



AB 1495 (MAIENSCHIN): THE COMMERCIAL CHILD RAPE PREVENTION ACT

Men who pay to rape children generate the demand that drives the lucrative and thus expanding market for commercially sexually exploited children. (CSEC).

California has been a leader in implementing compassionate reforms treating such children as victims, not criminals. Yet, these reforms will not reduce the number of CSEC. Only by reducing the demand will we reduce the number of children being raped for money. And, the kind of men who rape children for money require powerful reasons not to.

A specific and dramatic civil remedy will change the risk-benefit calculation for child rapists and traffickers and will help reduce demand. AB 1495 (Maienschein) will explicitly allow child victims, the Attorney General, district attorneys, and certain city attorneys to sue and obtain large sums from men who pay to rape children and their child trafficking enablers.

BACKGROUND

The average CSEC is not “passing” for being over 18. The average age of girls when they begin to be sexually trafficked is 12- 14 years; for boys the average age is 11 to 13 years old. ¹ The younger the child, the higher the price.

And this is a California problem. Three of the nation’s sex trafficking “hubs” are located in California: San Diego, San Francisco, Los Angeles. ²

To grasp how vast the demand for child sexual exploitation is, consider this: a recent study found that in San Diego alone, sex trafficking is an \$810

million a year industry.³ This is comparable to the yearly economic activity generated for the area by the world famous San Diego Zoo. ⁴

Faced with such vast profits, criminal sanctions aren’t enough. For example, in 2010 there were more than 43,000 females arrested nationwide for prostitution-related offenses, while just 19,000 males were arrested, including “Johns” pimps, and male sex-workers.⁵

SOLUTION

AB 1495 (Maienschein)⁶ enacts an explicit civil cause of action targeting child rapists by offering victims and law enforcement a realistic and credible chance to sue child rapists and their commercial allies. The bill permits suits for significant money penalties (up to \$50,000), damages, and attorneys fees. The money collected can then be used to assist victims in obtaining needed trauma treatment and in attaining self-sufficiency into adulthood.

The bill also makes it easier for victims to be protected by restraining orders.

AB 1495 (Maienschein) will help stem the demand and help save the lives of children.

Sponsor: Children's Advocacy Institute at the University of San Diego School of Law

MORE INFORMATION

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¹ http://www.heatwatch.org/human_trafficking/statistics

² <https://www.law.berkeley.edu/files/FreedomDenied.pdf>

³ <http://www.nbcsandiego.com/news/local/San-Diego-Sex-Trafficking-an-180M-Underground-Industry-Study-337293541.html>

⁴ <http://www.sandiegouniontribune.com/news/watchdog/sdut-zoo-100-finances-2016sep12-htlmstory.html> (\$870 million)

⁵ <http://time.com/sex-buyers-why-cops-across-the-u-s-target-men-who-buy-prostitutes/>

⁶ Text here:

https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201720180AB1495