

## **Human Trafficking**

### **Phillip Neely, Jr., Ph.D.**

Associate Professor of Criminal Justice  
Saint Leo University  
4310 Abram Drive, Conley, Georgia 30288  
United States of America

### **Angelia Griffin, DM**

Associate Professor of Criminal Justice  
Colorado Technical University  
4435 North Chestnut Street, Suite E  
Colorado Springs, CO 80907  
United States of America

### **Mary Ann Hughes Butts, DM**

Adjunct Professor  
College of Southern Nevada  
6375 W. Charleston Blvd., Las Vegas, NV 89146  
United States of America

### **Abstract**

---

*Human trafficking is definitely on the rise. It's in the news and being discussed over coffee. Some try to keep this situation quiet while others try to abolish it. This paper will discuss up to date statistics on the numbers of individuals that have been effected, who are these victims, who are the ones committing these acts against these victims and what we as society can do to prevent it. In no way shape or form should these acts be committed against a human but human trafficking is nothing new in other countries. This has been a long uphill battle on getting tougher punishments for those that commit these acts. This paper will also take a look into Virginia statistics on this matter and what is being done here to prevent it and how education plays a big part in coming up with new laws and services to protect the victims.*

---

**Keywords:** Human Trafficking, State Laws, Prevention, Protection.

### **Introduction**

When a person merely thinks of the word trafficking automatically they refer to the definition of trading something whether it be an item, animal or humans. Human trafficking is defined according to the Polaris Project (2016) as a form of modern day slavery where people profit from others' loss of freedom. There is not just one particular person that fits this description. Everyone can be affected by especially children in the sex trade industry, adults over the age of 18 who are deceived into commercial acts of sex. Of course those are the typical ones that are affected but no one thinks about the bigger picture. There are so many more types of children and adults that are pulled into this life not by choice. According to the U.S. Federal Law on the Prostitution of Children in code 18 U.S.C § 1591- Sex trafficking of children or by force, fraud, or coercion is unlawful.

This statute makes it a federal offense to knowingly recruit, entice, harbor, transport, provide, obtain, or maintain a minor (defined as someone under 18 years of age) knowing or in reckless disregard of the fact that the victim is a minor and would be caused to engage in a commercial sex act. However, Section 1591 does not require proof that either the defendant or victim crossed state or international lines.

It also makes it a crime for individuals to participate in a business venture that obtains minors and causes them to engage in commercial sex acts.

### **Background**

Many children that have unstable homes are a great target for people who are looking to traffic humans. Children that are in an environment that they feel they can not deal with tend to run away. Runaways are a very big target market for pimps looking to exploit them. When the victim is a female they are at a greater risk when they are running away from their own homes, youth homes, group homes, foster care and other treatment facilities. Women are of course the main target. Many of them get caught up because of the sex industry. Experts have reported that within 48 hours of running away, an adolescent is likely to be approached to participate in prostitution or another form of commercial sexual exploitation (Spangenberg, 2001). Nationally, the average age at which girls first become exploited through prostitution is 12–14 years old, but direct service providers around the country report they have been encountering increasingly younger victims over the past decade (Estes & Weiner, 2001; Lloyd, 2005). Homeless youth are also at risk because they lack employment, funds, interpersonal skills and the basic family dynamics that includes support and nurturing from their families.

Prostitution and pornography are sure ways many women get caught up in the system. Young women find themselves running away from home and ending up in the streets doing prostitution to make ends meet. Some women end up in the porn industry because of the quick cash they can make for each movie they put out. This is the breeding ground where old school pimps find their new bait and catch these women in a web of deceit and lies. Although the terms prostitution and human traffic have different meanings, the debate of exploitation for sex is common among the two concepts because there is a gain for the pimp which is the money they make for the girls turning tricks (MacKinnon, 2011). Many women and men think that prostitution is by choice. Unfortunately, pimps are trafficking women and even men against their will.

There are plenty of demographics we can look at to pinpoint who may become more vulnerable for trafficking. According to Bales and Lize (2005) “Virtually all trafficking victims have characteristics or circumstances that made them particularly vulnerable to traffickers. Poverty and deprivation are important determinants of who might be trafficked” (p. 20). If one has the desire to escape adversity, depression, employment and money for survival then these are a few sure ways traffickers pray on their needs. However, for a trafficker to be successful they must relay on these adversities. Human trafficker’s main objective is to “convert free people into victims of forced labor by taking control of their lives, brutalizing them, taking their passports and documents, and restricting their movement” (Bales & Lize, 2005, p. 8).

There are certain criteria Human Traffickers look for in the “product” they will sell to those who use forced labor – gullibility, physical health, and the most important attribute, profitability. All race and ethnicities are at risk for human trafficking. Human trafficking does not discriminate. A person does not have to be a certain race, gender or creed. All they look for in an individual is a body that is capable of performing certain acts and following directions at a drop of a dime. At the end of the day trafficking is about control and making money which are components to running a successful human trafficking enterprise.

Sad but true, not only is human sex trafficking slavery but it is big business. It is the fastest-growing business of organized crime and the third-largest criminal enterprise in the world (Walker-Rodriguez & Hill, 2011). The majority of sex trafficking is international, with victims taken from such places as South and Southeast Asia, the former Soviet Union, Central and South America, and other less developed areas and moved to more developed ones, including Asia, the Middle East, Western Europe, and North America according to the Department of Justice. Many people will get human trafficking mixed up with human smuggling. “Human smuggling is typically done with the consent of the smuggled individual who intends to enter the U.S. by any means necessary” (Logan, Walker, & Hunt, 2009, p. 5). That means the relationship between the individual that was smuggled and their smuggler is terminated because the purpose of them getting into the country has been completed. Many times in a human smuggling case transporting the individual is only part of the crime and they end up getting caught in a cycle of having to continuously pay for being trafficked and this turns into a human trafficking situation.

### **Literature Review**

Human trafficking is not only found on the streets as a form of prostitution but can be found in residential brothels, online escort services, and brothels disguised as massage parlors.

Sometimes it is hard to pinpoint if police actually have a case if they are not trained to see certain signs of distress from the victim. "Most cases prosecuted by (DOJ) Department of Justice to date have been identified by line-level police officers who encounter sex traffickers or their victims during the normal course of operations: during routine traffic stops, on domestic violence calls, while inspecting liquor licenses, and when intercepting truant children." (Moosy, 2008, p. 3). Many times officers are not able to identify a trafficking case until they run into the suspects for other issues and or charges before they realize they were a part of some kind of human trafficking situation. There are many women they fly under the radar for human trafficking because prostitution is looked at by some people as *These women want to sell their bodies* not realizing that some are made to do these acts.

### **How does one pinpoint or weed out a human trafficker?**

What do they look like? This is one of the many questions police and government officials have a hard time trying to figure out. They come in all shapes and forms which are very deceiving. These individuals could be your neighbor and one would never know. Traffickers are pimps, intimate partners, small business owners, gang and criminal networks and even brothel owners which are sometimes disguised as massage parlors.

Anyone can be a human trafficker if they understand the ins and outs of the business. "A portion of the sex crimes against children are committed by juveniles and women especially sexual assaults committed against very young children in their own homes" (Estes & Weiner, 2001, p. 14). Sexual exploiters of children include: pedophiles "transient males" including members of the military, truck drivers, seasonal workers, conventioners and sex tourists, among others; "opportunistic" exploiters, i.e., persons who will sexually abuse whoever is available for sex including children and other juveniles.

### **Psychological Effects of Human Trafficking**

There seems to be four main reasons why people stay entrapped in this vicious cycle. These reasons range from fear, lack of knowledge, isolation, physical and psychological confinement. Fear is a big factor in why the victims feel hopeless. They are scared of being beaten, tortured and maybe even killed. They don't want to risk not getting paid the little bit of money that they do receive. They worry about threats being made to harm their families therefore they suffer in silence. Other big fears are facing deportation, jail time, loosing custody to their children and prosecution for illegal activities. In other countries there are many police and government officials that are corrupt and work with traffickers. Victims are then too scared to contact U.S. officials for help because of fear.

Lacking in knowledge on how to get out of their situation is the next cause for why the victims stay in their current situation. If a victim does not know where to go to get help or they just don't think there is any available help this is the main cause of staying entrapped. "Victims often don't know their rights or that what is happening to them is a crime. This lack of information can be worsened by poor language skills that reduce the ability to learn about rights even if they are exposed to any sources of news or information" (Logan, Walker, & Hunt 2009, p. 13).

Isolation is of course one of the most serious problems known. The transporter's mission to isolate the victim from family and friends. The transporter seeks out people who may be weak minded, uneducated, young and naive. Keeping a victim isolated keeps them from speaking up about their current situation and puts them in isolation mode. If they have no one to talk too there is a less chance they will have to speak out. Victims are also isolated because of lack of transportation and language barriers. Psychological confinement can be created through control of one's mind. Even if the victim feels like they can escape the likelihood of them trying to do so will be slim to none.

### **How does Human Trafficking affect the United States?**

"Between 244,000 and 325,000 American youth are considered at risk for sexual exploitation, and an estimated 199,000 incidents of sexual exploitation of minors occur each year in the United States" (Clawson, Dutch, Solomon, & Grace, 2009, Trafficking within the United States, para. 1). "As a multibillion dollar industry with nearly 1.2 million children in the sex trade around the globe (UNICEF) human trafficking has been the focus of many nonprofit organizations" (Moser, 2012, p.223). In addition to domestic sex trafficking, American minors and adults are likely trafficked for forced labor; however, children are generally preferred to adults in the labor world as they are more easily controlled, cheaper, and less likely to demand better working conditions (Herzfeld, 2002). According to the Federal Bureau of Investigation (FBI) Uniform Crime Reports (2006), across the United States 36,402 boys and 47,472 girls younger than age 18 were picked up by law enforcement and identified as runaways.

When doing research about what countries are doing more human trafficking the numbers can be quite alarming for the United States. It is hard to believe that the country most immigrants try to flee too is heavily engulfed in this trafficking nightmare. The United States is where you come to be free from slavery however it may be true for some states but there are other states that participate in these transactions for profit on a daily basis. “From December 7, 2007, through December 31, 2012, the ( NHTRC) National Human Trafficking Resource Center answered 65,557 calls, 1,735 online tip forms, and 5,251 emails — totaling more than 72,000 interactions” (Polaris Project, 2013, para. 2). Nationwide in 2003, 2,220,300 juveniles were arrested, 11 percent fewer than in 1999 (U.S. Department of Justice, 2015). “During 2003, 1,400 youth were arrested for prostitution and commercialized vice. Of these youth, 69 percent were female and 14 percent were younger than age 15” (Clawson, Dutch, Solomon & Grace, 2009).

Virginia does not currently have victim or criminal case data specifically identifying human trafficking as a variable. Human trafficking task forces have increased throughout Virginia and are proving to be successful in identifying and prosecuting cases under federal and state law. These task forces are a collaboration of federal, state, and local law enforcement agencies dedicated to combating human trafficking and related crime. There are many cases of sex trafficking in America and they are often linked to gang activity. Below are a few cases where gang activity definitely played apart of human trafficking.

- On December 14, 2012, a 22-year-old man from Alexandria, Virginia, was sentenced in federal court for his role in a gang-run juvenile prostitution ring. According to the U.S. Attorney’s Office of the Eastern District of Virginia, the defendant became involved in juvenile sex trafficking through his membership in MS-13. MS-13 members prostituted the victim at various motels and apartments in Alexandria, Arlington, Fairfax, and Falls Church. The victim was not permitted to leave the prostitution scheme, and MS-13 members plied her with drugs and alcohol to make her more compliant while her body was being exploited for profit.
- Two men from Hampton and Newport News were convicted on charges stemming from obtaining money in exchange for sex acts performed by a 13-year old victim. The victim was transported to hotels in Hampton Roads to engage in prostitution. The defendants provided the victim with alcohol and illegal drugs, they then videotaped the victim engaging in sex acts. The defendants made fliers and posted additional advertisements on Backpage.com.
- A local gang leader was sentenced to 40 years in prison for leading a gang-controlled prostitution business that recruited and trafficking high school girls. Four others from his gang were also convicted and received sentences ranging from 10 to 23 years in prison.

A 2008 State Department report (as cited in Weitzer, 2012) made a claim that “approximately 800,000 people are trafficked across national borders, which does not include millions trafficked within their own countries” (p. 1349). The 2008 Trafficking in Persons report, simply declared “thousands” of people are trafficked into the U.S. every year.

### **Methodology/Finding**

Various studies have shown that victims of human trafficking are in need of emergency support when they are indentified such as housing, safety, food and clothing. This of course will be for emergency purposes from the start. Soon after they are assessed they are normally going to need legal assistance/representation to handle issues on their possible immigration status, education on the legal ramifications, prosecution of their case, testifying and civil lawsuits against the trafficker/transporter. After they are put in contact with legal they are going to need other services such as medical care, mental health, job placement, education, job training, housing which are just to name of few. International victims will most likely be needing language assistance or interpreters to help them communicate.

Victims from this point will need a great deal of mental health care. They have gone through tremendous torture, sleep/food deprivation, mental/physical torture, rapes and substance abuse. Some of the victims according to mental health providers have seen them display behavior of Post Traumatic Stress Disorder (PTSD). Specific symptoms exhibited by victims can include nightmares, difficulty concentrating, becoming easily upset, and having difficulty relaxing. “The clinical manifestations of PTSD ‘can limit an individual’s ability to function effectively, decreasing the likelihood that he or she can take advantage of available resources and possibly minimizing any likelihood of leaving prostitution’” (Valera, Sawyer, & Schiraldi as cited in Sherman & Jacobs, 2011, p. 339).

There is a great need to educate and train foster care families on how to deal with victims of trafficking. They must learn what the child victim has endured along with their psychological trauma, behavior, and how to address the child's needs. Inciardi, Pottieger, Forney, Chitwood, and McBride (1991) suggested that girls exploited through prostitution are more likely to have begun using substances at an earlier age than their at-risk peers that were not exploited through prostitution.

In 1989, the County of Los Angeles found that of all the runaway youth, both boys and girls, seeking medical assistance, 75 percent of those exploited through prostitution had a substance abuse problem compared with 36 percent of those youth not being prostituted (Klain, 1999). Due to the numbers of females that are being sold or traded for sex they are especially at high risk for HIV and cervical cancer. They are the ones that will need immediate medical attention that will most likely be long term. Boys and young men are also at risk for HIV due to drug use and unprotected anal sex.

### **Protection for Victims of Trafficking**

If a victim is found there are certain laws that would protect them from being held in jail or charged with crimes dealing with the trafficking case at hand. They are also qualified to receive additional protection and services as long as they are willing to cooperate with the investigation and testify. Safety is the main concern for workers working with victims of trafficking. When looking to place them into housing it is important that their location be kept secret in these cases. Due to the fact that most victims are already traumatized keeping them from harm is the number one priority. Even the workers that are on these cases must protect themselves by not listing their phone numbers and or addresses. When they are in contact with the trafficker or pimp they must not make them feel threatened or the deal to rescue the victim can go south. For example, street outreach teams at The Paul & Lisa Program are specifically trained to carefully observe and assess a girl's situation on the street prior to taking any precipitous actions (National Center for Missing and Exploited Children, 2002; The Paul & Lisa Program, 2006).

Essentially, anyone can assist in the need to fight Human Trafficking. For example, according to the U.S. Department of State: Diplomacy In Action a list of 15 ways to consider in the fight against human trafficking (2016) begins with you. While one may agree, the U.S. Department of State's *15 Ways You Can Help Fight Human Trafficking* (2016) shared on their website's homepage leaves room for additional approaches towards encouraging people from all walks of life to join in the overall fight against Human Trafficking. We take this opportunity to encourage all to please join in the fight by applying the U.S. Department of State's *15 ways you can help Fight Human Trafficking* (2016) stated below:

1. Learn Human Trafficking Indicators
2. Report your suspicions in the US.
3. Be a conscientious and informed consumer.
4. Volunteer and support anti-trafficking efforts in your community.
5. Meet with and/or write to your local, state, and federal government representatives about your concerns
6. Host an awareness event to watch and discuss films about human trafficking.
7. Organize a fundraiser and donate the proceeds to an anti-trafficking organization".
8. Encourage your local schools to partner with students and include modern slavery in their curricula.
9. Be well-informed.
10. Work with a local religious community or congregation to help stop trafficking
11. Businesses: Provide jobs, internships, skills training, and other opportunities to trafficking survivors.
12. Students: Take action on your campus.
13. Health Care Providers: Learn how to identify the indicators of human trafficking and assist victims.
14. Journalists: The media plays an enormous role in shaping perceptions and guiding the public conversation about human trafficking.
15. Attorneys: Offer human trafficking victims legal services, including support for those seeking benefits or special visas

### **Conclusion**

The United States has a big task at hand, which is gaining more insight on the issue of human trafficking. More research and data is needed in order to properly address the problem. Even though some government agencies have been formed they are still not accurate in the number of victims being used for trafficking purpose.

More government programs and training are needed evaluate the needs of the victims such as health, mental health, housing, education, and protection. There needs to be more treatment programs to help victims regain access back into the world as a free person and not one under the mind games of modern day slavery. There needs to be harsher laws put into effect to punish the ones that are committing these unspeakable crimes against. Police are in need of training on how to pinpoint a victim and what to look for. If they are able to do this, then capturing data would be more accurate on what they did to spot the signs of someone being used in a trafficking ring.

Prevention is needed to provide runaways with the necessary resources for awareness about trafficking. Providing education to the youth will help them to be more aware of their surroundings and educate them on how to protect themselves while they are out in the streets. There needs to be an increase in grants and funding to be able to help human trafficking victims. There should also be a number of services that the victims can participate in such as counseling and job training. Last but not least, the laws need to favor of the victims by protecting them and ensuring that they are treated fairly. Virginia should educate certain top officials on how to handle these types of cases. State officials should also be trained to investigate and prosecute these cases to the fullest extent. There is so much more Virginia can do to protect the victims but it will also take more discussion and action on a national level. Through the help of state agencies, police, private investigators, social services, and the court system this is where the planning process and where the laws and services can begin to change.

## References

1. Bales, K., & Lize, S. (2005). *Trafficking in persons in the United States*. National Institute of Justice, Washington, DC: Government Printing Office. Retrieved from : <https://www.ncjrs.gov/pdffiles1/nij/grants/211980.pdf>
2. Clawson, H. J., Dutch, N., Solomon, A., & Grace, L. G. (2009). *Human Trafficking Into and Within the United States: A Review of the Literature*. Retrieved from <https://aspe.hhs.gov/basic-report/human-trafficking-and-within-united-states-review-literature>
3. Estes, R., & Weiner, N. (2001). *The commercial sexual exploitation of children in the U.S., Canada, and Mexico*. Philadelphia: University of Pennsylvania. Retrieved from: [http://www.sp2.upenn.edu/restes/CSEC\\_Files/Exec\\_Sum\\_020220.pdf](http://www.sp2.upenn.edu/restes/CSEC_Files/Exec_Sum_020220.pdf)
4. Herzfeld, B. (2002). Slavery and gender: Women's double exploitation. *Gender and Development* 10(1).
5. Inciardi, J., Pottieger, A.E., Forney, M.A., Chitwood, D.D., & McBride, D.C. (1991). Prostitution, IV drug use, and sex-for-crack exchanges among serious delinquents: Risks for IV infection. *Criminology*, 29(2), 221-235
6. Klain, E. (1999). *Prostitution of children and child-sex tourism: An analysis of domestic and international responses*. Alexandria, VA: National Center for Missing and Exploited Children
7. Logan, K., Walker, R., & Hunt, G. (2009). *Understanding Human Trafficking in the United States*. Trauma, Violence and Abuse, 10(1). Retrieved from: <http://tva.sagepub.com.ezproxy.saintleo.edu/content/10/1/3.full.pdf+html>
8. MacKinnon, C. A. (2011). *Trafficking, Prostitution, and Inequality*, Harvard Civil Rights-Civil Liberties Law Review. Retrieved from [http://www.prostitutionresearch.com/pdfs/MacKinnon%20\(2011\)%20Trafficking%20Prostitution%20and%20Inequality.pdf](http://www.prostitutionresearch.com/pdfs/MacKinnon%20(2011)%20Trafficking%20Prostitution%20and%20Inequality.pdf).
9. Moosy, R. (2008). *Sex trafficking: Identifying case and victims*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/225759.pdf>
10. Moser, K. (2012). *Prevention, Prosecution and Protection. A Look at the United States' Trafficking Victims Protection Act*. International Journal of Business and Social Science. Retrieved from: [http://ijbssnet.com/journals/Vol\\_3\\_No\\_6\\_Special\\_Issue\\_March\\_2012/28.pdf](http://ijbssnet.com/journals/Vol_3_No_6_Special_Issue_March_2012/28.pdf)
11. Polaris Project. (2013). *Human trafficking trends*. Retrieved from <https://polarisproject.org/resources/human-trafficking-trends-2007-2012>
12. Polaris Project. (2016). *Human trafficking*. Retrieved from <https://polarisproject.org/human-trafficking>
13. Sherman, F. & Jacobs, F. (Eds.). (2011). *Juvenile justice: Advancing research, policy, and practice*. Hoboken, NJ: John Wiley & Sons, Inc.

14. Spangenberg, M. (2001). *Prostituted youth in New York City: An overview*. New York: ECPAT-USA
15. Walker-Rodriguez, A. & Hill, R. (2011). *Human sex trafficking*. Retrieved from <https://leb.fbi.gov/2011/march/human-sex-trafficking>
16. Weitzer, R. (2012). Sex Trafficking and the Sex Industry: The need for evidence based theory and legislation. *The Journal of Law and Criminology*, 101(4). p.1349
17. National Center for Missing and Exploited Children. (2002). *Female juvenile prostitution: Problem and response*. Washington, DC: Author.
18. U.S. Department of Health and Human Services. Office of the Assistant Secretary for Planning and Evaluation. Retrieved from: <http://aspe.hhs.gov/hsp/07/humantrafficking/litrev/index.pdf>
19. U.S. Department of Justice. (2015). *Citizen's Guide to U.S. Federal Law on the Prostitution of Children*. Retrieved from: [http://www.justice.gov/criminal/ceos/citizensguide/citizensguide\\_prostitution.html](http://www.justice.gov/criminal/ceos/citizensguide/citizensguide_prostitution.html)
20. U. S. Department of State: Diplomacy in Action. (2016). *15 Ways You Can Fight Human Trafficking*. Retrieved from <http://www.state.gov/j/tip/id/help/>