

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Juvenile Justice & Family Issues  
For HB 1059

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Shared Hope International has been working in Texas, across the country, and throughout the globe for over 20 years to guide and support appropriate responses to protect survivors, hold offenders to account, and ultimately prevent the crime entirely. Since 2011, we have called on states to recognize any minor engaged in commercial sex as a victim of a sex trafficking, not a “prostitute” or “delinquent youth.” We know that survivors of child sex trafficking have the best outcomes when they are met with protection, trauma-informed services, and a response that is appropriate for the horrific experiences they have endured—such a response cannot be rooted in juvenile justice practices and systems.

In 2015, five years after releasing the first State Report Cards, we graded Texas an “A” state for having a set of strong, comprehensive laws that address child sex trafficking. Texas has and remains a national leader in developing robust policies and practices related to child sex trafficking. However, despite holding a position of leadership, the state has lagged seriously behind a majority of the country in designing and prioritizing protective responses for survivors. 28 states and D.C. have made clear that children engaged in commercial sex are victims of sex trafficking, no prostitution offenders. While Texas state law clearly defines children who are bought and sold for sex as victims of sex trafficking, those same minors can be and are arrested and prosecuted for prostitution. HB 1059 is not only critical for remedying this legal paradox, the legislation embraces a nationally-regarded promising practice for protecting children and preventing harm.

Amending the prostitution statute to be inapplicable to minors recognizes that children never engage in commercial sex by choice; rather, a child does so out of coercion, force, fraud, fear, or survival. This is not consensual sex; money does not sanitize rape and treating the child as consensual actor not only misplaces criminality, it directly re-victimizes the child. Oftentimes, children entangled in a life that includes commercial sex carry years of trauma, generational vulnerabilities, and abuse on their backs. Other times, such children have trusted the wrong adult, been fed a false promise, or have fallen for an exploiter who later sold the child to someone all too willing to pay for the chance to rape him or her. Children with unsafe or unstable home environments may find the streets safer and, resultantly, sell their bodies in exchange for something to eat or someplace to sleep. These are not choices; children living in such circumstances deserve, at a minimum, specialized services and long-term care, not the traumatizing impact of an arrest, detention and prosecution, or juvenile records. We are grateful for the Committee’s dedication to this issue and respectfully ask for your support.

Thank you,  
Sidney E. McCoy  
Director of Advocacy