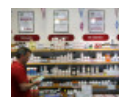


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OPINION

Opinion: Why Decriminalize Child Prostitution?

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Janice Shaw Crouse and Penny Young Nance

Special to AOL News

Believe it or not, the average age for a girl entering prostitution is 13 years old, and the average age is declining as buyers want younger and younger children. Nobody knows exactly how many kids end up being sold for sexual services, but the number is in the multiple thousands and the problem grows bigger and expands to more cities and towns every year. But even one child victim is one too many. Decent people are appalled and want to stop this outrage.

However, one "good sounding" solution that many states are considering will surely produce unintended negative consequences that will make things worse.

Compassionate people are being lured into the idea of decriminalizing child prostitution. The argument goes that children shouldn't be arrested, because that only punishes the children twice. Instead, they should be sent to shelters. Four states -- Washington, Illinois, Connecticut and New York -- have already passed decriminalization laws. Others are considering it.

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The problem with this well-intentioned change is that it won't end the exploitation but will likely make it worse, by removing the only safe and secure protection these vulnerable children have from the pimps -- being arrested and placed under the protective custody of law enforcement.

Ask rescued children -- even those who initially parrot back the "safe harbor" language that some rescue organizations are teaching them -- and many will say that their arrest is the only reason they are alive today.

Here are the main problems with decriminalization:

It makes it possible for pimps to tell children that law enforcement can't touch them and won't help them. Sexually exploited children are victims, frequently beaten, injured and abused, neglected and in need of rescuing from pimps, johns and sometimes themselves. Decriminalizing child prostitution does not pave the road to rescue and rehabilitation; instead it could make that road more difficult.

There aren't sufficient shelters or programs to handle all the victims. Removing legal barriers will not build more shelters, but it will create a great atmosphere for exploiters to coerce more victims. Without sufficient shelters to care for victims and without laws to remove children from prostitution, what will happen to these minors? Where will they go? Without legal means, will the police be more or less likely to look for them?

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The children would be free to walk. Without criminal charges, participation in shelter and treatment programs would be voluntary; they are free to walk out at any time, if there is even a shelter for them to go to in the first place. Many minors in prostitution do not see themselves as victims, either because they believe they are in a love relationship with their pimp or because they do not have a pimp. In fact, a study published by the University of [New Hampshire](#) in 2010 showed 31 percent of the minors arrested for prostitution were solo, they had no exploiter.

It limits solutions to the problem. Keeping prostitution criminalized gives one more tool to law enforcement and the judiciary to combat prostitution and sex trafficking, as well as find help for the victims. It gives the police access to the victims and the legal right to remove minors from the situation where they are being prostituted. Some victims readily accept help and treatment, while others do not.

We believe in keeping the prostitution laws in place, even for minors, but adding an affirmative defense to the law and allowing prosecutors and judges the option of diverting minors into services, such as medical or counseling, while their cases are pending.

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With more training and [education](#), law enforcement would advocate for shelters to keep their witnesses safe and make them better able to testify; judges would advocate for better or different treatment and rehabilitation services for victims, especially when they see victims come through their courts multiple times, if the laws are left in place.

Examples of this are found in Alameda County, Calif., and [Las Vegas](#). Upon successful completion of the treatment programs and services, their cases should be dismissed.

Decriminalizing prostitution by minors is a well-meaning



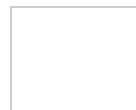
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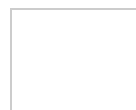
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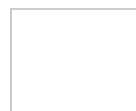
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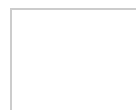
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but flawed solution that will only make the problem worse.

Janice Shaw Crouse, author of "[Children at Risk](#)" (Transaction Publishers, 2010), is senior fellow of Concerned Women for America's Beverly LaHaye Institute. Penny Young Nance, former president of Nance and Associates and special adviser for the Federal Communications Commission, is CEO of [Concerned Women for America](#).

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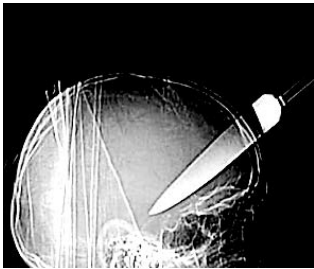
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