor of receiving a custodial sentence. Overall, with just six total parameters in the model, it explained 45.4% of the variation in whether a custodial sentence was imposed.

Changes in Operation Guardian

During the second half of the second year of "Operation Guardian" (July-December 2007), a human trafficking grant resulted in the New York City Police Department's routine referral of CSEC exploitation cases to federal prosecutors. As a result, although the Queens District Attorney's office is still actively screening cases to identify CSEC cases and working with federal prosecutors, the District Attorney's office is no longer directly involved in prosecuting CSEC cases (see bottom row in Table 6.1 above).

Technology Enhancement

As a further means of addressing the frequent lack of admissible evidence to prosecute exploitation cases successfully, the CASEC taskforce proposed a citywide technology enhancement. It was to involve the distribution of digital cameras to police and a centralized database where law enforcement and prosecutors could have real-time access to case evidence. However, once the Office of the Criminal Justice Coordinator received funding and started discussing the technology enhancement with law enforcement officials and prosecutors, it became evident that they were not interested in developing a single system to share case-level information. As a result, this enhancement was not implemented.

Assessment: Achievements and Obstacles

Of the three concrete areas of CASEC intervention (prosecution, programs, and prevention), the prosecution initiative was the first to be implemented. Beginning July of 2005, CASEC funded a dedicated prosecutor and paralegal in the Queens District Attorney's Office which enabled the office to improve case screening and intake and broaden its collaboration with the police. According to one of the dedicated attorneys, "Prior to getting the grant, we might have been a little more selective as to how many cases we took, and the type of cases we got involved in. Now, because of the grant, we are less selective and inclined to be more aggressive on all cases that come in." An exploratory impact analysis suggested that the approach in Queens may have led to a slight, quantifiable improvement in the conviction rate, but did not affect the types of sentences that were imposed. Many of the anticipated effects of the approach have to do with police and prosecutorial operations that may not translate into concrete case outcomes; hence, we view the results of the impact analysis as suggestive but limited.

CASEC also sought to implement a citywide technology enhancement that was expected to improve information sharing between law enforcement and prosecutors, but due to resistance among the relevant stakeholders, this plan was abandoned. In addition, the prosecutorial initiative in Queens ended towards the end of 2007, when federal prosecutors began taking over exploitation cases citywide. The critical factor leading to this outcome was the intersection of CSEC with the broader problem of human trafficking, an issue that has gained increasing local and federal traction over the past decade and has drawn growing interest among federal law enforcement agencies.

Chapter Seven

CSEC Programs for Youth

This chapter reviews initiatives related to housing and social services for CSEC youth. As shown in Chapter Four, the vast majority of stakeholders were dissatisfied with preexisting housing and service options, with 13 out of 16 either very dissatisfied (10) or dissatisfied (3) with available housing in particular. In response, the Mayor’s Office of the Criminal Justice Coordinator (CJC) dedicated OJJDP funds to the development of both CSEC-specific housing and social services.

CSEC-Specific Housing

Housing was one of the most frequently cited needs for addressing the problems of sexually exploited youth. Stakeholders often reported two problems regarding housing. First, stakeholders believed that the lack of dedicated housing had a compounding impact on a number of other problems that sexually exploited youth faced. When sexually exploited youth have contact with law enforcement, service providers, or the courts, they are often placed back with the families that they had originally left or placed in non-secure housing through the family court. When this occurs, the youth frequently do not receive CSEC-specific counseling or health services and are often contacted by, and return to, their exploiter. When this happens, the district attorneys are unsuccessful at prosecuting the exploiters (having lost the cooperation of the exploited youth), while the youth remain trapped in exploitive situations. The second major concern that stakeholders expressed involved keeping the youth safe and secure. Many of these children have run away from home, and there was concern that they would continue to run away from dedicated housing as well.

With input from the CASEC taskforce, the Mayor’s Office proposed to develop CSEC-specific housing for adjudicated delinquents placed by the family court.² As we elaborate below, the initial plan was to develop a dedicated housing for CSEC victims in a privately run placement facility located 60 miles north of New York City. However, due to significant delays with the plan, the CJC Office also began to work on developing a state-run placement option in Staten Island, the least populated and least accessible borough of New York City. As of the summer of 2008, the state-run facility had begun placing adjudicated delinquents, while negotiations for beds in a private facility with enhanced services were still underway.

CSEC-Specific Housing: JCCA Pleasantville

The initial CSEC-specific housing plan for adjudicated delinquents was to establish dedicated beds and services for female CSEC victims in a house located on the campus of the Jewish Child

² In New York City, juvenile delinquents who are remanded to placement facilities through the family court can either be placed directly with OCFS, which operates placement facilities that are jointly funded by the city and the state, or in privately run facilities, which are entirely funded by the City’s ACS with OCFS oversight. Private placements typically serve youth who can be placed in less secure settings than OCFS placement facilities. Youth who do not do well in private placement are often “bumped up” to OCFS placement facilities.

Care Association's (JCCA) Pleasantville Cottage School, a privately run placement facility. The goal was to leverage and enhance existing placement resources at the facility. JCCA staff would receive CSEC-specific training to enable them to work effectively with these young girls. Additionally, CSEC-trained case managers would work with each youth to develop individualized case plans based on their particular needs, ranging from immediate mental and physical health needs to long-term goal setting capacity. In addition to in-house services, it was hoped that the location of the house—60 miles north of New York City—would reduce the ability of the exploiters to find, contact, and re-recruit the young girls back into the exploitive situation and reduce the temptation for the youth to run away from the facility. The CJC Office worked with the Administration for Children's Services (ACS) and JCCA to develop this initiative. However, there were significant delays in implementation. The delays partly stemmed from the absence of a project director from the CJC Office in October 2004, when the OJJDP housing-specific grant was awarded (see Chapter Five).

Once the housing initiative was again pursued under the second CJC project director, several additional delays arose. One concern involved justifying the Jewish Child Care Association (JCCA) as a sole source grantee. When city agencies contract for services, they are required to post the funding opportunity and allow multiple vendors to apply. However, since JCCA ran the Pleasantville placement facility, they were the logical service provider for the project. Sole source funding in New York City requires additional documentation and negotiations.

Before the contract could be negotiated, reimbursement procedures and per-diem rates for the Pleasantville facility needed to be established with both the city's Administration for Children's Services (ACS) and the state Office of Children and Family Services. There were substantial delays in determining how JCCA would be reimbursed on a regular basis for the beds and other amenities related to housing individuals and at what per-diem rate. This rate would pay for the operational expenses of the house as well as establish sufficient ongoing funding to support enhanced services for the house past the one-year funding period. The parties did not want to initiate the housing arrangement without a commitment to fund it after the OJJDP grant ended and without having an accurate understanding of how much future funding would be required on an annual basis. By the end of the CASEC evaluation and after two additional years of negotiations, from 2005 to 2007, to work through these issues and regulations, the plan to develop housing in Pleasantville through the JCCA had not reached fruition.

However, as of September 2008, the Administration for Children's Services (ACS) agreed to buy services from JCCA through an existing contract, and according to senior officials at the CJC Office, the Pleasantville facility will soon begin accepting referrals.³ There will be 12 dedicated beds for female CSEC victims. As described above, the residential program will provide intensive targeted therapeutic services and will seek to keep the youth safe and away from violence and predators.

CSEC-Specific Housing: Project SAFETY

In early 2008, after the formal data collection and analysis components of this evaluation were completed, the CJC Office announced a second state-run placement facility in Staten Island that

³ This September 2008 update was obtained from the CJC Office after the formal completion of the evaluation.

was implemented under Project SAFETY (Safe Alternatives for Exploited and Trafficked Youth). For this purpose, the CJC Office submitted and received additional, dedicated funds through the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The CSEC-specific housing project was titled Safe Haven for Adolescent Recovery and Engagement (SHARE) and was awarded \$250,000. These funds were used to enhance an existing Staten Island facility to purchase onsite training for facility staff, contacts for CSEC-specific services, participation incentives, facility upgrades, furnishings, reading and educational materials, office supplies, and surveillance cameras (to ensure the safety of the youth living in the facility).

The first component of Project SAFETY involves the appointment of an attorney in the Law Department as the CSEC coordinator to screen juvenile arrests throughout all five boroughs of New York City for issues related to commercial sexual exploitation. Youth identified as currently or previously involved in a sexually exploitive situation, regardless of their arrest charge, would be offered a diversion program, involving services through an appropriate provider. The second part of the Project SAFETY program involves screening youth who are court ordered to placement for eligibility in a specialized housing facility. For this purpose, the CJC Office contracted with the state Office of Children and Family Services to dedicate a facility in Staten Island. The specialized services at this facility would include a dedicated, CSEC-trained social worker, specialized CSEC-training for staff, and group counseling sessions. The specialized training and group counseling sessions would be provided by Girls Education and Mentoring Services (GEMS). If the youth complies with the terms of the court order, which includes a mandate to individualized services, the Law Department would join in an application for the court to dismiss the case. Thus, Project SAFETY attempts to use the coercive authority of the court to provide these juveniles with the counseling and services they need. It is hoped the incentive of having the case ultimately dismissed, thus expunging any juvenile delinquency record, will keep this population from running away from programs and services.

Project Safety opened during the summer of 2008. As of September 2008, three girls were placed into the program.

CSEC-Specific Housing: Emergency Placement

CASEC also assisted two community-based service providers, GEMS and Safe Horizon, to obtain funds for emergency short-term housing through the New York City Department of Youth and Community Development (DYCD). These housing placements take youth, 16 years of age and older, that come through the shelter system.

Safe Horizon partly funded a van for transportation for youth from 1pm to 9pm daily and developed a six-bed crisis shelter in Midtown for any runaway or homeless youth (girls, boys or transgender) aged 16 to 20. The program is accessible 24 hours a day and is voluntary and confidential. Youth can stay up to 30 days in the shelter. There is also a social worker at the shelter 24 hours a day. GEMS developed a six-bed transitional living placement for girls aged 16 to 21. Because the funding was received through DYCD girls must go through a DYCD-funded emergency shelter before they can be admitted into the GEMS-based transitional living. However, GEMS has worked with DYCD to develop an expedited process so the girls don't have to spend the night at a shelter.

Due to age restrictions in zoning requirements, this arrangement does not provide beds for the youngest and hardest to place youth. As was discussed at many CASEC taskforce meetings, there are not any viable options for youth under the age of 16.

CSEC-Specific Counseling and Other Services

As was described in the introduction to this report, many sexually exploited youth have had traumatic childhoods. Most have been involved in the child welfare system, many are runaways, and many have suffered abuse or witnessed domestic violence at the home. Additionally, their involvement in prostitution puts them at increased risk for drug use, sexual abuse, and other criminal involvement. In addition, the process for leaving an exploiter can be much like domestic abuse. It was perceived as a cycle, which often involves many attempts before the youth actually leave. (Although as indicated in Volume One, many CSEC youth do not per se work for an exploiter.) One stakeholder explained that these youth require immediate services from the moment that they have any contact with the criminal justice or treatment systems. Left on their own, asked to schedule a future appointment, or even to wait in a waiting room, they will routinely not show-up or slip away. In addition, even when the youth decide to leave the life, they are reluctant, mainly because of fear, to assist the district attorney's office in prosecuting their exploiter (if they have one).

To assist with these issues, the Mayor's CJC Office subcontracted with the Sexual Assault and Violence Intervention (SAVI) program to provide support to sexually exploited youth in the borough of Queens. While SAVI provides free and confidential counseling, advocacy, support and referral services to survivors of rape, sexual assault, incest, and domestic violence within all five boroughs of New York City (see profile in Chapter five), specific funds were provided to the Queens office due to the simultaneous presence of the specialized prosecution initiative there.

The purpose of the SAVI program in Queens was to provide youth ages 11-19, who have experienced commercial sexual exploitation, with counseling and support services. The program was also intended to reduce recruitment back into prostitution; facilitate the prosecution of the exploiters (by encouraging youth cooperate); support targeted outreach efforts to criminal justice staff and other service providers; and support prevention programming for specific high-risk populations that may not yet be directly involved in CSEC.

Specifically, the OJJDP funding enabled certified crisis intervention counselors from the SAVI program in Queens to be placed on call to meet with child victims at hospitals or police stations at any time of the day. Counselors could provide comprehensive services, including counseling, safety planning, referrals to emergency shelter, re-location services, and advocacy with child welfare and other government agencies. Counselors were also available to provide ongoing support and to accompany victims to court when they appeared as witnesses in ongoing prosecutions. A major referral source was the Queens District Attorney's Office, which referred youth who were arrested for prostitution or involved in a case against an exploiter. Starting in July 2008, SAVI also began attending and receiving referrals from Judge Fernando Camacho's court part in the Queens Criminal Court, which handled child prostitution cases on Thursday mornings (see description of this part in Chapter Nine).

Table 7.1. Number of SAVI Services Provided through OJJDP Funding

Reporting Period	Number of						
	New Clients	Counseling Sessions ¹	Outside Referrals ²	School Enrollment Attempts	Family Reunification Initiations	Follow-up Contacts ³	Youth Assisted with Trial Prep
July-Dec 2005	11	53	12	2	3	18	1
Jan-June 2006	11	42	12	3	2	43	1
July-Dec 2006	8	17	14	3	2	25	-
Jan-June 2007	-	30	5	4	2	31	-
July-Dec 2007	5	27	3	-	2	40	-
Total	35	169	46	12	11	157	2

¹ Counseling sessions include both in-person and telephone sessions.

² Referrals include for housing, education, family services, medical services, and individual counseling.

³ Follow-up contacts include ones to schedule services for the youth and their families and to support clients in attending services by following up on attendance and the quality of services.

The SAVI program began providing its services in July 2005. As can be seen in Table 7.1, a majority of the CSEC resources were used to provide SAVI counseling and follow-up services by either of two specific social workers who were dedicated to this initiative.

Assessment: Achievements and Obstacles

Acquiring CSEC-specific housing was among the most critical needs identified by members of the CASEC taskforce but was unobtainable for close to six years, including the duration of the formative evaluation. In this time, the housing initiative experienced significant bureaucratic delays. Early work made emergency short-term housing available for youth ages 16 and older through the city’s shelter system. However, it did not extend to younger CSEC youth, for whom the need for housing was considered dire. Eventually, as detailed above, the CJC Office created Project SAFETY, which includes dedicated CSEC housing in Staten Island. In addition, the CJC Office remains hopeful that a privately run placement in Pleasantville, New York would be operational by the end of 2008. At numerous meetings, CASEC stakeholders discussed the lack of housing options and were frustrated with the situation. The experience suggests that bureaucratic delays and obstacles related to contracting, reimbursement, and coordination with other city agencies had a significant impact on the process of making dedicated housing available, creating an important lesson for other jurisdictions wishing to act on this issue.

Otherwise, the Sexual Assault and Violence Intervention (SAVI) program was able to assist over 30 young women in obtaining CSEC-specific counseling and service referrals. While only a few of the women actually received trial preparation assistance (one of the original goals of this initiative), a third of the youth began the school re-enrollment process, and a third of the youth began family reunification. Most of these women were referred by the Queens District Attorney’s Office, suggesting that direct collaboration among prosecutors and community-based

service providers can serve as an effective way of identifying and linking CSEC victims to the counseling services they need.

A final issue brought to light in stakeholder interviews was related to the funding that could be dedicated to various service providers. When CASEC first formed, Girls Education and Mentoring Services (GEMS) was the only New York City-based service provider dedicated to providing CSEC-specific services to girls. (A second program provided CSEC-specific services but was located in Connecticut.) Yet, CSEC-specific funds went to a different program that had traditionally provided services to survivors of rape, sexual assault, incest, and domestic violence. There is not any evidence that CASEC funding decisions adversely affected the quality of services, but the decision-making process highlighted an important dilemma where multiple agencies appear capable of providing a service that practical considerations dictate allocating to only one.

Chapter Eight

CSEC Prevention Initiatives

This chapter reviews prevention initiatives targeting youth at risk for CSEC involvement. As noted in Chapter One, many CSEC youth are runaways, have been involved in the child welfare system, or have suffered abuse or witnessed violence at home (Brannigan and Gibbs Van Brunschot 1997; Kid and Krall 2002; Silbert and Pines 1982). These youth often have contact with multiple institutions—criminal justice, foster care, health care, and education – not all of which are prepared to screen for active involvement or risk of CSEC. Moreover, the previous literature as well as conversations with CASEC stakeholders indicates that limits in funding, trained social service staff, and prevention strategies are all important areas of concern.

With specific regard to prevention, CASEC strategies involved a combination of prevention sessions for at risk youth, training for staff working in group homes, and a school-based initiative. In addition to these strategies, which were specifically outlined in the CASEC proposal funded by OJJDP, there was also discussion at the CASEC taskforce meetings of implementing public service announcements. These would be located in major public transportation locations citywide (e.g., the Port Authority Bus Terminal) targeting youth at-risk for CSEC. Stakeholders believed that this was a necessary addition, because places of public transportation are primary locations for exploitation recruitment.

Group Home Prevention Strategy

The Mayor’s Office of the Criminal Justice Coordinator (CJC) developed a subcontract with the Sexual Assault and Violence Intervention (SAVI) program to develop group home-based prevention sessions in Queens. Planning began in early 2006 among representatives from the CJC Office, SAVI, and the Administration for Children’s Services (ACS), which oversees group homes throughout the city for adolescent boys and girls who have been referred by the courts or removed from their home as part of an abuse and neglect petition. By the summer of 2006, it was determined that SAVI would conduct four 12-week prevention sessions with girls and group home staff from three Saint Christopher Ottolie (SCO) Group Homes in Queens. The prevention program was named Resist and Overcome Sexual Exploitation (ROSE).

The first of the four 12-week prevention sessions began in October 2006 and had six youth participants. The sessions met once a week through December. Group discussions focused on topics such as facts and myths about CSEC; abuse; respect; self-esteem; the mass media’s depiction of gender; trust; feelings and fears; and sexuality and health issues. Attendance varied, with one session not having any attendees (it was on Halloween), and eight of the sessions having five or more youth and two staff members attending. Overall, the session leaders and the information provided at the sessions were positively received. One youth stated on the evaluation form, in regards to the session leader, that “She was very open and explained everything to the best of her ability.” Additionally, youth attendees remarked that they did not want to see the sessions end.

In terms of the group home staff, they remarked that the sessions improved the relationships among the girls. Prior to the start of the group, the staff had reported interpersonal problems (i.e., fighting). However, after their involvement in the program, the staff noticed a positive, measurable change in the girls' interactions with one another. Furthermore, due to positive word of mouth from the staff involved in the group, other group homes expressed an interest in participating in the ROSE groups.

Although the sessions were positively received, there were several challenges – as is typical of any new project. Foremost among these was the ever-changing group of participants. The changing attendance at each session was due to scheduling conflicts, changes in the youth who were residing at the group home, and health issues (one girl had a baby). The ROSE staff reported that this affected group participation, cohesion, and interpersonal trust. In addition, since the youth were hand-picked by group home staff, some participants expressed a feeling that they had been wrongly targeted. Consequently, these youth were not as open and expressive as others during the sessions. Another issue that emerged was the fact that many of the youth involved in the first group of sessions knew about and had experienced attempts to recruit them into an exploitive situation: i.e., were not merely at risk but also had first-hand experience. Thus, SAVI had to modify the curriculum to allow for varying levels of preexisting CSEC involvement among the participants.

To address the various issues raised during the implementation of the first series of sessions, SAVI staff met with management representatives from the group homes to discuss possible changes. They decided to increase the number of youth, change the recruitment strategy to have a SAVI representative inform all group home attendees of the opportunity to participate and then allow self-selection into the program, and expand the curriculum to provide concrete services and life planning assistance for the youth.

In addition, SAVI developed a peer training initiative. SAVI began by training two group home staff and three youth participants. The staff members were trained to implement the prevention groups in SCO group homes going forward. The youth were trained to facilitate certain lessons during the group sessions.

The second series of prevention sessions started in March of 2007. Attendance was significantly better than in the first series, ranging from a low of six to a high of 10 young women. Each of the youth facilitators presented at one of the sessions during the 12 weeks. The feedback received at the end of the 12 weeks was again very positive. Youth felt that the sessions were informative and provided a place for them to talk freely with their peers. Typical comments expressed on the evaluation forms included, “It taught me a lot about drugs and sex”; and “I liked it because I was able to be open and relate to my peers on a different, but respectful, level.”

By June of 2007, SAVI still had two more groups to implement but only four months to do so, since funding was slated to end in September. SAVI and SCO decided to run these final groups concurrently, one in a Brooklyn-based group home and the other in a Queens-based group home.

In terms of sustainability, SAVI and the Mayor's CJC Office envisioned that the peer leaders and group home staff that were trained during the initial prevention sessions would continue to lead

groups and integrate the prevention material across SCO group homes. As of this writing, additional groups had not actually been run by the homes, although SAVI was recently contacted by staff from one of the group homes to discuss the possibility of collaborating again. SAVI was open to this opportunity of continuing to work in the group homes in the future.

School-based Prevention Training

Many of the stakeholders on the CASEC taskforce indicated that schools are an important place to implement prevention initiatives. One stakeholder explained:

I would think that the public schools in the city could play quite a major role. One, a lot of these kids are runaways, they disappear from school, they don't attend, they're problems in school. And the schools have a little bit of responsibility to start-maybe show them the bad side of it. Not all the money and jewelry and clothes and fancy cars and rap music and conventions in Las Vegas and stupid movies on HBO. This is human misery at its worst. And I think there's an educational opportunity to try to show people that this is not a glamorous lifestyle. This a dangerous field. This is humiliating.

In response, staff from the CJC Office met with Girls Education and Mentoring Services (GEMS) in early 2006 to discuss the possibility of developing a school-based prevention curriculum. GEMS suggested developing a pilot program that would be implemented in one school that had a high number of girls at-risk for becoming involved in prostitution. The CJC Office and GEMS initiated meetings with the Department of Education in the fall of 2006. The Department of Education representative suggested collaborating with an existing program in the schools, Relationship Abuse Prevention Program (RAPP), and then conducting both a staff training citywide and a more intensive training in one at-risk school.

As of completion of this report in September 2008, neither the citywide training nor the school-based prevention curriculum had been implemented. According to CASEC taskforce meeting notes, it seems that GEMS was highly involved in a number of other CSEC-related activities (see Chapter Nine). These activities included applying for and receiving funds from the city's Department of Youth and Community Development for transitional independent living space; developing a national train-the-trainer curriculum to promote a community response to CSEC; filming a 30-minute BET special on CSEC; creating a Showtime documentary following a few young women as they navigate a number of New York City systems; appearing on an Anderson Cooper human trafficking special on CNN; and opening a GEMS office in Miami.

Public Service Announcements

The idea of developing public service announcements was discussed at multiple taskforce meetings beginning in 2005. However, at the January 31, 2006 taskforce meeting, the CASEC project director informed the taskforce that the OJJDP grant monitor would like to see future CASEC initiatives focused solely in Queens. The reasoning behind this preference for Queens-focused initiatives was to target work in one area so that the impact of the demonstration project could be isolated and tested. Because of this, the CJC Office decided not to pursue the citywide public service announcements and focus their youth, group home, and school-based prevention activities in Queens.

Assessment: Achievements and Obstacles

The public service announcements and school-based prevention initiatives did not come to fruition. The group home-based initiative, on the other hand, affected the lives of several dozen young women at-risk for recruitment into exploitive situations. The organizers of this initiative successfully assessed its impact and apparent obstacles and implemented additional revisions following each group of sessions. Through a peer-to-peer training component, the group home-based initiative provided leadership opportunities for several of the young women who completed the sessions. At the time of the writing, however, the group homes were not conducting additional workshops, highlighting the general problem of sustainability once pilot funding for such a special initiative ends.

Chapter Nine

Additional CSEC Initiatives

Precisely because CSEC exploiters and victims have contact with so many different public and nonprofit sector agencies, the CSEC lends itself to a decentralized array of partial solutions. Through stakeholder interviews and attendance at CSEC meetings, we learned that many agencies had implemented their own independent responses to CSEC. Although these responses did not originate due to the taskforce, once it was in place, the taskforce served as an effective forum for sharing information about the full range of available programs. In fact, as noted in Chapter Four, early taskforce meetings focused largely on bringing the entire group up to speed regarding the various initiatives that were already underway.

Law Enforcement Initiatives

New York City Police Department – Queens Fugitive Enforcement Division

Beginning in 2001, the New York City Police Department's Queens Fugitive Enforcement Division developed a Juvenile Squad that went out on the streets at night in known prostitution strolls to talk to youth in an effort to connect them with services. In addition to this outreach, the Juvenile Squad worked with the family court to enforce warrants and worked with service providers to assist CSEC youth. When youth did not appear for scheduled family court appearances, the squad obtained information from the court, service providers, and family members to locate the youth. Besides working with the court, the squad also spent a significant amount of time working with local service agencies. This work could sometimes involve attending meetings with both the youth and service agency staff—often, a squad member had built a relationship with the youth, leading the youth to feel more comfortable talking to other agency representatives when that squad member was involved.

At the outset, the Juvenile Squad was staffed by one sergeant and seven detectives, but in late 2002, budget cuts led it to be downsized to one sergeant and two detectives. At this point, the squad had limited itself to court-required work only (e.g., warrant enforcement) and to eliminate its street outreach efforts.

Port Authority Travel Permission Authentication Authority

The New York City Port Authority bus terminal, located just one avenue west of Times Square, is one of the largest transportation hubs in the city and a hotspot for sexual exploitation recruitment. By law, the Port Authority Police are authorized to verify the age and parental consent for youth traveling through the Port Authority. The Port Authority Police work with the both the New York City Police Department and the Administration for Children's Services to verify any information that the youth present. According to the Port Authority Police, they have contact with four to five thousand youth annually with around 400 youth a year being runaways. During this contact, the Port Authority Police specifically look for signs of sexual exploitation. This information is collected not only to make the appropriate referrals but also to gather

information on the occurrence of sexual exploitation in the bus terminal. The officers document and file the information for each youth on a one-page interview survey. Unfortunately, due to staffing shortages, the survey data has not been pooled or analyzed.

Court-Based Initiatives

Queens Criminal Court Prostitution Initiative

When the Honorable Fernando Camacho became a criminal court judge and saw children in his courtroom, he expressed a desire to take action to improve their life outcome. He knew that many of these individuals presenting as young adults (16 or older) were actually 13 or 14 years old. He said they would stand there with a tragic smile of their face and get processed through the system time and time again. Although the court had an administrative interest in having these cases disposed at arraignment (the first court appearance), Judge Camacho determined to deal with them differently. Beginning in 2003/2004, when Judge Camacho was in the arraignment part, rather than sentencing the girls to jail or a fine and disposing of the case right at arraignment, he would send the case back to his regular part instead. Initially, he had no idea what he was going to do with the cases when they appeared in his part. However, since Judge Camacho was also the presiding domestic violence court judge, he asked his resource coordinator to look into local prostitution-specific resources. The resource coordinator found GEMS and they brought the agency in to work with the girls.

One of Judge Camacho's success stories is a runaway from Suffolk. Instead of disposing the case at arraignment and sending her to jail, he sent the case back to his part. She was arrested four or five more times, but eventually this stopped. She began receiving services from GEMS and started coming to court to report on her successes—leaving her pimp, obtaining her driver's license, and beginning college. When we interviewed Judge Camacho it had been three years since she first showed up in his courtroom. She continued to show up at court, even though she no longer has a case in the system, to tell Judge Camacho how she was doing. According to Judge Camacho, "she needed someone to show her someone cared about what she was doing with her life, was upset with her when she did bad and praised her when she did something positive." From our youth prosecution interviews, one of the young ladies reported the following about having her prostitution arrests processed in Judge Camacho's court: "(the first arrest) I took GEMS but I blew them off and I didn't do my 98 days and I got arrested again so I had to go back to court. It was the same judge and he has a relationship with GEMS and he gave me a second chance. This time around I did GEMS."

Judge Camacho reported that these girls are very much like a domestic violence victim. They have been manipulated and abused. One of the more extreme cases reported by Judge Camacho was when a pimp came into the courtroom and knocked the girl out right in the courtroom and then walked out. The court officers were able to apprehend the pimp, and Judge Camacho sentenced him to the maximum for contempt of court, 30 days of jail. However, the pimp made his point very clear—I can get you anywhere, even when you are in court in front of the judge.

According to Judge Camacho, it has taken a long time for there to be progress around the issue of domestic violence, but progress is happening. He believes that the same emphasis and

attention that was focused on the issue of domestic violence needs to occur with commercial sexual exploitation of children. He feels that if there is not anyone “yelling and screaming” about it, it will become a forgotten subject, and the system will just go back to its regular processing of young women through the system.

In addition to connecting the youth to services, Judge Camacho has been active in expunging cases where girls are found to be minors younger than age 16. GEMS works with young women to obtain birth certificates, driver’s licenses, etc. Through this, GEMS often determines their exact age. Additionally, GEMS can check to see if any of the prostitution arrests occurred while the girls were minors. If they do find such information, GEMS will present the information to the court, and Judge Camacho will expunge any past cases when the girl was a minor. While this is problematic when it comes to identifying the number of CSEC youth arrested for prostitution (in these cases the record is expunged from the criminal court database, leaving no record that it existed, it is helpful to young women who are working to rebuild their lives.

Initially, Judge Camacho experienced some resistance from other criminal justice stakeholders about not accepting pleas at arraignment on prostitution cases with individuals under the age of 21 (an even older age than how CSEC has been defined throughout this report). Judge Camacho cited a couple of reasons for the resistance:

- The court system has to answer to the community, and if they court system stops sending “prostitutes” to jail there is concern that it would be considered an attempt to decriminalize prostitution.
- If all of the cases are in a specialized part, pimps know where to go to intimidate their girls or recruit other girls.

To deal with the concerns around “decriminalizing prostitution” while developing a specialized court part for CSEC cases, Judge Camacho and the Queens District Attorney’s office have developed procedures whereby only girls with up to three prior arrests can come to Judge Camacho’s part instead of being disposed at arraignment.

Queens Family Court Detention Alternatives

Within the family court, a different judge who we interviewed talked at length about the limited resources available to her when working with juvenile girls arrested for prostitution. She recognized that it is most important to get the girls off the street and away from the pimp but there is a constant shortage of housing options. She has developed a relationship with a hospital in her area and routinely sends these girls to the hospital for a week. While there, the girls can receive the care they need, whether it is medical, psychological, or family therapy/counseling.

Prosecutorial Initiatives

Brooklyn District Attorney – STARS Program

As part of an alternative sentencing program, youth defendants ages 16-21 in Brooklyn can participate in a series of sessions highlighting the dangers associated with prostitution. In addition to service provider presentations, the STARS program usually has a speaker who used

to be a prostitute. While the STAR program reports success in disconnecting youth from their exploiters, they report that the largest problem is what else to do with these young people, having accomplished this separation. Service provision often fails because there are no immediate secure placement options for these youth.

CSEC-Specific Social Services

Girls Education and Mentoring Services (GEMS)

Girls Education and Mentoring Services (GEMS), the only CSEC-specific service provider in New York City (see profile at the end of Chapter Five), was founded back in 1998 in response to the overwhelming need for services for young women at risk for, or involved in, sexual exploitation. GEMS provides direct services to the sexually exploited youth: housing, counseling, protection, outreach, core outreach, alternatives to incarceration, alternatives to detention, public awareness, prevention, and advocacy. As one young woman stated during our youth prosecution interviews, “It was just like being around people where you could openly talk about your lifestyle and stuff like that because my parents, my family doesn’t know anything, so it was like a breath of fresh air.”

Chapter Ten

Conclusion and Lessons Learned

In the fall of 2002, the Mayor's Office of the Criminal Justice Coordinator (CJC) convened a working group to identify gaps in the city's response to CSEC. The areas of gravest concern were in the respective areas of housing, social services, prevention, prosecutor of exploiters, and prosecution of solicitors. With funding in 2003 from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), the city sought to implement initiatives in the following four overarching areas: (1) coordination, (2) prosecution, (3) programs, and (4) prevention. The Coalition to Address the Sexual Exploitation of Children (CASEC) became the resulting demonstration project. This chapter reviews the major study findings and lessons learned, while identifying important study limitations as well.

Discussion of Major Findings

Coordination: The CASEC Citywide Taskforce

One of the main CASEC successes was in the development of a new taskforce that brought together a broad and previously decentralized array of stakeholders that have regular contact with sexually exploited youth. Stakeholders reported that their taskforce participation enabled them to know exactly who and what number to call when they needed any given form of assistance in serving a sexually exploited youth. A communication analysis confirmed that by early 2006, all of the frontline stakeholders—the police, prosecutors, defense counsel, and service agencies—had instituted regular (at least weekly) lines of communication amongst themselves; and served as communication hubs, with varied connections to other, less central stakeholders.

In addition to broadening and strengthening this citywide network, the taskforce increased each participant's knowledge of the CSEC issue. Through information sharing at taskforce meetings, stakeholders gained a better understanding not only of what the other agencies do, but also of the typical characteristics and needs of CSEC victims, exploiters, and solicitors. Furthermore, the taskforce provided a support network with concrete policymaking benefits. Many taskforce meetings concluded with lengthy discussions of a problem experienced by particular stakeholders. Other participants would provide suggestions for solutions and referrals to appropriate individuals or agencies, or in some cases, the stakeholders might simply commiserate over common struggles.

Finally, the taskforce provided its participants with the opportunity to work together on a coordinated citywide response. According to the theory of change that CASEC implicitly adopted, better coordination would serve as both an end in itself and as a critical means to make progress in the three other major policy areas discussed below.

Prosecution Initiatives

The CASEC taskforce identified and sought to address two gaps in the prosecution of exploiters: (1) a lack of dedicated resources to ensure case-by-case consistency, and (2) a lack of admissible evidence to prosecute the cases successfully.

Building on a similar, preexisting initiative of the Queens District Attorney's Office, CASEC successfully implemented protocols for the specialized prosecution of CSEC exploitation cases. Stakeholders reported that the specialization of exploiter cases under a small number of assistant district attorneys, and elaboration of CSEC-specific prosecution protocols, led to better case screening, background investigations, and collaboration with the New York City Police Department. In addition, the results of a quasi-experimental impact analysis suggest that the approach in Queens led to a slight, quantifiable improvement in the conviction rate. The analysis also indicated, however, that the establishment of the specialized approach did not affect the severity of the sentences that were imposed on convicted exploiters, after controlling for other case characteristics. Due to changes in police charging practices, exploitation cases began to be sent to federal court at the end of 2007, and the initiative dissolved as a result. Yet, the specialized prosecution initiative may still serve as a model for other jurisdictions. Additional research should be conducted to determine if such intensive prosecution policies and procedures produce more severe dispositions and sentences.

In a separate initiative, CASEC planned to implement a citywide technology enhancement to improve case-level information sharing between police and prosecutors. However, this plan was not ultimately implemented.

Programs for CSEC Youth

Housing was the single greatest need that taskforce members collectively identified, with 13 of 16 stakeholders very dissatisfied (10) or dissatisfied (3) with the status quo. In response, CASEC sought to couple dedicated residential beds with onsite services for exploited girls. The first effort to accomplish this goal fell through after two years of planning work. A second attempt was finally implemented in the summer of 2008, after the formal evaluation period ended. In its efforts to make dedicated housing available, CASEC encountered numerous obstacles, including a series of protracted, bureaucratic delays related to a staffing change in the project director position; various city contracting regulations; and concerns over the sustainability of the housing solution after OJJDP funding expired.

CASEC did effectively facilitate funding for emergency short-term beds for youth ages 16 and older through the city's Department of Youth and Community Development (DYCD). Without DYCD involvement in the taskforce, other CASEC stakeholders may not have known about the grant opportunity and would not have known specifically who to call at DYCD with questions, thereby illustrating the CASEC theory of change (coordination as means to other ends) at work.

In addition, CASEC funding enabled the Sexual Assault and Violence Intervention (SAVI) program in Queens to assist over 30 young women to obtain CSEC-specific counseling and service referrals, especially for ongoing counseling, school re-enrollment, and family

reunification services. This pilot demonstrated that direct collaboration among prosecutors, the court, and community-based providers can be an effective way of identifying and linking CSEC youth to the counseling services they need. (SAVI referrals mainly came from the Queens prosecutor and from a specialized child prostitution calendar in the Queens Criminal Court.)

If and when New York City or other cities are able to develop and sustain CSEC-specific beds, it will be important to conduct an impact study to determine if and how dedicated housing affects the youth, both in terms of their well-being, engagement in CSEC-related activities, and involvement in the prosecution of exploiters. Additionally, specific research should be conducted to examine if and how specialized services (such as counseling) affect the lives of these youth.

Prevention Initiatives for At Risk Youth

Regarding prevention, SAVI was able to develop and implement a CSEC prevention workshop in four group homes in Queens. The workshops elicited extremely positive participant evaluations. When the pilot ended, however, the initiative was not sustained. In addition, efforts to implement a school-based prevention curriculum were not realized at the time of this writing due to delays in negotiating with the Department of Education. Additional long-term research should be conducted to determine if prevention work affects youth in terms of future involvement in prostitution, future involvement in the criminal justice system, engagement in school, drug and alcohol use, and self-esteem.

Study Limitations

Even though initial project planning began in late 2002, and OJJDP funding began in June 2003, this study could not commence until several years later, in January 2006. Consequently, the story of CASEC in its first three years had to be obtained largely from a review of meeting minutes and from the recollections of those stakeholders who participated throughout. We were specifically unable to conduct first-hand observations of the process of identifying the city's major CSEC needs, forming the taskforce, and beginning the prosecution initiative in Queens. On the other hand, due largely to a critical eight-month period when the project director position was unfilled, and the subsequent catch-up period that followed, many CASEC initiatives were substantially delayed. Most, in fact, did not see significant progress until close to the time of the evaluation (the prosecution initiative began six months earlier) or afterwards (the housing, services, and prevention initiatives). Therefore, although adverse to our work, this limitation was not as significant as we had feared at the outset.

Another critical limitation concerned the absence of the voices of the CSEC youth that were involved in the criminal justice system, as well as the voices of the exploiters ("pimps") and solicitors. The characteristics and experiences of CSEC youth citywide are richly explored in Volume One (Curtis et al. 2008). Yet, for purposes of the evaluation, it would have been helpful to have gained specific feedback regarding the prosecution initiative in Queens or the effort to link CSEC youth identified by the prosecutor in Queens to community-based services from the SAVI program. Despite several efforts to develop a recruitment method that would isolate our specific population of interest, we were not able to recruit and interview many girls and thus only sparingly reported a few insights of those girls with whom we did speak.

The voices of the exploiters and customers would also have been interesting to explore, especially the men who had cases both prior to and after the implementation of the specialized prosecution initiative in Queens. Since neither volume of this study sought to interview exploiter or solicitor populations, there are a broad range of largely unanswered questions regarding their own formulations of what they do, why they do it, how they feel about it, and how they perceive existing levels of legal pressure applied by the criminal justice system.

Finally, we could not conduct a truly rigorous and thorough impact analysis of the effects of the prosecution initiative in Queens. The sample sizes were extremely small, including only 164 cases that were arrested and disposed after a specialized approach first began in 2000 and only 33 cases that were processed after the application of additional OJJDP funding. The results suggested a positive effect on the conviction rate, but the significance level was only .10. Additionally, the raw percentages suggested a possible positive effect on sentencing severity, but when controlling for defendant background characteristics, this effect did not come close to significance; moreover, it would be mere speculation to suggest whether there was in fact no effect or whether an effect might have appeared with a larger sample size.

Lessons Learned

Although CASEC experienced a number of successes, several important obstacles impeded the city's ability to accomplish its goals. These obstacles can yield valuable lessons for New York City and the nation. The most important ones were in the areas of:

1. *Operational Leadership*: Many of the successes of CASEC were due to the operational leadership of the Office of the Criminal Justice Coordinator, which brought a large and diverse array of agencies to the table. On a similar note, the initiative struggled during the period when the project director position was unfilled, highlighting the value of not just high-level political leadership but consistent staff-level leadership as well.
2. *External Policies*: Several administrative or bureaucratic developments or obstacles that arose from outside the CASEC taskforce critically affected its work, leading to delays, interruptions, or a lack of implementation of planned initiatives.
3. *Informed Decision-Making*: A lack of timely, accurate, and routinely collected data on CASEC victims, exploiters, and solicitors forced the taskforce to rely on anecdotal information about the populations of interest.
4. *Sustainability*: Several initiatives, even ones that were successfully implemented at first, dissolved due to lack of ongoing funding.

Each of these lessons is discussed in more detail below. Importantly, the purpose of focusing on obstacles in this portion of our conclusion is not to detract from the accomplishments of the New York City demonstration project, but rather to yield information that may be of value to other jurisdictions, as they confront similar issues.

Operational Leadership

The Mayor's Office of the Criminal Justice Coordinator (CJC) led the planning process, convened the taskforce, and administered OJJDP funding. With the imprimatur and authority of

the mayor behind it, the CJC Office was arguably the only citywide stakeholder with the ability to bring all of the other parties together and to manage the initiative effectively. Moreover, the CJC Office created an impressively broad and inclusive taskforce and led the project to many successes. Other jurisdictions should consider the New York leadership model in attempting similar efforts.

Within the CJC Office, staff leadership was concentrated in the single person of the project director. This created important problems when the project director position went unfilled, particularly during the first such period from June 2004 to February 2005 when the taskforce ceased to meet, initiatives were placed on hold, and institutional memory was lost concerning what had previously taken place. As one stakeholder reported, “There’s not been a tremendous amount of continuity ... and when you’re taking it upon yourself, when it’s incumbent on the program to direct how things are going to go, what money you’re going to spend on what, how all the components are going to be connected, if you don’t have that continuity with the program staff who is onsite, then it’s up to a tremendous amount of misinterpretation as to what you’re supposed to be doing.”

The CJC Office was the main driver and contact point for the CASEC taskforce and initiatives, a pattern of operational leadership that experienced both successes and barriers. Future demonstration projects would benefit from additional research examining the effects of different patterns of operational leadership (for example, if the grant was located with the police department, a district attorney’s office, or a service provider).

External Policies

Administrative and bureaucratic obstacles that arose from outside the immediate CASEC taskforce made it difficult for CASEC to accomplish its goals.

One example of this is the role of federal oversight. Initially, OJJDP played a “hands-off” role regarding the scope of work. When a new grant manager was assigned to the project, OJJDP became actively engaged in defining CASEC as a “demonstration project,” not merely an assemblage of unrelated initiatives, strategies, and activities. Given this vision, the grant manager asked CASEC to concentrate all of its efforts in the one borough of Queens. Although the concentration of initiatives in a single pilot borough was perceived as a way of having more measurable impact, the timing of the change caused some disruption. This was most evident in the area of prevention. Much of the initial prevention work involved planning for a citywide public service announcement campaign, not the borough-specific group home- and school-based strategies that CASEC ultimately pursued.

Similarly, while the prosecution initiative appeared to have produced a number of positive results, policymaking developments on the human trafficking front led the police to begin referring exploitation cases to federal prosecutors instead. This highlights the critical influence of the emerging policy environment at all levels of government. Certainly, it is not an omission on the part of CASEC or the Queens District Attorney’s Office that, while they were diligently and successfully implementing one of their initiatives, an entirely separate development led to massive changes in their procedures.

Another example of an external obstacle was the numerous delays in the planned housing initiative that related to citywide contracting, procurement, and expenditure policies. Negotiations were also slow to progress with the Department of Education on the school-based prevention initiative. There may be valid explanations for many of the city policies and procedures that were involved. The purpose of isolating this obstacle as a lesson learned is not to criticize the management of the city but rather to point out that these issues are difficult to avoid with initiatives that require the cooperation of many agencies.

Informed Decision-Making

A particularly important obstacle related to the availability of relevant data and communication across different data systems. As appears to be the case not only in New York City but also nationwide, there is a dearth of statistical information about the CSEC population. The first place where data loss occurs is with the police. When youth are confronted on the street, the police will often escort them to services. (The results in Volume One suggest that most encounters between CSEC youth and the police do not result in an arrest per se.) When this happens, there is no specific record of the interaction. Another point of data loss arises when adult prostitution arrests (of youth ages 16 and older) are expunged, because the police or prosecutors later determine that the youth is a minor. When this happens, all record of the arrest is deleted. In the family court, data loss occurs in several additional ways. First, CSEC juvenile delinquency cases are often not labeled as involving child prostitution. This occurs because youth under the age of 16 cannot legally be charged with prostitution, since they cannot legally consent to sex; hence they are often (although not always) charged differently, in which case their CSEC-related status is left unknown. Second, PINS cases brought by a parent or guardian in the family court often pertain to CSEC youth; but the youth in such cases are not routinely assessed for CSEC; and even where their CSEC status comes to the attention of one or another parties in the case, it still is not recorded in any data collection system. Finally, the many youth service agencies throughout the city whose clients may be CSEC-involved do not typically track or pool data concerning these CSEC encounters.

Policymakers face critical limits in their capacity for informed decision-making. There is naturally a desire not to label individuals, especially youth, in a potentially damaging fashion (e.g., as involved in “child prostitution”). Yet, the only way to gain a thorough understanding of CSEC is to have an accurate record of the cases. Moreover, the results of this study suggest that in a few places, a lack of information spawned several ideas about the CSEC population that may not have been accurate (e.g., see this volume, Chapter Three and Volume One, Curtis et al. 2008). A few examples concern the unanticipated involvement of boys in CSEC-related activity, the absence of pimps in the lives of many youth, the unique dangers posed by solicitors, and the predominance of local youth over those involved in international trafficking. (Although in this last case, despite a tendency of the media at times to conflate CSEC and international trafficking, CASEC taskforce members themselves correctly anticipated that most of the city’s CSEC youth were domestic-born.)

Although the current study may itself help to create an improved information environment in the years ahead, CSEC data collection limitations hinder the capacity for any future analysis of the population and for ongoing performance monitoring of future CSEC-related initiatives.

Sustainability

Sustainability was a critical theme arising in the context of many CASEC initiatives. While grant funding from OJJDP helped to jump-start the city's work on CSEC and provided crucial support for several concrete initiatives, the lack of reliable, ongoing funding hampered CASEC's efforts. For example, although the group-home prevention efforts were piloted with great apparent success, additional funding was not obtained, and the group homes did not agree to implement further sessions on their own; hence, the initiative was not sustained beyond the pilot period. It is difficult to ask a complicated, multi-faceted, multi-agency initiative to simultaneously implement new programs and plan for long-term sustainability.

Summation

This evaluation found that due to the work and dedication of a large number of individuals and organizations, the New York City demonstration project experienced a number of successes and achieved many of its goals. The Mayor's Office of the Criminal Justice Coordinator was well situated to lead the project. Its starting point was with the formation of a broad multi-disciplinary taskforce through which, according to the project's implicit theory of change, many of the other desired outcomes would be achieved. Many of the project's achievements indeed demonstrate that when developing strategies to address CSEC, it is valuable to develop such an engaged stakeholder group as the one assembled in New York—one that works together to identify gaps, develop initiatives, and communicate regularly to address ongoing issues and concerns. Through its inclusive, coalition-based approach, the project not only affected how the city handles CSEC youth and exploiters but also changed the culture and perception that a broad array of stakeholders came to hold about sexually exploited youth.

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Appendix A

Stakeholder Interview Protocol

Date: _____
Organization: _____

**Center for Court Innovation
Commercial Sexual Exploitation of Children
Stakeholder Interview Protocol**

INTRO: Thank you for making the time to meet with me today. I am here to discuss the commercial sexual exploitation of children in New York City. We will be discussing the issue both citywide and in terms of specialized projects such as the New York City Coalition Against the Sexual Exploitation of Children, which is funded through the Mayor's Office. The first section of this interview will consist of a discussion about your/your agencies role in dealing with the commercial sexual exploitation of children and what is being done to address this issue. The second part of this interview will consist of a communication inventory and satisfaction survey. The interview should take about an hour.

Stakeholder Role

1. What is your/your agencies role in dealing with the commercial sexual exploitation of children?
2. How do CSEC youth/pimps/johns (*depending on agency*) become involved with you/your agency? What happens once there are identified?

NY-CASEC

3. Has your organization been involved in the New York CSEC project through the Mayor's Criminal Justice Coordinator's Office? If so, when did you become involved, how have you been involved?
4. Do you believe this project is needed to effectively address the issue of commercial sexual exploitation of children? Has the project been useful? If so, how? Do you believe the money could be best used elsewhere? If yes, where?
5. What do you believe are the goals of NY-CASEC? How were they developed? Do you believe these are the goals that NY-CASEC should be working on?
6. What strategies will NY-CASEC use to address their goals? How were the strategies developed? Who is involved? Do you think these strategies are effective? (*If not provided, probe on stakeholder meetings and project-specific initiatives: housing, prevention, and Queens prosecution*)?
7. Has involvement in the NY-CASEC changed your work? (*Probes – Do you know/have contact information for more people/agencies involved in CSEC work? Do you have more service referral options? Are you better able to handle, refer cases to services or to law enforcement? Do you have better evidence to prosecute*)

cases? Have your policies changed for handling these cases? Have you developed protocols for identifying, referring, handling these cases?)

8. Has involvement in the NY-CASEC changed your communication with stakeholders?

Prevention, Services & Prosecution

9. What prevention strategies are in place in New York City to help youth that may become or are involved in CSEC? Where are they located? Who/What agency developed them? What is missing in terms of preventing sexual exploitation of children?
10. What services are available for sexually exploited youth? How are they referred to services? By what agencies? To what agencies? At what point? What services are missing in terms of providing services to sexually exploited children?
11. What types of CSEC cases are prosecuted? Are pimp cases prosecuted? Are john cases prosecuted? How does this occur? Who is involved? What is the process like? What factors (youth characteristics or involvement, evidence, etc?) are pertinent to the prosecution of cases? What is needed to enhance prosecution of CSEC cases?

Successes & Barriers to Working with CSEC

12. What works and what are the barriers to;
- Keeping youth from entering CSEC?
 - Getting kids away from pimps?
 - Prosecuting pimps and johns?

Data

13. Do you keep data on the youth/pimp/johns that you work with? If so, what kind? How are youth/pimps/johns identified?

Appendix B
Stakeholder Interview: Communication and Satisfaction Survey

Think back over the last year. Approximately how frequently did you communicate with each of the following organizations on matters pertaining to CSEC? For each organization, please make a check (✓) in the box to mark the best answer. Please consider all forms of communication – in person or by phone, fax, email, etc. – when answering.

Organization	Daily	2-3 times per week	Once a week	2-3 times per month	Once a month	Once a quarter	Never
Police – General							
Police – Vice Enforcement Division							
Police – Child Recovery Unit							
Police – Fugitive Enforcement Division							
Port Authority Police Department							
Federal Bureau of Investigations							
New York City Law Department							
District Attorney’s Office – New York County							
District Attorney’s Office – Queens County							
District Attorney’s Office – Kings County							
District Attorney’s Office – Bronx County							
District Attorney’s Office – Richmond County							
Legal Aid Society							
Other Defense Attorney Agency (please specify)							
Department of Probation							
Department of Parole							
Girls Education and Mentoring Service							
Paul and Lisa Program							
Sexual Assault and Violence Intervention							
Safe Horizon							
Jewish Child Care Association							
Midtown Community Court							
Mayor’s CJC Office							
Administration for Children’s Services							
New York City Department of Education							
Department of Juvenile Justice							

Please list other organizations, if any, with whom you have had contact with in the **last three months** on matters pertaining to CSEC? Also state the frequency with which you have had contact with them.

Organization	Frequency: <i>daily, 2-3 times per week, once a week, 2-3 times per month, once a month, once a quarter, once a year</i>

Rate your level of satisfaction with the following questions.

1. The *frequency* of communication with colleagues working on matters pertaining to commercial sexual exploitation of children?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
2. The *quality* of communication with colleagues working on matters pertaining to commercial sexual exploitation of children?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
3. The availability of information on exploiters (pimp and johns) of sexually exploited children?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
4. The availability of information on youth involved in commercial sexual exploitation?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
5. Prevention services pertaining to commercial sexual exploitation?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
6. Social services for sexually exploited youth?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
7. Housing for sexually exploited youth?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
8. Prosecution of johns?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied
9. Prosecution of pimps?
 Very Satisfied Satisfied Neutral Dissatisfied Very Dissatisfied

Appendix C

Youth Prosecution Interviews: Methods and Barriers to Recruitment

Open-ended qualitative interviews were conducted with a small number of youth involved in the prosecution of their exploiters through the Queens District Attorney's Office. The purpose was to obtain feedback from the exploited youth regarding their experiences with the criminal justice system and specifically with the pilot prosecution initiative in Queens that had been established with project funding. We had intended to conduct in depth exploratory interviews with 10 youth, but interviewed five due to a series of setbacks related to recruitment.

We initially proposed and obtained Institutional Review Board (IRB) approval to recruit youth through the Sexual Assault & Violence Prevention Intervention Program (SAVI). We developed a recruitment flyer that was given to SAVI in a non-descript envelope. SAVI was to print and affix mailing labels and mail to each individual meeting the research criteria. If a youth was interested in participating, the youth was instructed in the recruitment letter to call one of the researchers. A couple months into the process, we met with SAVI to discuss the fact that we had not received any calls. SAVI voiced two problems that were impeding their ability to distribute the recruitment letters. The first was that many of the youth with whom they came into contact were Spanish speaking, and the recruitment letter was not written in Spanish nor did the researchers for this part of the study have any Spanish-speaking interviewers (whereas bilingual interviews were available for the population estimate in Volume One). The second problem was that SAVI did not have mailing addresses for many of the youth that were part of their program. Thus, SAVI had been unable to distribute more than a handful of recruitment letters.

Due to these challenges, we submitted a new proposal to the IRB that involved posting recruitment flyers at Girls Education and Mentoring Services (GEMS). This change not only changed the location from which we were recruiting youth, but it also enlarged the recruitment criteria from youth involved in the prosecution of an exploiter through Queens District Attorney's Office to any youth involved with the criminal justice system in New York City. From a practical perspective, the shift away from the intended focus on Queens made it unlikely that these interviews would yield any new information to that collected as part of the population estimate (in Volume One); and in any case, the strategy led to only one interview.

Our final approach focused on youth with cases assigned to a specialized child prostitution calendar in Queens (see Chapter Nine). The presiding judge over this calendar had developed a relationship with Girls Education and Mentoring Services (GEMS) and reached an arrangement that involved calendaring all prostitution cases to Thursday mornings, so that GEMS could be in the courtroom to do a brief assessment. Resulting from this set-up, we proposed and received IRB approval to attend these Thursday court sessions to recruit young women for our research project. Through this strategy, we were able to interview four young women. This strategy could have yielded more interviews; however, a number of circumstances impeded our success. The first was that our main recruitment period was the summer and fall of 2007. During the summer,

we were affected by vacation schedules that caused longer adjournment times for calendared cases. We were not able to start recruiting young women until September 2007. Thus, due to our plan to end all primary data analysis in December 2007, we were only able to attempt recruitment for a short time. Due to a continued reduction in prostitution-related arrests and prosecutions in 2007 (as reported by stakeholders and consistent with the most recent arrest trend in the data reported in Chapter Three), there were fewer young women to be potentially recruited to our research. Finally, although our original plan to zero in on the population of youth with specific criminal justice experience in Queens seemed worthwhile, we ultimately determined that the rigor and richness of the citywide Volume One data would more than compensate for what was lost. We thus reported the results from these interviews sparingly, primarily in Chapter Nine in connection with our discussion of the specialized child prostitution calendar in Queens.

The interview protocol begins on the next page of this Appendix.

**Center for Court Innovation
Commercial Sexual Exploitation of Children
Youth Interview Protocol – Queens Prosecution**

INTRO: Hi, my name is insert interviewer name and I work for the Center for Court Innovation. We are evaluating work being conducted through a grant given to the Mayor’s Office. We are here today to talk to you, if you agree, about your involvement with the Queens District Attorney’s Office and other services you have been provided. Insert advocate name is here with me today to be an advocate for you. I am going to start by explaining our work. [Go over informed consent information, allow advocate to discuss the situation with the youth, ask the youth if they have any questions, solicit consent].

Demographic Questions

1. How old are you?

2. What is your ethnicity/race?
 African American Asian Hispanic/Latino
 Caucasian Other: _____

3. Where were you born?
 Manhattan Bronx Brooklyn
 Queens Staten Island
 Outside of New York City: _____
 a. when did you move to New York City: _____

 Outside of New York State: _____
 b. when did you move to New York State: _____

 Outside of United States: _____
 c. when did you move to the United States: _____

4. What borough do you live in?
 Manhattan Bronx Brooklyn
 Queens Staten Island
 Outside of New York City: _____

 a. How long have you lived there? _____

5. With whom do you currently live (*probe – biological parent, other family members, friend, residential placement*)?
 Parent (biological or step) Family member Friend
 Residential placement Other: _____

 a. If living in a residential placement, how did you come to be placed there?

6. Are you currently enrolled in school? Yes No
- a. If yes,
- What grade are you currently in? _____
- b. If no,
- What is the highest grade you completed? _____
 - Do you have a GED? Yes No

7. Have you been arrested before?
- a. If yes:
- How many times?
 - For what?
 - How old were you the first time you were arrested?

Contact/Involvement with DA's Office

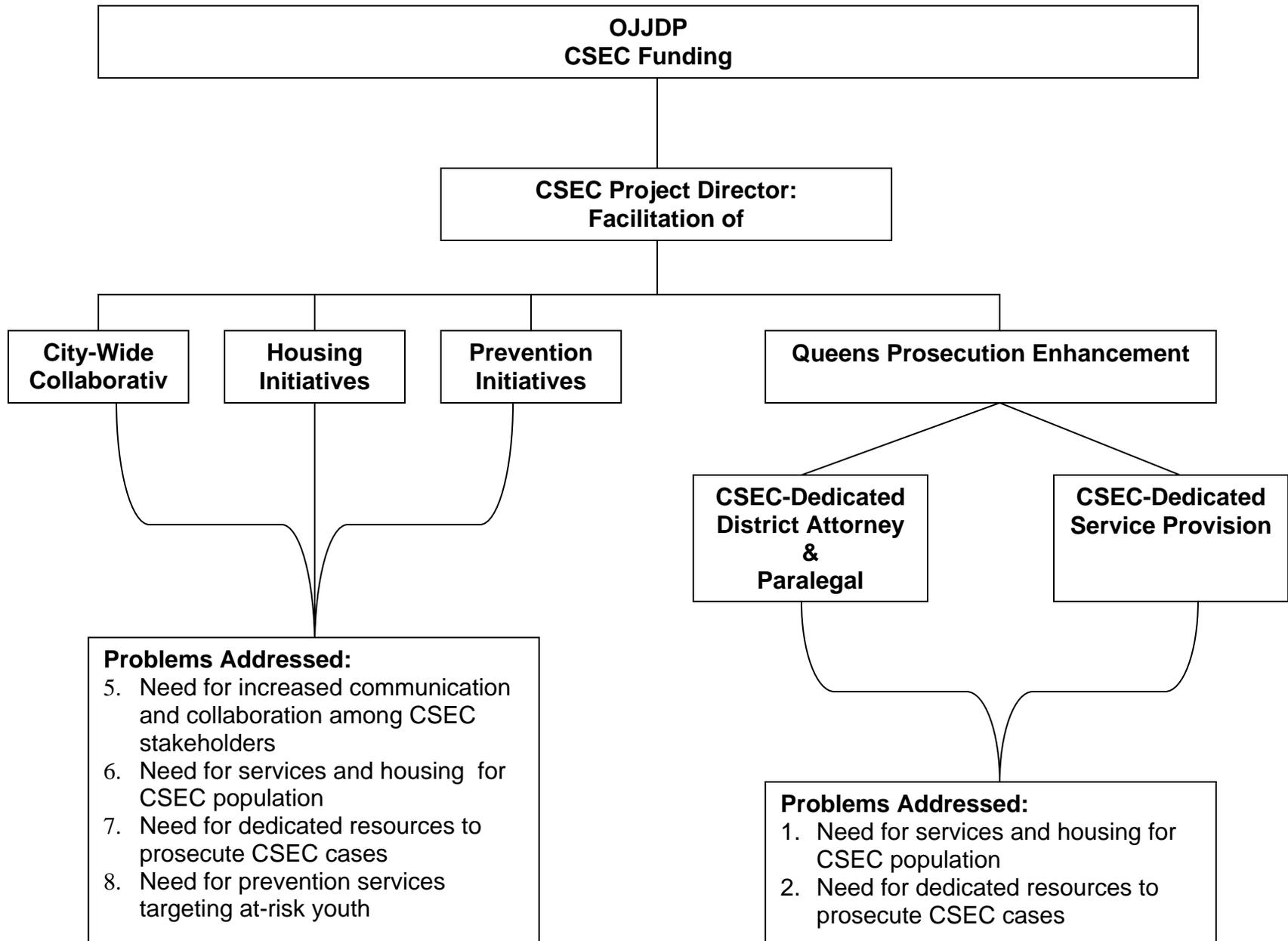
8. When did you come in contact with the Queen's District Attorney's Office?
9. How did you become involved with the Queen's District Attorney's Office? Was it because of an arrest?
- a. Did you get arrested? What did you get arrested for? When did you get arrested? What borough were you arrested in? How do you feel the police handled things (your arrest, need for services, etc)? *[If they have been arrested before]* You said you were arrested before, was this experience any different? If it was, how and why was it different?
- b. Did someone else get arrested? Who was the person(s) that was/were arrested (*probe - family member, other girls, pimp, john, etc*)? What was the person(s) arrested for? When did this person(s) get arrested? What borough was the person(s) arrested in? How do you feel the police handled things?
- c. If you weren't arrested how did you get involved in the prosecution of the case? Who contacted you? What has the experience been like?
10. What has your experience with the Queen's District Attorney been like?
- a. What is the status of your case? Have you been involved? If so, how? If not, why not? How do you feel about the district attorney on your case? How has he/she handled things? Did you/do you think you will testify? How do you feel about testifying?
- b. Have you received services from Sexual Assault and Violence Intervention Program? If yes, what kind of services? Were the services helpful? Have you been involved with other services? If so, which ones? Were the services helpful? Are there additional services that you need? Have you tried to access services before? Was this experience any different?
11. Have you had previous contact with the Queen's District Attorney's Office (*a previous arrest*)?
- a. If yes, was this experience any different? If it was, how and why was it different?

Prevention & Services

12. What suggestions do you have for police, the court, service providers, policymakers to help prevent girls and boys from becoming involved in sexual exploitation?

13. What suggestions do you have for police, the court, service providers, policymakers to help girls and boys get out of being sexual exploited?

Appendix D
CASEC Logic Model

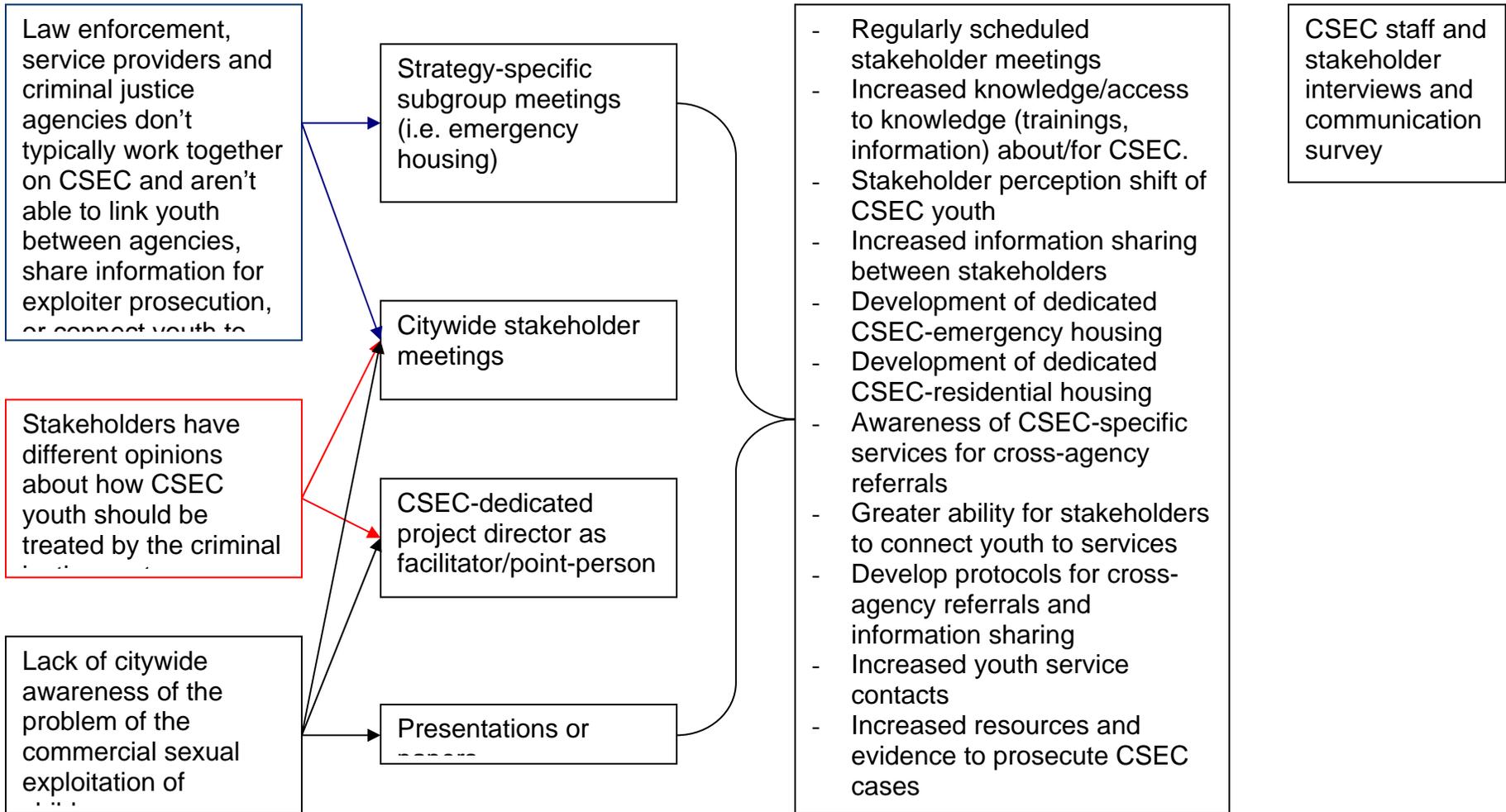


PROBLEM #1: Need for increased communication & collaboration among CSEC stakeholders

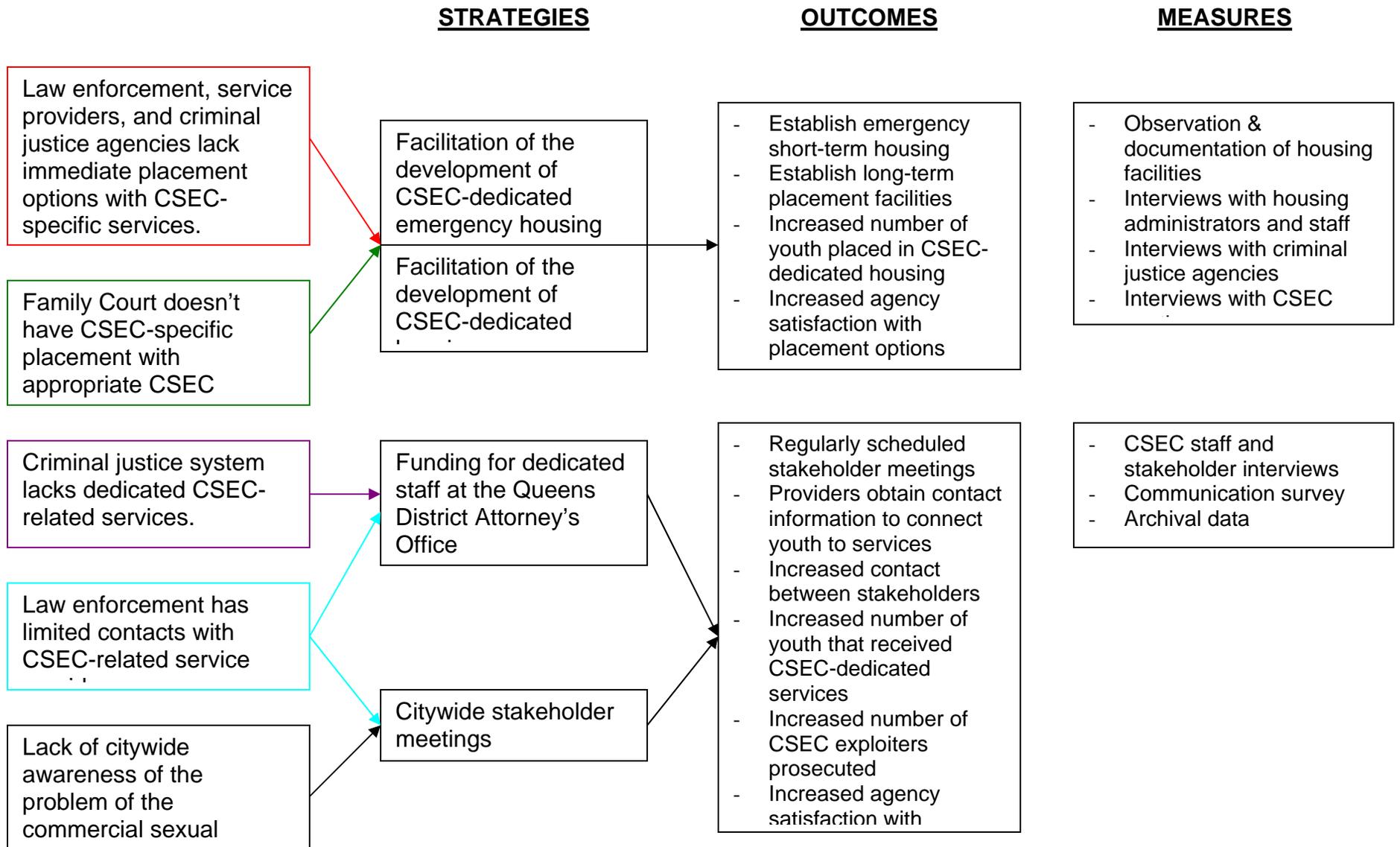
STRATEGIES

OUTCOMES

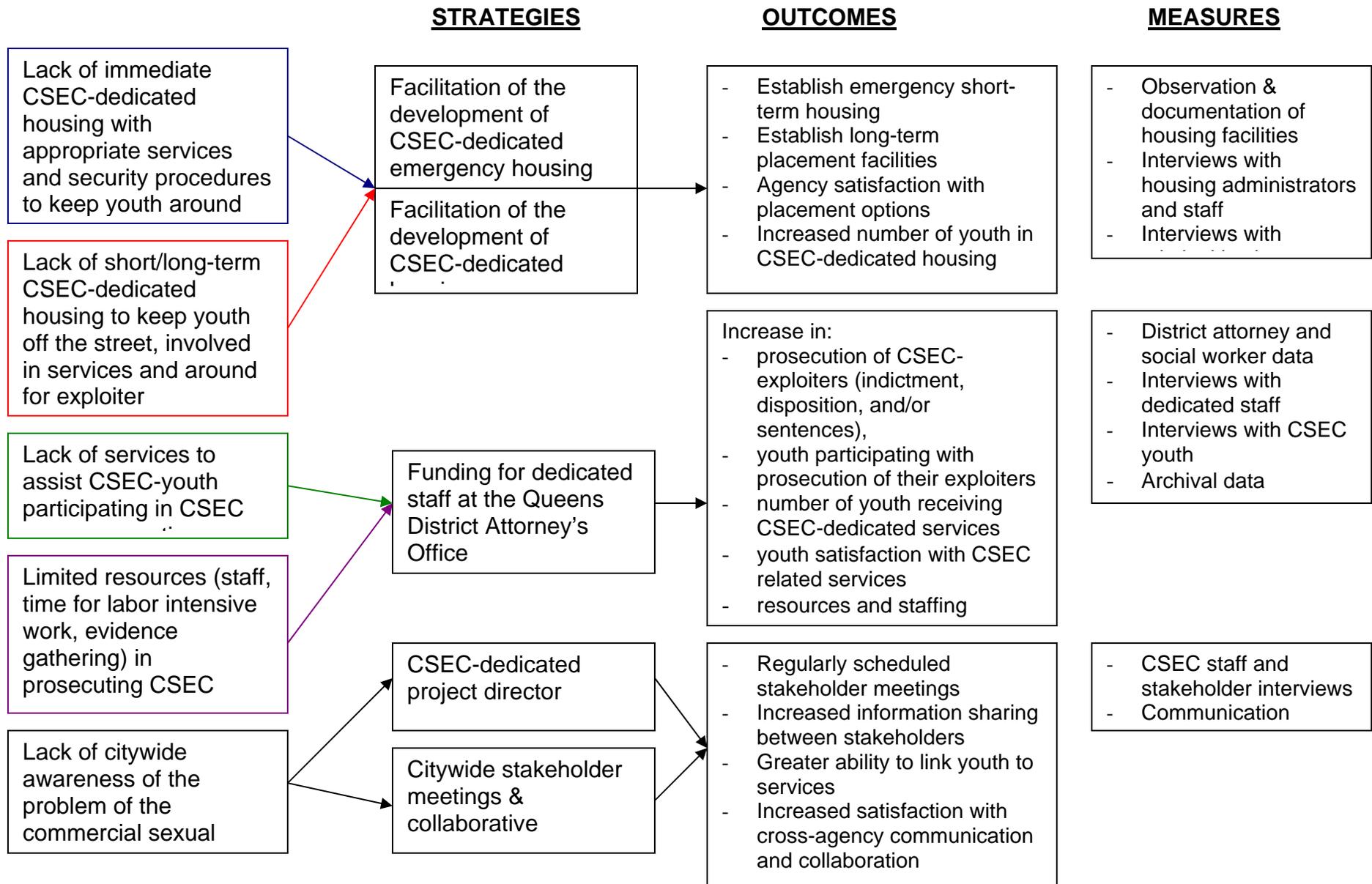
MEASURES



PROBLEM #2: Need for services and housing for CSEC population



PROBLEM #3: Need for dedicated resources to prosecute CSEC cases



PROBLEM #4: Need for prevention services targeting at-risk youth

