

112TH CONGRESS
2D SESSION

S. RES. 439

Expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the “adult entertainment” section of the classified advertising website Backpage.com.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2012

Mr. BLUMENTHAL (for himself, Mr. KIRK, Mr. WHITEHOUSE, Mr. CORNYN, Mr. LIEBERMAN, Mr. RUBIO, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. COLLINS, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary

DECEMBER 20, 2012

Committee discharged; considered and agreed to

RESOLUTION

Expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the “adult entertainment” section of the classified advertising website Backpage.com.

Whereas, according to the Department of Justice, there was a 59 percent increase in identified victims of human trafficking worldwide between 2009 and 2010;

Whereas, according to the Department of Health and Human Services, human trafficking is the fastest-growing criminal enterprise in the world;

Whereas experts estimate that up to 300,000 children are at risk of sexual exploitation each year in the United States;

Whereas experts estimate that the average female victim of sex trafficking is forced into prostitution for the first time between the ages of 12 and 14, and the average male victim of sex trafficking is forced into prostitution for the first time between the ages of 11 and 13;

Whereas the Bureau of Justice Statistics found that 40 percent of incidents investigated by federally funded task forces on human trafficking between 2008 and 2010 involved prostitution of a child or the sexual exploitation of a child;

Whereas, according to the classified advertising consultant Advanced Interactive Media Group (referred to in this preamble as “AIM Group”), Backpage.com is the leading United States website for prostitution advertising;

Whereas Backpage.com is owned by Village Voice Media Holdings, LLC (referred to in this preamble as “Village Voice Media”);

Whereas the National Association of Attorneys General tracked more than 50 cases in which charges were filed against persons who were trafficking or attempting to traffic minors on Backpage.com;

Whereas Myrelle and Tyrelle Locket—

(1) in February 2011 were each sentenced to 4 years in prison on charges of trafficking of persons for forced labor or services for operating an Illinois sex trafficking ring that included minors; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Arthur James Chappell—

(1) in March 2011 was sentenced to 28 years in prison on charges of sex trafficking of a minor for running a prostitution ring with at least 1 juvenile victim in Minnesota; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Brandon Quincy Thompson—

(1) in April 2011 was sentenced to life imprisonment on charges of sex trafficking a child by force for running a South Dakota prostitution ring that involved multiple underage girls; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Clint Eugene Wilson—

(1) in May 2011 was sentenced to 20 years in prison on charges of sex trafficking of a minor by force, fraud, or coercion for forcing a 16-year-old Dallas girl into prostitution, threatening to assault her, and forcing her to get a tattoo that branded her as his property; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Demetrius Darnell Homer—

(1) in August 2011 was sentenced to 20 years in prison on charges of sex trafficking of a minor for violently forcing a 14-year-old Atlanta girl into prostitution, controlling her through beatings, threatening her with a knife, shocking her with a taser in front of another underage girl whom he had placed in prostitution, and forcing her to engage in prostitution while she was pregnant with his child; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Leighton Martin Curtis—

(1) in February 2012 was sentenced to 30 years in prison on charges of sex trafficking of a minor and production of child pornography for pimping a 15-year-old

girl throughout Florida, Georgia, and North Carolina to approximately 20 to 35 customers each week for more than a year; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Ronnie Leon Tramble—

(1) in March 2012 was sentenced to 15 years in prison on charges of sex trafficking through force, fraud, and coercion for forcing more than 5 young women and minors into prostitution over a period of at least 5 years throughout the State of Washington, during which time period he constantly subjected the victims to brutal physical and emotional abuse; and

(2) used Backpage.com to facilitate the prostitution;

Whereas, according to AIM Group, 80 percent of online prostitution advertising revenue for the month of February 2012 was attributed to Backpage.com;

Whereas, according to AIM Group, the number of Backpage.com advertisements for “escorts” and “body rubs”, a thinly veiled code for prostitution, increased by nearly 5 percent between February 2011 and February 2012;

Whereas, according to AIM Group, Backpage.com earned an estimated \$26,000,000 from prostitution advertisements between February 2011 and February 2012;

Whereas Backpage.com vice president Carl Ferrer acknowledged to the National Association of Attorneys General that the company identifies more than 400 “adult entertainment” posts that may involve minors each month;

Whereas the actual number of “adult entertainment” posts on Backpage.com each month that involve minors may be far greater than 400;

Whereas, according to the National Association of Attorneys General, Missouri investigators found that the review procedures of Backpage.com are ineffective in policing illegal activity;

Whereas, in September 2010, Craigslist.com removed the “adult services” section of its website following calls for removal from law enforcement and advocacy organizations;

Whereas, by September 16, 2011, 51 attorneys general of States and territories of the United States had called on Backpage.com to shut down the “adult entertainment” section of its website;

Whereas, on September 16, 2011, the Tri-City Herald of the State of Washington published an editorial entitled “Attorneys general target sexual exploitation of kids”, writing, “ . . . we’d also encourage the owners of Backpage.com to give the attorneys general what they are asking for”;

Whereas, on October 25, 2011, 36 clergy members from across the United States published an open letter to Village Voice Media in the New York Times, calling on the company to shut down the “adult entertainment” section of Backpage.com;

Whereas, on December 2, 2011, 55 anti-trafficking organizations called on Village Voice Media to shut down the “adult entertainment” section of Backpage.com;

Whereas, on December 29, 2011, the Seattle Times published an editorial entitled “Murders strengthen case against Backpage.com”, writing, “Backpage.com cannot continue to dismiss the women and children exploited through the website, nor the 3 women in Detroit who are dead pos-

sibly because they were trafficked on the site. Revenue from the exploitation and physical harm of women and minors is despicable. Village Voice Media, which owns Backpage.com, must shut this site down. Until then, all the pressure that can be brought to bear must continue.”;

Whereas, on March 18, 2012, Nicholas Kristof of the New York Times wrote in an opinion piece entitled “Where Pimps Peddle Their Goods” that “[t]here are no simple solutions to end sex trafficking, but it would help to have public pressure on Village Voice Media to stop carrying prostitution advertising.”;

Whereas, on March 29, 2012, Change.org delivered a petition signed by more than 240,000 individuals to Village Voice Media, calling on the company to shut down the “adult entertainment” section of Backpage.com;

Whereas, on January 12, 2012, John Buffalo Mailer, son of Village Voice co-founder Norman Mailer, joined the Change.org petition to shut down the “adult entertainment” section of Backpage.com, stating, “For the sake of the Village Voice brand and for the sake of the legacy of a great publication, take down the adult section of Backpage.com, before the Village Voice must answer for yet another child who is abused and exploited because you did not do enough to prevent it.”;

Whereas, on March 30, 2012, a private equity firm owned by Goldman Sachs Group, Inc. completed a deal to sell its 16 percent ownership stake in Village Voice Media back to management;

Whereas, in *M.A. ex rel. P.K. v. Village Voice Media Holdings, LLC* (809 F. Supp. 2d 1041 (E.D. Mo. 2011)), the

United States District Court for the Eastern District of Missouri held that section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by section 509 of the Communications Decency Act of 1996 (Public Law 104–104; 110 Stat. 137)) protects Backpage.com from civil liability for the “horrific victimization” the teenage plaintiff suffered at the hands of the criminal who posted on the website to perpetrate her vicious crimes; and

Whereas the Communications Decency Act of 1996 (Public Law 104–104; 110 Stat. 56) and the amendments made by that Act do not preclude a service provider from voluntarily removing a portion of a website known to facilitate the sexual exploitation of minors in order to protect children in the United States: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) supports the efforts of law enforcement
3 agencies to provide training to law enforcement
4 agents on how to identify victims of sex trafficking,
5 investigate cases of sex trafficking, prosecute sex
6 trafficking offenses, and rescue victims of sex traf-
7 ficking;

8 (2) supports services for trafficking victims pro-
9 vided by the Federal Government, State and local
10 governments, and non-profit and faith-based organi-
11 zations, including medical, legal, mental health,
12 housing, and other social services; and

13 (3) calls on Village Voice Media Holdings, LLC
14 to act as a responsible global citizen and imme-

1 diately eliminate the “adult entertainment” section
2 of the classified advertising website Backpage.com to
3 terminate the website’s rampant facilitation of online
4 sex trafficking.

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