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Editorial

Children in Need of Safe Harbor

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Gov. Eliot Spitzer of New York and his colleagues in the State Legislature got deserved kudos earlier this year for passing a law that provides aid and protection to victims who are smuggled into this country and forced to work as sex slaves. Unfortunately, the sex trafficking law did nothing to protect the growing numbers of American-born children, as young as 12 or 13, who are forced into prostitution by street pimps.

During the last term, the Legislature failed to pass a bill that would have provided those protections. Under the Safe Harbor Act, children who are too young to legally consent to sex would no longer be charged with prostitution and would no longer be treated as criminals. The courts would instead be required to provide them with counseling, medical care and the long-term shelter they need to reclaim their lives.

As might be expected, sexually exploited children come from society's most troubled families. A study ordered by the Legislature estimated that about 85 percent of the state's exploited children are from families that had been involved with the child welfare system, while in New York City, three-quarters of the children had been placed in foster homes.

Prosecutors opposed the Safe Harbor Act, arguing that the threat of detention was necessary to force the children to testify against the pimps. But these are battered, terrorized children who are typically in no condition to confront their exploiters in court. By threatening to lock them up, we deepen their distrust of an adult world that has brutalized and mistreated them.

Other opponents argue that the Legislature has underestimated how much the law's requirements for counseling and other services will cost the state and failed to clarify certain legal technicalities. But these issues can be resolved and should not prevent Governor Spitzer and legislators from reaching agreement on an essential bill that provides help and protection for the state's most vulnerable children