

Myths and Realities of Pennsylvania's Safe Harbor Bill S.B. 554

Myth: Current Pennsylvania law adequately addresses the needs of child victims of sex trafficking and commercial sexual exploitation.

Reality: Current Pennsylvania law allows minors who cannot legally consent to sex to be charged with prostitution. This bill recognizes these children as victims, rather than criminals, and more comprehensively addresses the needs of these child victims.

Myth: If law enforcement is unable to arrest victims, they will no longer be able to protect them. Children can go right back to the person who trafficked them.

Reality: Safe Harbor does not eliminate law enforcement's duty to respond and protect child victims of sex trafficking and commercial sexual exploitation, nor does it undermine their ability to do so. Sex trafficking is child abuse, and law enforcement is obligated to report child abuse to the Department of Human Services.

Myth: Safe Harbor would send traffickers the message that exploiting minors in prostitution is not a crime.

Reality: Safe Harbor sends the message that victims of child trafficking are not criminals. The bill makes no changes to Pennsylvania laws that criminalize human trafficking. Pennsylvania also has strong laws that allow prosecutors to effectively go after traffickers.

Myth: Safe Harbor will result in traffickers targeting minors because they know minors will not be prosecuted.

Reality: Minors are already being targeted. Demand drives trafficking, not criminal penalties on victims. Building trust by supporting, rather than criminalizing child victims, makes victims more willing to cooperate with law enforcement in their efforts to prosecute traffickers.

Myth: The only way to ensure victims receive services is by providing services in locked facilities because victims will run from unlocked facilities.

Reality: Victims are most receptive to services when they develop a sense of trust and safety. Detention often elicits the opposite feelings for youth in part because they do not understand why they are treated like criminals if they are victims.

Myth: The Juvenile Justice system offers victims robust services not available through the Department of Human Services.

Reality: The Department of Human Services already provides services to children who are victims of sex crimes. Safe Harbor requires the DHS to develop specialized programs to address the specific needs of child victims of trafficking and sexual exploitation, using fines collected from those convicted of crimes related to sexual exploitation of minors. This bill will provide much-needed funding through fines levied.

Myth: This doesn't happen in my community. This is a problem that should be addressed by local government.

Reality: The exploitation of children for commercial sex occurs across the state. The protection of sexually exploited children requires a robust statewide response so that children can be protected whether they are in urban or rural areas of the Commonwealth.