



Tennessee State Facts

Criminalization of DMST

- 1) Tennessee has a sex trafficking law that defines a minor under 18 used in a commercial sex act without regard to force, fraud or coercion as a human trafficking victim.
- 2) In a 2011 study conducted by the Tennessee Bureau of Investigation and Vanderbilt Center for Community Studies, 68 counties (72% of the state's counties) reported at least one case of domestic minor sex trafficking. Shelby, Davidson, Coffee, and Knox counties reported more than 100 cases.¹
- 3) Law enforcement and the court system representatives believe they are not properly trained to handle sex trafficking cases—79% of respondents in the 2011 study, which included law enforcement, courts, guardians ad litem, and social services staff, reported lacking the proper training.²

Criminal Provisions addressing Demand

- 4) Tennessee Attorney General Robert E. Cooper, Jr. was one of 51 Attorneys General who signed a letter to Backpage.com calling on the company to disclose its efforts to identify and delete advertisements that facilitate sex trafficking, specifically of minors.³
- 5) Senate Bill 64, passed in 2011, made the purchase of sex with a minor a Class E felony with a penalty of 1-6 years imprisonment and a fine up to \$3,000—penalties that are not as high as sentences for the comparable federal crime of child sex trafficking (10 years to life and a fine of \$250,000) and do not provide substantial deterrence to buyers.

Criminal Provisions for Traffickers

- 6) In April 2011, two Nashville men were indicted for state crimes of promoting prostitution, sexual exploitation of a minor, and possession of child pornography as a result of evidence from a September 2010 guilty plea by Frank Atwell to especially aggravated exploitation of a minor, promoting prostitution and solicitation of aggravated statutory rape for using Backpage.com to advertise prostitution of a minor.⁴
- 7) In November 2010, 29 individuals were indicted for involvement in sex trafficking rings that recruited minors for forced prostitution in Minnesota, Tennessee, and Ohio. In one example of the sex trafficking ring's operation, a 13 year old female was brought from Minneapolis to a Nashville apartment to engage in commercial sex acts.⁵

¹ Tennessee Human Sex Trafficking and Its Impact on Children and Youth (2011), p. 17.
<http://www.tbi.state.tn.us/documents/FINALTNHumanSexTraffickingStudyColorrev2.pdf>.

² Id., pg. 22.

³ <http://www.tn.gov/attorneygeneral/cases/backpage/backpageletter.pdf>

⁴ <http://www.clarksvilleonline.com/2011/04/22/tbi-arrests-two-men-for-exploiting-minors-and-promoting-prostitution/>.

⁵ http://www.msnbc.msn.com/id/40073234/ns/us_news-crime_and_courts/t/feds-somali-gangs-ran-sex-ring-states/.

Criminal Provisions for Facilitators

- 8) Tennessee's sex trafficking statute may not reach facilitators who benefit financially from the sex trafficking of minors, leaving unscrupulous individuals and businesses undeterred from participating in a trafficking venture.

Protective Provisions for Child Victims

- 9) Minors in Tennessee are immune from prosecution for prostitution offenses; the state now needs a mandatory protective response for the victims to receive care.