

Spring 2008

Law enforcement's reconceptualization of juvenile prostitutes from delinquency offenders to child sexual abuse victims in six US cities

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LAW ENFORCEMENT'S RECONCEPTUALIZATION OF JUVENILE
PROSTITUTES FROM DELINQUENCY OFFENDERS TO CHILD SEXUAL ABUSE
VICTIMS IN SIX U.S. CITIES

BY

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DISSERTATION

Submitted to the University of New Hampshire

in Partial Fulfillment of

the Requirements for the Degree of

Doctor of Philosophy

in

Sociology

May, 2008

UMI Number: 3308372

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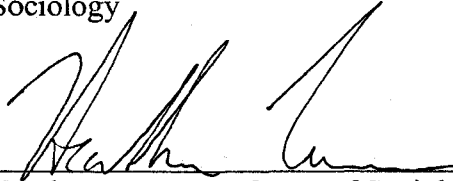
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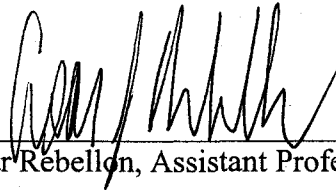
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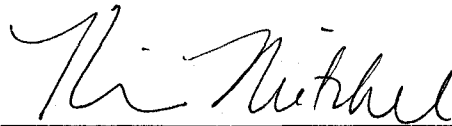
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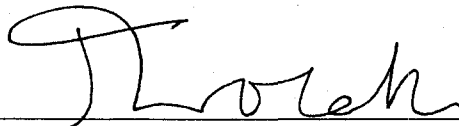
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To Ian,
for his endless support
and encouragement

ACKNOWLEDGEMENTS

I have been very fortunate as a graduate student in the University of New Hampshire's Sociology Department and I am extremely grateful for the education and opportunities that I received. I owe special thanks to many whom have influenced my academic career and made it possible for me to complete this project. First and foremost, I would like to thank David Finkelhor, for his continued mentorship throughout my graduate school career. I learned so much, in and out of the classroom, and truly would not have achieved this without his continued guidance, patience and thought provoking suggestions. His tireless work ethic and endless appetite for knowledge inspire us all. Additionally, I would like to thank my committee members, Heather Turner, Cesar Rebellon, Kimberly Mitchell and Janis Wolak for their insightful suggestions, guidance and willingness to share their knowledge. Thank you Brad Russ from the Internet Crimes Against Children Taskforce for sharing your contacts; this study truly would not have been possible without your help. I also owe many heartfelt thanks to Kelly Foster and Doreen Cole for their continued support over the years. You both helped me in so many ways. I would also like to thank Sally Ward, Lawrence Hamilton, and Michelle Dillon for my knowledge in Sociological research methods and theory for which without this project would not have been possible. Special thanks to Jean Dawson for her continued friendship and collegial support.

I am indebted to the law enforcement agencies and personnel who participated in this study for their willingness to partake and assistance in locating and retrieving the

case files. This study would not have been possible without your support and it would not have been nearly as enjoyable without your hospitality.

I have also been fortunate to have an tremendously supportive family for which I am extremely grateful. I owe many thanks to my best friend and husband, Ian Reddick, whose encouragement, thoughtfulness and delicious cooking sustained me through graduate school. I would also like to thank our parents, Paula Caputy, Donald Reddick and Alice Hayden for their continued understanding and support over the years.

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ABSTRACT

LAW ENFORCEMENT'S CONCEPTUALIZATION OF JUVENILE PROSTITUTES
AS DELINQUENCY OFFENDERS OR CHILD SEXUAL ABUSE VICTIMS
IN SIX U.S. CITIES

By

Stephanie Halter

University of New Hampshire, May, 2008

The involvement of youth in prostitution has proven to be a difficult and complex issue for law enforcement, child welfare, and social service agencies to confront. This stems from the complicated social and legal aspects of the problem, which have created considerable ambiguity in how to recognize, define and, ultimately, handle juveniles engaging in prostitution. This research project examined how juvenile prostitutes were conceptualized by law enforcement, as victims or offenders, by examining the law enforcement response to this social problem. One hundred and twenty-six juvenile prostitute's case files from six law enforcement agencies in major U.S. cities were reviewed for this study. This study found that 60% of youth in this sample were considered victims and 40% were viewed as offenders by law enforcement. Logistic regression was utilized to examine to predict the juveniles' culpability status as a victim. The full model predicted 91% of the cases correctly and explained 67% of the variance in juveniles' culpability status as a victim. Youth involved in prostitution who were more cooperative with law enforcement, whose prostitution experience involved exploiters that were identified by law enforcement, and whose case was reported to law enforcement

were more likely considered sexual abuse victims. Law enforcement officers in the six agencies sampled for this study conceptualized juvenile prostitutes mostly as victims and viewed exploiters, especially pimps, to be the most culpable in cases of juvenile prostitution. However, some juvenile prostitutes were handled as offenders. In some cases law enforcement encountered difficulties in trying to protect youth involved in prostitution. This stems from the fact that many of the youth involved in prostitution are multi-problem youth who are resistant to law enforcement's aid and restrictions in detaining status offenders as enacted in the JJDP act of 1974. Youth who were uncooperative with law enforcement, were acting on their own and were discovered through some type of law enforcement action were more likely, but not always, processed as offenders.

INTRODUCTION

STATEMENT OF THE PROBLEM

While juvenile prostitution is not a new phenomenon, it was not until the mid-1970s that it emerged as a social problem in the United States. Prior attention focused mainly on prostitution as a moral and ethical problem, and largely ignored the issue of the age of individuals engaging in prostitution. It was not until child sexual abuse emerged as a social problem that the prostitution of juveniles began to be recognized as a social problem, and, notably, as a form of child sexual abuse (Best, 1990).

Child sexual abuse emerged in the 1970s as an umbrella term for incest and molestation, linking these two acts to the already well-established social problem of child abuse. This new term conveyed the idea that sexual contact with children is harmful and equated this harm to that inflicted by child abuse (Best, 1990). Since this time, public awareness and concern has increased greatly, making child sexual abuse one of the most widely publicized and culturally intolerable crimes in America.

Despite the identification of juvenile prostitution as a form of child sexual abuse it was not until the end of the 21st century that this problem gained recognition by official agencies as such. Since this time there has been increasing attention to the issue and law enforcement has begun a metamorphosis in their response to the problem (Bilchik, 1997).

This research project examines how juveniles engaging in prostitution are currently conceptualized, as victims of child sexual abuse or delinquent offenders, by

examining the law enforcement response to this emerging social problem. Additionally, using social constructionist theory, this project will explore how this social problem has been typified by claims-makers and factors contributing to these typifications in an effort to place this emerging social problem in context.

CHAPTER I

LITERATURE REVIEW

Theory

Social constructionism provides a theoretical framework for examining social problems such as juvenile prostitution. This theory conjectures that knowledge is historically and culturally relative and is created through social interactions and defined by language (Berger & Luckmann, 1966; Blumer, 1971; Burr, 1995; Gergen, 1999).

Most important to examining the issue of juvenile prostitution is the assertion that how individuals organize and view the world is specific to the historical time period and culture within which the individual is living. Social constructionism not only recognizes that knowledge varies by culture and historical period, but also that this knowledge is a social product of that culture and time period. Hence, how we conceptualize and categorize behavior, as criminal or victimization, varies by culture and era and, most importantly, is a social product of that culture and era.

Accordingly, how prostituted juveniles are conceptualized is socially constructed and defined through a social process. The social construction of the concept of the prostituted juvenile is an ongoing social process that takes place through social interactions. These social interactions often take the form of claims-making activities. "Claims-making is always a form of interaction: a demand made by one party to another

that something be done about some putative condition” (Spector & Kitsuse, 2001, p. 78). Whether juvenile prostitution is a social problem or not does not depend upon whether an objective condition exists, but rather whether or not claims-making activities are taking place (Spector & Kitsuse, 2001). This definition of social problems suggests focusing on “ascertain(ing) how *participants* in an activity define that activity” (Spector & Kitsuse, 2001, p. 79; emphasis in original).

Best (1990) proposes using rhetoric analysis, specifically Toulmin’s (1958) structure of an argument, to examine claims-making activities. Arguments have a particular structure and are intended to persuade. Claims are the outcomes of an argument in that if the argument is successful the merits of the claim are established. Data or grounds are the facts used to establish the basis for the claim. Warrants are statements which are often implicit and act as a bridge, “justify(ing) drawing conclusions from the grounds” (Best, 1990, p. 31).

Claims-makers establish grounds for their claims by making statements defining, typifying and estimating the scope of the putative problem. Definitional statements identify the issue as a social problem, establishing the domain and orientating people to the type of problem claims-makers argue we should confront (Best, 1990). Important to establishing an issue as a social problem is the identification and construction of the problem’s victims. Also, definitional statements establish who is recognized as a victim of the social problem and who is not (Best, 1995).

Claims-makers often use examples of the social problem which they argue exemplifies the nature of the problem (Best, 1990, 1995). Typifications situate the problem within a certain perspective, identifying the cause and suggesting solutions

(Best, 1995). For instance, identifying juvenile prostitution as a form of child sexual abuse is a typification of this social problem. Additionally “atrocities tales” are used as typifying examples, as these are likely to convince others of the claim (Best, 1990). Also, using language to name a problem can also be used to typify the social problem (Best, 1995). For instance, referring to the prostitution of juveniles instead of juvenile prostitution implies a lack of choice and intends to establish how the problem is viewed. Statements establishing the scope of the problem often include estimates of the size of the problem, and statements about whether the condition is getting worse or whether the range of individuals that the problem affects is getting larger. Best (1990) argues that these claims-making activities have important rhetorical function.

Another fundamental proposition of social constructionism is the notion that knowledge and social action are intertwined. How we see and organize the world is inextricably linked with how we act. Our construction of reality establishes patterns of social action and rules out others. Accordingly, whether we conceptualize juvenile prostitutes as victims of sexual abuse or as delinquent offenders impacts how we respond to such behavior. Each conceptualization establishes differing patterns of social action. For instance if juvenile prostitutes are treated as delinquent offenders then the response to such action would include actions that denote the juvenile to be a delinquent, such as arrest, prosecution or sanctions applied to the juvenile. However, if juvenile prostitutes are treated as victims then the response should include actions connoting victim status, such as prosecution of juveniles’ offender or referral of juveniles to victim services.

This research project utilizes the social constructionist framework to examine how prostituted juveniles are conceptualized, as victims of child sexual abuse or as

delinquency offenders by the criminal justice system. Additionally, how this social problem has been socially constructed, including claims-making activities, is explored in an effort to place this social problem in context.

Relevant Research

Defining Juvenile Prostitution

Prostitution has been defined as “performing, offering, or agreeing to perform any act of sexual penetration as defined by state statute or any touching or fondling of the sex organs of one person by another person, for any money, property, token object, or article of anything of value, for the purpose of sexual arousal or gratification” (Klain, 1999, p. 9). While some have advocated differentiating between prostitution by a child and prostitution of a child, this research project will utilize the broader definition offered by Klain (1999), which does not distinguish between the youth’s level of culpability.

Scope and Nature of the Problem

Currently reliable information regarding the nature and scope of juvenile prostitution in the United States is lacking. A reliable and accurate estimate of the number of youth engaging in prostitution in the United States does not exist. Much of this is due to methodological problems which are inherent with the nature of the problem being investigated. Gathering information on juveniles engaging in prostitution in a systematic and scientific manner is difficult. Hence, much of the information that is available to date to inform policy makers, practitioners, and the public has been put forth by youth advocacy groups and scholars whose research and incidence estimates lack scientific rigor. This section begins with a review of methodological issues inherent in

estimating the nature and scope of juvenile prostitution and ends with a critique of prior incidence estimates.

The first important methodological issue is that the population of juveniles engaging in prostitution is not easily identifiable to sample. Traditional self report surveys of youth, such as the National Youth Survey or the National Longitudinal Survey of Adolescent Health, which sample youth in households or schools, would likely miss many youth that engage in prostitution, since juvenile prostitutes frequently are runaways, street youth or youth living in group homes. This has led to many studies on juvenile prostitution to rely on convenience sampling, which lack generalizability to the unknown population.

Second, existing data sources such as National Crime Victimization Survey (NCVS), Uniform Crime Reports (UCR), National Incident Based Reporting System (NIBRS), lack information or reliable estimates of the number of juveniles engaging in prostitution in the United States. Several reasons contribute to these sources of crime statistics as not accurately counting the true number of juveniles engaging in prostitution.

While victimization surveys may be a fruitful avenue for future research in this area, NCVS currently lacks questions specific to involvement in prostitution. First, NCVS's sampling method, households, is likely to undercount youth, as mentioned above. Second, only one question is relevant and it asks individuals if they had been forced or coerced to engaging in unwanted sexual activity in the prior six months. This rape question lacks specificity and focus on how this crime may vary for children and youth. No follow up questions address statutory rape, or the involvement of juveniles in prostitution. Hence, currently in NCVS if a juvenile victim was to perceive their

involvement in prostitution as rape it would be included, but there is no way of differentiating these from other types of rape.

The UCR and NIBRS both are official sources of crime statistics, which are based on police reports and hence share some of the same methodological limitations in estimating the incidence of juveniles engaging in prostitution. First and foremost, these crime statistics only include crimes known to police, meaning either witnessed by police or reported to police. Consequently, UCR and NIBRS prostitution statistics may be substantially underestimating the number of juveniles engaging in prostitution, by the very nature that some juveniles' engagement in prostitution may be unknown (not witnessed or reported) to law enforcement. Research indicates that in 2004 only 50% of violent crime victims and 39% of property crime victims reported the offense to law enforcement (Catalano, 2006). The likelihood that a victim reports the offense to police varies substantially by offense type. Research indicates that this depends mainly on the seriousness of the offense, with offenses resulting in serious injury, such as aggravated assault, or substantial monetary loss, like motor vehicle theft, most likely to be reported to the police (Catalano, 2006). Juveniles engaging in prostitution may be even less likely to report their engagement in prostitution to law enforcement, as they may not view themselves as a victim but rather as a consensual participant in criminal activity.

Another factor which may contribute to the undercounting of juveniles engaging in prostitution by official statistics is that law enforcement often handle cases in which they suspect the juvenile to be engaging in prostitution, but lack the hard evidence, such as an undercover operation, will often pick up the juvenile on other charges or an outstanding arrest warrant instead of filing prostitution charges (Weisberg, 1985).

Another case processing factor which may inhibit the number of juveniles involved in prostitution counted in official statistics is that many juveniles engaging in prostitution utilize fake identification or aliases representing themselves as adults. Juvenile prostitutes portray themselves as adults in an effort to avoid more serious penalties, as an adult prostitution offense is only a misdemeanor.

In sum, there are many factors which suggest that official crime statistics undercount the number of juveniles engaging in prostitution and therefore is not an accurate estimate of the incidence of juveniles engaging in prostitution in the United States.

Despite many claims and estimates, an accurate count of the number of juveniles engaging in prostitution in the United States does not exist. Many advocacy groups and even some researchers have put forth estimates, approximating the problem to be of substantial proportion. The United Nation's Children's Fund (UNICEF) estimates the number of sexually exploited children in the world to surpass 100 million children (UNICEF, 1997)—many of which are thought to be in the United States. The End Child Prostitution, Child Pornography, and the Trafficking of Children for Sexual Purposes (ECPAT) estimate between 100,000 and 300,000 children in the United States are engaged in some form of sex work (End Child Prostitution Child Pornography and the Trafficking of Children for Sexual Exploitations (ECPAT), 1996, p. 70). Estes and Weiner (2001) report provides estimates of youth deemed "at-risk" for sexual exploitation in the United States. However, these estimates lack accuracy and are not based on science. None of these estimates have met the scientific community's standards

for empirical research, resulting in these estimates being released directly to the media, bypassing the scientific community's process of validating rigorous research.

Research indicates that juvenile prostitution exists in a variety of contexts.

Runaway, throwaway and homeless youth may be recruited into prostitution by pimps or engage in "survival sex" for money, housing, food or drugs (Greene, Ennett, & Ringwalt, 1999; Klain, 1999). Children are trafficked across international borders or domestically for sexual purposes with promises of jobs, money and love (Flowers, 2001). Girls may also engage in prostitution as part of initiation into a gang or to earn money for the gang (Estes & Weiner, 2001; Hofstede Committee, 1999). Parents have advertised their child for sexual services in newspapers (Estes & Weiner, 2001) and on the Internet (Hofstede Committee, 1999). Also, youth have prostituted themselves for excitement or spending money (Rasmusson, 1999).

Estes and Weiner's (2001) research indicates that pimp controlled prostitution is most common for girls, which includes street prostitution and prostitution through massage parlors and escort services. Boys' prostitution is most commonly gay sex and less likely to be controlled by pimps. Boys often consider themselves "hustlers" and not prostitutes.

Precipitating Factors to Juvenile Prostitution

Juvenile prostitution is part of a broader spectrum of crimes involving the commercial sexual exploitation of children (CSEC). Research indicates a variety of factors contribute to the commercial sexual exploitation of children (CSEC), including micro-level external situational factors (processes/events which directly impact the individual and individual has some control of), individual-internal factors (psychological

and cognitive propensity/abilities which impact an individual's sense of self, mastery and control over their future) and macro-level external factors (societal level processes and procedures which exist within the social, political, historical, economic and cultural systems and institutions of society that individual has little control over, but which greatly impact their life regardless).

Micro-level, situational factors are most often cited as precipitating factors to CSEC. It is important to keep in mind in talking about precipitating factors of CSEC that many children who experience such experiences do not end up in prostitution. However, studies examining past histories of children involved in prostitution have identified salient risk factors that are common to many sexually exploited children. The most common risk factors cited in the literature include problems at home/family dysfunction (i.e. violence, mental illness), parental drug abuse, and history of physical and/or sexual abuse (Dembo, Williams, Wothke, & Schmeidler, 1992; Estes & Weiner, 2001; Greene et al., 1999; Molnar, Shade, Kral, Booth, & Watters, 1998; Nadon, Koverola, & Schludermann, 1998; Seng, 1989; Snyder, 2000; Stiffman, 1989). Also common among CSEC children are prior histories of school and peer failures (Estes & Weiner, 2001; Whitcomb, De Vos, & Smith, 1998; Wurzbacher, Evans, & Moore, 1991) and lack of acceptance by others of their sexual orientation among gay youth (Klain, 1999). Emotional pain results and compounds from the complex issues confronting these youth. Seeking relief these youth turn to drugs and alcohol, run away from home, befriend adults in age inappropriate relationships, and engage in prostitution.

While running away from home seems like a means of escape to some of these youth, they often are further taken advantage of and find themselves in dire conditions

doing what ever it takes to survive day-to-day. In 1999, an estimated 1.7 million youth had a runaway or throwaway experience (Hammer, Finkelhor, & Sedlak, 2002). Green et al's (1999) research found that 27.5% of street youth and 9.5% of youth shelter inhabitants had engaged in juvenile prostitution for survival. However, it is necessary to recognize that not all of the runaways counted in the NISMART study were street youth. Most youth had runaway for only a brief period of time and were not living on the street (Hammer et al., 2002). Also, research indicates that juvenile prostitutes typically have some experience with running away from home. Seng (1989) found in sampling juvenile prostitutes that 77% reported having runaway from home at least once. Running away from home places these children and youth in extreme danger for many problems—hunger, malnutrition, and exposure to the elements— and with little skills or education they lack the ability to find legitimate work to provide for themselves. For some youth, juvenile prostitution is a means to survival.

Childhood sexual or physical abuse also emerges from the research as a prominent risk factor for juvenile prostitution. Many children runaway from home to escape an abusive situation and some end up engaging in prostitution. Estes and Weiner (2001) found that between 20-40% of girls and 10-30% of boys engaging in juvenile prostitution had been victims of sexual or physical abuse before they left home. Stiffman (1989) reported approximately half of homeless youth in a shelter had been physically (44%) or sexually (10%) assaulted before they ran away from home. Also, research by Molnar and associates (1998) of street youth in Denver, San Francisco and NYC found that 61% of the girls (n=272) and 19% of the boys (n=503) reported sexual abuse prior to running away. In sum, child sexual assault, child sexual abuse and/or physical abuse are

salient risk factors for juvenile prostitution—however this relationship mainly seems to work through running away (Seng, 1989). Thus, while juvenile prostitutes have disproportionately experienced childhood sexual or physical abuse or sexual assault, not all children who experience sexual or physical abuse or sexual assault in childhood will become runaways or prostitutes. Instead prior childhood sexual exploitation in addition to other problems, such as family dysfunction or emotional problems, contributes to increased risk that any given adolescent will run away and engage in juvenile prostitution.

Researchers conducting interviews with youth engaged in prostitution identify several cognitive, psychological and emotional deficits. Low self esteem is common among commercially sexually exploited youth (Estes & Weiner, 2001; Silbert & Pines, 1982a). Frequently they blamed themselves for their situation including taking drugs, running away from home, failing school and allowing sexual victimization at home. Additionally, most have limited social skills and a minority seemed to be severely mentally ill. Depression, poor sense of mastery and limited future orientation are also common internal factors in these youth (Estes & Weiner, 2001).

Macro-level factors contribute substantially to creating a social context in which child sexual exploitation may or may not occur. Poverty is most frequently cited as a key causal factor in explaining why some youth and adults engage in sexually exploitive activities (Azaola, 2001; Hood-Brown, 1998). However, Estes and Weiner (2001) did not find support for this pathway for all youth engaged in CSEC, but rather most youth they encountered reported having come from working class and middle-class families. While not a major causal factor for all children, poverty did seem to establish the context

in which sexual exploitation was possible for some children engaged in prostitution. Also, Estes and Weiner (2001) did find that more poor children were engaged in prostitution than would be expected given the numbers of poor children in the country and numbers of children engaged in prostitution.

Another factor contributing to the establishment of a market for the sexual exploitation of children and youth is the “presence of pre-existing adult prostitution zones” (Estes & Weiner, 2001, p. 42). Estes and Weiner (2001) found that in every community in which there existed an established and well-known adult prostitution zone (Chicago, Honolulu, Las Vegas, New Orleans, New York, San Francisco) there also were substantial numbers of juveniles being prostituted along side adults. Estes and Weiner (2001, p. 42) maintain that existing adult prostitution zones contribute to the sexual exploitation of children in the following ways:

- 1) The markets already are well known to local and transient males that frequent prostituted women;
- 2) They exist in communities where young people easily can find other similarly situated youth, cheap hotel rooms and, not infrequently, cheap drugs;
- 3) Police retain a relative low presence in many of these areas, typically, responding only to emergency calls; and
- 4) Anonymity for both youth and their adult exploiters is all but assured.

Another factor Estes and Weiner (2001) found which substantially contributed to the sexual exploitation of children is the lack of enforcement of the laws in some communities concerning CSE. They argue that the following aspects contribute to an

environment in which CSE laws are leniently enforced. First, many communities lack information about the seriousness, amount and types of such crimes in their area. Second, many social workers and law enforcement officers hold negative attitudes towards children and youth involved in prostitution. Third, many communities focus on the youth engaged in prostitution as the problem, rather than view the pimps, traffickers, customers who exploit and profit from the youth as the problem. Fourth, there are insufficient procedures and services for the treatment of CSE victims, especially street youth, including shelter, food, emergency services, health care, drug treatment and job training. Fifth, unspoken policies exist in social service and law enforcement agencies “to not open closed doors” (p43), meaning that if CSE activities occur in bars, massage parlors, photo studios or topless bars, police ignore the problem. Sixth, police are inadequately policing the problem, as evidenced by very low juvenile arrest for juvenile prostitution. Police need to frequent the places juveniles are being exploited the most—bars, nightclubs, massage parlors, etc. Seventh, there is a lack of resources to provide for children in such situations. Eighth, most communities lack systems and cooperation among agencies (legal and CPS) needed to handle this type of crime. Ninth, law enforcement agencies and child protective services lack adequate personnel and equipment needed to investigate and prosecute such cases.

Additionally, the existence of groups promoting adult-child sexual relations (i.e. the North American Man-Boy Love Association [NAMBLA]) also contributes to the social context in which CSE is likely (Estes & Weiner, 2001). Also noted as contributing to the problem of CSE is the existence of uncommitted or transitory males in the

community such as, military personnel, truckers and convention attendees (Estes & Weiner, 2001).

Modes of Entry

While it is important to fully understand the risk factors that make children vulnerable to sexual exploitation the precipitating factors do not fully explain the pathways to prostitution, as not all children who experience the risk factors mentioned above engage in prostitution. However, research indicates that there are some common pathways in which children and youth become involved in prostitution.

Children and adolescents do not just head out one day and decide to engage in prostitution or other sexually exploitive activities (Deisher, Robinson, & Boyer, 1982). Rather, most youth are actively recruited into CSE activities. The pathway to prostitution is a complex process which often involves adults (pimps, traffickers, customers) and other youth (same age and sex peers who are usually involved in CSEC activities already) (Estes & Weiner, 2001).

Youth may first learn of such activities from peers, especially if they are living at home. Homeless and street youth may also learn about prostitution as a way to make money from peers and other youth on the street and choose to engage in prostitution on their own as a means of survival. However, most juvenile prostitutes are recruited by either an adult (pimp) or an agent of the pimp (usually same age and gender of youth), especially girls. The agent often is rewarded, financially or with drugs, for bringing in new recruits for the pimp. Agents and pimps frequent bus and train stations, malls, video arcades, downtown/university areas and youth shelters looking for young, naive,

vulnerable and isolated girls whom make easy targets (Estes & Weiner, 2001; Klain, 1999).

Interestingly, a key difference between male youth prostitutes and female youth prostitutes is that male youth frequently work together in a small group collectively pooling resources and sharing expenses (i.e. car, shelter), while girls tend to acquire a pimp who promises them money, shelter, clothes, and sometimes love (Estes & Weiner, 2001; Klain, 1999).

Pimps frequently use deceptive tactics in recruiting a girl into prostitution. The pimp frequently tries to learn as much information as possible about the girls' situation, so that he can use that information at a later point to control her. He befriends her and often tries to impress her with money and may buy her gifts. The pimp may engage in a romantic relationship with the girl and may even promise to marry her. The pimp aims to separate the girl as much as possible from her current life, family and friends, making him the center of her world. At some point in the relationship he "turns her out." He may demand that she have sex with a friend at first and then with strangers for money. He makes her engage in prostitution as a requirement of her love for him. Frequently the girl considers the pimp her boyfriend. At every step of the way the pimp aims to gain power and control over the new recruit. Once he has managed to get her to engage in sexual activities for money, the pimp "seasons" her for a life of prostitution by being abusive—physically, verbally, emotionally and sexually. Also, pimps frequently threaten and intimidate girls with violence, threaten to hurt loved ones (children or family members) or blackmail them to get her to continue to engage in prostitution (Klain, 1999).

Consequences of Prostitution for Children and Adolescents

A life of prostitution brings with it a host of potential problems for youth, all of which can greatly impact their physical and mental health. Living on the streets can be extremely dangerous and these children are especially vulnerable to criminal victimization beyond their sexual exploitation. Research indicates that street youth frequently are victimized by pimps, customers or peers (Silbert & Pines, 1981, 1982b; Whitbeck & Simons, 1990). By nature of their dire situation, street youth frequently do not have enough to eat and may suffer from malnutrition (McCarthy & Hagan, 1992). Many street youth get sick from exposure to the elements, eating thrown away food from dumpsters and from sleeping in infested areas. Also, sexually transmitted diseases and HIV/AIDS are especially common among youth who engage in prostitution for survival (Johnson, Aschkenasy, Herbers, & Gillenwater, 1996; Yates, MacKenzie, Pennbridge, & Swofford, 1991). In addition, girls engaging in prostitution often become pregnant (Klain, 1999).

Many youth involved in prostitution also are abusing drugs and/or alcohol and many smoke cigarettes, which may greatly impact their health. Mental health problems, including depression, suicidality and other disorders are thought to disproportionately affect street youth and those engaging in prostitution (Molnar et al., 1998; Whitcomb et al., 1998). Overall, these children and adolescents are exposed to many risks all of which place them in immediate harm and are likely to have a profound and devastating impact on their lives.

Conceptualizing Juveniles Engaging in Prostitution

The prostitution of children and adolescents has been a difficult issue for law enforcement, child welfare, and social service agencies to confront. The complexity arises from the social and legal nature of the problem, creating an ambiguous notion of how to recognize, define and, ultimately, handle prostituted juveniles.

Juveniles' distinctive status leads to some ambiguity in how their involvement in prostitution is perceived. Prostituted juveniles may be regarded as victims exploited and taken advantage of by devious adults or as offenders willingly taking part in illegal acts for financial gain. Child welfare and service agencies are most likely to recognize juvenile prostitutes as victims and place responsibility for the juveniles' illegal activities on an adult exploiter. Finkelhor & Ormrod (2004) suggest that there is some uncertainty among law enforcement in how to treat and handle cases in which juveniles are engaging in prostitution. Their research indicates that juveniles engaging in prostitution may be treated as both offenders and victims by law enforcement (Fassett & Walsh, 1994; Finkelhor & Ormrod, 2004; Klain, 1999).

The complexity of this issue also stems from the social and legal status of juveniles (Finkelhor & Ormrod, 2004). Socially, the term juvenile connotes a dependent status in society; someone who has not reached physical, intellectual and psychological maturity. Thus, juveniles are not autonomous, and are dependent upon other members of society for their basic needs and protection. It is important to note that the legal age of adulthood varies by state, but in most instances refers to someone under the age of 18. The status of juveniles is socially and culturally defined and reflects how society conceptualized childhood.

Age of consent and statutory rape laws provide us one relevant example of how juveniles' distinctive status has been legally conceptualized. While there is great variation among the states' laws, all states have some code criminalizing sexual acts with individuals under a certain age. These laws presume sexual acts with minors are coercive regardless of whether the participants believed their behavior to be consensual and their intent is to protect children and youth from harm of sexual exploitation. There is some uncertainty about whether prostituted juveniles are considered statutory rape victims or if any of the components which make up the criminal and civil code such as, age of consent, minimum age of victim/offender, and age differential, influence how law enforcement, child welfare or private nonprofits perceive and deal with this population of youth.

Estes & Weiner (2001) conceptualize childhood sexual exploitation (CSE) as a continuum of abuse. The abuse ranges from childhood sexual abuse (rape, molestation, pornography, exposure to sexual acts of others) to childhood sexual assault (forcible rape, forcible sodomy, assault with an object, forcible fondling) to the commercial exploitation of children (child/juvenile prostitution, child/juvenile pornography, trafficking in kids for sexual purposes).

Child sexual abuse encompasses many different types of acts; however, most legal and research definitions include the following two elements: 1) sexual activities involving a child and 2) an "abusive condition." An "abusive condition" refers to situations that violate the idea of consensual sexual relations and where an unequal distribution of power exists between the two parties. For instance, the conditions are considered abusive in situations where there is a large age differential, the child is forced

or tricked into engaging in sexual relations, or the other person is a caretaker or authority figure of the child's, the conditions are considered abusive (Finkelhor, 1994).

Implicit in the definition of sexual abuse is the notion that, developmentally, a child is not able to give consent as they neither understand the action they are consenting to nor the potential consequences of their consent (Barnett, Miller-Perrin, & Perrin, 2005, p. 89). This aspect of sexual abuse is important in conceptualizing juvenile prostitution as a form of sexual abuse, as often juveniles engaging in such activities are viewed as willing participants.

Prostituted Juveniles and the Juvenile Justice System

While most of the prior research has focused on identifying risk factors, such as running away, child maltreatment, and negative family life, and antecedents to juveniles being prostituted, little research has focused on how these youth are processed in the criminal justice and child welfare systems.

Finkelhor and Ormrod's (2004) analysis of juvenile prostitution cases known to law enforcement from NIBRS indicates some information about how law enforcement are handling these cases. Their research found that police came in contact with male juvenile prostitutes more often than female juvenile prostitutes and that the male juvenile prostitutes tended to be older than the juvenile female prostitutes. In comparison to adult prostitutes, juvenile prostitutes were less likely to be arrested. However, the likelihood of arrest of a juvenile for prostitution depended upon the gender of the juvenile. Male juvenile prostitutes were arrested more often than female juvenile prostitutes, as the girls were more likely referred to other agencies, such as social services.

Additionally, as Finkelhor and Ormrod's (2004) research examined offender and victim NIBRS files, their research was able to examine how law enforcement categorized juveniles involved in prostitution, as victims or as offenders. They found that law enforcement most often categorized juveniles engaging in prostitution as criminal offenders and less frequently as victims, however in a few cases (5%) juveniles were categorized as both. Youth classified as victims were disproportionately young girls.

It is important to mention that prior self-report data indicates that not all youth who engage in prostitution come in contact with law enforcement because of prostitution. While approximately two-thirds of Weisberg's (1985) sample of prostituted youth had been arrested before for some offense, only 23% of his total sample of juvenile male prostitutes had been arrested on prostitution related charges. Research on female juveniles involved in prostitution also indicates most are first arrested for offenses other than prostitution—most often running away or shoplifting (Enablers Inc., 1978; James, 1980). This reflects the fact that many prostituted youth are also involved extensively in other criminal activities, but also that, often, youth suspected of prostitution are arrested on other charges, such as loitering, curfew violations, disorderly conduct, soliciting, or a violation of a health or welfare code (Weisberg, 1985).

Research also has indicated that while male and female juvenile prostitutes have similar prior offense histories overall, juvenile females, especially younger girls, are more likely to be arrested for prostitution than juvenile males (Harlan, Rodgers, & Slattery, 1981). It is thought that this difference is largely due to the higher visibility of juvenile females over juvenile males engaging in prostitution.

Some research has examined the disposition of juvenile prostitutes' arrests. However because of the extensive involvement of these youth in other criminal activities prior research seems to have focused broadly in this area and did not just focus solely on arrests for prostitution (e.g. James, 1980). Thus, since prostitution seems to be just one form of criminal activity for many of these youth, research comparing arrest dispositions of juvenile prostitutes by gender tend to mirror the findings of gender differences in criminal involvement of youth more generally. Currently, research is lacking which specifically examines gender differences in case dispositions for prostitution related offenses, controlling for the youth's prior offense history.

Research on case dispositions for juvenile prostitutes' arrests indicate that youth are most likely released to their parents following arrest if it was the juvenile's first or second offense, with slightly more females (16%) than males (11%) being detained in the juvenile detention facility. If it is the juvenile's third offense, the youth is most likely to be detained in the juvenile detention facility; however this differs by gender with males (28%) being more likely to be detained than females (13%) (James, 1980).

Drawing from Finkelhor, Cross and Cantor's (2005) conceptualization of the juvenile victim justice system, which handles juvenile crime victims, and the extensive literature on the juvenile justice system, which handles juvenile offenders of crime, (Roberts, 2004). This research project aims to measure whether juveniles engaging in prostitution are being treated as victims, as offenders, or as both by law enforcement.

Evidence suggesting that the juvenile prostitute was processed through the juvenile victim justice system (describe this) indicates that the juvenile was conceptualized as a victim by law enforcement. This includes activities such as referring

the juvenile to social services, victim services, medical examination, to a child advocacy center, or arresting the youth's exploiter. Likewise, evidence suggesting that the juvenile prostitute was processed through the juvenile justice system indicates that the juvenile was conceptualized as a delinquency offender by law enforcement. This includes the following actions taken by law enforcement: arresting juvenile for prostitution law violation, detaining juvenile in juvenile detention center or referring the juvenile to a probation/parole officer or to the prosecutor for prosecution.

It is also possible that law enforcement views prostituted youth as both offender and victims. In this instance, one would expect to find evidence of the youth being processed in both systems (e.g. prosecution of offender and youth and referral of the youth to CPS and/or victim services).

Factors Influencing Law Enforcement's Perception of Juveniles Involved in Prostitution

The criminal justice literature examining law enforcement's decision making processes has largely focused on the decision to arrest (Gottfredson & Gottfredson, 1988). The purpose of arrest is usually thought to be used only to initiate criminal justice processing. However, it is often used by law enforcement as a means of incapacitation with no intent of prosecuting the alleged offender (Gottfredson & Gottfredson, 1988). While this research project examines law enforcement's treatment of juvenile prostitutes as victims or as offenders, the following literature is included based on parallel concepts which may impact law enforcement's decision making abilities towards juvenile prostitutes. Prior research has identified multiple factors that influence law enforcements' decision to arrest. The literature categorizes the factors into two main groups—legal and extra-legal or situational factors. Legal factors include law

enforcement policy, procedure and other elements relating to the law, while extra-legal factors include aspects of the case which are not mentioned or regulated by law.

Legal: Prior research has largely focused on what types of factors influence police decision-making processes; and in what instances. Several legal factors have been found to increase the likelihood that law enforcement will arrest a suspect including the presence of evidence (Black & Reiss, 1967; Lundman, Sykes, & Clark, 1978) and the victim's willingness to prosecute (LaFree, 1980). The strength of evidence linking the suspect to the criminal act is a strong predictor of arrest. This supports the notion of arrest as an initial step in criminal justice processing.

Other legal factors, such as state and federal laws, may provide some insight into how juvenile prostitution is conceptualized in the justice system. Two particular laws will be examined for each jurisdiction included in the current study—age of adulthood and statutory rape statutes. While most states define the age of adulthood at 18, meaning that individuals below the age of 18 are deemed juveniles, some states set this at younger ages. This may influence how a juvenile is conceptualized, as a victim or as an offender, if in their jurisdiction the youth is considered legally to be an adult under criminal law.

Add criminal record.

Additionally, statutory rape laws may also influence how law enforcement conceptualizes juvenile prostitutes and these laws vary considerably by state (Glosser, Gardiner, & Fishman, 2004). Few states actually use the terminology “statutory rape” in their laws or statutes. Most states instead define certain acts as illegal, including “voluntary sexual activity involving minors” (Glosser et al., 2004, p. 9). All states have a

legally defined age at which an individual can consent to sexual intercourse. This age varies between 16 and 18.

There are three ways states define sexual activity involving minors as illegal—minimum age of victim, age differential, and/or minimum age of defendant in order to prosecute (Glosser et al., 2004, p. 5). Some states have defined an age below which, regardless of the age of the other individual, sexual intercourse is illegal. In some states this age is the same as the age of consent, but in many it is younger and others do not have a defined minimum age of the victim. Age differential statutes define the maximum number of years allowed between the victim's age and offender's age, if the victim is below the age of consent but above the minimum age of victim. Lastly, some states have a statute which defines the minimum age of the defendant in order to prosecute: "this is the age below which an individual cannot be prosecuted for engaging in sexual activities with minors." (Glosser et al., 2004, p. 5). It is likely that statutory rape laws influence how law enforcement conceptualizes youth engaging in prostitution, as victims or as offenders. However, it may also be the case that these laws may not be utilized in cases of juveniles engaging in prostitution. This is an issue that will be addressed in the current study.

While some researchers characterize having a criminal record as an offender characteristic; in the current study, this will be considered a legal factor since many states have formalized the suspect's criminal record as a mitigating factor in determining case outcomes in statutes and police procedure. Technology has helped this, as law enforcement today is able to access the suspect's criminal record in the field. Research indicates a strong relationship between the suspect's criminal record and law

enforcement's arrest decision (Gottfredson & Gottfredson, 1988). Black (1976) argues that law enforcement use the suspect's criminal record as an indicator of respectability.

In cases involving juvenile prostitution, the details and extent of the youth's criminal record may indicate how troubled they are or how resistant he or she is to prior intervention, rehabilitation, or help. Youth with criminal records may be more likely viewed by law enforcement as delinquent compared with those with no criminal record. In situations where there is an exploiter of the youth (e.g. pimp, customer, family member), the exploiter's criminal record may also influence how law enforcement conceptualized the youth as a victim or as an offender. In situations where an exploiter has a criminal record, it is possible that the police would be more likely to view the youth as a victim rather than an offender.

Extra-legal: Extra-legal factors influencing police decision making in arrests include situational factors, victim (youth) characteristics, officer's characteristics, and offender's (exploiter) characteristics (if applicable to situation).

Situational Factors: Most research indicates that police exercise substantial discretion in deciding how to handle individual cases, however, this depends on the seriousness of the offense. In cases of more serious offenses there is less discretion involved, but with less serious offenses, law enforcement tend to exercise more discretion (Black, 1971; Black & Reiss, 1967; Black & Reiss, 1970; Krisberg & Austin, 1978; Landau, 1981; Lundman, 1974; Lundman et al., 1978; Piliavin & Briar, 1964; Terry, 1967; Werthman & Piliavin, 1967). This suggests that police may be exercising substantial discretion in handling cases of juvenile prostitution.

Besides the seriousness of the offense, the presence of a weapon and the amount of harm the crime inflicted on the victim also contribute to law enforcement's perceptions of the seriousness of an offense. For instance, if the juvenile possesses a weapon, police may view the him or her as more autonomous in their actions, but if an exploiter has a weapon, than law enforcement might view this as evidence that the juvenile is under the control of another and thus not responsible for their actions. Due to the nature of prostitution, it is unlikely that the youth's actions will be perceived as hurting anyone but themselves. However, in cases where an exploiter is present, their actions, if perceived as harmful to the youth, would be viewed as a more serious crime than the youth acting on their own behalf. New federal and state laws are classifying exploitation of children as a felony offense.

Another situational factor involves the type of prostitution involved in the case. Law enforcement may view some types of prostitution differently, reflecting their perception of culpability of the youth and exploiter, if present, and the harm caused by the youth's or exploiter's actions. Prostitution involving trafficking, a pimp, or other individual who gains from the youth's activities is postulated to be the most likely type where the juvenile is classified as a victim. Youth living at home who are engaging in prostitution to earn spending money for luxuries or for excitement are postulated to be the most likely type where the juvenile is classified as an offender.

Another situational factor is whether or not there were drugs present during the juvenile's encounter with law enforcement, either under the possession of the juvenile or adult exploiter (pimp, customer, family member). This could influence how law enforcement conceptualizes the juvenile, as either a victim or an offender. The

possession of drugs by the juvenile offender may be interpreted by law enforcement as an indication the youth is a delinquent teenager who rationally has chosen to be in the situation they are currently in. Possession of drugs by an adult exploiter, though, might lead law enforcement to conclude that the exploiter is a bad influence on the youth and thus he or she must be responsible for the juvenile's current situation.

The type of item exchanged for sex is another situation factor important to consider. Prior research indicates that youth engaging in prostitution not only exchange sex for money but also for shelter, clothes and food (Estes & Weiner, 2001; Klain, Davies, & Hicks, 2001). Law enforcement might be more likely to view juveniles who exchange sex for commodities other than money as victims because the officer might realize that the youth is engaging in prostitution for survival. These circumstances are likely to reduce the perception that the juvenile is culpable for their actions.

There are five additional situational aspects specific to juvenile prostitution that may also impact how law enforcement conceptualizes juveniles. If police perceive the juvenile's involvement in prostitution to be exploitive, meaning that the juvenile is being used in an unjust, cruel or selfish manner for someone else's advantage, then it is possible that the police are more likely to perceive the juvenile as a victim than as an offender. Additionally, if the juvenile engaging in prostitution is under the power or control of another person, injured or in imminent danger, law enforcement may be more likely to perceive the juvenile as a victim than as an offender. If police perceive the prostitution activities to be harmful to the youth or the youth to be in imminent danger, injured or hurt, it is likely that law enforcement would be more likely then to treat the juvenile as a victim. Also, if law enforcement perceives some other factor(s) that contribute to or are

entirely responsible for the youth's involvement in prostitution, law enforcement may be more likely to view the juvenile as a victim than as an offender. Lastly, if law enforcement perceives the youth engaging in prostitution as unable to consent to sexual relationships then law enforcement may be more likely to categorize the juvenile as a victim than an offender.

Victim, Offender, Officer Characteristics: Research on police behavior has long found that police are more likely to sanction, by arrest, citation or use of force, an individual whose demeanor is disrespectful towards police during an encounter between a citizen and a law enforcement officer (Black, 1971; Black, 1980; Black & Reiss, 1967; Engel, Sobol, & Worden, 2000; Lundman, 1974, 1994; Lundman, 1996; Lundman, 1996b; Smith & Visher, 1981; Sykes & Clark, 1975; Worden, 1989; Worden & Shepard, 1996; Worden, Shepard, & Mastrofski, 1996). Prior research indicates that law enforcement view respect as an important characteristic in social interactions (Westley, 1953, 1970) and that disrespect may be viewed by law enforcement as an "affront" against their "authority, control and definition of the immediate situation" (Van Maanen, 1978, p. 229). Brown (1981) concludes that police also use the "attitude test" (196) to assess how suspects feel about the law and their alleged violation. Suspects who do not show respect for the law or remorse for their alleged law violation may be more likely to be formally sanctioned by police, as police perceive it as necessary to deter future violations.

However, Klinger's (1994) study called into question this long standing criminological research finding. Klinger (1994) argues that the concept of demeanor has been wrongfully operationalized, as measurement often includes illegal acts, such as

assaulting or eluding an officer. He argues that demeanor as a concept only refers to “*legally permissible* behavior of citizens during interactions with police officers that indicates the degree of deference or respect they extend to the involved officers” (477). He maintains that the citizen demeanor-police behavior link may reflect the illegality of certain acts, such as physically resisting arrest or assaulting an officer, which make official sanctions more likely. Klinger(1994) argues that measures of demeanor must only include “legally permissible” acts and that studies must control for the effects of illegal acts in modeling the effects of legally permissible demeanor on police sanctions.

Others have argued that this distinction is less important, especially if the research is interested in “how police make sense of and are affected by the factors to which they attend” (Worden et al., 1996, p. 327) rather than holding police accountable. Worden, Shepard & Mastrofski (1996) argue that demeanor may be viewed as a multidimensional concept and encompasses the following types of behaviors:

“physical aggression and other overtly hostile acts that threaten officers’ safety but also resistance in the form of actions or statements that merely challenge officer’s authority or legitimacy (e.g. denying an officer’s accusation or questioning an officer’s judgment) and even passive acts of noncompliance (e.g., failing to respond to an officer’s questions or requests) that imply that officers are “not being taken seriously.” (326)

Prostituted youth’s demeanor may influence how law enforcement views the youth, as a victim or as an offender. Prostituted youth who are disrespectful, physically aggressive/overtly hostile, resistant to intervention and assistance, or detached towards law enforcement may be more likely to be viewed by law enforcement as delinquent

offenders, while youth who are respectful, polite, accommodating, or frightened of law enforcement may be more likely be viewed as a victim.

Substantial research finds that the suspects' race influences the officer's decision-making (Black, 1980; Dannefer & Schutt, 1982; Fagan, Slaughter, & Hartstone, 1987; Goldman, 1963; Huizinga & Elliott, 1987; Landau, 1981; Landau & Nathan, 1983; Lundman, 1996b; Miller, 1996; Piliavin & Briar, 1964; Pope & Feyerherm, 1993; Reiner, 1997; Smith & Visher, 1981). Others argue that the relationship between race and officer's decision-making is spurious and disappears once other factors, such as complainant's preference and offense seriousness, are controlled for (Black & Reiss, 1970; Lundman et al., 1978; Wilbanks, 1987). It is postulated that white youth engaging in prostitution are more likely to be categorized as victims, and youth of other races are more likely to be categorized as delinquent offenders.

Age is another factor that is important to consider. Prior research on juvenile offenders has found that younger youth are handled more leniently by law enforcement than older youth (McEachern & Bauzer, 1967; Morash, 1984; Terry, 1967); reflecting the belief that young children are less mature and therefore are less culpable for their actions. This belief is also reflected in laws which establish rules and regulations for juvenile offenders and protection of children. It is hypothesized that younger juvenile prostitutes are more likely to be treated as victims while older youth engaged in prostitution are more likely to be treated as juvenile offenders.

Gender is a salient variable in social interactions. There is substantial debate on the influence of the suspect's gender on police decision-making and juvenile justice system processing. Research indicates that, historically, girls have been referred to the

juvenile justice system for status offenses at a higher rate than are boys, and girls received harsher treatment than their male counterparts (Chesney-Lind, 1973, 1977; Datesman & Scapitti, 1980; Krohn, Curry, & Nelson-Kilger, 1983). However, there is some indication that this bias is changing (Bishop & Frazier, 1992). More recent data suggest males are referred to the juvenile justice system for delinquency offenses at higher rates than girls, and boys tend to receive harsher penalties than their female counterparts (Chesney-Lind, 1973; Cohen & Kluegel, 1979; Datesman & Scapitti, 1980). Some researchers have argued that a “chivalry effect” exists, resulting in girls receiving more lenient treatment from a predominately male-dominated law enforcement system that feels it their paternalistic duty to protect girls (Chesney-Lind, 1977). However, crimes, such as prostitution, are viewed as affronts to paternalistic beliefs and thus girls engaging in such illegal activities are likely to receive harsher treatment (Chesney-Lind, 1977, 1988; Chesney-Lind & Shelden, 1992; Terry, 1967).

The chivalry hypothesis suggests that girls may be more likely treated as a victim in cases of juvenile prostitution than boys. However, if the act of prostitution calls this belief system into question then girls may be more likely viewed as offenders than as victims in need of help. Drawing from prior research on juvenile prostitution (Flowers, 2001; Weisberg, 1985) it is postulated that girls are more likely viewed as victims than boys, and boys engaging in prostitution are more likely viewed as offenders.

Research Questions

This research project aims to examine the dynamic nature of juvenile prostitution cases and determine how juveniles engaging in prostitution are conceptualized and treated by law enforcement. Additionally, this research project

intends to aid law enforcement in developing a greater national consensus about how to handle some of the challenges of juvenile prostitution. Specifically, the questions guiding this research project are:

- 1) Is law enforcement treating juveniles as victims of sexual abuse, as delinquent offenders, or as some combination of both?
- 2) A variety of youth characteristics (age, gender, race, demeanor), case characteristics (whether juvenile was perceived as having been exploited, under the power/control of another, injured or in harms way, culpable or able to consent to sexual relationships, whether the juvenile is mentally ill or intoxicated), offender characteristics (gender, race), and law enforcement characteristics (training, whether part of community taskforce or collaboration with other law enforcement agencies, such as FBI and whether the juvenile's age is below the state's age of consent or the age of adulthood) will influence how law enforcement treat prostituted youth.

Hypotheses

The specific hypotheses of this project include:

1. Female youth are more likely to receive treatment that is characteristic of victims than males and male youth are more likely to receive treatment that is characteristic of offenders than females.
2. White youth will be more likely to receive treatment that is characteristic of victims than nonwhite youth and nonwhite youth are more likely to receive treatment that is characteristic of offenders than white youth.

3. In cases where exploiters possess weapons or drugs, law enforcement will be more likely to treat prostituted youth as victims and in cases where prostituted youth possess weapons or drugs, law enforcement will be more likely to treat prostituted youth as offenders.
4. Cases which the police perceived the youth to be exploited, under the power or control of another, harmed/injured, not culpable, or unable to consent to sexual activities receive more victim treatment than cases which the police perceived the juvenile's involvement in prostitution as not exploitative, on their own initiative, unharmed/uninjured, culpable, or as able to consent to sexual relationships. Cases which the police perceived the juvenile's involvement in prostitution as not exploitative, on their own initiative, unharmed/uninjured, culpable, or as able to consent to sexual relationships receive more offender treatment than cases which the police perceived the youth to be exploited, under the power or control of another, harmed/injured, not culpable, or unable to consent to sexual activities.
5. Youth perceived as mentally ill by law enforcement will be more likely to be treated as victims than those not thought to be mentally ill.
6. Youth perceived as intoxicated by law enforcement will be more likely to be treated as offenders than those not thought to be intoxicated.
7. Youth with positive demeanors will be more likely to receive victim treatment than youth with negative demeanors and youth with negative demeanors will be more likely to receive offender treatment than youth with positive

demeanor, after controlling for any illegal resistance (e.g. resisting arrest, fleeing, assaulting officer).

8. Younger youth will be more likely to be treated as victims than older youth and older youth will be more likely to be treated as offenders.

CHAPTER II

METHODOLOGY

This research project was a component of the Crimes Against Children Research Center's National Juvenile Prostitution Study (N-JPS). Due to the specific nature of this project and the difficulty in sampling the entire universe of juveniles engaged in prostitution, this study's primary target population was juveniles engaged in prostitution that were known to law enforcement in the United States. A content analysis of law enforcement case files of youth involved in prostitution was conducted for this study and involved both qualitative and quantitative methodologies.

Research Design

This study examined law enforcement case files of incidents where a juvenile was involved in prostitution. The unit of analysis for this study was the youth who was involved in prostitution. Subsequently, if an incident involved more than one juvenile, a record was created for each individual youth. Also, a juvenile was defined as an individual under the age of 18. Only cases in which juveniles were actually involved in prostitution were included in this study. Therefore, in cases where the youth did not engage in prostitution, the case was excluded. An example was a case which was reported to the police of a youth who was walking home from school when she was approached by an adult and asked to perform sexual acts for money. She replied no, ran home and reported the crime to the police. Police recorded this crime as a prostitution

offense, but since the youth was not actually engaging in prostitution, the case was excluded from this study. Additionally, in some agencies, law enforcement had some case files of youth who they suspected were involved in prostitution or were considered “at-risk” for involvement in prostitution, but had not caught the youth engaging in prostitution or had any solid evidence. These cases were also excluded from this study. However, if the police had some evidence supporting the assertion that the youth was involved in prostitution then the case was included. Youth may have been arrested or detained, but not all youth had been that were included in this study. Especially youth who reported the case to law enforcement were often not detained or arrested. Cases may have involved an exploiter of the youth, however, law enforcement may or may not have arrested or detained the exploiter and this was not considered a criterion for inclusion in this study.

Sample

Six major cities in the United States, which were at the forefront of the changing law enforcement response to this social problem, were recruited to participate in this study. These six cities also had been previously identified as having a substantial number of prostitution cases involving juveniles. Three agencies which were contacted declined to participate in this study. While agencies were not randomly selected, the sample of agencies should be considered a step above a mere convenience sample. Agencies which participated in this study were considered at the forefront of the changing law enforcement response to this social problem and hence were purposefully recruited. Two techniques were utilized to recruit law enforcement agencies participation in this study. First, agencies were recruited through contacts with agencies’ Internet Crimes Against

Children (ICAC) Task Force. Additionally, some agencies were contacted through a letter to the chief of police asking for their participation. Once agencies agreed to make these records available for review, a date was selected to visit their facility to review case file records. All case file records were reviewed in agency facilities between May and October 2006.

The intended plan was to review the prior 50 cases of juveniles involved in prostitution at each site. The plan was to select the prior 50 cases starting from the date of onsite review. Since this project was intending to examine the current law enforcement response, cases must have occurred, meaning the date the case first came to law enforcement's attention, subsequent to January 1, 2000. Law enforcement cases having met the following criteria were included in the sample:

1. Case involved the prostitution of one or more juveniles (<18 years old).
2. Case occurred between site visit and 1/1/2000.
3. If there was more than one incident for a particular juvenile within the time frame, the most recent case was considered the primary case and the prior incident(s) of prostitution involving the youth were considered the youth's prior record.

This study encountered a variety of problems sampling case file records and was not able to review 50 case files at any one agency. At some agencies this was due to the fact that during the time frame of the study the agency did not come into contact with 50 juveniles involved in prostitution, while at other agencies this was due to agency restrictions and case file management problems. Agencies were extremely busy and could only allocate so many resources to aid in this project. Sorting through records, identifying cases, and pulling records takes time and agencies often put restrictions on

how much time they could allot to the project. Also, many agencies did not have a file system conducive to identifying cases with juveniles involved in prostitution and it was common that only the most recent cases were in their office files. Many agencies stored records older than a year in another location and had no way of identifying or recalling those files. Additionally, some agencies had just recently discovered this social problem and did not know of any cases prior to a certain point. Also, one agency which participated in this study did not want the researcher to actually review the case file records, due to confidentiality concerns. At this agency, a senior officer who had worked on all of the cases was interviewed regarding the details of each case.

This study reviewed a total of 126 files of juveniles' who were involved in prostitution in the six cities included in this study. Table A 1 details the total number of juveniles whose case file records were reviewed at each participating agency. Site 1 was by far the most organized and most easily sampled, as this agency coded their juvenile records with a special mark on the tab of the file and had several years worth of files on hand. Thirty-one cases were sampled and included youth who entered the criminal justice system between 2001 and June 2006. Site 2 was also very organized with their records and seemed to have been paying attention to this problem for a long period of time. Officers in charge of the unit had a complete list of all juvenile prostitution cases with case identification numbers dating back to the late 1990s. This made sampling and recalling of case file records from storage feasible. Sampled from site 2 were twenty-seven juveniles who had come into contact with law enforcement between January 1, 2000 and June 2006. There were a few case file records on the officers list which could not be found and hence were not reviewed or included in this sample. Additionally, a

couple of cases from this agency were also excluded because the juvenile was not actually engaging in prostitution. Site 3 presented some unique challenges to the sampling plan. First, no list of juvenile prostitution cases existed and there was no way of separating the juvenile records from the adult records without sorting through thousands of cases and subtracting their birth date from the date of arrest. The agency could not allocate an employee for this task and would not allow the research to go through all the files. Instead the officer assigned to work with the researcher in pulling the files asked other officers if they could recall prostitution cases from the prior year which involved juveniles and examined digital booking photos for other possible cases. From this list, 9 juveniles were identified and had come into contact with the police in this agency between January 1, 2005 and May 2006. Site 4 had a list of all cases of prostitution involving juveniles since they had identified this as a problem in January 2005. A total of 12 juveniles came into contact with law enforcement between January 1, 2005 and May 2006. At site 4 case file records were not reviewed due to confidentiality concerns, but rather an officer was interviewed regarding the details surrounding the case. Site 5 was also very organized with their case file records and was able to identify 18 juveniles who were involved in prostitution between 2003 and June 2006. This agency had limited time to allocate to this project and would only allow the research on site for 1 day. Lastly, site 6 had 29 cases which had come to law enforcement's attention between January 1, 2004 and 2006. Like agency 4, their records were limited to when the new unit was created to handle juvenile prostitution cases. Several cases were excluded from this agency as their records were missing substantial information or the youth was

considered to be “at-risk” for involvement in prostitution and not actually involved in prostitution for certain.

Procedures

Maintaining confidentiality was of the utmost importance in this project. All data was collected on site at the law enforcement facility where the records were housed. Data was recorded on a paper form (see Appendix B) on site at the agency and no identifying information (e.g. youth’s name, address, or other identifying information) was collected. All hardcopies of the forms are kept in a locked office. Confidentiality agreements were signed at agencies requiring such agreements. The University of New Hampshire’s Institutional Review Board has approved this project (see attached approval letter in Appendix C).

Measurement

The unit of analysis for this research project was the individual juvenile who was prostituted. Cases may have included multiple juveniles or a mix of adult and juvenile prostitutes, as well as multiple exploiters (pimps/customers). In instances of multiple juvenile victims per case, a separate record for each juvenile in the incident was used. For the purposes of this study, a case was created for each juvenile and recorded information on up to 3 exploiters per youth. For instance, a case with 2 youth being prostituted by 1 pimp would be counted as two individual juveniles and the pimp’s information was recorded for each youth.

Law enforcement case files varied substantially by agency in their content, organization and breadth, but included the following types of documents: police report of incident, arrest report, prior arrest reports, prior records, child protective services report

and/or referral, chronology of investigation, missing person flyers, mug shots, list and/or photos of evidence, victim statements, supplementary reports, search warrants, affidavits, court orders, emergency protection orders, crime laboratory reports and newspaper articles on the case. Case files were read through and coded on an instrument (see Appendix B) as information appeared. After all materials were read through once, the instrument was double checked for accuracy and unanswered items. Unanswered items were coded as missing information or whenever possible, law enforcement officers were asked questions about missing information on cases they were personally familiar with. The instrument information was recorded on is in the Appendix B. Information present in case files indicating that law enforcement responded in a particular manner was recorded as yes. If there was information present in the case files that indicated that law enforcement did not respond in this manner then the item will be coded as no. Reports with no information present about the particular action were coded as unknown, do not know or not applicable. In an effort to distinguish between a lack of action and unknown or do not know (missing data) this study discussed with each agency upon arrival their report writing policies and general response to youth involved in prostitution. When information was not present, law enforcement were asked to recall the missing information. This did not always lead to a definitive answer though, as often law enforcement could not recall or were unsure of the answer.

Operational Definitions

Dependent Variables

Number of Days Youth was Involved in Prostitution Prior to Current Law

Enforcement Contact: Information in case file records was used to assess how long the

youth had been involved in prostitution prior to the current contact with the police. Often this data was based on information the youth had shared with law enforcement or someone else who reported the offense to law enforcement, such as a parent, a child protective services (CPS) worker, probation officer or youth counselor. All periods of time, such as weeks, months or years, were converted into the number of days youth was engaging in prostitution.

Youth's Culpability Status: Law enforcement agencies generally recorded specific information in their case files indicating the culpability status of the parties involved in the incident as victims or offenders. This information sometimes was formalized in an incident report with a specified place to write in the victim's information and offender's information. Some agencies' forms lacked this formalized format. In records which did not specifically identify the victim and offender in a formalized format, language was examined throughout the case file records for an indication of whether the juvenile and other parties involved were considered victims or offenders. The term victim in a report indicated the police viewed the individual as a victim or the individual who was harmed, hurt or had an offense committed against them. The term suspect was often used by law enforcement in report writing and was interpreted as meaning offender status or the person who injured or caused harm to another or committed an illegal offense. Case files which presented evidence that law enforcement viewed the youth as both a victim and an offender were coded as dual status or both victim and offender status. After examining the dual status cases more closely, these cases were recoded to either a victim or an offender status (see Chapter VI for further details). This dichotomous variable coded victim culpability status as 1 and offender culpability status as 0.

Independent and Control Variables

Youth's Characteristics

The Youth's Age was recorded in years. In case files which did not specify the youth's age in years on the date the case came to the attention of law enforcement, the youth's birth date was subtracted from the date the youth's case entered the criminal justice system. Youth's age in years was always a whole number in years. For instance a youth who was 7 days from their 18th birthday was considered 17.

The Youth's Sex was coded as 1 if a male and 2 if a female.

The Youth's Race and Ethnicity was coded as separate variables. Race included the following categories: African American, Caucasian, Asian, Native Hawaiian/Pacific Islander, and American Indian/Alaskan Native. This variable was also dichotomized to Caucasian and Non-Caucasian. *Ethnicity* was coded as either Hispanic (1) or non-Hispanic (0). Cases with missing ethnicities were conservatively coded as non-Hispanic.

The Youth's Residence was coded as either local, other region within the state, out-of-state or out-of-country. Youth were coded as living locally if the youth resided in the immediate jurisdiction or surrounding suburbs of the city within which they came into contact with law enforcement. Other region of the state was outside of the immediate jurisdiction and surrounding suburbs of the city. Youth considered living out-of-state were youth who resided outside the state which they came into contact with law enforcement for prostitution. There were no youth found in this sample who resided outside of the United States. This nominal level variable was also recoded to a dichotomous variable recoding local and non-local, but within state to 0 and out-of-state to 1.

The Youth was Viewed as Mentally Ill by law enforcement in a few cases, at least that was documented in case file records. Cases with evidence present, such as the youth was suicidal or depressed, was coded 1 and 0 if viewed as mentally healthy.

The Youth's Prior record was measured dichotomously, has a prior record (1) or no prior record (0). Both prior status and delinquency offenses were considered prior offenses and as evidence supporting a prior record.

Whether the Youth's Age was Below the State's Legal Age of Consent was coded 1 if the youth's age was below the state's legal age of consent in the jurisdiction in which the youth came into contact with law enforcement and 0 if the youth's age was equal to or above the state's legal age of consent.

Youth's Prostitution Experience

The type of prostitution the youth was engaged in included the following types of prostitution: 1) street prostitution, 2) pimp prostitution, 3) organized crime or gang related prostitution, 4) family member or acquaintance prostitution, 5) hotel, bar or call-girl prostitution, 6) trafficked for purposes of prostitution (International or Domestic), 7) street, homeless or runaway youth engaging in prostitution (survival sex), 8) business front prostitution (massage parlor, escort service, dancers/clubs, brothel), 9) youth living at home engaging in prostitution (to earn \$\$ for luxuries) and 10) internet call-girl prostitution and 11) unknown (missing data). Since many youth were involved in more than one type of prostitution, a dichotomous variable was created for each category measuring whether the youth was involved in each type (1) or not (0). A multi-category variable was also created from the 10 possible types, capturing co-occurring types in each youth. A full list of the co-occurring types is available in Table A 3.

Whether the Internet was Involved in the youth's prostitution experience in some capacity was captured with this variable. This is a broader measure than the type of prostitution internet call-girl, and includes cases which may have involved the internet in some other capacity. For instance, one youth met their pimp in a chat room, but was not involved in internet call-girl prostitution. Cases which involved the internet in any capacity were coded as 1 and those which did not were coded as 0.

Locations the youth was involved in prostitution is a nominal variable which measured locations the youth was involved in prostitution or where the incident occurred. Categories included: 1) sidewalks and streets, 2) hotels or motels, 3) parked vehicle or were in a vehicle when they came in contact with law enforcement, 4) private residence, 5) rest or truck stop, 6) public transportation station, 7) bar or restaurant, 8) public business, 9) runaway shelter, 10) mall or shopping center and 11) parking lots. Youth that engaged in prostitution in multiple locations had multiple categories coded. Up to five locations per youth were coded using 5 nominal level variables each with the 11 possible locations.

Items exchanged with the youth for sex was a nominal level variable and included the following categories: money, housing, food, clothes or jewelry and drugs or alcohol.

Law Enforcement Evidence or Knowledge of Some Dynamic of Exploitation measures whether any of the three dynamics below were present in law enforcement's documentation of the youth's involvement in prostitution.

1) Any youth whose case files documented that they were manipulated, deceived or tricked, taken advantage of by an older person in a position of power or authority over the youth, or the youth's prostitution involvement was for another's personal gain

(financial or sexual) was coded that the youth was considered by law enforcement to have been *exploited*. Cases with evidence were coded as 1 and cases documenting no exploitation were coded as 0.

2) Any youth whose case files documented that they were *under the power and control of another*, acting against her or his own will, coerced, forced or intimidated into participating in prostitution was considered to have been under acting against their will.

3) Any youth whose case files documented that law enforcement considered them to be in imminent danger, injured or hurt due to their involvement in prostitution were coded as having been *in danger or injured*. This included physical injuries, such as cuts, bumps, bruises, broken bones and had contracted a sexually transmitted disease, such as AIDS. Cases with evidence were coded as 1 and cases documenting no exploitation were coded as 0.

Youth was Intoxicated is a dichotomous variable which measured whether or not there was any mention in the police report of the juvenile being intoxicated (alcohol or drugs). This variable is coded 1 for yes juvenile was intoxicated and 0 for no if juvenile is not intoxicated (sober).

Youth Possessed Drugs was a dichotomous variable which measured whether or not there was any mention in the police report of the juvenile possessing illegal drugs. This variable is coded 1 for yes juvenile possessed drugs and 0 for no if juvenile did not possess drugs.

Youth Possessed Weapon was a dichotomous variable which measured whether or not there was any mention in the police report of the juvenile possessing a weapon. This

variable is coded 1 for yes juvenile possessed a weapon and 0 for no if juvenile did not possess a weapon.

Youth Shared Information with Law Enforcement measured whether or not the youth shared information with law enforcement regarding any exploiters involved in their prostitution. This dichotomous variable was coded 1 if the youth shared information and 0 if the youth did not share any information.

Youth Willing to Prosecute against Exploiters measured whether or not the youth was willing to prosecute against any exploiters involved in their prostitution. This dichotomous variable was coded 1 if the was willing and 0 if the youth was not willing to prosecute.

Positive Demeanor by the youth during their encounter with law enforcement was conceptualized as respectful, responsive or accommodating behavior. Respectful behavior included the following types of behavior: polite, deferential, civil, reverent, remorseful (apologetic, sorry), asked for help, made statements which placated the officer's authority or legitimacy (admit to officer's accusation, defer to officer's judgment, asking for officer's help), or asked for leniency (pleading, trying to enlist officer's aid, sympathy). Responsive means the youth was friendly, polite or used a conversational tone of voice with the officer during encounter. Youth who were accommodating were cooperative, compliant, cooperated with the officer's requests and/or answered questions. All are dichotomous variables, coded 1 if the youth displayed any of the above forms of positive demeanor and 0 if the youth did not demonstrate any positive demeanor.

Negative Demeanor by the youth during their encounter with law enforcement was conceptualized as disrespectful, physically aggressive or other overtly hostile acts, or resistant behavior towards law enforcement. Disrespectful behavior included the following types of behavior: rude, impolite, insolent, incivility, demeaning, sarcastic or made statements which challenged the officer's authority or legitimacy, such as denying an officer's accusation, questioning an officer's judgment or asked officer to leave them alone. Physically aggressive or other overtly hostile acts included verbally aggressive behavior, such as raising one's voice toward an officer, arguing with an officer or name-calling or cursing at an officer. Additionally body language or hostile posturing, such as giving the officer the finger, and oppositional, "bad attitude", and antagonistic behavior were considered physically aggressive or overtly hostile behavior. Youth who were resistant tried to avoid the police, were noncompliant, such as refused to cooperate with the police's requests or answer questions or were generally uncooperative.

Youths' Cooperation Factor Score was calculated due to the likelihood that four indicators (youth shared information with law enforcement, youth was willing to prosecute against exploiter, positive demeanor and negative demeanor) were measuring the same underlying concept. Principal component analysis was utilized. The factor structures were not rotated and all four of the items loaded on to one component. The variable was standardized during the factor analysis with a mean of zero and a standard deviation of 1. A transformation of the factor score was unnecessary, as the distribution was reasonably symmetrical and normal (Gaussian).

Crying or Afraid youth were coded as 1 if the youth was crying, upset, scared or afraid during their encounter with law enforcement and youth not crying or afraid were coded as 0.

Exploiters

Identified Exploiters measures the number of exploiters which had been identified by law enforcement as involved in the youth's prostitution. An exploiter is someone who took advantage of or used the youth for their own personal gain. This term was used broadly in this study and included anyone who benefited monetarily or sexually from the youth's involvement in prostitution. This included pimps, madams, traffickers, clients ("johns"), recruiters and other roles in a prostitution ring. Generally this included anyone who law enforcement viewed as responsible or involved in the youth's prostitution. The term identified is used throughout this study to refer to exploiters who had been identified by law enforcement. An exploiter would not be considered identified unless the police had some knowledge or evidence of their existence. If law enforcement only suspected that there was an exploiter, but had no knowledge or evidence of such, the case was coded as not having any exploiters. This variable was also dichotomized representing if *Any Identified Exploiters* were involved in the youth's prostitution, with 1 representing exploiters were present and 0 no exploiters were present.

Exploiter roles measured the relationship of the adult exploiter to the juvenile prostitute and were recorded for up to 3 exploiters per youth and multiple roles per exploiter were recorded. This nominal level variable included the following categories: pimps, madams, customers, lackey for prostitution ring, recruiter, driver, photographer,

“bottom bitch”, family member and boy or girlfriend, not applicable and unknown or don’t know.

The Exploiter’s Age was recorded in years for up to 3 exploiters involved in the youth’s prostitution. In case files which did not specify the exploiter’s age in years on the date the case came to the attention of law enforcement, the exploiter’s birth date was subtracted from the date the youth’s case entered the criminal justice system. Exploiter’s age in years was always rounded to the whole number in years.

The Exploiter’s Sex was coded as 1 if a male and 2 if a female for up to 3 exploiters’ per youth.

The Exploiter’s Race and Ethnicity was coded as separate variables for up to 3 exploiters per youth. Race included the following categories: African American, Caucasian, Asian, Native Hawaiian/Pacific Islander, and American Indian/Alaskan Native. *Ethnicity* was coded as either Hispanic (1) or non-Hispanic (0). Cases with missing ethnicities were conservatively coded as non-Hispanic.

Exploiter Possessed Drugs was a dichotomous variable which measured whether or not there was any mention in the police report of an exploiter of the youth possessing illegal drugs. This variable is coded 1 for yes the exploiter possessed drugs and 0 for no if the exploiter did not possess drugs.

Exploiter Possessed Weapon was a dichotomous variable which measured whether or not there was any mention in the police report of an exploiter possessing a weapon. This variable is coded 1 for yes the exploiter possessed a weapon and 0 for no if the exploiter did not possess a weapon.

Exploiter Involvement Factor Score was calculated due to the likelihood that the five indicators (any identified exploiters, pimp prostitution, exploited, under the power and control of another, exploiter possessed drugs) were measuring the same underlying concept. Principal component analysis was utilized. The factor structures were not rotated and all five of the items loaded on to one component. The variable was standardized during the factor analysis with a mean of zero and a standard deviation of 1. A transformation of the factor score was unnecessary, as the distribution was reasonably symmetrical and normal (Gaussian).

Law Enforcement Response

How the Case Entered the Criminal Justice System measured how the case came to the attention of law enforcement. This nominal level variable had the following categories: 1) proactive investigations, undercover operations or stings, 2) proactive policing of the internet, 3) anonymous report, 4) mandated reporter, 5) referred from child protection services (CPS), 6) name given by another victim/offender, 7) parents or relatives of juvenile, 8) immigration investigations, 9) juvenile self-report, 9) missing child locator service, 10) arrest of child for prostitution, solicitation or prostitution loitering, 11) arrest of customer(s) or pimps, 12) internet service provider referral, 13) other, 14) not applicable and 15) unknown or do not know. These variables were collapsed into 2 categories: law enforcement action and reported to law enforcement. Law enforcement action was some action or initiative by law enforcement which led the case to come to the attention of law enforcement. This included: proactive undercover operation or stings, police witness of an offense, and discovery during the pursuit of an investigation into a different offense. Reported to law enforcement represented cases

which came to the attention of law enforcement through a report by one or more individuals and included the following reporters: the youth, CPS worker, juvenile probation officer, a parent or another relative, a parent or a relative of another juvenile involved, another victim, offender or juvenile prostitute, multiple reporters, an anonymous reporter and another law enforcement agency. Two dummy variables were created for multivariate analyses: reported to law enforcement (1=reported, 0=action) and law enforcement action (1=action, 0=reported).

Law Enforcement Awareness that Prostitute was a Juvenile was an open-ended question asking, when did law enforcement come to know that the prostitute was a juvenile? Responses were qualitatively analyzed and coded into the following categories: 1) upon report, 2) the youth reported their true age and identity to law enforcement during encounter with law enforcement, 3) law enforcement knew the youth's identity from prior interaction, 4) the youth lied or provided an adult alias and the police pressed the youth on their age and the youth confessed their true identify 5) the youth lied or provided an adult alias and the police identified the prostitute as a youth through fingerprints, 6) the youth lied and the police used creative investigatory techniques to discover the youth's identify, 7) the police identified the prostitute as a youth after the youth was processes as an adult.

Juvenile and Exploiter offenses were recorded for up to 5 offenses per individual and for up to 3 exploiters. Referencing the state legal codes and municipal codes in the jurisdictions included in this sample and Black's Law Dictionary (Garner, 1999) offense categories were created. Offense categories include the following offenses: prostitution misdemeanor (soliciting, agreeing, offering), prostitution loitering (misdemeanor), sex

trafficking, false imprisonment/human trafficking, interfering with the custody of a minor, procuring a minor for prostitution, pandering/promoting prostitution of a minor, public nuisance/disorderly conduct, falsely representing self to officer, kidnapping, rape/sexual assault, statutory rape, child sexual abuse, sexual battery, lewd & lascivious behavior/indecent exposure, ward of juvenile court, warrant violation, missing persons warrant, parole violation, firearm/weapons violation, criminal threatening, possession of a controlled substance/cocaine, possession of non-narcotic drug, possession of marijuana, jay walking, obstructing justice/officer, aggravated assault, conspiring to commit a crime, intimate partner violence offense, driving with a suspended/revoked license, arrested and released (no charges filed), contributing to the delinquency of a minor, assault and battery, larceny/shoplifting, no offenses filed, not applicable, not ascertainable, no information in report or do not know.

Data Analysis

All variables were examined both descriptively and in relationship to the dependent variables (using chi-square and/or correlation coefficients). Ordinary least squares regression and logistic regression was used to examine the effects of the dependent variable on each independent and control variable.

One problem this study encountered was the issue of missing data. Missing data can substantially reduce your sample size if traditional ways of handling the missing data, such as listwise deletion, are used. Additionally, ignoring missing data can cause problems in drawing inferences about the total population as it can lead to biased parameter estimates if the data are not missing at random (Allison, 2001; Little and Rubin, 2002).

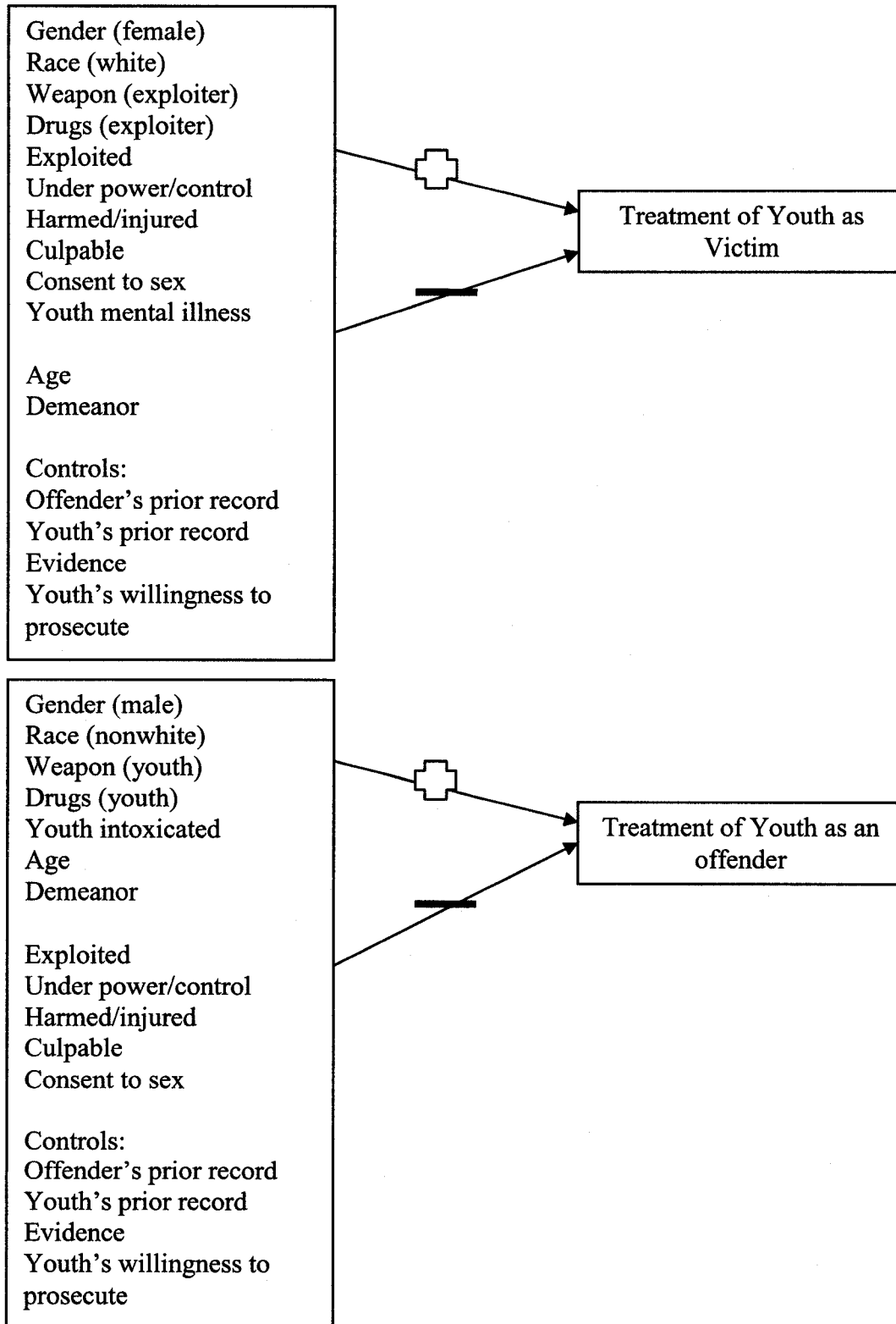
This research project made considerable efforts to minimize missing data. As much as possible, cases with missing information were discussed with law enforcement officers and efforts were made to discuss with agencies upon arrival their policies and procedures on report writing. Reviewing the report record with a representative at each agency aided in determining whether information on a particular item was not present in the file due to it not having occurred versus it just not having been recorded by an officer. For instance, it may be an agency's policy to document in the report whether a youth assaulted an officer during the incident. This allowed for a definitive "no" to be documented in cases with no mention in the file. In sum, if the law enforcement agency had a clear policy to record an item in their report if it occurred and it was not present, then it was recorded as no, did not occur. Additionally, officers knowledgeable about the case were questioned if some information was unclear or undocumented in the case files, in an effort to minimize missing data.

Each question provides two options for classifying missing data: not applicable and unknown or do not know. Items were categorized as not applicable if information was not available because the item did not apply to this case. For instance, in cases without an exploiter present no exploiter characteristics were available and items were coded as not applicable. Unknown or do not know was used when the information was not available in the report and the agency did not have any clear policy about whether to include that information in the police report or not. When dummy variables were utilized, not applicable and do not know or unknown were coded as not present (0). This method was chosen for handling missing data in this study, as missing data was largely thought to be reflective of the phenomenon not being present in a particular case. For

instance, if the youth had not been involved in prostitution via the internet, then law enforcement was not likely to document the absence of this behavior. Logic suggests that law enforcement record what actually occurred and the steps that they followed in their case records, but do not document what did not occur or the absence of some phenomenon. However, some missing data is likely to reflect a lack of information known by law enforcement or a lack of law enforcement recording of information that they did not deem important. Information that is missing because law enforcement lack information, is likely to be missing at random. Examination of missing data indicates that variations exist in the amount of missing data by site. As described prior, agency records varied substantially in content and details. Additionally, agencies with greater proportions of youth considered victims within each sub-sample had more details in the case file records than agencies with greater proportions of youth considered offenders. This may reflect the need for more documented details regarding the youth's prostitution experience to bring the case forth against exploiters involved or a lack of knowledge of the youth's prostitution experience on behalf of law enforcement in cases which law enforcement consider offenders. This makes sense as the data indicate that these youth are likely to be less cooperative and not share information with law enforcement regarding their prostitution experience. However, it is unknown if the youth with missing data and their prostitution experience are different in any way from youth with data present. For this reason, it is assumed that the missing data is missing at random and ignorable.

Casual Models

Figure A 1: Causal Models



Limitations

While choosing to focus on cases known to law enforcement has its benefits in that this research project can examine how law enforcement conceptualize juvenile prostitution, it also excludes cases of juvenile prostitution that are unknown, ignored or hidden from law enforcement. Also, relying on official police records, such as incident and arrest reports, may not be the most reliable source of all the information this research project is examining. However, in situations where the case is not very memorable or in cities with substantial amounts of crime, the police reports may be more reliable than officer recall. In these instances, the police reports may be a more accurate means of gathering information, but the reports still may not detail all the information this project aims to examine.

Human Subjects Considerations

This study was approved by the University of New Hampshire's Institutional Review Board. Maintaining confidentiality was of the utmost importance in this research project. Confidential information, such as the juvenile's name, was not recorded and copies of the juvenile reports were not removed from the law enforcement agencies' premises unless names and identifying information was blackened over. In addition, all data was presented in the aggregate. No identifying information about the location of the data collection agencies was disclosed, nor did analyses compare case characteristics by agency.

CHAPTER III

DEMOGRAPHIC AND CASE CHARACTERISTICS OF YOUTH INVOLVED IN PROSTITUTION

Characteristics of Youth Involved in Prostitution

Bear in mind that the demographic information presented here is likely to not be reflective of all youth engaging in prostitution, but rather only inform us about those youth engaging in prostitution who come in contact with law enforcement. Table A 2 provides a summary of the youth's demographic characteristics.

Almost all the youth (99%) in this study were female with only one case involving a male youth (1%). However, according to UCR juvenile prostitution arrest rates (see Figure A 6) between 1990 and 2004, juvenile females tended to have higher arrest rates for prostitution than males. In 1990, 2.2 females per 100,000 female youth (<18) and 1.8 males per 100,000 male youth (<18) were arrested for prostitution.

Between 1990 and 2000 juvenile prostitution arrest rates generally declined for both sexes. In 2000, 1.1 males and 1.4 females per 100,000 youth (under 18 years old) were arrested for prostitution. However, in 2000 arrest rates for juvenile prostitution diverged for male and female youth. Male arrest rates continued to decline slightly to an arrest rate for prostitution of 1 per 100,000 male youth (<18), while female arrest rates for prostitution increased substantially to 2.7 per 100,000 female youth in the population.

The ages of youth in this sample ranged between 12 and 17 with a mean age of 15 and a median age of 16. The most prevalent ages were 16 (29%) and 17 (24%), however there were a substantial percentage of 15 (19%) and 14 (18%) year olds who were engaging in prostitution. The least prevalent age groups were 12 (1%) and 13 (9%) year olds.

Half of the youth involved in prostitution in this study were Caucasian, 41% were African American and 7% were Asian. One percent of youth were Native Hawaiian/Pacific Islander and 1% were mixed race. In addition to race, whether the youth was Hispanic or Latino was measured and 21% of the youth in this study were Hispanic. The racial composition of the sample must be examined in context of the racial groups' prevalence in the population of the cities included in this study. Based on data from the 2000 Census, Caucasians were substantially underrepresented in this study (U. S. Census Bureau, 2008). More specifically, 63% of the people in the cities included in this study on average were Caucasian, while only 50% of the youth in this study were Caucasian. Also, Asians were underrepresented, as this racial group makes up, on average, 13% of the people residing in the cities of this study. Mixed race youth (2 or more races) were also underrepresented in this study, with 1% in the sample and 4% on average in the cities' population. Two other racial groups, other race and American Indian/Alaska Native were also underrepresented with these racial groups making up, on average, 7% and 1%, respectively, of the people living in the cities included in this study. Hispanics were slightly underrepresented in this sample, as people of Hispanic or Latino decent made up, on average, 31% of the population in the cities sampled for this study.

Conversely, African Americans were substantially overrepresented in this sample as only 12% of the population, on average, in these cities was African American (U. S. Census Bureau, 2008) and 41% of the youth in this study were African American. Native Hawaiian/Pacific Islander youth were also slightly overrepresented in the study as 1% of the youth in this study were Native Hawaiian/Pacific Islander and made up only .3% of the population in these cities on average. It is interesting that African American youth were overrepresented in this study relative to their overall prevalence in the cities' population and leads one to question if African American youth are disproportionately involved in prostitution or just more likely to come into contact with law enforcement. Unfortunately due to the sampling methodology this study was not able to conclusively answer this question.

Most of the youth in this study were either local (44%) or from another region of the state (44%) within which they came in contact with law enforcement. The remaining 11% of the youth were from another state than where youth came into contact with law enforcement. The findings of this research suggest that a large proportion of the problem of juveniles engaging in prostitution involves youth in their own backyard. This is critical information for prevention and intervention efforts, as it suggests that local or statewide efforts may be the most effective.

Case Characteristics

Part of the complexity of the social problem of juveniles involved in prostitution is that there is a substantial amount of diversity in the characteristics of cases. There does not appear to be a typical case, but rather several different types of cases and multiple

factors for any one case. This is apparent in examining the case characteristics of the youth involved in prostitution in this study.

Bear in mind that the findings presented here reflect the information that was known to law enforcement. Additionally, many of the terms used below were not defined by the researcher, but rather were drawn from law enforcement reports. Hence, the concepts for this study reflect general law enforcement knowledge as was defined legally, but also socially and culturally. States' laws and municipal codes were examined for more specific definitions of what law enforcement meant when they used certain terms. While state and city statutes in this study were not worded exactly the same, all generally defined prostitution as "the act or practice of engaging in sexual activity for money or its equivalent; commercialized sex" (Garner, 1999, p. 1238). While the state laws did not specifically define what a pimp was, it did outlaw "pimping" behavior, which generally includes the following types of activities or behavior: deriving financial support or maintenance from the earnings of another's prostitution activities, recruiting another to engage in prostitution, pandering or making appointments for a prostitute, and/or transporting a person for the purposes of prostitution. While little attention was paid to clients, often referred to as "Johns" or "tricks," in the laws, in this study they were generally considered individuals who had sought sexual services for a fee or had paid for sexual services. Both pimps and customers or clients were considered exploiters in this study, as both were taking advantage of or gaining something, financial or sexual, from the youth. It is likely, given this study's definition of exploiter, that youth involved in prostitution had several exploiters. However, only those pimps and customers that were known to law enforcement were able to be examined in this study.

Type of Prostitution: Juveniles were involved in prostitution in many different settings, much like adult prostitution (Enablers Inc., 1978; James, 1980a). It is essential to examine the types of locations and settings that juveniles are involved in prostitution, so that practitioners and policy makers can target intervention efforts and also so that law enforcement can appropriately direct their efforts. These environments have frequently been portrayed as types of prostitutions or occupational milieus (Flowers, 1995; Goldstein, 1979). This study wanted to capture the complexity of the youth's experience, so all types and settings that the youth experienced that were known to law enforcement were recorded.

It is worth noting that the type of prostitution the juvenile was involved in was derived from information found in law enforcement reports. Rarely did law enforcement specify this information in their report directly; rather this information was drawn from other details specified in the report or other documents in the case file. In addition, if the youth was involved in multiple types of prostitution all types were recorded.

Juveniles were considered engaging in pimp prostitution if law enforcement had some knowledge of a pimp's involvement based on evidence and not just suspicion. Cases in which law enforcement suspected a pimp was involved, but did not have any evidence were not coded as having a pimp involved in this study. However, this does not mean that the police always knew the identity of the pimp. Even youth who were willing to share this information with the police did not always know the identity of the pimp or only knew their street name. Evidence of a pimp's involvement frequently came from a victim statement, but in a few cases law enforcement caught the pimp on the scene collecting money, transporting the youth, arranging appointments or supervising the

youth's activities. Juveniles were considered engaging in street prostitution if there was any evidence or mention in the report that they were soliciting on the street, sidewalks or street corners. Individuals engaging in prostitution on the street are often referred to as streetwalkers, hookers or nightwalkers. In many cases this behavior, such as, waving at cars or approaching vehicles that pulled over to the curb, was observed by law enforcement and detailed in their report. Note that for the purposes of this study pimp and street prostitution were each considered distinct types of prostitution. While in other research these two types are connected, there were some cases in this sample which involved street prostitution, but that did not have a pimp involved. While this may be due to the lack of evidence or knowledge of law enforcement, the two characteristics were treated independently.

Youth were coded as having engaged in survival sex if there was any mention that the youth was a runaway, living on the street, or homeless. Runaway was the most frequently mentioned evidence. Cases were coded as business front if the youth was involved in prostitution through an establishment that either functioned as a legitimate business or tried to pass itself off as a legitimate business, such as massage parlors, escort services, exotic dancing or strip club, and brothels. Two types of call girl prostitution were coded, hotel or bar prostitution and internet call girl. Cases were coded as hotel or bar call girl if the youth was soliciting in a hotel or bar or was called to meet a client in a hotel or bar. Cases were coded as internet call girl if the contact information, initial contact or appointments were derived through the internet.

While the United States Code (United States Code, 2008) defines sex trafficking broadly, including "recruitment, harboring, transportation, provision, or obtaining a

person for the purpose of a commercial sex act”(7102(9) of Title 22), a narrower definition was used in this study. Youth were coded as having been trafficked if there was any mention of the youth being transported for the purposes of prostitution. Evidence for this did not usually arise for local travel, but rather for intrastate or interstate travel. Local was considered within the districts, wards or boroughs of the city proper and the immediate suburbs surrounding the city. Intrastate travel included travel beyond the local area, but within the state and interstate travel included traveling to other states. Additionally, there was one case in which the youth was transported into the United States from another country and once in the United States she engaged in prostitution, as suggested by her mother, to pay off the debt to the smugglers. This case was not coded as sex trafficking, as there was no evidence that the smugglers directly transported the youth for purposes of prostitution or were involved with the youth’s prostitution. Cases were coded as organized crime or gang related prostitution if there was any mention of the youth being involved in a prostitution ring with a hierarchical organizational structure or were engaging in prostitution for a gang. Again, this conclusion was based on evidence and not just suspicion. Prostitution by a family member identified cases which the youth was pimped or hustled by a family member, such as a parent, a sibling, a grandparent, an aunt/uncle or a cousin. Lastly, juveniles were considered living at home and prostituting for money or luxury items if law enforcement mentioned that the youth was living at home with their parents or other relatives and engaged in prostitution for extra money or extravagant items, such as designer clothes or jewelry.

This study found that youth were involved in multiple forms of prostitution. On average, youth were involved in two different types of prostitution, however, youth

ranged between one and five different types of prostitution. The most prevalent types of prostitution that youth were involved in were prostitution with a pimp (69%), street prostitution (64%) and survival sex (31%). Fourteen percent of the youth who came in contact with law enforcement engaged in prostitution through a business front, such as a massage parlor, escort service, dance club/strip bar or brothel. For example, some youth were involved in prostitution through an escort service which advertised on a website or in a local newspaper. Another 17% of youth participated in some type of call girl prostitution. Some of these cases (7% of cases overall) were hotel or bar call girl, but more of the call girl cases (10% of cases overall) involved the internet. A smaller number of youth (6%) were trafficked domestically for the purposes of prostitution. For instance, some youth told police they were traveling a specific “circuit,” moving from one city to the next with their pimp. The less common forms of prostitution youth engaged in include the following: organized crime or gang related prostitution (2%), prostitution by family members (2%) and youth living at home and prostituting for money or luxury items (1%). For instance, a youth who was living at home reported to law enforcement that she engaged in prostitution to earn money for clothing and a car, as it was an “easy way to earn quick cash.”

The prevalence of the various types of prostitution that juveniles engage in is valuable, but alone it does not give us a clear picture of the multi-dimensional nature of juvenile prostitution. To gain a better sense of how these forms of prostitution overlap the prevalence of co-occurring types were tabulated as is seen in Table A 3. Not surprising the most prevalent co-occurring forms of prostitution were: street prostitution with a pimp (24%), street prostitution alone (15%), street prostitution and survival sex

with a pimp (10%), survival sex with a pimp (7%) and survival sex alone (6%). Note that there was substantial diversity in the groupings with about one-fifth of the sample participating in a fairly uncommon grouping (<3% of the population in any one grouping). This indicates substantial differentiation in the forms of prostitution that youth engaged in. However, some of this may also be due to error possibly caused by incomplete information or missing data and may also reflect a lack of knowledge or evidence gathered by police on the specifics of each case.

With the expansion and growth of the internet in the 1990s and 2000s (Cooper, 2005, p. 17) it was not surprising to see the role of the internet in juvenile prostitution. In fact, 14% (n=17) of the juveniles' cases involved the use of the internet in some capacity. Most of these juveniles' (10% of cases overall) engaged in prostitution as internet call girls. Typically the internet served as a medium to advertise on websites, such as craigslist.com or eros.com, and listed a telephone number to call to set up a "date". It was common for the advertisements to post photographs of the youth in provocative poses. Additionally, several of the "escort guide" websites had rating systems that allowed prior customers to rate their experience with a particular escort. Law enforcement typically came across the juveniles by proactively policing the internet, sometimes specifically for juveniles, but also for prostitution generally. In a few cases law enforcement conducted an undercover operation specifically because they suspected that the prostitute was a juvenile. In one instance local law enforcement was alerted to a youth's involvement in prostitution by the FBI who was proactively policing the internet. In the remaining 4% of cases, photos of the youth were uploaded on to a pornography website (3%) and in one case (1%) the youth met their pimp in an online chat room.

Locations: As depicted in Table A 4, most juveniles were engaging in prostitution and coming into contact with the police on sidewalks and streets (56%). Most often this was in a known prostitution area, which is an area or neighborhood of a city where prostitution, usually adult prostitution, proliferates. A substantial percentage of the youth were engaging in prostitution in hotels or motels (36%). In addition, many youth engaged in prostitution in a parked vehicle or were in a vehicle when they came in contact with law enforcement (11%). Interestingly, 11% of youth were involved in prostitution in a private residence. The following locations were the least common places juveniles in this sample were involved in prostitution: rest or truck stop (2%), public transportation station (2%), bar or restaurant (2%), public business (2%), runaway shelter (2%), mall or shopping center (1%) and parking lot (1%).

Other Dynamics: All of the youth in this study exchanged or intended to exchange sexual services for money (n=100 due to missing data). Also, the majority of youth in this sample (74%) were not involved in prostitution with other juveniles. While only one in four youth were engaging in prostitution with other juveniles, the number of other juveniles involved per youth included up to four other youth (1=15%, 2=8%, 4=3%).

Prevalence of Identified Exploiters: In three out of four cases of juvenile prostitution law enforcement had identified or knew of an exploiter's involvement (see Table A 5). An exploiter is someone who took advantage of or used the youth for their own personal gain. This term was used broadly in this study and included anyone who benefited monetarily or sexually from the youth's involvement in prostitution. This included pimps, madams, traffickers, clients ("johns"), recruiters and other roles in a

prostitution ring. Generally this included anyone who law enforcement viewed as responsible or involved in the youth's prostitution. Since all youth engaging in prostitution, logically and according to the definition employed in this study, have at least one customer, all youth involved in prostitution are considered to have at least one exploiter. However, not all customers, or other exploiters, of juvenile prostitutes are known to law enforcement. The term identified is used throughout this study to refer to exploiters who had been identified by law enforcement. An exploiter would not be considered identified unless the police had some knowledge or evidence of their existence. If law enforcement only suspected that there was an exploiter, but had no knowledge or evidence of such, the case was coded as not having any exploiters. Hence, bear in mind in interpreting the findings of this study, as the findings are likely incomplete and represent only what was known to law enforcement.

Law enforcement had no knowledge of any exploiters in one-quarter of the juveniles in this study. Again, it is likely that this reflects a lack of knowledge and evidence rather than a lack of exploiters. How law enforcement came into contact with youth often precluded contact with clients or pimps, as often the police saw the youth on the street engaging in prostitution-like behavior and either charged the youth with prostitution loitering or conducted an undercover operation and arrested the youth for solicitation. Hence, solid evidence of exploiters involvement was often hard to come by. Law enforcement regularly relied on the youth's statements about exploiters' involvement and information which led to police identification of the suspect. However, youth in this situation were often reluctant to share information about exploiters with law enforcement or lacked knowledge of identifying information about their exploiters. In at

least one case law enforcement discovered that the pimp did not share their true name or other identifying information with the youth. It is likely that these dynamics impact what law enforcement knows about exploiters involved in youth's prostitution.

However, the lack of information about certain types of exploiters, such as clients, may rather reflect an ambiguity around who was considered responsible, and hence an exploiter. It may be that law enforcement considers some roles as less culpable for the youth's involvement in prostitution. Law enforcement has historically been more lenient with "Johns" than with prostitutes or their pimps (Farley & Kelly, 2000). One reason law enforcement officers may not perceive the client to be an exploiter in cases of juvenile prostitution is because they may perceive clients as unaware that the prostitute is a juvenile, and hence less culpable. In a few cases examined in this study, an undercover law enforcement officer solicited a prostitute on the street in a known prostitution area and the youth told the prospective client that she was an age over 18. Once the prospective client identified himself as an officer, the youth was forthcoming with the true age. This suggests that at least in some instances clients may be unaware that the prostitute is a minor. Law enforcement may be deriving their assessment of who is perceived to be an exploiter based on their experiences and perceptions.

The total number of exploiters known in this sample of youth was one hundred and forty-six. However, some exploiters may be counted more than once if more than one youth in the sample was involved with the same exploiter. For example, if two juveniles were prostituted by the same pimp, the pimp would be included twice. Typically only one exploiter was involved per youth. Forty-four percent of youth had one exploiter involved and about one-third of youth had more than one exploiter involved

in their prostitution. Specifically, 18% had two, 7% had three and 6% had four exploiters.

Exploiters' Role and Characteristics: Exploiters' roles and demographic information, when available, was recorded for up to 3 exploiters per youth. In some cases there are multiple exploiters involved in a youth's prostitution and often exploiters perform more than 1 role. Exploiters roles found in this sample of cases included pimps, madams, customers, lackey for prostitution ring, recruiter, driver, photographer, "bottom bitch", family member and boy or girlfriend. These roles were derived from information found in law enforcement reports and reflect general law enforcement conceptions of such roles. Madams were typically females managing a brothel or house of prostitution. Both lackeys for a prostitution ring and recruiters worked under or for a pimp. Lackeys generally followed the orders of the pimp or organized crime ring leader, while the role of the recruiter was specifically to recruit new girls into prostitution for the pimp. Drivers transport the prostitutes locally to out-calls and/or various cities or states. Photographers involved the use of both print and digital photographs and video. "Bottom bitch" is a term used by those involved in prostitution to refer to a prostitute who, working under a pimp, arranges for the needs of the other prostitutes of the pimp. This role was sometimes also referred to as that of a den mother. Typically the bottom bitch was a more experienced prostitute who continued to engage in prostitution, but also managed and arranged for the basic needs of any prostitutes working for their pimp. The role of boyfriend or girlfriend included individuals who the juvenile considered him/herself to be in an intimate sexual relationship with. Usually the youth referred to the individual as his or her boyfriend or girlfriend to the police.

As depicted in Table A 6 the most common role for exploiters in this sample was the role of the pimp or madam, with 4 out of 5 exploiters of youth being considered a pimp or madam. In some cases the pimp also had a secondary role, such as family member, boy or girl friend or trafficker. The roles of bottom bitch and recruiter were also often recognized by law enforcement as having engaged in pimping activities. While these cases are coded as a pimp, their roles were viewed more as supporting a pimp. The difficulty here stems from legal statutes which do not distinguish between roles, but rather outlaws certain types of activities. Hence, a recruiter or bottom bitch was considered a pimp under the law as they engaged in pimping activities; however in reality they were not considered the pimp. Relying on the legal definition and law enforcement conception may have overestimated the number of exploiters represented as pimps.

While many cases in this study involved only one pimp (46%), 18% of juveniles engaged in prostitution with more than 1 pimp. Customers of juveniles made up a much smaller percentage of the exploiters (13%) in comparison to pimps. This is interesting too, as logic suggests that there were possibly many more customers than pimps of juvenile prostitutes. The fact that there were so few involved when there were likely many more of them suggests that law enforcement strategies may have precluded apprehension of customers. In jurisdictions with prostitution loitering statutes, the police often did not wait until a youth was with a client. Instead they were able to respond more proactively, intervening prior to witnessing a transaction with a client. Additionally, undercover operations typically involved the police acting as the potential client, with the target the prostitute and sometimes the pimp. It is unclear from the data how much law enforcement sought to discover customers' identities. Of the cases in which police did

apprehend a client, customers were typically caught together with the youth in the act. However, in one case the youth identified the customer to law enforcement, as she went to his house on more than one occasion. Juveniles involved in prostitution may not typically know any identifying information of their clients, and this may have prohibited their sharing this information with the police. It may be that law enforcement strategies and youth's knowledge of their clients' identities precluded the apprehension of customers more so than pimps. However, this could also indicate that law enforcement did not perceive customers to be as responsible for the youth's involvement in prostitution as pimps. Most youth with a customer involved in their case (9%) have only one customer involved, however 2% of these youth have 2 customers. Less common roles of exploiters involved were lackeys for prostitution ring (2%), photographers (1%), drivers (1%), recruiter (1%), family member (1%) and boy/girlfriend (1%). While roles such as a photographer or recruiter are less common, their presence implies that law enforcement had a broad conception of who was responsible for juveniles' exploitation and held many parties accountable.

As is indicated in Tables 6 and 7, four out of the five exploiters involved in juveniles' prostitution were male (80%) and one-fifth were female (20%). Examining exploiters' roles by gender indicated that while in frequency males outnumber females in pimping, a sizable number of female exploiters were also involved in pimping juveniles. Table A 6 shows this tabulation. A greater proportion of female exploiters were viewed as pimps with secondary roles, especially bottom bitch (25%) and recruiter (21%), than male exploiters (0%). Customers of juvenile prostitutes were also much more likely to be male than female. Lastly, some supportive roles, such as errand boy, driver and

photographer, while uncommon were more likely to be males than females. While there is a wide range in exploiters' ages, 16-55, most of the exploiters are adults (91%). The mean age of exploiters is 27 and the median age is 25.

Almost two-thirds of exploiters were African American (60%) and one-third were Caucasian (34%) (see Table A 7). A small percentage of exploiters were Asian (3%), Native Hawaiian or Pacific Islander (2%) and other race (1%). Approximately one out of five exploiters (19%) were Hispanic. A substantial amount of data was missing for Ethnicity. The reason for this was that all but one of the law enforcement agencies in this study did not specify non-Hispanic in their reports, but rather only indicated whether the person was of Hispanic ethnicity. For this reason, missing cases were included in the overall percentage calculations and conservatively treated as non-Hispanic for the purposes of this study.

Evidence of Exploitation: While many scholars, law enforcement officers and citizens alike consider all youth involved in prostitution to be exploited, this study examined the information or knowledge law enforcement had on each case regarding the exploitative nature of the youth's prostitution. Case file records were examined for dynamics present which would indicate law enforcement regarded the youth to have been exploited. Law enforcement did not often document their own individual perceptions or beliefs, nor specify a certain act or dynamic as exploitation in the records. However, law enforcement did document facts that they perceived to be relevant and critical to the case. Most often the information documented, which was indicative of knowledge of exploitation, was evidence supporting one of the state's statutes regarding promoting prostitution, pandering or a captivity related offenses.

Three dynamics emerged regarding the knowledge law enforcement had and documented regarding the youth's exploitation. The first type of evidence of exploitation to emerge in police records was the youth engaged in prostitution because they were manipulated, deceived or tricked, taken advantage of by an older person in a position of power or authority over the youth, or the youth's prostitution involvement was for another's personal gain (financial or sexual). This type of evidence was most frequently documented regarding the pimp's exploitation of the youth. The second type of evidence to emerge in police records was whether the youth was under the power and control of another, was acting against her or his own will, coerced, forced or intimidated into participating in prostitution. While many would consider this type of victimization to be exploitation as well, it was viewed as conceptually distinct from exploitation in this study. The key distinction between these two dynamics was the level or type of control utilized by the exploiter. The exploitation dynamic represents a more subtle form of control—one that the youth was not likely to have recognized themselves. However, in the second dynamic the form of control exerted over the youth was a more obvious manifestation of force. This form of control goes beyond having been manipulated or taken advantage of and represents youth who were much more obviously acting against their will. The third type of evidence law enforcement documented in their agency records was whether the youth was in imminent danger, injured or hurt. Law enforcement documented the presence of one or more of the three dynamics in two-thirds of juvenile's cases. Specifically, 29% of cases involved one dynamic, 18% involved two dynamics and 19% involved all three dynamics. In one-third of juvenile's cases law enforcement did not document any evidence of the three dynamics.

Overall, in 41% of the cases in this sample, the police had knowledge or evidence that the youth was manipulated, deceived or tricked, taken advantage of by an older person in a position of power or authority over the youth, or the youth's prostitution involvement was for another's personal gain (financial or sexual). In one-third of the cases law enforcement had knowledge that the youth had their prostitution-related income taken or shared with another party. Typically this other party was labeled as the juvenile's pimp by law enforcement and was viewed as using the juvenile's sexual activity for their own personal financial gain. Law enforcement frequently documented whether the youth stated that the "pimp got all the money" because in some jurisdictions specific laws forbid this type of activity. In 10% of the cases law enforcement had knowledge of and documented that the youth was taken advantage of by someone older or someone in a position of power or authority over the juvenile. Also, in 11% of the cases police had knowledge that the youth was manipulated, deceived or tricked into participating in prostitution activities. However, keep in mind that this type of behavior may be undercounted in the current study, as it represents law enforcement's documented evidence. Typically, law enforcement only became aware of this dynamic if the youth shared this information with them or through some evidence, such as the pimp's book keeping records.

Overall, law enforcement evidence indicated that 39% of youth were under the power and control of another regarding their prostitution involvement. Evidence in the reports indicated that 14% of youth were acting against her or his will and 37% were coerced, forced or intimidated into participating in prostitution. Youth reported being

“talked into it”, not being able to stop once she or he began, and some youth reported being forced to participate under threats of violence.

Law enforcement knew the juvenile was in imminent danger, injured or hurt in 42% of the cases. In 16% of the cases prostitution related activities were seen as harmful to the youth by law enforcement. Remember that this is documented evidence and likely underestimates law enforcement’s true concern. During my interactions with law enforcement, all officers expressed a concern for youth’s involvement in this type of activity. Fifteen percent of the cases indicated concern for possible harm or victimization due to the lifestyle of prostitutes, such as physical or sexual abuse by pimps or customers, and venereal diseases, such as HIV. This concern most frequently came about when law enforcement tried to intervene in the lives of these youth, trying to convince them to cease prostitution activities and/or to gain their cooperation in building a case against the youth’s pimp. Sixteen percent of juvenile prostitutes indicated that they had experienced a non-accidental physical injury or was hurt in some way from their prostitution experience. This included physical abuse or sexual assault by a pimp or a customer and in some instances the youth contracted HIV or other sexually transmitted diseases.

CHAPTER IV

THE LAW ENFORCEMENT RESPONSE TO JUVENILES' INVOLVEMENT IN PROSTITUTION

In recent years juvenile prostitution has been increasingly recognized by law enforcement agencies as a social problem (Bilchik, 1997a, 1997b; Motivans & Kyckelhahn, 2007; Mukasey, Daley, & Hagy, 2007) and, importantly, one that should be addressed. However, it has been a difficult issue for law enforcement agencies to confront. Prior research suggests that there is some uncertainty among law enforcement in the ways that they should respond to and handle cases of prostitution involving youth (Finkelhor & Ormrod, 2004). This chapter describes the ways that law enforcement agencies in this sample learned of and responded to cases with youth involved in prostitution. Obstacles law enforcement agencies confronted and best practices employed are discussed.

Entry into the Criminal Justice System

Crimes generally come to the attention of law enforcement agencies through a variety of channels. Victims or other individuals report the crime to an agency, police witness the crime in action, or law enforcement officers learn of the crime through a criminal investigation or intelligence effort (Bureau of Justice Statistics, 2004).

Prostitution has generally been considered a consensual crime when committed by adults, as it involves the willing participation of two or more individuals. Typically neither

person views themselves as a victim, and hence do not report the criminal offense or victimization to the authorities (Hunt, 1990). Therefore, prostitution cases typically come to the attention of law enforcement through means other than self-report. Often prostitution offenses come to the attention of law enforcement through complaints by community members, police witness loitering for purposes of prostitution or curbcrawling, police witness the commission of the offense, sweeps, undercover operations or investigations. While most of their efforts target street prostitution, law enforcement agencies also investigate newspaper ads, websites, flyers and business fronts and set up undercover operations from the information retrieved. Recently law enforcement agencies have begun conducting reverse stings, which place undercover female officers on the street as prostitute decoys in an effort to apprehend the clients of prostitutes. This occurs concurrent to the traditional method of conducting a sting, which targets prostitutes with undercover male officers as decoy clients (Dodge, Starr-Gimeno, & Williams, 2004).

The notion that prostitution is a victimless or consensual crime is less applicable to juveniles involved in prostitution for many reasons. Age of consent statutes restrict consenting to sexual activity prior to a certain age. Typically jurisdictions in the United States set this age between 16 and 18, however there are several jurisdictions with an age of consent outside of this age range (Glosser et al., 2004). The age of consent is one protective mechanism established by society which defines juvenile prostitution as not a consensual crime. Additionally, most minors have not reached full maturity, lack life experience, are of smaller stature than adults, possess fewer resources and may not fully understand the consequences of their actions. These attributes may translate into greater

vulnerability for exploitation or involvement in situations which involve force, threats, and/or manipulation. These differences between adult and juvenile prostitution suggest that juvenile prostitution cases may enter the criminal justice system differently from adult prostitution.

As seen in Table A 8, over half (58%) of the cases of juvenile prostitution that came to law enforcement's attention because of some type of action or initiative by law enforcement. This study found there were three general actions or initiatives undertaken by law enforcement which led law enforcement to discover the juvenile: 1) proactive undercover operation or stings, 2) police witness of an offense, and 3) discovery during the pursuit of an investigation into a different offense. Below is a description of these three categories described in greater detail.

Proactive Undercover Operations or Stings: One in four juvenile prostitution cases (25%) came to law enforcement's attention through proactive investigation methods, undercover operations and stings. This form of action targeted many different types of prostitution, including street, bar, advertisements for escort services and internet advertisements. Of the proactively investigated cases 5% were first identified through proactive policing of the internet.

Police Witness of an Offense: The most frequent action that brought the case to law enforcement's attention was a police officer witnessing or observing something that motivated the officer to respond. Police witnessed something that motivated them to act and led to the discovery of a juvenile involved in prostitution in 31% of juveniles. This study found four distinct scenarios that motivated an officer to act. First and most commonly, law enforcement witnessed an individual, which sometimes they suspected

was a juvenile, engaging in prostitution loitering on the street (21%). Prostitution loitering was typically described by law enforcement as having observed the individual displaying prostitution-like behavior (e.g. waving at cars, approaching and conversing with people in vehicles who pulled over) in a known prostitution area. Secondly, in 6% of juvenile cases police witnessed an individual or some group of individuals in a vehicle in a known prostitution area which looked suspicious and questioned them, leading to the discovery of a juvenile involved in prostitution. Third, in 2% of cases law enforcement witnessed a client and a prostitute on the street strike a deal. The officers followed the vehicle to where it parked and proceeded to catch the juvenile and the client in the act. Lastly, in two of the juvenile prostitution cases the officers observed a prostitute on the street and suspected that the individual was a youth who had been reported missing. This led the officer to stop and question the youth. In the remaining law enforcement action cases a small number of cases (2%) were discovered by law enforcement while investigating another crime committed by the juvenile.

While these scenarios vary in how they brought the youth to law enforcement's attention, they provide examples of how traditional policing methods can be utilized to effectively combat juvenile prostitution. This suggests that these methods can be used to discover juveniles' involvement in prostitution, especially methods which increase law enforcement officers' awareness of juveniles' involvement in prostitution. While this study does have some evidence that law enforcement agencies found cases in which juveniles were involved in prostitution through increased vigilance, by looking out for runaway and missing youth, the evidence here was too scant to conclude that this new method was effective in intervening in juvenile prostitution cases.

As depicted in Table A 8, the remaining 42% of cases came to the attention of law enforcement through a report by one or more individuals. These reports always identified a specific youth and generally included missing juvenile reports and suspected or known involvement in prostitution. Sometimes the reporter knew specifics regarding the youth's involvement in prostitution, while others reports were based more on suspicion. The most common reporter to law enforcement was the youth themselves (16%). In some cases the juvenile self-reported their involvement in prostitution and alleged victimization directly to law enforcement (5%), while in other cases the youth self-reported to law enforcement with the support of a child protective service (CPS) worker, a parent or another relative (11%). This suggests that some youth first divulge their experience to someone they can trust and that this person is instrumental in bringing the youth's case to the attention of law enforcement. Other sources who reported the youth's involvement in prostitution to law enforcement included a parent, another relative or a parent or a relative of another juvenile involved (8%), a child protective service worker or a probation officer (8%), another victim, offender or juvenile prostitute (5%), multiple reporters (CPS worker and parents) (2%), an anonymous reporter (2%) and another law enforcement agency (1%). Only a small number of the reports, 3% overall, from the above sources provided enough information that law enforcement was able to conduct an undercover operation or sting to apprehend the juvenile.

The data indicate that law enforcement action was the predominant method through which juveniles involved in prostitution came to the attention of law enforcement. However, a substantial number of cases were reported to law enforcement as well. This has major implications for law enforcement seeking to identify and

intervene in juveniles' involvement in prostitution. Due to the nature of this problem and population, agencies with the goal of encountering youth engaging in prostitution need to be proactive in their efforts and increase awareness of the existence of this social problem among officers from patrol officer to chiefs of police. Additionally, both traditional policing methods and new policing methods are needed to combat juveniles' involvement in prostitution; however the evidence from this study suggests that traditional policing methods are what led to the discovery of most youth.

It is imperative to raise public awareness of this social problem and develop efforts which involve and encourage citizens to bring information forward to law enforcement regarding juveniles involved in prostitution. Law enforcement should make efforts to encourage citizens, including the youth themselves, to bring these cases to their attention. Law enforcement agencies should develop policies and procedures which aspire to help the youth and convey to the public and individuals involved in prostitution that the police are an avenue of help for the youth rather than a social institution to punish them for their involvement in illegal activities. Additionally, states should consider some formal policies, if not already in place, which require professionals, such as social workers, probation officers, counselors, teachers and doctors to report any juvenile's involvement in prostitution to law enforcement. Public awareness campaigns which seek to educate people on the exploitative nature of youths' prostitution involvement and encourage people to report this crime to law enforcement may be a successful avenue for bringing these cases to the attention of law enforcement. Campaigns should target to educated youth and their peer groups regarding the risk of being exploited and focus on encouraging youth to self-report or report a friend's exploitation to authorities.

Additionally, people who come into frequent contact with youth, such as principals, teachers, psychologists, youth counselors, school nurses and primary care physicians, especially in areas with known prostitution problems, should be educated regarding warning signs and be encouraged to bring this crime to the attention of the authorities. These efforts encourage the development of the local community's informal social control mechanisms, to monitor the behavior of the children in their own community in concert with local law enforcement.

Law Enforcement Awareness that Prostitute was a Juvenile

One barrier that law enforcement confronted with cases of juveniles involved in prostitution was the identification of the youth's true identity and age. Fingerprint identification was only possible if the youth's fingerprints were on record. Additionally, since adult prostitution was typically a misdemeanor offense, youth often tried to portray themselves as adults to avoid long term placement or sanctions. In 16% of the cases law enforcement suspected that the youth was a juvenile when they saw the youth on the street, in a public place or in a photograph in an advertisement. In these cases law enforcement clearly were aware of this social problem and were concerned enough to keep an eye out for possible minors engaging in prostitution. However, many law enforcement officers encountered difficulties distinguishing juveniles from adults, as their youthfulness was often hidden by make up and attire.

In cases in which law enforcement came to know about the youth's involvement in prostitution through a report, law enforcement almost always knew upon report that the youth was under the age of eighteen (41%). In the remaining cases, which mainly came known to law enforcement through some type of action or initiative by police, discovery

of the information about the youth's identity came to be known to law enforcement through a variety of methods. Some youth (17%) reported their true age and identity when asked during the encounter with law enforcement and in one instance, 1%, the officer remembered the juvenile's identity and age from a prior interaction.

However, in over one-quarter of the cases (27%) the juvenile engaging in prostitution lied to law enforcement about their age and identity or provided law enforcement with an adult alias. In most of these cases, 16% overall, law enforcement pressed and questioned the youth about their true age and the juvenile eventually confessed their true identity and age to law enforcement. This persistence in trying to uncover the youth's true age often was needed and led to the identification of a minor. In 5% of cases fingerprint or other agency records were utilized to identify the prostitute as a juvenile. In a few cases (4%) law enforcement used creative investigatory techniques, such as calling family members in the youth's cell phone directory for identifying information. In a few instances, 2%, law enforcement discovered the prostitute was a juvenile after the youth was processed through the adult court system.

Overall, the evidence suggests that law enforcement struggled with identification of juveniles involved in prostitution. Awareness of youth's involvement in prostitution, persistence in identifying suspected minors and concern for youth's safety among law enforcement officers was present and in these cases appeared to have led to identification of juveniles engaging in prostitution. However, there was also some evidence of a few youth slipping through the cracks. An estimate of the number of juveniles engaging in prostitution who are successfully portraying themselves as adults to law enforcement is unknown.

Length of Time Involved in Prostitution Prior to Coming to Police Attention

The length of time that juveniles were involved in prostitution prior to police contact varied substantially. Note that many case records lacked this information and hence there was substantial missing data (n=61). Error may also exist in the available data as youth may not have accurately reported this information to law enforcement. Additionally, the data provide a cross-sectional view of the youth's contact with police and there is no way of knowing whether the youth stopped engaging in prostitution after she/he came into contact with law enforcement. It is advised that the reader interpret the results presented here cautiously.

The length of time youth engaged in prostitution prior to law enforcement contact ranged between 0 days and 5 years. It is salient to note that this study coded the last police contact, meaning that if a youth came into contact with police for prostitution on more than one occasion then only the last contact was recorded for this study. The mean number of days juveniles in this sample engaged in prostitution was 131 days. However, the median was 14 days indicating that half of the youth were involved in prostitution for 2 weeks or less. This can be seen in Figure A 2, which illustrates the distribution of the number of days youth were involved in prostitution prior to law enforcement contact. If the length of time involved is accurate, it suggests that law enforcement came into contact with youth involved in prostitution fairly quickly after they began prostituting. The majority of youth for whom data were available engaged in prostitution for a year or less (92%) and only a small minority were involved in prostitution for more than one year (8%).

This indicates that at any point in time, law enforcement came in contact with youth who have a variety of exposure to this way of life. The data suggest that law enforcement came into contact with half of the youth within the first two weeks of their involvement in prostitution and within the first year with almost all youth. Further research is needed to examine whether time to police contact has decreased in juvenile prostitution cases since law enforcement has increased efforts to intervene in these cases. Subsequent exploratory analyses examine factors that are associated with the variation in the length of time juveniles were involved in prostitution prior to coming into contact with law enforcement.

Explaining Length of Time Involved in Prostitution

Prior to Law Enforcement Contact

Bivariate and multivariate analyses were conducted examining factors that explain the variability in the length of time youth were involved in prostitution prior to their current police contact. Several case characteristics and juvenile characteristics, based on logic and theory, were correlated with length of time involved in prostitution before the current police contact including type of prostitution, internet related, location, how the case came to law enforcement's attention, youth's age, race, ethnicity, residence, mental health and prior criminal record. Of these case and juvenile characteristics the following four variables were found to be correlated ($r > .2$) with the length of time the youth was involved in prostitution: residence, how the case came to law enforcement's attention, pimp prostitution and prior criminal record. These four aspects were examined using analysis of variance (ANOVA) and subsequently with ordinary least squares multiple regression to examine factors associated with length of time.

Bivariate Analyses: The youth's residence was categorized as either living locally, within the state, or out-of-state. Youth who resided out-of-state tended to be involved in prostitution for more days on average (421 days) than youth who lived locally (90 days) and youth who resided in other locations within the state (122 days; See Table A 9). ($F= 2.4$, $df=2$, $p=.1$; see Table A 10). This relationship was not statistically significant and caution is needed here in drawing conclusions as there were only 5 youth from out-of-state for this analysis. However, the data suggest that youth from out-of-state tended to have been involved in prostitution for longer periods of time than youth who resided locally or in other locations within the state. This may indicate that some pimping succeeded in thwarting police efforts by maintaining mobility. It is likely that law enforcement have found it more difficult to catch up with pimps and prostitutes who are continuously mobile and move from state to state. However, the findings suggest that law enforcement came into contact with local youth and youth from other locations within the state in relatively shorter periods of time than youth who are from out-of-state.

Also of importance in explaining the amount of time before the youth came into contact with law enforcement is how the case came to police attention, as it may be that some avenues brought these cases forth more quickly than others. As seen in Table A 11, youth who came to the attention of law enforcement through some law enforcement action spent more time on average involved in prostitution before the current police contact (253 days) than youth whose prostitution involvement was reported to law enforcement (40 days) ($F=7.6$, $df=1$, $p=.01$; see Table A 12). This is key, as it suggests that individuals in the youth's network who are concerned by the youth's engagement in prostitution were most likely to report it to the police when the youth initially became

involved. However, some youth were involved in prostitution for longer periods of time before law enforcement encountered them. This suggests that for law enforcement to encounter youth engaging in prostitution through some type of law enforcement action or initiative, it takes a longer period of time on average than cases which enter the criminal justice system through a report.

This finding suggests that it is essential to recognize the power of citizens and the youth themselves in bringing the cases to the attention of law enforcement through a report. An effective intervention strategy could try to shorten the length of time that youth are involved in this activity. This research suggests that intervention efforts which encourage people to bring these cases to the attention of law enforcement may succeed in bringing them to law enforcement's attention in a more expeditious fashion than other mechanisms. Law enforcement should encourage citizens, including the youth themselves, to bring juvenile prostitution cases to their attention. Additionally, states should consider some formal policies, if not already in place, which require professionals such as social workers, probation officers, counselors, teachers and doctors to report any juvenile prostitution involvement to law enforcement. Additionally, public awareness campaigns to educate people on the exploitative nature of youths' prostitution involvement and encouraging people to report this crime to law enforcement may be a successful avenue for bringing these cases to the attention of law enforcement more quickly.

The type of prostitution most related to the number of days involved in prostitution was pimp prostitution ($r=-.34, p=.01$). As indicated in Table A 13, youth involved in pimp prostitution had spent fewer days on average prostituting before the

current police contact (89 days) than youth who were not involved in pimp prostitution (408 days) ($F=7.9$, $df=1$, $p=.01$; see Table A 14). This suggests that youth with a pimp were involved in prostitution for fewer days on average than youth without a pimp. Additionally, pimp involvement was a salient dynamic in juvenile prostitution cases, and it may be in part what mobilizes bystanders to report the youth's activities to law enforcement. It is advised that the reader interpret this cautiously as only 8 of the 61 youth were not involved in pimp prostitution. If accurate this may reflect law enforcement priorities in pursuing cases with pimps and would reflect possible success in discovering cases of child exploitation by pimps. However, this may also be partially due to the nature of the research design, reflecting a lack of law enforcement knowledge of a pimp's involvement in cases; meaning that a pimp may have been involved, but law enforcement did not have any evidence indicating a pimp was involved. If this was the case than it may indicate that youth who had been involved in prostitution for longer periods of time may be less forthcoming with information on their pimp to law enforcement than youth who have been involved in prostitution for shorter periods of time. This could be indicative of a decreasing ability to escape from this way of life the longer a youth has been in it, which may be caused by traumatic bonding to the pimp, an increased commitment to a criminal lifestyle, or an increased or learned distrust of law enforcement.

Lastly, whether the youth had a prior record was also related to the length of time involved in prostitution ($r=.40$, $p=.001$). As indicated in Table A 15, youth with a prior record spent more days on average prostituting (283 days) than youth without a prior record (26 days) at the time of police contact ($F= 11.5$, $df=1$, $p=.001$; see Table A 16).

This suggests that law enforcement came into contact fairly quickly with youth who had no prior police contact. It may be that youth with no prior record were less experienced in avoiding law enforcement and hence got caught quicker, found themselves in over their heads and sought out law enforcement for help, or accepted help when it was offered. Conversely, youth with a prior record may be more adept at avoiding law enforcement detection or less disposed to seek assistance from law enforcement in their current situation. Also, youth with a prior record may be less likely to have a bystander report their exploitation, as they may associate more with a deviant crowd that is less likely to make a report to law enforcement. These youth may not view law enforcement as an avenue of help for them and may not seek assistance from law enforcement or be open to receiving assistance from law enforcement because of their fear of being caught for their involvement in prostitution. The youth's prior record may have been for prostitution related activities, status offenses and/or other criminal offenses. The model predicting number of days involved in prostitution prior to current law enforcement contact was statistically significant ($LR\chi^2$ (df=2) = 9916.4, $p < .001$).

Multivariate Analysis: In order to examine the individual impact of each of the independent variables on the number of days involved in prostitution while controlling for the effect of the other factors, multivariate binomial regression with robust standard errors was used. As depicted in Table A 17, the negative binomial regression model predicting number of days involved in prostitution prior to current law enforcement contact from out-of-state residence and prior record was statistically significant ($\chi^2 = 45.06$, $df=3$, $p < .001$). The results indicated that youth who had a prior record and who resided out-of-state were associated with being involved in prostitution for longer periods

of time prior to the current police contact. Both pimp prostitution and how the case entered the criminal justice system were dropped from the model, as neither was statistically significant.

As see in Table A 17, youth with a prior record had an expected log count 2.13 greater than youth with no prior record. With all else being equal this means that youth with a prior record were involved in prostitution typically for about 227 more days prior to the current contact with the police than youth with no prior record. Also, youth who were from out-of-state had an expected log count 1.06 greater than youth who lived within the state and locally. This amounts to typically 112 more days involved in prostitution prior to police contact than youth who lived locally or in another area of the state, with all else being equal.

There are several possible explanations for why youth with a prior record and out-of-state youth may be involved in prostitution on average for longer periods of time. The prior record may be an indication that the youth is more involved in and committed to a deviant, anti-social lifestyle or have learned from prior experiences how to avoid law enforcement detection. These youth may not view law enforcement as an avenue of help for them and may not seek assistance from law enforcement or be open to receiving assistance from law enforcement because of their fear of being caught for their involvement in prostitution or other crimes. Also, youth with a prior record may be less likely to have a bystander report their exploitation, as they may associate more with a deviant crowd that is less likely to make a report to law enforcement. Alternatively, youth with no prior record may come into contact more quickly with law enforcement because they are less experienced in avoiding police detection. However, the findings

here also suggest that these youth may come into contact more quickly with the police because some individual in the youth's network who was concerned by the youth's engagement in prostitution reported it to the police when the youth initially became involved. Out-of-state youth may be involved for longer periods of time prior to law enforcement contact because they are more successful in evading law enforcement. These youth may be more mobile, moving from city to city or working a circuit. Hence, law enforcement may have more difficulty discovering these cases.

Figure A 3 illustrates the mean length of time involved in prostitution by prior record and residence. Youth with a prior record who resided out-of-state were involved in prostitution for the greatest number of days—657 days on average prior to current contact with the police. Youth with a prior record who resided within the state or locally were involved on average for 232 days. Youth who with no prior record were involved for the shortest periods of time on average. Specifically, youth who resided out-of-state with no prior record were typically involved for 68 days prior to law enforcement contact and youth who lived within the state with no prior record were involved for 23 days on average.

In the multivariate model this study failed to find evidence that how your case enters the criminal justice system and being involved in pimp prostitution was associated with the length of time the youth was involved in prostitution. However, future research is needed to conclusively determine the importance of these factors in explaining the length of time the youth engaged in prostitution prior to police contact, especially since this sub-sample had only a small number of youth who were not involved with a pimp and the overall sample size was small.

Offenses in Cases of Juveniles Involved in Prostitution

Juvenile Offenses: While many juveniles that came into contact with law enforcement were viewed as not having committed an offense (44%), over half of the youth were seen as having committed one or more offenses (56%). Overall, there were a total of 129 offenses by juveniles recorded with 29% of the youth having committed one offense, 14% with two offenses, 6% with three offenses, 6% with four offenses and 1% with five offenses. In cases with offenses noted, four out of five youth (80%) were viewed as having committed one or more prostitution related offense. Conversely, one in four youth (20%) were not viewed as having committed any prostitution related offenses, but rather had committed other non-prostitution related offenses.

Table A 18 shows the prevalence of the types of offense youth were viewed as having committed. Note that the percentages are different from above, as the unit of analysis is the offense and may include multiple offenses for youth. Prostitution related offenses made up almost half (47%) of all offenses youth were viewed as having committed. Within prostitution related offenses, the most common offenses included misdemeanor prostitution offenses for solicitation, offering or agreeing and prostitution loitering. Less common were the offenses of lewd & lascivious behavior/indecent exposure and pandering/promoting prostitution. In jurisdictions lacking specific laws outlawing loitering for the purposes of prostitution, more generalized disrupting the peace laws were utilized instead. This was seen in a few juveniles' cases with offenses such as public nuisance, disorderly conduct or jay walking.

Ten percent of the offenses that youth in the sample committed indicated uncooperative behavior by the youth toward law enforcement. Offenses of this nature

included falsely representing self to officer and obstructing justice or an officer. As we discussed earlier, in some cases juveniles engaging in prostitution lied to law enforcement about their identity and age. Only in a small percentage of these cases did law enforcement view the youth as having committed an offense for this behavior. Additionally, some youth were resistant to law enforcement intervention and were viewed as obstructing justice or an officer, due to their lack of willingness to share information with law enforcement.

Twenty-seven percent of offenses were status offenses including being a ward of the juvenile court (20%) and a having a missing person's warrant (7%). Other less common offenses included parole violations, other warrant violations, possession of illegal substances, larceny/shoplifting, firearms violations and assault and battery.

Exploiter Offenses: As Table A 19 indicates, offenses by exploiters were present in approximately half of the cases known to law enforcement. On average exploiters had 2 offenses per juvenile filed against one or more exploiters. Additionally, many of the offenses exploiters committed were felony offenses. In the remaining cases, no exploiters were charged with any offense. However, half of these cases, or one-quarter overall, law enforcement did not have any knowledge or evidence indicating that an exploiter was involved.

In cases which did mention offenses by exploiters the number of offenses per juvenile ranged from one to fourteen with an average of five offenses by one or more exploiters per youth. Exploiters committed a total of two hundred and forty-four offenses. Table A 20 details the frequency of offense types committed by exploiters. The most prevalent type of offense exploiters committed was directly related to

prostitution exploitation and in many jurisdictions the offense was specifically addressing the exploitation of juveniles. Pandering or promoting prostitution was the most prevalent, as well as was procuring a minor for prostitution. Less common was a prostitution misdemeanor offense for soliciting, agreeing, offering, patronizing or loitering. There was also one case of an exploiter with a federal sex trafficking of children offense.

In cases with youth involved in prostitution it was also common for exploiters to commit some other sex offense. One in five offenses committed by exploiters constituted other sex crimes. The most prevalent offense in this category was a child sexual abuse offense. Also statutory rape, rape or sexual assault and sexual battery offenses were found in a few cases, but these offenses were not as common as child sexual abuse.

Over one in ten offenses (14%) committed by exploiters in juvenile prostitution cases was a captivity related offense. The exploiter interfered with the custody of a minor, kidnapped, falsely imprisoned or trafficked a human. While less common than the other types of offenses, there was some evidence by the types of offenses the exploiters committed that violence was involved in the exploitation of the youth. For example, in a few cases, charges for aggravated assault, domestic violence, assault and battery or a criminal threatening offense were committed by an exploiter. While exploiters committed many other offenses (see Table A 20 for complete list), approximately one in 10 offenses was for contributing to the delinquency of a minor. This is notable as it indicates that law enforcement views the exploiter as responsible or culpable for the youth's prostitution activities.

Case Processing

Examining law enforcement's response to juveniles involved in prostitution provides insights into how these cases are handled by law enforcement. Certain processes suggest that law enforcement considered the juvenile a victim and processed the youth through the juvenile justice system as a victim, while other actions indicate that police viewed the juvenile as an offender and processed the youth through the juvenile justice system as an offender. How law enforcement responded and processed the youth through the criminal justice system was recorded as present if there was an indication that such action was taken in the case file records. It is likely that the case processing measures undercounted law enforcement response in this sample. This is especially likely with referrals to victim services, as not all law enforcement agencies recorded this type of information in their case file records. Additionally, agencies varied substantially in their record keeping practices, with some agencies meticulously documenting all steps taken and others only documenting the critical incident.

In almost all juvenile prostitution cases (93%), the records indicated that law enforcement located and interviewed the juvenile. In almost half of the cases (48%) law enforcement investigated whether the youth was reported missing, had an existing runaway warrant or checked a national missing person's registry.

In cases of juveniles involved in prostitution law enforcement often referred the youth to some type of services, care or treatment in processing the case through the justice system. The most immediate need law enforcement struggled with was finding a safe place for the youth to stay. Several law enforcement officers voiced their frustration that their city lacked a secured facility for youth involved in prostitution besides the

juvenile detention center, which requires that the youth was charged with an offense. Law enforcement felt this was especially an issue for this population, as the youth themselves often have multiple problems, including family and mental health problems, and do not realize their own exploitation. This may partially explain why some youth involved in prostitution are processed as victims while others as offenders. Law enforcement may recognize the exploitation and recognize the youth as a victim, but subsequently arrest the youth, treating the youth as an offender so that the youth can be held in a safe and secure facility. Law enforcement frequently located the parents of the youth (50%) and held the juvenile in custody until the youth could be released to the custody of a parent, family member or social services (30%).

Forty-three percent of the cases were referred to child protective services (CPS) or law enforcement collaborated with CPS in an effort to protect the child. Collaboration was more common in cases where the youth was already known to CPS or there was an existing case. Often the cases were referred to law enforcement by the CPS worker or the youth self-reported with the worker to law enforcement. Overall, 20% of the juveniles engaging in prostitution that came in contact with law enforcement were placed in a treatment facility, residential care or a foster home. Some of the youth were returned to the treatment facility, residential care or foster home from which they ran away. Most often the youth was referred to a nongovernmental social service agency, such as a runaway shelter (37%). In a few cases (6%), an emergency removal of the youth from their place of residence occurred.

Law enforcement did recognize in many cases that the youth needed some type of treatment or victim services. However, some law enforcement officers opined that their

city lacked specific treatment programs for juveniles involved in prostitution. This often created difficulties for the police in handling juvenile prostitution cases, as by the nature of the institution they are meant to enforce the law and not provide services. One-quarter of juveniles were referred by law enforcement for a medical exam and one-third were referred for some type of victim service. Victim services include any of the following: counseling, emergency financial assistance, advocacy, support groups, safe house or shelter, housing assistance or transportation. Almost one in ten juveniles (9%) was referred to a child advocacy center or their case was managed by a multidisciplinary team and 6% were referred for victim compensation. It is likely these actions are undercounted, as in many jurisdictions these services are provided upon intake to a facility and it is not the officers' responsibility to refer the youth to services or provide services.

Pimps were arrested in 35% of juvenile prostitution cases known to law enforcement and law enforcement referred their offense to the prosecutor in almost all of those cases (33%). Customers of juvenile prostitutes were less frequently arrested (7%), but when they were most (6%) were referred to the prosecutor's office for prosecution. Examining what leads to successful case outcomes, arresting and prosecuting pimps, in cases of prostitution of juveniles allows law enforcement to target their efforts more efficiently.

Successful arrest of the pimp was more likely in cases in which the youth shared information with law enforcement about exploiters involved in their prostitution activities than in cases where the youth did not share any information with law enforcement about exploiters involvement ($\chi^2 (1, N=126) = 41.1, p<.001$). Seventy percent of youth who

shared information with law enforcement regarding their exploiter resulted in the pimp being arrested, versus 14% of youth not sharing any information with law enforcement. This suggests that law enforcement success in arresting exploiters, especially pimps, was often dependent on the willingness of the youth to share information with them.

Forty-three percent of juveniles were arrested for a prostitution law violation and one-third were held in a juvenile detention facility after arrest for a prostitution related offense. Evidence suggests that only a small percentage of juvenile prostitutes' (6%) charges were referred to the prosecutor's office for prosecution. In some cases juvenile prostitutes were arrested on non-prostitution related offenses. One in twenty juveniles were arrested on charges other than prostitution and 3% were detained in a juvenile detention facility on these non-prostitution related offenses.

The evidence here suggests that law enforcement in this sample, at least some law enforcement officers within agencies, are aware of this social problem and are recognizing the exploitative nature of this crime. Additionally, the findings suggest that in many cases law enforcement perceived youth involved in prostitution to be victims. However, many youth are processed as offenders on prostitution related offenses. How these cases were different and why law enforcement agencies were treating some juvenile prostitutes as victims and others as offenders is examined further in subsequent analyses.

CHAPTER V

LAW ENFORCEMENT'S CONCEPTUALIZATION OF YOUTH INVOLVED IN PROSTITUTION: FACTORS INFLUENCING HOW YOUTH ARE HANDLED IN THE CRIMINAL JUSTICE SYSTEM

Juveniles' Culpability Status: Are Law Enforcement Viewing Youth

Involved in Prostitution as Victims, Offenders or Both ?

Some law enforcement agencies record specific information in their case files indicating the culpability status of the parties involved in the incident as victims or offenders. This information may have been formalized in an incident report with a specified place to write in the victim's information and offender's information. Other agencies' forms lacked this formal format. In these cases, language was examined throughout the case file records for an indication of whether the juvenile was considered a victim or an offender. For example, the term suspect was used often to describe juveniles engaging in prostitution. This term was interpreted as referring to the juvenile as an offender.

Law enforcement viewed juvenile prostitutes as solely victims in 50% of the cases and as solely offenders in 36% of the cases. In the remaining 14%, the juvenile was recognized as both a victim and offender by law enforcement (see Table A 21 and Figure A 4). Examining the dual status cases more closely revealed an understanding of the situations within which the dual statuses occur. The dual victim and offender status arose

from either a change in law enforcement's perception of the youth over time or from simultaneous victim and offender activities.

Cases which changed over time had two patterns. The first pattern indicated that law enforcement at first perceived the youth to be a law violator for a prostitution related offense, but as new information emerged regarding the youth's activities law enforcement changed their perception of the youth to a victim (4% of all cases). The second pattern found began with law enforcement conceptualizing the youth as a victim because the youth was reported as a missing juvenile. However, law enforcement changed their view of the youth in these cases over time and came to view the youth as an offender (4% of all cases). Both types of cases which changed over time were recoded into the concluding conceptualization by law enforcement.

Cases in which the dual victim-offender status emerged because of simultaneous victim and offender activities had two patterns. In most of these cases (5% of all cases) the juvenile was viewed as a victim due to their prostitution related activities, and were only viewed as offenders because of their involvement in other illegal activities which were not directly prostitution related, such as shoplifting, assault, running away or an outstanding warrant. These cases were recoded as victims, as their offender status was not directly related to their involvement in prostitution. As prostitutes, law enforcement viewed these youth as victims. However, there were two juvenile prostitutes whose dual status arose from prostitution related activities. The youth were viewed as victims due to their prostitution related activities and were viewed as offenders because of their involvement in recruiting other young girls into prostitution for their pimp. While recruiting others into prostitution was generally considered promoting prostitution by law

enforcement, in these 2 cases the police seemed to view the youth's involvement with recruiting as a part of their exploitation by a pimp. Hence, the victim status out-weighted the offender status in these two cases, as the youth were viewed to have been manipulated into recruiting by a pimp. These cases were recoded as victims, since this status seemed to negate their offender status.

With the recoding of the dual victim and offender status cases as either victims or offenders a new pattern emerges. Three out of five juveniles (60%) in this sample were conceptualized as victims and 2 out of five (40%) were viewed as offenders for their involvement in prostitution (see Table A 21 and Figure A 5).

Bivariate Analyses

Several case level factors were examined for bivariate association with law enforcement's consideration of the juvenile prostitutes as victims or offenders. The dependent variable was the youth's culpability status designated by law enforcement, as either a victim or an offender of prostitution. Table A 22 provides findings from the cross tabulations and chi-square tests of independence for each of the independent variables' relationship with youths' culpability status as a victim or as an offender.

Juveniles' Culpability Status by Youth's Age: Youth's age was related to whether the juvenile was viewed as a victim or as an offender by law enforcement. As is seen in the cross tabulation of the youth's age by culpability status (Table A 22), offender status was more likely in older youth and victim status was more likely in younger youth ($\chi^2 (5, N=126) = 14.7, p=.01$).

Juveniles' Culpability Status by Youth's Age Below State's Legal Age of

Consent: States vary in the age that a juvenile can legally consent to engage in sexual relations. Whether the juvenile's age was below the legal age of consent in the state where they came into contact with law enforcement was examined as a factor that may have influenced law enforcement's conception of the juvenile as a victim or offender of prostitution. While the relationship was not statistically significant and may be due to chance, the cross tabulation indicates a trend toward victim status in cases where the youth's age was below the state's legal age of consent ($\chi^2 (1, N=126) = 2.6, p=.11$).

Juveniles' Culpability Status by Youth's Gender: There was not enough variation in the gender of the juveniles in this sample to examine gender as a correlate of the youth's culpability status as victim or offender. There was only one juvenile male in the sample and he was viewed as a victim. The remaining female cases consisted of 40% offenders and 60% victims.

Juveniles' Culpability Status by Youth's Race: The juvenile prostitute's race was not found to be related to how the youth was viewed by law enforcement, as a victim or as an offender. Slightly more White juveniles were treated as victims than African Americans and Asians, but this difference is small and not statistically significant ($\chi^2 (4, N=126) = 1.8, p=.77$). African Americans and Asians were viewed as victims in 56% of the cases, while Whites were viewed as victims 62% of the time. There was one Native Hawaiian/Pacific Islander and one mixed race juvenile and they were both viewed as victims. Dichotomizing race into White and non-White categories also showed no relationship between race and victim or offender status. Sixty-two percent of White

juveniles were viewed as victims, while 59% of non-White juveniles were viewed as victims. This difference was not statistically significant ($\chi^2 (1, N=126) = .09, p=.77$).

Juveniles' Culpability Status by Youth's Ethnicity: Hispanic youth were more likely than non-Hispanics to be viewed as victims by law enforcement. Seventy-eight percent of Hispanics were viewed as victims, while only 56% of non-Hispanic juvenile prostitutes were viewed as victims ($\chi^2 (1, N=126) = 4.4, p=.04$).

Juveniles' Culpability Status by Youth's Residence: Seventy-three percent of youth who resided locally were viewed as victims, while youth from other locations within the state and from out-of-state were substantially less likely to be viewed as victims, 53% and 43% respectively. This relationship was not likely due to chance ($\chi^2 (2, N=126) = 6.7, p=.04$).

Juveniles' Culpability Status by Youth's Prior Record: Juveniles with no prior record were more likely to be viewed as victims than juveniles with a prior record. Sixty-seven percent of youth without a prior record were viewed as victims, while only 49% of youth with a prior record were recognized as victims. This relationship was statistically significant ($\chi^2 (1, N=126) = 4.3, p=.04$).

Juveniles' Culpability Status by How the Case Came to be Known to Law Enforcement: Juveniles that came to the attention of law enforcement through a report were more likely to be conceptualized as victims by law enforcement, while cases which became known to the police through some action by law enforcement were more likely to be viewed as offenders. Of the youth whose case came to the attention of law enforcement through some type of action by law enforcement, 66% were viewed as offenders and 34% were viewed as victims. While of the youth whose case came to the

attention of law enforcement through a report to law enforcement, 96% were viewed as victims and only 4% were viewed as offenders. How the case came to be known to law enforcement was found to be strongly related to juveniles' culpability status (χ^2 (1, N=126) = 49.3, p=.000).

Intuitively this makes sense, as it is likely that cases which come to the attention of law enforcement through a report from the youth, parent or social worker, see the youth as having been harmed or as a victim of a crime. People report crimes that have been committed against them or crimes that they observed to the police. If the reporter did not view the youth as a victim it is unlikely that they would make a specific report to law enforcement naming the youth. While citizens do report to law enforcement complaints about prostitution in their neighborhood, these reports tend to be general nuisance complaints and do not specifically name a victim of a crime. Typically law enforcement agencies respond by conducting undercover operations or stings after receiving a few citizen complaints of prostitution. This study did not find in any of the records any documentation that law enforcement was conducting stings or undercover operations because of general nuisance citizen complaints. This is likely due to law enforcement not needing to document this in specific case files rather than it not occurring. It seems possible that law enforcement was accepting the juvenile's culpability status as defined by the youth or their advocates. However, it may also be possible that these cases were in some way different from the other cases of juvenile prostitution, such as whether the youth was exploited by a pimp, forced, coerced or manipulated by an exploiter, or if the youth was physically harmed by an exploiter.

Juveniles' Culpability Status by Law Enforcement's Awareness of Youth's

Mental Illness: A small number (n=11, 9%) of youth were recognized by law enforcement as having a mental illness. Of the youth who law enforcement perceived as mentally ill, 73% were conceptualized as victims, while only 59% of youth who were not viewed as mentally ill by law enforcement were conceptualized as victims. However, this relationship was not statistically significant ($\chi^2 (1, N=126) = .78, p=.38$).

Juveniles' Culpability Status by Law Enforcement's Perception that Youth

was Intoxicated: Only a small number of youth were perceived by law enforcement to be intoxicated on either drugs or alcohol during the encounter with law enforcement (n=11). Youth viewed as intoxicated were much more likely than youth not viewed as intoxicated to be conceptualized as victims by law enforcement. Of youth viewed as intoxicated, 82% were viewed as victims and 18% were viewed as offenders. Of cases with no evidence of law enforcement perception of youth intoxication 58% were conceptualized as victims and 42% as offenders. This relationship was not statistically significant ($\chi^2 (1, N=126) = 2.3, p=.13$).

Juveniles' Culpability Status by Presence of Drugs or Weapon on the

Juvenile Prostitute: Only a few juveniles were found possessing drugs (n=7) or a weapon (n=1) during their encounter with law enforcement. Youth who possessed drugs were slightly more likely to be considered a victim (71%) than juveniles without drugs in their possession (60%). However, this relationship was not statistically significant ($\chi^2 (1, N=126) = .38, p=.54$). There was only one juvenile who possessed a weapon during the encounter with law enforcement and this youth was viewed as an offender ($\chi^2 (1, N=126) = 1.5, p=.22$).

Juveniles' Culpability Status by Presence of Drugs or a Weapon on Any of

the Exploiters Involved: In cases where law enforcement found drugs on one or more of the youth's exploiters the juvenile was more likely to be viewed as a victim than in cases where law enforcement did not find any drugs on any of the exploiters. All of the youth were considered victims in cases where drugs were found on at least one exploiter involved in the youth's prostitution, while only 55% of youth without drugs found on exploiters were regarded as victims ($\chi^2 (1, N=126) = 11.2, p=.001$). In only a few cases (n=6) law enforcement found a weapon on one or more of the youth's exploiters. Of these, 67% were considered victims, compared to 60% of juveniles whom law enforcement did not find a weapon on any exploiters. This relationship was not statistically significant ($\chi^2 (1, N=126) = .11, p=.75$).

Juveniles' Culpability Status by Youth's Demeanor: The juvenile's demeanor during the encounter with law enforcement was coded as positive demeanor if there was any evidence in the records that the youth demonstrated respectful, responsive or accommodating behavior and negative demeanor if the youth demonstrated disrespectful, physically or overtly hostile or resistant behavior. In a few cases both positive and negative demeanor was found, as the youth's behavior may have changed over the course of the encounter with law enforcement. For this reason, each is coded separately. Eighty-six percent of youth who demonstrated positive demeanor were viewed as victims, compared to 48% of juveniles that did not demonstrate positive demeanor, or lacked evidence of. Additionally, only 14% of juveniles that did demonstrate positive demeanor were viewed as offenders, while 52% of those with no positive demeanor were considered offenders ($\chi^2 (1, N=126) = 16.98, p=.000$). Additionally, juveniles who

demonstrated any negative demeanor were more likely than those who did not to be viewed as an offender. Fifty-four percent of youth who demonstrated negative demeanor were viewed as offenders, while only 33% of juveniles who did not demonstrate negative demeanor were considered offenders. Additionally, 67% of juveniles who did not demonstrate any negative demeanor were viewed as victims, while only 46% of youth who demonstrated negative demeanor were viewed as victims ($\chi^2 (1, N=126) = 4.96, p=.03$).

Juveniles' Culpability Status by Whether the Youth was Crying or Afraid

During Encounter with Law Enforcement: Juveniles who were upset, crying, scared or frightened during their encounter with law enforcement were overwhelmingly perceived as victims by law enforcement. Ninety-six percent of juveniles who were crying or afraid were viewed as victims, while only 52% of those who were not crying or afraid were considered victims ($\chi^2 (1, N=126) = 15.6, p=.000$).

Juveniles' Culpability Status by Situational Characteristics: Three dynamics emerged regarding the knowledge law enforcement had documenting youth's exploitation. The first type of evidence of exploitation to emerge in police records was the youth engaged in prostitution because they were manipulated, deceived or tricked, taken advantage of by an older person in a position of power or authority over the youth, or the youth's prostitution involvement was for another's personal gain (financial or sexual). This type of evidence was most frequently documented regarding the pimp's exploitation of the youth. Ninety-four percent of youth who law enforcement had evidence of exploitation were considered victims. Compared to juveniles who law

enforcement did not have knowledge about the exploitation, only 37% were considered victims ($\chi^2 (1, N=126) = 40.9, p=.000$).

The second type of evidence to emerge in police records was whether the youth was under the power and control of another, was acting against her or his own will, coerced, forced or intimidated into participating in prostitution. Of the juveniles who law enforcement had knowledge that they were under the power or control of another 90% were considered victims, while only 42% of juveniles who law enforcement did not have any evidence that they were under the power or control of another were viewed as victims ($\chi^2 (1, N=126) = 4.96, p=.03$).

The third type of evidence law enforcement documented in their agency records was whether the youth was in imminent danger, injured or hurt. Youth considered to have been injured were slightly more likely to have been considered a victim than juveniles who law enforcement had no knowledge of any injury. Of the juveniles who had been physically hurt or police perceived youth to be in imminent danger, 66% of youth were viewed as victims compared to 56% of youth which law enforcement did not have any knowledge of their injury. However, this difference was not statistically significant ($\chi^2 (1, N=126) = 1.3, p=.26$).

Juveniles' Culpability Status by Type of Prostitution: Due to the large number of co-occurring groups and the small size of several of the groups, a dichotomous variable for the presence of each individual type was utilized to examine which factors were bivariately associated with the status of the juvenile prostitute. The ten types include the following: 1) street prostitution, 2) pimp prostitution, 3) organized crime or gang related prostitution, 4) family member or acquaintance prostitution, 5) hotel, bar or

call-girl prostitution, 6) trafficked for purposes of prostitution (International or Domestic), 7) street, homeless or runaway youth engaging in prostitution (survival sex), 8) business front prostitution (massage parlor, escort service, dancers/clubs, brothel), 9) youth living at home engaging in prostitution (to earn \$\$ for luxuries) and 10) internet call-girl prostitution. Bear in mind that multiple types were recorded for individual youth. In chapter 4 a discussion of which types are more likely to co-occur was detailed.

Youth engaging in street prostitution were more likely to be considered offenders by law enforcement than youth engaging in other types of prostitution. Of youth engaging in street prostitution 53% were considered victims, while 73% of youth engaging in other forms of prostitution were viewed as victims ($\chi^2 (1, N=126) = 4.96, p=.03$).

Youth engaging in pimp prostitution were much more likely to be considered victims than youth engaging in other forms of prostitution. Seventy-seven percent of youth with a pimp were viewed as victims, compared to 23% of youth whom law enforcement did not have any evidence of a pimp being involved in their prostitution ($\chi^2 (1, N=126) = 32.7, p=.000$).

Slightly more juveniles who were living on the street, homeless or had runaway from home and were engaging in prostitution (survival sex) were considered victims of prostitution, than other forms of prostitution when examined bivariately. However, this relationship was not statistically significant ($\chi^2 (1, N=126) = 1.9, p=.17$). Upon further examination, much of this difference seemed to be driven by whether a pimp was involved, as 69% of youth who were living on the street, homeless or had runaway from home and were engaging in prostitution also had a pimp involved in their prostitution

activities. A cross-tabulation with this third factor indicated that of runaway, homeless or street youth with no pimp involved 83% of the youth were considered offenders, compared to 74% of juveniles with no pimp involved who were not living on the street, homeless nor had runaway. This difference was not statistically significant (χ^2 (1, N=126) = .40, p=.53). However, for juveniles with a pimp and who were runaways or homeless, 93% were viewed as victims, while 70% of youth with a pimp and who were not homeless or a runaway were considered victims. In sum, juvenile prostitutes with a pimp involved were more likely to be viewed as victims, and if the juvenile was homeless, living on the street or a runaway, they were even more likely to be considered a victim (χ^2 (1, N=126) = 5.4, p=.02).

Youth engaging in business front prostitution, such as massage parlor, escort service, brothel, or a dancer at a club, were more likely to be considered victims than youth engaging in other forms of prostitution. Ninety-four percent of youth engaging in business front prostitution were viewed as victims, compared to 55% of juveniles involved in other forms of prostitution. This relationship was statistically significant (χ^2 (1, N=126) = 9.4, p=.002).

Slightly more youth involved in internet call-girl prostitution were viewed as offenders than youth involved in other types of prostitution. Forty-six percent of youth involved in internet prostitution were viewed as offenders compared to 39% of youth involved in other types of prostitution. However, this relationship was not statistically significant (χ^2 (1, N=126) = .25, p=.62).

While only a few youth whose case came to the attention of law enforcement were engaging in hotel, bar or call-girl prostitution (n=9), all of them were viewed as

victims, and only 57% of juveniles involved in other forms of prostitution were considered victims ($\chi^2 (1, N=126) = 6.4, p=.012$). However, all nine juveniles involved in hotel, bar or call-girl prostitution also had a pimp involved in their prostitution activities. Thus, it is difficult to tease out if this relationship is due to the presence of a pimp or the type of prostitution the juvenile was involved in.

While only a few juveniles were trafficked for purposes of prostitution (international or domestic) (n=8), all were considered victims, compared to 58% of youth involved in other forms of prostitution. This relationship was statistically significant ($\chi^2 (1, N=126) = 5.6, p=.02$).

Only two youth were involved in organized crime or gang-related prostitution and both were viewed as victims. Also, only two youth were involved in family member or acquaintance prostitution, and, again, both were considered victims. Lastly, there was only one youth who was living at home and engaging in prostitution to earn money for luxuries and this youth was considered a victim by law enforcement.

Juvenile Culpability Status by Any Exploiters Identified: The variable counting the number of identified exploiters was dichotomized to represent if any exploiter was known to be involved in the youth's prostitution. Identified exploiters may have included not only identified and apprehended exploiters, but also known exploiters with an unknown identity. In 70% of the juveniles in this sample law enforcement had deemed that at least one exploiter was involved in the juvenile's prostitution. Exploiters included pimps and customers of the youth. Logic suggests that in reality all of the youth in this sample had at least one exploiter involved, given how exploiters were defined in this study. However, law enforcement did not always have evidence of an exploiter's

involvement in the juvenile's case and youth often were not forthcoming with this information or did not know or remember the exploiter's identity. Seventy-nine percent of youth in which law enforcement had evidence of an exploiter's involvement in the juveniles' prostitution were considered victims. Conversely, youth with no evidence of an exploiter's involvement, only 16% were considered victims. This is a substantial bivariate predictor of the juvenile's culpability status as denoted by law enforcement and the relationship was statistically significant ($\chi^2 (1, N=126) = 45.1, p=.000$).

Juveniles' Culpability Status by Whether Youth Shared Information with

Law Enforcement: Due to the nature of prostitution, law enforcement often found it difficult to make a case unless the youth came forth and shared information regarding exploiters' involvement in their prostitution. Youth who shared information with law enforcement about exploiters were substantially more likely to be considered a victim than youth who did not share information with law enforcement about exploiters. Ninety-one percent of youth who shared information with law enforcement about exploiters were considered victims, compared to 42% of youth who did not share information. This relationship was not likely due to chance ($\chi^2 (1, N=126) = 30.4, p=.000$).

Juveniles' Culpability Status by Youth's Willingness to Prosecute:

Juveniles willing to cooperate in the prosecution of exploiters were substantially more likely to be treated as victims than juveniles who were not willing to prosecute against any exploiters. Ninety-one percent of youth who were willing to prosecute were considered victims, while 46% of juvenile prostitutes not willing to prosecute were considered offenders. This bivariate relationship was not likely due to chance ($\chi^2 (1, N=126) = 10.4, p=.001$).

Correlation Matrix

The Pearson (r) correlation matrix (see Table A 23) indicated that many factors were moderately to strongly associated with the juveniles' culpability status. However, many of the indicators were also moderately correlated with each other. This suggests that many of the indicators overlap conceptually and that multicollinearity may be an issue in estimating a model predicting the youth's culpability status. A closer examination of the correlation matrix was needed to properly fit a parsimonious model to explain the juveniles' culpability status. In this section the intercorrelations of indicators will be discussed in an effort to identify factors which are highly correlated and may be overlapping conceptually.

Several factors were correlated to the youth's culpability status. Sharing information about exploiters with law enforcement was the most strongly correlated ($r=.49, p<.01$) to the youth's culpability status. Positive demeanor by the youth during the encounter with law enforcement ($r=.37, P<.001$) and the youth's willingness to prosecute ($r=.29, P<.01$) was also moderately associated with victim culpability status. Negative demeanor during the encounter with law enforcement was weakly associated with offender status ($r=-.20, P<.05$). Sharing information with law enforcement and positive demeanor demonstrated by the youth during their encounter with law enforcement were highly correlated ($r=.71$). It is likely that these two indicators measured the same underlying concept, as one of the criteria for positive demeanor was cooperation with law enforcement. Additionally, willingness to prosecute against exploiters and shared information with law enforcement were also strongly correlated ($r=.51, P<.001$). It is also likely that willingness to prosecute was measuring the same

concept as shared information with law enforcement, as sharing information with law enforcement typically occurred and may be considered a precursor to prosecuting against exploiters in juvenile prostitution cases. This is because without the cooperation and sharing of information by the juvenile engaging in prostitution, law enforcement agencies typically do not have any evidence to bring such a case forward. Due to the likelihood that these indicators were measuring the same underlying concept, a factor score using principal component analysis for the four items was calculated. The factor structures were not rotated and all four of the items loaded on to one component. The variables were standardized during the factor analysis with a mean of zero and a standard deviation of 1. A transformation of the factor score was unnecessary, as the distribution was reasonably symmetrical and normal (Gaussian).

Law enforcement identified one or more exploiters involved in the youth's prostitution, involvement in pimp prostitution, the exploitation of the youth (manipulated, deceived or tricked, taken advantage of by an older person in a position of power or authority over the youth, or the youth's prostitution involvement was for another's personal gain (financial or sexual)), whether the youth was under the power or control of another and whether the exploiter was in possession of drugs during encounter with law enforcement were also moderately to highly correlated with each other. Law enforcement's identification of at least one exploiter was strongly correlated to the youth was involved in pimp prostitution ($r=.76^{**}$). It is likely that these indicators were measuring the same underlying concept, because pimps were the most prominent exploiter that law enforcement identified. The evidence of exploitation was moderately correlated to the juvenile being under the power or control of another ($r=.50, P<.01$). As

well, both of these indicators were moderately correlated to identified exploiter present ($r=.44$, $P<.01$, $r=.52$, $P<.01$, respectively) and pimp prostitution ($r=.34$, $P<.01$, $r=.46$, $P<.01$, respectively). Since the above indicators all seemed to overlap theoretically measuring law enforcement's knowledge of an exploiter in the youth's prostitution, a factor score using principal component analysis for the five items was calculated. The factor structures were not rotated and all five items loaded on to one component. The variables were standardized during the factor analysis with a mean of zero and a standard deviation of 1. A transformation of the factor score was unnecessary, as the distribution is reasonably symmetrical and normal (Gaussian).

Also moderately correlated to these five indicators was how the case came to the attention of law enforcement. Exploiters involvement in the youth's prostitution, a pimp's involvement, evidence of exploitation, or the youth was under the power or control of another were positively associated with the case coming to law enforcement's attention through a report. It may be that this in part reflects what was known to law enforcement, meaning that in cases that were reported to law enforcement the youth was more likely to tell law enforcement about exploiters, such as a pimp's involvement, or specifically how the pimp exploited or kept them under their power and control. However, the positive associations may also reflect differences in the case characteristics of youth who came to the attention of law enforcement through a report or law enforcement action.

Also interesting to note are the negative correlations of these four indicators and the case being reported to law enforcement with the youth's age. This suggests that younger teens' involved in prostitution were more likely to come to the attention of law

enforcement through a report to law enforcement than through law enforcement action. Additionally, older juveniles' involved in prostitution were more likely to come to the attention of law enforcement through some type of law enforcement action. It may be possible that because of law enforcement learned about the youth's experiences with prostitution through a report that law enforcement came to know more about these cases, because the youth was willing to share more information with them. This might explain some of the moderate correlations between age and any exploiters' identified, pimp prostitution, exploitation of the youth, and whether the youth was under the power or control of another.

Some evidence to support this notion was seen by examining the correlations with whether the youth shared information with law enforcement about their exploiters. The association between age and whether the youth shared information with law enforcement about her or his exploiters was not statistically significant, indicating that younger youth were no more likely to share information with law enforcement than older youth. However, sharing information about exploiters with law enforcement was positively and moderately associated with an identified exploiter present, pimp prostitution, exploitation of the youth, and whether the youth was under the power or control of another. This provides support for the notion that these four items indicated law enforcement knowledge about case characteristics rather than a genuine difference in juvenile case characteristics.

Also worthy of examination are the associations between age, residence and the youth's status as a victim or an offender. Younger youth were more likely to reside locally, while older youth were more likely to reside or originate from elsewhere in the

state or from out-of-state. Additionally, residing locally was moderately associated with being conceptualized as a victim of prostitution by law enforcement for juveniles.

Multivariate Logistic Regression

Binary logistic regression was utilized to examine the independent effects of multiple predictors and develop a parsimonious multivariate model that best predicts the juveniles' culpability status as a victim. Table A 24 presents the results of a full and partial model of the youth's culpability status on their level of cooperation, identified exploiter present, how the youth's cases entered the criminal justice system, whether the youth had a prior criminal record, if the youth was crying or afraid during encounter with law enforcement and the youth's age, ethnicity and residence. The full model indicates the following regression equation:

$$\text{Li (predicted log odds)} = -.721 + 1.27(\text{Cooperation Factor Score}) + 1.11(\text{Exploiter Factor Score}) + 4.18(\text{Report}) + .02(\text{Age}) - .56(\text{Hispanic}) - 1.23(\text{Prior Record}) + 1.61(\text{Cry/Afraid}) + 1.09(\text{Local}).$$

Overall, the full model was significant according to the model chi square statistic ($LRX^2(8) = 110.05, p < .001$). The full model predicted 91% of the cases correctly. While calculation of the coefficient of determination (R^2) to estimate the percentage of variance in the dependent variable explained by the model was not possible with logistic regression, there were several pseudo R^2 statistics available. The Cox & Snell R^2 for the full model equaled .58 and the Nagelkerke R^2 was .79. As was suggested by (Menard, 2002, p. 23) the actual values of the dependent variable, victim or offender status as denoted by law enforcement, were regressed on the predicted values for the model. The

R^2 and R^{2a} equaled .67 meaning that the model explained 67% of the variance in juveniles' culpability status as a victim.

The logistic regression results of the full model indicated that several factors were significantly related to the youth's culpability status. These factors included the youth's level of cooperation, whether any identified exploiters were present and how the case entered the criminal justice system. Youth with greater levels of cooperation with law enforcement were more likely to be considered victims by law enforcement and youth with lower levels of cooperation were more likely to be considered offender by law enforcement. The cooperation factor score was a substantial predictor of whether the youth was considered a victim by law enforcement, increasing the odds 256% with each 1-point increase in the youth's cooperation factor score. This relationship was not likely due to chance alone ($p = .02$).

Additionally, juveniles with any identified exploiters were much more likely to be considered victims than youth without any exploiters known to law enforcement. Juveniles whom law enforcement had no knowledge of an exploiter's involvement were much more likely to be considered offenders. Exploiters' involvement increased the odds that the youth was considered a victim by 203% with each 1-point increase in the factor score. This was a substantial and statistically significant predictor of the youth's culpability status ($p = .03$).

Lastly, how the youth's case entered the criminal justice system substantially impacted law enforcement's view of the youth's culpability status. Youth whose case came to the law enforcement agency's attention through a report were much more likely to be considered victims than youth whose case came to law enforcement's attention

through some law enforcement action. Juvenile prostitutes who self reported their prostitution involvement to law enforcement or had their case reported by a concerned third party increased the odds that the youth was considered a victim.

It is salient to note that how the case came to the law enforcement agency's attention was a near perfect predictor and caused quasi-complete separation in the logistic regression analysis. An indication of this was seen in the cross tabulation of how the case entered the criminal justice system by culpability status (Table A 22), as all but two of the cases that came to law enforcement's attention through a report were viewed as victims. When this occurs the coefficient, standard errors and odds ratio are likely inflated and inaccurate (Altman, Gill, & McDonald, 2004).

As suggested by Altman, Gill & McDonald (2004) the problematic predictor remained in the full model, as all the other maximum likelihood estimates were accurate. To remedy the problem the likelihood ratio chi-square statistics were presented testing the null hypothesis that the coefficient on the variable reported to law enforcement was equal to zero. Additionally, the partial model presented the results without how the case entered the criminal justice system in the model. This provides the information needed to calculate the likelihood ratio test, but also allowed for an examination of which other factors might be found to be related to the youth's culpability if this variable with such a large influence on the model was not present. This was needed because the sample size was small and was likely to impact other factors affecting the level of statistical significance. Additionally, the calculation of the likelihood ratio chi-square statistic allowed for examination of whether the full model was a significant improvement over the partial model. Exact inference was not used in this study as the current statistical

software was limited in its capacities and not able to analyze the number of cases in this sample.

As seen in Table A 24, how the case entered the criminal justice system, through a report or law enforcement action, was statistically significant and different from zero ($LRX^2 = 28.74$, $df=1$, $p<.001$). Hence, how law enforcement officers learned of the youth's involvement in prostitution did effect how they conceptualized the youth's culpability in their prostitution involvement. Additionally, the full model was a significant improvement over the partial model. While the likelihood ratio chi-square test does not test for direction of influence, the coefficient indicated a positive relationship. This indicated that juvenile prostitutes who enter the criminal justice system through a report to law enforcement were almost always considered a victim by law enforcement. Conversely, juvenile prostitutes who entered the criminal justice system by some action or initiative of law enforcement were more likely to be considered offenders. However, the relationship here was less strong than it was with cases that were reported to law enforcement. In these cases the other factors in the model explained the juvenile's culpability status as designated by law enforcement.

The partial model presented in Table A 24, lacking the variable how the case entered the criminal justice system, indicated that where the youth resided was a possible factor which may be over-shadowed by the large effect of how the case entered the criminal justice system in the full model. Locally residing youth were more likely to be considered a victim by law enforcement and youth from other parts of the state or out-of-state were more likely to be considered an offender by law enforcement. It may be that locally residing youth were more likely to have someone who knows and cares about

them and who was motivated to file a report with law enforcement. In the partial model, being a local resident was a substantial predictor of whether the youth was considered a victim by law enforcement, increasing the odds 244%. In the partial model, this relationship was statistically significant ($p = .02$). However, once how the case entered the criminal justice system was included in the full model the youth's residence was no longer a significant factor. Future research is needed to conclude that the youth's residence is a salient factor of the youth's culpability status designated by law enforcement and examine why.

The youth's age, ethnicity, prior criminal record and emotional state (upset, crying or afraid) were not found to be significantly related to the youth's culpability status in the multivariate model.

In sum, youth with greater levels of cooperation, greater presence of identified exploiters, and came to law enforcement's attention through a report to law enforcement were more likely to be considered victims of prostitution by law enforcement. Where the youth resides may be a relevant factor affecting the youth's culpability status, with locally residing youth more likely to be conceptualized as victims than youth from other areas of the state and out-of-state. However, more research is needed to conclude this definitively. This study failed to find evidence supporting a relationship between the youth's age, ethnicity, prior record or emotional state and law enforcement's judgments of the youth's culpability status.

CHAPTER VI

CHARACTERIZING JUVENILES INVOLVED IN PROSTITUTION: DIVERGENCES FROM STEREOTYPICAL CONCEPTUALIZATIONS

Conclusions

The purpose of this study was to examine the characteristics of cases of juveniles involved in prostitution known to law enforcement in six cities in the United States and describe what law enforcement knows about the youth's prostitution experience. This research study expands the current knowledge about juveniles involved in prostitution known to law enforcement, providing a detailed description of who these youth are and some understanding of what their prostitution experience entailed. This study is methodologically groundbreaking in that the information gathered on juveniles involved in prostitution was collected directly from law enforcement agency records in six cities in the United States. Few scientifically rigorous research efforts have examined this problem in the United States and this study is one of only a few existing studies to have examined and coded cases based on information in law enforcement agency records. Therefore, this project fills an existing gap in the literature, expanding our knowledge of juveniles involved in prostitution who come to law enforcements' attention. This study's findings suggest that there is a lot about youth involved in prostitution and their prostitution experience that does not concur with stereotypes.

Surprisingly all except one youth in this sample were female. While this finding reflects the stereotypical prostitute for which society has been concerned about through out history—the adult female prostitute—it conflicts with present knowledge based on scientific research on the involvement of both sexes in prostitution. First and foremost, prior research indicates that juvenile males are involved in prostitution (Allen, 1980; Cates, 1989; Earls & David, 1989; David Finkelhor & Ormrod, 2004b; Weisberg, 1985). Additionally, prior research based on official police data supports the idea of both sexes engaging in prostitution and additionally that both sexes encounter law enforcement as a result of their prostitution activities (David Finkelhor & Ormrod, 2004b; Flowers, 1998, 2001). In fact, some self-report community-based studies found that while fairly uncommon among both sexes, juvenile males had sold or traded sex for money or other commodities more often than juvenile females (Edward, Iritani, & Hallfors, 2005; Svedin & Priebe, 2007), although the discrepancy is likely due to how prostitution was defined. The divergence from prior research in this study's findings may in part be explained by other evidence found in self report studies of youth involved in prostitution which indicated that juvenile females tend to come into contact with law enforcement more frequently than juvenile males involved in prostitution (Harlan et al., 1981; Weisberg, 1985). However, why this is the case has not been empirically examined.

Additionally, as seen in the UCR prostitution arrest rates of juveniles by gender (Figure A 6), between 2000 and 2004 there was a substantial increase in the arrest rates of juvenile females, but not for juvenile males. Given the recent trends in juvenile female arrest rate increases for prostitution, the gender disproportion in this study may be reflective of recent law enforcement priorities and focus on juvenile females involved in

prostitution rather than reflective of an actual decrease in prostitution involvement of juvenile males. This study finds support for this notion, as the evidence suggests that law enforcement agencies have been the most successful in intervening in juvenile prostitution cases with pimps involved. Prior research suggests that pimps are primarily involved in female prostitution and not in juvenile male prostitution (Deisher et al., 1982). Hence, the findings suggest that the reconceptualization of the juvenile prostitute from delinquent offender to child sexual abuse victim has placed the focus on female youth involved in prostitution and not juvenile males. This dichotomy in conceptualization seems to hinge on the notion that juvenile females' prostitution involvement entails exploitation by a pimp while juvenile male prostitution does not. It is interesting that law enforcement are defining sexual exploitation of youth as mainly an act which is committed by pimps, and are less focused on the offense committed by customers or clients of the youth. The evidence in this study suggests that law enforcement based their response to juveniles involved in prostitution more on their conceptualization of the sexual exploitation victim, rather than simply on the sex of the youth alone. However, it is difficult to rule this aspect out, especially given that youths' sex was not able to be examined in this study due to the sample including almost all females.

This study did not find support for the stereotypical prepubescent prostitute which has captured the media's attention in recent times. While this study did find one youth as young as 12, this was atypical. The most common age of youth involved in prostitution who came into contact with law enforcement was 15 years old. However, over half of the youth in this sample were 16 years of age or older. Comparing this study's findings with

prior research based on similar samples (Enablers Inc., 1978; Flowers, 2001, 2003; James, 1980a), this study does find some slight support for the recent stereotype presented in the media that law enforcement are coming into contact with younger youth than before. This study found the age at which youth involved in prostitution came into contact with law enforcement tended to be slightly younger than prior research based on official data or law enforcement or social services samples. However, whether this slight difference represents a decrease in age of youth involved in prostitution, law enforcement success in intervening earlier or is a result of the exclusion of juvenile males is difficult to determine. This study's findings suggest that law enforcement came into contact with youth involved in prostitution fairly expeditiously; hence the younger age may be due to law enforcement agencies successful efforts to come into contact with youth engaging in prostitution. However, future research is needed to conclusively answer this question.

The stereotypical image of juveniles involved in prostitution has changed since the 1970s when juveniles engaging in prostitution were largely perceived to be illegal immigrants, poor urban youth and runaway youth with drug problems. Today this image has broadened to include white females from middle and upper-middle class homes in suburbia who were manipulated, deceived or forced to prostitute, were trafficked long distances from home or were engaging in prostitution for thrills and excitement. While law enforcement records did not document the youth's socioeconomic status, the youth's race and place of residence was documented and allow us to compare the changing stereotype with reality. The racial and residential characteristics of youth in this sample do not on the whole support the idea of this new image of the juvenile prostitute.

If more Caucasian youth were involved in prostitution than prior we would expect to find an overrepresentation of Caucasian youth or a more equal proportion of Caucasian youth given their proportion in the population of participating cities. We did not find this. Rather this study found only half of the youth involved in prostitution known to law enforcement were Caucasian, despite the fact that Caucasians make up 63% of the population in the participating cities. Additionally, UCR juvenile prostitution arrest rate trends indicate that Caucasian youth's arrest rates have remained relatively stable since 2000, with approximately one Caucasian youth arrested for every 100,000 youth in the population (see Figure A 7). This study also found that African American youth were slightly overrepresented in the youth in this sample. Forty-one percent of the youth were African American in the sample, while only 12% of the population in the cities included in the sample were African American. Additionally, the UCR arrest data indicated a substantial increase in the African American juvenile arrest rate for prostitution during this time. In 2000 3.2 per 100,000 African American youth were arrested for prostitution, and by 2006 the rate increased to 5.7 per 100,000 (see Table A 6). This study's findings, viewed within the context of the UCR arrest rates suggest the stereotypical juvenile involved in prostitution is not what is currently believed. While most juvenile prostitutes were Caucasian, African American juveniles were disproportionately involved in prostitution. Importantly, based on national arrest data, the level of arrest of Caucasian juveniles has remained stable in recent years, while African American youth's arrest has increased since 2000.

A central finding of this research project is how common it was for law enforcement to find local youth involved in prostitution. Forty-four percent of the youth

in this sample resided locally and another 44% were from other locations within the state. This suggests that most the youth in this sample who engaged in prostitution did so close to home. While some youth were far from away, it was definitely the minority. Only one in ten juveniles in this sample were from out-of-state and no youth resided outside of this country. This was divergent from the stereotypical view of youth trafficked far from home and running away to far away places. This was also supported by the finding that only one-third of the youth in this sample were involved in survival sex, meaning the youth was homeless, living on the street or a runaway. Running away from home has declined in the 1990s as is evidenced by both police arrest data and reports from youth and their families (Hammer, Finkelhor, & Sedlak, 2002b). It is possible that the involvement of more local youth than youth from afar is reflective of the changing population of youth engaging in prostitution. This finding viewed in context suggests that the current conceptualization of juvenile prostitutes today is not accurate, rather youth are prostituting in their own backyards. It is essential that practitioners, policy makers and law enforcement redefine who the typical juvenile prostitute is as local youth living in their communities, instead of youth from distant places.

Also, stereotypes have largely conceptualized juvenile prostitutes as engaging in prostitution in public places, such as parks, truck stops, and streets. While just over half of the youth came into contact with law enforcement on the street or sidewalks, many came into contact with law enforcement in other settings. Over one-third of youth were engaging in prostitution in hotels or motels and one in ten in private residences. While it is unknown whether this indicates an increase or a decrease in juvenile prostitution activities in these settings, it suggests that juveniles are in these settings and hence efforts

to intervene should target these settings. It is worthy to note that in almost all of the cases which occurred in private residences, the case came to the attention of law enforcement through a report. This suggests that law enforcement actions, such as proactive policing, undercover operations and stings, are not successful in identifying juveniles involved in prostitution in private settings. Lastly, only a small number of cases known to law enforcement were in the following settings: rest/truck stop, public transportation station, bar/restaurant, public business, youth shelter, mall and parking lot. While stereotypes suggest that law enforcement should look for youth involved in prostitution on the street or in public places, the findings presented here suggest law enforcement should also be looking for youth in hotels and private residences. Private residences are especially notable as it may indicate an effort by pimps to keep the youth hidden from view, ultimately making it harder for law enforcement to detect.

This study found that the types of prostitution youth were participating in are varied and diverse and do not always align with stereotypes of juvenile prostitutes. About one third of the youth in this sample were not involved in pimp prostitution or street prostitution. Additionally, seven out of every ten youth were not engaging in survival sex and only 6% of the youth in this sample were trafficked domestically. This suggests that the conceptualization of the stereotypical juvenile prostitute is overly simplistic and needs to be broadened to reflect the true characteristics of juvenile prostitutes' experiences. Surprisingly, one in seven youth were involved in prostitution in an organization fronting as a legitimate business and one in six youth were engaging in call girl prostitution, which commonly were "dates" set up on the internet. Internet call girls reflect this new social milieu (Hughes, 2003).

Recent stereotypes of juvenile prostitutes suggest that behind every juvenile prostitute is an adult male exploiter or “predator”. While a few conceptualizations of adult exploiters have focused on customers or clients of juvenile prostitutes, most have focused on the role of the pimp in exploiting youth. This study expands the current literature, because it examines pimps, clients and other roles involved in the youth’s prostitution as exploiters and law enforcement’s knowledge of such involvement.

The findings indicated that law enforcement had knowledge or evidence of exploiters involvement in three out of four cases. While most cases with exploiters present involved only one exploiter (44%), in about one-third of cases there were multiple exploiters involved. Consistent with stereotypes of exploiters, most were pimps and only a few were customers or clients. Surprisingly, only 13% of all exploiters were clients of juvenile prostitutes. Given the number of customers involved in actuality is likely to be much greater per juvenile than the number of pimps the findings can be interpreted as evidence that law enforcement perceive pimps to be a substantial part of the problem and are directing much of their resources and energies at apprehending pimps of juvenile prostitutes. Hence, law enforcement conceptualized exploiters of juveniles largely to be pimps and hence targeted their efforts at apprehending pimps of juvenile prostitutes.

Inconsistent with stereotypes, one in five exploiters of juvenile prostitutes were female. While almost all female exploiters were viewed as pimps by law enforcement, female exploiters were much more likely than male exploiters to have a secondary role. Female exploiters often engaged in both prostitution and pimping and frequently took on a supervisory role over the youth working for a pimp. Law enforcement considered these

women pimps, but with a secondary role as a recruiter or “bottom bitch”. This is consistent with the criminological literature which generally finds female criminals acting in supporting roles to males (Alarid, Marquart, Burton Jr., Cullen, & Cuvelier, 1996).

Typifications of juvenile prostitutes highlight the exploitative nature of youths’ involvement in prostitution. This study examined the types of information that law enforcement officers used to document the exploitation of youth. Usually the information documented in law enforcement records is reflective of the statutes of jurisdictions, meaning law enforcement document evidence of an offense and what information is essential depends on the state laws or city ordinances. Three dynamics emerged in law enforcement reports which were categorized as sexual exploitation, power and control and injury or in imminent danger. In two out of five youth law enforcement documented sexual exploitation in their records. This included information relating to the pimp’s financial gain from the youth’s prostitution activities, whether the youth was taken advantage of by someone older or someone in a position of power or authority and whether the youth was manipulated, deceived or tricked into participating in prostitution activities. Also, law enforcement documented in the cases of 2 out of 5 youth that she or he was under the power and control of another. This included information in police reports that indicated that the youth was acting against her or his own will, coerced, forced or intimidated into participating in prostitution. Lastly, 2 out of 5 youth law enforcement perceived the activities to be harmful, dangerous or that the youth was injured (e.g. physical injury, STD, AIDS) from their involvement in prostitution. Consistent with stereotypes law enforcement documented the presence of one or more of the three dynamics in two-thirds of juvenile’s cases. While one-third of

youth's records did not document one of these three dynamics, we cannot say that this was because these aspects were not present in the youth's prostitution experience. Rather law enforcement may just not have knowledge of one of the aspects being present. This is likely as some youth were resistant to sharing information with law enforcement regarding their prostitution experience.

Implications

The findings and conclusions of this study question existing stereotypes of youth involved in prostitution and their prostitution experience. Stereotypes are salient, because existing typifications often influence the direction and creation of crime control policies and procedures. Hence the findings of this study have implications for law enforcement agencies' policies and procedures regarding juveniles involved in prostitution.

First and foremost, law enforcement agencies, policy makers and legislators should reconsider their almost exclusive focus on juvenile female exploitation and exploitation by pimps. While this is a central aspect of the problem and should continue to be a part of the crime control strategy, it is also essential to expand the current policy focus to reduce the sexual exploitation of juvenile males. The finding that only 13% of exploiters known to law enforcement were clients and over 80% were pimps suggests that law enforcement are focusing their crime reduction efforts by targeting pimps and less so clients of youth.

While the focus of this research project has been on juvenile prostitution cases known to law enforcement, it is necessary for law enforcement agencies to collaborate with other community members, groups and agencies to combat this social problem.

Since most juveniles encountered were from within the state or lived locally, it is suggested that policies, prevention and intervention efforts target youth within their local jurisdictions and through collaborative statewide efforts. Since only one-third of the youth in this sample were involved in survival sex, law enforcement and community members should develop a broader prevention program directed at educating youth about the risks involved in prostitution and alerting youth to their increased risk for exploitation. Additionally, efforts to educate the public regarding the nature and scope of the problem could increase public awareness to which law enforcement could harness and enlist community members to develop neighborhood watch campaigns and encourage reporting of suspicious activities in their neighborhoods. This is especially important given that one in ten cases occurred in private settings. Law enforcement may need the assistance of the community and the youth themselves to uncover these more hidden cases. Educational campaigns framing the issue of juvenile prostitution as exploitative would be most likely to encourage people, especially young people, to bring cases to the attention of law enforcement. Additionally, media campaigns which enlist music artists, especially rap artists, to denounce pimping and prostituting may also be effective in influencing young people. Campaigns should educate youth about the realities of prostitution, debunking the widely believed myths abounding in the hip-hop culture that pimping and prostituting are cool and glamorous. This issue seems especially salient given the disproportionate involvement of African American youth involved in prostitution found in this study.

Limitations

Misleading conclusions drawn from this study are possible due to the research design. The findings of this research project may be an artifact of the sampling methodology. Since this study sampled law enforcement cases, the results are only reflective of cases known to law enforcement. There may be something inherently different about cases which do not come to the attention of law enforcement. Additionally, this study only sampled six agencies in the U.S. and while widely dispersed, this study is not nationally representative. Law enforcement agencies were recruited and there were an equal number of agencies which declined to participate. Hence, the findings here likely reflect a select group of agencies (agencies willing to participate) and are not likely to reflect all law enforcement agencies in the United States. It may be that the agencies that were willing to participate were more interested and concerned about the problem and/or more confident in their strategies for dealing with cases of juvenile prostitution and hence were willing to open their agency up for external review. As such, practice in other agencies may be very different from what was observed in the study agencies. Additionally, this study is cross sectional in nature and cannot reflect on the outcomes of cases or the level of success that law enforcement agencies have had in dealing with these difficult cases.

Future Research

Further research should examine characteristics of youth involved in prostitution from various sources (e.g. official data, social service samples, treatment samples and nationally representative youth samples) in order for intervention efforts to target particular subsets of youth deemed more at risk. Due to methodological constraints in investigating this problem, an accumulation of empirical research is needed to accurately

estimate the nature and scope of the problem. Additional research should examine the issue of gender further, examining the disconnect between this study's findings and UCR arrest data. And why juvenile females involved in prostitution came into contact with police more than juvenile males. Lastly, does the recent increase in African American arrests for prostitution, according to UCR data, reflect a true increase in incidence among this subset of the population?

CHAPTER VII

THE LAW ENFORCEMENT RESPONSE TO JUVENILES' INVOLVEMENT IN PROSTITUTION

Conclusion

This research project sought to expand current knowledge on law enforcement agencies' response to juvenile prostitution. Specifically, how cases of prostitution involving juveniles entered the criminal justice system, were viewed and responded to by law enforcement and obstacles police confronted were examined in an effort to assess the law enforcement response to this emerging social problem. This research study expands the current knowledge on the law enforcement response to cases of prostitution where juveniles were involved. This study fills a gap in the juvenile prostitution literature, which has largely overlooked law enforcement agencies response to this social problem.

The findings indicated that cases of prostitution involving juveniles entered the criminal justice system through a variety of channels. Three out of five youth came to law enforcement's attention through some action by law enforcement officers. This finding suggests that law enforcement actions and initiatives were needed to come in contact with this population and hence are likely to be needed in future efforts to combat this problem. The evidence suggests that law enforcement agencies in this sample utilized proactive policing methods targeting juveniles engaging in prostitution, were vigilant in looking for prostitutes who were juveniles and looked for missing youth

involved in prostitution. Cities which had prostitution loitering statutes were able to be more proactive in encountering youth through police witnessing a youth on the street engaging in what appears to be prostitution and hence were less reliant on undercover operations or stings to establish that the youth was soliciting. Additionally, only a small percentage of cases that law enforcement agencies were aware of came to their attention because of proactive policing of the internet. This study's findings suggest that while proactive methods uncovered many cases of youth involved in prostitution, policing methods, such as enforcing existing statutes, led to the discovery of slightly more cases. However, the difference here in whether the youth was witnessed by police to be engaging in prostitution or discovered through an undercover operation or sting, likely depends on the state laws and municipal statutes available to law enforcement officers to combat this social problem. For instance, in jurisdictions with prostitution loitering as an available statute for law enforcement to enforce, the police responded to witnessing an individual engaging in prostitution-like behavior in a known prostitution area. However, not all jurisdictions outlaw prostitution loitering. In these jurisdictions the police need to catch people soliciting, offering or agreeing to engage in sex for a fee and were likely to utilize undercover operations more frequently. The findings of this study may also be reflective of the types of prostitution that youth are involved in and seems to reflect the greater prevalence of youth involved in street prostitution.

While fewer juveniles came to law enforcement's attention through a report than through law enforcement action, it was still a substantial subset of the sample who entered the criminal justice system through a report to law enforcement (42%). Additionally, it is likely that this is more characteristic of how juveniles involved in

prostitution enter the criminal justice system than adults. While adult involvement in prostitution is often viewed as a consensual crime, juveniles' involvement is increasingly being recognized as exploitive. Hence people involved in the youth's life bring their involvement to the police's attention in an effort to intervene. This was evidenced in this study as the finding indicated that reports to law enforcement about juveniles came from many sources, including the youth themselves, child protective service workers, parents or relatives, probation officer, other juveniles, victims and others involved in prostitution. In a few cases the report led to an undercover operation. This avenue of entry into the criminal justice system is salient as it has possible implications for future law enforcement efforts trying to come into contact with a greater proportion of youth engaging in prostitution.

The findings indicated that one barrier that law enforcement officers confronted in responding to youth involved in prostitution was simply accurately identifying prostitutes positively as being under the age of 18. This was a difficult issue for law enforcement and one that may thwart efforts to identify youth involved in prostitution. Youth generally did not want to be identified by law enforcement as a juvenile and preferred to pass as an adult. The evidence suggested that some youth used fake identification, an adult alias or claimed to be an adult when confronted by law enforcement. Additionally, the findings indicated that law enforcement awareness, vigilance, persistence and sometimes creative investigatory techniques were frequently needed to successfully identify prostitutes as juveniles. Law enforcement officers' awareness of this social problem and suspicion was critical in identify many of the youth in this sample as juveniles.

One of the purposes of this study was to provide information regarding how quickly law enforcement agencies' were coming into contact with juveniles involved in prostitution. Logic suggests that the longer youth are involved in prostitution related activities, the greater the risk for negative outcomes associated with prostitution, such as sexually transmitted disease and physical injury. While this study was not able to conclude whether contact with law enforcement halted youths involvement in prostitution, the length of time the youth was involved in prostitution prior to contact with police could be an indicator of how effective law enforcement efforts are in discovering youth involved in prostitution. Also, examining this factor does not imply that police contact alone is sufficient to halt a youth's engagement in prostitution. However, police play a prominent role in identifying and referring youth to treatment and services which address the youth's involvement in prostitution. Hence, how long the youth was involved in prostitution prior to police contact is salient as it suggests how successful law enforcement was in discovering these cases.

This study found that only a small percentage of youth (8%) had been involved in prostitution for more than a year before law enforcement contact. On the contrary, almost all youth (92%) were involved in prostitution one year or less and overall half were involved in prostitution for 2 weeks or less before police contact. This evidence suggests that law enforcement came into contact with most juveniles fairly expeditiously following the youth beginning prostitution. Factors explaining the variation in the amount of time youth were involved in prostitution prior to police contact are essential to examine as it may suggest reasons why police came into contact with some youth more quickly than others and suggest areas of improvement.

The findings indicated that youth who had a prior record tended to be involved in prostitution for greater periods of time prior to the current police contact than youth with no prior record. While some of the youth had prior records for prostitution related offenses, many were non-prostitution related offenses, such as theft, assault or running away. This suggests that law enforcement officers came into contact more quickly with youth who had no prior contact with the police. This finding may reflect some youths' abilities to evade law enforcement or reluctance to seek law enforcement help, while other less experienced youth either choose to come into contact with law enforcement more quickly or were less adept at avoiding law enforcement and got caught more quickly. This suggests that some youth were previous offenders and law enforcement had more difficulty discovering these youth.

This study also found that youth who were from out-of-state tended to be involved in prostitution for longer periods of time than youth who resided locally or within the state. This finding suggests that law enforcement may be having more difficulty discovering youth involved in prostitution that are more mobile in their involvement in prostitution. Also, these youth may not have people who are concerned about them residing locally to advocate on their behalf to law enforcement.

Additionally, the evidence failed to find that being prostituted by a pimp or how the youth's case came to law enforcement's attention was related to how long the youth engaged in prostitution prior to police contact in the multivariate analysis. However, due to the limited number of youth in the non-pimp prostitution subset and the sample size, this study can not conclusively determine that these factors are not of substantive importance.

This study found that over half of the youth (56%) were viewed as having committed at least one illegal offense. While sometimes youth were viewed as having committed many offenses, most typically youth were viewed as having committed only one offense. Most frequently the one offense was a prostitution related offense, however in one in five cases the youth was viewed as having only committed a non-prostitution related offense. This is consistent with prior research which suggests that law enforcement often do not have enough evidence, only suspicion, that the youth is involved in prostitution and hence charge the youth with a non-prostitution related offense. One in ten youth were viewed as having committed an offense as a result of their uncooperativeness. This suggests that law enforcement officers struggled in dealing with some of this population. Officers commonly expressed an uneasiness and difficulty that they felt in dealing with these cases.

About half of the juvenile prostitution cases noted at least one exploiter had committed an illegal offense involving the prostitution of a juvenile. The evidence indicates that law enforcement view these offenders as more serious offenders, as the typical exploiter is noted as having committed 5 offenses. Additionally, while there is substantial variation across states' statutes, many of the offenses were felony offenses. The most common offenses committed by an exploiter were prostitution exploitation offenses, sex offenses, captivity related offenses, violence related offenses, and contributing to the delinquency of a minor. Many states in recent years have revised their laws to include specific statutes outlawing prostitution involving juveniles and specifying more punitive consequences for such offenders, including longer sentences. This in conjunction with the evidence here suggests that exploiters, particularly pimps, are being

viewed by many law enforcement agencies, policy makers and the public generally as the most culpable. In cases with pimps 48% were arrested and pimps were more likely to have been arrested in cases in which the youth had shared information with law enforcement about the pimp.

The findings of this study indicated that only 11% of cases documented the client as an exploiter, and in less than half was a client arrested (5% overall). Also, while hiring a prostitute was illegal in all the jurisdictions in this sample, the criminal law did not sanction clients as punitively as pimps. Many of the offenses specifically addressing client behavior were only misdemeanors. In about half of the cases with clients known to law enforcement, the client was viewed as having committed a sex offense, but equally as typical was the client viewed as only having committed a prostitution misdemeanor offense. This was especially concerning because logic suggests that juvenile prostitutes have many more clients than pimps. Laws may not sanction "John's" offenses as severely or at all, but it may also be that law enforcement tactics, which are driven by existing laws, preclude catching clients of juvenile prostitutes. For instance, it is illegal in some jurisdictions to be loitering for the purposes of prostitution, but this statute is only used to apprehend prostitutes, not potential clients. It may be that law enforcement strategies and youth's knowledge of their clients' identities precluded the apprehension of customers more so than pimps. However, this could also indicate that law enforcement did not perceive customers to be as responsible for the youth's involvement in prostitution as pimps.

Case processing data indicated that while many youth were processed through the criminal justice system as victims, many youth were processed as offenders. In half of

the cases law enforcement located the youth's family and in one-third the youth was held until the family could pick the youth up. One in five youth were placed in a treatment or residential care facility or foster home and almost two out of five youth in the sample were brought to a youth or runaway shelter. However, youth taken to a runaway or youth shelter were not required to stay in this facility and were considered residents at will. Law enforcement officers in many of the cities felt this was problematic, as the youth were free to go back on the street once dropped off at the shelter. Considering that some youth did not consider themselves to have been exploited, had multiple problems, including family and mental health problems, and were often previous status offenders, law enforcement expressed concern over placing these youth in an unsecured facility. Law enforcement also complained about a lack of local treatment specific for youth involved in prostitution. Surprisingly only one-quarter of youth in this sample had a documented medical exam and only one in ten youth were referred to a child advocacy center or a multidisciplinary team. One third of youth were referred to some agency that provided victim services, such as counseling, advocacy and financial or housing services. This data provided evidence that some youth engaging in prostitution are processed through the juvenile victim justice system. On the other hand, there is ample evidence that some youth were processed through the traditional juvenile justice system as offenders. However, while two out of five youth in this sample were arrested upon contact with law enforcement, only a small percentage were referred to the prosecutor's office for prosecution. Hence, the evidence in this study suggests that based on this sample, law enforcement did seem to recognize youth engaging in prostitution as both victims and offenders. How juvenile prostitution cases differ and why law enforcement

agencies are handling some youth as victims and others as offenders is examined further in chapters VI and IX.

Implications

Considering the finding that law enforcement actions and initiatives were needed to come in contact with three out of five youth in this sample, it is likely that these efforts by law enforcement will continue to be needed in the future to discover these youth and combat this social problem. These findings highlight the principal role law enforcement has in combating this social problem. Expanded efforts should include not only new methods, such as policing the internet and increasing patrol officer's awareness of missing youth so they can be on the lookout, but also traditional policing methods, such as enforcing existing statutes. Traditional policing methods, such as enforcing existing statutes, led to the discovery of slightly more cases than proactive methods. This suggests that both traditional policing methods and innovative methods, which include policing new domains, such as the internet, are needed to combat this social problem.

Given the sizeable proportion of youth who entered the criminal justice system through a report to law enforcement and the likelihood that this is due to how people viewing juveniles' involvement in prostitution as exploitive, it is imperative to consider utilizing efforts which may increase the reporting of youth's involvement to law enforcement. This may be an effective tactic for increasing the proportion of cases which law enforcement agencies are aware of. Efforts could try to increase reporting by concerned citizens and professionals who know the youth, but also could encourage youth and peers to bring their case forward to the police as well. Public awareness campaigns may be an effective mechanism to increase citizen reporting to law

enforcement. This is especially likely to be useful if public awareness campaigns aim to educate the public regarding the exploitative nature of youth's involvement in prostitution and reduce youth's fears of punishment for their involvement. As well, public awareness messages should motivate bystanders, including youth's peers, to report their observations or concerns to law enforcement. Additionally, policies which encourage or mandate citizens or professionals to report suspected juvenile prostitution involvement to law enforcement should be considered. States should consider specifying in their child abuse statutes that juvenile prostitution is considered child sexual abuse and should be reported to the authorities like other types of child maltreatment.

Considering the challenges law enforcement face in positively identifying youth involved in prostitution, this study suggests that law enforcement awareness, vigilance, persistence and sometimes creative investigatory techniques were successful in identifying juveniles engaging in prostitution. However, at the heart of these techniques is law enforcement officers' awareness of this social problem. Awareness among officers that prostitutes may be juveniles is critical for positive identification of youth involved in prostitution, as unaware officers would be less likely to suspect, question, contest and dispute assertions of possible juveniles. This suggests that not only must officers, detectives and investigators in specialized units, such as vice or special victims units, be trained and knowledgeable about this special population, but also should patrol officers. It is critical that all officers likely to encounter youth involved in prostitution be trained regarding the nature and dynamics of this social problem and population.

Trying to come into contact with youth involved in prostitution expeditiously after the youth has started prostituting makes logical sense as a goal for law enforcement

agencies. Success requires allocation of the necessary resources by law enforcement agencies to identify and encounter youth engaging in prostitution. However, this study suggests that law enforcement agencies should also seek to involve the local community in efforts to bring these cases to law enforcement's attention. Public awareness campaigns alerting citizens to the nature and scope of this problem, especially the exploitive nature of youth's involvement, paired with initiatives to motivate bystanders to report suspicious activities or youth's involvement in prostitution to law enforcement efforts may be effective in bringing these cases to law enforcement agencies attention more quickly. While law enforcement agencies should continue to actively pursue prostitution cases in which juveniles are exploited by pimps, it is also necessary that law enforcement develop efforts to identify and encounter youth operating on their own. Youth who are not prostituted by a pimp are still exploited by adult customers, and law enforcement should develop efforts to come into contact with these youth as well. Also, while law enforcement agencies are reaching many youth early on, there are some youth who evade detection or continue to be involved in prostitution for long periods of time, especially youth with a prior criminal record. It is possible that the youth who were involved for long periods of time in this study had prior contact with the police. It may be that these youth were resistant to treatment, did not receive any treatment or ran away from home, facility or placement. This suggests that some youth are not receiving or are resistant to treatment and services. Given that these youth often have multiple problems including mental health, and substance abuse problems, specialized treatment programs are needed which are specifically designed for this population of youth. Currently treatment programs are scarce and many communities are in need of a local program.

Considering that youth with prior records tended to be involved in prostitution for longer periods of time, it suggests more screening of delinquent youth is needed upon contact with law enforcement for possible prostitution involvement, and this may be a useful mechanism for identifying youth involved in prostitution. Additionally, broader prevention efforts could plan to educate delinquent youth, such as youth in residential programs and juvenile detention centers, before they are caught or involved in prostitution about the risks associated with prostitution and their increased risk for exploitation.

Since the findings of this study indicated that law enforcement often have difficulty in handling these youth, it is suggested that law enforcement receive training on how to handle this special population of youth. Specialized staff who have been trained in dealing with and interviewing difficult youth may also be useful in taking over these responsibilities in cases of youth involved in prostitution. Agencies should consider training staff on techniques for managing difficult youth, hiring experts in this area or working collaboratively with multidisciplinary teams, such as child advocacy centers, in these cases.

The findings of this study suggest that more law enforcement attention and stricter laws are needed to address the demand side of this problem—the clients of juvenile prostitutes. To fully combat this problem, not only are efforts needed to seriously sanction those who pimp juveniles, but also to seriously sanction clients who solicit and seek sexual services from juveniles. This can be done within the confines of existing laws, such as child sexual abuse or statutory rape statutes, or new legislation could specify more serious consequences if the criminal behavior involves a juvenile.

The case processing data suggest that more efforts are needed to ensure that all youth engaging in prostitution receive a medical exam. This is imperative given the prior research indicating higher risk for sexually transmitted diseases and general health problems in this population of youth. It is also suggested that communities seek to develop local treatment programs which can provide a multitude of services specific to the types of problems facing this high-needs population of youth, such as substance abuse, mental health and family counseling, independent living facilities and skill development, education and job training, short and long-term shelter and victim support services.

Limitations

Misleading conclusions drawn from this study are possible due to the research design. The findings of this research project may be an artifact of the sampling methodology. Since this study sampled law enforcement cases, the results are only reflective of cases known to law enforcement. There may be something inherently different about cases which do not come to the attention of law enforcement. Additionally, misleading conclusions may be present due to measurement error also inherent in the method of case file reviews. Records may have been missing information not because it did not occur, but rather because law enforcement did not write it down. This is especially likely for the case processing information. Also, files may have contained inaccurate information, reflecting erroneous law enforcement knowledge or false information which the youth told the police. For instance, the absence of a pimp involved may reflect a lack of law enforcement knowledge and evidence of a pimp's involvement in the youth's prostitution rather than no pimp was involved.

Additionally, this study only sampled six agencies in the U.S. and while widely dispersed, this study is not nationally representative. Law enforcement agencies were recruited and there were an equal number of agencies which declined to participate. Hence, the findings here likely reflect a select group of agencies (agencies willing to participate) and are not likely to reflect all law enforcement agencies in the U.S. It may be that the agencies that were willing to participate were more interested and concerned about the problem and/or more confident in their strategies for dealing with cases of juvenile prostitution and hence were willing to open their agency up for external review. As such, practice in other agencies may be very different from what was observed in the study agencies. Additionally, this study is cross sectional and cannot reflect on the long term outcomes of these youth or law enforcement's influence on the youth's behavior.

Future Research

It is unclear from the findings of this study if the proportion of juvenile cases which came to law enforcement's attention through a report has increased over time, but it would be worthy of future examination. Particularly because many law enforcement agencies have tried to build rapport with prostitutes toward the goal of getting prostitutes to turn to law enforcement for help. It is unclear if this rapport building approach was in part responsible for the higher than expected proportion of reports to law enforcement found in this study. However, future research should examine this issue more closely, examining the effectiveness of this approach. More research is also needed to examine whether juvenile prostitutes experience traumatic bonding to their exploiters, especially pimps, and other possible factors that influence the severity and intensity of trauma experienced by the youth and the influence that this has on the length of time the youth is

involved in prostitution and the youth's willingness to cooperate with law enforcement. Future research should examine effectiveness of treatment programs for this specialized population and develop "blue prints" for treatment programs so that communities can establish evidence-based programs on the local level. Lastly, longitudinal research is needed to examine the issue of secure facilities for youth found to be involved in prostitution by law enforcement. Specifically, how often do youth who are brought to an unsecured shelter for prostitution involvement running away and return to engaging in prostitution?

CHAPTER VIII

LAW ENFORCEMENT'S CONCEPTUALIZATION OF YOUTH INVOLVED IN PROSTITUTION: FACTORS INFLUENCING HOW YOUTH WERE HANDLED IN THE CRIMINAL JUSTICE SYSTEM

Conclusions

The constructionist perspective suggests that how juveniles involved in prostitution are conceptualized, as victims or offenders, varies by time and culture and is defined in an ongoing social process. This study examined how law enforcement, as participants in defining this social problem, social constructed juveniles involved in prostitution. The social constructions or conceptualizations of juvenile prostitutes are a social product created by people. Law enforcement plays an important role in the process of legitimating a social problem, as they are a unique social institution in society, who possesses the authority to enforce the law to maintain social order. This authority provides law enforcement with recognition as experts in the legal system. Hence, how law enforcement defines juvenile prostitutes is an important step in the career of the social problem of juvenile prostitution.

Two conflicting ideal types of juvenile prostitutes exist; one which conceptualizes juveniles as pure victims and the other as pure offenders. Juveniles involved in prostitution are conceptualized as pure victims based on several factors relating to the social and legal status of juveniles and typifications of the youth's prostitution

experience. Juveniles under the age of 18 are considered to have a diminished legal culpability based on the assumption that youth are not fully mature and lack sufficient life experience to make informed choices. Typifications of youth involved in prostitution have conceptualized youth as deceived, manipulated or tricked into participating in prostitution or forced against their will to prostitute. Usually typifications also highlight the exploitive nature of the youth's prostitution experience, recognizing that the financial and/or sexual benefit of the youth's prostitution is for an individual other than the youth. Conversely, juveniles involved in prostitution are sometimes conceptualized as pure offenders or delinquent youth who chose to engage in prostitution. This ideal type is based on the notions that these youth are a part of a delinquent, anti-social and risk-taking subculture and chose to participate in prostitution, typically conspiring against and rebuffing police efforts to stop prostitution and even protect them. Pure offenders have agency to make their own decisions and participate in prostitution as they chose. Delinquent youth are viewed not as manipulated or exploited, but rather as the provoker or the one seeking out the adult's involvement in their prostitution experience. Hence, the delinquent youth is viewed as culpable for their engagement in prostitution.

The constructionist perspective purports that social problems are social products which vary by culture. While there are many commonalities across law enforcement agencies in the United States, there are also differences across agencies, and especially differences across agencies' cultures. This suggests that how officers within agencies defined juveniles involved in prostitution would vary by agency. In fact, we did find difference across agencies in how they viewed and subsequently responded to juveniles involved in prostitution. Four of the six agencies had a mixed response, viewing some

juvenile prostitutes as victims and others as offenders. However, at the remaining two agencies, they either viewed all the youth as victims or all as offenders. This suggests that across agencies there are cultural differences in how law enforcement view, and hence, respond to juvenile prostitutes. While this seemed to be an important factor, this study did not focus on explaining agency level differences. This was not the original intent of this study, as is reflected in the small number of agencies sampled. Rather, this study focused on explaining case level differences. However, this study's data suggests that this may be an important factor and should be examined further in future research.

These two ideal types confront law enforcement officers with conflicting ideas about the level of culpability and responsibility the youth has for their involvement in prostitution, but also importantly about the level of culpability and responsibility of adults involved in the youth's prostitution. Law enforcement confronting youth involved in prostitution have to assess which of these 2 ideal types is more characteristic of the youth's involvement in prostitution for the case to be processed through the criminal justice system, specifically, whether law enforcement moves the youth through the juvenile victim justice system as a victim, or through the traditional juvenile justice system as an offender. This is especially difficult as these ideal types are conceptually discrete, but in reality cases often include features from both types.

The findings of this study expand the recent work by Finkelhor & Ormrod (2004a) which examined how law enforcement conceptualized youth involved in prostitution, as victims or as offenders. The findings of this study indicated that the majority of juveniles involved in prostitution in this sample were conceptualized as victims and not fully culpable for their prostitution involvement. However,

conceptualizations of youth were not always clearly one or the other and in some cases youth were viewed as both victims and offenders. Upon first look at the data, 50% of youth in this sample were coded based on information available as victims, 36% as offenders and 14% as both victims and offenders. A closer examination of the dual status cases revealed that dual victim and offender status arose from either a change in law enforcement's perception of the youth over time or from simultaneous victim and offender activities.

Some youth were first viewed as an offender, but after new information regarding the youths' prostitution experience emerged, law enforcement's conceptualization of the youth changed to victim status. Other youths' culpability status changed from victim to offender over time. These cases were typically conceptualized at first as victims because the youth was first reported to be a missing youth. However, once the police encountered the youth engaging in prostitution, the youth was conceptualized as an offender.

Also, some youth were conceptualized both as victims and offenders because the youth were considered to be simultaneously victims and offenders. Typically the juvenile was viewed as a victim due to their prostitution related activities, and were only viewed as offenders because of their involvement in other illegal activities which were not directly prostitution related, such as shoplifting, assault, running away or an outstanding warrant. However, a couple of youths' dual status arose from prostitution related activities. The youth were viewed as victims due to their prostitution involvement and were viewed as offenders because of their involvement in recruiting other young girls into prostitution for their pimp.

For the purposes of this study, dual status cases which changed over time were recoded to the concluding culpability status by law enforcement as a victim or an offender of prostitution. Also, dual status cases which simultaneous were viewed by law enforcement as a victim and an offender were recoded as victims for the purposes of this study. This was because the dual status youth were considered victims regarding their prostitution involvement. For instance, in some cases the youth were viewed by the police as victims of prostitution and simultaneously as offenders of other non-prostitution related offenses. Since the offender status originated from other non-prostitution related offenses, the youth were coded as victims, as the police viewed the youth as a victim for their involvement in prostitution. In two cases the youths' offender status originated from law enforcement's awareness of the youths' involvement as a recruiter for their pimp. In these two cases the police seemed to view the victim status as negating the offender status and hence were recoded as victims. This recoding resulted in 60% of cases conceptualized as victims and 40% as offenders.

This is inconsistent with Finkelhor & Ormrod's analysis of NIBRS data, which found most youth involved in prostitution were conceptualized as offenders by law enforcement. Bear in mind that the six agencies included in this study may not be representative of all law enforcement in the United States. The agencies which agreed to participate in this study may have been more likely to conceptualize juveniles as victims than law enforcement overall in the United States. Also, the agencies included in the sample were willing to participate in this research project, while other agencies were not. It may be that these agencies considered themselves to be on the forefront of confronting

this problem, were more confident in their abilities to intervene effectively and hence more open to outside review.

After analyzing these cases, it is clear that law enforcement's judgment about the youth's culpability status often contained aspects of both ideal types. This reality creates ambiguity regarding how youth involved in prostitution are conceptualized as victims or offenders. While this study identified characteristics of cases which influenced how law enforcement officers conceptualized youth's culpability status, it is also important to consider this dichotomy within the existing abilities of law enforcement to fully consider why law enforcement process some youth involved in prostitution as victims through the juvenile victim justice system and others as offenders through the traditional juvenile justice system.

Charged with the task of protecting youth, law enforcement officers encounter a difficult dilemma in responding to juveniles engaging in prostitution. This dilemma emerged because some of the youth involved in prostitution are multi-problem youth with emotional and behavioral problems who often commit status offenses. The Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974 deinstitutionalized status offenses, mandating that juvenile status offenders not be detained in detention facilities, but rather receive "community-based intervention services" (Holden & Kapler, 1995, p. 8). Hence, if the youth had not violated an existing court order then law enforcement felt as if their hands were tied because they could not hold the youth in a secure facility unless charged with a criminal offense, such as prostitution. This study found that two out of five youth that law enforcement encountered were taken to a runaway or youth shelter, but the youth could leave that facility at their own discretion. It is unclear from

this research project how many of the youth do leave and go back to engaging in prostitution.

However, this paternalistic protection by law enforcement may in part explain why some youth are treated as offenders while others are treated as victims. This paternalistic protective response emerged among some of the officers in some of the agencies, not all. It is not likely that all agencies and officers are making decisions regarding juveniles involved in prostitution with this paternalistic protective response in mind, however, some clearly were. This paternalistic protective response has been noted prior in research, especially in research which examined how the juvenile justice system responds to girls (Chesney-Lind, 1977; Chesney-Lind & Shelden, 1992; MacDonald & Chesney-Lind, 2001). Anecdotally, law enforcement officers expressed their concerns regarding limited services for these youth and voiced that they felt their communities needed a secure facility to hold youth involved in prostitution which provides services specific to the unique need of these youth. Youth involved in prostitution often are multi-problem youth and they need intensive treatment programs designed to specifically address their issues. Many communities lack specific treatment programs for juveniles involved in prostitution. In some cases law enforcement are faced with the choice of either referring the youth to an unsecured youth shelter or arresting the youth for the criminal offense of prostitution so that the youth was detained and processed through the criminal justice system.

One of the main goals of this study was to examine individual and case level factors that influence law enforcement's conceptualization of juveniles' culpability status in prostitution related activities. The constructionist perspective suggests that it is

important to study how law enforcement defines juveniles involved in prostitution, as this is indicative of the social process through which knowledge on this social problem is created. Our findings indicated that while many individual and case level factors were related to the youth's culpability status bivariate, only a few were statistically significant in multivariate analyses. This study's multivariate analyses expanded recent research deepening our understanding of the factors that influence how law enforcement conceptualize juveniles involved in prostitution, assessing the independent effects of multiple factors.

Several indicators were related to the youth's culpability status bivariate. As expected, this study found the youth's age, prior criminal record, exploiter involvement, the youth's level of cooperation and whether the youth was scared or crying were bivariate related to the culpability status as conceptualized by law enforcement. Younger youth involved in prostitution were more likely to be conceptualized as victims than older youth. Additionally, bivariate analyses found youth without a prior record were more likely viewed as victims than youth with a prior record. Exploiter involvement, as evidenced by any exploiter's involvement, pimp prostitution involvement, exploitation, whether the youth was under power and control of another or whether drugs were found on an exploiter, all were found bivariate to increase the likelihood that the youth was considered a victim by law enforcement. Knowledge of an exploiter's involvement in the youth's prostitution was found to be a strong predictor of the youth's culpability status. While 4 out of 5 juveniles were viewed as victims when law enforcement knew of an exploiter's involvement, less than 1 out of 5 youth were viewed as victims when law enforcement did not have knowledge of an exploiter's

involvement. This was also evidenced in pimp prostitution cases; 3 out of 4 youth involved with a pimp were viewed as victims, while only 1 out of 4 youth without a pimp were viewed as victims. Bivariate analyses also indicated that youth who cooperated with law enforcement by sharing information with law enforcement about exploiters, were willing to prosecute, or demonstrated positive demeanor during their encounter with law enforcement, were more likely to be viewed as victims. Almost all youth who were afraid, scared or crying during their encounter with law enforcement were viewed as victims.

This study also found unexpected differences in bivariate analyses in that Hispanic youth, locally residing youth, or youth who entered the criminal justice system through a report to law enforcement were more likely to be viewed as victims. Residence mattered in some of the jurisdictions in this study because some treatment programs are only available to youth residing within the jurisdiction. Law enforcement options were more limited when processing juveniles who resided outside the jurisdiction. The findings suggest that law enforcement may have arrested youth in these instances, because they could not return the youth to their family right away or arrange services for the youth. Also, an interesting dynamic that emerged in this study, which was a strong predictor of juveniles' culpability status, was how the case entered the criminal justice system. Cases which were reported to law enforcement were almost always considered victims, while only 34% of cases which came to the attention of law enforcement through some type of law enforcement action were considered victims.

This study failed to find an association between the youth's culpability status and whether the youth's age was below the state's legal age of consent. This is interesting as

it suggests that law enforcement officers were not basing their conceptualization on the youth's age relative to the age of consent in their jurisdiction. Most of the juveniles in this sample were under the state's legal age of consent. Additionally, data failed to find a relationship between the youth's race and victim status. There were a few case characteristics which this study failed to find statistical significance due to the small number of cases in the total sample. These factors include: whether law enforcement knew the youth was mentally ill (n=11), intoxicated (n=11), possessed drugs (n=7) or a weapon (n=1) or whether an exploiter involved possessed a weapon (n=6). While these factors were not found to be predictive of law enforcement's conceptualization, future research is needed to examine these factors, as it may be that this conclusion is a false negative and due to the small number of cases in the total sample or missing information. Lastly, this study failed to find support that youth who were injured, physically hurt or in danger was related to how law enforcement viewed the youth's culpability in their prostitution involvement. While slightly more injured youth were conceptualized as victims than non-injured youth, the difference was not statistically significant.

Often youth involved in prostitution are multi-problem youth with emotional and behavioral problems who frequently commit status offenses. Many of the youth in this population were resistant to law enforcement's help. As expected the multivariate analyses indicated that youth who cooperated with law enforcement were more likely to be conceptualized as victims and uncooperative youth were more likely to be considered offenders. This is consistent with the police decision-making literature which generally finds the decision to arrest is influenced by the suspect's demeanor (D. Black, 1970, 1971, 1980; D. Black, 1980; R. J. Lundman, 1974, 1996a, 1996c; Smith & Visser, 1981;

Sykes & Clark, 1975; R. E. Worden, 1989; R. E. Worden & R. L. Shepard, 1996; R. E. Worden, R. L. Shepard, & S. D. Mastrofski, 1996). This finding suggests that youth who cooperated and shared information with law enforcement regarding exploiters were not considered fully culpable for their prostitution involvement, while youth who were uncooperative and do not share any information with law enforcement about their exploiters were considered more culpable for their involvement in prostitution. This suggests that when law enforcement learned of an exploiters' involvement, the youth's responsibility was diminished as the exploiter was viewed as responsible. Conversely, youth without exploiters were viewed as acting on their own and hence were responsible for their own actions. However, law enforcement did recognize that even though the youth did not cooperate or share information regarding exploiters, there was likely an exploiter involved. Hence, it may be that their action was not reflective of how law enforcement viewed these cases per say, but rather how they dealt with them in a practical sense. Law enforcement may be informally assessing the likelihood that the youth will continue or halt their involvement in prostitution and depending on their assessment the police may process the case differently. For instance, youth appearing resistant to law enforcement help may have been deemed likely to continue engaging in prostitution and go back to the street if taken to an unsecured runaway shelter and hence were processed as offenders and were held in a secure facility. However, youth who cooperated with law enforcement, law enforcement assessed them as a low risk of returning to prostitution involvement and hence the youth was processed through the juvenile victim justice system.

In this sense, the findings may be indicative of a slightly different meaning than at first glance. Law enforcement may not be able to intervene and stop the youth from engaging in prostitution if they processed the uncooperative youth through the juvenile victim justice system, treating the youth as a status offender and referring the youth to CPS and voluntary victim services. Additionally, it is likely that without the youth sharing information about exploiters that law enforcement would not have much of a case against any exploiters involved. This is reflective of the difficulties law enforcement confront in intervening in the lives of these youth given their limited ability to detain status offenders as mandated in the Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974 and build cases against exploiters of youth. Since the juvenile victim justice system does not have the ability to sanction or protectively detain youth, but rather it provides services and treatment, resistant youth may be viewed as not being able to be successfully contained or treated if processed as a victim. It may be that to intervene on some level, youth who are not cooperative are treated as offenders and arrested so that they can receive some services, albeit as offenders. Therefore, law enforcement may be charging youth as offenders as a paternalistic protective response to youth involved in prostitution. It may also be thought that law enforcement used the threat of charges being filed against the youth as leverage to gain the youth's cooperation in building the case against exploiters. This is evidenced in the small percentage cases with charges noted against the youth which actually were referred to the prosecutor for prosecution.

Three new important findings emerged in this research. First, in cases where law enforcement had knowledge of an exploiter's involvement in the youth's prostitution, particularly if that exploiter was a pimp, the youth was typically considered a victim.

This finding is salient as it indicates that law enforcement perceived juveniles involved in prostitution were not fully responsible or culpable for their prostitution involvement when a pimp or other exploiter was involved. Conversely, youth without an exploiter involved, who were acting on their own, were perceived as more culpable by law enforcement. This may seem counterintuitive at first glance. However, given the nature of the criminal justice system and the role of law enforcement within that system, officers seemed to always need to define someone who was at fault or someone to blame for the offense. Therefore, in cases which the youth would not provide them with the person to blame or the person responsible, the youth was considered at fault or culpable for their own involvement in prostitution. Nevertheless, it should not be overlooked that this finding also suggests that law enforcement considered exploiters to be a substantial part of the problem and were directing much of their resources at apprehending exploiters, especially pimps.

The second new finding to emerge was that how the youth entered the criminal justice system was found to be a strong predictor of the culpability status of juveniles. The study found that juveniles who entered the criminal justice system through a report to law enforcement were almost always considered a victim by law enforcement and juveniles who entered the criminal justice system by some action or initiative of law enforcement were more likely to be considered offenders. Youth whose involvement was reported to law enforcement, either by the youth or a concerned third party, were viewed as less culpable generally than youth whose involvement came to the attention of law enforcement through some action taken by law enforcement. However, for the youth whose case was reported to law enforcement, their culpability status was almost always

considered a victim and viewed as not culpable. This suggests that law enforcement accepted the diminished responsibility and victim status which is denoted by the youth or youth advocate who sought help from law enforcement through reporting the crime or victimization of the youth to the police. This suggests that community agencies and youth advocates may want to do more to propose their viewpoint to police, as the evidence here suggests that the polices' conceptualizations may be shaped by others' views of the youth.

The third new finding to emerge in this research study was the importance of the youth's residence in whether the youth was treated as a victim or an offender. Bear in mind that this factor was only predictive of the youth's culpability status in the partial model. However, this study suggests that where the youth resides was a factor influencing how officers were conceptualizing youth. Youth residing locally were more likely to be considered victims and hence were viewed as less culpable than youth residing from other areas within the state or out-of-state. This issue originally emerged during conversations with law enforcement as an issue in some jurisdictions included in this study where treatment services for youth were only available to youth who reside locally. This policy may be linked to funding streams for treatment or a rehabilitation initiative intending to treat offenders in their own local jurisdiction where they are close to family and support networks.

The multivariate model failed to find support for several factors which were related bivariately to the youth's culpability status. This study failed to find support for youths' age, prior record, emotional state and Hispanic ethnicity as predictors of law enforcement's judgment of the youths' culpability status. The youth's age is likely an

influential factor for how law enforcement officers conceptualize juvenile prostitutes, but this study failed to find support for the idea that law enforcement based their view of the youth's culpability status on the age of the youth alone. In addition, while prior research on crime generally suggests that law enforcement use the suspect's prior record as an indicator of respectability, this research project did not find support for this as a factor influencing conceptualizations of juveniles involved in prostitution. Prior record was correlated with negative demeanor, and it is likely that this concept was explained by whether the youth cooperated with law enforcement. Additionally, the evidence failed to support the idea that youth who were crying or afraid influenced law enforcement's conceptualization of the youth. This variable was highly correlated to both cooperation and having an identified exploiter involved, it is likely that its bivariate relationship was explained by these other two factors. This makes sense, as youth who cooperated with law enforcement and had an exploiter involved, also were upset or afraid. This study suggests that it was not the youth's reaction that impacts law enforcement so much as did the overall facts, circumstances or dynamics involved in the case. Lastly, the study failed to find support that the youth's ethnicity, Hispanic or non-Hispanic, was predictive of the culpability status of juvenile prostitutes. While this study failed to find support for these factors in the multivariate model, the sample size was small and the six sites were not selected at random. Therefore, more research is needed to conclusively rule these factors out as not influencing law enforcement's conceptualization of juveniles involved in prostitution.

In sum, how law enforcement officers conceptualized, responded and handled juveniles involved in prostitution was multi-faceted and complex. This process of

defining youth as victims or offenders is a fluid process that is often in flux. This study found support for the idea that law enforcement agencies were in the process of legitimating juvenile prostitution as a social problem. Law enforcement was influenced by outside conceptualizations of youth, as is indicated in the importance of how the case entered the criminal justice system. Cases which were reported to law enforcement were almost all considered victims, suggesting that the conceptualization established by the reporter resonated with law enforcement. In a sense, how these youth are socially constructed by law enforcement, in part depends on how others (concerned citizens, social service, advocacy groups) portray the youth to law enforcement. Additionally, law enforcement agencies were influenced by the FBI's Innocence Lost initiative, which channeled resources to local law enforcement agencies to combat this social problem. Four out of the six agencies included in this sample were involved in this initiative. The evidence supports the idea that the social problem of juvenile prostitution is a social products and that law enforcement is a part of this definitional process.

Overall, the evidence suggests that law enforcement base the youth's culpability status on the existing knowledge that they have on the case at the time and if information was lacking regarding exploiters involvement and the youth resisted law enforcements' help then the youth was more likely to be viewed and handled as an offender. Given the nature of prostitution the evidence was often limited and youth were reluctant to report and share information with law enforcement about their prostitution involvement, especially identify their pimp. While this study cannot conclusively determine whether some juveniles were treated as offenders because law enforcement wanted to protect the

youth by detaining the youth in a secure facility, the evidence suggests some agencies and some officers within agencies did so.

This study is consistent with prior research (David Finkelhor & Ormrod, 2004a) in concluding that law enforcement handled youth involved in prostitution as both victims and offenders. However, the law enforcement agencies in this study tended to view juveniles involved in prostitution more often as victims than as offenders. This was inconsistent with Finkelhor & Ormrod's NIBRS analyses which found youth were more frequently conceptualized as offenders than as victims. This is likely due to this study's the research and sampling design. The agencies that participated in this study were not selected at random and it is likely that the law enforcement agencies which were the most confident in their approach to juvenile prostitutes were willing to participate in this research project and other agencies which were not declined to participate. Hence, it is better to consider the cities in this study as examples of best practices and successful initiatives for handling these often difficult multi-problem youth. While that is not to say that these agencies still do not experience difficulties, as the evidence here suggests that the agencies struggled to intervene effectively and reduce juvenile involvement in prostitution.

Implications

Considering the findings and conclusion drawn from this study regarding whether youth involved in prostitution were treated as victims or offenders, the criminal justice system and policy makers need to develop in concert with local and state law enforcement agencies pathways for prostituted youth to be processed through the juvenile victim justice system and receive treatment in local secure facilities specifically designed

for this population. While this pathway is needed for all juveniles involved in prostitution, it is especially needed for youth who are resistant to intervention and have multiple issues, including mental health and family problems. While treating youth involved in prostitution as offenders and detaining them in juvenile detention centers may seem like a solution, it should really be a temporary solution. While these youth may receive some assistance through the detention center, most juvenile detention centers do not provide counseling services or the level of treatment youth involved in prostitution need. While this problem is likely to continue to be a challenging issue for law enforcement to confront, communities should be motivated to support law enforcement efforts to reduce this social problem.

Also considering the needs of this population of youth, specialized training may be needed to assist law enforcement with developing the skills needed for reaching and gaining the trust of these troubled youth. It is imperative that training opportunities are available for not only special investigators and detectives, but also for patrol officers, who are most likely to encounter these youth on the street. Training opportunities should plan to educate officers on the exploitive nature of youth's involvement in prostitution and also should train officers in techniques for handling and interviewing difficult youth. Agencies should consider training staff on techniques for managing difficulty youth, hiring experts in this area or working collaboratively with multidisciplinary teams, such as child advocacy centers, in these cases.

How the case entered the criminal justice system has an important implication for law enforcement, as it suggests that public awareness campaigns and rapport building initiatives may be effective in increasing reports of prostitution in which the police will

take a sympathetic view of the youth. Efforts to educate the public about the exploitative nature of juvenile prostitution may increase reporting of these crimes to law enforcement. Additionally, efforts which seek to inform youth that they will not be criminally prosecuted if they come forward and work to build rapport with youth involved in prostitution may increase the number of youth who are willing to bring their case forward to law enforcement.

Limitations

Misleading conclusions drawn from this study are possible due to the research design. The findings of this research project may be an artifact of the sampling methodology. Since this study sampled law enforcement cases, the results are only reflective of cases known to law enforcement. There may be something inherently different about cases which do not come to the attention of law enforcement.

Additionally, misleading conclusions may be present due to measurement error, which is inherent in the method of case file reviews. Records may have been missing information not because it did not occur, but rather because law enforcement did not write it down.

Also, files may have contained inaccurate information, reflecting erroneous law enforcement knowledge or false information which the youth told the police. For instance, the absence of a pimp involved may reflect a lack of law enforcement knowledge and evidence of a pimp's involvement in the youth's prostitution rather than no pimp was involved.

Additionally, this study only sampled six agencies in the U.S. and while widely dispersed, this study is not nationally representative. Law enforcement agencies were recruited and there were an equal number of agencies which declined to participate.

Hence, the findings here likely reflect a select group of agencies (agencies willing to participate) and are not likely to reflect all law enforcement agencies in the U.S. It may be that the agencies that were willing to participate were more interested and concerned about the problem and/or more confident in their strategies for dealing with cases of juvenile prostitution and hence were willing to open their agency up for external review. As such, practice in other agencies may be very different from what was observed in the study agencies. Additionally, this study is cross sectional and cannot reflect on the long term outcomes of these youth or law enforcement's influence on the youth's behavior.

Future Research

More research should investigate law enforcements' rationale for processing juvenile prostitution cases differently, examining the motivations behind law enforcement action and how they view and handle uncooperative youth involved in prostitution. In addition, more research is needed to explore possible methods that could be utilized by law enforcement to gain the cooperation of youth involved in prostitution and examine the effectiveness of methods that law enforcement are currently using for gaining youths cooperation. Future research should examine further the importance of the youth's residence on juveniles' culpability status as denoted by law enforcement. Considering the difficulty law enforcement confront in handling these cases, future research should continue to examine this issue further to best chart a course for effective intervention in cases of youth involved in prostitution.

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APPENDICES

APPENDIX A
Tables and Graphs

Table A 1
Distribution of Cases by Law Enforcement Agencies in Sample

Law Enforcement Agency	Frequency	Percent
Site 1	31	25%
Site 2	27	21%
Site 3	9	7%
Site 4	12	10%
Site 5	18	14%
Site 6	29	23%
Total	126	100%

Table A 2
Demographics of Sample of Youth Involved in Prostitution Known to Law Enforcement (n=126)

	Frequency	Percent	Mean (SD)
Gender			
Male	1	1	
Female	125	99	
Age			
12	1	1	15.4(1.3)
13	11	9	
14	23	18	
15	24	19	
16	37	29	
17	30	24	
Race			
African American	50	41	
Caucasian	60	50	
Asian	9	7	
Native Hawaiian/Pacific Islander	1	1	
Mixed Race	1	1	
Missing	5		
Ethnicity			
Hispanic	27	21	
Youth's Residence			
Local	55	44	
Within State	55	44	
Out-of-State	14	11	
Missing	2		

Table A 3
The Prevalence of Co-occurring Types of Prostitution

Co-occurring Forms of Prostitution	Frequency	Percent
Street Prostitution with Pimp	30	24%
Street Prostitution	19	15%
Street Prostitution, Survival Sex with Pimp	12	10%
Survival Sex with Pimp	9	7%
Survival Sex Alone	7	6%
Pimp Alone	6	5%
Street Prostitution and Survival Sex	5	4%
Internet Call Girl with a Pimp	4	3%
Street Prostitution, Trafficked with Pimp	3	2%
Business Front Alone	2	2%
Business Front with Pimp	2	2%
Street Prostitution, Business Front with Pimp	2	2%
Street Prostitution, Survival Sex, Business Front with Pimp	2	2%
Street Prostitution, Hotel/Bar Call Girl with Pimp	2	2%
Street Prostitution, Hotel/Bar Call Girl, Business Front with Pimp	2	2%
Street Prostitution, Hotel/Bar Call Girl, Business Front, Organized Crime/Gang with Pimp	2	2%
Internet Call Girl Alone	2	2%
Internet Call Girl, Trafficked with Pimp	2	2%
Internet Call Girl, Business Front with Pimp	2	2%
Trafficked and Prostitution by a Family Member	1	1%
Survival Sex, Business Front with Pimp	1	1%
Living at Home for Money/Luxuries, Street Prostitution	1	1%
Hotel/Bar Call Girl with Pimp	1	1%
Hotel/Bar Call Girl, Trafficked with Pimp	1	1%
Street Prostitution, Survival Sex, Hotel/Bar Call-Girl with Pimp	1	1%
Internet Call Girl, Survival Sex with Pimp	1	1%
Internet Call Girl, Survival Sex, Business Front, Trafficked with Pimp	1	1%
Family Member, Internet Call Girl + Business Front with Pimp	1	1%
Total	124**	105%*

* due to rounding

** 2 cases missing information

Table A 4
Prevalence of Locations Youth Were Involved in Prostitution

Location	Frequency*	Percent**
Street/Sidewalk	71	56
Hotel or motel	45	36
Vehicle	26	21
Private residence	14	11
Rest or truck stop	3	2
Public transportation station	3	2
Bar or restaurant	2	2
Public business	2	2
Runaway shelter	2	2
Mall or shopping center	1	1
Parking lot	1	1

* Missing data in n=13 youth records

** Numbers exceed n=113 and 100% if totaled due some youth being involved in prostitution in more than one location.

Table A 5
Total Number of Exploiters Involved in Youth's Prostitution

Number of Exploiters	Frequency	Percent
None	30	25%
1	52	44%
2	21	18%
3	8	7%
4	7	6%
Total	118	100%
Missing	8	
Total	126	

Note: total number of exploiters known to law enforcement = 146. Information on up to 3 exploiters per juvenile were recorded. Hence, information was recorded for 139 exploiters.

Table A 6
Prevalence of Exploiters' Roles in Juvenile Prostitution Cases

Exploiters' Roles	Exploiter's Gender		Total Frequency	Total Percent
	Male	Female		
Pimp	75%	25%	85	64%
Pimp/Boy or Girlfriend	4%	8.5%	6	5%
Pimp/Bottom Bitch	-	25%	6	5%
Pimp/Recruiters	-	21%	5	4%
Pimp/Family Members	1%	4%	2	2%
Pimp/Trafficker	1%	-	1	1%
Madams	-	8.5%	2	2%
Customer	14%	4%	17	13%
Lackey for Prostitution Ring	2%	-	2	2%
Photographers	1%	-	1	1%
Driver	1%	-	1	1%
Recruiter	1%	-	1	1%
Family member	-	4%	1	1%
Boy/Girlfriend	-	-	1	1%
Bottom Bitch	-	-	1	1%
Total	101	25	132	104%*
Missing	3	1	7	
Total	104	26	139	

Note: Number of juveniles = 87 (n=30 no exploiters present and n=9 missing data).
Number of exploiters' = 139. Due to missing data, n=132 exploiter roles and n=130 for
exploiter roles by gender. *The total is greater than 100% due to rounding.

Table A 7

Demographics of Identified Exploiters Involved in Juvenile Prostitution Known to Law Enforcement (n=88 juveniles (8 missing & 30 with no exploiters); n=139* exploiters)

	Frequency	Percent	Valid Percent
Exploiters' Gender			
Male	101	73	80
Female	25	18	20
Missing	13	9	
Exploiters' Race			
African American	68	49	60
Caucasian	39	28	34
Asian	3	2	3
Native Hawaiian/Pac. Isld.	2	1	2
Other Race	1	1	1
Missing	26	19	
Exploiters' Ethnicity			
Hispanic	31	19	
Non-Hispanic	26	22	
Missing	82	59	
Exploiters' Age (n=116 exploiters)			
Mean (Standard Deviation)	26.5 (8.2)		
Median	25		
Mode	28		
Minimum	16		
Maximum	55		

*data is not included for seven exploiters as they were the fourth exploiter and only data on up to 3 exploiters per youth is collected.

Table A 8
 Juveniles Prostitutes Entry into the Criminal Justice System

	F	%
Law Enforcement Action	73	58%
Proactive, Undercover Operations/Stings		
Proactive, Undercover Operations/Stings	25	20%
Proactive Policing of Internet, Then Undercover Operation/Sting	7	5.6%
Police Witness		
Prostitution Loitering	26	20.8%
Questioned in Vehicle in Known Prostitution Area	8	6.4%
Suspected Prostitute was a Missing Juvenile	3	2.4%
Caught in the Act	2	1.6%
Pursuit of Other Criminal Investigation	2	1.6%
Report to Law Enforcement	52	42%
Youth Self Reported to or with CPS, Parent or Other Relative	14	11%
Youth Self Reported Directly to Law Enforcement	6	5%
Parent, Relative, or Parent or Relative of Other Juvenile Involved	10	8%
Child Protective Service Worker or Probation Officer	10	8%
Multiple Reporters (CPS worker and parents)	2	2%
Another Victim, Offender or Juvenile Prostitute	7	5%
Anonymous Reporter	2	2%
Other Law Enforcement Agency	1	1%

Table A 9
Table of Means for Length of Time Involved in Prostitution by Residence

Residence	M	SD	n	Mdn
Local	90 days	219.7	26	10
Other within state	122 days	356.3	29	10
Out-of-state	421 days	432.0	5	300
Total	131 days	318.0	60	14

Table A 10
Analysis of Variance for Length of Time Involved in Prostitution

Variables	df	F	η	p
Between Subjects				
Residence	2	2.4	.28	.10
S-within-group	1158			

Table A 11
Table of Means for Length of Time Involved in Prostitution by How the Case Came to the Attention of Law Enforcement

How the Case Came to the Attention of Law Enforcement	M	SD	n	Mdn
Report to Law Enforcement	40 days	70.9	35	7
Law Enforcement Action	253 days	453.4	26	45
Total	131 days	318.0	61	14

Table A 12
Analysis of Variance for Length of Time Involved in Prostitution

Variables	df	F	η	p
Between Subjects				
How case came to Law Enforcement Attention	1	7.6	.34	.01
S-within-group	59			

Table A 13

Table of Means for Length of Time Involved in Prostitution by Pimp Prostitution Type

Type of Prostitution: Pimp	M	SD	n	Mdn
Yes, Pimp Prostitution	89 days	215.4	53	10
Not Pimp Prostitution	408 days	640.5	8	62.5
Total	131 days	318.0	61	14

Table A 14

Analysis of Variance for Length of Time Involved in Prostitution

Variables	df	F	η	p
		Between Subjects		
Pimp Prostitution	1	7.9	.34	.01
S-within-group	59			

Table A 15

Table of Means for Length of Time Involved in Prostitution by Prior Record

Prior Record	M	SD	n	Mdn
No, Prior Record	26 days	40.1	36	7
Yes, Prior Record	283 days	454.6	25	90
Total	131 days	318.0	61	14

Table A 16

Analysis of Variance for Length of Time Involved in Prostitution

Variables	df	F	η	p
		Between Subjects		
Prior Record	1	7.6	.34	.01
S-within-group	59			

Table A 17

Summary of Negative Binomial Regression with Robust Standard Errors for Variables Predicting Number of Days Involved in Prostitution (n=61)

Variables	B	SE B
Prior Criminal Record	2.31***	.453
Out-of-State Residence	1.06**	.387

Note. **p < .01. ***p < .001.

Table A 18
 Juvenile Prostitute Offenses Committed
 (n=126: 70 with offenses, 56 no offenses)

Offenses Committed:	Frequency	Percent
Prostitution related offenses:		
Prostitution	34	26%
Prostitution Loitering	25	19%
Lewd & Lascivious Act/Indecent Exposure	2	1%
Pandering/Promoting Prostitution	1	1%
		47%
Disrupting peace offenses:		
Public Nuisance/Disorderly Conduct	6	5%
Jay Walking	1	1%
		6%
Uncooperative with law enforcement:		
Falsely Representing Self to Officer	8	6%
Obstructing Justice/Officer	5	4%
		10%
Status offense:		
Ward of Juvenile Court	30	23%
Missing Person's Warrant	5	4%
		27%
Other offenses:		
Warrant Violation	4	3%
Possession of drugs	4	3%
Parole violation	1	1%
Larceny/shoplifting	1	1%
Firearms Violation	1	1%
Assault and Battery	1	1%
		10%
	129	100%

Table A 19
 Prevalence of Exploiter's Charged in Juvenile Prostitution Cases

	Frequency	Percent
At least 1 offense filed against at least 1 exploiter	56	49%
No offenses filed in cases with at least 1 exploiter	29	25%
No offenses filed due to no exploiter present or known	30	26%
Total	115	100%
Missing Data	11	
Total	126	

Table A 20
Exploiter Offenses in Juvenile Prostitution Cases

Offenses Committed:	Frequency	Percent
Prostitution Offenses:		
Pandering, promoting prostitution, of a minor	68	28%
Procuring, a minor for prostitution	28	11%
Prostitution/prostitution loitering	9	4%
Sex trafficking	1	0.4%
		43%
Other Sex Offenses:		
Child Sexual Abuse	32	13%
Statutory rape	11	5%
Rape or sexual assault	4	2%
Sexual Battery	3	1%
		21%
Captivity related offenses:		
Interfering with the custody of a minor	22	9%
Kidnapping	7	3%
False imprisonment/human trafficking	4	2%
		14%
Violence Related:		
Aggravated assault/domestic violence	4	2%
Criminal threatening	3	1%
Assault and Battery	2	1%
		4%
Other Offenses:		
Contributing to the delinquency of a minor	21	9%
Possession of Drugs	6	2%
Firearm/weapon violation	4	2%
Warrant violation	3	1%
Parole violation	3	1%
Falsely Representing Self to Officer	3	1%
Driving with a suspended/revoked license	2	1%
Arrested & released (no charges filed)	2	1%
Larceny/shoplifting	1	0.4%
Conspiring to commit a crime	1	0.4%
		19%
Total	244	101%*

Note. *Total is greater than 100% due to rounding.

Table A 21
 Juvenile Prostitute Culpability Status by Law Enforcement: Victim, Offender or Both

Juvenile Prostitutes' Status Denoted by Law Enforcement	Frequency	Percent
Victim only	63	50%
Offender only	45	36%
Both victim & offender	18	14%
<hr/>		
Recoded to:		
Victim only	76	60%
Offender only	50	40%

Table A 22

Bivariate Relationships with the Youth's Culpability Status as a Victim or an Offender

	Frequency	Offender	Victim
Juvenile's Age*			
12	1	100%	0%
13	11	18%	82%
14	23	26%	74%
15	24	21%	79%
16	37	51%	49%
17	30	57%	43%
Juvenile's Age is Below State's Legal Age of Consent			
No	24	54%	46%
Yes	102	36%	64%
Juvenile's Gender			
Male	1	0%	100%
Female	125	40%	60%
Youth's Race			
African American	50	44%	56%
Caucasian	60	38%	62%
Asian	9	44%	56%
Native Hawaiian/ Pacific Islander	1	0%	100%
Mixed Race	1	0%	100%
Ethnicity*			
Hispanic	27	22%	78%
Non-Hispanic	99	44%	56%
Youth's Residence*			
Local	55	27%	73%
Within state	55	47%	53%
Out-of-state	14	57%	43%
Youth Has a Prior Record*			
No	77	33%	67%
Yes	49	51%	49%
How Law Enforcement Came to Know about Youth's Involvement in Prostitution***			
A report to police	52	4%	96%
Police action	74	65%	35%
Youth Known or Perceived to be Mentally Ill by Law Enforcement			
No	115	41%	59%
Yes	11	27%	73%
Youth Known or Perceived to be Intoxicated During Encounter with Law Enforcement			
No	115	42%	58%
Yes	11	18%	82%

Table A 22 continued

Law Enforcement Found Drugs on Youth During Encounter			
No	119	40%	60%
Yes	7	29%	71%
Law Enforcement Found a Weapon on Youth During Encounter			
No	125	39%	61%
Yes	1	100%	0%
Law Enforcement Found Drugs on Any Exploiter During Encounter***			
No	111	45%	55%
Yes	15	0%	100%
Law Enforcement Found a Weapon on any Exploiter During Encounter			
No	120	40%	60%
Yes	6	33%	67%
Youth's Demeanor was Respectful, Responsive or Accommodating During Encounter with Law Enforcement***			
No	84	52%	48%
Yes	42	14%	86%
Youth's Demeanor was Disrespectful, Physically Aggressive, Hostile or Resistant During Encounter with Law Enforcement*			
No	85	33%	67%
Yes	41	54%	46%
Youth was Crying or Upset or Appeared to be Afraid or Scared by Law Enforcement***			
No	102	48%	52%
Yes	24	4%	96%
Law Enforcement Knowledge that Youth Was Sexually Exploited***			
No	75	63%	37%
Yes	51	6%	94%
Law Enforcement Knowledge that Youth Was Under the Power or Control of Another***			
No	77	58%	42%
Yes	42	10%	90%
Law Enforcement Knowledge that Youth Was Injured or In Danger			
No	73	44%	56%
Yes	53	34%	66%
Type of Prostitution:			
Street Prostitution*			
No	45	27%	73%
Yes	81	47%	53%
Pimp Involved Prostitution***			
No	39	77%	23%
Yes	87	23%	77%
Runaway, homeless, street youth engaging in prostitution			
No	87	44%	56%
Yes	39	31%	69%

Table A 22 continued

Business Front Prostitution**

No	109	45%	55%
Yes	17	6%	94%

Internet Call-girl

No	113	39%	61%
Yes	13	46%	54%

Hotel, Bar or Call-girl*

No	117	43%	57%
Yes	9	0%	100%

Trafficked for the Purposes of Prostitution (Domestic or International)*

No	118	42%	58%
Yes	8	0%	100%

Organized Crime or Gang Prostitution

No	124	40%	60%
Yes	2	0%	100%

Family Member or Acquaintance Prostitution

No	124	40%	60%
Yes	2	0%	100%

Living at Home Engaging in Prostitution for Luxury Items

No	125	39%	61%
Yes	1	100%	0%

Any Exploiters Known to Law Enforcement***

No	38	84%	16%
Yes	88	21%	79%

Youth Shared Information with Law Enforcement About Exploiter(s)***

No	79	58%	42%
Yes	47	9%	91%

Youth Was Willing to Prosecute Against Exploiter(s)***

No	104	46%	54%
Yes	22	9%	91%

*p<.05. **p<.01. ***p<.001.

Table A 23
Correlation Matrix

Indicators	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1. Victim Status	-	.61**	-.26**	.03	.19*	.22*	-.19*	.35**	.30**	.49**	.29**	.37***	-.20*	.57**	.48**	.10	.51**	.60**
2. Reported		-	-.23*	.04	.19*	.34	-.14	-.17	.09	.15	.08	.09	-.07	.26**	.32**	-.03	.32**	.45**
3. Youth's Age			-	-.10	-.07	-.26**	.11	-.07	-.11	-.13	-.06	-.08	-.04	-.20**	-.18**	-.11	-.26**	-.28**
4. Race (White)				-	.32**	-.01	-.17	-.02	.10	.02	.11	.17	-.09	-.04	-.01	-.01	.05	.07
5. Hispanic					-	.24**	-.10	.14	.23**	.00	-.04	-.04	.05	.04	.10	-.05	.14	.26**
6. Local Juvenile						-	.02	.06	.07	-.08	-.15	-.15	.11	-.01	.12	-.26**	.11	.16
7. Youth's Prior Record							-	.10	-.14	-.11	.02	-.12	.32***	-.06	-.07	.29***	.04	-.08
8. Crying, Afraid								-	.13	.46**	.26**	.34***	-.04	.30**	.48*	.20*	.24**	.32**
9. Exploiter Drugs									-	.17	.22*	.05	.11	.20**	.11	-.07	.25**	.24**
10. Shared Information										-	.51***	.71***	-.26**	.60**	.53**	.24**	.41**	.51**
11. Willing to Prosecute											-	.52***	-.19*	.39***	.36***	.20*	.31***	.30***
12. Positive Demeanor												-	-.49***	.45***	.40***	.35***	.29***	.32***
13. Negative Demeanor														-.16	-.24**	.03	-.05	-.06
14. Sexual Exploitation															.50**	.31***	.34**	.44**
15. Power & Control															-	.24**	.46**	.52**
16. Danger or Injured																-	.19*	.18
17. Pimp Prostitution																	-	.76**
18. Any Exploiter																		-

Table A 24

Summary of Logistic Regression Analysis for Variables Predicting Victim Culpability Status (n=126)

Variables	Partial Model		Full Model	
	B(SE)	Exp(B)	B(SE)	Exp(B)
Factor score: Cooperation	.56(.41)	1.81	1.3(.54)	3.56*
Factor score: Exploiter present	1.6(.37)	4.76***	1.1(.49)	3.03*
Youth's age	-.05(.23)	.95	.02(.30)	1.02
Youth's ethnicity (Hispanic)	-.31(.70)	1.36	-.56(.85)	.57
Youth's prior record	-.81(.57)	.45	-1.2(.75)	.29
Crying or afraid	1.3(1.2)	3.59	1.6(1.3)	4.98
Youth Local Resident	1.2(.59)	3.44*	1.1(.78)	2.96
Reported to law enforcement	-	-	4.2(1.0)	65.59***

	Partial Model	Full Model	Full vs. Partial
Ending Log Likelihood	-43.978422	-29.607387	
Likelihood Ratio Chi Square	81.31*** (df=7)	110.05*** (df=8)	28.74*** (df=1)
R ^{2a}	.50.	.75.	
Nagelkerke Pseudo R ²	.64.	.79.	
Cox & Snell Pseudo R ²	.48.	.58.	

Note. *p<.05. **p<.01. ***p<.001.

Figure A 2
 Length of Time the Juvenile Was Involved in Prostitution Prior to their Encounter with Law Enforcement

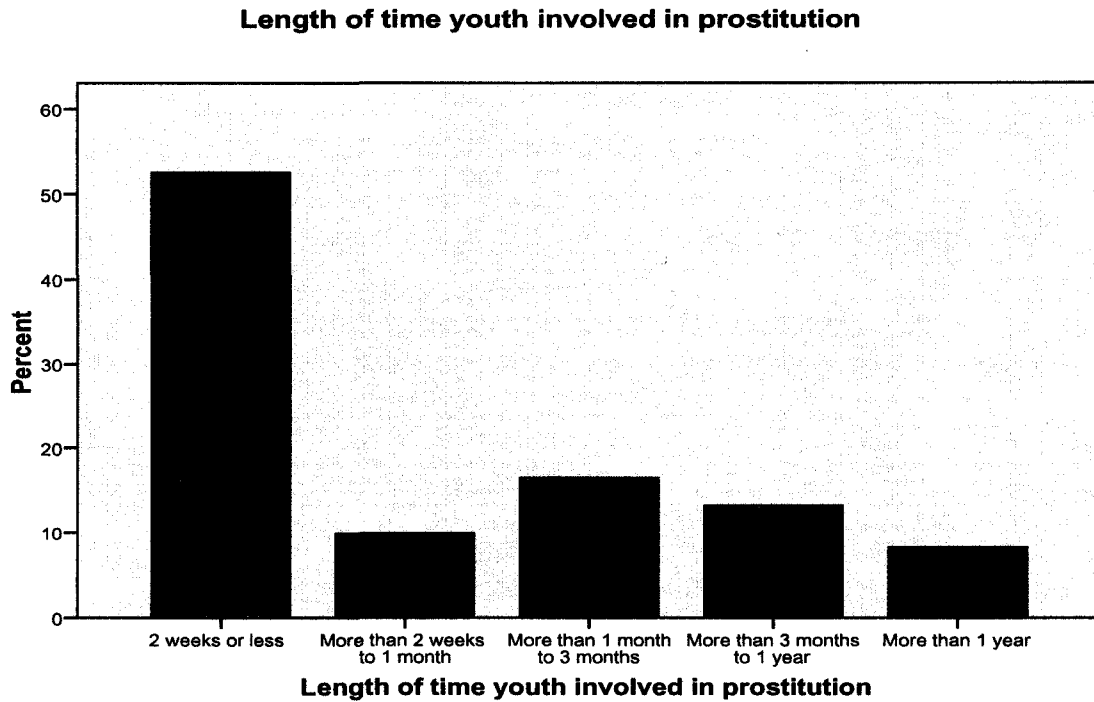


Figure A 3
 The Mean Number of Days the Juvenile was Involved in Prostitution Prior to Current Contact with the Police

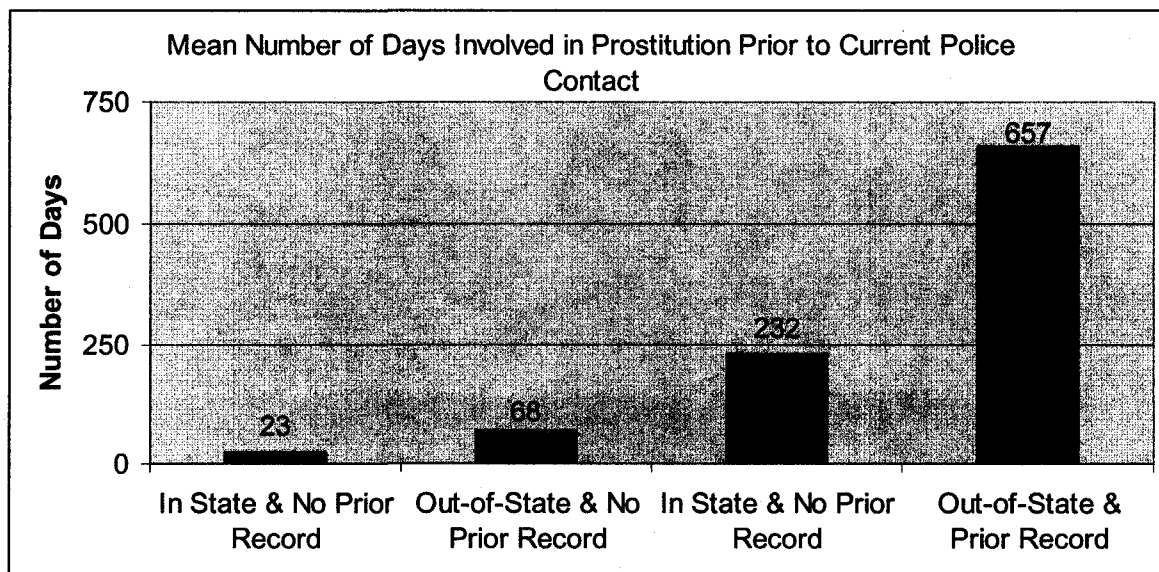


Figure A 4
Law Enforcement's Conceptualization of Juvenile Prostitutes' Culpability Status

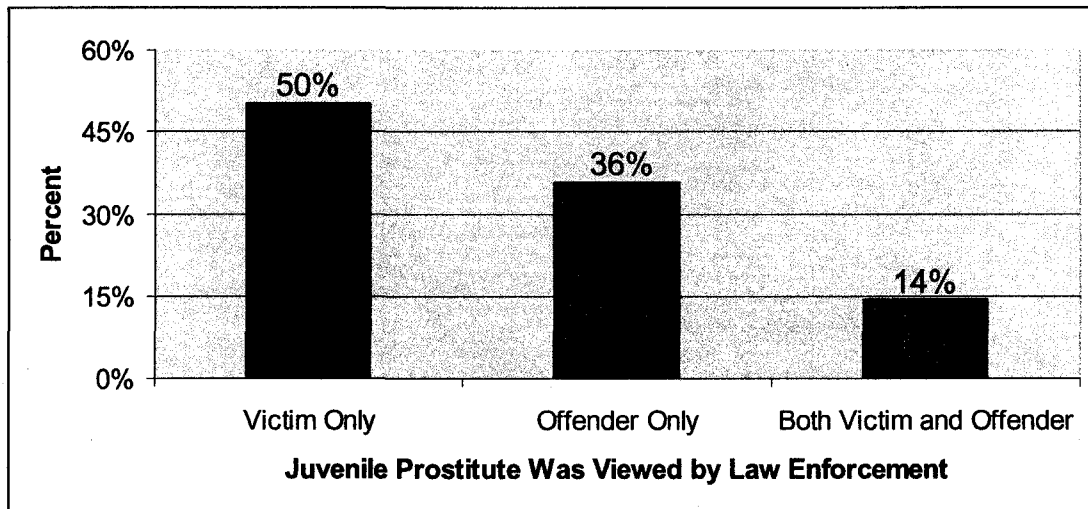


Figure A 5
Recorded Culpability Status of Juvenile Prostitutes Known to Law Enforcement

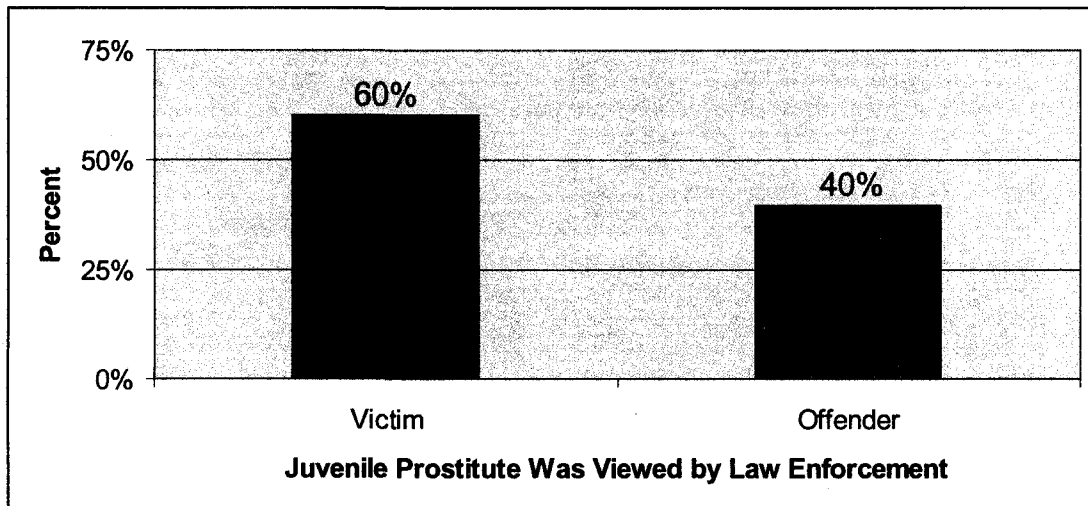


Figure A 6
 Uniform Crime Reports Juvenile Arrest Rates for Prostitution by Gender, 1990-2004

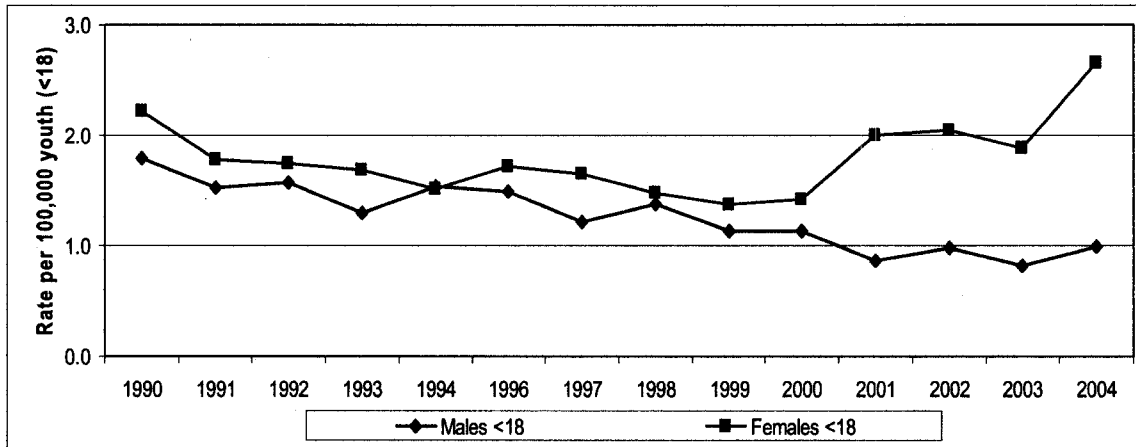
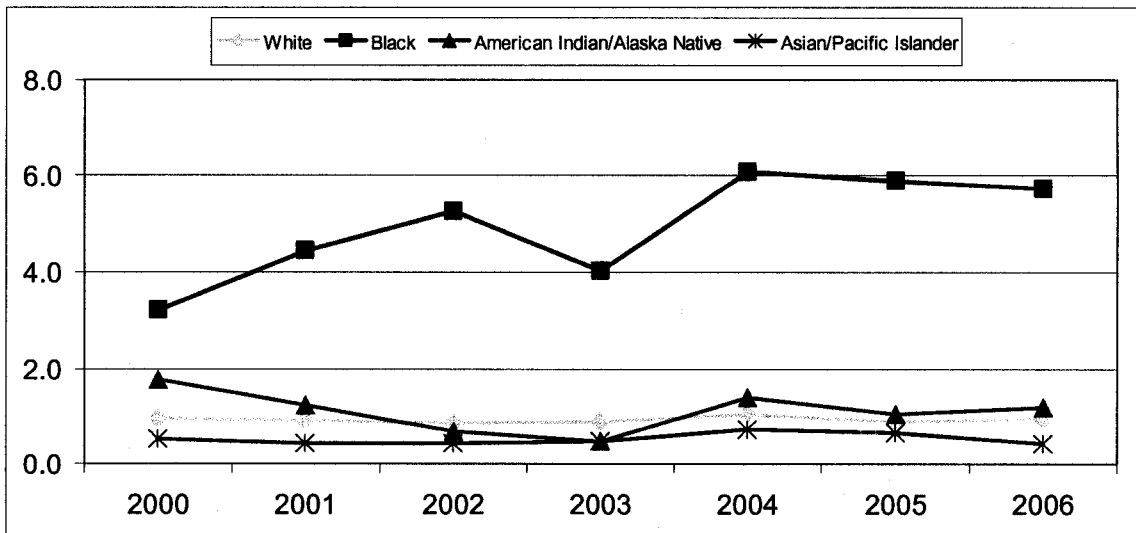


Figure A 7
 Uniform Crime Reports Juvenile Arrest Rates for Prostitution by Race, 2000-2006



APPENDIX B
Data Collection Instrument

1. Law Enforcement Site: _____
2. Reports in file: _____
3. Date incident occurred? (MMDDYYYY):
 Date juvenile was arrested/taken into custody (1st choice) _____
 Date crime was reported to police (2nd choice) _____
4. Time of Day: _____
5. How long had juvenile been engaging in prostitution or victimization been going on? _____

- Not Applicable
 Not ascertainable/No information available in report/Don't Know
 Refused

6. Offense(s) listed in police report (incident or arrest):			
Juvenile	Exploiter 1	Exploiter 2	Exploiter 3
<input type="checkbox"/> No offenses filed <input type="checkbox"/> Not applicable <input type="checkbox"/> No info./DK <input type="checkbox"/> Refused	<input type="checkbox"/> No offenses filed <input type="checkbox"/> Not applicable <input type="checkbox"/> No info./DK <input type="checkbox"/> Refused	<input type="checkbox"/> No offenses filed <input type="checkbox"/> Not applicable <input type="checkbox"/> No info./DK <input type="checkbox"/> Refused	<input type="checkbox"/> No offenses filed <input type="checkbox"/> Not applicable <input type="checkbox"/> No info./DK <input type="checkbox"/> Refused

7. Total number of exploiters (pimp/customer) in incident: None NA DK Refused
8. Total number of juvenile prostitutes in incident: None NA DK Refused

9. Form of prostitution juvenile engaged in: (check all that apply)

- Street prostitute with pimp Organized crime or gang related
 Prostituted by family member or acquaintance Hotel, bar, call-girl prostitution
 Trafficked for purposes of prostitution (International or Domestic)
 Street, homeless or runaway youth (survival sex)
 Business front (massage parlor, escort service, dancers/clubs, brothel)
 Youth living at home (to earn \$\$ for luxuries/excitement)
 Other: _____
 Not Applicable
 Not ascertainable/No information available in report/Don't Know
 Refused

10. Incident involve use of Internet?

- Yes Not Applicable Refused
 No Not ascertainable/No information available in report/Don't Know

11. What was exchanged/intended to be exchanged for sex:

- Money Housing Food Drugs/alcohol Clothes/jewelry
 Other: _____
 Not Applicable Refused
 Not ascertainable/No information available in report/Don't Know

12. Location of incident: (check all that apply)

- Sidewalk/street Town square/park Public restroom
 Public transportation station Rest stop/truck stop Brothel
 Restaurant/Bar/Club Private residence Hotel/motel
 Shopping centers/malls Other: _____
 Not Applicable Refused
 Not ascertainable/No information available in report/Don't Know

13. How did this case originally become known to the police?

- Proactive investigations/undercover operation/sting
 Proactive policing of the internet Internet service provider referral
 Parents/relatives of juvenile Anonymous report
 Mandated reporter Child protection services report
 Name given by another victim/offender Missing child locator service
 Immigration investigations Arrest of customer(s) or pimps
 Arrest of child for prostitution/solicitation Juvenile self-report
 Other: _____
 Not Applicable Refused
 Not ascertainable/No information available in report/Don't Know

Juvenile Characteristics

14. Juvenile's age on date of incident (years): _____

- Not Applicable Refused
 Not ascertainable/No information available in report/Don't Know

15. When did law enforcement come to know that the prostitute was a juvenile?

16. Is the youth's age below the state's legal age of consent?

- Yes Not Applicable Refused
 No Not ascertainable/No information available in report/Don't Know

17. Is the youth's age below the state's legal age of adulthood?

- Yes Not Applicable Refused
 No Not ascertainable/No information available in report/Don't Know

18. Juvenile's sex:

- Female Not applicable Refused

Male Not ascertainable/No information available in report/Don't Know

19. Juvenile's race:

- Black/African American White/Caucasian Asian
 American Indian/AK Native Native Hawaiian/Pacific Islander
 Not applicable Refused Not ascertainable/No information available in report/DK

20. Juvenile's ethnicity: Hispanic/Latino?

- Yes Not Applicable Refused
 No Not ascertainable/No information available in report/Don't Know

21. Juvenile's Residence:

- Local (resident of town incident occurred in)
 State (not from town incident occurred in, but from other locale within state)
 Other State (not from state incident occurred in, from another state)
 Other Country (from another country/not U.S. Citizen)
 Not applicable Refused
 Not ascertainable/No information available in report/ Don't Know

22. Juvenile's Prior Record:

Number of prior police contacts: _____ arrests: _____

List most recent prior police contacts/arrests with juvenile

- | | |
|----------|---|
| 1. _____ | <input type="checkbox"/> contact <input type="checkbox"/> arrest |
| 2. _____ | <input type="checkbox"/> contact <input type="checkbox"/> arrest |
| 3. _____ | <input type="checkbox"/> contact <input type="checkbox"/> arrest |
| 4. _____ | <input type="checkbox"/> contact <input type="checkbox"/> arrest 5. |
| _____ | <input type="checkbox"/> contact <input type="checkbox"/> arrest |

- No prior record Refused
 Not ascertainable/No information available in report/Don't Know

23. Was the juvenile intoxicated (alcohol or drugs)?

- Yes, evidence present in report of juvenile intoxication or police perception of juvenile intoxication.
 No, juvenile was sober, police perceived juvenile to be sober/not on drugs
 Not applicable Refused Not ascertainable/No information available in report/DK

24. Was the juvenile mentally ill (e.g. suicidal, depressed)?

- Yes, juvenile was either known to police to be mental ill or police perceived youth to be mentally ill during encounter (suicidal, depressed, traumatized, irrational, abnormal)
 No, the juvenile was neither known to be mentally ill by police nor did the police perceive the individual to be mentally ill (not suicidal, not depressed, appeared sane, rational, normal, composed)
 Not applicable Refused Not ascertainable/No information available in report/DK

25. What was the juvenile's demeanor during encounter with officer?

- Disrespectful
 - Rude, impolite, insolent, incivility,
 - Demeaning,
 - Sarcastic,
 - Made statements which challenge the officer's authority or legitimacy (denying an officer's accusation questioning officer's judgment, asked officer to leave them alone)
 - Other: _____
- Physically aggressive or other overtly hostile acts
 - Verbally aggressive (raising voice toward officer, arguing with officer or name-calling/cursing at officer)
 - Body language/ hostile posturing (e.g. giving the officer the finger)
 - Oppositional/ "bad attitude", antagonistic
 - Other: _____
- Resistant
 - Avoiding officer
 - Noncompliant (refused to cooperate with officer's requests or answer questions)
 - Uncooperative
 - Other: _____
- Respectful
 - Polite, deferential, civil, reverent
 - Remorseful (apologetic, sorry)
 - Asked for help
 - Made statements which placate the officer's authority or legitimacy (admit to officer's accusation, defer to officer's judgment, asking for officer's help)
 - Asking for leniency (pleading, trying to enlist officer's aid, sympathy)
 - Other: _____
- Responsive
 - Responsive, friendly, polite
 - Used conversational tone of voice
 - Other: _____
- Accommodating
 - Compliant (cooperated with officer's requests or answered questions)
 - Cooperative
 - Other: _____
- Not applicable
- Refused
- Not ascertainable/No information available in report/ Don't Know

26. Did the juvenile become physical aggressive towards officer during encounter with police?

- Yes, physically assaulted officer
(attempted or completed, with or without a weapon)
 No, did not physically assault officer
 Not applicable Refused Not ascertainable/No information available in report/DK

27. Did the juvenile try to flee or elude officer in some way?

- Yes, tried to flee or elude officer
 No, did not flee or elude officer, went willingly with officer
 Not applicable Refused Not ascertainable/No information available in report/DK

28. Did the juvenile physically resist arrest during encounter with police?

- Yes, physically resisted arrest
 No, did not physically resist arrest, went willingly with officer
 Not applicable Refused Not ascertainable/No information available in report/DK

29. Was the juvenile upset/crying or scared/frightened during encounter with police?

- Yes
 No
 Not applicable Refused Not ascertainable/No information available in report/DK

30. During encounter did police find drugs/paraphernalia on...

- | | | | | | |
|--------------|------------------------------|-----------------------------|---|-------------------------------------|----------------------------------|
| juvenile? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |
| exploiter 1? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |
| exploiter 2? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |
| exploiter 3? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |

31. During encounter did police find a weapon on...

- | | | | | | |
|--------------|------------------------------|-----------------------------|---|-------------------------------------|----------------------------------|
| juvenile? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |
| exploiter 1? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |
| exploiter 2? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |
| exploiter 3? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Don't Know | <input type="checkbox"/> Refused |

32. Was the juvenile willing to share information with law enforcement about possible exploiters (customers, pimp/madam)?

- Yes, juvenile shared information with law enforcement about their exploiter(s)
 No, juvenile refused to share information with law enforcement about exploiter(s)
 Not applicable Refused Not ascertainable/No information available in report/DK

33. Law enforcement agency Task Force:

Was this case a result of an effort by a community taskforce directed at the problem of juvenile prostitution, child sexual exploitation (CSE) or commercial sexual exploitation of children (CSEC)?

- Yes, specify: _____
 No

Not Applicable Refused Not ascertainable/No information available in report/DK

34. Collaboration:

Did this case involve any collaboration with other law enforcement agencies?

Yes, specify: _____

No

Not Applicable Refused Not ascertainable/No information available in report/DK

35. Evidence linking Exploiter(s) to the crime:

<u>Exploiter 1:</u>	<u>Exploiter 2:</u>	<u>Exploiter 3:</u>
<input type="checkbox"/> None	<input type="checkbox"/> None	<input type="checkbox"/> None
<input type="checkbox"/> Victim testimony	<input type="checkbox"/> Victim testimony	<input type="checkbox"/> Victim testimony
<input type="checkbox"/> Adult prostitutes' testimony	<input type="checkbox"/> Adult prostitutes' testimony	<input type="checkbox"/> Adult prostitutes' testimony
<input type="checkbox"/> Multiple victims' testimony	<input type="checkbox"/> Multiple victims' testimony	<input type="checkbox"/> Multiple victims' testimony
<input type="checkbox"/> Police witness	<input type="checkbox"/> Police witness	<input type="checkbox"/> Police witness
<input type="checkbox"/> Offender confession	<input type="checkbox"/> Offender confession	<input type="checkbox"/> Offender confession
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Not Applicable	<input type="checkbox"/> Not Applicable	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Refused	<input type="checkbox"/> Refused	<input type="checkbox"/> Refused
<input type="checkbox"/> Don't Know	<input type="checkbox"/> Don't Know	<input type="checkbox"/> Don't Know

36. Evidence linking Juvenile to the crime:

- None
 - Victim testimony
 - Adult prostitutes' testimony
 - Multiple victims' testimony
 - Police witness
 - Offender confession
 - Other: _____
- Not Applicable Refused Not ascertainable/No information available in report/DK

37. In cases where at least one exploiter was involved:

Was the youth willing to prosecute against the alleged exploiter?

Yes

No

Not Applicable Refused Not ascertainable/No information available in report/DK

38. In police record how was juvenile categorized? Victim Offender
Both Victim and Offender NA DK Refused

39. Case Processing Information	YES	NO	NA	DK	refused
a. Located and/or interviewed juvenile engaging in prostitution	YES	NO	NA	DK	Ref.
b. Located and/or interviewed juvenile's family/parents	YES	NO	NA	DK	Ref.
c. Checked national registry of missing persons to see if juvenile is reported missing or if a runaway warrant/order exists	YES	NO	NA	DK	Ref.
d. Planned/targeted undercover investigation/sting to arrest pimp/madam/family member	YES	NO	NA	DK	Ref.
e. Planned/targeted undercover investigation/sting to arrest customer	YES	NO	NA	DK	Ref.
f. Referred case to or collaborated with child welfare/CPS	YES	NO	NA	DK	Ref.
g. Emergency removal of juvenile from place of residence	YES	NO	NA	DK	Ref.
h. Prostituted juvenile was held in custody and then released to parents/family or social service agency (not arrested)	YES	NO	NA	DK	Ref.
i. Juvenile was placed in treatment facility, residential care or foster home (b/c parent's did not want child to return home or b/c home is an unsafe environment)	YES	NO	NA	DK	Ref.
j. Arrested pimp/madam/family member	YES	NO	NA	DK	Ref.
k. Arrested customer	YES	NO	NA	DK	Ref.
l. Referred juvenile to nongovernmental social service agency, such as runaway shelter	YES	NO	NA	DK	Ref.
m. Referred juvenile for a medical exam	YES	NO	NA	DK	Ref.
n. Referred juvenile to victim services	YES	NO	NA	DK	Ref.
o. Referred juvenile's case to a multi-disciplinary agency or a child advocacy center (CAC)	YES	NO	NA	DK	Ref.
p. Referred juvenile to victim compensation	YES	NO	NA	DK	Ref.
q. Pimp's offense was referred to prosecutor for prosecution	YES	NO	NA	DK	Ref.
r. Customer's offense was referred to prosecutor for prosecution	YES	NO	NA	DK	Ref.
s. Planned/targeted undercover investigation/sting to only apprehend prostituted juvenile	YES	NO	NA	DK	Ref.
t. Planned/targeted undercover investigation/sting to only apprehend prostitute (LE did not know prostitute was a <18 prior)					
u. Prostituted juvenile was arrested for prostitution law violation	YES	NO	NA	DK	Ref.
v. Prostituted juvenile was detained after arrest for prostitution law violation (pretrial detention) in juvenile detention facility	YES	NO	NA	DK	Ref.
w. Referral to or interviewed by juvenile probation or parole officer	YES	NO	NA	DK	Ref.
x. Juvenile's offense was referred to prosecutor for prosecution	YES	NO	NA	DK	Ref.

40. If the juvenile's parents were contacted by law enforcement, describe parent's response to officers contacting them: _____

Not Applicable Refused Not ascertainable/No information available in report/DK

Situational Factors of Case

1. Was the juvenile's involvement in prostitution sexually exploitive?

Yes, police perceived juvenile to have been sexually exploited [used in an unjust, cruel or selfish manner for someone else's advantage]

Officer mentioned in report(s):

Juvenile being used for others' (customer, pimp or family member) personal gain (sexual gratification, financial, drugs)

Juvenile was taken advantage of by someone older or in a position of power or authority over juvenile

Juvenile was manipulated, deceived or tricked

Other: _____

No, police did not perceived juvenile's involvement in prostitution as sexually exploitive (e.g. was not taken advantage of)

Not applicable Refused Not ascertainable/No information available in report/DK

2. Was the juvenile under the power or control of another?

Yes, police perceived juvenile to have been under power or control of another

Officer mentioned in report(s):

Juvenile was acting against his/her will

Juvenile was coerced, forced or intimidated into participating in prostitution (frightened/scared, threatened, physically abused/beaten)

Other: _____

No, police perceived juvenile to have been acting on his/her own, under his/her own prerogative and direction

Not applicable Refused Not ascertainable/No information available in report/DK

3. Was the juvenile in imminent danger, injured or hurt?

Yes, police perceived juvenile to be in imminent danger, injured or hurt.

Officer mentioned in report(s):

Police perceived prostitution activities to be harmful to the youth

Youth was engaging in activities that were likely to hurt him/herself or place him/her in situations where he/she is more likely to be victimized or injured

(Physical injury: STDs/AIDS, lifestyle, drugs/alcohol, physical or sexual abuse by pimp/john, death; Emotional injury)

Police recognized youth as being physically injured (bruises, cuts, STD/venereal disease, other visible indications of injury,)

Police expressed concern for youth's safety in their current situation

Other: _____

No, police did not perceived juvenile to be in harms way or at risk for serious injury.

Not applicable Refused Not ascertainable/No information available in report/DK

4. Were there any other factor(s) that contributed to or were responsible for the youth's current situation?

Yes, police perceived some other factor(s) to contribute to or be responsible for youth's current situation.

Officer mentioned the following items in report(s) *as contributor(s) towards youth's current situation*:

- Family/home dysfunction (past abuse, violence, mental illness, drug/alcohol abuse)
- Runaway/Throwaway/Homeless situation has led youth to engage in prostitution for survival
- Unscrupulous adult (family member, pimp, trafficker, customer)
- Other: _____

No, police perceived juvenile to have been largely responsible for his/her own situation.

Not applicable Refused Not ascertainable/No information available in report/DK

Primary Officer Information

Officer's sex:

- Female Not applicable Refused
- Male No information available in report/ Don't Know

Officer's race/ethnicity:

- Black/African American White/Caucasian Asian
- American Indian/AK Native Native Hawaiian/Pacific Islander
- Not applicable Refused
- Not ascertainable/No information available in report/ Don't Know

Officer's ethnicity: Hispanic/Latino?

- Yes Not Applicable Refused
- No Not ascertainable/No information available in report/Don't Know

Number of Years Experience in Law Enforcement: _____

- Not Applicable Refused
- Not ascertainable/No information available in report/Don't Know

Officer's training:

Has the officer had any specialized training relevant to juvenile prostitution cases?

- Yes, specify: _____
- No
- Not Applicable Refused
- Not ascertainable/No information available in report/Don't Know

Unit Placement: _____

Exploiter's Information			
	Exploiter 1	Exploiter 2	Exploiter 3
Relationship to Juvenile (check all that apply)	<input type="checkbox"/> Pimp <input type="checkbox"/> Madam <input type="checkbox"/> Trafficker <input type="checkbox"/> Family Member <input type="checkbox"/> Boy/girlfriend <input type="checkbox"/> Customer <input type="checkbox"/> Other: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	<input type="checkbox"/> Pimp <input type="checkbox"/> Madam <input type="checkbox"/> Trafficker <input type="checkbox"/> Family Member <input type="checkbox"/> Boy/girlfriend <input type="checkbox"/> Customer <input type="checkbox"/> Other: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	<input type="checkbox"/> Pimp <input type="checkbox"/> Madam <input type="checkbox"/> Trafficker <input type="checkbox"/> Family Member <input type="checkbox"/> Boy/girlfriend <input type="checkbox"/> Customer <input type="checkbox"/> Other: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info./DK <input type="checkbox"/> Refused
Sex	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Not applicable <input type="checkbox"/> No info./DK <input type="checkbox"/> Refused	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused
Race	<input type="checkbox"/> Black/African Amer. <input type="checkbox"/> White/Caucasian <input type="checkbox"/> Asian <input type="checkbox"/> Amer. Indian/AK Na. <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	<input type="checkbox"/> Black/African Amer. <input type="checkbox"/> White/Caucasian <input type="checkbox"/> Asian <input type="checkbox"/> Amer. Indian/AK Na. <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	<input type="checkbox"/> Black/African Amer. <input type="checkbox"/> White/Caucasian <input type="checkbox"/> Asian <input type="checkbox"/> Amer. Indian/AK Na. <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused
Ethnicity-Hispanic?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused
Age on Date of Incident	# years: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	# years: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	# years: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused
Prior Arrests	#: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	#: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused	#: <input type="checkbox"/> Not applicable <input type="checkbox"/> No info. /DK <input type="checkbox"/> Refused

APPENDIX C
Institutional Review Board Approval



UNIVERSITY of NEW HAMPSHIRE

February 17, 2006

Stephanie Halter
Sociology, Horton SSC
135 Fairgrounds Road
Plymouth, NH 03264

IRB #: 3624
Study: The Commercial Sexual Exploitation of Children and Youth: An Examination of the Treatment of Juvenile Prostitutes as Victims or Offenders in the Criminal Justice System
Approval Date: 02/15/2006

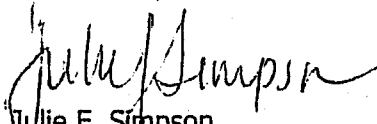
The Institutional Review Board for the Protection of Human Subjects in Research (IRB) has reviewed and approved the protocol for your study as Exempt as described in Title 45, Code of Federal Regulations (CFR), Part 46, Subsection 101(b). Approval is granted to conduct your study as described in your protocol.

Researchers who conduct studies involving human subjects have responsibilities as outlined in the attached document, *Responsibilities of Directors of Research Studies Involving Human Subjects*. (This document is also available at <http://www.unh.edu/osr/compliance/irb.html>.) Please read this document carefully before commencing your work involving human subjects.

Upon completion of your study, please complete the enclosed pink Exempt Study Final Report form and return it to this office along with a report of your findings.

If you have questions or concerns about your study or this approval, please feel free to contact me at 603-862-2003 or Julie.simpson@unh.edu. Please refer to the IRB # above in all correspondence related to this study. The IRB wishes you success with your research.

For the IRB,


Julie F. Simpson
Manager

cc: File
David Finkelhor