

Let's Talk Intersections: Trafficking and Domestic Violence

Emily Martin, MSW
Capacity-Building Program Coordinator
emily@cpdev.org
916-444-7163, ext. 110



Control Panel

- a. **List of participants** who have logged on
- b. **The “grab tab”**: the red arrow will minimize/expand the panel
- c. **Call-In Information**
- d. **Chat window**: type a message, question or comment, then below, use the arrow key on the right, specify to whom the information should be sent. Then click “send.”

Type questions/comments here

Specify who the message is for here

The screenshot shows a conference control panel with the following sections:

- Attendee List (2 | Max 26)**: A list of participants under the heading "NAMES - ALPHABETICALLY". The list includes "Jason V (Organizer, Presenter)" and "John S (Me)".
- Audio**: A section for audio controls, currently empty.
- Conference Call-In Information**: A section with red text, currently empty.
- Chat**: A chat window showing a message from "Jason V (to All - Entire Audience): Welcome to the meeting!". Below the message is a text input field containing "[Type message here]" and a dropdown menu set to "All - Entire Audience".

Annotations:

- a**: Points to the participant list.
- b**: Points to the "grab tab" (a red arrow icon) on the left side of the panel.
- c**: Points to the "Conference Call-In Information" section.
- d**: Points to the chat window.



Agenda

- ▶ This webinar is being recorded
- ▶ Trafficking 101
 - ▶ Definitions, Overview, Myths
- ▶ Intersections
 - ▶ Policy Overview
 - ▶ Federal and State
- ▶ Resources
- ▶ Next Steps
 - ▶ Resource list on public site, slides on members only site
- ▶ Open format, please ask questions in the chat box or on the phone as they come up

*Poll: What type of services does your agency provide?



Definitions

- ▶ **Human trafficking** is a form of modern-day slavery in which traffickers use force, fraud, or coercion to control victims for the purpose of engaging in commercial sex acts or labor services against his/her will.



Definitions

- ▶ **Sex trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age, (22 USC § 7102).



Definitions

- ▶ **Labor trafficking** is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).



Scope

- ▶ Women and girls account for about 80% of the detected victims.
- ▶ Sexual exploitation accounts for about 80% of the detected cases. Experts believe trafficking in persons for forced labor is greatly under-detected or that it is mostly prosecuted under other offences.
- ▶ In 30% of the countries where the gender of the offender was known, more women were convicted for human trafficking related offences than men.
- ▶ The data on detected cases show that intra-regional trafficking in persons (within a region) was predominant in most countries and that trans-regional (across regions), though still significant, was relatively less frequent.



Scope

- ▶ In 2013, cases of human trafficking were reported in every state of the U.S.
- ▶ California is particularly vulnerable because of "proximity to international borders, number of ports and airports, significant immigrant population, and large economy that includes industries that attract forced labor." It serves both as an entry point for persons imported from outside the US as well as a destination with high demand.
- ▶ Slavery is found throughout California, but major hubs are centered around Los Angeles, Sacramento, San Diego, and San Francisco.
- ▶ According to the 2011 Department of State report, California, together with New York, Texas, and Oklahoma, has the largest concentrations of survivors of human trafficking.



People are trafficked for many kinds of work and sexual exploitation

- ▶ Sex Industry
- ▶ Debt bondage
- ▶ Domestic Labor
- ▶ Agricultural Work
- ▶ Restaurant Work
- ▶ Factory Labor
- ▶ Commercial Sex Acts
- ▶ Construction
- ▶ Forced Marriage



U.S. citizens, foreign nationals, women, men, children, and LGBTQ individuals can be victims of sex trafficking. Runaway and homeless youth, victims of domestic violence, sexual assault, war or conflict, or social discrimination are frequently targeted by traffickers.



Traffickers use many forms of coercion and control and may be...

- ▶ Friends/Family/Romantic partners
- ▶ Sex industry managers and “Pimps”
- ▶ US and International government employers
 - ▶ e.g. Diplomats
- ▶ Legitimate employers
 - ▶ e.g. Households with domestic workers



Let's Clear the Air...

Myth 1: *Trafficked persons can only be foreign nationals or are only immigrants from other countries.*

Fact: The federal definition of human trafficking includes both U.S. citizens and foreign nationals. Both are protected under the federal trafficking statutes and have been since the TVPA of 2000. Human trafficking within the United States affects victims who are U.S. citizens, lawful permanent residents, visa holders, and undocumented workers.



Let's Clear the Air...

Myth 2: *Human trafficking is essentially a crime that must involve some form of travel, transportation, or movement across state or national borders.*

Fact: Trafficking does not require transportation. Although transportation may be involved as a control mechanism to keep victims in unfamiliar places, it is not a required element of the trafficking definition. Human trafficking is not synonymous with forced migration or smuggling, which involve border crossing.



Let's Clear the Air...

Myth 3: *There must be elements of physical restraint, physical force, or physical bondage when identifying a human trafficking situation.*

Fact: Trafficking does not require physical restraint, bodily harm, or physical force. Psychological means of control, such as threats, fraud, or abuse of the legal process, are sufficient elements of the crime. Unlike the previous federal involuntary servitude statutes (U.S.C. 1584), the new federal crimes created by the Trafficking Victims Protection Act (TVPA) of 2000 were intended to address “subtler” forms of coercion and to broaden previous standards that only considered bodily harm.



Let's Clear the Air...

Myth 4: *Victims of human trafficking will immediately ask for help or assistance and will self-identify as a victim of a crime.*

Fact: Victims of human trafficking often do not immediately seek help or self-identify as victims of a crime due to a variety of factors, including lack of trust, self-blame, or specific instructions by the traffickers regarding how to behave when talking to law enforcement or social services. It is important to avoid making a snap judgment about who is or who is not a trafficking victim based on first encounters.

*Poll: Is your agency currently serving victims of trafficking?



Sex Work and Trafficking

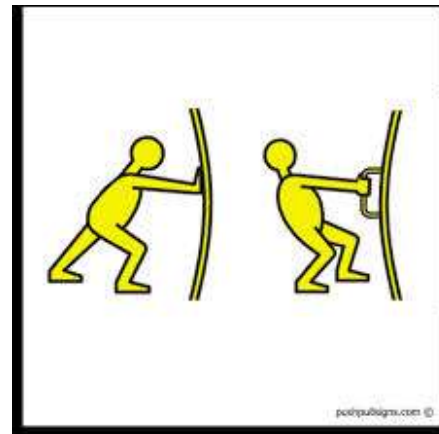
- ▶ Unintended consequences of criminalization
- ▶ It's complicated and uncomfortable
- ▶ The spectrum of commercial sex
 - ▶ Choice (high agency) – Circumstance (survival) – Coercion (force/manipulation)
 - ▶ The spectrum of “choice”
- ▶ Not all commercial sex workers are victims of trafficking
- ▶ The Sex Worker's Project: <http://sexworkersproject.org/>
 - ▶ Mission: working to create a world that is safe for sex workers and where human trafficking does not exist.



Push and Pull Factors

PUSH

- Ignorance of the issue
- Poverty
- Runaway, homeless or foster youth
- Previous exposure to violence
- Unsafe community/war
- Unemployment
- Natural disasters
- Prison industry
- Racism, sexism, homophobia and transphobia



PULL

- Demand
- Lack of resources
- Potential for employment/increased opportunities
- Political/religious freedom



Making the Connection

Types of Abuse

- ▶ Psychological/behavioral
- ▶ Physical
- ▶ Sexual
- ▶ Emotional/spiritual



Common tactics of control include: isolation, coercion, threats, physical abuse, use of children, withholding food, medication, sleep, medical care, etc.



Making the connection

Similarities Include:

- ▶ Primarily violence perpetrated against women
- ▶ Power and control
- ▶ Use of relationship and trust
- ▶ Similar short and long term needs
- ▶ Exposure to various forms of abuse
- ▶ Conflicted about leaving situation
- ▶ Abuse often leads to health problems: mental, physical; acute, chronic
- ▶ Reluctance to disclose situation
- ▶ Fear, shame, guilt, low self esteem
- ▶ Strong bond to trafficker/abuser
- ▶ Vulnerable to re-victimization



Clear Intersections

- ▶ “The simplest and one of the most prevalent connections between DV and human trafficking is when they completely overlap.”
- ▶ “Domestic violence often serves as a push or pull force (to lure people into situations of prostitution or forced labor).”
- ▶ “The hallmark of intimate-partner violence and of human trafficking is the perpetrators’ deliberate and concerted deployment of tactics of power and control against their victims.”

*Poll: Is there a trafficking taskforce in your county?

Judge’s Journal, American Bar Association



Framework of Service Intersections

- ▶ The Partnership is not the expert on trafficking, we don't expect local DV/SA agencies to be either
 - ▶ Gain expertise from local trafficking experts when available
 - ▶ Refer to appropriate services when available while building capacity
 - ▶ Better serve survivors already seeking services, not services for all trafficking victims
- ▶ Funding sources for trafficking specific work:
 - ▶ Taskforces, law enforcement partnerships, county funding, federal grants
- ▶ Current shelters specifically for victims of trafficking in California
 - ▶ LA and Sacramento
 - ▶ Faith-based, minors/youth
- ▶ What do victims of trafficking look like in shelter?
 - ▶ Case example



DV and Trafficking Violate a Person's Freedom

How can DV Advocates help a victim of trafficking?

Use the same knowledge and experience you already have:

- ▶ Multidisciplinary approach to meeting needs
 - ▶ legal, immigration, literacy, housing, trauma, medical
- ▶ Safety and Confidentiality
- ▶ Victim-centered and Trauma Informed Advocacy and Services
 - ▶ Use your existing trauma-informed skills to be open-minded, nonjudgmental, victim-centered and empowerment focused
- ▶ Community Partnerships to Meet Needs and Spread Awareness



DV and Trafficking Violate a Person's Freedom

What do we need to do different?

Acknowledge differences in needs and build staff capacity:

- ▶ Safety concerns may be higher or more complex
- ▶ Difficulties acknowledging partner as trafficker and desire to return to sex work
- ▶ Collaboration with law enforcement on local, state and federal level
- ▶ Seek expertise from agencies/organizations who specialize in anti-trafficking work
- ▶ Targeted training for staff, partners and other local access points (health providers, schools, group homes, LGBTQ centers)



Current Federal Level Legislation

- ▶ Trafficking Victims Protection Act (TVPA) (2000)
- ▶ Trafficking Victims Reauthorization Act (TVRA)



Current State Level Legislation

- ▶ In 2005, California enacted the AB 22 California Trafficking Victims Protection Act (CTVPA), which established human trafficking for forced labor or services as a felony crime.
- ▶ Prop 35
- ▶ 2014: 7 bills signed into law this September
 - ▶ SB 1165 Prevention education
 - ▶ SB 1388 Increased fine for solicitation of a minor
 - ▶ AB 1585 Record expunged
 - ▶ SB 955 Wire tapping
 - ▶ AB 336 Condom law
 - ▶ SB 477 Foreign labor contractors requirements
 - ▶ SB 1791 Increased jail time for solicitation of a minor



RESOURCES: Get Connected

- ▶ List of trafficking service providers in CA: <http://oag.ca.gov/human-trafficking/help>
- ▶ List of county taskforces in CA: <http://oag.ca.gov/human-trafficking/fighting>
- ▶ State level organizations
 - ▶ California Against Slavery <http://californiaagainstsavery.org/>
 - ▶ Coalition to Abolish Slavery and Trafficking (CAST) <http://www.castla.org>
- ▶ National Resources and Toolkits
 - ▶ Screening Tips for DV Advocates: <http://www.vawnet.org/news/2014/10/trafficking/>
 - ▶ Fact sheets and Statistics: <http://www.vawnet.org/special-collections/Trafficking.php>
 - ▶ Polaris Project: <http://www.polarisproject.org>
 - ▶ National Human Trafficking Resource Center: <http://www.traffickingresourcecenter.org/>
 - ▶ National Technical Assistance Provider: www.safehorizon.org



Emily Martin, MSW
Capacity-Building Program Coordinator
emily@cpdev.org
916-444-7163, ext. 110

Sydney Reyes
Public Policy Program Coordinator
sydney@cpedv.org
916-44-7163, ext. 108

- ▶ Partner with other local programs
 - ▶ DV Agencies
 - ▶ SA Agencies
 - ▶ Trafficking Agencies
 - ▶ Taskforces
 - ▶ Law Enforcement
- ▶ Start conversations, identify partners
- ▶ Build your staff capacity
- ▶ Share your expertise on future trainings
- ▶ [Resource list on website](#)
- ▶ Contact us!

