

Sex Trafficking: Breaking the Crisis of Silence
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National Trends in Combating Sex Trafficking and Recommendations
Derek Ellerman

The last several years have been a historic time in the United States, with some of the most profound changes in the government response to the sex industry and sex trafficking in a century. A fundamental shift is occurring in law enforcement, moving from a "community quality of life" approach to an increasingly victim-centered approach when addressing the sex industry. The most important changes are long-term and institutional, and include: 1) policy reforms 2) task force creation 3) changes in the service infrastructure and 4) cultural shifts. These institutional level changes must now be translated into on-the-ground strategy to transform the market dynamics driving sex trafficking in the United States.

For every one federal agent, there is a local police department. This tremendous resource disparity has focused increased emphasis on engaging local law enforcement and state prosecutors. Their capacity to implement counter-trafficking enforcement on a more widespread level than federal law enforcement makes the passage of state counter-trafficking laws a central goal for the anti-trafficking movement. The U.S. Department of Justice (DOJ), Polaris Project, and the Freedom Network have all released Model State Laws, and a number of organizations have worked closely with state legislators to develop and pass comprehensive bills. To date, twenty-three states have passed criminal statutes or more comprehensive legislation, and seven bills are now pending. The U.S. Policy Alert from Polaris Project provides a regular update of the status of all bills across the country (see www.PolarisProject.org).

A second component in further engaging local and state law enforcement and prosecutors has been to release targeted funding. Thirty-two local and state anti-trafficking Task Forces have been funded by the Department of Justice, and ten more task forces will be formed in the next months. These task forces bring federal prosecutors together with local and state law enforcement and service providers. Other targeted funds have also been slated for release, including \$25 million for local law enforcement to increase their focus on enforcement against demand and domestic sex traffickers. These efforts are a huge step in the right direction, but there are a variety of challenges and opportunities remaining.

State Policy Challenges and Opportunities

One of the primary challenges at the state policy level is the lack of adoption of comprehensive laws. Many states have passed the DOJ model law alone, which simply includes criminal code revisions (making trafficking a crime). But it does not address the issues of task force creation, service provision, training, case worker privilege, and other important considerations. There is a need for more statewide organizing to pressure legislators to adopt more comprehensive bills, such as those based on the Polaris Project

or Freedom Network models.

A second challenge is the almost total absence of state prosecutions to date. The state laws are being passed, but they have yet to be aggressively implemented on the ground. The law's novelty and the need for more training are thought to be the main factors contributing to this problem.

Conflicting legal frameworks is a third state policy challenge. On the one hand, victims of sex trafficking are viewed as victims of a crime, and on the other hand they are criminalized for solicitation and other prostitution-related crimes.

This dilemma of conflicting frameworks is, however, an opportunity to begin to reconcile the paradigms in favor of the victim-centered approach. At a very minimum, state law should forbid prosecution of minors for being commercially sexually exploited and trafficked. In the long run, states should move toward the Swedish model of decriminalizing those victimized by the sex industry, while strengthening enforcement against customers and controllers.

The political momentum around trafficking has also created an opportunity to pass associated legislation at the state level, including laws addressing bride trafficking, the demand/customers, pornography, and trafficked labor present in the corporate supply chain (use of sweatshops by multinational corporations).

Task Force Challenges and Opportunities

Some of the main challenges facing the anti-trafficking task forces are jurisdictional limitations, lack of information-sharing and cross-training, and low levels of overall collaboration. Certain task forces have developed expertise in addressing certain trafficking networks, but due to the jurisdictional constraints and lack of communication, they are unable to train other task forces or to collaborate effectively to simultaneously enforce against elements of the trafficking network that extend beyond their reach.

Targeted funding to support multijurisdictional information-sharing and collaboration is needed to facilitate overcoming the current fragmented response. The multijurisdictional approach will also lead to more effective regional suppression of the trafficking markets, counteracting some of the geographic displacement that occurs from local-only enforcement. Funding for task forces and multijurisdictional collaboration should also come from state sources, not just the federal government. This will assist in the sustainability of the counter-trafficking infrastructure for the future.

An additional key component to further develop the task force model is the creation of permanent and specialized anti-trafficking units in local law enforcement, much like the specialized vice and sexual assault units, and the parallel victim advocacy support system

in the courts similar to what exists for domestic violence victims.

The task forces are also an opportunity to adopt a more flexible system of enforcement and intervention against trafficking operations. Most task forces currently focus almost exclusively on using federal (and, rarely, state) anti-trafficking statutes to prosecute the traffickers. While this is an important component of a comprehensive strategy, it should not be the sole strategy, as other approaches, such as business regulation and enforcement, tax-related enforcement, landlord pressure, and others, may be more efficient as complimentary strategies. This more comprehensive approach can involve the regulatory agencies active in a task force, and can relieve the sole pressure from the more resource-intensive investigations and prosecutions using a trafficking-only prosecutorial strategy.

Service Infrastructure

Just as there are domestic violence shelters in every major city in the United States, there should be trafficking shelters in every city in the United States. The needs of trafficked persons are highly specialized, and cannot be met through the existing social service infrastructure designed for domestic violence and sexual assault. While components of the needed services can be provided by non-specialized agencies, the shelter and case management in particular must be developed to meet the specific needs of trafficking victims. Government funding should certainly play a core role in supporting this infrastructure development, but the private foundations need to begin to step up their involvement and have the vision to expand services wherever they are needed across the United States. A large percentage of this funding should be directed at serving U.S. citizen victims of trafficking, reflecting their larger numbers in the U.S. as compared to foreign national victims.

Cultural Challenges

The top pimp leadership at the national level have effectively partnered with mass media and entertainment corporations to develop a glamorized image of domestic sex trafficking, divorced from the ubiquitous reality of violence and child abuse present in pimp networks. This cultural component of the problem must be addressed in order for many of these reforms to have the widespread popular support they deserve. A Player's Ball should have the same connotations as a "Child Abuser's Ball." Media exposés and high-profile celebrities need to begin to unravel the illusion the pimp leadership has created, and government pressure needs to be brought to bear on the media conglomerates that are pushing and profiting from these images.

In an age where pornography is coming into almost every home and boys are being exposed to more and more violent depictions of commercial sex at younger and younger ages, the link between sex trafficking and pornography must also be better understood in the public's mind. Exposing the reality of pimping will undermine the profit that media conglomerates now derive from the promotion of pornography.

This is a very hopeful time—but we must be ambitious and dogged in our advocacy and in the implementation of our strategies nationally before this window of opportunity closes.