

2021

## Street-Level Bureaucracy and Perceptions of Juvenile Prostitution

Leshian J. Lockwood  
*Walden University*

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# Walden University

College of Social and Behavioral Sciences

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Leshian Lockwood

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Walden University  
2021

Abstract

Street-Level Bureaucracy and Perceptions of Juvenile Prostitution

by

Leshian Lockwood

MA/MS, East Central University, 2010

BS, Northeastern State University, 2007

Doctoral Study Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Public Health

Walden University

August 2021

## Abstract

Juveniles in the United States continue to be arrested for prostitution even though U.S. Federal law recognizes them as victims of sex trafficking. The purpose of this cross-sectional, quantitative study was to explore what factors law enforcement officers consider when encountering a juvenile involved in prostitution that influences their judgment on whether the juvenile is a victim of sex trafficking or a juvenile delinquent. Each of the 50 U.S. states has laws that address juvenile sex trafficking. The research questions for this study centered around the Trafficking Victim Protection Act (TVPA) and factors that influence officers' use of discretion when encountering a juvenile involved in prostitution. The theoretical framework was Lipsky's street level bureaucracy theory. Participants consisted of 197 full-time and reserve deputies in the Northeast and Southeast regions of a Southern state. A series of regression analyses produced estimates of the relationship between independent and dependent variables. Findings indicated that 70% of participants had received 0 to 3 hours of training in sex trafficking. Thirty percent of participants had 17 plus years of experience in law enforcement. The TVPA was established in 2000, yet only 24% of the participants were familiar with the TVPA. Enacting a new law or policy is only beneficial if those enforcing it are aware of it. The study's findings may implicate positive social change by policymakers, local and state governments making sex trafficking training mandatory for law enforcement officers and creating a cohesive set of policies and procedures throughout the different agencies on addressing juveniles involved or potentially involved in sex trafficking.

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## Dedication

I dedicate this to my family who believed in and supported me.

## Acknowledgments

I want to thank and acknowledge my faculty chair, Dr. Richard Worch, and my committee member Dr. Mark Stallo, for their patience and guidance through this process. I would also like to thank my parents and family for believing in me and putting up with me throughout this journey. A special thanks to Heather Lipe, who has spent numerous hours proofreading papers, listening to me talk about sex trafficking, and for her continuous support and encouragement throughout this process when I felt that I would never finish.

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## Chapter 1: Introduction to the Study

According to the Trafficking Victims Protection Act of 2000 (TVPA), juveniles involved in prostitution in the United States are considered victims of sex trafficking. Juveniles continue to be arrested for prostitution and treated as juvenile delinquents by law enforcement (Hasselbarth, 2013). Juveniles involved in sex trafficking have experienced sexual, physical, emotional, and mental abuse (Dysart, 2014; Jani, 2010; Reid & Jones, 2011). In addition to abuse, they might have endured health problems. If not treated properly, they could cause problems throughout their adult lives (Perdue et al., 2012). This study was focused on law enforcement officers' (street-level bureaucrats) discretion to arrest or seek assistance for the juvenile. I sought to answer why state and local officers may arrest juveniles for prostitution, why the federal government recognizes them as victims of sex trafficking, and what role society has in law enforcement using their discretion on whether a juvenile is a victim or delinquent.

Prostitution in the United States is a crime, with some exceptions in the State of Nevada. One common form of sex trafficking in the United States is through means of prostitution. According to the TVPA, any minor involved in any form of prostitution or commercial vice, is considered under federal law a victim of sex trafficking. In addition to federal laws enacted through the TVPA, each of the 50 states have also enacted their sex trafficking laws. One major obstacle with the enforcement of laws is law enforcement's interpretation of the law. As previously stated, prostitution is a crime. If the officer's understanding is that the juvenile standing on the street corner is committing the crime of prostitution, the juvenile may be charged with a crime when, in reality, the

child is a victim. As noted, children involved in prostitution or commercial vice are, under U.S. Federal law, victims of sex trafficking who have undergone different forms of abuse. Instead of rescuing and providing services to address the abuse, the juvenile could be charged and treated as a delinquent. That label of juvenile delinquent stays with the juvenile in the criminal justice system and in society. A juvenile's poor situation could become worse due to the actions of those mandated to protect and serve community members.

### **Background of the Study**

Both males and females are victims of sex trafficking, but most victims are females (Primrose, 2011). Race is not a determining factor in sex trafficking, though historically, individual races were targeted, such as Native Americans and African Americans, European Americans, and other ethnicities (Johnson, 2012). Sex trafficking is a violation of an individual's human rights. Victims of trafficking are often sexually, emotionally, and physically abused and held against their will. They are at a high risk of contracting sexually transmitted diseases or developing ongoing mental health issues if not properly treated and diagnosed (Twill et al., 2010; Williams, 2015).

In the United States, most victims of sex trafficking are youth. Juveniles who become involved in sex trafficking are between the ages of 11-15, with some introduced at the age of 5 (Kotrla, 2010). The average age of juveniles recruited into sex trafficking is 14 to 15 years (Perdue et al., 2012). The actual number of victims is unknown but is estimated between 100,000 to 300,000 victims in the United States (Johnson, 2012).

Sex trafficking is a violation of an individual's human rights. Victims of trafficking are often sexually, emotionally, and physically abused and held against their will. They are also at a high risk of contracting sexually transmitted diseases or developing ongoing mental health issues if not properly treated and diagnosed (Twill et al., 2010; Williams, 2015). Though juveniles are often forced to commit sexual acts that negatively affect their mental and physical health, they may be arrested by law enforcement for prostitution and tried in court as juvenile delinquents.

The TVPA was first enacted in 2000 and modified in 2003, 2005, 2008, and 2013. The TVPA modification in 2008 was specific in classifying any juvenile involved in any commercial sex act, whether a U.S. citizen or not, as a victim of sex trafficking (Reid & Jones, 2011). However, in 2010, over 800 juveniles were arrested for commercial sex acts, with 91 under 15 (Dysart, 2013). According to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), in 2014, 740 juveniles were arrested for prostitution or commercialized vice crimes.

Research is limited regarding what factors law enforcement officers consider when encountering a juvenile involved in prostitution, whether to arrest the juvenile for a crime or make additional efforts for the juvenile to receive treatment and services for being a victim of sex trafficking. Uncovering what factors influence law enforcement officers to arrest or seek help for juveniles may help establish new policies and procedures, training, community involvement, and awareness, and promote the distinction between offenders and juvenile victims. Benefiting from training in this area could be law enforcement and other criminal justice system members, child protective



services, and the community. Also, the study has the potential to spur future studies conducted throughout additional municipal police departments in other areas and with other members of the criminal justice system throughout the United States. Combating sex trafficking cannot be done by one officer, one department, or one state. It will require the entire criminal justice system to help protect juveniles from becoming victims of sex trafficking and rescuing victimized children.

### **Problem Statement**

Juveniles in the United States continue to be arrested for prostitution even though U.S. Federal law recognizes them as victims of sex trafficking. Discretion is a vital aspect of a police officer's job, and they must use observation and judgment (Lipsky, 2010). Still, many factors influence what course of action the officer may pursue. Eliminating an officer's discretion is not plausible because they work in unpredictable situations involving human behavior (Lipsky, 2010). Regardless, law enforcement officers' discretion when encountering a juvenile involved in prostitution is not consistent, which leads to youth sex trafficking victims being arrested.

Juveniles who do not receive treatment and services for the different forms of abuse that they have encountered are more likely to participate in prostitution as an adult or have substance abuse problems throughout the rest of their life (Perdue et al., 2012). Often juveniles will lie to law enforcement out of fear of their trafficker or pimp or fear of being in trouble with law enforcement. Children in such situations are often not forthcoming with disclosure of events or details. Many victims of sex trafficking also have substance abuse issues. They may fear that talking with law enforcement will cause

them to be in trouble for having an illegal substance in their possession or they may be currently under the influence of an illicit substance. Law enforcement's initial contact with a victim of sex trafficking is crucial for the possibility of rescuing juveniles from continuing to be victimized.

Law enforcement officers are on the front lines of fighting sex trafficking. Law enforcement's use of discretion, of whether the juvenile they encounter is a prostitute or victim, plays a vital role in the juvenile's life outcomes. Current research has identified factors that place juveniles at a higher risk of becoming victims and what policies or laws are adopted by different states are or are not effective in combatting sex trafficking. However, law enforcement officers' opinions regarding their discretion as to arrest or not is an essential piece of information for finding a solution to the problem. In 2010, over 800 juveniles were arrested for commercial sex acts, with 91 under 15 (Dysart, 2013).

Ideally, the legal system would be putting forth every effort to help the juvenile through the healing process and reassure the juvenile that they matter and are worthy (Dysart, 2014; Jani, 2010; Reid & Jones, 2011). Even though the federal government and state and local law enforcement agencies have made attempts at rectifying the problem, juveniles are still falling victim to sex trafficking and being treated as juvenile delinquents instead of victims.

### **Purpose of the Study**

The purpose of this cross-sectional, quantitative study was to determine what factors influence the law enforcement officer's discretion when encountering a juvenile prostitute. Many factors influence an officer's discretion, such as their department,

community, training, belief and experience, and the individual juvenile. In this study I intended to evaluate which factors are viewed as higher or more consistent between participants.

Law enforcement officers and the judicial system rely on discretion and evidence to determine if an individual committed a crime. Prostitution in the United States is a crime, except for specific areas in the State of Nevada. However, under federal law, a minor engaged in prostitution or other commercial sex acts performed is a victim of sex trafficking. Law enforcement officers must often make split decisions in enforcing the law based on their training, knowledge, and experience.

My hope for this study was to gain insight into an officer's knowledge of sex trafficking, experience, education, and personal beliefs leads the officer to determine to arrest a juvenile of a sex commerce crime or seek additional help and services for the juvenile, along with exploring law enforcement's understanding of the TVPA, state laws, their department's policies and procedures, and coalition with other agencies to combat sex trafficking. In this research I also explored what factors influence officers to use their discretion regarding juveniles involved in prostitution or other commercial vices based on previous experience, education, knowledge, and personal beliefs.

This study's independent variable was the officer's discretion regarding whether the juvenile is a victim or a delinquent. The covariant variables for this study consist of the officer's experience, knowledge, belief, education, and attitude presented by the juvenile. Covariant variables will vary from officer to officer and the different ways in

which they encounter other juveniles. The dependent variable for this study will be the juvenile's fate as to whether he/she is considered a victim or a delinquent.

### **Research Questions and Hypotheses**

The independent variable was the officer's area and the officers' direct and indirect contact with juveniles involved in prostitution. The dependent variable was the factors that the officers rely upon to decide whether to arrest. The study's research questions pertain to Oklahoma law enforcement officers' knowledge of the TVPA, what training they receive, and how training, knowledge, and their view of juveniles influence their use of discretion.

RQ: How do street-level bureaucrats (law enforcement officers) utilize their knowledge of the TVPA in Oklahoma?

SQ1: What training do law enforcement officers in Oklahoma receive regarding TVPA?

SQ2: How does experience factor into street-level bureaucrats' use of discretion?

SQ3: How do street-level bureaucrats view juveniles involved in prostitution or other commercial vice acts?

- $H_0$ : There is no significant difference of street level bureaucrats use of discretion based on knowledge and experience with a juvenile prostitute.

$H_a$ : There is a significant difference of street level bureaucrats use of discretion based on knowledge and experience with a juvenile prostitute.

Family history is a key factor in why juveniles may be at a higher risk of being victimized by sex trafficking, as well as their reaction to law enforcement and how they can bond with their pimp or trafficker. Juveniles need to feel that they are needed and loved and that they have a purpose and value. Like police officers, juveniles must deal with their decisions and cope with the implications (Lipsky, 2010, p9).

This study's independent variable was the officer's discretion regarding whether the juvenile is a victim or a delinquent. The covariant variables for this study were the officer's experience, knowledge, belief, education, and attitude of the juvenile. Covariant variables vary from officer to officer as do the different involvement with different juveniles. The dependent variable for this study was the juvenile's fate as to whether he/she is considered a victim or a delinquent.

### **Theoretical Framework**

This study's theoretical framework was Lipsky's street-level bureaucracy theory developed in 1980. Lipsky (2010) defined street-level bureaucrats as "public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work" (p. 3). Additionally, a defining part of their work environment involves people's reactions to their decisions and the subsequent implications (Lipsky, 2010). Law enforcement officers' use of discretion affects not only the individual but also their family members, friends, and the community. How an individual is judged or labeled by an officer has a spiral effect regarding how others view that individual or how they view themselves, referred to as self-evaluation (Lipsky, 2010, p. 9). Lipsky also suggested that street-level bureaucrats (law enforcement

officers) deal with (a) inadequate resources, (b) increased demand for assistance, (c) vague goals or expectations from agencies, (d) difficulty in measuring goals, and (e) nonvoluntary clients.

Street-level bureaucracy theory aligned with the problem statement and the purpose of this study. Often, law enforcement officers are the first to contact a juvenile involved in prostitution and, based on their discretion, to determine the juvenile's fate. Many factors are considered, such as the elements of a crime, the juvenile's attitude, previous encounters, knowledge of the law, training, department, and community expectations. Working in law enforcement is not a “textbook” occupation. Once the officer arrives on the scene and makes contact with the possible offender/victim, they assess the scene.

### **Nature of the Study**

This study was a quantitative, cross-sectional survey study focused on discovering the factors influencing police officers in Oklahoma to arrest when encountering a juvenile prostitute. The survey pertained to individual officers and the factors determining how they decide on what action to take based on each case concerning a juvenile involved in prostitution. Often, juveniles involved in prostitution are prone to commit other crimes such as being under the influence, curfew violation, and so forth. Understanding the factors that influence a police officer's discretion to arrest or not arrest is valuable to help policymakers understand the obstacles and challenges that law enforcement officers encounter. Understanding this will allow policymakers to adjust to current laws and possibly to establish new laws. The findings from this study may help law enforcement

officers combat sex trafficking and also help juvenile victims to recovery and a productive life. Under the TVPA, juveniles with a pimp or someone who provides transportation, housing, food, and so forth for the juvenile are considered a victim of sex trafficking and not a juvenile delinquent. A large part of law enforcement's job is based on discretion, which stems from training, knowledge, experience, and personal beliefs (Lipsky, 2010). Under federal law, the issue of whether a juvenile is a victim or a delinquent does not leave room for officer's discretion; however, the U.S. Federal government does not enforce the law. This can result in juveniles arrested for prostitution or commercial vice acts.

This study's independent variable consisted of the officers' discretion regarding whether the juvenile is a victim or a delinquent. The covariant variables for this study consisted of the officers' experience, knowledge, belief, education, and the juvenile's attitude. The dependent variable was whether juveniles were considered a victim or a delinquent.

Data were collected using SurveyMonkey. Likert-scale, fill-in-the-blank questions, and multiple-choice questions made up the survey questionnaire. This study's sample population was deputy sheriffs in Northeast and Southeastern Oklahoma, which consisted of 31 counties. These law enforcement officers had access to log on and complete the survey. The survey was presumed to be available online for 1 month; however, it was open for a more extended period due to meeting the desired number of surveys. After receiving 197 complete surveys, data were collected and analyzed. Once

data were analyzed and verified to be valid, I answered the research questions and confirmed or denied the hypotheses.

Under the TVPA, juveniles with a pimp or someone who provides transportation, housing, and food are considered a victim of sex trafficking and not a juvenile delinquent. A large part of law enforcement's job is based on their discretion, which stems from training, knowledge, experience, and own personal beliefs, and enacting their policies due to their actions (Lipsky, 2010). Under federal law, there is no room for officers' discretion because juveniles are considered victims of sex trafficking. The U.S. Federal government does not enforce the law, however, resulting in juveniles being arrested for prostitution or commercial vice acts.

### **Definitions of Terms**

*Boyfriend:* Someone providing juvenile victims with gifts, making them feel loved or needed, or providing them with the basic needs to survive.

*Child/ minor/juvenile:* Any person under the age of 18 who has not been emancipated.

*Commercial sex act:* "Any sex act in which anything of value is given to or received by any person" (TVPA).

*Commercial sexual exploitation of children:* "A severe form of child maltreatment defined as any sexual act performed by a minor (under the age of 18 in most states) for an adult in exchange for anything of value (Bounds et al., 2015, p. 17).



*Domestic minor sex trafficking (D.M.S.T.):* Term used to describe juveniles involved in sex tracking like commercial sexual exploitation of children (Bounds et al., 2015; Kotrla, 2013; Perin, 2012).

*Emancipated:* A juvenile who the court recognizes as individual, such as an adult. The juvenile is not obligated to follow their parent's or guardian's rules, and the parents or guardian is no longer responsible for the juvenile.

*John, customer, or client:* An individual who purchases a male or female juvenile for sexual purposes.

*Juvenile prostitution:* A form of sex trafficking involving a minor.

*Modern-day slavery:* The Black slave trade in the 1800s was abolished in the United States by the 13th Amendment to the U.S. Constitution in 1865 (Jani, 2010).

*Pimp:* A person who has control over prostitutes and solicits for them.

*Prostitution:* A crime in which females or males commit sexual acts for money.

*Sex trafficking:* "The recruitment, harboring, transportation, provision, or obtaining of a person for a commercial sex act" (TVPA).

*Street-level bureaucrats:* Police officers regulated by policy and statutes (Lipsky, 2010, p. 15).

*Throwaway juveniles:* Juveniles who are homeless or who have run away from home.

*Trafficking Victims Protection Act of 2000:* "To combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their

victims" (TVPA). All minors under the age of 18 involved in commercial sex act are victims of sex trafficking (Reid & Jones, 2011).

*Trauma bond:* A bond between a juvenile and sex trafficker in which the juvenile sees the trafficker as their boyfriend/girlfriend to whom they must be loyal and always return. Also referred to as a form of Stockholm Syndrome (Clawson & Grace, 2007).

### **Assumptions**

The first assumption of this study was that all law enforcement officers who participate in this study would have been made aware of the TVPA and Oklahoma laws regarding juveniles involved in prostitution or other commercial sex act. Law enforcement officers in Oklahoma must obtain a minimum number of continuing education hours yearly. New laws and policies are also provided to law enforcement officers to ensure they are current with the new laws, standards, and policies. The second assumption was that law enforcement officers would be honest in disclosing their attitudes, beliefs, and factors that help influence their decision to address juveniles involved in prostitution. Law enforcement officers are expected to tell the truth and state the facts. The third assumption was that all law enforcement officers would have encountered a juvenile involved in prostitution or other commercial sex act, either by directly working the case or their department working the case. Not every case of sex trafficking is reported or identified, but it does occur throughout the United States. Some agencies may never work a case regarding sex trafficking, but possibly another department the next town over has. The fourth assumption was that law enforcement officers understand the seriousness of and need to end juvenile sex trafficking. The last

assumption was that law enforcement officers realize the physical, emotional, sexual, and mental abuse that juvenile sex trafficking victims endure. Law enforcement officers take an oath to serve and protect, which is for every individual, whether a juvenile or an adult. Law enforcement officers are expected to uphold the law and hold those accountable who violate the law.

### **Scope, Limitations, and Delimitations**

This study's scope was the factors that influence law enforcement officers' decision as to whether a juvenile involved in prostitution is a delinquent or a victim of sex trafficking. Survey participants were limited to deputy sheriffs, sheriffs, and reserve deputies currently employed in southeastern and northeastern Oklahoma. Many regions in Oklahoma are considered rural areas with some metropolitan cities. The study included rural areas and metropolitan areas in the findings by selecting these regions of Oklahoma. Law enforcement officers not currently employed at a sheriff's department within the 31 selected counties in Oklahoma were omitted.

Data collected pertained to law enforcement beliefs, attitudes, perceptions, moral values, and experience in dealing with juveniles involved in prostitution or other commercial sex acts. Data were acquired using a Likert-scale survey to determine the appropriate level of officers' responses. A brief passage detailed a situation in which a juvenile is involved in prostitution and other elements of crime. Given the juvenile's attitude and cooperation with law enforcement, officers responded to survey questions based on the knowledge, training, morals, and beliefs about how they would handle the situation and their feelings regarding the outcome for the juvenile. Participants were also

required to identify their department's size, such as rural or under 30 officers, a midsized city or 31–99 officers, and a metropolitan city of 99 officers or more. Interpretive schemes included previous knowledge of the TVPA, state laws, and departments with policies and procedures. Officers who have had direct contact with juveniles involved in sex trafficking and the outcome were asked whether the juvenile was treated as a victim or delinquent.

A crucial delimitation was the sampling size of participants that was narrowed to reflect only certain areas throughout Oklahoma, resulting in data that may not apply to the entire state. Another delimitation was that sex trafficking could not be relevant in the selected areas or that officers are unaware that there is an issue. The agency name was not given.

The results of this study should not be used to generalize the fundamental beliefs of municipal law enforcement officers in Oklahoma or throughout the United States. The study findings show how some individual officers rely on their personal beliefs, morals, values, education, and experiences to view juveniles. Generalizations regarding officers' geographic location will not be used to summarize all officers' perceptions but to offer insight into law enforcement response to juveniles involved in prostitution. I assumed that that all municipal police officers who participate in this study would have some knowledge of the TVPA and their state laws and department policies regarding sex trafficking. I also assumed that participants would have directly or indirectly been involved with or have come into contact with a juvenile who was actively engaged in

prostitution or was at a high risk of becoming active in prostitution or other commercial sex acts.

### **Limitations**

One major limitation of the study was that law enforcement officers may not have been willing to participate for fear that the study was designed to make their profession look bad. That was not the case. My intent for this study was to offer a new direction to assist in combating sex trafficking. Another limitation was that officers may not take the study seriously due to their beliefs, pressure from other officers, or their interactions with victims of sex trafficking. The third limitation was that the research was limited to only currently employed deputy sheriffs and reserve deputies in the selected 31 counties.

The fourth limitation pertained to the geographic locations of Sheriff Departments in Oklahoma due to the majority of Oklahoma being rural. The fifth limitation pertained to the possibility that not all Sheriff Departments in Oklahoma have directly investigated a juvenile sex trafficking case. The sixth limitation pertained to my own bias of working in law enforcement as a municipal police officer and a deputy sheriff and currently being a juvenile probation officer. In considering my profession and potential biases, participants were assigned a number as responses to surveys were received. The department that the participant worked for was not provided. Surveys were administered through SurveyMonkey, with information regarding the study being sent to sheriff departments throughout Oklahoma. To ensure that law enforcement officers that I currently work with or know would not feel obligated to respond to the survey or think that they will be judged and will answer the question honestly and truthfully.

Due to the study being limited to only sheriff deputies in certain regions in Oklahoma, it does not reflect an accurate opinion for all law enforcement officers in Oklahoma or the United States. If a similar study were to include all law enforcement officers, it would have the potential to produce a reliable and valid conclusion of law enforcement officers' perceptions of juveniles involved in sex commerce.

### **Significance of the Study**

Understanding the factors that influence a police officer's discretion to arrest can help policymakers understand the challenges law enforcement officers encounter and adjust current laws or establish new laws, Which may help law enforcement officers combat sex trafficking and at the same time help juvenile victims to recovery and productive lives.

The positive social change from this study pertains to juveniles involved in prostitution or other commercial sex acts being recognized as victims and not labeled by law enforcement and society as delinquent. Helping to explain the factors that influence law enforcement officers to arrest or seek help for juveniles involved in sex commerce may help establish new policies and procedures, training, community involvement, awareness, and promote the distinction between offenders and juvenile victims.

Sex trafficking is a crime that is hidden. Law enforcement officers cannot be everywhere, and the nature of the crime is that it is generally done behind closed doors. However, law enforcement is aware of the problem, and community members working with law enforcement create more eyes and ears that can be present throughout the city to combat sex trafficking. Allowing police officers and juveniles to create a partnership,

along with a juvenile's parents and other community members, could help law enforcement intervene to prevent future victims of sex trafficking. Sex trafficking is a crime that requires all members of society to join forces to combat it. Changing law enforcement and society's view of troubled children from bad homes is one way to break the cycle and help that child live their own life without labels being applied and without being looked down on.

Many in society are quick to judge individuals who do not appear to be the norm. Prostitution and other commercial sex acts are widely disparaged, but when a juvenile is committing the acts, the juvenile should not be labeled; instead, they need rescuing from the situation. Gaining insight from law enforcement officers regarding juveniles is the first step in changing the juveniles' labels. How society views juveniles involved in sex commerce must also change. If nongovernmental organizations establish a working relationship with law enforcement and other state agencies, attitudes and practices may change, and juveniles trapped in sex trafficking may be treated not as delinquent, but as victims of a crime.

### **Summary**

Throughout the United States, juveniles continue to become victims of sex trafficking through prostitution and other commercial sex acts. Instead of rescuing juveniles from this situation, they are sometimes arrested and prosecuted for a crime. Law enforcement does not make the final decision on what the juvenile's fate will be when charged with a crime. However, officers have the power and ability to prevent juveniles from being charged with a crime due to their discretion. The federal

government and state and local governments are working towards ending sex trafficking and protecting those involved. However, juveniles are still being charged as delinquent. Sex trafficking is a horrendous crime where victims endure sexual, physical, emotional, and mental abuse. In addition to the potential to contract a disease, female victims can become pregnant or possibly never choose or be able to have a baby at another time due to all the abuse. The 13th Amendment to the U.S. Constitution abolished slavery. However, juveniles who are trafficked are being stripped of their rights; it is de facto slavery.

Chapter 2 consists of a literature review from peer-reviewed journals, nongovernmental reports, and governmental reports. Most of the literature was published within the last 5 years. In Chapter 3 I discuss the methodology, in Chapter 4, the data collection for the study, and in Chapter 5, the study's findings.



## Chapter 2

### **Introduction**

Juveniles in the United States continue to be arrested for prostitution even though US Federal law recognizes them as victims of sex trafficking. This cross-sectional, quantitative study explored factors law enforcement officers consider when encountering a juvenile involved in prostitution, whether the juvenile is a victim of sex trafficking or a juvenile delinquent. Sex trafficking, also referred to as modern day slavery, domestic minor sex trafficking, CSTV, and commercial sexual exploitation of children, is not new, but it was once believed to only occur in Third World countries, not in the United States. However, this was not the case. Sex trafficking occurs daily throughout the United States. Those who fall victim to this crime are predominantly today's youth. Sex trafficking encompasses primary forms of victimization, such as prostitution or commercial sex, strip clubs, pornography, massage parlors, escort services, and so forth. The United States has taken a stance against sex trafficking and other forms of trafficking by joining with international forces to combat it and enacting the TVPA of 2000. The TVPA of 2000 and the reauthorizations in 2003, 2005, and 2008 "classify all minors involved in commercial sex acts as victims of trafficking, including minors who are U.S. citizens or lawful permanent residents (as cited by Reid & Jones, 2011, p. 209). Yet juveniles continue to be arrested for the crime of prostitution or other related infractions. Although the United States has made many attempts to end sex trafficking, it continues to happen, and more and more youth become victimized. Law enforcement officers are generally the first to

encounter sex trafficking by responding to a call or witnessing illegal or suspicious activity.

The purpose of this study was to inquire what attributes affect the officer's discretion, such as biases, morals, beliefs, and interpretations, that influence their judgments and decisions as to whether the juvenile they have encountered is a delinquent or a victim of sex trafficking. By gaining further insight into what factors affect law enforcement officers' decision-making and tolerance of juveniles and how training and education guide how they interpret the laws, specifically in correlation to sex trafficking in the form of prostitution.

In 2000, the United Nations enacted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (McDonald, 2014, p. 126). It led to the United States taking the lead role out of 117 countries and 150 parties that have joined forces (United Nations UNODC/IPO, 2012, as cited by McDonald, 2014). Following the TVPA and joint international forces, each of the 50 states in the United States currently has antitrafficking laws in addition to the federal trafficking laws. Nonetheless, in 2010, over 800 juveniles were arrested for a commercial sex act, with 91 of the juveniles arrested under 15 years old (Dysart, 2013 p. 632).

Different factors increase a juvenile's potential to become a victim of sex trafficking: juveniles who have run away from home, are homeless, have been removed from their parents by the state and placed into state custody, have substance abuse issues, are in abusive family dynamics, and so forth. Juveniles in these types of situations already have labels applied to them by the judicial system and society as a whole. Such

biased preconception can combine with the juvenile's need to survive by any means to lure them into an unfortunate situations from which they cannot find a way out. Arrest and criminal charges add to the stigma, creating more obstacles to freedom and recovery.

In Chapter 2 I discuss the background of sex trafficking. There are certain risk factors for juveniles that research has shown to increase their odds of becoming victims of sex trafficking. One primary form of sex trafficking that involves juvenile victims is prostitution and related commercial vices. This chapter will also provide information regarding federal and state laws and policies for juveniles involved in prostitution and the role of law enforcement, social workers, prosecutors, and judges in deciding the juvenile's fate.

In this chapter I also discuss the different types of abuse that juveniles endure while being victims of sex trafficking, the potential for further abuse by the judicial system, and the lasting trauma and health risks that juveniles suffer during and after their victimization. The United States and international community have taken a stance to combat sex trafficking, yet it continues to prosper worldwide. Sex trafficking is often a hidden crime due to its nature and because the victims are not generally forthcoming for reasons shame, fear, and so forth. In this chapter look at the factors that law enforcement and the judicial system consider upon coming into contact with a juvenile involved in prostitution and how a case develops into criminal delinquent prosecution.

## Literature Review

### Literature Search Strategy

I conducted the literature search by utilizing several databases and selected keywords to locate valuable and current works related to juvenile sex trafficking, mainly at the domestic level. Databases utilized consisted of ProQuest, Sage Publications, Research studies, EBSCO, Academic Search Premier, Lexis Nexis, Google Scholar, and PsycINFO to locate peer-reviewed journal articles, laws and news reports and briefings, reports to Congress, and nonprofit organizations' reports. The date range for the search of databases was limited to 2012 to 2020. I accessed databases at Walden Library Resources for specific fields of study including criminal justice, social work, psychology, and policy, administration, and security. I also searched dissertations through the Walden Library Resources, using the same search terms but with no date range. Key search phrases were: *juvenile prostitution, juvenile sex trafficking, domestic minor sex trafficking, commercial sexual exploitation of children, sex trafficking, prostitution, and child prostitution*. I used Boolean identifiers in different combinations, consisting of *law enforcement, police, police officers, trafficking, sex trafficking, juvenile, minor, and child*.

While the date range for peer-reviewed journals was 2010 to 2020 to identify the most current information, I also located works are from previous years outside the original search parameters to establish a foundation for more research. I adhered to the same criteria and parameters for seminal literature as for peer-reviewed journals, except for some outside the established timeframe. I also conducted searches for works by

particular authors and for authors cited in articles identified for the current literature review.

### **Theoretical Foundation: Street-Level Bureaucracy Theory**

I utilized Lipsky's (2010) SLBT as the theoretical foundation for this study. Lipsky defined street-level bureaucrats as "public service workers who interact directly with citizens in the course of their job, and who have substantial discretion in the execution of their work" (p.3). Public service workers consist of law enforcement officers, teachers, judges, public lawyers, and so forth. (Lipsky, 2010, p. 3). Lipsky identified two political controversies with street-level bureaucrats. The first controversy pertained to public employees' scope and function and the impact that public employees have on other individuals' lives (p. 4). Those responsible for enforcing policies or laws are those individuals working on the frontline. They are the individuals that the public holds accountable, and they may be the target of disregard, hate, or praise. Frontline workers often must make split-second decisions that may greatly impact an individual's life, and sometimes those decisions may feel personal (Lipsky 2010, p. 8). When labels are applied to an individual, such as a delinquent or a criminal, that individual often tends to assume that role (Lipsky, 2010, p. 9).

Lipsky (2010) refers to those working on the frontlines, seeing themselves working under great strain, sacrifice, and doing what no one else wants to do, with little support or appreciation (p.82). Resulting in workers establishing routines and simplifications, which Lipsky (2010) refers to as making policy (p.84). Lipsky (2010) stresses the importance of routines for those who hold the public's trust and control their

welfare and consider the individuals' liberty (p.85). Having routines and simplifications also allows for bias, as those enforcing the routines and simplifications have a bias on the receiving end (p.85).

A study by Baviskar and Winter (2017) utilized the Street-Level Bureaucrats Theory to expand how street-level bureaucrats cope and their attitude towards target groups, their job, and their department's view. Buvik (2016) conducted a study on police officer discretion that works the night shift on weekends that deal mainly with drunk and disorderly patrons. As to how and why they use their discretion. Buvik offers three variables that affect an officer's discretion that pertains to the situational, system, and offender variables (2016). Murphy & Skillen (n.d.) conducted a study to determine the impact of accountability through audit and inspection of public-sector workers and their implementation on them working with the public. Ishoy & Dabney (2017) conducted a study focused on law enforcement officers' everyday decision-making. Participants for the study pertain to street-level officers and the focal concerns of how they make a decision. The study indicated two ways that officers view blameworthiness in everyone responsible for their actions and the seriousness of the offense committed (p.883).

Street-Level Bureaucracy Theory aligns with the current study regarding the officer's perceptions of juveniles involved in prostitution. Due to the nature of the job, an officer often makes split decisions based on the evidence before them and their knowledge of laws. The conclusion that the officer makes has a significant impact on the individual's life. Even though the individual will have their day in court, the officer's decision is enforced, often resulting in the individual becoming irritable and taking it out

on the officer. Over time, how individuals respond to officers and their decision-making will impact how they will handle a similar future situation.

The research questions align with the Street-Level Bureaucracy Theory as law enforcement officers are those in charge of another's fate at the current moment. Understanding what law enforcement officers consider in making an arrest could make mandatory laws in all 50 states enforce the same way.

Police Officers, just like societies in general, have a set of norms that everyone is expected to adhere to. Applying the Street-Level Bureaucracy Theory, officers on the front line use their discretion in setting standards in their judicial area. Each judicial site has different standards, policies/procedures, and interpretations of the laws. What may seem like an arrestable offense in one place is that an officer in the next district does not even contact the individual.

The current research focuses on sex trafficking, which generally involves minor female victims, who society should protect, which brought forth the U.S. Federal government and state government enacting laws to protect victims of sex crimes. Besides specific trafficking laws, individual states have also enacted laws limiting when a minor legally consent to sexual interactions. Although society, the federal government, and the state government have tried to protect minors and set limitations on them, those same limitations and protections are being used against the minors to protect.

Juveniles involved in prostitution in the United States are being arrested, charged, and treated like juvenile delinquents. Prostitution is illegal in the U.S.; however, U.S. Federal law recognizes juveniles under the 18 that are involved in prostitution or other

commercial vice acts are a victim of sex trafficking, not a juvenile delinquent. Frontline workers that Lipsky (2010) refers to in SLBT witness first-hand resistance to their presence. SLBT correlates why officers make split decisions based on the scene and how experience plays a vital role in the action. In return, the individual's previous experience with law enforcement also plays a role in their reaction to the police. Certain risk factors increase the juvenile's odds of becoming a victim, such as poverty, peers, neighborhood, homeless, run-aways, no parental support or supervision, etc., which also becomes a factor in the officer's use of discretion. However, juveniles who are victims of sex trafficking commit other criminal acts, either as a way to survive or because they are forced to out of fear, obligation, etc. Unless communicated with the officer, they will not know the juvenile's whole situation regarding why they committed the crimes. Juveniles have to decide when they encounter law enforcement about whether to be forthcoming with the truth or face the consequences if they do not.

### **Human Trafficking**

Human trafficking is modern-day slavery. Human trafficking encompasses sex trafficking and labor trafficking. The 13th Amendment to the U.S. Constitution was ratified in 1865, which abolished slavery and involuntary servitude throughout the U.S. However, this continues to be an issue in the 21st century, where individuals are stripped of their human rights (Farrell, Owens & McDevitt, 2014, p.140). Throughout the last two decades, human trafficking (sex trafficking) has gained the nation's attention, particularly in the United States. "The U.S. is among a handful of developed nations that take an aggressive stand against prostitution and related activities, including pimping, pandering,



and operating brothels, which are considered a hotbed for sex trafficking" (Zhang, 2011, p. 511). Human trafficking was believed to only occur in 3rd world countries. However, in 2000 the United States noticed that it was happening throughout the world, resulting in the Trafficking Victim Protection Act (TVPA) (Kujawa, 2013, p.106-107). Human trafficking is estimated to profit \$31.6 billion per year, ranking it 3rd in organized crime (Elrod, 2015, p.962). Victims of human trafficking typically consist of women and children. The United States alone has spent "hundreds of millions of dollars in various domestic and international programs at combating the problem" (Zhang, 2011, p. 511). Based on a report completed in 2001 by the University of Pennsylvania, "293,000 American youth are at risk of becoming victims of commercial sexual exploitation" (Johnson, 2012 p. 618).

One common form of sex trafficking in the United States is prostitution. Victims undergo numerous forms of abuse, consisting of sexual abuse, physical and mental abuse, and the possibility of contracting sexually transmitted diseases, etc. (Williams, 2015p.298). High-profile sex trafficking cases caught the public's attention in the late 1990s, such as the Cadena-Sosa and Paoletti-Lemus cases (Gozdziak, 2020). In 2019, Jeffery Epstein was arrested for sex trafficking in 2006 and again in 2019 (Gajanan, 2019). Although the exact number of sex trafficking victims in the U.S. or the world is unknown, it is estimated that there are currently 100,000 to 300,000 victims in the United States alone (Johnson, 2012, p. 619; Holloway et al., 2020). The National Human Trafficking Hotline reported 5,500 cases in 2015 and over 8,500 in 2017 (Holloway et al., 2020). Whereas, in 2018, The National Human Trafficking Hotline reports that there

were 7,859 specific sex trafficking cases referred to the hotline, along with 639 cases involving sex and labor trafficking, and another 1,202 cases not specified, and 14,749 victims of sex trafficking were identified (Polaris Project, 2019). According to Oakes (2014), sex trafficking in the United States produces about \$3 billion per year. Sex trafficking statistics are based on estimates, such as annually, there are 14,500 to 17,500 victims, yet only 611 victims were found in four years (Weitzer, 2010, p.66). Oakes (2014) indicates that sex trafficking continues to exist because individuals do not realize it is a problem. Those prosecuted for trafficking do not receive much of a punishment. Buyers or johns are classified into three categories consisting of situational (purchase sex because it is available), preferential (pedophiles), and opportunistic (are not concerned with age, just the sex) (Jordan et al., 2013, p.362). Roots (2013) indicates that sex trafficking consists of threats, force, coercion, or fraud. Generally speaking, when an individual is involved in prostitution, they have a pimp or a trafficker. Traffickers use many tactics to obtain and control their victims, whether through force, physical abuse, fraud, coercion, false promise, a threat to victim's family members, etc. (Potocky, 2010, p.373).

### **Sex Trafficking**

Sex trafficking is not new, yet something that has gained attention in the last decade or so has been a significant problem throughout the United States (Kujawa, 2013, p.110). Sex trafficking dates back to 1902, with the enacted doctrine known as the International Agreement for the White Slave Traffic Suppression, followed by the Mann Act in 1910 (p.884). The Mann Act protected females from being prostituted, especially

across state lines, and deter females from promiscuous (Primrose, 2011, p.303).

Prostitution is not new, and generally, females are the prominent individuals. Prostitutes use to stand on different street corners. Nowadays, they can be waiting in a hotel room or another location, and the johns can seek them through means of the Internet, such as through Craigslist, Backpage.com, Eros.com, etc. (Primrose, 2011, p.307-308). Juveniles being arrested and punished for the crime of prostitution has occurred since as early as 1904 (Conner, 2016, p.45). According to Conner, juveniles placed in a detention center in the early 1900s for the crime of prostitution were examined for their impurity and then tortured and placed in solitary confinement to deter them from complying with the accepted femininity (Conner, 2016, p.46).

### **Prostitution**

Nawyn, Birdal & Glogower (2013) argue that the basic concept of prostitution is built upon the patriarch's premise, which involves sexual morality, virginity, and honor (Nawyn, Birdal & Glogower, 2013, p.60-61). Patriarch is defined as a male that has control over the family. In prostitution, the patriarch would be referred to as the trafficker or 'pimp' dictating their prostitutes (sex trafficking victims). "Patriarchy defines women's sexual morality as a marker of her worth as an individual as well as the social standing of the men to whom she ostensibly belongs." (Nawyn et al., 2013, p.60). Weitzer relates sex trafficking to a moral crusade that encompasses "a type of social movement that sees its mission as a righteous enterprise to combat a particular condition or activity that is defined as an unqualified evil" (Weitzer, 2010, p.63). The moral crusade's main characteristics pertain to portraying a more significant problem, worse case scenarios

seen as the norm, and that the problem is black and white with no grey areas (Weitzer, 2010, p.63,68). Those behind the moral crusade, according to Weitzer, consist of religious and feminist groups, which hold the opinion that all sex work be eliminated because it objectifies women (Weitzer, 2010, p.64). Weitzer claims that the Bush administration (2001-2008) allowed for the moral crusade to gain power, was used to influence the government to combat sex trafficking and all forms of commercial sex (Weitzer, 2010p.64). According to Bergquist, prostitution is viewed as "...moral ill rather than a vocation based on the notion that godly women (and men) do not freely share their bodies outside marriage and certainly do not exchange sex for money"(Bergquist, 2015, p.319). Due to prostitution being considered morally wrong and does not comply with what is accepted by society as the norm, lawmakers view prostitution as a crime rather than a civil matter when applying it to two consenting adults (Bergquist, 2015p.319). The only state in the United States that has not outlawed prostitution is Nevada, wherein some parts of the state prostitution are legal (Bergquist, 2015p.319).

### **Juvenile Sex Trafficking**

Juvenile sex trafficking is also referred to as commercial sexual exploitation of children (Bounds, Julion & Delaney, 2015, p.17), and domestic minor sex trafficking (DMST) both pertain to juvenile victims of sex trafficking. The main difference is that DMST refers to juveniles that are U.S. citizens or legal residents (Greenbaum, 2014, p.246). Child sex trafficking involves an individual under the age of 18 who performs a sexual act for an adult to exchange for value, whether that be money, drugs, etc. Juvenile sex trafficking or sex trafficking is not something that most citizens would be willing to

admit a problem or their involvement in the crime. Prostitution is not viewed by society as a victim-centered problem but more as a criminal problem for law enforcement that occurs in the lower socioeconomic class rather than the general or mainstream population (Leary, 2014, p.290).

The latest combat effort on sex trafficking now encompasses prostitution, referred to as the world's oldest profession (Roe et al., 2014, p.886) as one of the primary forms of sex trafficking (Weitzer, 2010, p.72). The average is that a juvenile enters into prostitution at the age of 13, below the average age of consent (Godsoe, 2015, p.1324). According to Perdue, Prior, Williamson & Sherman (2012) (as cited by Gomes, 1993), "Children are not expandable. They are God's choicest vessels, his greatest treasures, and our as well (Perdue et al., 2012, p.449). Commercial sex acts pertain to mail order brides, prostitution, pornography, strip dancing, sexual massage parlors, and survival sex. When a juvenile is involved in any form, the juvenile is a victim of human trafficking, not an offender, according to the Trafficking Victim Protection Act and reauthorizations (Cole & Sprang, 2015, p.113,114; Butler, 2012, p.850; Bergquist, 2015, p.315).

Throughout the years, there have been different terms used to label juvenile victims of sex trafficking, one being prostitute. According to Reid & Jones (2011) (as cited by Hanna, 2002), "using the word prostitute, focuses solely on the minor as a delinquent involved in the commission of this crime, disregarding the role of the traffickers and johns who benefit from the vulnerable minor's sexual exploitation" (Reid & Jones, 2011, p.209). Juvenile sex trafficking occurs throughout the United States as well as the world. However, it is a hidden crime that is not admitted to be a problem in

the United States, the demand for it is high and profitable, and victims of the crime are viewed as a nuisance or a delinquent by law enforcement (Reid & Jones, 2011, p.208).

According to Primrose, "sex trafficking would not be a lucrative or desirable crime if there were not a market for it" (Primrose, 2011, p.312).

### **Risk Factors**

Juveniles that are at a higher risk of becoming victims of sex trafficking consist of juveniles that parents neglect or abuse them or parents are drug users, resulting in juveniles placed into child welfare. Also, juveniles that are run-aways, drug users, or domestic or sexual abuse victims have a higher risk of becoming victims (Anderson et al., 2020; Bergman, 2012; Bounds et al., 2015; Reid et al., 2015; Hasselbarth, 2013).

According to Anderson et al. (2020), some of the recent issues that cause juveniles to run away from home stem from gender identity and sexual orientation (as cited by Epstein & Eldman, 2013; Gibbs et al., 2015). Those at the highest risk of becoming victims of sex trafficking are females from all races, religions, ethnicities, and cultures (Johnson, 2012). Sex trafficking is not new, yet it has just gained attention. Sex trafficking has been occurring, such as Native Americans, which were traded for sex and labor by colonizers and westward settlers (Johnson, 2012, p.619).

Children in the child welfare system have been abused or neglected and removed from their homes to be safe and protected from further abuse, but frequently this is not the case. Juveniles placed in the system are moved from placement to placement, giving the feeling of uncertainty or instability, resulting in the juvenile being drawn to the wrong crowd or running away to find what they need or what they think they need. Often, they

find themselves in a worse situation trying to survive and prostitution (Bounds, Julion & Delaney, 2015, p. 18). According to Bergman (2012) (as cited by Cohen, 2006), 75% of juveniles involved in prostitution are run-aways (p.1365). Traffickers or pimps often recruit juveniles who have run away from home or those that are homeless (Reid, Huard & Haskell, 2015, p.361,362).

### **Involvement**

Juveniles are frequently promised things such as shelter, food, relationships, etc., by traffickers or pimps. Once they rely on their pimp, they have control over them, resulting in them prostituting or other commercial vice acts (Bergman, 2012, p.1365,1366). Juveniles are once again experiencing more abuse, maybe even harsher than the initial reason they were removed from their home, as well as the possibility that the abuse could have lasting results, such as physical abuse, medical neglect, and psychological trauma (Bounds et al., 2015, p.19). If the juvenile refuses or breaks the rules, often time violence is used, or the pimp/trafficker refuses to let them have the basic needs to survive, such as food and water (Bergman, 2012, p.1365). Often, juveniles in this type of situation feel helpless, are reluctant to leave the situation, or cannot leave, and if there is a way to leave and find help, they are judged or looked down up, or even arrested. Often juveniles are moved from city to city or even to a different state. In 2004, the F.B.I. conducted a sting operation at a truck stop in Oklahoma City, resulting in 23 juveniles rescued from prostitution (Kujawa, 2013, p.114). In 2011, a missing juvenile in Oklahoma City was beheaded and dismembered; due to her not meeting her trafficker's

expectation of performing, this was also a way to instill fear into other victims to comply, or the same outcome could become a reality for them (Kujawa, 2013, p.115).

Although not every victim of sex trafficking is a run-away youth or homeless, a family member often victimizes sex trafficking victims (Reid et al., 2015, p.362). Reid, Huard & Haskell's study pertains to juvenile victims trafficked in Florida by a family member. The study results indicated that victims recruited by a family member were between the ages of 4 to 16 years old, whereas victims who were not trafficked by a family member range from 11 to 17 years old (Reid et al., 2015, p.365). The most common pattern discovered was that the trafficker was the biological mother, and the victim was the daughter (Reid et al., 2015, p.366). One of the main reasons' family members traffick their son or daughter was monetary gain, often supporting the traffickers' drug addictions (Reid et al., 2015, p.367).

### **Traffickers and Pimps**

Juveniles involved in prostitution are under the control of their pimp or trafficker. Juveniles in the United States are often recruited into prostitution by promises of money, parents or family members, run-aways, or homeless. Prostitution is a means to survive, such as shelter and food, other juveniles who have a substance abuse issue often become involved to support their habit (Finkelhor& Ormrod, 2004, p.2; Kujawa, 2013, p.109). Pimps recruit juveniles from familiar places such as malls, schools, parks, group homes, and Internet websites such as Facebook, Twitter, etc. (Jordan et al., 2013, p.361). Traffickers/pimps use many techniques to ensure they control their victim (aka prostitute), such as isolation, manipulation, sexual, physical, and emotional violence.



Also, not allowing the juvenile to have any money or personal belongings, and the use of coercion and threats (Smith et al., 2009, p.37). Juveniles from broken homes or runaways are looking for someone that cares for them, in which the pimp plays that role in the beginning to earn their trust.

Often, the pimp will treat the juvenile as a boyfriend or girlfriend, buy them things and do unique things, making them believe that the pimp truly cares for them (Jordan et al., 2013, p. 361; Perin, 2012; Primrose, 2011, p. 313). Juveniles that leave a terrible situation hoping to find a better one to find themselves in a worse situation, where they continue to be physically and sexually abused, by once again someone they thought would take care of them. In this situation, juveniles are prone to develop Stockholm Syndrome, bond with their pimp, and psychological disorders (Primrose, 2011). There are numerous reasons why and how juveniles become involved in sex trafficking. Whether it is because of promises made, the need to survive, support their addictions, etc. Once involved, it is generally not something they can just walk away from, a bond established with their trafficker or pimp (Williams, 2015, p.298).

Juveniles involved in prostitution did not wake up one day and decide that this was the career path that they wanted to take. Instead, several factors help decide their fate, such as previous sexual abuse, sense of being loved or needed by their pimp, protection, the need to meet their basic needs such as food, water, and shelter, referred to as survival sex (Butler, 2015, p.1291). Traffickers/pimps use different methods to lure juveniles into the lifestyle, such as finding out more about the juvenile regarding whether they have family support, a boyfriend/girlfriend, etc., and then uses that information to

gain their trust and loyalty. One example of a juvenile lured into sex trafficking was a 12-year-old girl who needs a safe place. When the Dallas police contacted the 12-year-old girl, she was stripping at a strip club in Dallas. Her traffickers were a male and a female (Smith et al., 2009, p.38). Another 12 years old in Toledo, Ohio, was approached as the trafficker is the victim's boyfriend by buying her small gifts (Smith et al., 2009, p.38). According to Perdue et al., 1,078 youth from the State of Ohio are trafficked annually, and that at least 80 youths were rescued by the work of the Northwest Ohio Violent Crimes Against Children Task Force (Perdue et al., 2012, p.449).

In today's age, pimps are glamorized, and the word is used frequently in music and on television; however, the reality of what a real pimp is, is not shown, which is the selling of children (Primrose, 2011, p.312). Pimps are violent, to deprive their prostitutes of necessities to survive, such as food, water, shelter, etc. (Primrose, 2011, p.315). Juvenile victims of sex trafficking report high stress levels, trauma, low level of problem-solving, lack of stable housing, and healthy support systems (Perdue et al., 2012, p.450). Once under the pimp/trafficker's control, the juvenile is then forced to commit sexual acts in return for money taken from them by their pimp (Primrose, 2011, p.316). They must work a certain number of hours per day and make their quota of money determined by their pimp (Primrose, 2011, p.316). One primary reason for sex traffickers is the monetary gain for themselves. One victim can earn the trafficker \$30,000 per year; other estimates consist of \$75,000 to \$250,000 per year per victim (Greenbaum, 2014, p.247).

Treatment for Victims

In addition to sexual and physical abuse, victims also undergo mental abuse as well as health concerns. For all victims, there is the risk of catching sexually transmitted diseases such as H.I.V., as well as female victims, becoming pregnant, and long-term fertility problems later in life. Often juveniles who enter into prostitution already have a substance abuse problem, as many develop the addiction once they are in the situation. It is estimated that once a victim enters into sex trafficking, the life expectancy is seven years, with AIDS and homicide being the highest causes of death. Juvenile victims undergo all forms of abuse, and once rescued from being trafficked, they need treatment for the various abuse they have undergone.

According to Jordan et al. (2013), treatment for sex trafficking victims is accomplished using a treatment for PTSD, domestic violence, slavery, and captivity (Jordan et al., 2013, p.363). In addition to the repeated sexual, physical, mental, and emotional abuse and health issues, juveniles also face the potential of being arrested for prostitution. Prostitution is illegal, except for the State of Nevada (Weitzer, 2010, p.75); however, juveniles must be a certain age to consent to sexual acts, and federal law classifies juveniles under the age of 18 as a victim of sex trafficking, not a juvenile delinquent. Sex trafficking is a violation of one's human rights. Many advocates support the issue. On the flip side, some advocates also support that not every person involved in prostitution is a victim of sex trafficking.

For traffickers/pimps to avoid capture, they often use nicknames so that the victims do not know their real identity, girls who are also involved in prostitution or other commercial vice but manage the other girls controlled by the pimp or trafficker (Smith et

al., 2009, p.38). In 2013, Angel Campos Tellez received a sentence of 3.5 years after being convicted of trafficking over 100 girls on the East Coast between 2009 to 2012 (Smith et al., 2009). Although individuals like Tellez are responsible for their actions, the individuals who create the service demand are also responsible.

### **Hubs**

Areas that lack anti-trafficking laws, a lack of established procedures, areas with significant interstates intersect, or locations on national borders are all hubs for sex trafficking. The State of Ohio is a hub for juvenile sex trafficking victims due to the lack of anti-trafficking laws for the state, lack of established procedures, and lack of education for communities (Perdue et al., 2012, p.449). Whereas Texas is referred to as a hub for juvenile sex trafficking, making state legislatures address the issue and modify their anti-trafficking laws to end the epidemic. (Butler, 2012, p.845,848). Major cities in Texas for sex trafficking include Houston, Dallas, and El Paso (Butler, 2012, p.849). Another factor to consider is Texas borders Mexico, allowing juveniles to smuggle into the country (Butler, 2012, p.849). Due to three interstates in Oklahoma City, Oklahoma is considered a hub for trafficking, especially sex trafficking. Allowing traffickers to move their victims to other locations, such as Houston, Texas, Las Vegas, Nevada, Atlanta, Georgia, and Kansas City, are among the top ten hubs for sex trafficking (Kujawa, 2013, p.112). A study conducted in Toledo, Ohio, in 2007-2008 focused on children who are victims of sex trafficking. Although the study was conducted in Ohio, victims reported being taken to different cities within the United States, and sexually exploited in houses, motels, conventions, truck stops, etc. Some of the cities in which this occurred were Lima, Ohio,

and Harrisburg, Pennsylvania (both smaller cities) to metropolitan cities such as Detroit, Atlanta, and Chicago (Perdue et al., 2012, p.450).

### **Trafficking Victim Protection Act**

Juveniles involved in prostitution are vulnerable to being arrested by law enforcement for committing a crime, instead of law enforcement recognizing they are victims of sex trafficking (Williams, 2015, p.299; Finkelhor & Ormrod, 2004, p.2 as cited by Fassett & Walsh, 1994). Thompson (2012), "reducing the essence of a person's identity to a label is dehumanizing and alienating. No one-word or role can encompass our true identity. However, a word can easily eclipse our true identity" (as cited by Day et al., 2006, p. 19). Johnson (2012), authority figures in the United States, such as policymakers, law enforcement officers, and service providers, still believe that victims of sex trafficking in the United States are from a foreign country and brought to the United States without proper immigration status (p. 618). However, this is the case in some sex trafficking victims. Victims of sex trafficking in the United States are U.S. citizens that have been born and raised in the United States. The U.S. Federal government has taken a stance on all forms of human trafficking by enacting the Trafficking Victim Protection Act of 2000 and the reauthorizations in 2003, 2005, 2008, and 2013. It classifies juveniles involved in prostitution or other commercial vices as victims of sex trafficking and not a delinquent. (Hasselbarth, 2013, p.405,406,504; Elrod, 2015, p.964,967). Reauthorizations of 2008 and 2013 are specific to included U.S. juveniles with the same protection (p.405). Juveniles continue to be prosecuted for sexual conduct

crimes in the United States, even after reauthorizing the TVPA (Hasselbarth, 2013, p.405).

### **Legislation**

The following federal statute defines sex trafficking of juveniles and the elements of the crime, forcible rape:

18 U.S.C. § 1591. Sex trafficking of children or by force, fraud, or coercion

"(a) Whoever knowingly—

(1) in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, or maintains by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing, or in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act."

Although the TVPA is a federal law, it is not necessarily enforced, which leaves juveniles vulnerable charged as delinquent instead of being a victim of sex trafficking in each of the 50 states. According to the TVPA and even state laws, those committing a crime are the pimp and the trafficker. However, generally, those arrested and prosecuted are the prostitutes, which, according to the TVPA, is a victim of sex trafficking,

especially if the prostitute is a juvenile. (Elrod, 2015, p.965). Elrod indicates that both federal and state laws regarding sex trafficking are questions regarding its effectiveness (Elrod, 2015, p.966). However, the TVPA has served to bring awareness of trafficking and individual states enacting their laws, international coalitions being formed (Elrod, 2015, p.969, 970). The new legislation laid the responsibility of dealing and helping juveniles in this type of situation with the child welfare system, bringing more challenges and concerns. One example is the following state statute from Oklahoma, Oklahoma State Statute 21, Section 748(A1)g-j, which pertains to coercion, force and intimidation in regards to prostitution:

g. "demanding or claiming money, goods, or any other thing of value from or on behalf of a prostituted person where such demand or claim arises from or is directly related to the act of prostitution;"

h, "determining, dictating or setting the times at which another person will be available to engage in the act of prostitution with a third party;"

i." determining, dictating or setting the places at which another person will be available for solicitation of, or to engage in, an act of prostitution with a third party, or"

j." determining, dictating or setting the places at which another person will reside for purposes of making such person available to engage in the act of prostitution with a third party;"

## **Safe Harbor Laws**

Safe harbor laws were enacted to protect juvenile victims of sex trafficking from being prosecuted for a criminal offense (Dempsey, 2014; Conner, 2016). Safe Harbor laws are geared towards protecting juveniles; however, juveniles are still being arrested for prostitution according to various reasons. The State of Illinois was the first state to enact legislation that protected juveniles involved in sex trafficking from being prosecuted for prostitution (Bounds et al., 2015, p.19). In situations where the juvenile has a previous criminal history, a threat to themselves or society, or to ensure the juvenile receives treatment, secure detain is the only way to ensure it happens. However, because of the Safe Harbor Law, the option is taken away from the judicial system (Mir, 2013, p.168). With Safe Harbor laws, there are different stipulations when the law does or does not apply; for instance, if the juvenile has been in trouble before or is unwilling to comply with the court, Safe harbor laws do not help them (Bergman, 2012, p.1366).

In 2008, the State of New York enacted its safe harbor law, which required juveniles under the age of 16 to be treated as victims instead of delinquents. However, there are stipulations that the judge could take into consideration when deciding to charge the juvenile as a delinquent or a juvenile in need of supervision, such as the juvenile's previous history with the court system (Conner, 2016, p.47,48; Bergman, 2012, p.1370). The State of New York does allow the judicial system the authority to keep juveniles in secure detain if the judge deems it necessary for the juvenile to receive services, then a delinquent petition is filed instead of a person in need of supervision (Mir, 2013, p.168; Bergman, 2012). Also, in New York, if a juvenile between the ages of 16 to 18 refuses or



fails to complete a diversion program, they can be prosecuted for the crime, whether it be prostitution or other commercial vice acts (Dempsey, 2014, p.224). In 2014, the State of New York reauthorized the Safe Harbor law to allow an in need of supervision petition for juveniles involved in prostitution to the age of 16 and 17 years old (Conner, 2016, p.48). According to Conner, after the passage of safe harbor laws in four different states, the number of juveniles arrested for prostitution increased (Conner, 2016, p.52).

The State of Illinois, Safe Harbor law, does not allow any minor to be prosecuted for prostitution, nor are they allowed to be detained in a secure facility (Bounds et al., 2015). Safe Harbor Laws in the State of Connecticut are composed of a two-tier system, that juveniles must be over the age of 16 to be prosecuted for prostitution, and that for juveniles aged 16 or 17, the party was coerced to participate (Bergman, 2012p.1371). Since 2000, each of the 50 states has also passed anti-trafficking state laws (McDonald, 2014, p.126). As Farrell, Owens, and McDevitt states, "the passage of a law is just one step in the process of legal change" (Farrell et al., 2014, p.141). Although most states have enacted or are working towards enacting Safe Harbor Laws, the decision as to whether to prosecute the juvenile after law enforcement has arrested them and brought them to court remains at the discretion of the judge and prosecutors (Hasselbarth, 2013, p.405). In some instances, Safe Harbor laws are evaluated, and recommendations are made. In the State of Texas, more legislative reform was needed. Recommended changes about Texas' statutory definition of human trafficking being too narrow. More focus on protecting the victims and restricting the child welfare model to avoid juveniles being

adjudicated delinquent and punished for a crime they were a victim (Butler, 2012, (p.847).

The Protected Innocence Challenge was started in 2011 by Shared Hope International to help states with their state laws regarding trafficking (Shared Hoped, 2015, p.8). A point system was developed that scores individual states, such as the criminalization of domestic minor sex trafficking; criminal provisions addressing demand; criminal provisions addressing demand; criminal provisions for traffickers; criminal provisions for facilitators; and protective provisions for child victims and criminal justice tools for investigation and prosecution (Shared Hoped, 2015, p.23). Each category is measured and scored, and then all scores are total to reflect a letter grade from 'A' to 'F,' similar to a report card. According to the 2015 report, all states have made progress, but some states have room for more improvement based on the scoring system. Oklahoma in 2011 received a score of 'D' and, in 2015, received a score of 'B.' (Shared Hoped, 2015, p.13). Each area has certain elements that must be met in different areas within each section. Juvenile sex trafficking is also referred to as domestic minor sex trafficking and commercial sexual exploitation of children (Shared Hoped, 2015, p. 6). In 2013, one in seven runaways was likely to become a victim of sex trafficking. In 2014 the odds increased to one in five runaways in the United States were likely to be victimized, according to the National Center for Missing and Exploited Children (Shared Hoped, 2015, p.6).

Oklahoma State Statute, 21 O.S. §748.2 outlines the policies of how victims of human trafficking are to be addressed, which consist of victims being placed in a shelter

as soon as they can be, that they shall not be jailed or fined. Also, victims are to receive medical treatment and mental health care, food, and any other necessary assistance.

Victims are to have access to legal counsel, be advised of their rights, and provide a translator. Victims are protected from additional potential harm and ensure the victim's family members are protected. Victims' information and their family's information are not disclosed. Any individual violating any section of this act is liable for a civil action against them. Under this section, the law enforcement duty involving a minor child victim is to notify the Department of Human Services, and both agencies shall perform a joint investigation. The juvenile is to be placed in the Department of Human Services' custody and be required to appear before a judge within 72 hours for a show cause hearing. Criminal charges against the juvenile are to be dropped. If at the show cause hearing, there is reason to believe the juvenile is a victim of sex trafficking, which would result in the Department of Human Services proceeding with services and handling the juvenile's case.

Since the enactment of the TVPA in 2000, 40 anti-trafficking task forces were created in the United States. The U.S. government is spending millions of dollars on educating and helping victims of trafficking, but yet it continues (Jani, 2010, p.28). Laws regarding prostitution, commercial vice, and age of consent do not correspond with each other. Prostitution and commercial vice are illegal, and those involved in it are considered criminal, regardless of whether they have reached the age of consent (Hasselbarth, 2013, p.401). Those who have sexual encounters with a minor have not reached the age of consent is the criminal. The minor is the victim of statutory rape. Even though juveniles

involved in any commercial sex act are considered victims under the Trafficking Protect Act, they continue to be charged and convicted of a crime by prosecutors and judges throughout the United States (Mir, 2013, p.163). Each of the 50 states in the U.S. is different regarding the age at which protection is granted. For example, the State of Tennessee, Nebraska, and Illinois recognize juveniles under the age of 18 as victims, where the State of Connecticut protects juveniles under the age of 15 (Hasselbarth, 2013, p.410). Even though juveniles are protected at a certain age, other factors are considered. The juveniles' previous criminal history is considered whether the juvenile is viewed as a victim or treated like a delinquent (Hasselbarth, 2013, p.411). On the flip side, every state has a statutory rape law, which requires a juvenile to be a certain age to consent to having a sexual relationship. However, if that same juvenile is not old enough to consent but receives anything of monetary value, the juvenile can be arrested for a crime (Bergman, 2012, p.1368,1369).

Mir (2013) describes a situation involving a 12-year-old girl in New York who was arrested for prostitution for the second time, resulting in her being placed in secure detention. The age of consent for sex in New York is 17, yet the girl was only 12 years old (Mir, 2013, p.163). If a juvenile cannot legally consent to have sexual relations until they are 17 years old, how come that same juvenile be tired of a crime that they legally cannot consent to?

### **Judicial System**

Juveniles involved in prostitution or other commercial vice endure abuse daily. Then they are arrested, detain, and charged with a crime, instilling more abuse through

the criminal justice system that is supposed to protect them (Mir, 2013, p.165). The juvenile justice system was designed to deal with juveniles who have committed a crime; it is not designed to provide treatment and services to victims of sex trafficking (Anderson et al., 2020, p.665). One could speculate many reasons why juvenile victims continue to be arrested instead of being viewed as victims of sex trafficking. Such as the juveniles' lack of trust in law enforcement; they are unwilling to cooperate with them in investigating, appearing to law enforcement that the juvenile was involved in prostitution or other commercial vices of their own free will (Mir, 2013, p.166). In a study conducted by Hargreaves-Cormany & Patterson (2016), participants consisted of 179 survivors of sex trafficking between 1990 to 2011, all of them being female and report being victimized between the ages of 11 to 17 years old, with the average age of being recruited into sex trafficking at the age of 15 years old. Some participants indicated that when they were treated with respect and assurance from law enforcement that they were viewed as victims, they were more willing to cooperate and testify (Hargreaves-Cormany & Patterson, 2016, p.37).

To prevent juveniles from being arrested, the Department of Justice (D.O.J.) encourages law enforcement agencies to change their policies, change the think of juvenile prostitutes as victims, not criminals, improve screening sessions, assessments, documentation, and networking among different agencies. In other words, juveniles involved in sex trafficking need saving and protection, but incarcerating them and treating them as criminals is not the answer (Anderson et al., 2020, p.667). Instead, those

victims need to be provided appropriate resources and address their needs (Anderson et al., 2020, p.667).

For prosecutors to bring charges against the accused, elements of the crime must be proved. Sex trafficking elements consist of fraud, force, or coercion; however, the Texas state legislature has removed these elements through their anti-trafficking laws, making it easier to prosecute traffickers or pimps (Butler, 2012, p.861,862). Besides, a trafficker or pimp to be prosecuted requires the victim to testify, not something most voluntary to do. Hence, law enforcement utilizes other means, such as detaining the juvenile and threatening to prosecute the juvenile if they do not cooperate. However, this is not an uncommon practice to detain a prostitute while awaiting trial due to the prostitute or victim being a flight risk or out of fear or love that they have for their trafficker/pimp (Godsoe, 2015, p. 1350). However, anti-trafficking laws such as the TVPA do not permit victims to be detained to ensure their testimony or cooperation (Godsoe, 2015, p.1352).

According to Godsoe, thousands of juvenile females are arrested and incarcerated yearly for the crime of prostitution. However, these same girls arrested are below the age of legal consent, noting that the only reason this is not viewed as statutory rape is the exchange of money or goods (Godsoe, 2015, p.1313). Every state has a legal age of consent. "It is legally inconsistent and inherently unfair to prosecute juveniles for the commission of sexual acts that, absent a valuable exchange, they would otherwise be unable to consent legally." (Hasselbarth,2014, p.405&406). This method is harmful to the juvenile because the label of criminal or delinquent is applied to the juvenile before any

help is offered to them, which adds to the abuse and takes away the juvenile's trust in the system (Hasselbarth,2014, p.410).

Juveniles involved in prostitution continue to be arrested for the crime. They are often viewed as willing participants and victims, even though every state has a statutory rape law. According to Bergman (2012), Arkansas's consent law is at the age of 13 to 16 depending on how old the other person involved is, but when there is money or good exchanged, age does not matter, and anyone can be arrested for the crime (Bergman, 2012, p.1368-1369). Sager, "it is only logical that a person under the age of consent should not be able to consent to be trafficked for purposes of commercial sexual activity and that the trafficker should be held strictly liable for the sex-trafficking of a minor under the age of consent." (Sager, 2012, p.367). This results in the juvenile, who may be younger than the age of consent facing delinquent charges and be placed in detention (Bergman, 2012, p. 1369). Out of the 50 states, 43 states still allow juveniles to be arrested for the crime of prostitution. However, work is in progress to change the practice and provide other options for juveniles involved in prostitution in Safe Harbor Laws.

According to Lange (2011), after the Trafficking Protection Act in 2000 was passed, the next attempt to fight traffic was establishing the 1-800 call center for victims funded through grants by the U.S. Department of Health and Human Services (DHHS). The service was operated 24 hours a day, seven days a week, and communicated in several different languages.

## **International Efforts**

In addition to the United States combating sex trafficking in the states, the U.S. has also taken a prominent role in combating sex trafficking globally. Global forces are combating trafficking consist of 117 countries with 150 parties that ratified the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (McDonald, 2014, p.126). The United Nations has also taken a stance on human trafficking, with the United States appointing itself as a monitor for international anti-trafficking campaigns (Roots, 2013, p. 26). Roots (2013) indicates that the U.S. has enacted a three-tier rating system which consists of Tier 3 as countries that have made no or low efforts to meet the U.S. standards. Tier 1 is awarded to countries that have to meet the U.S. standards for anti-trafficking campaigns (p. 26). According to Roots (2013), the U.S. standards are based on perceptions, moral views, and legislation, in addition to conservative and Christian lobbyist groups, feminist lawyers as well as Hillary Clinton's State Department (Roots, 2013, p. 26).

## **Technology**

Before using technology, prostitutes would stand in a specific location to get customers, know days, social media is used like Facebook, Myspace, and websites like Craigslist and Backpage.com (Butler, 2015, p.1295,1296). In combating a crime that was already hard to identify, the use of technology such as social networking, micro-blogging, smartphones, etc., has brought more opportunities for traffickers to prey and obtain their victims, creating a more significant challenge for law enforcement (Leary, 2014, p.290). Sexual exploitation of juveniles is not something new to the United States; in 1910, the



White-Slave Traffic Act (Mann Act) was passed by Congress to prosecute those preyed upon juveniles. Since that time, the United States and other countries continue to pass acts and protocols to combat trafficking against juveniles and adults (Butler, 2015, p.1300,1301). Even with the passage of acts, protocols, and joint task forces, juveniles continue to be arrested and adjudicated for prostitution. According to Butler, 1,500 juveniles were arrested in 2008 based on a report for the Department of Justice (Butler, 2015, p.1308). Juveniles involved in prostitution have undergone numerous sexual abuses, physical and mental abuse. They then are arrested and treated as a criminal, which creates more abuse or victimization from the system that is supposed to protect them (Butler, 2015, p.1309).

The United States Federal government recognizes juveniles involved in prostitution in the United States as victims of sex trafficking, not juvenile delinquents. Each of the 50 states has laws and interpretations of whether a juvenile involved in prostitution is a delinquent or a victim. According to state law, juveniles that are considered delinquent because of their involvement in prostitution according to state law, Hasselbarth states that this is a conflict with other laws such as statutory rape (2013, p. 402). In the United States, when one thinks of prostitution, one thinks of adults or juveniles from a foreign country; however, this is not the case.

Technology is utilized daily throughout the world to conduct personal and professional business, which is also being utilized to purchase or arrange for sexual services. According to Oakes (2014), the Internet's use is the third-highest means of an individual buying a prostitute. According to Leary (2014), technology is being utilized by

sex traffickers to traffic children. The ability of law enforcement to combat the crime of sex trafficking through technology is questionable. However, at the same time, technology can also assist law enforcement (p. 289, 314). One example of the use of technology pertains to one particular incident in 2009, a mother of a 14-year-old girl missing for seven months; the mother found her daughter's picture on the website (Molly, n.d.). The victim's mother shared that his daughter had gone with a friend one night and gotten lost, asked a female for help, and that female was supposed to help her trafficked her. The victim's mother notified the police, and instead of waiting on the police to do a sting, the mother set up a meeting with her daughter at a bus station in St. Louis (Molly, n.d.). The juvenile had been beaten, stabbed, and burned along with other abuse (Molly, n.d.). Once the juvenile was safe and reunited with her mother, the next challenge they faced was finding her daughter's help to deal with all the abuse and trauma that she had endured.

### **Law Enforcement**

The fight against sex trafficking is led by law enforcement officials on the federal, state, and local levels and non-governmental agencies (Bergquist, 2015, p.317). Law enforcement officials are the first to contact victims of sex trafficking regarding the criminal justice system. According to Cole & Sprang (as cited by Halter, 2010), law enforcement officers are more likely to view juveniles involved in prostitution as delinquent rather than victims (Cole & Sprang, 2015, p.114). Godsoe (2015) indicates that recent studies show that law enforcement officers only view one in five as victims of sex trafficking victims (p.1314). Certain factors play a role in how law enforcement

handles situations involving juveniles involved in prostitution, such as the experience and knowledge that the law enforcement officer has, the demeanor of the juvenile, and department policies (Farrell et al., 2014, p.141,142; Finkelhor& Ormrod, 2004, p.2,4;; Greenbaum, 2014, p.247,254; McDonald, 2014, p.129). One leading cause of this stems from the victim believing that they are in a relationship with their pimp or trafficker, they view them as their boyfriend, and they refuse to cooperate with law enforcement because they do not want their boyfriend in trouble (Dempsey, 2014, p.225; Sager, 2012).

Often those involved in sex trafficking do not trust law enforcement officials or believe that they will be protected, resulting in victims and individuals with information coming forward (Bergquist, 2015, p.319). According to Perin (2012), when a juvenile is a victim of sex trafficking and law enforcement arrest the juvenile for a criminal charge, the message sent to the child is, "You are to blame" (Perin, 2012, p.1). It is also common that juveniles involved in prostitution are also committing other crimes, so law enforcement charges the juvenile with the other crimes and does not address prostitution. Juveniles involved in prostitution are not generally forthcoming, nor do they trust law enforcement officers. When contact is made between them and law enforcement, the juvenile frequently does not portray themselves as victims or give correct information to the officers (Butler, 2015, p.1309; Godsoe, 2015, p.1329; Sager, 2012;). . One means of identifying juvenile victims of sex trafficking is by medical professionals if the juvenile is allowed to seek medical treatment. Through different agencies and non-governmental agencies, screening questions have been developed that medical professionals can ask juveniles seeking medical attention to screen for the possibility of trafficking.

(Greenbaum, 2014, p.254,255). The same issues that juveniles have in coming forward towards law enforcement can be the same with medical professionals. However, if the medical professional can gather information without being forthcoming, the juvenile might answer, not thinking that they are disclosing they are victims (Greenbaum, 2014, p255-265).

Law enforcement officers that encounter juvenile prostitutes have two choices, they can arrest the juvenile for the crime of prostitution, removing them from the street and potential harm, or they can overlook the crime and leave the juvenile where they are (Godsoe, 2015, p. 1322; Ishoy & Dabney, 2020). It is law enforcement's responsibility to identify juvenile victims of sex trafficking correctly. Often, this is not the case due to lack of training for law enforcement, or juveniles are charged with other crimes instead of commercial vice (Cole & Sprang, 2015, p.114; Sager, 2012, p.363). According to Roe et al. (2012) (as cited by Mitchel et al., 2009), a study of juveniles involved in prostitution was more likely to be treated as victims of sex trafficking if they appeared scared, frightened, had a dirty appearance, or seemed young. In contrast, anyone not fitting the profile was arrested for prostitution (Roe et al., 2014, p.894). Other factors that influence an officer's use of discretion are their belief or support in the justice system and their views on rehabilitation (Skaggs & Sun, 2017, p.256-257). Victims of sex trafficking in the U.S. are not always U.S. citizens and may have encountered the same type of abuse in their country before coming to the United States. In 2010 Cambodian military police placed sex workers in jail, abused them until their pimps came forward to pay bribes for their release. In contrast, the Cambodian anti-trafficking police arrested 17 suspected

traffickers and rescued 21 trafficking victims (Burkhalter, 2012, p.123). The difference in how both police departments handled the situations brings forth doubt and distrust in law enforcement capability of handling or combating sex trafficking, such groups as a human rights activist, anti-trafficking advocates, etc. (Burkhalter, 2012, p.123).

A 16-year-old Mexican girl speaking in Spanish explained that she had been recruited in her hometown with a promise of work cleaning houses in the U.S. After arriving, she was forced into prostitution, was beaten, and threatened. She was driven to various cities, warned by her captors if she was ever contacted by police, she should lie about her age. She escaped her captor and was receiving help from a friend. She commented that she had read something about human trafficking and realized she had been a victim. She was not sure she wanted to get help from a victim service provider (N.G.O.) because she feared deportation, but a service provider referral was given to her by the NHRTC. (Lange, 2011, p.52)."

Burkhalter indicates that the difference must be healed and believes it can be accomplished by reforming local police (Burkhalter, 2012, p.124). In 2002 in Cambodia, the sale of juveniles for sex was accepted by law enforcement. One instance involved Vietnamese juveniles coming into contact with law enforcement. Instead of being rescued, they were charged with illegal immigration (Burkhalter, 2012, p.124). Those same victims then became offenders, with some of them instead of staying in jail, was taken to a brothel by law enforcement (Burkhalter, 2012, p.124). One major factor that must be considered is politics and corruption as to why some things are allowed or tolerated. One example Burkhalter provides is the release of three pedophiles granted

pardon and release after having raped dozens of boys and girls. On the other hand, a high-ranking police official was brought up on charges of protecting brothels (Burkhalter, 2012, p.124).

Often runaways ended up in a situation where an individual takes them in, then sexually and physically abused, become addicted to drugs, contract sexually transmitted diseases, and then arrested by law enforcement. At the same time, their pimp receives no charges for their actions (Sager, 2012). Each state has a legal age of consent that protects victims of statutory rape. When a juvenile cannot legally consent to have sex, that same juvenile under different circumstances that they generally have no control or voice about is being arrested for a crime, where otherwise, if they made a choice, it would not be legal (Sager, 2012, p.361,364). According to Sully (2013), in Oakland, California, 76 juveniles were arrested in 2009, compared to 148 pimps being arrested in four years in Oakland, according to FBI statics in 2008 (p.709).

Most of the research that has been conducted on juvenile sex trafficking is focused on metropolitan cities, however as Cole and Sprang indicate, sex trafficking also occurs in metropolitan communities and rural communities based on their study (Cole & Sprang, 2015, p.119). The study results indicate that participants of metropolitan areas viewed juvenile sex trafficking as a severe problem and received more official training than participants in non-metropolitan areas (Cole & Sprang, 2015, p.120). As Perin (2012) stated, " With the right awareness and training, law enforcement officers can see through the murkiest of waters...DMST is one area where law enforcement professions need to start clearing the water" (Perin, 2012, p.1). According to Perin (2012), this can be

accomplished by law enforcement, making proper identification of victims and not identifying them as delinquents, and working together with other law enforcement agencies. According to Kujawa, "if law enforcement personnel do not understand that victims forced into prostitution are not criminals, then the real criminals will escape punishment more often" (Kujawa, 2013, p.128). Juvenile sex trafficking continues to occur. The first step in combating it is by identifying victims, including law enforcement officers and any other professions that come into contact with at-risk juveniles, consisting of social workers, juvenile justice personnel, court personnel, etc. (Cole & Sprang, 2015, p121).

According to Cole & Sprang, further research is needed to determine how juvenile sex trafficking victims "...interact with and respond to professional groups and the degree to which professionals can collaborate to develop information-sharing platforms and best practice guidelines to inform identification and intervention efforts." (Cole & Sprang, 2015, p.121). Williams conducted a mixed-method study regarding the role that law enforcement plays in juvenile sex trafficking, consisting of juvenile victims in the Boston metropolitan area and Washington DC (Williams, 2015, p.300). Three major themes were discovered from the study, the first being that juveniles' life experiences lead them to live on the streets and avoid contact with law enforcement (Williams, 2015, p.302). The second theme pertains to juvenile becoming a victim of sex trafficking after contact with law enforcement, due to domestic violence in their house before living on the street (Williams, 2015, p.304). The third theme addressed the interactions that juveniles had with law enforcement while trafficked and how the system

failed them (Williams, 2015, p.307). Williams suggests that law enforcement needs more specialized training, a proactive approach, and coordination with other service agencies (Williams, 2015, p.301,302).

Kenyon and Schanze conducted a qualitative study in March 2013 through June 2013 regarding prostitution and sex trafficking. Participants for the study was law enforcement personal located throughout the east coast. The study consisted of seventeen open-ended questions about why they (participants) felt individuals became involved in prostitution, why prostitution or sex trafficking occurs in specific locations, etc. (Kenyon & Schanze, 2014, p65). One theme discovered during the research was money, whether individuals entered into prostitution to make money or traffickers involved in making money. The second theme that was detected was drug addictions. For prostitutes, the consensus was that individuals became involved in prostitution to support their habit, where victims of sex trafficking became dependent on drugs once they were victimized. The third theme pertains to a lack of awareness of prostitution and sex trafficking by their communities and a lack of reporting information to law enforcement. One participant responded that individuals think of prostitutes as females standing on a street corner when that is not the case (Kenyon & Schanze, 2014, p.68). The last theme discovered was tolerance levels, which are accepted by the community. One example that was provided pertains to Hispanic communities being more open to prostitution and sex trafficking due to how they treated their females (Kenyon & Schanze, 2014, p70).



## Conclusion

One central theme presented in the literature review was prostitution. The different components of prostitution, such as the 'pimp' or 'john.' Prostitution is not new to the United States and is considered a profession or trade by some. However, the current literature portrays prostitution as a form of sex trafficking, especially with the individual required to act as a prostitute is a juvenile. The United States federal government recognizes juveniles involved in the prostitution of other commercial vice acts, as a victim of sex trafficking not a juvenile delinquent for prostitution.

The second theme discovered in completing the literature review is risk factors that increase the potential for juveniles to become victims of sex trafficking. Although risk factors increase the odds, it does not necessarily mean the juvenile will be victimized. Instead, risk factors provide valuable information and insight for what situations, circumstances, etc., that as a society, we can improve to lower juveniles at risk. Another discovered in the literature review was laws and legislation that focused on sex trafficking in prostitution-related to minors under 18. The fourth theme discovered in conducting the literature review was the importance of law enforcement officers in being a key player in combating sex trafficking and the outcome of the juvenile as whether they are viewed as a victim of sex trafficking or a juvenile delinquent. Without law enforcement officers, all of the laws and legislation created at the Federal, State, or local level are not beneficial unless law enforcement officers enforce the laws and legislation.

The last theme revealed in completing the literature review was the use of technology regarding sex trafficking. Technology in the 21st century is a common aspect

of one's everyday life, in many forms. The same is valid for how victims are recruited, selected, etc., as well as for traffickers to make arrangements to move victims from location to location or set up transactions.

Several research variables must be taken into consideration for the current study. The ultimate variable is whether the juvenile is viewed as a victim of sex trafficking or a juvenile delinquent. This brings forth different variables, such as the juvenile's age, the location, or jurisdiction that law enforcement makes contact with the juvenile. Each state has its own Safe Harbor Laws, which classifies juveniles at different ages, as victims or delinquents, based on their age and prostitution. Another factor that must be taken into consideration is the juvenile's past juvenile delinquency. Other variables that influence an officer's decision-making progress are training or lack of training, department policies, resources, networking, and knowledge. Often, juveniles involved in prostitution are also committing other crimes, such as possession of illegal narcotics, under the influence of drugs or alcohol, theft, etc. Officers must decide based on all factors and evidence about how to proceed with the juvenile, whether it is to arrest them or rescue them. Other variables that play a role pertain to the trafficker or pimp, whether it is a stranger, family member, or friend in charge of the juveniles involved in prostitution.

The federal government enacted the TVPA in 2000; it has reauthorized it; all 50 states in the United States have enacted some form of Safe Harbor Laws, yet juveniles continue to be arrested for prostitution or other crimes. The fact that they are victims of sex trafficking is overlooked (Hasselbarth, 2012). One significant aspect is that all states have an age of consent, in which the age that a juvenile can consist of sexual acts.

However, under the age of consent, juveniles are being arrested and treated like criminals for a crime they legally cannot commit (Godsoe, 2015, p.1313). Individual states such as Illinois do not allow any minor to be detained and prosecuted for the crime of prostitution. However, states such as New York do allow prosecution and detention for a juvenile sex trafficking victim if the judge deems it is the only way the juvenile will receive services (Hasselbarth, 2012, p.168). Even though the federal government has made several attempts and joined international forces and state and local agencies, sex trafficking continues to occur throughout the United States and worldwide. According to Bergman (2016), Safe Harbor Laws must meet specific requirements, and if the juvenile is unwilling to cooperate with the court system, then the Safe Harbor Laws will not help them (p.1366). When law enforcement officers contact juveniles involved in prostitution, they are not forthcoming with information. Often, they are guilty of committing other crimes or feel they have an obligation to their pimp or trafficker to protect them (Butler, 2015, p. 1309; Sager, 2012, p.363; Jordan et al., 2013; Godsoe, 2015). According to Godsoe, law enforcement officers view one in five juveniles as victims of sex trafficking (p.1314).

Research has been conducted indicating juveniles at high risk of becoming victimized and establishing short and long abuse, mental health issues, and health concerns. Chapter 3 will provide insight into why the current study's chosen methodology was beneficial to this study.

## Chapter 3

### **Introduction**

The purpose of the cross-sectional, quantitative study was to determine what factors influence the law enforcement officer's discretion when encountering a juvenile prostitute. Many factors influence an officer's discretion, such as their department, community, training, belief and experience, and the individual juvenile. My intent for this study was to evaluate which factors are viewed as higher or more constant between participants.

Using this research method provided a broader range of participants who were full-time deputy sheriffs in the Northeast (Green Country) and Southeast (Choctaw) Oklahoma. Law enforcement officers have an essential role in determining the course of action taken regarding juveniles involved in prostitution and whether the juvenile is viewed as a delinquent or a victim. Sex trafficking can and does occur in all regions, whether rural or metropolitan. The design selected for the current study allowed me to gather vital data regarding law enforcement officers' perceptions of juveniles involved in a commercial vice and any training, knowledge of both state and federal laws, and any previous contact with similar cases.

The role of the researcher is to remain neutral during the study. It is not my intent to embarrass participants, their departments, or the criminal justice system. I was also responsible for guiding the study, ensuring that the data being collected was valuable within the study's scope as it pertained to the research questions. Having worked in law enforcement in different agencies and positions for the past 22 years, and currently

working as a juvenile probation officer, I understand the importance of protecting our youth. Also, I realize that dealing with juveniles is difficult and frustrating, whether this is due to the resources available or merely the juvenile's attitude and lack of cooperation. However, taking all things into considerations, juveniles are children who cannot protect themselves or necessarily make an educated decision considering the long- and short-term effects of their actions. In my experience as an officer and a probation officer, dealing with juveniles was often characterized by uncertainty on the appropriate course of action to be taken by law enforcement officers. In addressing the current research of prostitution or other commercial vices, these acts are considered a crime for the majority of the United States based on state laws. Law enforcement officers who encounter juveniles who refuse to cooperate or take an aggressive stance may tend to view the juvenile as a delinquent instead of a victim.

### **Research Design**

This quantitative, cross-sectional study was focused on how law enforcement officers use their discretion when dealing with juveniles involved in prostitution or other commercial vices. Law enforcement officers consider past experiences, knowledge, training, and education to help them decide to arrest or consider the juvenile a victim. The SLBT related to the nature of this study officers are enforcers society's laws and policies. Research questions focused on each participant as a street-level bureaucrat and their experiences, beliefs, morals, training, and education, along with their working knowledge of policies and procedures related to the TVPA or state laws. Victims of sex trafficking are often not forthcoming with advising law enforcement that they are victims

of sex trafficking. They are often guilty of another crime, such as public intoxication, possession of illegal substances, and so forth, which makes cooperating with law enforcement during their investigation problematic for the juvenile. My intent for this study was to gain data based on the officer's discretion regarding the course of action taken when dealing with juveniles involved in sex commerce. Data collected pertained to officer's knowledge, training, and education and the policies and procedures of their department, which I analyzed to determine the factors that influence the officer's discretion.

The independent variable for this study pertained to the officer's discretion in deciding what course of action the officer will take to deal with a juvenile involved in some form of commercial vice or prostitution. The dependent variable related to the officers' view of the juvenile, whether they were viewed as a delinquent or a victim of sex trafficking. Two mediating variables were considered: the officer's training regarding sex trafficking and the officer's previous experience dealing with juveniles involved in prostitution or commercial vice. The current study's control variable pertained to whether the sheriff's department has specific policies and procedures in place for addressing juveniles involved in prostitution or other commercial vice acts.

The current design was chosen based on allowing the research to be completed within a 2-month time frame. A survey design allowed me to acquire more participants for the study throughout different regions within the state based on population size for each county from rural to metropolitan. Providing the survey online ensured that each participant had access to the study. I received the study results electronically, eliminating

the possibility of studies not being returned or lost in the mail. This also allowed the research to be conducted and completed within the timeline I established.

### **Range of Options**

For the current research, a qualitative approach was considered as well as a mixed methods approach. A qualitative approach would have allowed in-depth interviews with different law enforcement officers throughout the selected regions. However, due to the study's scope of looking at different factors that officers consider using their discretion, a qualitative approach was not the best choice. Mixed methods research was also considered due to that method using the strengths of both approaches; however, it was not selected due to time constraints. In my opinion, the best approach for the current study was a cross-sectional, quantitative approach. This approach allowed for a larger sample size that could be managed promptly and permitted me to explore a broader Oklahoma region. A case-study qualitative approach would have focused on departments that had worked or been involved in a juvenile sex trafficking case.

### **Justification for Design and Approach**

For the current study, I chose a quantitative, cross-sectional survey approach. The study's scope was to analyze what police officers consider when using their discretion when encountering a juvenile involved in prostitution. Using the current method allowed for a broader range of data to be gathered and analyzed based on different variables, such as officers' training, previous experience, policy and procedure, and knowledge of federal and state laws. Other data collected pertained to officers' knowledge and understanding of policies and laws regarding whether the juvenile involved in prostitution or other

commercial vice is viewed as a delinquent or a victim of sex trafficking. Using this type of study allowed me a larger sample size, including rural and metropolitan areas. I chose a cross-sectional design to see what factors officers use to make their decisions.

### **Role of the Researcher**

By limiting participants for the study to the sheriff departments in the selected 31 counties, I was an observer-participant. Participants had to be sheriff's deputies to qualify for participation in the study. I needed to disclose that I was employed full-time at one of the selected Sheriff's departments and currently worked in the county as juvenile probation and parole officer. I considered my current role as observer-participant in light of previous and current employment and was aware of potential personal bias while conducting the research.

The survey was closed after receiving 197 completed surveys. Once the desired number was reached, data was collected by I. Due to the issue of not receiving more than the required number, random sampling was not applied. A hard copy of data will be stored in a locked filing cabinet, in which the researcher will be the only individual that will have access to data. Data stored electronically will be done by USB drive, in which the researcher will be the only one to have access to data. Data will be shared upon request by the researcher's committee through email through Walden University only.

Bias was managed by I, not personally discussing the current research with any of the selected participants before completing the research. Also, to refrain from making a personal judgment by I on participants, participants received a number. When data were coded for analysis, I was not aware of the individual participant and their data. It was



important for the researcher to utilize a number to identify the researcher for the study and in their professional career. It will not interfere with professional working relationships with participants. In the current county that I work in, it was important that participants voluntarily participate instead of feeling an obligation to research due to professional courtesy and participants feeling that they will not be judged based on their responses to surveys.

### **Population and Sample Size**

The current study's target population pertained to county sheriff deputies in the Northeast and Southeastern region in Oklahoma. Utilizing the Eastern region of the state allowed participants from rural, suburban, and metropolitan areas included in the study. The regions of Oklahoma encompass what is known as Green County (Northeast) and Choctaw Country (Southeast) regions of Oklahoma.

Combining both eastern regions will include 31 of the 77 counties in Oklahoma (see Appendix B). Utilizing a larger population allowed participants to be of different gender, ages, demographics, experience, and education. It was estimated that each county would have at least five full-time deputy sheriffs, with larger departments having more deputies. The minimum full-time deputies for each of the 31 departments would result in at least 140 participants for the study. It was estimated that the selected number of participants for the current research would be 400.

### **Sampling and Sampling Procedures**

Participants for the current research require participants to be full-time deputy sheriffs in Oklahoma in 31 of the selected counties. The participants' qualifications for the

recent study were not limited to law enforcement officers who have previously handled juvenile sex trafficking cases due to the design of the study and gathering data from all law enforcement officers. Not all sheriff departments will have a particular unit that investigates juvenile crimes or sex trafficking crimes, which would limit the population size of the study. The current research will be a probability, random selection.

Parameters for participants to qualify for the study pertain to the participant being a full-time deputy within one of the selected sheriff departments from the 31 counties in Northeast and Southeast Oklahoma. Once the survey has been available for one month, the survey will be closed, and data will be gathered. However, it took longer than expected to collect the desired number of completed surveys. To keep participants' responses confidential, participants will receive a number once the survey is conducted. Data is collected, starting with the current year – and then the number or survey received (example 2017-01).

The study intends to analyze factors and influences that law enforcement officers rely on to determine the course of action to pursue when they encounter a juvenile involved in prostitution or other commercial vices. Having worked in some form of law enforcement for the past 18 years, the researcher has personal knowledge of how dealing with juveniles is challenging compared to dealing with adults. Often, officers are unsure what to do or the correct means or action to take and available resources to reach out to for a joint response or effort.

The purpose of this study was to understand the challenges, the different factors, and influences that an officer must consider when dealing with juveniles involved in

prostitution or other commercial vices. Regarding how additional training, policy/procedures, federal and state laws can benefit law enforcement officers that come into contact with juveniles involved in prostitution or other commercial vices. The sampling frame pertains to 31 County Sheriff Departments in Oklahoma, encompassing Northeast and Southeast Oklahoma (see Appendix B). The study criteria included full-time employed deputy sheriffs and the sheriff employed at one of the 31 selected counties.

According to Cohen (1992), “a statistical power analysis exploits the mathematical relationship among these four variables in statistical inference: power, criterion, sample size, population effect size” (p.98). The estimated population size for the current study is 400 participants out of the 31 counties selected. In conducting a power analysis utilizing the Raosoft Sample Size Calculator with a 5% significant level (margin error) and 95% confidence level, the recommended sample size is 197 participants out of the 400 population (Raosoft Inc., 2004). A significant level was set at .05 due to the sample size, with the possibility that not all 400 participants will complete the survey. The confidence level of 95% was established based on sample size.

### **Procedures for Recruitment, Participation, and Data Collection**

Flyers were sent to each of the selected 31 County Sheriff Departments. Flyers contained information on time constraints of the study, how to access the survey, how participants can electronically sign the consent, how participation in the study is voluntary, and how to receive a copy of the study results. Letters of intent and consent to

participate in the study were not required. Participants were asked to select their department's size, representing the number of deputies they had from three categories.

Archival data was not accessed. Participants were asked a series of questions that pertained to their department: number of deputies in their department, if their department had a policy and procedure for sex trafficking, if their department had a particular unit to work sex trafficking cases, along with questions regarding the year they became C.L.E.E.T. certified, number of years working in law enforcement, and if they had ever worked in another state in law enforcement, as well as the name of the state they worked in. Participants were given a number, so no personal identifiers were known by the researcher, as the department's name was not provided.

The timeframe for completing the study was set for one month; however, due to not receiving the required number of 197 completed surveys, the survey was left open until the desired number of completed surveys was obtained. A total of 208 surveys were collected. However, 11 was deleted due to incompleteness, leaving a total of 197 surveys. Data was transferred from SurveyMonkey to Excel to create data set. Once the data set was viewed for accuracy, it was then imported into SPSS. Data Random function was not completed, as the required number of surveys was all that had been collected. Once this phase was completed, a series of analyses were conducted using SPSS to conduct quantitative analysis. The analysis was then utilized to answer the research questions and the hypothesis.

Due to the study's design, I did not anticipate the need for any return or follow-up interviews or surveys. No treatments were administered. Only follow-up procedures will

be if the participant indicates that there are issues or concerns with the survey or if they wished to receive the study results. No issues or concerns were disclosed to the researcher.

### **Pilot Study**

A pilot study was conducted after receiving IRB approval (#05-29-18-0308182). The pilot study's purpose was to increase the validity and reliability of the current study; the researcher for the current study developed a survey. Participation was voluntary, and although no confidential information was obtained, the researcher required participants to sign a consent form before taking the survey electronically. A pilot study was available through the Internet utilizing Survey Monkey. A flyer containing information about the study and how to access the study was provided to municipal police departments within one of the selected counties for the main study. Due to the pilot study's timeframe, it was estimated that there would be eight to ten participants to complete the pilot study.

### **Instrument**

Due to the study's scope I could not find a survey specific to the purpose and intent of the survey to utilize, resulting in the survey designed for the research questions and hypothesis of the current study. To ensure that the survey questions are within the study's scope, the researcher has elected to conduct a pilot study. According to Thabane, Ma, Chu, et al. (2010), using a pilot study is a feasibility study used to guide a more extensive scale study and ensure that the intent and purpose are in conjunction. (p.1) By utilizing a pilot study will increase the validity and reliability of the current study.

The selected participants for the current study are limited to full-time deputy sheriffs within 31 counties within Oklahoma. The pilot study was administered in one of the selected counties to municipal police officers and judges, and attorneys within the county. Increasing the pilot study parameters helps obtain other perspectives from participants that are not law enforcement officers but work within the criminal justice system. Increasing the participants' parameters will also benefit researcher bias, ethical concerns, validity, and reliability of the survey before conducting the current researcher process.

According to Moss (1994) (as cited by AERA et al., 1985), “reliability is the degree to which test scores are free from errors of measurement.” Reliability will be established by first conducting a pilot study of a smaller sample. Participants for the pilot study will pertain to municipal police officers, Judges, and attorneys that work in one of the selected 31 counties that work with juveniles in the county chosen. Once the pilot test was completed, the statistical analysis conducted to answer research questions and to confirm or deny the hypothesis. If findings are justified to be accurate, the researcher will save pilot study findings to compare the actual study results. Comparing the findings of both studies will establish reliability (Creswell, 2003). I compared the pilot study and the current study for consistency to establish reliability.

Creswell (2003) defines validity as “whether one can draw meaningful and useful inferences from scores on the instruments” (p.157). Creswell identifies three types of validity; content, predictive or concurrent validity, and construct validity (p.157). Content validity was established by conducting a pilot study and receiving feedback from

participants regarding the researcher's survey for the current study developed. In completing a pilot study, the researcher will ensure that the content is measured accurately. Predictive validity was established by completing the pilot study and findings or study, which will allow the researcher to predict the conclusions of the current study using a larger population. Construct validity refers to the concept, notion, research questions, hypothesis regarding what data is to be acquired and how to acquire it (Winter, 2000). In developing the survey, research questions and hypotheses were the basis for developing questions to be used on the survey to allow the research to answer questions and confirm or deny the hypothesis.

For the current study, there are two main research questions. The first research question addresses the knowledge that criminal justice personnel has regarding the TVPA and their knowledge regarding how a juvenile involved in sex trafficking is viewed. Survey questions were developed to inquire if participants knew what TVPA stood for. Suppose they have received training regarding sex trafficking, how many hours of training, and different scenarios for juveniles involved in prostitution as to if the participants would consider the juvenile a delinquent or a victim of sex trafficking. Does the second research question relate to the extent to which law enforcement officers view juveniles involved in prostitution as juvenile delinquents? The second researcher question relates to criminal justice personnel views differ from those that have encountered a juvenile engaged in prostitution compared to those who have not. Survey questions were devised for participants to rate different factors, such as human rights, lifestyle choice, only females being victims of sex trafficking, who can be a victim of sex trafficking, and

how juveniles become involved in sex trafficking. Although specific questions were developed for each research question, a combination of survey questions can answer each researcher's questions in more than one way. The hypothesis pertained to: there is no difference between criminal justice personnel that has encountered a juvenile involved in prostitution; a combination of all questions correlates back to the hypothesis taking involvement, understanding, training, beliefs, attitudes, years of service into consideration to confirm or deny the hypothesis.

### **Data Analysis**

In conducting a power analysis Raosoft, a sample size calculator, was utilized through the Internet to determine the sample population size based on a .05 significance level and .95 confidence level. Once raw data is collected, it was entered into SPSS by the researcher. A series of statistical regression was completed through SPSS to answer both research questions and accept or reject the null hypothesis.

One common mistake is human error, whether it be a typographic error or entering the data in the wrong field (Hellerstein, 2008). Research doubled checked the data on two separate occasions to ensure that it was transferred correctly. No outside source was used in double-checking data, as both checks were the same. Hellerstein (2008) refers to data that has been entered incorrectly or outliers as dirty data. It suggests the best approach for recognizing the dirty data is to view the data one single column at a time (p. 5-6).

RQ1: How do Street Level Bureaucrats (law enforcement officers) utilize their knowledge of the T.V.P.A. in Oklahoma?



SQ1: What training do law enforcement officers in Oklahoma receive regarding

T.V.P.A.?

SQ2: How does experience factor into street-level bureaucrats' use of discretion?

SQ3: How do street-level bureaucrats view juveniles involved in prostitution or other commercial vice acts?

*H<sub>0</sub>*: There is no significant difference between law enforcement officers with or without personal knowledge or experience of sex trafficking and using their discretion.

*H<sub>a</sub>*: Law enforcement officers in metropolitan areas' use of discretion will be more consistent.

A simple Logistic Regression statistical test was conducted to confirm or reject the hypothesis. The statistical test's dependent variable was categorical data from the survey question; Have you ever worked a juvenile sex trafficking case? Data representing yes will be given a value of 1, and no will be given a value of 0. The independent variables, also referred to as the predictor variables, will stem from the following survey questions; What is the federal law/act for sex trafficking in the US?; A male juvenile involved in prostitution under the control of a female 'pimp' is a?; A female juvenile involved in prostitution under the control of a female 'pimp' is a? The following questions were ranked on responses from 1 to 5; sex trafficking is a violation of human rights; prostitution is a lifestyle choice; only females are victims of sex trafficking; juvenile prostitution is a crime. In conducting the Simple Logistic Regression, statistical analysis will allow the researcher to confirm or reject the null hypothesis.

Research question Q1 consisted of a Multivariate Multiple Regression statistical test utilizing two outcomes (dependent variables) about knowledge and perceptions. Independent variables will correlate with training, experience, policy, and procedures. Data will be collected from the following questions; What is the Federal Law/Act for sex trafficking in the US?; Have you had any special training in sex trafficking?; Does your department have a particular unit or personal that handles sex trafficking cases?; Does your department have a policy and procedure in place for juvenile sex trafficking? Have you ever worked a juvenile sex trafficking case? The above data will consist of ordinal, interval, and categorical data. The following question will pertain ordinal data from survey questions and will be ranked on responses from 1 to 5; Sex trafficking is a violation of human rights; prostitution is a lifestyle choice; only females are victims of sex trafficking; juvenile prostitution is a crime; What factors are taken into consideration when utilizing your discretion in dealing with a juvenile: attitude; previous run-ins or encounters; elements of a crime; appearance; under the influence or suspected drug user; Victims of sex trafficking are: smuggled into the US; kidnapped; US citizens; juveniles; adults?

SQL was completed by conducting a Multiple Logistic Regression, with the dependent variable being training with independent variables consisting of CLEET and continuing education. The following questions will consist of ordinal data ranked from 1 to 5; Sex trafficking is a violation of human rights; Prostitution is a lifestyle choice; Only females are victims of sex trafficking; Juvenile prostitution is a crime. The next set of data will be the interval from the survey question; What is the Federal Law/Act for sex

trafficking in the US?; Safe Harbor Law; TVPA; Polaris Project; Did you receive sex trafficking training CLEET? Yes; No; Unknown; What year were you CLEET certified?; Do you think juvenile sex trafficking is a problem in Oklahoma? Yes; No; Not Sure; How many years have you worked in law enforcement: 0-3; 4-6; 7-9; 9 or more; Have you had any training in sex trafficking; If yes, approximately how many classes have you attended or taken online: 0-3; 4-6; 7-9; 10 or more and Have you ever worked in another state as a law enforcement officer? If yes, name of the state that you worked in? Was sex trafficking training mandatory?

SQ2 was completed by conducting an Ordinal Logistic Regression, with the dependent variable training and the independent variable discretion, using categorical data. The following question will consist of ordinal data ranked from 1 to 5; Dealing with juveniles; identifying sex trafficking victims. What factors are considered when utilizing your discretion in dealing with a juvenile: attitude, previous run-ins or encounters; elements of a crime; appearance, under the influence of a suspected drug user. Juveniles become involved in prostitution by their: parents, siblings, boyfriend/girlfriend; family members, pimps, own choice, means of survival. Victims of sex trafficking are? Smuggled in the US; kidnapped; US Citizens; juveniles; Adults. A male juvenile involved in prostitution under the control of a female 'pimp' is a? prostitute; Need more information to determine; Victim of sex trafficking. A female juvenile involved in prostitution under the control of a female 'pimp' is a? prostitute; Need more information to determine; Victim of sex trafficking. The next set of data will be the interval from the survey question; How many years have you worked in law enforcement? Have you

worked in another state? If Yes, Name of the state that you worked in? Was sex trafficking training mandatory: Yes; No; Unknown. How many law enforcement departments have you been employed?

Sub-question three was completed by conducting a Multiple Logistic Regression with the dependent variable being juvenile with independent variables consisting of victim or delinquent. The following question will consist of ordinal data ranked from 1 to 5; Dealing with juveniles; identifying sex trafficking victims. What factors are considered when utilizing your discretion in dealing with a juvenile: attitude, previous run-ins or encounters; elements of a crime; appearance, under the influence of a suspected drug user. Juveniles become involved in prostitution by their: parents, siblings, boyfriend/girlfriend; family members, pimps, own choice, means of survival. Victims of sex trafficking are? Smuggled in the US; kidnapped; US Citizens; juveniles; Adults. A male juvenile involved in prostitution under the control of a female 'pimp' is a? prostitute; Need more information to determine; Victim of sex trafficking. A female juvenile involved in prostitution under the control of a female 'pimp' is a? prostitute; Need more information to determine; Victim of sex trafficking.

### **Validity**

According to Onwuegbuzie (2000), external validity is defined as "the extent to which the results of a study can be generalized to and across populations, settings, and time" (as cited by Johnson & Christensen, 2000) (p.6). Considering the above definition, the current study's selected population would be a valid threat to external validity. Law enforcement has a challenging and demanding job and, as of here lately, is cast in a

negative light. On the other hand, having worked in law enforcement for 20 years and currently working with juvenile delinquents, it is this researcher's experience that most officers prefer not to deal with juveniles. The intent of this study was not to portray law enforcement in a negative light., It intended to identify different factors that are considered when dealing with juveniles in prostitution.

Another threat to external validity encompassed the selected region for the study about Northeast and Southeast Oklahoma as if the selected area would have been Dallas (Texas), New York City (New York), Chicago (Illinois), etc. The first threat to external validity was addressed by articulating the intent and purpose of the study about the importance of the study regarding potential changes that would assist law enforcement in doing their duty and providing help for juveniles involved in prostitution or commercial vice acts. The second threat to external validity was addressed by acknowledging that different US regions have different laws, policies, beliefs, and customs, which must be accounted for when conducting and analyzing data. In ensuring to account for different regions, the researcher must be aware of the perceived notions of dealing with juveniles and that policies and laws vary from state to state.

Threats to internal validity were defined by Onwuegbuzie (2000) "the condition that observed differences on the dependent variable are a direct result of the independent variable, not some other variable" (as cited by Gary & Airasian, 200) (p.6). One threat to internal validity pertained to the instrumentation developed by the researcher. To address and strengthen the internal validity, the researcher conducted a pilot study. A pilot study was given to municipal police officers. The analysis was then be conducted to answer the

researcher and hypothesis. No revisions were made, as findings were current with the scope of the study. The outside party was not needed, as there were no discrepancies in findings discovered.

### ***Construct Validity***

Construct validity refers to the study measuring what it states that it is measuring. The survey was designed with research questions and hypotheses regarding what questions could be asked to answer the questions and confirm or null the hypothesis. Conducting a pilot study before the actual study helped eliminate construct validity and allow the researcher to make changes to survey questions and design before conducting the study.

### **Protection of Participant's Rights/Ethical Issues**

Before any research was conducted or communication with participants, I received IRB approval from Walden University. Once IRB approval was received, flyers were sent to the selected 31 county Sheriff Departments located in Oklahoma's Northeastern and Southeastern regions. Information regarding the purpose, intent, and how the survey could be accessed was provided on the flyer. Participants were not asked any questions that would identify them or their department.

Institutional permission was not required, as participants were not asked any questions that would identify them or their department. Participants were required to consent to participate in the study electronically voluntarily.

No face-to-face contact was made with participants. Information was provided to participants if they needed to contact the researcher. However, no participants reached

out to the researcher. One ethical concern was the researcher's current and past working relationship with possible participants. Within the county, I reside and work and surrounding counties in which I may have face-to-face correspondence with participants within the researcher's professional duties. It is of utmost necessity for I to address this issue within the actual researcher and account for the researcher's possible bias and participants' bias.

I anticipated that some deputies would not participate in the study. I anticipated that participants would not take the survey seriously, threatening the study's validity, which will be addressed. Due to the study's nature and the participants chosen for the study, the researcher was aware of how some participants could be cautious of the study and the outcomes based on the my own professional experiences. It was important for me to articulate the intent and purpose of the study, how participants' privacy will be protected, to reassure them that the study is not out to make them, their department, or law enforcement as a whole, look bad.

I am not in a supervisor role within the selected areas but currently works as a juvenile probation officer within one of the selected counties. Law enforcement officers rely on the researcher to make decisions and inform them of the course of action taken with dealing with juvenile offenders within the county. Participants received no incentive for participating in the survey nor, were there any re-precautions for participants refusing to participate in the study. In dealing with juvenile offenders, there is the possibility that there could be a conflict of interest if law enforcement encountered a juvenile involved in prostitution, in which I worked. However, the conflict of interest would be resolved

professionally by seeking a different professional opinion. I would ask to be removed from the case, have it transferred out of the county to another county agency.

Archival data collected will pertain to participants and ensuring that each participant meets the criteria for the study. I and members of the my committee will have access to the information. I will store a hard copy of the information in a locked file cabinet that only the researcher will access. Data is stored electronically on a USB drive that only the researcher will have access to it. Members of the my committee will only have access to archival data upon request and will be sent through email attachment using Walden University email server.

### **Summary**

Utilizing the current longitudinal survey design allowed the researcher to access a larger sample size to include participants from rural, urban, and metropolitan areas within the selected 31 counties in the Northeast and Southeastern region of Oklahoma. Sex trafficking can occur in any area. Having the opportunity to sample all regions was beneficial for studying and analyzing what factors and influences were considered. That affects officers in utilizing their discretion regarding juveniles involved in prostitution and the possible course of action pursued by law enforcement. Using a survey method allows law enforcement officers not to be judged based on the survey questions' responses, promoting more honest and open answers (Chaleunvong, 2009). Considering the researcher's current and previous employment in terms of bias, the design helped eliminate researcher bias for the present study, establishing reliability and validity.



Conducting a longitudinal study provides an opportunity to take law enforcement officers' experience and training into consideration relating to their discretion.

The study's scope is not to manipulate any variable but to gather raw data on how law enforcement officers conduct their jobs daily. Utilizing this study design allows different factors such as experience, knowledge, and training to be analyzed based on current federal laws. Creating laws and acts is just one part of fighting sex trafficking. However, if the laws or actions are unclear or unknown, why do they have them? The researcher intends to gain data to answer research questions and hypotheses to promote social change.

Chapter 3 provided information regarding the chosen methodology, the reasoning, the chosen method, and why other methods were not. Information provided regarding sample selection, participants, data collection, and data analysis. The procedure to gain consent and how participants will be treated, and what they can expect from the researcher were disclosed. Chapter 4 will explain how the actual contact was made with participants, how consent was received, and administer the survey and collection of the raw data.

## Chapter 4

### **Introduction**

The purpose of this research was to explore what factors are considered by law enforcement officers in using their discretion to arrest a juvenile involved in prostitution or view the juvenile as a victim. For the current study, there were two main research questions. The first research question addressed the knowledge that street-level bureaucrats have regarding the TVPA and their knowledge regarding how a juvenile involved in sex trafficking is viewed. Sub-questions related to training received, how it factors into the use of discretion, and street-level bureaucrats' views of juveniles engaged in prostitution.

Survey questions were developed to inquire if participants knew what TVPA stood for. Also, the survey asked if they had received training regarding sex trafficking, how many hours of training, and different scenarios for juveniles involved in prostitution regarding whether the participants would consider the juvenile a delinquent or a victim of sex trafficking. Survey questions were devised for participants to rate different factors such as human rights and lifestyle choice; if only females can be victims of sex trafficking; and how do juveniles become involved in sex trafficking.

The first research method considered was a mixed methods approach. Considering this method would have allowed for a broader spectrum of participants and narrowed it down to law enforcement officers who had worked a juvenile sex trafficking case. There were several reasons for not selecting this method, such as the length of time

it would take to complete the study. There were also ethical concerns. Victims of offenders that law enforcement officers would be providing data about would be juveniles, who could currently still be involved in sex trafficking or have an open court case.

A qualitative approach was considered. However, it would not have provided access to a larger population, which was more focused in trying to understand what law enforcement officers consider when dealing with juveniles involved in prostitution. The current method did have some challenges in getting survey responses. The survey's purpose did not directly benefit or necessarily relate to law enforcement officers in their everyday daily routine unless the officer was a member of a specialized task force for some form of human trafficking. This could have been the reason for slow responses to the survey. I could not locate a survey within the current study's scope, so I created the survey to use for the study.

### **Summary of Pilot Study**

I conducted a pilot study following approval from Walden University's Institutional Review Board (IRB, approval #05-29-18-0308182) to analyze the researcher-created survey questions to help establish validity and reliability before using the survey questionnaire for the main study. One county was selected out of the 33 counties to have municipal police department officers participate in the study. The one county that was selected had three different municipal police departments located within the county. The pilot study consisted of 18 survey questions, whereas the main study had 24 survey questions. The number of questions was based on my having personal

knowledge of the municipal police department's number of officers, policies, and procedures.

The pilot study was made available via the Internet for 3 consecutive days. The selected municipal police departments were provided a flyer regarding similar information as for the primary study of the purpose, nature, and risk/benefits of the study and how the study could be accessed via the Internet through SurveyMonkey. Out of the three selected municipal police departments with approximately 13 officers between the three departments, 12 surveys were completed. There was one response on the first day, three responses on the second day, and eight responses on the last day.

After completing the pilot study, I made changes to the main study, making the survey questions more specific and taking out the need to make an educated guess by adding the option of unknown or unsure to yes/no type questions. Another change made to the main study after completing the pilot study was designing survey questions and the step-up of survey questions on SurveyMonkey. Survey questions on the pilot study did not require that each question be answered, which resulted in questions being skipped. Before publishing the main study, I made corrections through a SurveyMonkey setup that would require all questions to be answered before accessing the next question. Another change was the pilot study's color theme, which seemed to be the right choice but was also changed, as utilizing another color scheme for the main study appeared to be a better option. I distributed the flyers for the pilot study one day before the pilot study was opened. Some participants tried to access the study, and I was contacted that the survey was not working. Flyers were distributed the day that the main study was available

online. One last change made to the main study was adding a QR code to the flyers that would allow participants to scan the code with a QR scanner on their mobile phone or tablet.

### **Main Study: Data Collection**

The main study consisted of 31 counties in Oklahoma located in the Northeast and Southeast regions. I mailed a flyer to each of the selected 31 counties. The flyer provided information to participants on how to access the study. Both the pilot study and main study were available to participants through the Internet via SurveyMonkey. Participants would need to enter the HTTP address or scan the provided QR code to access the surveys. A QR code was provided for the main study only. Qualifications to meet guidelines to participate in the main study consisted of the participant being employed at one of the selected sheriff's departments as a law enforcement officer, either full-time or as a reserve deputy.

The current study did not compass any treatment or intervention fidelity. The study pertained to survey questions. Participants provided answers to survey questions about their sheriff's department regarding when they become certified law enforcement officers, special training for sex trafficking, and a series of questions utilizing the Likert scale. There were additional survey questions about the federal law for sex trafficking, their thoughts on sex trafficking in Oklahoma, and what course of action they would take with two scenarios.

The time frame for completing the data collection process proved inaccurate. I had allotted 30 days to collect a minimum of 197 completed survey responses, but within

the 30 days, I had collected 106 responses. I then contacted Walden's IRB to ensure that I was still within guidelines if the survey remained open and whether I could reach out to participants through previously approved methods. Once IRB advised me that it was allowed to continue the survey, I continued to follow the approved IRB guidelines to contact sheriff's departments until 197 completed surveys were collected. I collected a total of 208 responses, however I 11 surveys from the data set due to surveys not being completed.

### **Descriptive and Demographic Characteristics of Sample**

The sample included 197 participants employed as a deputy sheriff or reserve deputy sheriff in the Northeast and Southeast regions of Oklahoma, which comprise 31 counties out of the 77 counties in the state. Out of the 197 participants, 65% ( $n = 128$ ) reported having 0 to 30 deputies in their department, which was categorized as a rural area; 23.9% ( $n = 47$ ) came from departments with 31-98 deputies, which categorized as urban; and 11.2% ( $n = 22$ ) came from departments with 99 or more deputies, classified as a metropolitan area. Regarding officers knowing what the federal law is for sex trafficking in the United States, the number was 24.9% ( $n = 49$ ). Out of the 197 participants, 52.6% ( $n = 103$ ) reported that they had taken classes regarding sex trafficking. Regarding the number of hours of training taken by officers, 70.2% ( $n = 73$ ) had only taken zero to three hours of specific training for sex trafficking. Out of the 197 participants, 22.3% ( $n = 44$ ) reported that their department had a particular unit that handled sex trafficking cases, with only 12.2% ( $n = 24$ ) reporting that their department had a policy and procedure regarding sex trafficking. Officers who had worked in a sex

trafficking case constituted 8.1% ( $n = 16$ ). Officers who believed sex trafficking is a problem in Oklahoma were 54.3% ( $n = 107$ ), with 35.5% ( $n = 70$ ) unsure if sex trafficking was a problem.

### **Basic Univariate Analyses**

Univariate analyses was conducted utilizing research question #1, which resulted in the following findings: There was a statistically significant interaction effect between the number of hours of sex tracking training that law enforcement officers completed and the presumption that prostitution is a lifestyle choice  $F(3,151) = 2.8639, p = .039$ , partial  $n^2 = .054$ , but not for knowledge of the federal law for sex trafficking,  $F(3,151) = .539, p = .656$ , partial  $n^2 = .011$ , nor was sex trafficking a violation of human rights,  $F(3,151) = 1.342, p = .263$ , partial  $n^2 = .026$ , nor was only females are a victim of sex trafficking  $F(3,151) = 1.810, p = .148$ , partial  $n^2 = .035$ , juvenile prostitute is a criminal was also not statistically significant  $F(3,151) = .951, p = .389$ , partial  $n^2 = .012$ . In regards to departments have a policy and procedure specific to sex trafficking, only interaction that was statistically significant was only females are a victim of sex trafficking  $F(2,151) = 5.884, p = .003$ , partial  $n^2 = .072$ . For elements of a crime statistical significant interaction occurred with human rights  $F(4,151) = 4.414, p = .002$ , partial  $n^2 = .105$  and only females are victims of sex trafficking  $F(4,151) = 2.685, p = .034$ , partial  $n^2 = .066$ . For individuals smuggled into sex trafficking there were two statistically significant interactions, 1) prostitution is a lifestyle choice  $F(4,151) = 3.497, p = .009$ , partial  $n^2 = .085$ ; 2) only females are victims of sex trafficking  $F(4,151) = 3.021, p = .015$ , partial  $n^2 = .078$ . For victims of sex trafficking being kidnapped, one statistically significant interaction with

prostitution being a lifestyle choice  $F(4,151) = 3.110, p = .017$ , partial  $\eta^2 = .076$ . Victims of sex trafficking being U.S. Citizens had a statistically significant interaction effect with only females being a victim of sex trafficking  $F(4,151) = 2.711, p = .032$ , partial  $\eta^2 = .067$ . Juveniles being a victim of sex trafficking, more particularly, only females being a victim of sex trafficking was statistically significant  $F(3,151) = 2.863, p = .039$ , partial  $\eta^2 = .054$ . There were three statistically significant interaction effects between adults being a victim of sex trafficking and 1) prostitution is a lifestyle choice  $F(4,151) = 3.189, p = .015$ , partial  $\eta^2 = .078$ ; 2) only females are victims of sex trafficking  $F(4,151) = 7.418, p = .000$ , partial  $\eta^2 = .164$  and 3) juvenile prostitute is a criminal  $F(4,151) = 4.791, p = .001$ , partial  $\eta^2 = .113$ .

## Results

Research question 1, contains four dependent variables: Federal Law/Act, training in sex trafficking, the department has a particular unit, and if the department has a policy and procedure. For mean, standard deviation, and number, see table 1.

**Table 1**

*Descriptive Statistics Research Question 1*

Variables	Mean	Std. deviation	N
Federal Law/Act	2.40	1.287	196
Any training in ST	1.47	.501	196
Department have special unit	1.78	.418	196
Department have P&P	2.21	.642	196

Descriptive statistics for sub-question one would pertain to the dependent variable, if the officer received sex trafficking training in CLEET, and the independent variables: Federal Law/Act, human rights, prostitution is a lifestyle choice, only females



are victims of sex trafficking, juvenile prostitute is a criminal, how many years worked in law enforcement, if they (officer) has ever worked in another state, and if the officer thinks sex trafficking is a problem in Oklahoma. See Table 2 for mean, standard deviation, and number.

**Table 2**

*Descriptive Statistics: Subquestion 1*

Variables	Mean	Std. deviation	N
Did you receive ST in CLEET	1.91	.527	197
Federal Law/Act	2.41	1.289	197
Human Rights	4.14	1.198	197
Prostitution is lifestyle choice	3.14	1.072	197
Only females are victims	2.09	1.142	197
Juvenile prostitute is a criminal	2.86	1.268	197
How many years worked in LE	3.12	1.556	197
Ever worked in another state	1.90	.296	197
ST problem in OK	1.81	.931	197

Descriptive statistics for sub-question 2 pertains to the number of years of experience that participants have in law enforcement, along with 20 independent variables. See table 3.

**Table 3***Descriptive Statistics: Subquestion 2*

Variables	Mean	Std. deviation	N
How many years worked in LE	3.117	1.556	197
Dealing with juveniles	3.350	1.081	197
ID victims	2.721	1.063	197
Attitude	3.807	0.905	197
Previous encounters	3.812	0.808	197
Elements of Crime	4.183	0.831	197
Appearance	3.188	0.974	197
Under the influence	3.827	0.898	197
Male with pimp	2.421	0.729	197
Female no pimp	2.046	0.778	197
Smuggled into U.S.	3.178	0.966	197
Kidnapped	3.472	0.934	197
U.S. Citizens	3.274	0.867	197
Juveniles	3.604	0.780	197
Adults	3.294	0.950	197
Parents	2.970	0.903	197
Siblings	2.909	0.887	197
Boyfriend/girlfriend	3.574	0.722	197
Family members	3.335	0.814	197
Pimps	4.020	0.802	197
Own choice	3.508	0.972	197

Descriptive statistics for sub-question 3 pertains to two different scenarios as the dependent variables, 1) a male juvenile prostitute under the control of a pimp (see table 4), and 2) a female juvenile prostitute, not under the control of a pimp (see table 5). Independent variables for both scenarios were the same. They consisted of the following: dealing with juveniles, identifying victims of sex trafficking, juveniles attitude, previous encounters with law enforcement, elements of a crime, juveniles appearance, if the juvenile was under the influence of victims of sex trafficking are smuggled into the US, kidnapped, US citizens, juveniles, or adults, and how juveniles become involved in sex

trafficking through their parents, siblings, boyfriend/girlfriend, family members, pimps, own choice, or as a means of survival.

**Table 4**

*Subquestion 3: Male, Juvenile Prostitute, Under Control of a Pimp*

Variables	Mean	Std. deviation	N
Male with pimp	2.42	0.729	197
Dealing with juveniles	3.35	1.081	197
ID Victims	2.72	1.063	197
Attitude	3.81	0.905	197
Previous encounters	3.81	0.808	197
Elements of crime	4.18	0.831	197
Appearance	3.19	0.974	197
Under the influence	3.83	0.898	197
Smuggled into U.S.	3.18	0.966	197
Kidnapped	3.47	0.934	197
U.S. Citizen	3.27	0.867	197
Juveniles	3.60	0.780	197
Adults	3.29	0.950	197
Parents	2.97	0.903	197
Siblings	2.91	0.887	197
Boyfriend/girlfriend	3.57	0.722	197
Family members	3.34	0.814	197
Pimps	4.02	0.802	197
Own choice	3.51	0.972	197
Means of survival	3.64	0.704	197

**Table 5**

*Subquestion 3: Juvenile, Female Prostitute Not Under the Control of a Pimp*

Variables	Mean	Std. Deviation	N
Female no pimp	2.05	0.778	197
Dealing with juveniles	3.35	1.081	197
ID victims	2.72	1.063	197
Attitude	3.81	0.905	197
Previous encounters	3.81	0.808	197
Elements of Crime	4.18	0.831	197
Appearance	3.19	0.974	197
Under the influence	3.83	0.898	197
Smuggled into US	3.18	0.966	197
Kidnapped	3.47	0.934	197
US Citizens	3.27	0.867	197
Juveniles	3.60	0.780	197
Adults	3.29	0.950	197
Parents	2.97	0.903	197
Siblings	2.91	0.887	197
Boyfriend/Girlfriend	3.57	0.722	197
Family Members	3.34	0.814	197
Pimps	4.02	0.802	197
Own Choice	3.51	0.972	197
Means of Survival	3.64	0.704	197

### **Statistical Assumptions**

For Research Question 1, there was a linear relationship between dependent variables as assessed by a scatter plot. No evidence of multicollinearity as assessed by Pearson correlation ( $|r| < 0.9$ ). Boxplot was utilized to inspect Univariate outliers. There were some multivariate outliers in the data as assessed by Mahalanobis distance ( $p < .001$ ). The most considerable value was 7.111. The multivariate outliers were not removed from the data.

Independent variables were not normally distributed, as assessed by Shapiro-Wilk's test ( $p < .05$ ). Levene's Test of Homogeneity of Variance ( $p > .05$ ) to determine variances between federal law/act, human rights, and juvenile prostitute as a criminal.

For SQ1, there was a linear relationship between dependent variables as assessed by a scatterplot. No evidence of multicollinearity, as assessed by Pearson correlation ( $|r| < 0.9$ ). Residuals were independent, assessed by the Durbin-Watson statistic of 1.859.

For SQ2, the assumption of proportional odds was met, as assessed by a full likelihood ratio test comparing the fit of the proportional odds location model to a model with varying location parameters  $\chi^2(294) = 252.725, p = .961$ . The deviance goodness-of-fit test indicated that the model was an excellent fit to the observed data,  $\chi^2(658) = 436.8241, p = 1.00$ . The final model statistically significantly predicted the dependent variable over and above the intercept-only model,  $\chi^2(98) = 172.490, p < .001$ .

For SQ3, there was a linear relationship between dependent variables as assessed by a scatterplot. No evidence of multicollinearity, as assessed by Pearson correlation ( $|r| < 0.9$ ). Residuals were independent, assessed by Durbin-Watson statistic of 2.026

### **Statistical Analysis: Hypothesis**

- The null hypothesis for the current study is: There is no significant difference of street level bureaucrats use of discretion based on knowledge and experience with a juvenile prostitute.

To confirm or reject the null hypothesis, a simple logistic regression analysis was conducted. The dependent variable will utilize the survey question: *Have you ever worked a juvenile sex trafficking case?* For the independent variables, the following

survey questions were utilized; *What is the federal law/act for sex trafficking in the U.S.?*; *A male juvenile involved in prostitution under the control of a female 'pimp' is a?*; *A female juvenile involved in prostitution under the control of a female 'pimp' is a?*

Besides, the following Likert Scales will be utilized from the survey questions relating to; *sex trafficking is a violation of human rights; prostitution is a lifestyle choice; only females are victims of sex trafficking; juvenile prostitution is a criminal.* The simple logistic regression was statistically significant  $\chi^2(7) = 18.392, p < .005$ . The simple logistic regression explained 20.7% (Nagelkerke  $R^2$ ) of the variances of officer's knowledge with experience, compared to those that do not have the experience, correctly classified 91.9% of cases. Sensitivity was 99.4%, specificity was 6.3%, positive predictive value was 92.3%, and the negative predictive value was 50. Out of the six variables, only one variable was statistically significant,  $\chi^2(1) = 6.779, 2.743, 95\% \text{ CI } [1.283, 5.861] p = .009$ . The area under the ROC Curve was .233, 95% CI [.105, .361], which is not an excellent level of discrimination; therefore, the null hypothesis was rejected.

## **Statistical Analysis: Research Questions**

### ***Research Question 1***

There was a statistically significant interaction effect between the number of hours of sex tracking training that law enforcement officers completed and the presumption that prostitution is a lifestyle choice  $F(3,151) = 2.8639, p = .039$ , partial  $n^2 = .054$ , but not for knowledge of the Federal Law for sex trafficking,  $F(3,151) = .539, p = .656$ , partial  $n^2 = .011$ , nor was sex trafficking a violation of human rights,  $F(3,151) =$

1.342,  $p = .263$ , partial  $n^2 = .026$ , nor was only females are a victim of sex trafficking  $F(3,151) = 1.810$ ,  $p = .148$ , partial  $n^2 = .035$ , juvenile prostitute is a criminal was also not statistically significant  $F(3,151) = .951$ ,  $p = .389$ , partial  $n^2 = .012$ . In regards to departments have a policy and procedure specific to sex trafficking, only interaction that was statistically significant was only females are a victim of sex trafficking  $F(2,151) = 5.884$ ,  $p = .003$ , partial  $n^2 = .072$ . For elements of a crime statistical significant interaction occurred with human rights  $F(4,151) = 4.414$ ,  $p = .002$ , partial  $n^2 = .105$  and only females are victims of sex trafficking  $F(4,151) = 2.685$ ,  $p = .034$ , partial  $n^2 = .066$ . For individuals smuggled into sex trafficking there were two statistically significant interactions, 1) prostitution is a lifestyle choice  $F(4,151) = 3.497$ ,  $p = .009$ , partial  $n^2 = .085$ ; 2) only females are victims of sex trafficking  $F(4,151) = 3.021$ ,  $p = .015$ , partial  $n^2 = .078$ . For victims of sex trafficking being kidnapped, one statistically significant interaction with prostitution being a lifestyle choice  $F(4,151) = 3.110$ ,  $p = .017$ , partial  $n^2 = .076$ . Victims of sex trafficking being U.S. Citizens had a statistically significant interaction effect with only females being a victim of sex trafficking  $F(4,151) = 2.711$ ,  $p = .032$ , partial  $n^2 = .067$ . Juveniles being a victim of sex trafficking, more particularly, only females being a victim of sex trafficking was statistically significant  $F(3,151) = 2.863$ ,  $p = .039$ , partial  $n^2 = .054$ . There were three statistically significant interaction effects between adults being a victim of sex trafficking and 1) prostitution is a lifestyle choice  $F(4,151) = 3.189$ ,  $p = .015$ , partial  $n^2 = .078$ ; 2) only females are victims of sex trafficking  $F(4,151) = 7.418$ ,  $p = .000$ , partial  $n^2 = .164$  and 3) juvenile prostitute is a criminal  $F(4,151) = 4.791$ ,  $p = .001$ , partial  $n^2 = .113$ .

### ***Subquestion 1***

Three variables added statistically significant predictors,  $p < .05$ . Regression coefficients and standard errors can be found in table 6.

**Table 6**

*Summary of Multiple Regression Analysis: CLEET Training*

Variable	<b>B</b>	<b>SE<sub>b</sub></b>	<b>B</b>
Intercept	0.747	0.330	
Federal law/act?	-0.009	0.029	-0.022
Human rights	0.032	0.031	0.073
Prostitution lifestyle choice	0.081	0.042	0.164*
Only females are victims	0.053	0.038	0.115
Juvenile prostitute is a criminal	-0.012	0.037	-0.030
How many years worked in LE	0.042	0.024	0.123*
Ever worked in another state	0.237	0.128	0.133*
ST a problem in OK	0.077	0.040	0.137

*Note.* \*  $p < .05$ ; B = unstandardized regression coefficient; SE<sub>b</sub> = standard error of the coefficient; B = standardized coefficient

### ***Subquestion 2***

Cross-tabulation of law enforcement officers years of experience with their view of the male, juvenile prostitute as a delinquent, with 0 to 4 years, was 3.6%, 5 to 8 years, 0%, 9 to 12 years, 6.1%, and 17 or more years as 4.6%, (n=197). For females, juveniles in prostitution not under the control of a pimp, 0 to 4 years of experience 9.6%, 5 to 8 years, 2%, 9 to 12 years 9.6% and 17 or more years 6.6% (n=197). The total percentage for the male juvenile prostitute was 14.3%, and female, the juvenile prostitute was 42.1%.

### ***Subquestion 3***

Regression errors and coefficients for male, the juvenile prostitute (Table 7) and female, the juvenile prostitute (Table 8.)



**Table 7**

*Summary of Multiple Regression Analysis: Male, Juvenile Prostitute, Under Control of a Pimp*

Variable	B	SE <sub>b</sub>	B
Intercept	2.567	0.473	
Dealing with juveniles	0.014	0.058	0.019
ID victims	0.037	0.060	0.051
Attitude	0.180	0.091	0.173
Previous encounters	-0.076	0.106	-0.079
Elements of crime	-0.061	0.085	-0.066
Appearance	0.037	0.061	0.046
Under the influence	-0.112	0.100	-0.129
Smuggled into U.S.	-0.050	0.074	-0.062
Kidnapped	-0.044	0.087	-0.053
U.S. citizens	0.031	0.084	0.034
Juveniles	-0.114	0.088	-0.114
			0.325
Adults	0.266	0.085	*
Parents	-0.008	0.123	-0.009
Siblings	0.036	0.124	0.042
Boyfriend/girlfriend	-0.048	0.096	-0.044
Family members	0.169	0.094	0.177
Pimps	-0.087	0.077	-0.090
			-
Own choice	-0.232	0.062	.290*
Means of survival	0.016	0.084	0.014

*Note.* \*  $p < .05$ ; B = unstandardized regression coefficient; SE<sub>b</sub> = standard error of the

coefficient; B = standardized coefficient

**Table 8**

*Summary of Multiple Regression Analysis: Female, Juvenile Prostitute Not Under*

*Control of Pimp*

Variable	B	SE <sub>b</sub>	<i>B</i>
Intercept	2.083	0.430	
Dealing with juveniles	0.120	0.053	0.178
ID Victims	-0.028	0.054	-0.041*
Attitude	0.030	0.083	0.038
Previous encounters	-0.126	0.096	-0.139
Elements of crime	-0.069	0.078	-0.079
Appearance	-0.100	0.055	-0.133
Under the influence	0.068	0.091	0.083
Smuggled into U.S.	-0.098	0.068	-0.130
Kidnapped	0.081	0.079	0.104
U.S. Citizens	0.047	0.076	0.056
Juveniles	-0.060	0.080	-0.064
Adults	0.269	0.077	0.350*
Parents	0.103	0.112	0.127
Siblings	0.044	0.113	0.054
Boyfriend/girlfriend	-0.162	0.088	-0.160
Family members	0.011	0.085	0.012
Pimps	-0.007	0.070	-0.008
Own choice	-0.085	0.056	-0.113
Means of Survival	0.101	0.076	0.076

*Note.* \*  $p < .05$ ; B = unstandardized regression coefficient; SE<sub>b</sub> = standard error of the coefficient; *B* = standardized coefficient

### Confidence Intervals

Research question 1: There was a statistically significant interaction effect between the combined dependent variables and elements of a crime  $F(15, 447) = 1.577, p = .021$ , Wilks'  $\Lambda = .793$ , partial  $\eta^2 = .056$ ; smuggled into the U.S.  $F(20,448) = 1.640, p = .040$ , Wilks'  $\Lambda = .806$ , partial  $\eta^2 = .052$ ; adults  $F(20,488) = 2.479, p = .000$ , Wilks'  $\Lambda = .726$ , partial  $\eta^2 = .077$ . SQ1: The following factors had a statistically significant effect on

the prediction of how officers use their discretion as to how the juvenile is treated, officers level of confidence in dealing with a juvenile Wald  $\chi^2(4) = 12.295, p = .015$ ; the juveniles attitude Wald  $\chi^2(3) = 8.802, p = .032$ ; the juveniles appearance Wald  $\chi^2(4) = 11.600, p = .021$  and juveniles becoming involved in prostitution as a means of survival Wald  $\chi^2(3) = 11.348, p = .010$ .

SQ1: The  $R^2$  for the overall model was 9.2%, with an adjusted  $R^2$  of 5.3%.

SQ: The following factors had a statistically significant effect on the prediction of how officers use their discretion as to how the juvenile is treated, officers level of confidence in dealing with a juvenile Wald  $\chi^2(4) = 12.295, p = .015$ ; the juvenile's attitude Wald  $\chi^2(3) = 8.802, p = .032$ ; the juveniles appearance Wald  $\chi^2(4) = 11.600, p = .021$  and juveniles becoming involved in prostitution as a means of survival Wald  $\chi^2(3) = 11.348, p = .010$ .

SQ3: The following scenario: male, juvenile prostitute under the control of a pimp, was statistically significant  $F(19, 177) = 4.752, p < .001$ , adjusted  $R^2$  26.7%. The same predictors were used for the second scenario, involving a female juvenile prostitute not under the control of a pimp, which was also statistically significant  $F(19, 177) = 3.967, p < .001$ , adjusted  $R^2$  22.3%.

### **Post-Hoc Analyses**

For the RQ, Tukey pairwise comparisons were run for the differences in mean training hours between interventions. There was a decrease in Federal Law score for 0 to 3 hours of training in sex trafficking ( $M = 2.42, SD = 1.384$ ) to 4 to 6 hours of training ( $M = 2.06, SD = 1.237$ ), a mean decrease of .362, 95% CI [.57, 1.30], which was not

statistically significant ( $p=.743$ ) Human rights resulted in a decrease from 0 to 3 training hours ( $M = .4.27, SD = .1.297$ ) to 4 to 6 hours of training ( $M = 3.88, SD = 1.147$ ) a mean decrease of .399, 95% CI [-.046, 1.26] which was not significant ( $p = .624$ ). Prostitution being a lifestyle choice resulted in a decrease in 4 to 6 hours of sex trafficking ( $M = 3.56, SD = .964$ ) to 7 to 9 hours of training ( $M = 2.00, SD = .894$ ), a mean decrease of 1.563, 95% CI [.23,2.89] which was statistically significant ( $p = .015$ ). Only females are victims of sex trafficking, resulted in an increase in 7 to 9 hours of sex trafficking training ( $M=1.67, SD=.516$ ) to 10 or more hours of training ( $M = 2.33, SD = 1.00$ ), a mean increase .667, 95% CI [-.39,2.31] which was not statistically significant ( $p = .645$ ). A juvenile prostitute is a criminal decreased in 0 to 3 hours of sex trafficking training ( $M = 2.79, SD = 1.201$ ) to 10 or more hours of training ( $M = 2.33, SD = 1.323$ ), a mean decrease of .461, 95% CI [-1.03,1.59) which was not statistically significant ( $p = .712$ ). If an officer had ever worked a sex trafficking case decreased from 4 to 6 hours of training ( $M = 1.81, SD = .403$ ) to 10 or more hours of training ( $M = 1.67, SD = .50$ ), a mean decrease .146, 95% CI [-.21,.50), which was not statistically significant ( $p = .700$ ).

A Turkey analysis was not conducted for sub-question 1 or 3. Sub-question 2 parameter estimates ran to show more specific factors related to an officer's discretion in determining if a juvenile prostitute was a victim of sex trafficking or a juvenile delinquent. Independent variables were Likert Scales, consisting of 1 -5, 1-strongly disagree, 2-disagree, 3-neutral, 4-agree, and 5-strongly agree. Juveniles with previous encounters with law enforcement were statistically significant at the neutral level in how it factors into officers' use of discretion to view the juvenile, .069, 95% CI [.006, .754],

Wald  $\chi^2(1) = 4.802$ ,  $p = .028$ . Elements of a crime was also significant at the neutral level,  $.133$ , 95% CI  $[-.021, .844]$ , Wald  $\chi^2(1) = 4.577$ ,  $p = .032$ , as was the juveniles appearance,  $8.030$ , 95% CI  $[-1.032, 62.491]$ , Wald  $\chi^2(1) = 3.959$ ,  $p = .047$ . Officers agreeing that victims of sex trafficking are smuggled into the U.S. was statistically significant,  $.0423$ , 95% CI  $[-.002, .7854]$ , Wald  $\chi^2(1) = 4.503$ ,  $p = .042$ . Officers who disagree that prostitution is the juvenile's choice were significant,  $.029$ , 95% CI  $[-.003, .298]$ , Wald  $\chi^2(1) = 8.875$ ,  $p = .003$ . Officers that disagree that juveniles are brought into prostitution by pimps was statistically significant,  $49.896$ , 95% CI  $[1.880, 1324.117]$ , Wald  $\chi^2(1) = 5.463$ ,  $p = .019$ , but also agree that juveniles are brought into prostitution by pimps, which was statistically significant,  $3.969$ , 95% CI  $[1.064, 14.804]$ , Wald  $\chi^2(1) = 2.695$ ,  $p = .040$ . Juveniles becoming involved in prostitution was statistically significant at two levels; the first one was at a neutral level,  $.038$ , 95% CI  $[-.005, .289]$ , Wald  $\chi^2(1) = 9.95477$ ,  $p = .002$ , and the second was at the agreed level  $.092$ , 95% CI  $[-.016, .542]$ , Wald  $\chi^2(1) = 6.957$ ,  $p = .008$ .

### **Additional Statistical Tests**

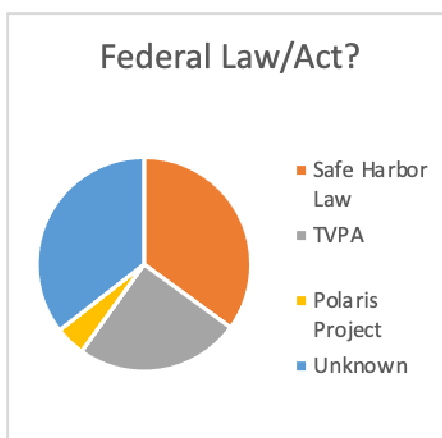
To ensure that the null hypothesis should be rejected, a paired t-test was conducted, using the dependent variable if an officer had ever worked a sex trafficking case. The independent variable was if juvenile prostitute were considered a criminal. For the independent variable ( $M = 1.92$ ,  $SD = 2.74$ ) as the independent variable ( $M = 2.86$ ,  $SD = 1.268$ ), a statistically significant mean decrease  $.094$ , 95% CI  $[-1.19, -.770]$   $t(196) = -10.669$ ,  $p < .001$ ,  $d = -.760$ .

## Summary

After conducting the study, utilizing one main research question and three sub-questions, the study results did provide a statistically significant relation to the research questions. For the main research question (How do Street Level Bureaucrats (law enforcement officers) utilize their knowledge of the T.V.P.A. in Oklahoma?) and SQ1 (What training do law enforcement officers in Oklahoma receive regarding the TVPA?), the participants' responses were interesting. The majority of participants choose the Safe Harbor Law or the unknown option.

### Figure 1

*What is the Federal Law/Act for Sex Trafficking?*

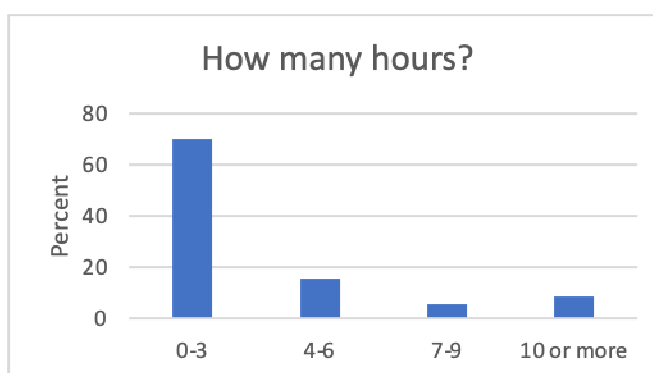


Another significant result was the number of hours that participants have taken training regarding sex trafficking (see Figure 2), which approximately 70% of the 197 participants have only taken 0 to 3 hours, with 30% of the participants having 17 years or more experience in law enforcement (see Figure 3). Also, approximately 70% of participants reported they did not receive sex trafficking training in CLEET, and approximately 10% were unsure if they had or not (see figure 4). Independent variables

that were statistically significant were: elements of a crime, victims of sex trafficking are smuggled into the US, adults are victims of sex trafficking, prostitution was a lifestyle choice, only females are victims of sex trafficking, and that victims are US citizens and that victims are kidnapped, and that sex trafficking is a violation of human rights.

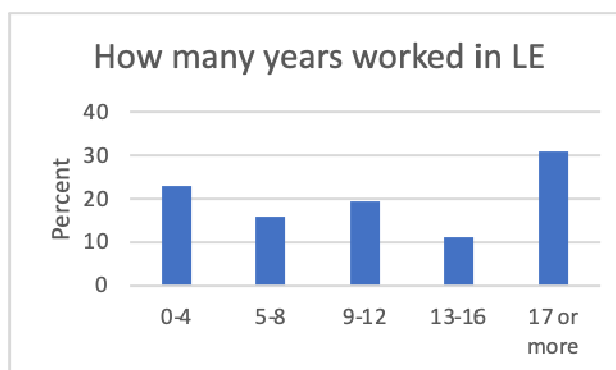
**Figure 2**

*How Many Hours of Training in Sex Trafficking?*



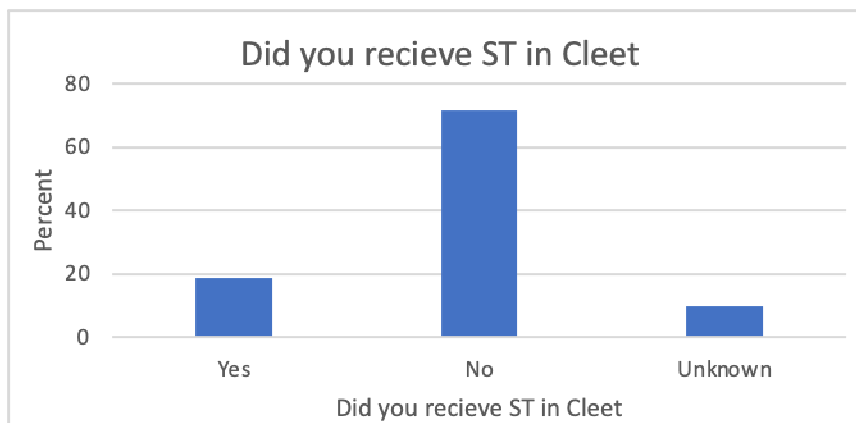
**Figure 3**

*How Many Years Working in Law Enforcement?*



**Figure 4**

*Did You Receive Sex Trafficking Training in CLEET?*

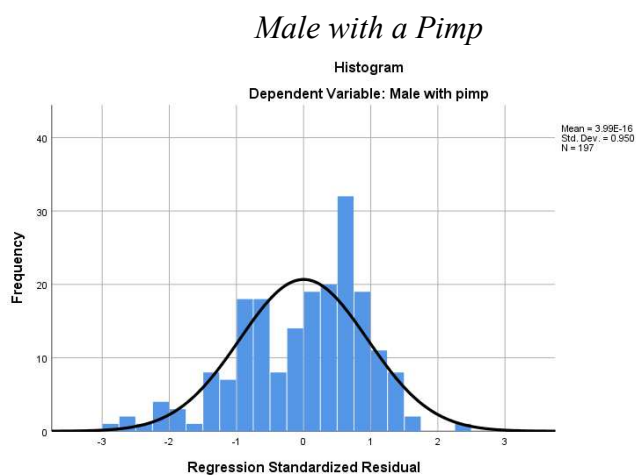
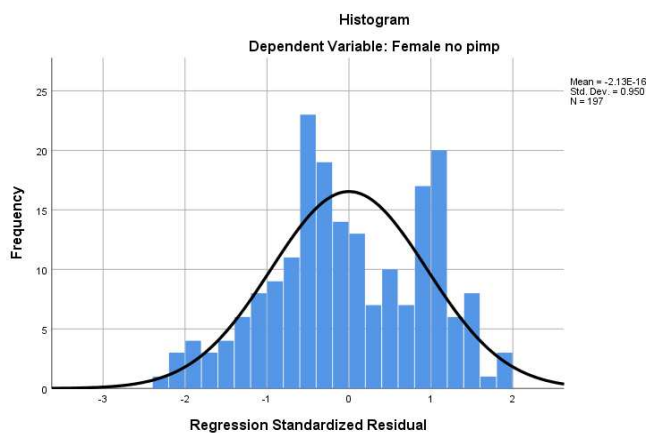


Sub-question 2, *How does training factor into street-level bureaucrats' use of discretion?*; was interesting, as some factors that were thought to be statistically significant were not. Such as the juvenile's attitude and if the juvenile was under the influence; however, the elements of a crime were statistically significant and were not a surprise. Another statistically significant factor was officers viewing prostitution as a means of survival for the juvenile.

Sub-question 3; *How do street-level bureaucrats view juveniles in prostitution or other commercial sex acts?*; for this question, two scenarios were used. The first scenario pertained to a male juvenile prostitute under the control of a pimp; the second scenario was a female juvenile prostitute not under a pimp's control. Participants were given the same three choices for each scenario: a victim of sex trafficking, need more information to determine, and a delinquent. For the scenario that involved the juvenile male, statistically, significant factors were victims of sex trafficking were adults and that it was their own choice to become involved in prostitution. For the female juvenile scenario,



statistically, significant factors were once again victims being adults and officers' confidence in identifying victims of sex trafficking. It was interesting to see the frequencies of participants frequencies on the two scenarios; for the male juvenile, 14.2% viewed the juvenile as a prostitute, 29.4% required more information to determine, and 56.3% viewed the male as a victim of sex trafficking. Over half of the participants viewed the juvenile male as a victim of sex trafficking was surprising (see Figure 5). In looking at the female juvenile's second scenario, 27.9% viewed the female as a prostitute, 39.6% required more information to determine, and 32.5% viewed the juvenile as a victim (see Figure 6). The scenarios were different. The participants' results were expected to be more similar, even though the gender and under the control of a pimp or not were different.

**Figure 5****Figure 6***Female with No Pimp*

Chapter 4 provided information regarding the data collection progress for the pilot study and the main study. Any discrepancies were reported, and the analysis was utilized for the research questions and rejecting the null hypothesis. Chapter 5 will provide reiteration regarding the nature and purpose of this study, along with the findings, validity, and reliability of the study, and the potential for future research, and the possibility of social change based on the current research.

## Chapter 5

### **Introduction**

The purpose of this study was to explore what factors influence law enforcement's discretion as to whether they view a juvenile involved in a commercial sex act as a victim of sex trafficking or as a juvenile delinquent. Law enforcement officers and the judicial system rely on discretion regarding whether a crime is committed. Prostitution in the United States is a crime, except for specific areas in Nevada (Jani, 2010; Weitzer, 2010). However, under Federal law, when prostitution or other commercial sex acts are performed by a minor, the minor is considered a victim of sex trafficking. Law enforcement officers must often make split decisions based on their training, knowledge, and experience. The purpose of this quantitative, cross-sectional survey study was to obtain attitudes and perceptions of municipal police officers in Oklahoma as to how juveniles involved in prostitution are viewed and treated as a victim of sex trafficking or a juvenile delinquent.

Under the TVPA, juveniles with a pimp or someone who provides transportation, housing, food, and so forth for the juvenile are considered victims of sex trafficking and not a juvenile delinquent. A large part of law enforcement's job is based on their discretion, which stems from training, knowledge, their own experiences, and personal beliefs. Under federal law, the issue of whether a juvenile is a victim or a delinquent is clear, leaving no room for an officer's discretion; however, juveniles continue to be arrested for crimes of commercial sex acts.

### **Interpretations of Findings**

Enacting new laws, policies, or procedures to combat sex trafficking is not beneficial if they are not enforced, especially if those who enforce them are unaware of the laws. The TVPA of 2000 is the U. S. Federal law for sex trafficking, which was reauthorized in 2003, 2008, and 2013 (Hasselbarth, 2013).

Findings in the current study indicated that out of 197 participants, only 24% knew the actual U. S. Federal law that pertains to sex trafficking. In addition, 70% of the participants have taken zero to three hours of sex trafficking training, with 30% of those having 17 plus years experience in law enforcement. Law enforcement officers rely on experience, training, and knowledge when determining if a juvenile involved in prostitution is a delinquent or sex trafficking victim. As Dempsey (2014) indicated, even with special training, identifying a victim of sex trafficking is challenging for law enforcement due to numerous other factors.

Some of the factors include how juveniles become involved in prostitution and why they continue to be involved. Juveniles who are not old enough to legally consent to sex are being arrested and treated like delinquents when federal law classifies them as victims of sex trafficking (Bergman, 2012; Finklehor & Ormrod, 2004; Godsoe, 2015). Juveniles enter into the life of prostitution for different reasons and by different means.. Two significant findings of how a juvenile becomes involved in prostitution was by it was a lifestyle choice and a means to survive. Statistically significant factors were elements of a crime, the juvenile's attitude, and the juvenile's appearance.

Also, juveniles do not impulsively decide to become a prostitute. Various influences lead them in that direction, such as a pimp, boyfriend/girlfriend, parents, siblings, family members, and so forth (Jordan et al., 2013; Bergman, 2012). In regard to the current study and using a Likert scale (*Strongly Disagree–Strongly Agree*), the officer's views on ways juveniles become involved in prostitution were: parents (29.4% agreed); siblings (55.3% agreed); boyfriend/girlfriend (55.3% agreed); family members (44.2% agreed); pimps (50.8% agreed); own choice (36.5% agreed), and survival (47.2% agreed), which correlates with previous findings. In regard to how juveniles are forced into sex trafficking, utilizing a Likert Scale (*Strongly Disagree– Strongly Agree*), 36% agreed a reason is from being smuggled into the United States and 43.7% agreed juveniles were kidnapped,. Using the Likert scale as to who are victims of sex trafficking, 46.7% agreed that juveniles are victims of sex trafficking. In contrast, for adults being a victim of sex trafficking, 29.4% agreed.

According to Godsoe (2015), juveniles involved in prostitution are not forthcoming with information to law enforcement officers. They are not cooperative. Often, juveniles are arrested and charged with additional crimes instead of prostitution (Cole & Sprang, 2015). A study conducted by Williams (2015) in the Boston metropolitan area and Washington D.C area discovered three themes that pertained to a) how juveniles tried to avoid contact with law enforcement; b) interactions with law enforcement, and c) how the system failed the juvenile involved in sex trafficking. Individuals involved in sex trafficking are believed to be smuggled into the U.S., which was statistically significant according to current study. It is assumed that individuals born

and raised in the U.S. would not be victims of sex trafficking (Johnson, 2012), as only those in jeopardy of being victimized would be in 3rd world countries, however current study indicates that 35.5% of participants shared that same belief. Only females are victims of sex trafficking, which correlates with the stereotype of only females being involved in prostitution. The Mann Act of 1910 helps protect females from being prostituted across state lines and deterred females from promiscuous (Primrose, 2011).

Participants were provided two scenarios involving a juvenile male involved in prostitution under the control of a pimp. The other scenario involved a female juvenile involved in prostitution who was not under the control of a pimp. Participants were given three options for each of the scenarios: (a) the juvenile was a victim of sex trafficking, (b) more information was need to make a determination, and (c) that the juvenile was a prostitute. Participants who viewed the male juvenile as a victim were 56.3 %, whereas only 32.5% viewed females as victims.

### **Findings Interpreted in the Context of Theoretical Framework**

The current study's theoretical framework was the SLBT by Lipsky (1980). Lipsky's theory helps explain how law enforcement officers utilize their discretionary power. Law enforcement officers have one of three options that they can enforce in most situations: warning, ticket, or arresting an individual.

Certain factors influence an officer's discretion, such as years of experience in law enforcement, their own beliefs/morals, knowledge, and training. How an officer views a department policy, state, or federal law also influences discretion. Lipsky (2010) identified two ways in which street-level bureaucrats (law enforcement officers) enact

policy. The first pertains to the officer's discretion when interacting with the public; the second way is the officer's course of action becomes the agency's behavior (Lipsky, 2010, p. 15). Law enforcement officers are individuals with their own beliefs and morals. When officers put on their department's uniform, to the extent their beliefs and morals are enforced, as the perception is that it is the position of their department.

. Law enforcement officers have to make split-second decisions, sometimes life-threatening. If they react too slowly, it could be fatal to them or their partner, but they are criticized if they act too aggressively (Lipsky, 2010, p. 30). A person's body language and demeanor are vital factors in how an officer is going to react. If the person is aggressive and disrespectful, officers will be more assertive (Lipsky, 2010, p. 31). Regarding law enforcement officers strongly agreeing that the following factors influence their use of discretion based on the juvenile's attitude, 22.8% strongly agreed; previous encounters with the juvenile, 15.7% strongly agreed; elements of a crime, 39.6% strongly agreed; the appearance of the juvenile, 7.1% strongly agreed, and the juvenile is under the influence, 21.3% strongly agreed that the factor influenced their decisions.

The United States encompasses many different areas, ranging from rural to metropolitan. Street-level bureaucrats will be viewed differently by the public in different areas, just as the officers will view them differently. Many factors can influence an officer, such as experience and the area the officer works. For the current study, years of experience were classified into five categories.

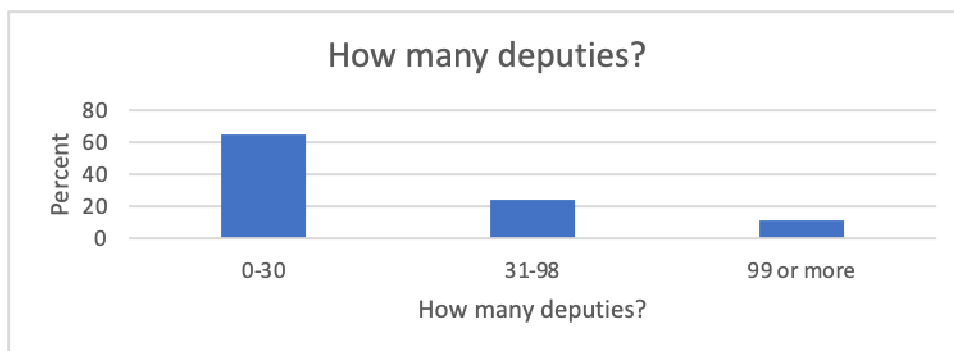
The first was 0-4 years of experience, which accounted for 22.8% of the total population, 5-8 years, 15.7%; 9 -12 years, 19.3%,13-16 years, 11.2% and those with 17

or more years, accounted for 31% of the population(see figure 3). What might be considered the norm or acceptable in a metropolitan area is not going to be the same in a rural area, such as an officer with two years of experience compared to an officer with 15 years of experience?

The survey for this study consisted of two scenarios. One scenario consisted of a male juvenile involved in prostitution under the control of a pimp. The second scenario pertained to a female juvenile prostitute, not under the control of a pimp. Participants answered quite differently. In taking into considerations that participants were from 31 counties in the Southeast and Northeast region of Oklahoma, the size of the department that participants work in consisted of three categories: the first was 0-30 deputies, which consisted of 65% of the population, 31-98 deputies were 23.9%, and departments with more than 99 deputies accounted for 11.1% of the population. (Figure 7)

Figure 7

*How Many Deputies Does Your Department Have?*



### **Limitations of the Study**

One limitation anticipated was the law enforcement officer's willingness to participate in the study, whether it was fear of making law enforcement look bad, not



beneficial to them, and not taking it seriously. A total of 197 surveys were required, 208 surveys were collected. Eleven of the 208 surveys were not completed and deleted from the data set. Officers were willing to participate in the study. However, it took longer than expected to reach the desired number of 197 surveys. In terms of law enforcement officer is taking the survey seriously and answering questions honestly. However, it appeared that they did by examining the data and the responses given per each individual. Several Likert Scale questions; did not appear that the participants marked all the same answers without even reading the questions. Another area regarding participants taking the survey seriously pertained to fill-in-the-blank questions. The year, they became certified if they had worked in another state and provided the state's name. By eliminating the areas of question concerning the willingness to participate and taking the survey seriously, it helps build on the study's reliability and validity. Since there was no survey available, the researcher created a specific survey for the study's scope was piloted.

The Pilot version was similar to the main study. However, some specific questions were eliminated as the researcher had firsthand knowledge that the questions would not apply to the department that participated in the Pilot Study. There were issues with questions skipped in the Pilot Study. Correcting this issue before the Main Study was administered online through Survey Monkey, it was enabled in the system that questions were required to be answered and not skipped.

### **Recommendations**

The current study was conducted on a small scale, requiring only 197 participants. However, it was specific that those participants had to work within one of the selected 31

county's Sheriff Departments in Oklahoma. Oklahoma currently has 77 County Sheriff Departments, numerous Municipal Police Departments, and State and Federal Law Enforcement Departments excluded from the current study. The study's purpose was to gain information about what knowledge law enforcement officers have regarding sex trafficking at the Federal, State, and local levels and how those officers as street-level bureaucrats enforce or ignore those laws. If laws or acts are authorized, are they genuinely beneficial if those responsible for enforcing them are unaware of them or choose not to enforce them. The United States has taken it upon itself to be the leading nation in combating sex trafficking. Yet, within our borders, law enforcement officers are not aware of the Federal Law.

The study was beneficial in looking at what law enforcement officers consider when dealing with juveniles and their own beliefs about how and why juveniles become involved in prostitution. Other factors that were acquired pertained to the number of years of experience and compared to the number of hours of training specific to sex trafficking.

In looking at future research, it would be beneficial to broaden the scope of participants to include all law enforcement agencies throughout the state and additional states to determine if the same factors are considered by law enforcement in general when utilizing their discretion. Thousands of dollars were spent to combat sex trafficking. Yet, those on the front lines do not receive the necessary training and workforce to make a difference. Additional research pertains to the treatment of juveniles that are involved in sex trafficking. Such as being charged with other crimes, providing treatment for

juveniles that are victims, and addressing other issues such as substance abuse, stealing, etc., and education for law enforcement officers and the community.

A study conducted by Menaker & Miller (2013) also suggested the need for future research on courtroom biases, education, and treatment for victims. Although law enforcement is generally the first to contact juveniles involved in prostitution, once they become involved in the system, there are other key players, such as the District Attorney, Judge, detention staff, etc. Even though a juvenile is arrested for a crime, the officer can explore the root issues as to why. Victims need to be provided with treatment and services, something that the juvenile justice system is not designed to do (Anderson et al., 2016, p.665). Such as the State of New York, instead of filing a delinquent petition, that state must file an in need of supervision petition (Mir, 2013).

Sex trafficking can happen anywhere at any given time; most studies are conducted in metropolitan cities; however, most participants worked in rural areas for the current study. Regarding this factor, Cole and Sprang (2015) indicate that future research needs to be done based on rural areas and the communities outside of metropolitan areas.

Juveniles involved in prostitution are not going to be forthcoming. Victims do not often identify as victims, as they feel a sense of loyalty to their pimp or trafficker, such as a boyfriend/girlfriend. Law enforcement officers can recognize that a juvenile is involved in prostitution is the first step. However, there is no textbook plan for that. However, those same officers must understand that victims feel a sense of loyalty to protect their traffickers. By-law enforcement officers understand and doing this is beneficial not only to the victim but also to the officer during their investigation. In contrast, this study

explored factors that law enforcement officers took into consideration when utilizing their discretionary authority to arrest or not. Future research focusing on identifying juvenile victims of sex trafficking would be beneficial.

### **Positive Social Change**

Recommendations based on the study would include contacting the state Congress, in conjunction with Certified Law Enforcement Education Training (CLEET), to establish a mandatory, continuing education requirement for all CLEET and reserved certified officers in Oklahoma about sex trafficking. They could work in conjunction with the Office of Juvenile Affairs (OJA) and the Department of Human Services (DHS), both state agencies that work directly with juveniles throughout the state. Regarding implementing policy and procedures for the county and municipal police departments, this would require meeting with the State Sheriff's Association and the Oklahoma Premier Municipal Insurance (OMAG). Those two associations work closely with the departments both at the county and municipal levels. However, not all counties or municipal departments are members of the associations, requiring interactions with the actual departments themselves, the commissioners, or city council members for each county.

Although increasing training requirements is a good starting point, one must consider the street-level bureaucrats' use of discretion and enacting their policies due to their discretion. Officers must have the discretion to do their jobs effectively. Certain crimes require mandatory arrest if the officer has probable cause, such as domestic violence. Mandating officers' discretion in dealing with juveniles' potential involvement

in prostitution is a starting point. As previously stated, juveniles will not be forthcoming. However, if certain elements apply, it would require a more thorough investigation before issuing a citation or arresting for public intoxication, lettering, etc.

In an attempt to ensure that the policies and procedures and reduced officer discretion in certain instances were uniformed between all law enforcement agencies throughout Oklahoma, it would require a state task force. Departments that currently have a particular unit for sex trafficking and those departments with a policy and procedure in effect would also be beneficial to have as members to serve on the task force. For OJA and the DHS, implementing policy and procedure would require the joint effort to work with each department director and receive approval through Legislation.

For a juvenile to be detained in Oklahoma, it requires OJA, District Attorney, and Judge. There are some exceptions for individual counties that have their own county juvenile service deputies. There are specific screening procedures for detaining juveniles: the juvenile's age, the alleged crime committed, if they are a flight risk, pose harm to themselves or the community, or previous on probation, etc. Guidelines state that juveniles who are deprived or need treatment are not detained in secure detention (Oklahoma State Statute, 10A, Article 2, Chapter 3, Section 2-3, 101).

However, there is no process to see if the juvenile could be involved in prostitution or other commercial vice acts. By implementing a mandatory screening process to be conducted by OJA, law enforcement officers and the alleged offender can identify victims of sex trafficking.

The theoretical framework for the current study is the Street-Level Bureaucracy Theory, by Michael Lipsky in 1980. Street-Level Bureaucrats are defined by Lipsky (2010) as "public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work" (p.3). Lipsky (2010) indicates that a "defining facet of the working environment of street-level bureaucrats is that they must deal with clients' reactions to their decisions; however, they cope with their implications" (p.9). Law enforcement officers can use their discretion on what course of action to take when encountering an individual.

Certain factors influence an officer's discretion, such as years of experience in law enforcement, their personal beliefs/morals, knowledge, training, department policy, and procedures, as well as local, state, and federal laws, in terms of what course of action to take. For the current study, years of experience were classified into five categories. The first was 0-4 years of experience, which accounted for 22.8% of the total population, 5-8 years, 15.7%; 9 -12 years, 19.3%,13-16 years, 11.2 and those with 17 or more years, accounted for 31% of the population. The current study utilized Likert Scales ranging from Strongly Disagree to Strongly Agree for different factors or influences that could result in a juvenile becoming involved in the prostitution of other commercial sex acts. Along with what course of actions law enforcement officers would take and what is taken into consideration. In regards to law enforcement officers strongly agree that the following factors influence their use of discretion based on the juvenile's attitude, 22.8% strongly agreed; previous encounters with the juvenile 15.7% strongly agreed; elements of a crime 39.6% strongly agree; the appearance of the juvenile 7.1% strongly agreed;

and the juvenile is under the influence 21.3% strongly agreed that the factor influenced their use of discretion.

Lipsky (2010) provides five types of conditions that street-level bureaucrats (law enforcement officers) work in; 1) "resources are chronically inadequate relative to the tasks workers are asked to perform; 2) the demand for services tends to increase to meet the supply; 3) goal expectations for the agencies in which they work tend to be ambiguous, vague, or conflicting; and 4) performance-oriented toward goal achievement tends to be difficult if not impossible to measure; 5) clients are typically non-voluntary; as; partly. As a result, clients, for the most part, do not serve as primary bureaucratic reference groups." Applying the five conditions to combating sex trafficking and the fact that juveniles are still arrested for prostitution aligns. It is not solely street-level bureaucrats' fault that this continues to happen. However, they are the ones that take the brunt of it. As stated, the Federal Government has left it up to the individual 50 states to enforce the T.V.P.A. Each of the 50 states has different Safe Harbor laws, and victims are often moved across state lines.

One limitation anticipated was law enforcement officers' willingness to participate in the study, whether it was fear of making law enforcement look bad, not beneficial to them, and not taking it seriously.

A total of 197 surveys were required. However, 208 surveys were collected, with 11 surveys being deleted due to not be complete.. Officers were willing to participate in the study. However, it took longer than expected to reach the desired number of 197 surveys. In terms of law enforcement officer's taking the survey seriously and answering

questions honestly. It appears that they did by examining the data, and the responses are given per each individual. There were several Likert Scale questions, and it did not appear that the participants marked all the same answers without even reading the questions. Another area regarding participants taking it seriously was questions in which they were required to fill in the blanks, such as the year that they became certified if they had worked in another state and provided the state's name. By eliminating the areas of concern revolving around willingness to participate and taking the survey seriously, it helps build upon the study's reliability and validity. Since there was no survey available, the researcher creates a specific survey for the scope of the piloted study. The Pilot version was similar to the primary research. However, some specific questions were eliminated as the researcher had first-hand knowledge that the questions would not apply to the department that participated in the Pilot Study. There were issues with questions being skipped in the Pilot Study, which allowed for changes to be made before the Main Study was administered online through Survey Monkey to require questions to be answered and not skipped.

### **Conclusion**

Sex trafficking was thought to only occur in 3rd world countries. However, the truth is, it is happening throughout the United States, in rural and metropolitan areas, and those being affected by it are U.S. citizens under the age of 18. Every state in the U.S. has statutory rape laws, in which a juvenile has to be a certain age to consent to sexual acts legally.



However, those same juveniles who are not of legal age to consent are being arrested and treated as juvenile delinquents for prostitution. Instead of being saved from the horrendous situation, they are arrested, placed in a detention facility, charged with a crime, and then labeled a juvenile delinquent.

Law enforcement officers are not to blame for sex trafficking. They cannot combat sex trafficking alone without the proper training, knowledge, and tools to identify or even know the actual problem. The U.S. Federal Government has taken the lead in combating sex tracking throughout the world but has left it up to each of the 50 states. Providing the local county and municipal departments to enforce the law, most law enforcement officers are unaware that it exists. However, this is not a poor reflection on law enforcement officers. However, it is a poor reflection on legislatures that have failed to ensure that law enforcement officers are adequately prepared and qualified to address sex trafficking. Society is also to blame, as the image of a "pimp" has been glamorized. Little children dress up as a "pimp" for Halloween; television shows like 'Pimp my Ride,' etc., exist and lessens the impact of an actual pimp. Unless you are personally affected by a loved one being a victim of sex trafficking, do you genuinely understand the horrible travesty of the situation? These people promise that they will take care of them and give them money, to find out that they are forced to perform sex acts and are required to make a certain amount of money per day taken from them. If they fail to make the desired amount or break any of the rules, they are beaten, withheld from the requirements to live, stripped of all of their human rights, and treated like animals.

Living in the United States, 'the land of the free and the home of the brave' would think that our juveniles would be protected. They would be, ensured that their human rights are not violated. If someone does violate their human rights, they would be prosecuted to the max through our criminal justice system. In reality, those that are being prosecuted through our criminal justice system are your next-door neighbor's sons and daughters that ran away from home. The boy on the high school football team got mixed up in the wrong crowd and is on drugs. Your daughter, a son, granddaughter, and so forth, kidnapped, transported across state lines to significant sporting events such as the Super Bowl, forced to perform sexual acts, then loaded back into a van or trailer and taken to a new location. Often, their only way to cope with the abuse daily is to use illegal narcotics. Then to know they have been arrested and facing criminal charges for the use of illegal narcotics. If juveniles become involved or lost in the criminal justice system, their future becomes bleak.

It is effortless for them to give up all hope, continuing down the same lifestyle as adults. Sex trafficking is not something that will end overnight. Nor will it end by enacting new laws, policies, task forces, etc. Every attempt to make the community aware, provide the proper training, workforce, and joint task force for law enforcement is a step in the right direction. Every child is worth saving, and it starts with the adults in power down to just a regular citizen on the street to help protect our future.

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## Appendix A: Training and Officer Discretion—Sex Trafficking Survey

- 1) What is the Federal Law/Act for sex trafficking in the U.S.? (Circle one)
- Safe Harbor Law
  - TVPA
  - Polaris Project
  - Unknown
- 2) Have you had any training in sex trafficking?
- 3) If yes, approximately how many classes have you attended or taken online:
- 0-3
  - 4-6
  - 7-9
  - 10 or more
- 4) Does your department have a special unit or personnel that handles sex trafficking cases?
- Yes / No / Unknown
- 5) Please rate the following choices on a scale from 1 -5, with 1 indicating (strongly disagree) and 5 indicating (strongly agree):
- |   |   |   |   |   |
|---|---|---|---|---|
| Sex trafficking is a violation of human rights: | 1 | 2 | 3 | 4 |
| 5   |   |   |   |   |
| Prostitution is a lifestyle choice:             | 1 | 2 | 3 | 4 |
| 5   |   |   |   |   |
| Only females are victims of sex trafficking:    | 1 | 2 | 3 | 4 |
| 5   |   |   |   |   |
| A juvenile prostitute is a criminal             | 1 | 2 | 3 | 4 |
| 5   |   |   |   |   |
- 6) Does your department have a policy and procedure in place for juvenile sex trafficking?
- Yes / No / Unknown
- 7) When was the policy and procedure put into effect? \_\_\_\_\_
- 8) How many years have you worked in law enforcement?

- 0-4
- 5-8
- 9-12
- 12-16
- 17 or more years

9) How many law enforcement departments have you worked at? \_\_\_\_\_

10) Did you receive sex trafficking training during C.L.E.E.T?

- Yes
- No
- Unknown

11) What year were you C.L.E.E.T. certified? \_\_\_\_\_

12) Have you ever worked in another state as a law enforcement officer?

Yes /No

13) Name of the state that you worked in? \_\_\_\_\_

14) Was sex trafficking training mandatory? Yes/No/Unknown

15) Please rate the following choices on a scale from 1 -5, with 1 indicating (Not Confident) and 5 indicating (very confident):

Somewhat not confident

Dealing with juveniles:	1	2	3	4
5				

Identifying a victim of sex trafficking:	1	2	3	4
5				

16) Have you ever worked a juvenile sex trafficking case?

Yes / No

17) Please rate the following choices on a scale from 1 -5, with 1 indicating (strongly disagree) and 5 indicating (strongly agree): What factors are taken into consideration when utilizing your discretion in dealing with a juvenile:

Attitude:	1	2	3	4
5				
Previous encounters:	1	2	3	4
5				
Elements of a crime:	1	2	3	4
5				
Appearance:	1	2	3	4
5				
Under the influence or a suspected drug user:	1	2	3	4
5				

18) A male juvenile involved in prostitution under the control of a ‘pimp’ is a?

Prostitute  
Need more information to determine  
Victim of sex trafficking

19) A female juvenile involved in prostitution, not under the control of a ‘pimp’ is a?

Prostitute  
Need more information to determine  
Victim of sex trafficking

20) Please rate the following choices on a scale from 1 -5, with 1 indicating (strongly disagree) and 5 indicating (strongly agree): Victims of sex trafficking are:

Smuggled into the U.S.	1	2	3	4	5
Kidnapped	1	2	3	4	5
U.S. citizens	1	2	3	4	5
Juveniles	1	2	3	4	5
Adults	1	2	3	4	5

21) Please rate the following choices on a scale from 1 -5, with 1 indicating (strongly disagree) and 5 indicating (strongly agree): Juveniles become involved in prostitution by their:

Parents	1	2	3	4	5
Siblings	1	2	3	4	5
Boyfriend/girlfriend	1	2	3	4	5
Family members	1	2	3	4	5
Pimps	1	2	3	4	5
Own choice	1	2	3	4	5
Means of survival	1	2	3	4	5

22) Do you think juvenile sex trafficking is a problem in Oklahoma?

Yes

No

Not Sure

23) How many deputies/reserve deputies does your department have?

0-30

31-98

99 or more

## Appendix B: Oklahoma Counties

## Counties in Northeast Oklahoma (Green Country)

- Adair County
- Craig County
- Creek County
- Cherokee County
- Delaware County
- Mayes County
- McIntosh County
- Muskogee County
- Nowata County
- Okfuskee County
- Osage County
- Ottawa County
- Pawnee County
- Rogers County
- Sequoyah County
- Tulsa County
- Wagoner County
- Washington County

## Counties in Southeast Oklahoma (Kiamichi Country)

- Atoka County
- Bryan County
- Choctaw County
- Coal County
- Haskell County
- Hughes County
- Johnson County
- Latimer County
- LeFlore County
- Marshall County
- McCurtain County
- Pittsburg County
- Pushmataha County