CHAPTER 1

Introduction to Human Trafficking

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This first chapter will be an introduction and description of the two most prevalent forms of the crime of *human trafficking* and the effects on the victims who are trafficked. The crime of human trafficking will be examined, from a national and international perspective, as will be the need for collaboration between all the stakeholders involved in human trafficking investigations to obtain social justice for the victims of the trafficking. A law enforcement perspective on the management of human trafficking investigations will be described, as well as some of the characteristics of the victims of labor trafficking and sex trafficking. Characteristics of the trafficker and the customers who create the demand for human trafficking will be described. This first chapter will describe the need for increased community and professional awareness of the problem of human trafficking and, specifically, the importance of training for first responders regarding recognizing the characteristics of human trafficking when traffickers and their victims are encountered.

WHAT IS HUMAN TRAFFICKING?

A few years ago, the term human trafficking brought visions of oppressed *third world* migrant workers being smuggled across

international borders to work in *other third world* sweatshops or brothels for very little compensation. Because the United States was not generally considered a *third world* country, most persons believed that human trafficking could not occur in the United States, with all the laws, regulations, legal protections, and human rights that are generally present in the United States.

In recent decades, law enforcement agencies throughout the United States have routinely targeted prostitutes in their jurisdictions in what they called *vice operations*[1] where prostitutes were arrested and processed. There was general understanding among law enforcement professionals that many prostitutes were driven to sex work by the need for money based on some form of drug addiction. Until relatively recently, however, most law enforcement did not consider why prostitutes used illegal drugs, or whether they freely and voluntarily participated in commercial sex. There has become a growing realization of the force, fraud, and coercion, (including encouraged drug addiction[2]) used to press many women into prostitution and there is now a rapidly growing emphasis on identifying those *victims* of *human trafficking*. Law enforcement agencies are slowly making efforts to revise their prostitution strategies to become more victim-centered, and are working towards identifying the victims of human trafficking while conducting their prostitution investigations.

Although there are activists who want to label *all* prostitutes as *victims* of human trafficking, many law enforcement agencies still hesitate to align themselves with that view, however still make efforts to identify and assist the actual victims of trafficking. The reality for law enforcement investigators is that they occasionally encounter prostitutes who are *not* victims of human trafficking, who *did* become

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[1] Most law enforcement agencies traditionally categorized crimes based on the perceived victims—as *crimes against property*, *crimes against persons* (homicides and sex crimes were usually separate specializations of *persons crimes*) and *vice crimes* which were thought to have only the community as a victim—such as prostitution, gambling, and illegal narcotics or drugs.

[2] Law enforcement investigations have shown that traffickers who want to live off prostitution earnings will first ensure that a woman is addicted to drugs, and then will continually provide the drug in small doses to keep her dependent, and compliant.

prostitutes freely and voluntarily, and so those professionals have not accepted the view of many feminists or advocates that all commercial sex workers (prostitutes) are exploited and/or violently victimized (Weitzer, 2005). The concern is that by incorrectly labeling *all prostitutes* as *victims* of human trafficking, law enforcement and social service providers would actually weaken the support for their efforts to "rescue" the true and actual victims of human trafficking. This textbook will focus on the *human trafficking* of persons, that is (by definition) *not* free or voluntary and the victims of that trafficking who are truly exploited and often emotionally and physically injured to such a serious extent that the trafficking is a true *crime against persons.*

Human trafficking in this text, and in law enforcement, is a term used to identify the criminal act of using *force, fraud or coercion* when recruiting, transporting, harboring, providing, or obtaining another person for the purpose of *labor* or *commercial sexual activity* (a form of labor, also) (U.S. Department of State, 2016). The United Nations defines *human trafficking*, in part, as the *recruitment, transporting, transferring, harboring, or obtaining a person with the use of threats, force, coercion, abduction, fraud, or deceit, for the purposes of exploitation* (Greenbaum, 2014).

A common misconception in the word "trafficking" is the belief that a person must be "transported" from one geographic place, to another place, to be trafficked. In defining *human trafficking*, the act of moving a person from one place to another is not required. The term "*trafficked*" may be better understood if described as buying, selling, or trading a service with the purpose of exploiting a person for commercial gain.

Another misunderstanding of human trafficking is the confusion of *human trafficking* with a separate crime of *human smuggling.* Persons who volunteer to be smuggled across an international border have usually paid a large fee to be smuggled (Jac-Kucharski, 2012). While there is no doubt that smugglers often victimize their smuggled customers, the act of being smuggled across international borders is generally voluntary. While smuggling people is certainly a crime, the

people who are being smuggled are not typically involved in criminal activity (except the violation of immigration laws) and are, therefore, not considered to be *victims* of smuggling. The people who are being smuggled across international borders are frequently described as illegal immigrants. In comparison, *human trafficking* is *not* voluntary. The victims of human trafficking are *forced, threatened, coerced, or deceived*, with the specific intent to exploit their labor or sex for commercial benefit. *Human trafficking* is a criminal activity or operation in which the trafficked persons *are the victims* of the crime. Generally, there is worldwide agreement on the definition of *human trafficking* (Jac-Kucharski, 2012).

The federal *Trafficking Victims Protection Act* of 2000, as amended in several subsequent years (TVPA), is the foundation of the United States federal government's human trafficking legislation (Polaris, 2015). The catalyst for the enactment of the TVPA in 2000 was the lack of laws in the United States that could adequately impede human trafficking and punish those involved in human trafficking (U.S. Congress, 2000). The TVPA was the first law that could punish other countries that do not work towards eradicating human trafficking internationally (Holman, 2008) and so the TVPA allows the U.S. Government to pressure other countries into enacting stronger laws against human trafficking. The TVPA gives the United States the ability to stop providing certain types of aid to any country that is not proactively attempting compliance with the TVPA's guidelines. There are also provisions within the TVPA that protect the victims of human trafficking from criminal prosecution for criminal acts that were a result of being trafficked. The TVPA made all forms of human trafficking illegal under the federal criminal laws.

The terms *sex trafficking* and *labor trafficking* are frequently used to describe subsets, or different forms, of human trafficking. Law enforcement, prosecutors, and social service practitioners often classify specific events of *human trafficking* as either *sex trafficking* or *labor trafficking* so they can better describe the facts of the specific criminal activity. While both forms involve the use of *force, fraud, and coercion*, as well as the *exploitation* of the victims for the financial gain of the

trafficker, the long-term physical and psychological consequences to the victims can be very different. Below are more detailed descriptions of *sex trafficking* and *labor trafficking* to help illustrate the distinctions between the two forms of human trafficking.

Sex Trafficking

Sex trafficking is commercial sexual activity that was compelled through *coercion, fraud, force, or threats of force* (required only when the victim was 18 years old or older) (U.S. Department of State, 2016). *Sex trafficking of a child* is another form that has occurred when a person, who is younger than 18 years of age is *enticed, harbored, recruited, obtained, transported, provided, solicited, patronized, or maintained* for the purpose of *commercial sex activity. Sex trafficking of a child* does ***not*** require the use of any threats, force, or coercion. Any form of *commercial sexual activity* using a person under the age of 18 years old is sex trafficking of a child, and can be punished as human trafficking.

Labor Trafficking

Labor trafficking is when a trafficker obtains, transports, provides, harbors, or recruits another person, and *threatens to use force, uses force, deceives, or uses any coercive techniques* to *compel the person to perform work* (U.S. Department of State, 2016). Other forms of labor trafficking include *debt bondage*, or *domestic servitude.*

Debt bondage can include debt that was acquired by a person as a *condition* of his employment. Migrant workers may also assume debt bondage from unscrupulous employment agencies that coordinate with employers to supply migrant workers and entangle the migrant worker's legal status in the host country with the repayment of the debt. Out of fear of losing their jobs, migrant workers who owe debt to employment agencies will rarely risk losing their employment status, or their jobs, by reporting the employment agency or the employer. Such workers also may not understand their legal rights or protections in the host country.

Domestic servitude is a form of labor trafficking in which the worker is not paid, is underpaid, is abused, or is not free to leave the residence of the employer. Domestic workers frequently work in private residences and are isolated. Because of the isolation, domestic workers could be abused, and exploited, in their domestic servitude.

HUMAN TRAFFICKING: PROBLEM IDENTIFICATION

Human trafficking and slavery have been around for thousands of years. Slavery has existed across the globe for thousands of years and existed in the United States until 1865 when the *Thirteenth Amendment* to the *United States Constitution* was ratified by the states; forever abolishing slavery. Although slavery is illegal in the United States, there is slavery through human trafficking that continues to exist in the United States, and throughout the world.

Many people incorrectly believe that the slave trade only existed in the past. However, *human trafficking* continues to exist, and is widely considered a modern form of slavery by persons who have learned of the details and dynamics of the trafficking, and how modern trafficking enslaves the victims. The *United States Department of State* has estimated that 560,000 women and children are trafficked over international borders annually, and then forced to work in the commercial sex industry (Holman, 2008).

Human trafficking, in particular the trafficking of women and children, gained renewed interest in the 1990s and became a priority for countries around the globe (Gozdziak & Collett, 2005). Organizations such as the *Commission for Human Rights*, the *United Nations General Assembly*, the *World Conference on Human Rights in Vienna*, and the *World Conference on Women in Beijing* began to actively discuss the resurgence of human trafficking.

As a result, the *United Nations General Assembly* enacted the *UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children* in November 2000. The *European Union*, the

International Organization for Migration, and the *International Labour Organization* followed with increased anti-human trafficking activities.

The exact scope of *human trafficking* is difficult to assess and, "at present, there is no sound estimate of the number of victims of trafficking in persons worldwide" (United Nations Office on Drugs and Crime, 2014, pg. 16). Moreover, "experts have encouraged the United Nations Office on Drugs and Crime (UNODC) to avoid generic global or regional extrapolations based on weak methodologies." (United Nations Office on Drugs and Crime, 2014, pg. 30), and the *Soroptimist International of the Americas* (2014, pg. 2) states "human rights groups estimate that anywhere between 12.3 million and 30 million people are enslaved in forced or bonded labor, child labor, sexual servitude, and involuntary servitude at any given time." The *International Labour Organization (ILO)* estimates that nearly 21 million men, women, and children are forced to perform labor, debt bondage, commercial sex, or modern forms of slavery (2016). Of the 21 million people, 11.4 million are females and 9.5 million are males. Four and a half million people are forced into the commercial sex industry. The ILO further believes that human traffickers profit about $150 billion dollars per year.

The *U.S. Department of State* reports a range of international data about prosecutions, convictions, identified victims, and legislation. Global law enforcement data for the period covering 2007–2014 shows that the identification of victims varied from 30,961 to 44,462 (U.S. Department of State, 2015). Furthermore, prosecutions nearly doubled from 5,682 to 10,051, convictions were between 3,427 and 4,443, and new or amended legislation was implemented every year over that period. Although that report highlighted data on a global scale, some believe that it may have actually *underestimated* of the scope of the problem.

In the United States, the increase in identification of victims, and prosecutions of traffickers, indicates increased law enforcement interventions, however, there is often a large difference between the

numbers of victims identified from law enforcement, and the numbers of victims identified through calls to hotlines or other social service provider organizations. As an example, in 2014 the *National Human Trafficking Resource Center* received 24,062 phone calls, on-line tip reports, and e-mails regarding trafficking. From those communications, "5,042 unique cases of potential human trafficking were reported to the hotline" (National Human Trafficking Resource Center, 2015, pg. 4). The report of the *National Human Trafficking Resource Center* further listed 3,598 sex trafficking, 818 labor trafficking, and 172 for labor and sex trafficking, and 454 unspecified cases. Clearly, the literature and evidence indicates that the scope of global human trafficking is large, and that it is difficult to have accurate numbers of the incidents of human trafficking in the United States and internationally.

Even without specific verified numbers, however, recognition of the current trends of human trafficking will help the criminal justice system, social services, and the community to be better prepared to respond effectively against this crime. Through *awareness and education efforts*, society is able to understand that human trafficking in the United States is also a homegrown and very serious problem rather than just a matter of immigrants being smuggled into the United States. Although there are many stories of modern-day slavery occurring in third world countries, there is renewed recognition that United States citizens are being victimized, as well.

From a global perspective, the United States is just one of numerous countries combating human trafficking and the *International Labour Office* (2012) reports from 2001–2011 it is estimated that 20.9 million people worldwide were forced into some form of Human Trafficking, mainly labor and sex trafficking. In the United States, calls to report human trafficking have almost doubled from 13,325 in 2012 to 21,947 in 2015, not including online tip submissions. Calls to the *National Human Trafficking Resource Center (NHTRC)* indicates that California has consistently been the state with the most reports of human trafficking, followed by Texas, and Florida each year (National Human Trafficking Resource Center, 2016). All evidence reflects that,

the crime of human trafficking is widespread throughout the globe and it requires a heightened awareness and this text will seek to show the importance of viewing this serious community problem through the social justice lens.

SOCIAL JUSTICE AND COLLABORATION

The literature indicates that human trafficking is often labeled a "*vice crime*" a phrase typically used in law enforcement for illegal activities that have no victim or complaining party, such as *prostitution, illegal drugs*, and *gambling*. Accordingly, many victims of sex trafficking who were forced or coerced into prostitution have been treated as a *social illness*: members of a society who are, however, not adequately socialized to adopt the society's norms and values—rather than being treated as victims of exploitation and abuse (Mooney, Knox, & Schacht, 2002). When examining a social problem from a *symbolic interactionist perspective*, at the micro sociological level, it has been said that human behavior is influenced by *definitions and meanings* that are created through *symbolic interactions with others and are molded by changing circumstances* (Mooney et al). Through that lens, it is seen that *human trafficking* is clearly defined by an almost unimaginable (for most outside persons) *identity and sense of self* that is shaped by the unique *social interactions between the victim and the traffickers* that has introduced and forced susceptible persons into this crime as victims. It is a form of modern slavery where people profit from the control and exploitation of other persons, and "exploitation consists in engaging in transactions that are unjust but are, nevertheless, consented to by both parties" (Miller, 2003, p. 103). Additionally, sexual aggression or sexual interaction that occurs against one's will through the use of physical force, threat of force, or the use of drugs and/or alcohol (Mooney et al) are common characteristics of sex trafficking.

Faced with this challenge of sexual exploitation, there are two ways to respond: 1) deny that injustice can occur because there were somewhat voluntary transactions, or 2) toughen up the conditions for free agreement so that agreements made in ignorance, or in conditions

of necessity, will not count as genuinely voluntary (Miller, 2003). Accordingly, the moral response to human trafficking exploitation must be the second—to toughen up the conditions before a transaction as seen as "free agreement" to ensure social justice for very real victims of the tragedy of human trafficking. If a community is moved by a humanitarian concern to minimize human suffering, rescue the victims, and seek punishment for those responsible for *human trafficking,* then the social justice issue must be addressed across many sectors of the community and at all levels of the criminal justice system.

Awareness of *human trafficking* has increased in recent years and law enforcement and social service organizations in many communities, as well as many major cities have responded to combat this crime. Through continued education and best practices, many cities are using a *collaborative model* in their fight against human trafficking in which law enforcement professionals work side-by-side with social service workers and other non-government organizations which results in an effective task force operation. In that way, law enforcement can recover a victim, and initiate a criminal investigation of the trafficker while social services can immediately begin to assess and serve the victim's needs. That collaboration provides to the victim an opportunity for rehabilitation and counseling while efforts are being made to arrest and prosecute the trafficker. As an added benefit, a victim of human trafficking, who may be hesitant to talk to law enforcement alone, may begin to feel more comfortable with a social worker or counselor present.

Implementing a collaborative *human trafficking task force* of federal, state, and local law enforcement to investigate *human trafficking* has proven to be the most effective way to conduct these complex investigations (Federal Bureau of Investigation, 2016). Task force collaborations allow members of the task force to each bring their unique tools and skills to the investigation, and can increase jurisdictional boundaries, and access to investigative techniques, providing abilities that some law enforcement agencies may not have been able to utilize in the past. The task force model also improves

intelligence and information sharing, and provides more options for prosecution venues.

HUMAN TRAFFICKING: A CENTRAL FLORIDA PERSPECTIVE

For a look at a local perspective, and how it can make a difference, law enforcement groups are using a task force collaborative model in central Florida at the *Metropolitan Bureau of Investigation (MBI),* a multi-agency law enforcement task force composed of local, state and federal law enforcement organizations. The MBI, an early leader in commercial sex and human trafficking investigations, was created in December of 1978 in Central Florida as a specialized group of investigators assigned to concentrate on mid-level narcotics trafficking, organized crime, racketeering, and vice-related offenses such as prostitution, gambling, and illegal adult entertainment activity across jurisdictional boundaries throughout the *Ninth Judicial Circuit of Florida* in Orange and Osceola Counties in Florida. The MBI was conceived to fill the need for a cooperative effort to combat criminal activities which were organized, well-financed, and operated freely across jurisdictional lines of the existing law enforcement agencies (Metropolitan Bureau of Investigation, 2015).

The MBI houses the *Human Trafficking Task Force for Central Florida* and, as a result, receives reports of human trafficking from local law enforcement organizations and a variety of other non-law enforcement sources. The non-law enforcement sources include the *National Center for Missing and Exploited Children* (NCMEC), the *Polaris Project (National Human Trafficking Resource Center)*, the state of Florida's *Department for Children and Families*, and anonymous tips to nonprofit tip-lines. The MBI also conducts proactive investigations to target human traffickers, resulting in the recovery or rescue of both adult and juvenile victims of human trafficking, on a regular basis.

In 2014, the *Metropolitan Bureau of Investigation* received a total of 181 tips (reports or information) regarding human trafficking, most of

which are related to sex trafficking. There was only one tip of adult labor trafficking, and one tip of juvenile labor trafficking the same year. However, in regards to sex trafficking in 2014, MBI received 45 adult sex trafficking tips and 134 juvenile sex trafficking tips. In 2015, the amount of tips received by MBI were similar to the previous year, with 51 adult sex trafficking tips, 127 juvenile sex trafficking tips, 5 adult labor trafficking tips, and 4 juvenile labor trafficking tips, for a total of 187 human trafficking tips (Metropolitan Bureau of Investigation, 2015). Based on staffing and caseload limitations, tips received by the MBI are prioritized and "triaged" with the most egregious trafficking situations being investigated immediately (such as when a minor is alleged to be involved). Whether responding to a location to recover or rescue a trafficking victim, or when conducting a historical human trafficking investigation about past events, the MBI investigators work with social services, from the beginning, to assist the victims and their families. This immediate collaboration greatly increased victim cooperation, prosecution of suspects, and victim rehabilitation.

In 2016, two professional "victim advocates" were added to the *Metropolitan Bureau of Investigation (MBI)* from the State Attorney's Office of the Ninth Judicial of Florida. Those advocates work in the same office as the law enforcement task force, and they deploy with law enforcement to almost every scene. This type of collaborative response was determined to be beneficial for multiple reasons. First, the trafficking victim interacts early with an advocate on who the victim can rely to assist the victim through the multiple steps of the court and rehabilitation process—rather than having their case passed from a law enforcement officer, to a case manager, to a social worker. Secondly, the victim advocates also take on the role of the social services case manager and set up services needed by the trafficking victim. The victim advocates use their resources to find the effective counseling, medical, mental health services, and living placement available. The victim advocates make it much easier for both the victim, and law enforcement, to have one point of contact when dealing with social

services allowing law enforcement to focus on the investigative aspects of the case.

Awareness and education remains a high priority, and the MBI regularly schedules and gives presentations about human trafficking to community members, students, churches, hotel workers, healthcare workers, and law enforcement personnel. Local law enforcement officers in routine patrol assignments have a high probability of making contact with a trafficker or victim and so those officers are given training by the MBI with information designed to enable them to assess a situation, and look past the surface crimes such as prostitution to recognize victims of sex trafficking. Similarly, training is given to hotel and health care workers who may have contact with someone involved in human trafficking, resulting in increased human trafficking reports to law enforcement.

UNDERSTANDING HUMAN TRAFFICKING VICTIMS

Sex Trafficking Victims

Although this chapter has briefly introduced a progressive task force approach to counter and reduce human trafficking, understanding the victims is essential for an informed response and handling of all human trafficking cases. Victims of sex trafficking have often suffered severe trauma over a long period of time, and that trauma leads to behavioral issues, fear, mental illnesses, drug addictions, and many other psychological issues (Koszalka, 2015). Raymond and Hughes (2001) also indicate that a large number of the females who have been forced into sex trafficking will suffer health issues associated with the violence and sexual exploitation. The physical and mental health issues that are associated with sex trafficking can be short-term or long-term (Meshkovska, Siegel, Stutterheim, & Bos, 2015). Because of the significant injuries and illnesses received while being forced into the commercial sex industry, it can be concluded that

violence and trauma are part of sex trafficking (Raymond & Hughes, 2001).

In an academic study that involved 200 prostitutes, the majority of who were juveniles, it was found that 70% of the prostitutes had been sexually assaulted an average of 31 times (Hughes, Carlson, & Carlson, 2004). In another study on violence to prostitutes, it was found that 79% of the prostitutes had been battered by the customer. For the women who are forced into sex trafficking, the violence associated with sex trafficking becomes a precursor to other destructive behaviors. A study in the United States found that 46% of women who were in the commercial sex industry had attempted suicide. Another study in the United States found that 65% of females in the prostitution industry had attempted suicide, and that 38% of those prostitutes had attempted suicide more than once.

Victims of sex trafficking have frequently been exposed to severe violence that has resulted in injury, and have been held under the rigid control of a trafficker over a period of time (Koszalka, 2015). Traffickers frequently take advantage of the age of the potential victims because of their lack of maturity and, accordingly, juveniles can be viewed as the most vulnerable. Furthermore, traffickers frequently make false promises of financial reward to potential sex trafficking victims (Hornor, 2015). Because of the lack of maturity of juvenile sex trafficking victims, sex traffickers find they can easily force and coerce victims into the commercial sex industry (Clawson, Dutch, Solomon, & Grace, 2009). Those victims may have had frequent contact with law enforcement and so distrust law enforcement officers and investigators out of a fear of being arrested, and the punishment they may receive from the trafficker as a result of being arrested (Koszalka, 2015).

From a law enforcement perspective, it is difficult to explain to an exploited victim that she has been tricked, manipulated, or deceived. Discussing this with a victim is not easy, and will likely take repeated visits and interviews before a victim opens up and shares his or her full story. From the initial interview with the victim, building rapport

includes gathering tiny traces of information to confirm the facts of their victimization while corroborating their delineation of their situation. Trafficking victims are very skeptical, and will routinely ask about the progression of the case. They will seek confirmation that information they shared is contributing to the investigation. The open dialogue will lead to successful rapport building and will empower the victim.

Assisting trafficking victims and investigating human trafficking requires a very high level of patience and understanding as hearing a victim's testimony is often traumatic and unimaginable. Their story may simply "shock" an investigator in a visceral way. Therefore, while building rapport with the victim, the investigator must present themselves as very empathetic, showing extreme care and compassion for the victim, and must demonstrate an understanding by communicating that the investigator has heard similar stories. Trafficking victims are often quite skeptical and believe investigators do not understand their situation or their current environment. Of course, it is not essential that investigators have personal experience coming from poverty, or having been physically and/or mentally abused like trafficking victims, to understand the trauma a victim has experienced, however it is imperative for investigators to actively listen to a victim's story, convey that their story is believed, and build trust with the victim, while demonstrating compassion to assist them.

Victims of trafficking will usually provide small but verifiable "nuggets" of information or evidence, including such things as their travel locations, hotel used, expenses paid, purchases, cell phone contacts, and text messages. Obtaining the records will confirm their story as real and corroborate their testimony about events that occurred when there was no other witness.

Human trafficking is a unique crime because victims often refuse to believe they are indeed victims, or fail to see themselves as being victimized, manipulated, or exploited. Because of this denial by victims, community awareness and recognition of the signs and indicators of

human trafficking is crucial in the fight against human trafficking, and to increase victim identification. It is not common for victims to come forward to self-identify as being exploited, or to understand that their traffickers are actually victimizing them. However, investigators who have even just a basic fundamental understanding of human trafficking can intervene on the behalf of victims who are not seeking help for themselves.

Training the public on human trafficking intervention should include immediate reporting of any suspected trafficking observations to the *National Human Trafficking Resource Center,* dial 911, or report to a *Crime Stoppers* program in their community. It is essential the public understand that the reporting of suspicious activity is important to saving victims by providing information. Regardless of how vague the information may seem a tip or lead may help identify the patterns of traffickers as well as identifying victims. Human trafficking investigators prefer any information, whether vague or very detailed, and encourage the public to report potential human trafficking information as it can be the essential first step in an investigation. The reporting of all suspicious information, even if the information may be later determined unfounded, is highly encouraged by law enforcement. Human trafficking awareness training also is most effective when it involves dispelling common myths and misunderstandings such as teaching that human trafficking is a pervasive domestic issue that occurs here in the United States, *not* just an international problem. Awareness should be taught that victims are *not* just persons who are locked in chains and in cages however, instead, include the much larger number of persons who are being controlled through psychological intimidation and drugs, and who are isolated from family and support structures, and that victims do not have to be moved across state lines to be trafficked.

The most successful persons involved in the fight against human trafficking in law enforcement, victim advocacy, and direct service provision are those who are drawn to the purpose of ending trafficking (not just *assigned* to the job). Human trafficking assignments are unique

because it is a *victim-centered* crime, and so the personal needs of a victim must outweigh such pursuits as promotions, professional advancement, or personal recognition. Human trafficking cases have a powerful effect on those who seek to intervene due to encounters with victims that are very disturbing. Encountering a runaway teenage girl at a hotel, who is wearing a dirty t-shirt, pajama bottoms, flip-flops, and holding herself in a tight ball by crossing her arms in front of herself and who was just sent there by a trafficker, in the middle of the day, to meet an unknown man for sex, creates many emotions to endure, even for seasoned law enforcement professionals.

Vice investigators conducting undercover prostitution sting operations have often encountered teenagers who were being trafficked and were not yet prepared for that kind of victim or that type of crime. In the past, it was common for investigators to be unprepared and not have plans or procedures in place to provide services for those young victims. Such investigators had little, or no, experience in properly interviewing those victims, and had no experience in follow-up investigation of the traffickers who perpetrated the crime against those victims. Those atrocious experiences during undercover operations have encouraged many law enforcement professionals to establish first responder and community awareness about human trafficking identification and to spread the word as to how to recognize the most common characteristics of the victims of human trafficking.

Labor Trafficking Victims

Economic opportunities, poor living conditions, and political factors are some of the drivers that lead immigrants to migrate to other countries (Jac-Kucharski, 2012). Those conditions, and the hope for a better life, lead immigrants to areas where they believe they can improve their standard of living and escape the fear of oppressive governments. Living in poverty, and mostly being poorly educated, are the circumstances that make many immigrants the perfect candidates for both human smuggling and human labor trafficking. Labor trafficking victims may also be further vulnerable when they are not

familiar with the languages, cultures and the laws of the countries in which they are being trafficked (U.S. Congress, 2000). *Jac-Kucharski's* (2012) research suggests easily crossed borders, such as the borders of the United States, may allow criminal organizations more freedom to engage in smuggling and human trafficking. The TVPA cites that revenue from human trafficking has led to the fastest growth of profits for criminal organizations worldwide (U.S. Congress, 2000).

The suggestion that ***easily crossed borders*** (some argue open borders), such as the border between the United States and Mexico, could lead to increases in human labor trafficking is supported by the findings in the *United States Department of State's Trafficking in Persons Report* for June 2016. In that report, Mexico was categorized as a *Tier 2* country (U.S. Department of State, 2016). According to the U.S. Department of State (2016), a *Tier 2* country describes "governments of countries that do not fully meet the Trafficking Victims Protection Act's (TVPA) minimum standards, but are making significant efforts to meet those standards" (p. 39). The *U.S. Department of State* (2016) further reports that "Mexican men, women, and children are exploited in forced labor in agriculture, domestic service, manufacturing, food processing, and construction" (p.267) in the United States and Mexico. Other research categorizes Mexico as a transit, destination, and source country for people who are trafficked in labor and sexual exploitation (Gozdziak & Collett, 2005). The TVPA also cited that nearly "50,000 women and children are trafficked into the United States each year" (U.S. Congress, 2000).

The victims of *labor trafficking* are often recruited by employment organizations that use deceptive practices to lure people into becoming victims of labor trafficking (U.S. Department of State, 2016). Potential recruits, soon to be victims, are offered high pay and good conditions in jobs that do not exist, and are then put to work in a trafficking situation with unfavorable treatment and low pay, if any. (Some victims are recruited for jobs that do exist, only to find themselves being trafficked.) The unethical employment organizations further victimize the victims of labor trafficking by making threats to report their illegal

immigration status, or by holding the trafficking victim's identification documents to prevent them from leaving, or suppress complaints or defections with threats to harm the victim's family, all in an effort to keep the labor trafficking victim working, and quiet. The traffickers usually move the trafficking victims far away from family to unfamiliar places, or other countries (U.S. Congress, 2000).

THE TRAFFICKERS

Analysis by the *U.S. Bureau of Justice Statistics* in a 2011 study indicates that 81% of the human trafficking suspects (the criminals) were male, and 19% were females (Banks & Kyckelhahn, 2011). Sixty-two percent of the sex trafficking suspects were characterized as being black, and 77% were between 18 and 34 years of age. Forty-eight percent of the labor trafficking suspects were identified as Hispanic. The research clearly showed that human traffickers were a diverse group and come from every ethnic and racial group.

The traffickers involved in sex trafficking are usually also involved in other types of criminal activity. Sex traffickers have been reported to be involved in fraud, robbery, drugs, gambling, guns, and a variety of other crimes (Raymond & Hughes, 2001). However, human sex trafficking is reported to be more lucrative than drug trafficking, and may be seen by traffickers to be less risky than the other crimes (Schauer & Wheaton, 2006). The sex trafficking industry has previously provided for a network of traffickers, who supply commercial sex to males, with few risks and big profits.

THE FACILITATORS OF HUMAN TRAFFICKING

Facilitators of Sex Trafficking

Sex trafficking occurs all over the world, in both developed and undeveloped nations. It would be difficult to develop an accurate profile that would accurately describe a typical customer of sex

trafficking as the customers come from every ethnic, religious, and economic background. The experience of law enforcement investigators is that most victims of sex trafficking are females, and most *customers* of sex trafficking are males. It can be reasonably concluded that the driving force behind sex trafficking of women is the demand for paid sex created by the male customers. There is no evidence that traffickers or sex trafficking victims are involved for any job satisfaction—and so any satisfaction is limited to *customers* who are the driving force who create the environment, pay the money, and facilitate the crime.

Not long ago, commercial sex customers had to travel to, and seek out, prostitutes in known prostitution areas, in adult entertainment establishments, adult-themed newspapers or certain massage parlors. While it was not difficult for customers to find a prostitute in that manner, the commercial sex customers had to go out of their way to find a prostitute, often in places outside their "comfort zone." Such customers often put themselves in some risk by going into high crime areas to meet a prostitute. The dynamics all shifted, in just a few short years, when the internet and smart phones provided a means of communication that was private, if not completely anonymous. Websites began to advertise available prostitution services to the entire world. A customer needed only use the internet to scan the available prostitutes in any area he intended to visit, make contact with the prostitute through the website, or a telephone number, and the prostitute would come to the customer in a hotel or home. A commercial sex customer no longer had to go to a risky part of town to meet a prostitute. Many of the risks inherent to traveling to a high crime area had become a thing of the past.

It has even become possible to bypass the computer, and customers for commercial sex can use an application or "app" on their smart phone, select a location, and a list of the available prostitutes and their photographs will appear. The internet and smart phone apps have completely changed the commercial sex industry both in areas where prostitution is legal, and where it is illegal. Commercial sex workers,

victims of sex trafficking, and traffickers now have the ability to advertise to more customers, develop a following, and be able to screen the potential customers, thereby reducing some of the risks for customers associated with prostitution (Cunningham & Kendall, 2011). Customers (who typically call themselves "*hobbyists*") use *review forums* on the internet to provide graphic details and description, laced with code or acronyms (sometimes further disguised as a dream sequence) of their experience with specific prostitutes (who they typically call "*providers*") which can be read by other potential customers. Prostitutes or their pimps will sometimes promote links to their positive reviews. In those online forums, the commercial sex customer can also warn other customers if there are risks of fraud, crimes, or law enforcement investigations. Because of the internet, there has been significant growth in the commercial sex industry and logic suggests that the number of people forced into prostitution also grew (Cunningham & Kendall, 2010).

Facilitators of Labor Trafficking

Those who facilitate and create the market for *labor trafficking* include families looking for domestic workers and construction contractors, agriculture businesses, hotels, nail solons, and factory operators looking for cheap labor. Domestic workers are easily isolated from their families, and from people of trust to who they could reach out for help, which creates an environment in which employers can force the domestic worker to work long hours with little pay. Construction workers, farm workers, and factory workers are easy targets for traffickers as they can also be isolated from law enforcement and the organizations that could provide worker protections, such as safety standards and minimum pay.

AWARENESS AND TRAINING

An important first step for any public agency and community that intends to fight human trafficking is the training of law enforcement officers. Most law enforcement officers are required by their agencies

to attend some form of in-service or annual training, which provides a perfect opportunity to provide information about human trafficking to those first responders on the front lines. First, and above all, the training must be simple and positive. Giving out too many statistics, or showing videos of victims shipped across the ocean in the middle of the night, has not been useful or effective. Conversely, providing specific examples of local victims who have been exploited in their community will provide a more valuable exposure to human trafficking that moves someone to get involved in intervention.

Providing law enforcement officers a basic understanding of the common characteristics of human trafficking victims, such as low self-esteem, habitual runaway, and tattoos or branding are essential to put officers on alert to the crime that is widely occurring in many communities. Explaining and teaching the characteristics that can identify victims who are being exploited in hotels or adult clubs, in high prostitution areas, or who are being advertised with photos on-line to solicit commercial sex is likely to motivate the law enforcement officer on the front lines, who are most likely to encounter the victims of trafficking. Training must also emphasize that *affection* and *personal attention* are two very powerful motivators that traffickers use to recruit and manipulate victims and, accordingly, officers should not be discouraged when a high percentage of trafficking victims return to commercial sexual exploitation after initial interventions by law enforcement and social services.

Training does not have to be to complex; rather it need only include the basics of human trafficking, and the indicators that are signs of the crime. Training highlights should include the realization that trafficking victims are not likely to come forward, nor to identify themselves as a victim. There should also be emphasis to remove the myth that all commercial sex work is done willingly, and resources should be provided about whom to contact to initiate a collaborative response to increase the effectiveness of human trafficking investigations. Caution should be observed to not overwhelm law enforcement professionals with too much information as that may

actually prevent them from absorbing the basics of recognizing potential victims and further prevent them from intervening in a crime that is occurring right in front of them. It is very important for first responders to understand this type of crime through training and to be able to effectively communicate, and understand the language and situation of the victim.

Victims enslaved in trafficking for commercial sex are very vulnerable and usually not able to distinguish the perpetrator's true motives. Trafficking victims who have been duped, tricked, manipulated, or humiliated will benefit from first responders who are able to humanize their response to the victim. First responders who have been given the tools to recognize the characteristics of trafficking victims, and learn how to communicate to establish trust and safety with the victim, can create the necessary rapport with a vulnerable and untrusting victim. It has been noted that not all prostitution and commercial sex is human trafficking and so it is necessary to differentiate between the two situations. Any exploitation involving a minor in commercial sex *is* always human trafficking, however, while prosecuting traffickers of adults who have exploited requires investigators to prove force, fraud, or deception and/or coercion for a human trafficking case.

CONCLUSION

This first chapter introduced the problem of human trafficking from a historical, global, national, and local perspective. Human trafficking, as described in the forms of *sex trafficking* and *labor trafficking*, continues to exist throughout the United States and throughout the world. Efforts to develop and enforce legislation worldwide have occurred over the past couple of decades. However, sex trafficking and labor trafficking continues to make inroads in every community. This chapter has presented the characteristics of, and challenges associated with, human trafficking victims, the traffickers, and the customer facilitators, and has emphasized the importance of viewing this extraordinary problem from a victim-centered social justice perspective

whereas the pursuit of social justice is a special project by the non-comparative ideas of protecting basic rights and preventing exploitation (Miller, 2003).

An important first step is the development of awareness and training for all the stakeholders at every level. There is a growing effort to educate the professionals involved in the criminal justice process, the social service providers, and the medical community to recognize the characteristics of victims and traffickers involved in human trafficking. Several law enforcement organizations have developed effective strategies of collaborating with social service providers, and other stakeholders, in their efforts to rescue victims of human trafficking and successfully prosecute traffickers. The authors have provided an introduction the importance of collaboration between all of the stakeholders in reducing human trafficking. The initial phase in the fight against human trafficking, the investigation, is quite complex because it is a victim-centered crime that requires a very high level of patience and understanding by the investigator, and the investigator must build rapport with the victim, and demonstrate empathy, care, and compassion for the victim.

Throughout this book, the authors will present a successful "victim-centered," system-wide, collaborative approach to human trafficking that can be adopted in any community that seeks similar success in addressing the problem. Next is chapter 2, written by an experienced investigative team to present, in detail, their successful collaborative approach to structured investigations designed to stop human traffickers that will demonstrate the need for early interaction and trust-building with the victim, prior to other investigation stages of gathering evidence to arrest, or prosecute, the trafficker.

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CHAPTER LEARNING OBJECTIVES

- Describe the difference between human smuggling and human trafficking.
- Describe the difference between prostitution and human trafficking.
- Explain why is human trafficking often described as slavery.
- Explain the collaborative approach to the intervention of human trafficking.

- Describe the effect of the internet and cell phone apps on the commercial sex industry.
- Summarize the problem of human trafficking from a historical and contemporary perspective.
- Discuss social justice for the victims of human trafficking.
- Explain characteristics of human trafficking victims that make interviews challenging.
- Describe the importance of human trafficking awareness and training for law enforcement personnel.
- What is not needed to be proved to show that human trafficking has occurred when a minor or juvenile is used in commercial sex.
- Explain why a victim of human trafficking may not see themselves as victims, and may resist being described in that manner.