

Human Trafficking/Vice

Austin Police Department

Organized Crime Division

Commander Donald Baker

Slavery



3 Important Distinctions

- Human Trafficking vs. Human Smuggling
- Foreign-born victims vs. Domestic victims
- Sex Trafficking vs. Labor Trafficking

Trafficking
is
NOT
Smuggling!!!

Trafficking vs. Smuggling

Trafficking

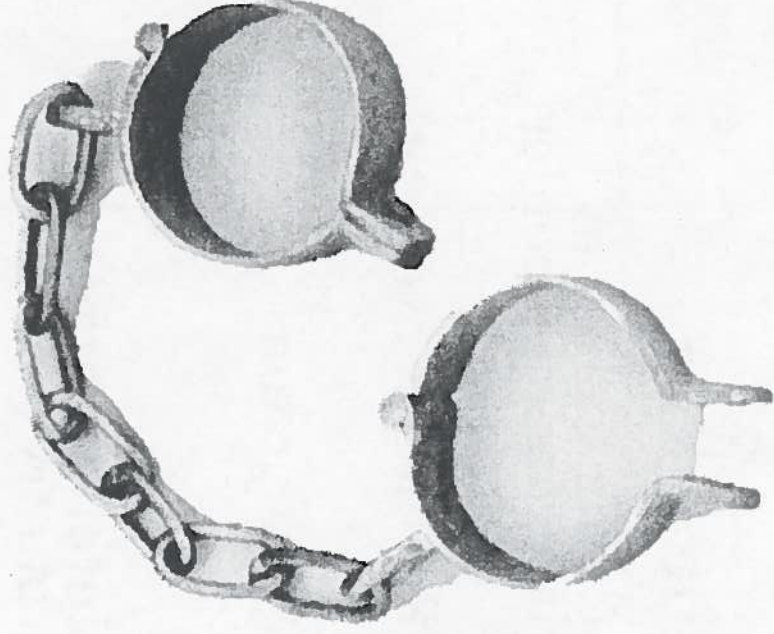
- Crime against a *person*
- Movement is not necessary
- Contains element of coercion (cannot consent to enslavement)
- Subsequent *exploitation* and/or *forced labor*
- Persons are viewed as *victims*

Smuggling

- Crime against an international border
- Requires Movement
- No coercion
- Involves *entry* into the country *only*
- Persons are viewed as *criminals*

Slavery

*Human Trafficking
defined....*



Trafficking Victims Protection Act

2000 (reauthorizations in 2003, 2005 & 2008)

- Defines human trafficking as:
 - 1. *recruitment, harboring, transportation, provision, or obtaining* of a person for labor or services
 - 2. through the use of *force, fraud, or coercion*
 - 3. for the purpose of subjection to *involuntary servitude, peonage, debt bondage, slavery or forced commercial sex acts.*

Trafficking Victims Protection Act of

2000

Minor Sex Trafficking

Defined:

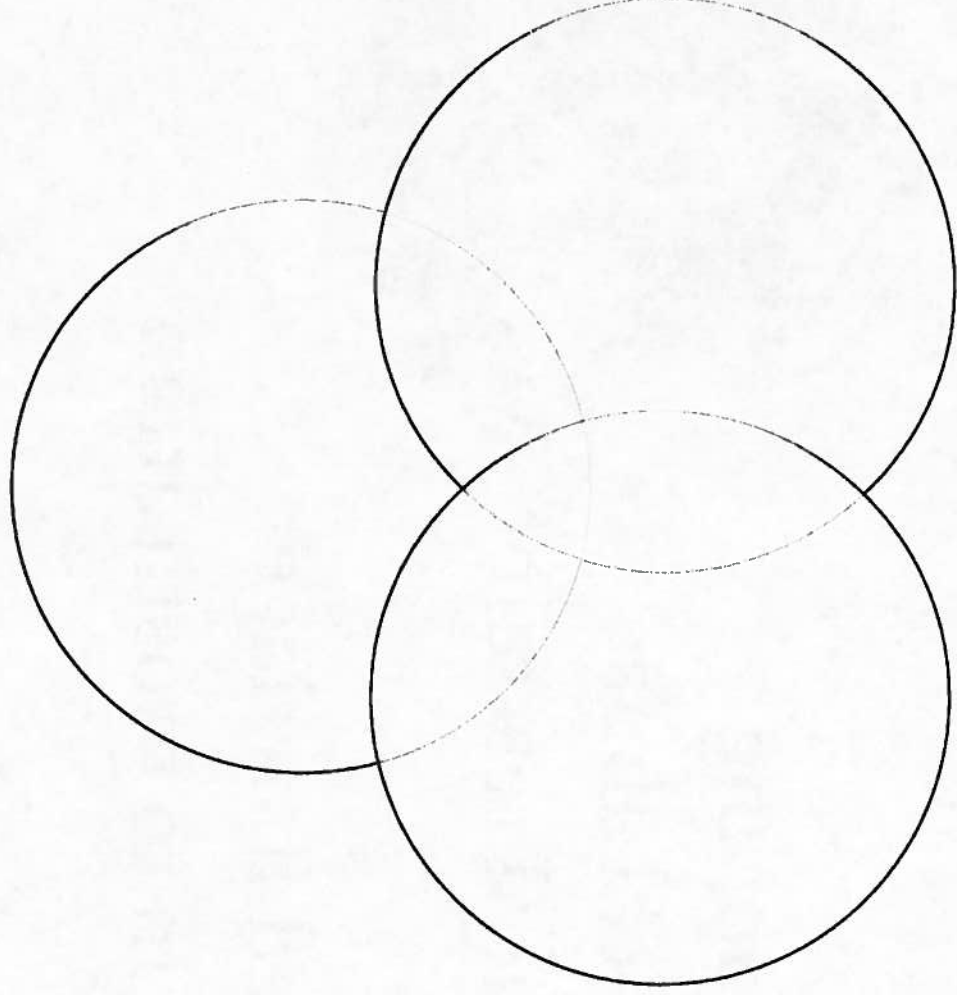
- Children under the age of 18 are victims without requiring that they have experienced “force, fraud, or coercion.”

Adult Sex Trafficking

Defined:

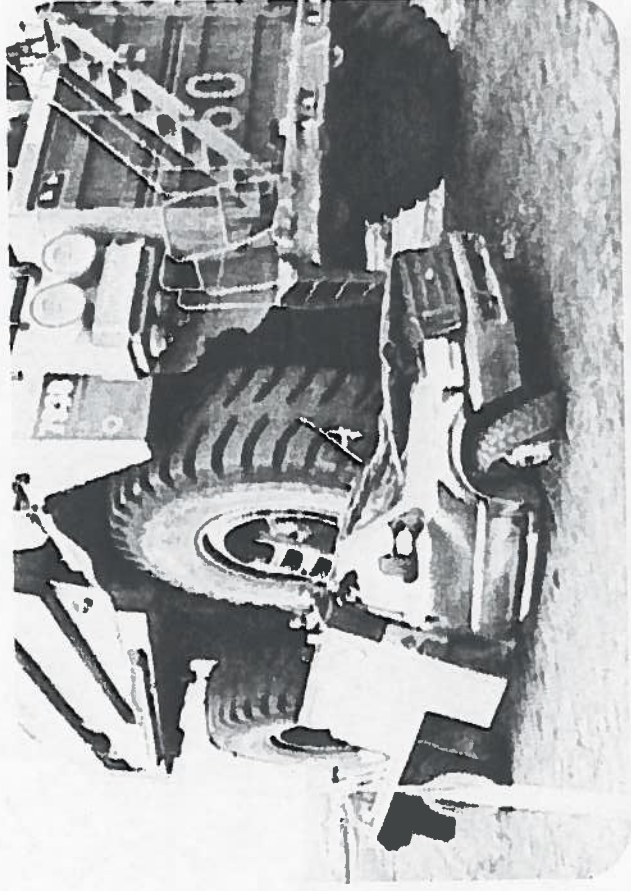
- The law requires the “force, fraud, or coercion” standard.

Basic Elements of HT



Force

- Kidnapping
- Physical abuse
- Physical restraint
- Rape
- Forced marriage
- Sold in to prostitution



Fraud

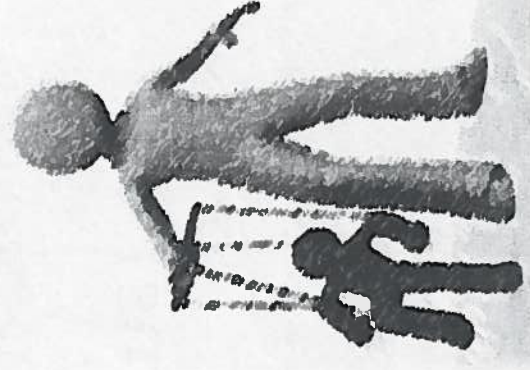
FRAUD

- False promises (selling dreams)
- Illegitimate contracts
- Fake businesses
- False/Servile marriage



Coercion

- Psychological manipulation
- Spoken/IMPLIED threats
- Control, or perceived control of children
- Debt Bondage
- Possession of documents



Force, Fraud, or Coercion Standard

Does *not* apply to sex trafficking victim under 18 years of age



Slavery – Labor & Sex





Sex Trafficking

Prostituted children
Forced prostitution
Pornography
Sex Tourism
Stripping/Exotic dancing



Labor Trafficking

Domestic Servitude

Child Labor

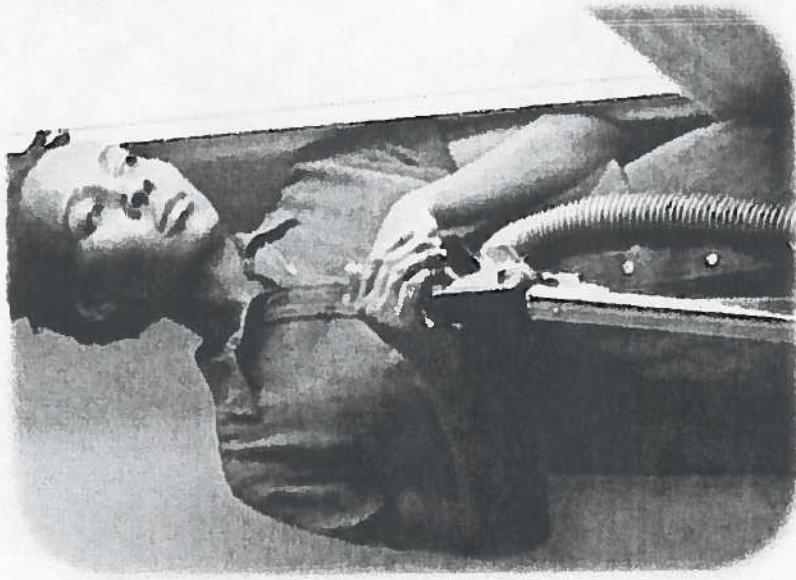
Restaurant work

Manufacturing

Agriculture

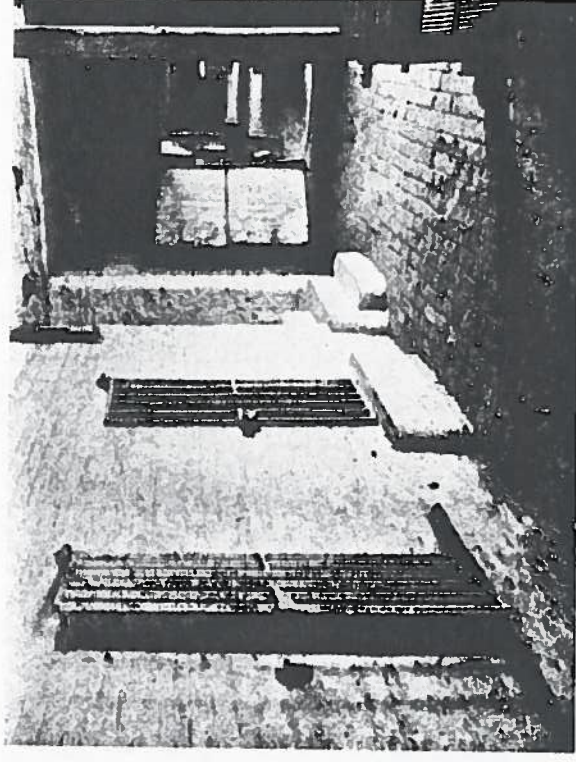
Salon work

Commission of crimes*



Traffickers

Don't need chains, fences, or
holding cells



Exert control over victims

Force

Fraud

Coercion

Traffickers can look like *anyone*...

Parents/Family

Neighbors

Significant others

Friends

Gangs/Organized Crime rings

Pimps

Victims

Vulnerability is *the* risk factor

- Consider that *vulnerability* can wear many hats
- Commonly encountered factors
 - Runaway/Throwaway/Homeless youth
 - “Broken homes”
 - History of physical and/or sexual abuse
 - Foster care/CPS involvement
 - Substance abuse
 - Lower level socio-economic status
- Not so fast! We’ve encountered...
 - Upper/upper-middle class victims
 - Thrill-seekers
 - “Teenage rebellion”

Victim Identification

- Do *NOT* get locked in to a “profile” of a victim!
 - Almost any age
 - Any gender
 - Any race/ethnicity
- Outcries may be subtle
 - May appear to be something entirely different
 - Family Violence/disturbances
 - Assault or sexual violence
 - Labor/wage dispute
- Look Beneath the Surface – ask questions

Understanding Victims

- Often do not self-identify as a victim
- Likely to lie or tell rehearsed stories initially
- May be emotionally and/or financially dependent on trafficker
- Cultural or religious background may hinder complete disclosure
- Often conditioned to fear law enforcement
 - Reluctant to speak with uniformed officers
 - Foreign victims may have encountered LEO's complicit with trafficking, smuggling, or other crimes

Understanding Victims (cont.)

- Language can be a barrier
- Often takes blame for the situation
- May not want family to know/embarassment
- Fear safety of their family, especially if known to traffickers
- Often exhibit behavior consistent with “Stockholm Syndrome” – empathy, or sympathy for traffickers
- General distrust of others
- Current situation may be better than the last

Four General Needs of Victims

- Immediate Assistance
 - Housing, food, medical, safety and security
 - Language interpretation and legal services
- Mental Health Assistance
 - Counseling
- Income Assistance
 - Cash, living assistance
- Legal Status
 - T-Visa, immigration, certification

NGO's

- Non-governmental Organizations (NGO)
- Local Coalition partners
 - unique, close collaboration between law enforcement and social workers
- NGO's are *vital* to our mission
- Meet immediate victim needs
- Convey sense of safety and trust to victim/survivors
- Prepare victims for law enforcement interviews
- Access to a wealth of services

Language matters...

- *Prostituted*
 - A child under 18 years of age cannot consent to prostitution = a *prostituted* child, or *prostituted* teen
 - Consider that someone compelled to prostitution, regardless of age is being *prostituted*.
 - This word presents a powerful, arguably necessary paradigm shift in to the way we look at prostitution

Domestic Victim's Shelter - *Austin*

- Currently there are no shelters in Central Texas dedicated to serving domestic trafficking victims
- Local, grassroots effort lead by Restore A Voice, a faith-based organization
- Collaboration is *vital* to addressing trafficking

US-specific statistics

- 83% of victims in confirmed sex trafficking cases are U.S. citizens
- 94% of sex trafficking victims are female
- 81% of confirmed suspects are male
- Sex trafficking victims more likely to be African American (40%) or white (26%)
- Labor trafficking victims more likely to be Hispanic (63%) or Asian (17%)
- 62% of confirmed sex trafficking suspects are African American
- 48% of confirmed labor trafficking suspects are Hispanic

- U.S. Department of Justice, Bureau of Justice Statistics

Common HT Laws Utilized

- Trafficking of Persons PC 20A.02
- Compelling Prostitution PC 43.05
- Promotion/Agg Promotion of Prostitution PC 43.03/43.04
- Kidnapping/Agg Kidnapping PC 20.03/20.04
- Unlawful Restraint PC 20.02
- Prostitution PC 43.02
- Sexual Assault PC 22
- Assault PC 22
- Occupations Code (professional licensing)
- City Ordinance
- Federal HT laws



ALLIES exists to be a network and platform for activism that sustains local community involvement in the anti-trafficking movement

www.alliesagainstslavery.org

Want to learn more?

Reading recommendations:

- *Girls Like Us* by Rachel Lloyd
- *The Slave Next Door* by Kevin Bales
- *Trafficking in Persons Report* by U.S. Dept. of State

Web resources:

- www.ctcaht.org
- www.polarisproject.org
- www.state.gov/j/tip/

Acknowledgements

- Texas Attorney General's Office
- UT School of Social Work – Sexual and Family Violence
- Refugee Services of Texas
- Billy Sifuentes – APD (ret.), Civilian HT Liaison (ret.)
- Polaris Project
- Allies Against Slavery
- Larry Megason - Restore A Voice

National Human Trafficking Hotline

1-888-3737-888

APD Human Trafficking Unit

512-974-4786

The End