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Child prostitution, sex trafficking back on legislative agenda

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Maybe good things really do come to those who wait.

A year ago, a **bill** designed to help free the hundreds of young girls (and some boys) trapped as sex slaves in Georgia died quietly in the Legislature.

In part, the bill fell to a wrong-headed objection: that changing the law to treat children under 16, who can't legally consent to sex in Georgia, as victims of child prostitution instead of perpetrators amounted to "de-criminalization."

But the bill also drew critics who agreed with its goals but feared it might have the unintended consequence of making it harder for police officers to intervene if they saw a likely underage prostitute standing on a street corner.

Now, legislators are back with an even stronger, more far-reaching bill that tackles much more than the problem of child prostitution.

HB 200, introduced this week by Republican Rep. Edward Lindsey of Atlanta with bipartisan support, takes aim at human trafficking — for sexual exploitation as well as other types of forced labor — and significantly toughens the penalties for those found guilty of it.

For people charged with human trafficking, the bill would prohibit such defenses as relation by blood or marriage (for parents exploiting their own children, or men pimping their own wives). It also bars such defenses as "I didn't know she was 15 years old...she looked 20 to me!" or "Hey, she's been a prostitute before."

Penalties for human traffickers would also be significantly beefed up, with the possibility of life in prison if the victim was under 18, and new fines of up to \$100,000. What's more, the state could seize any real or personal property that a trafficker used for, or bought with the proceeds of, the crime.

In a nod to the fact that many trafficking victims in Georgia come from other countries, the bill's definition of "coercion" includes threats to destroy victims' passports or turn them into immigration authorities.

As for sexual exploitation, the bill would block charges for anyone forced to commit sex crimes, including prostitution, against his or her will.

Georgia's new attorney general, Sam Olens, had members of his staff work with Lindsey on the bill's language as part of a broader effort to help lawmakers draft legislation that is more legally sound (and defensible in court). Olens explained it this way in a recent interview:

Among other things, HB 200 addresses the issue of a person being forced into prostitution, and makes that coercion an "affirmative defense."

"Where you have someone who's kidnapped," Olens said, "they ought to be able to have that defense that they

were'n't doing it voluntarily, that they were afraid for their life.”

That’s not “de-criminalization,” but a recognition that many prostitutes — and the vast majority of underage ones — aren’t acting of their own will.

Finally, the bill would also require all law enforcement officers in the state to be trained in “methods for identifying, combating, and reporting incidents” of human trafficking and in the forms of compensation, and the alternatives to jail, available to trafficking victims.

Those other options are still lacking. Although **an estimated 353 girls** are prostituted in Georgia each month, the state has just more than a dozen spots in rehabilitative centers for these victims. All of them are in metro Atlanta.

Still, Georgia has more such spots than any other state, according to Republican state Sen. Renee Unterman of Buford, who sponsored last year’s bill and told me she would support HB 200.

So, even if the new bill becomes law, our state and nation have a long way to go in fighting this moral outrage, this form of modern-day slavery. Getting tougher on the depraved criminals exploiting our children is a critical next step.

– By Kyle Wingfield

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