

SMART PROSECUTION

Harris County District Attorney's Office Smart Prosecution Initiative Survivors Acquiring Freedom and Empowerment (S.A.F.E.) Court

Statement of the Problem

Harris County, Texas (Houston) is a primary hub for prostitution and human trafficking. To date, more than 1,700 cases have been brought for investigation and prosecution of sex traffickers and clients by the Harris County District Attorney's Office. During the past 3 years, the District Attorney's Office has been reforming how the office handles sex trafficking and prostitution. In 2013, the Harris County District Attorney's Office hired a human trafficking specialist to protect victims and prosecute sex traffickers and their clientele. Harris County also developed GIRLS Court (Growing Independence and Restoring Lives), a juvenile court-based program for sex trafficked minors, which provides intervention for girls 10-17 years of age.

A review of data collected in the Harris County DA's Office over one year for young adults, 17-24 years of age, charged with first offense misdemeanor prostitution revealed that individuals between the ages of 19-23 were the most likely to be charged.¹ This research also demonstrated that in the sentencing phase this population traditionally accepted jail time instead of an alternative to incarceration such as probation or services. Further, there was no program similar to GIRLS Court in place for young adults aged 18-24, charged with a first offense misdemeanor prostitution crime, to provide intervention, or address individual needs.

Research also indicates that young adults charged with the crime of misdemeanor prostitution suffer long term consequences resulting from a conviction.² In addition, this research suggests that individuals in sex work, regardless of how they got there, have a myriad of needs

¹ Data collected and analyzed internally by the Harris County District Attorney's Office and Harris County Courts as of 2013.

² Id.

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including physical, sexual, and mental health problems, substance abuse, poverty, homelessness, and limited educational and employment opportunities.³

Strategies and Tactics

SAFE Court combines a specialty court therapeutic model, with supervised intervention for individuals charged with prostitution in a non-adversarial courtroom setting. The program is designed as a four-phase pre-trial intervention where each completed phase serves as a benchmark for advancing to the next stage. SAFE Court recognizes young adults ages 17-25 charged with misdemeanor prostitution as a population at increased risk of future exploitation, and uses structured and tailored services to address their specialized needs.

Based upon the Risk-Needs Responsivity model to determine the appropriate level of intervention based on individual assessments of criminogenicity, those individuals assessed at a high to moderate risk to re-offend are admitted into the program. Specifically, the Texas Risk Assessment along with added trauma component is administered by the Community Supervision and Corrections Department (CSCD) for this purpose.

The specialty court therapeutic model is designed to ensure that the program participant (1) remains integrated in any relevant treatment; (2) contacts the case manager or other team members when relapse triggering events occur; (3) receives immediate intervention when indicators of setback are evident; and (4) successfully completes the program. Further, SAFE Court targets the participant's belief system by teaching skills to manage peers, former customers, and risk-taking behavior. Participants learn techniques to remain crime-free, develop strategies for safety, and become self-sufficient productive citizens.

³ Muftic, L.R. & Finn, M.A. (2013), "Health Outcomes Among Females Trafficked for Sex in the United States: A Closer Look," *Journal of Interpersonal Violence*, 28(9), 1858-1883; Shadaimah, C. & Bailey-Koch, M. (2014), "Can You Help with that Instead of Putting Me in Jail?: Participant Insights on Baltimore City's Specialized Prostitution Diversion Program", *Justice System Journal*, 35(3), 287-300.

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Partnerships and Collaborations

The Harris County District Attorney's Office has established partnerships that have formed a dedicated team to enhance evidence-based practices for SAFE Court. The County Courts at Law in Harris County has established a separate docket for SAFE Court cases where a presiding justice oversees a non-adversarial hearing with each SAFE Court participant. The Harris County Community Supervision and Corrections Division (CSCD) provides case management and data collection. CSCD also administers the risk assessment to all individuals eligible for the program. Dr. Lisa Muftic will provide an independent, ongoing evaluation of the program and issue a final report. The Houston Area Women's Center and Bridge Over Troubled Waters provide shelter and services for program participants. Additional collaborators for this initiative include Children's Assessment Center, Harris County Juvenile Probation, and GIRLS Court, STAR Family Intervention Court,⁴ and the Texas Department of Family and Protective Services.

Research Methodology

The Research Partner, Dr. Lisa Muftic, Associate Professor of Criminal Justice and Criminology at Sam Houston State University will provide an impact evaluation of SAFE Court and issue a final report. Dr. Muftic will examine and report on the development and implementation of SAFE Court, including the referral and assessment process, characteristics of participants served by the program, and services received by program participants. Second, Dr. Muftic will explore whether variations in structural/procedural dimensions of SAFE Court are related to participant outcomes such as program compliance, completion, and recidivism as predicted (e.g. higher program intensity should lead to better outcomes). Third, Dr. Muftic will

⁴Star Family Intervention Court is an adult-based felony program for individuals convicted of three or more prostitution offenses.

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examine whether SAFE Court structural and procedural aspects or the individual-level factors, such as demographics, substance abuse severity and victimization history and trauma symptomology, are related to program outcomes, and whether those factors impact outcomes.

Additionally, the final report will include an analysis of participants' recidivism. The research design for the recidivism analyses will include SAFE Court participants as compared to participants in the pre-trial diversion track⁵ and non-participating individuals convicted of misdemeanor prostitution.

⁵ Individuals assessed as low risk are admitted to a separate, pre-trial diversion track. The pre-trial diversion track is not part of SAFE Court.