Human Trafficking

Tracy McDaniel, MSW

IPATH
Indiana Protection for Abused and Trafficked Humans
Task Force
IPATH
Indiana Protection for Abused and Trafficked Humans Task Force

PREVENTION, PROTECTION, PROSECUTION

The Indiana Protection for Abused Trafficked Humans task force (IPATH) is one of 42 task forces nationwide funded by the Department of Justice’s Office of Victims of Crime and the Bureau of Justice Assistance to address the issue of human trafficking.

The Goals of IPATH are to:
1) Enhance law enforcement’s ability to identify and rescue victims.
2) Provide resources and training to identify and rescue victims.
3) Ensure comprehensive services are available for victims of trafficking.
A COLLABORATIVE CLIENT CENTERED APPROACH

**LAW ENFORCEMENT**
Collaborates with agencies on current/future investigations, provides officer trainings, & prevention tactics

**VICTIM SERVICES**
Works with identified victims Providing legal & social services

**AWARENESS**
Community organizations partnering together to provide outreach and education to the community on human trafficking

**TRAINING**
Provides trainings to organizations that might come into contact with victims.

**PROTOCOL**
Creating and evaluating protocol or the task force & the procedure for handling human trafficking situations

**IPATH**
IPATH
Indiana Protection for Abused and Trafficked Humans Task Force

Some of the nearly **60 groups** that participate in IPATH efforts are:

- Indiana Attorney General’s Office
- United States Attorney’s Office for the Southern District of Indiana
- Indianapolis Metropolitan Police Department
- Homeland Security Investigations
- Federal Bureau of Investigation
- Indiana State Police
- The Julian Center
- Indiana Department of Child Services
- Neighborhood Christian Legal Clinic
- Many, MANY others
What is Human Trafficking?

**Sex Trafficking:** When a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

**Labor Trafficking:** The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (1)

---

Three Elements of Trafficking

In order to be considered trafficking on both federal and state levels, all three of these elements must be identified:

- Recruiting
- Harboring, Moving, or Obtaining
- A person

By

- Force,
- Fraud or
- Coercion

(unless under 18 for sex trafficking)

For the purpose of

- Involuntary servitude,
- Debt bondage,
- Slavery or
- Sex Trade
Human Trafficking Examples

Sex Trafficking Example:
• A 17 year old girl* runs away from her abusive family for the second time. She meets a 20-something man at the mall who befriends her and offers to buy her something pretty. Their romantic relationship grows slowly as she becomes more dependent upon him and believes he loves her. He starts to ask her to do things for him, eventually leading to pimping her out for profit and resorting to violence and psychological trauma to control her.

Labor Trafficking Example:
• After losing his factory job*, a 35-year old man answers a job advertisement in the local newspaper for skilled welders. The ad promises affordable, safe housing and good pay. However, after being coerced into signing a “contract” in English, which he does not speak, he is taken to his home: a 2-bedroom apartment housing 8 other men, costing him $600 per month. The men are transported to a restaurant where they work 15 hours a day and their living costs always outnumber their pay, causing them to become burdened by an ever increasing debt.

*Stories are fictional and meant to be used for instructional use only. While they include common elements of human trafficking, these narratives are not taken from any one trafficking survivor.
### Indiana Law IC 35-42-3.5

#### Trafficking:
A person who, by **force, threat of force, or fraud** engages a person in:
- Forced Labor
- Involuntary Servitude
- Marriage
- Prostitution
- Participation in Sexual Conduct

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Prosecutors don’t have to prove force when a **minor under the age of 18** is being trafficked
- **Any individual** can be guilty of committing trafficking of a child; no specific relationship required
- **Restitution** is available to trafficking victims
- Trafficking victims may also have a **civil cause** of action to recover other damages from the trafficker

A Comprehensive Law:

Areas of Focus:

– **Prevention**
  • Public Awareness, Outreach and Education

– **Protection**
  • T-Visa, Certification, Benefits and Services to Victims

– **Prosecution**
  • Created Federal Crime of Trafficking, New Law Enforcement Tools and Efforts
# Federal Crimes and Penalties

<table>
<thead>
<tr>
<th>Crime</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forced Labor</td>
<td>Up to 20 years</td>
</tr>
<tr>
<td>Trafficking into Servitude</td>
<td>Up to 20 years</td>
</tr>
<tr>
<td>Sex Trafficking</td>
<td>Up to life</td>
</tr>
<tr>
<td>Involuntary Servitude</td>
<td>Up to 20 years</td>
</tr>
<tr>
<td>Peonage (Debt Bondage)</td>
<td>Up to 20 years</td>
</tr>
<tr>
<td>Document Servitude</td>
<td>Up to 5 years</td>
</tr>
<tr>
<td>Conspiracy Against Rights</td>
<td>Up to life if kidnapping, sexual abuse or death</td>
</tr>
</tbody>
</table>
# Midwest/Indiana Statistics

<table>
<thead>
<tr>
<th>BJA Funded Anti-Trafficking Task Forces</th>
<th>Investigations in US</th>
<th>Investigations in Midwest</th>
<th>Investigations in Indiana</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5,143 (2007-2012)</td>
<td>392 (2007-2012)</td>
<td>134 (law enforcement) and 123 victims served to date</td>
</tr>
</tbody>
</table>

**Midwest/Indiana Statistics** (1)

---

## US Statistics- Fiscal Year 2012 (2)

<table>
<thead>
<tr>
<th></th>
<th>Number of Investigations in the US</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>26 DOJ-led taskforces</strong></td>
<td>over 753</td>
</tr>
<tr>
<td><strong>ICE-HSI</strong></td>
<td>894</td>
</tr>
<tr>
<td><strong>FBI</strong></td>
<td>306 pending (adults and foreign child victims) 440 (sex trafficking of children)</td>
</tr>
</tbody>
</table>

---

1) Information was obtained from the Bureau of Justice Assistance (BJA). The BJA Task Forces in the Midwestern Region were located in the states of: Illinois, Indiana, Missouri, Wisconsin, and Minnesota.

Who is involved in trafficking?

• The **trafficker** is the one who controls the victims. Making the victim fearful through abuse, threats, and lies the trafficker gains power over his/her victim.

• The **victim** could be anyone, the common denominator is vulnerability.

• The **consumer** funds the human trafficking industry by purchasing goods and services. Often s/he is unaware that someone is suffering.
The Trafficker

• The trafficker will likely be in a **lucrative business enterprise** as the heart of human trafficking is exploiting cheap labor.

• The trafficker may be part of a **larger organized crime ring**, or may be **profiting independently**.

• **Benefits through Financial Gain, Power and/or Control**
The Trafficked Person - VICTIM

Human Trafficking reaches every culture and demographics. Regardless of their demographics, victims are vulnerable in some way, and the traffickers will use their particular vulnerability to exploit the victim.

Victims can be:
• Foreign born adults
• US Citizen adults
• Foreign born children *
• US Citizen children *
The Trafficked Person - VICTIM

VULNERABILITY IS THE KEY

Some risk factors for youth include:

– History of childhood abuse, family conflict/violence
– Prior involvement in child welfare system
– Poverty
– Homelessness
– A need to be loved
– Feel misunderstood or that parents don’t care
– Want independence and will test boundaries/take risks
– Are attracted to consumer goods
A Growing Problem Affecting Youth

Human Trafficking is tied as the SECOND LARGEST and FASTEST growing criminal industry in the world, just behind the drug trade. (1)

27 million people are estimated to be victims of human trafficking worldwide. (2)

161 countries identified as being affected by human trafficking. (3)

$32 billion dollars generated annually by the human trafficking industry. (4)
A Growing Problem Affecting Youth

Nearly **300,000** American youths are at risk of becoming victims of commercial sexual exploitation, according to the FBI. (2)

**12-14** is the average age of entry into commercial sex in the U.S. (3)

**83%** of sex trafficking victims found in the U.S. were U.S. citizens, according to one Justice Department study (4).
Child Trafficking Victims Experience High Levels of Adversity and Stress

- Family Background
  - Harsh and inconsistent parenting
  - Physical and emotional maltreatment
  - Sexual abuse
  - Parental alcohol abuse
  - Parental incarceration
  - Witnessing abuse in home

- Sex Trafficking Experiences
  - Physical and sexual violence
  - Witnessing violence
  - Isolation from support
  - Drug and alcohol abuse

Jim Mercy, Division of Violence Prevention, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, The Public Health Implications of Child Sex Trafficking (PowerPoint presentation).
The Adverse Childhood Experience Studies

- **Adverse Childhood Experiences (ACEs)**
  - Physical Maltreatment
  - Sexual Abuse
  - Emotional maltreatment
  - Growing up with Intimate partner violence against mother
  - Household substance abuse
  - Household mental illness or suicidality
  - Household member in prison
  - Parental separation/divorce

- **ACE score**
  - Number of exposures to the different types of adverse experiences that occurred to a respondent as a child
Violence Against Children is Destructive

Jim Mercy, Division of Violence Prevention, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, The Public Health Implications of Child Sex Trafficking (PowerPoint presentation).
The Trafficked Person - VICTIM

A Vulnerable Life Before Victimization *

Of boys and girls recruited into commercial sex:

- **57%** had been *sexually abused as children.* (1)
- **49%** had been *physically assaulted.* (1)
- **85%** were victims of incest as girls, and **90%** had been physically abused. (2)
- **61.5%** were frequently hit, slapped, pushed, grabbed, or had objects thrown at them by a member of their household. (3)
- **40%** of the above were kicked, hit, beaten, raped, or threatened and/or attacked with a weapon by a member of their household. (3)
- Nearly half the participants in one study had been “molested or raped as children or teenagers.” (4)

*These studies considered various forms commercial sex, not only sex trafficking. Due to the hidden nature of this crime, little research is available strictly on trafficking. However, it should be noted that anyone used in commercial sex who is under 18 or is being forced or coerced is a victim of trafficking.*

How Are Youth Recruited?

• Parents selling children
• Grooming process, seduction and coercion
• Internet and social media
• Clubs
• On the street
• At malls
• Traffickers using girls to recruit other girls
• False advertising for “modeling”, “acting”, or “dancing” opportunities
• Kidnapping

2) FBI “Assisting Commercially Sexually Exploited Children” Presentation, 02/27/2014
Pimps hit social networks to recruit underage girls to engage in commercial sex

The pimps "searched Facebook for attractive young girls, and sent them messages telling them that they were pretty and asking if they would like to make some money"

If a girl expressed interest, a gang member would arrange to meet up. At that point, participation stopped being voluntary.
The pimp may have a collection of fake Facebook accounts.

On one of them, for "Rain Smith" investigators found more than 800 messages sent out to potential targets.

Rain Smith
Thanks for adding me ur very pretty would u be interested in a job making easy money?

Jane Doe
depends on what it is lol and thanks you same to you pretty lady =)

Rain Smith
You can work With girls that dance nude do partys dates one on ones and more some girls make 200 or more an hour does any of that interest u?

Jane Doe
is all the dancing nude ? how do i know its safe and would be private parties only or like in a bar?

Rain Smith
It is safe and all private. You can make a lot of money depending on what you are and willin n not willing to do? It works if you work it . Send me ur number n i can have my girl call or text u . She been doin it for a while and can talk to u bout it

Jane Doe
XXX XXX XXXX thanks and are you just trying to find girls that are interested to help her out because i can probably find girls for you as well.
This kind of approach works more often than parents would like to believe.

Traffickers may pose as any of the following on social media:
- Escort Service
- Modeling Agency
- Dancing Opportunity
- Boyfriend
- Friend

Facebook messages sent by Calvin Winbush

What up Call me soon as u get this love so we can chop it up and get better acquainted.. Yo future everythang a real true pappy dats gone keep u happy!!

1 of 5
Human Trafficking and Technology
Online Classified Ads – Craigslist.org and Backpage.com
A study conducted by KLAAS KIDS Foundation found significant increases in Backpage escort ads leading up to the 2012 Super Bowl. (1)

Who Might Identify Trafficked Persons?

– Local/State/Federal Law Enforcement
– Domestic Violence/Sexual Assault/Other Victim Services Programs
– **Agencies involved with Child Protection or Juvenile Delinquency**
– Health Services
– Labor Issue Complaints / Compliance Inspectors
– Schools
– Churches/Faith Based Services
– Tips to Local/National Hotlines via concerned community members
– Other Government Agencies or Social Service Agencies
– **LEAST OFTEN: Victims self-report**
Identification: Social Indicators

- Potential victim is accompanied by another person who seems controlling and/or insists on speaking for the victim
- Youth is involved in a relationship with significantly older partner, often including domestic violence issues
- Frequent relocation
- Numerous inconsistencies in his or her story
- Are not in control of their own money OR might have excess amounts of cash
- Lack of control of identification documents
- Individual is using false identification papers
- Restricted or scripted communication

Rescue and Restore Campaign
The National Symposium on the Health Needs of Human Trafficking Victims
Shared Hope International
Identification: Social Indicators

- Not attending school or falling asleep in school
- Hotel room keys
- Chronic runaway/homeless youth
- Signs of branding (tattoo, jewelry)
- Lying about age
- Lack of knowledge of a given community or whereabouts
- Exhibits behaviors including hyper-vigilance or paranoia, nervousness, tension, submission, etc.
- Any minor involved in any sex industry
Identification: Health Indicators

• Neglected healthcare needs
• Signs of physical abuse
  – Bruises
  – Black Eyes
  – Burns
  – Cuts
  – Broken teeth
  – Multiple scars
• Malnourishment
• Evidence of trauma
• Poor Dental Hygiene
• Frequent or Multiple STDs or pregnancies

2) FBI "Assisting Commercially Sexually Exploited Children" Presentation, 02/27/2014
Identification: Mental Health Indicators

- Symptoms of psychological trauma; (1)
- Extreme sadness and hopelessness; (1)
- Risks for suicide, memory loss, and presenting as withdrawn; (1)
- Difficulty concentrating, demonstrations of aggression and anger; (1)
- Trauma bonds; (2)
- Anxiety and mood disorders, panic attacks; (3)
- Substance-related disorders. (3)

Purpose
The purpose of this assessment is to provide a basic screening tool to be utilized by entities likely to encounter human trafficking victims, such as law enforcement, hospitals, low-income clinics, youth-serving organizations, social service providers, runaway and homeless youth shelters, etc. This tool will equip such entities to identify potential human trafficking victims and conduct a more thorough interview once a potential victim has been flagged.

Format and Implementation
This tool consists of three segments:
1. Initial Screening Questions for Human Trafficking
2. Human Trafficking Detailed Interview Questions
3. Human Trafficking Report
Initial Screening Questions:
Are you able to come and go from home and work as you please? If not, are you threatened if you try to leave? _________________________________________________________________

Does anyone pressure you to do something illegal, or is someone profiting off of you? _______

________________________________________________________________________________

Do you owe anyone a debt that makes you uncomfortable? _______________________________

________________________________________________________________________________
# Human Trafficking Report

Indiana Protection for Abused and Trafficked Humans Task Force

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>Name and title of screener/interviewer</td>
<td></td>
</tr>
<tr>
<td>Contact phone number</td>
<td></td>
</tr>
<tr>
<td>Contact email</td>
<td></td>
</tr>
<tr>
<td>Requesting IPATH interviewer? Yes/No</td>
<td></td>
</tr>
<tr>
<td>Name of potential victim</td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td></td>
</tr>
<tr>
<td>Gender</td>
<td>Female/Male</td>
</tr>
<tr>
<td>Race/ethnicity</td>
<td>African American/Asian/Hispanic/White/Other (specify)</td>
</tr>
<tr>
<td>Phone number</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>U.S. citizen? Yes/No</td>
<td></td>
</tr>
<tr>
<td>Immigration status</td>
<td></td>
</tr>
<tr>
<td>Primary language spoken</td>
<td></td>
</tr>
<tr>
<td>Interpretation needed? Yes/No</td>
<td></td>
</tr>
</tbody>
</table>
Victim Needs that Social Service Providers May Encounter

• Basic needs
  – medical attention, shelter and safety, food, clothing, long term housing, etc.

• Safety planning

• Ongoing counseling and therapy that are culturally sensitive

• Treatment for substance-related disorders

• Life skills, educational, and vocational training

• Legal Services (immigration, expungement, protective orders, etc.)

• Child care and parenting support

• Transportation
Inherent Challenges

- Keeping in touch with victim
- Maintaining a trauma-informed response
- Victims are often chronic runaways
- Absence of family support and stability
- Trauma bonding to and manipulation by Trafficker
- Limited resources and availability of services
- SAFETY ISSUES for victims
- Length of investigations

SAFETY ISSUES for victims
A Key Part of Protection:
Immigration Relief
Continued Presence

Immediate relief that must be requested by Federal Law Enforcement

- One year of work authorization plus access to benefits granted under the TVPA
- Must be for an Open/Pending case but doesn’t have to be prosecuted
- Applicable for a “most likely” victim of human trafficking and a potential witness
- Children do not have to agree to assist prosecution
- This exists to HELP law enforcement.
- It is POLICY to grant continued presence.
What is a T-Visa?

- Enables certain victims of human trafficking to live and work in the US for four years.
  - May be eligible to apply for lawful permanent resident after three years.
- Can petition to have certain family members accompany them.
- Allows access to public benefits.
- Cap of 5,000 visas annually.
  - From 2002 through October, 2012, only 6,482 visas were issued.
  - The reason the number of issued visas is so low is believed to be because human trafficking victims are not coming forward.
Other Forms of Immigration Relief

- **U Visa**
  - Person is a crime victim and are willing to assist in the investigation

- **S Visa**
  - Person is in possession of information concerning criminal organization or enterprise

- **Asylum**
  - Person has suffered or fears persecution based on race, religion, nationality, political opinion or membership in a particular social group in country of origin

- **Special Immigrant Juvenile Status**
  - Children who are wards of the state due to their abuse, neglect or abandonment and return to home country not a viable option
If you believe someone is a victim of Human Trafficking:

In emergency situations:

• Call 911
• Indianapolis Trafficked Persons Assistance Program 24-hour hotline: 1-800-928-6403
• National Human Trafficking Resource Center Hotline Number 1-888-373-7888 or send a text to BeFree (233733)

In non-emergency situations, you may also email:

• Indiana Attorney General’s Office, humantraffickingtip@atg.in.gov
Contact Information

Tracy McDaniel, MSW
The Julian Center
tmcdaniel@juliancenter.org
Cell: 317-225-7317
Office: 317-924-7027