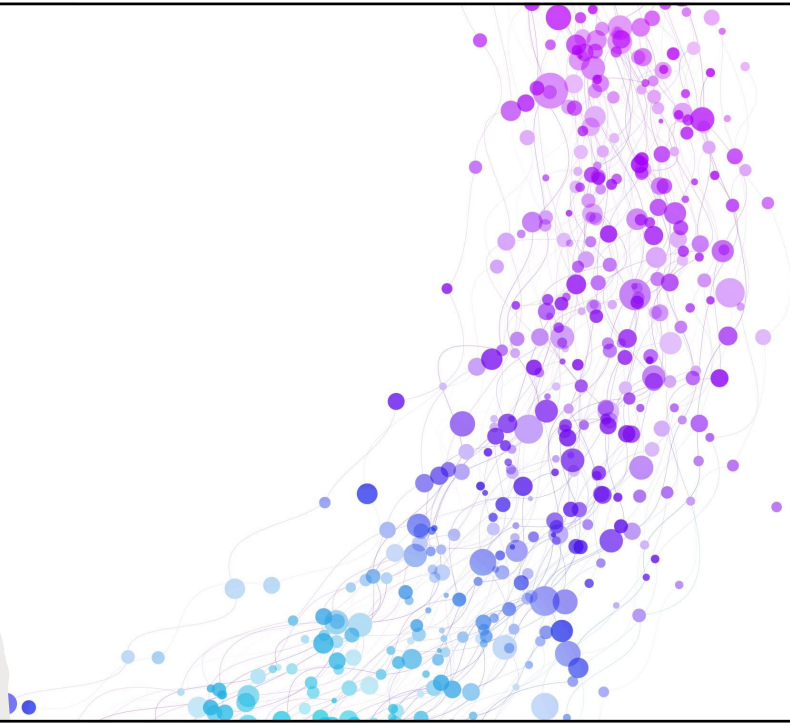


## Goals

- To share experiences regarding sex trafficking investigations, prosecutions, and practices.
- To better understanding the Culture and potential Trauma in sex trafficking.

## Recognizing Sex Trafficking



## What Is Sex Trafficking?

- Exploitation of persons for commercial sex
- Traffickers use *force, fraud, or coercion* to control their victims – exception Juveniles
- Can be prosecuted on a variety of grounds

- **940.302 Human trafficking.**
- **1(a)** "Commercial sex act" means any of the following for which anything of value is given to, promised, or received, directly or indirectly, by any person:
  - 1. Sexual contact, 2. Sexual intercourse, 3. Except as provided in sub. (2)(c), any of the following: a. Sexually explicit performance, b. Any other conduct done for the purpose of sexual humiliation, degradation, arousal, or gratification.
- **1(b)** "Debt bondage" means the condition of a debtor arising from the debtor's pledge of services as a security for debt if the reasonable value of those services is not applied toward repaying the debt or if the length and nature of the services are not defined.
- **1(c)** "Services" means activities performed by one individual at the request, under the supervision, or for the benefit of another person.
- **1(d)** "Trafficking" means recruiting, enticing, harboring, transporting, providing, or obtaining, or attempting to recruit, entice, harbor, transport, provide, or obtain, an individual.
- **2(a)** Except as provided in s. [948.051](#), whoever knowingly engages in trafficking is guilty of a Class D felony if all of the following apply:
  - 1. One of the following applies:
    - a. The trafficking is for the purposes of labor or services.
    - b. The trafficking is for the purposes of a commercial sex act.
  - 2. The trafficking is done by any of the following:
    - a. Causing or threatening to cause bodily harm to any individual.
    - b. Causing or threatening to cause financial harm to any individual.
    - c. Restraining or threatening to restrain any individual.
    - d. Violating or threatening to violate a law.
    - e. Destroying, concealing, removing, confiscating, or possessing, or threatening to destroy, conceal, remove, confiscate, or possess, any actual or purported passport or any other actual or purported official identification document of any individual.
    - f. Extortion.
    - g. Fraud or deception.
    - h. Debt bondage.
    - i. Controlling or threatening to control any individual's access to an addictive controlled substance.
    - j. Using any scheme, pattern, or other means to directly or indirectly coerce, threaten, or intimidate any individual.
    - k. Using or threatening to use force or violence on any individual.
    - L. Causing or threatening to cause any individual to do any act against the individual's will or without the individual's consent.
- **2(b)** Whoever benefits in any manner from a violation of par. (a) is guilty of a Class D felony if the person knows or reasonably should have known that the benefits come from or are derived from an act or scheme described in par. (a).
- **2(c)** Whoever knowingly receives compensation from the earnings of debt bondage, a prostitute, or a commercial sex act, as described in sub. (1)(a) 1. and 2., is guilty of a Class F felony.
- **(3)** Any person who incurs an injury or death as a result of a violation of sub. (2) may bring a civil action against the person who committed the violation. In addition to actual damages, the court may award punitive damages to the injured party, not to exceed treble the amount of actual damages incurred, and reasonable attorney fees.

### **948.051 Trafficking of a child.**

- **(1)** Whoever knowingly recruits, entices, provides, obtains, harbors, transports, patronizes, or solicits or knowingly attempts to recruit, entice, provide, obtain, harbor, transport, patronize, or solicit any child for the purpose of commercial sex acts, as defined in s. [940.302 \(1\)\(a\)](#), is guilty of a Class C felony.
- **(2)** Whoever benefits in any manner from a violation of sub. (1) is guilty of a Class C felony if the person knows that the benefits come from an act described in sub. (1).
- **(3)** Any person who incurs an injury or death as a result of a violation of sub. (1) or (2) may bring a civil action against the person who committed the violation. In addition to actual damages, the court may award punitive damages to the injured party, not to exceed treble the amount of actual damages incurred, and reasonable attorney fees.
  - **History:** [2007 a. 116](#); [2013 a. 362](#); [2015 a. 367](#).
  - **Under the Radar: Human Trafficking in Wisconsin.** Monaco-Wilcox & Mueller. Wis. Law. Oct. 2017.

## Trafficking involves three main elements:

**Act:** Recruitment, transportation, transfer, harboring, or receipt of persons.

**Means:** Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim.

**Purpose:** For the purpose of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labor, slavery or similar practices and the removal of organs.



### Crimes Associated with Human Trafficking

- Sexual Assault
- Battery
- Robbery
- Homicide
- Arson
- Theft/Identity Theft
- Drug Trafficking
- Domestic Abuse
- Missing Children/Adults
- Social Security Fraud
- OAWOOC
- Internet Crimes Against Children

## A Lucrative Business

- Yields Billions in profits each year
- Drug trafficking, human trafficking and arms trafficking are the most lucrative businesses for organized crime
- A preferred business for criminal syndicates around the world



## Supply of Individual Is Seemingly Endless

Exploited individuals are dispensable commodities and are often seen by traffickers as readily replaceable

They are typically **recruited**—not by force—but by the promise of a better life/Love

Unlike drugs or guns, people can be sold over and over again

## Where do traffickers recruit?



**ANYWHERE!**

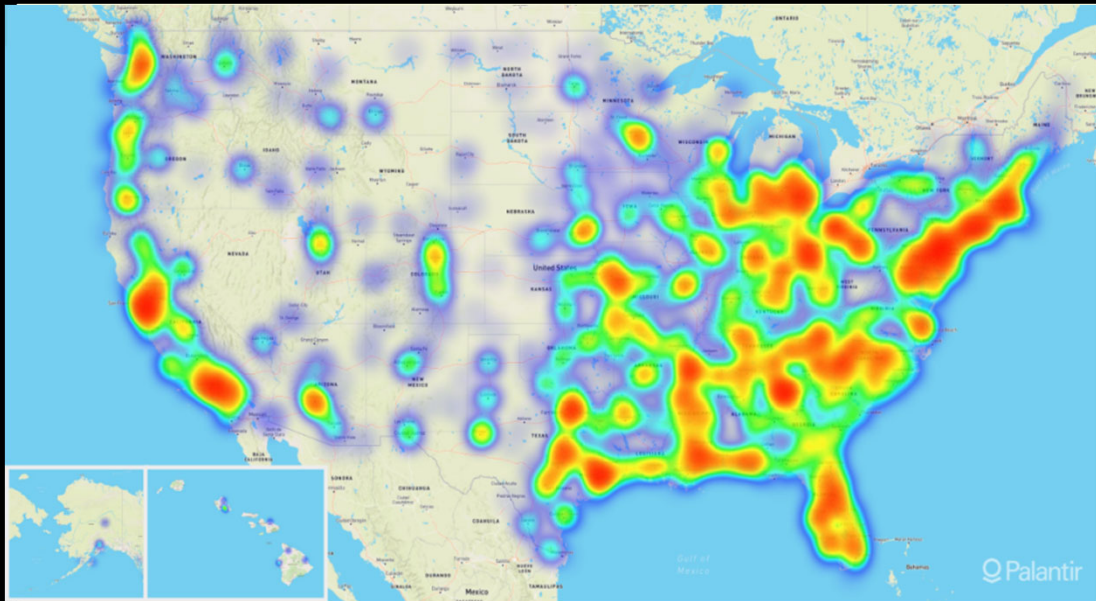
## Trafficking Happens Everywhere

Trafficking is **NOT** limited to “low-income areas/individuals” or “at risk youth”

Trafficking has been identified throughout Wisconsin, throughout the nation, and throughout the world.



Locations of human trafficking situations in the United States in 2020.



[Myths, Facts, and Statistics - Polaris \(polarisproject.org\)](https://polarisproject.org/myths-facts-and-statistics)

## Who Engages in Human Trafficking?

### Traffickers

- Members of the individual's own ethnic or national community
- May use other individuals to recruit
- Traffickers range from small time solo operators, to loose networks of criminals, up to highly sophisticated criminal networks

### Family operated businesses

- Often will involve an extended family
- Independently owned businesses
- Both traffickers and survivors can be “born into the life”

**Many  
individuals  
are sex  
trafficked  
by different  
people**

Boyfriend/Girlfriend/Spouse

Family

Friends

Strangers

Trafficker/Pimp

## **WHAT DO TRAFFICKERS LOOK LIKE?**

**Anyone**

**Traffickers and Victims of Trafficking come in every shape and size.**

**Trafficking does not discriminate regarding Sex, Race, Age, Economic Status, Religion.**

**Anyone can be a victimized and anyone can be a trafficker**



## Trafficker's Plan

- ① Identify Someone that is:
  - ② Accessible
  - ② Vulnerable
  - ② Perceived – to lack credibility



## How Are Victims Trafficked?

Traffickers meet the needs or pretend to meet the needs of Victims/Survivors through, Force, Fraud or Coercion.

# Vulnerabilities

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- Running from abuse
- Struggling with poverty
- Homelessness
- Runaways/Throwaways
- Juvenile/Adult detainees
- Living with cognitive disabilities
- Suffering from dependency

STRUCTURE  
AND POWER IN  
ONE OF MANY  
TYPES OF  
TRAFFICKING  
GROUPS

## HEIRARCHY

- TRAFFICKER
- INDIVIDUAL

**STRUCTURE  
AND POWER IN  
ONE OF MANY  
TYPES OF  
TRAFFICKING  
GROUPS**

**HEIRARCHY**

- **TRAFFICKER (PIMP)**
- **BOTTOM (BOTTOM BITCH)**
- **OTHER INDIVIDUALS**
- **RECRUITED INDIVIDUALS**

**STRUCTURE  
AND POWER IN  
ONE OF MANY  
TYPES OF  
TRAFFICKING  
GROUPS**

**HEIRARCHY**

- **ORGANIZED CRIME**
- **TRAFFICKER(S)**
- **INDIVIDUALS**
- **RECRUITED INDIVIDUALS**

# Systemic Experiences

In 2013, 60 percent of the child sex trafficking victims recovered as part of a FBI nationwide operation from over 70 cities were children from foster care or group homes, Post(2015).



## What does this mean?

Leaving a bad environment

Looking for something better

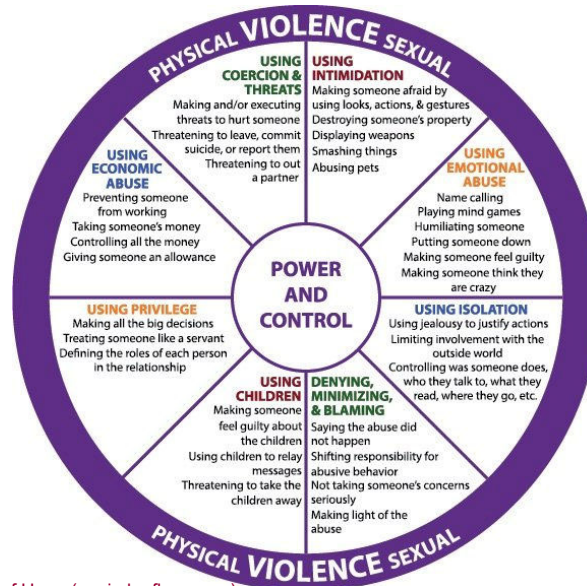
Experienced systemic failure

Losing hope in the system, themselves, and in the future

## Recruitment Tactics in Sex Trafficking

- According to Polaris Project 2019 statistics what was the most common form of recruitment tactic in sex trafficking cases?
- With disclosures in 1067 cases the most common form of recruitment involved **Intimate Partner/Marriage Proposition** recruitment.
- The second most common form of recruitment tactic was **Familia** in 981 cases.
- How does this impact the victim?

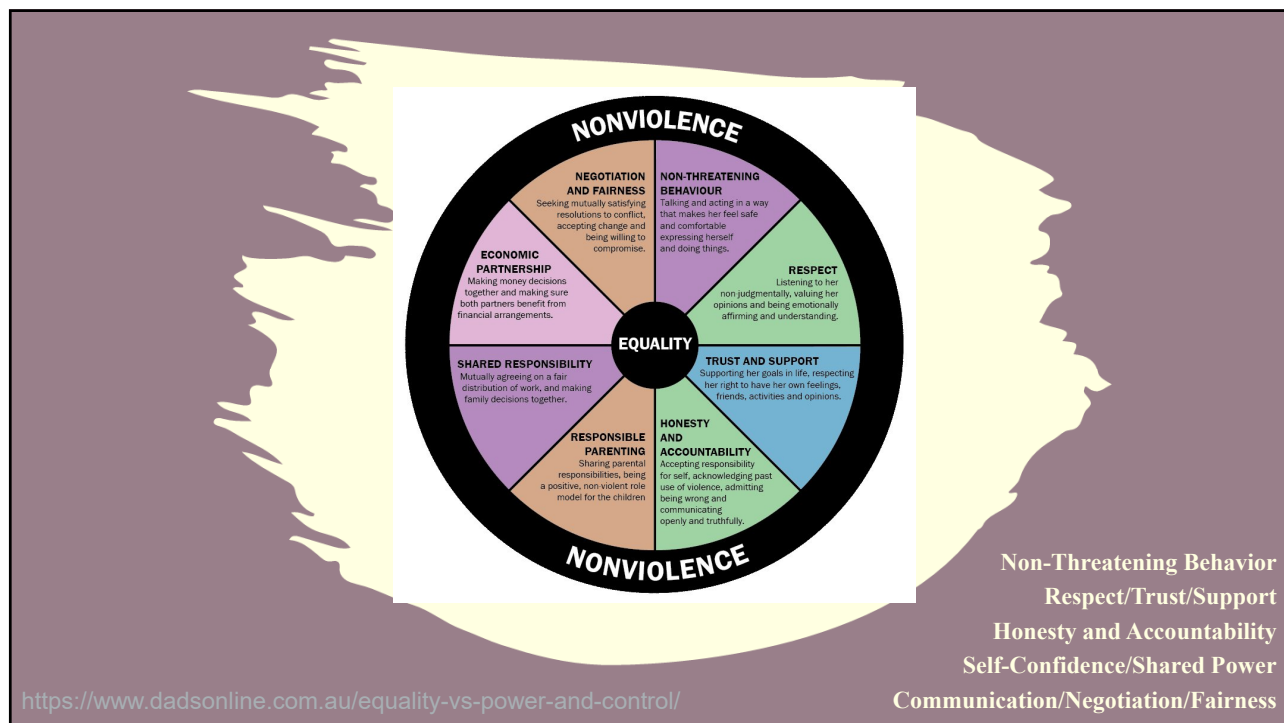
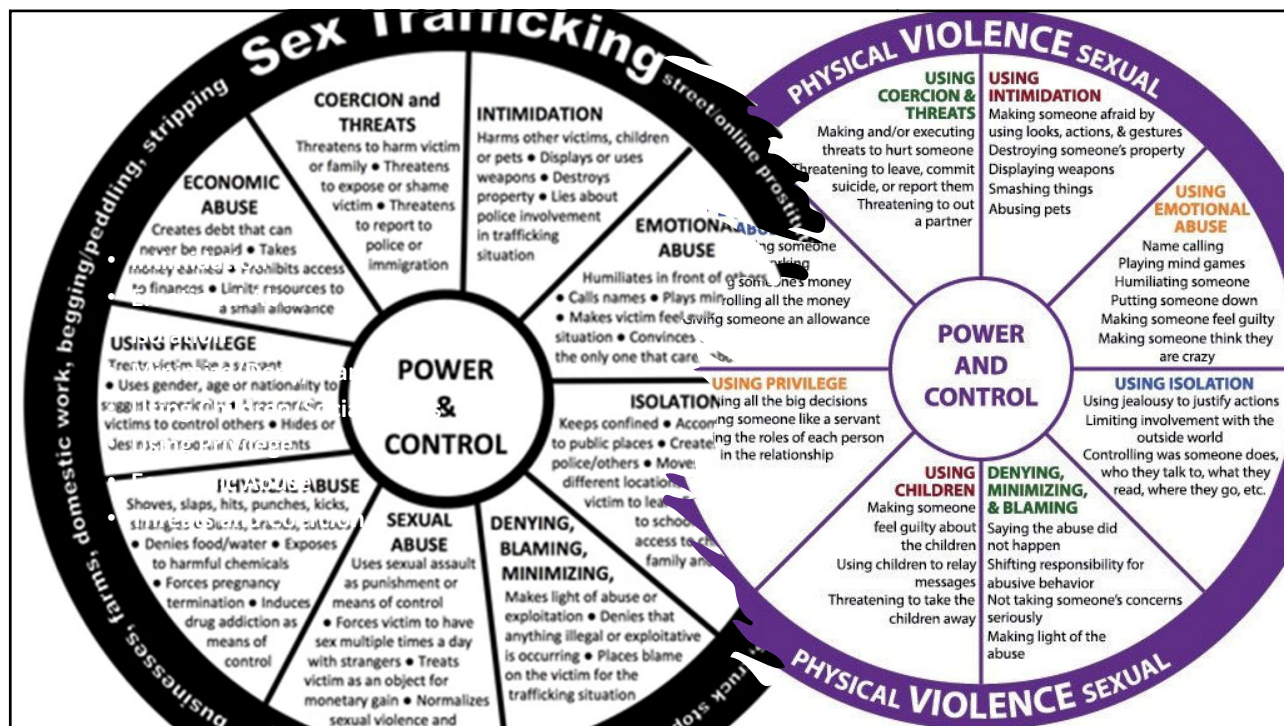
\*2019 U.S. National Human Trafficking Hotline Statistics | Polaris ([polarisproject.org](https://polarisproject.org))



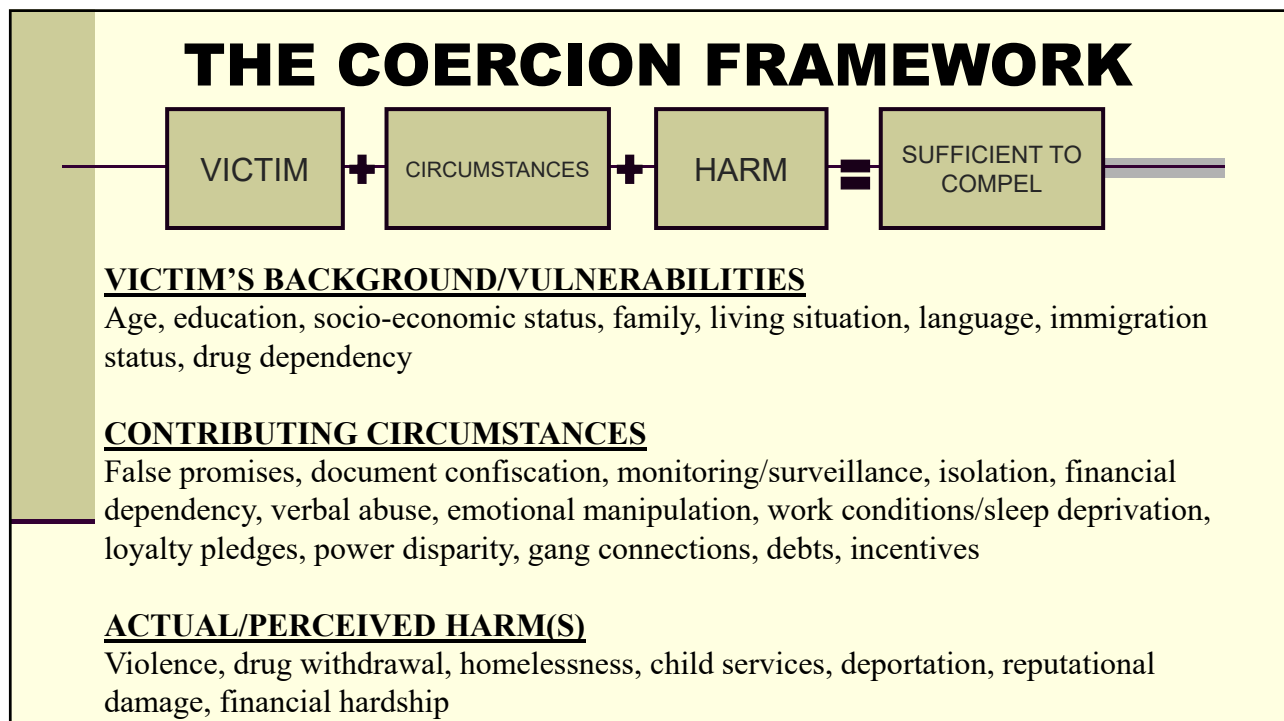
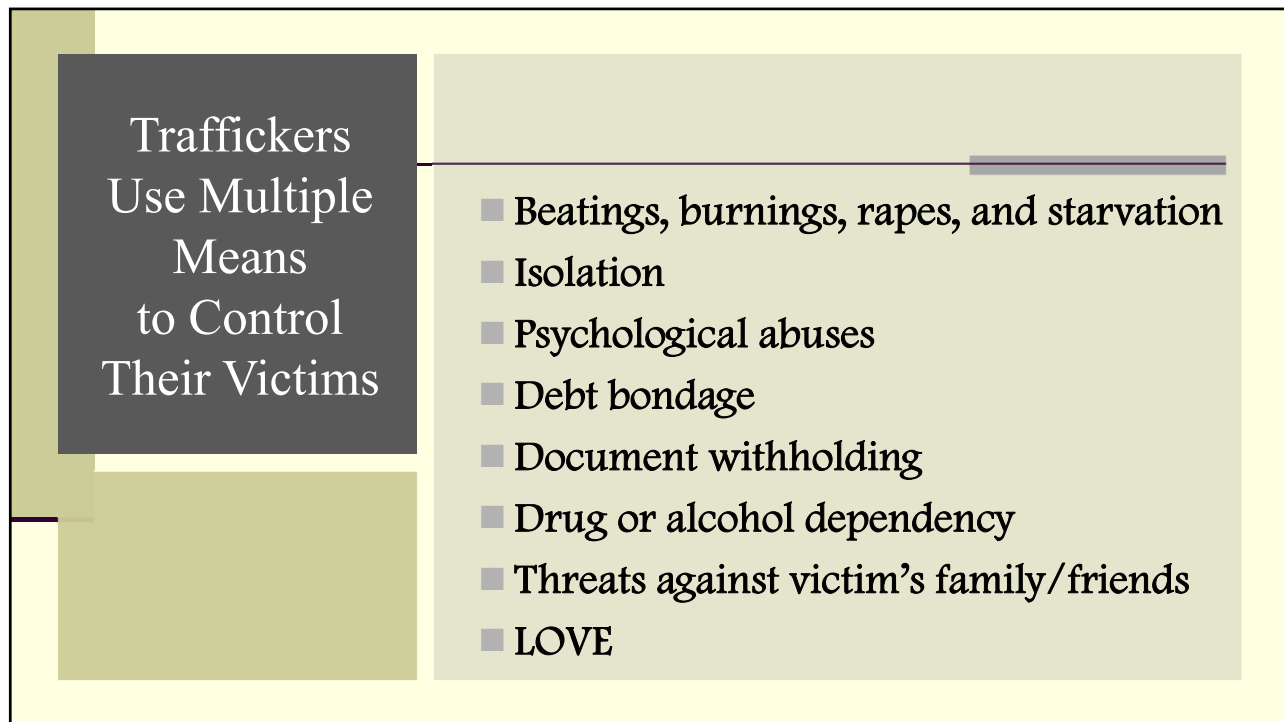
Power and Control Wheel| Circle of Hope ([gacircleofhope.org](http://gacircleofhope.org))

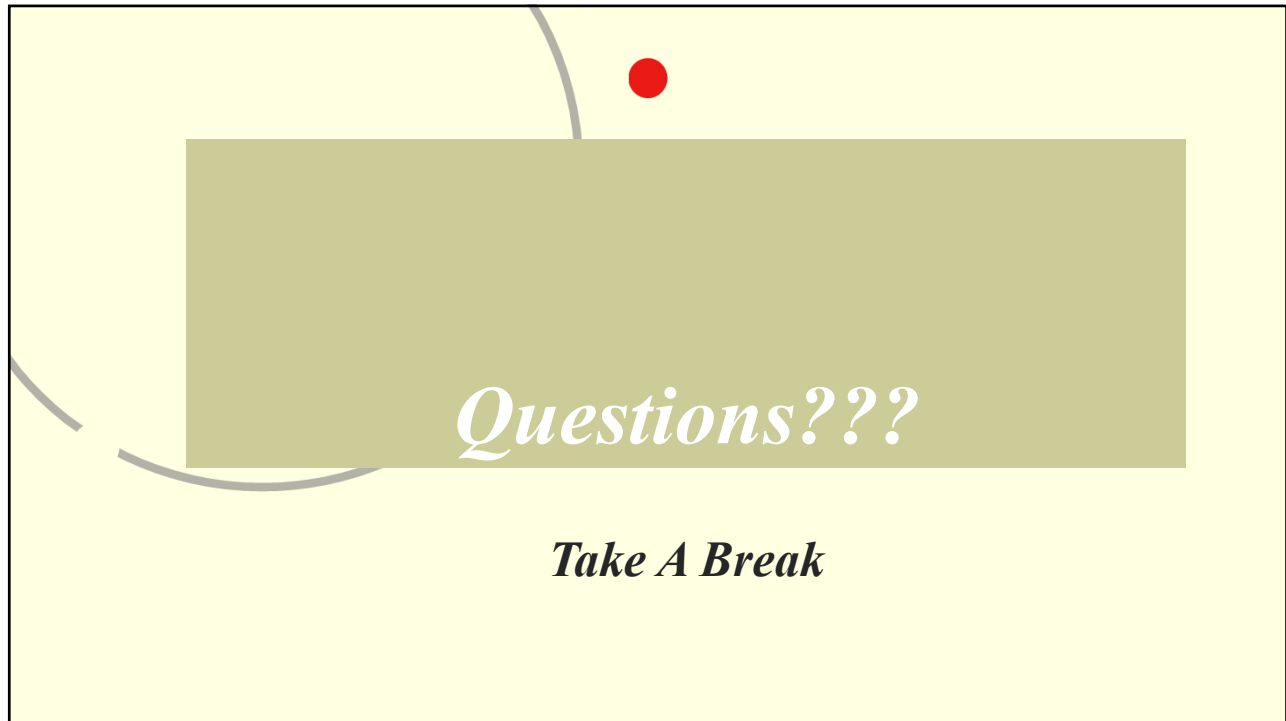


Human Trafficking: Power and Control Wheel ([pblearning.com](http://pblearning.com))







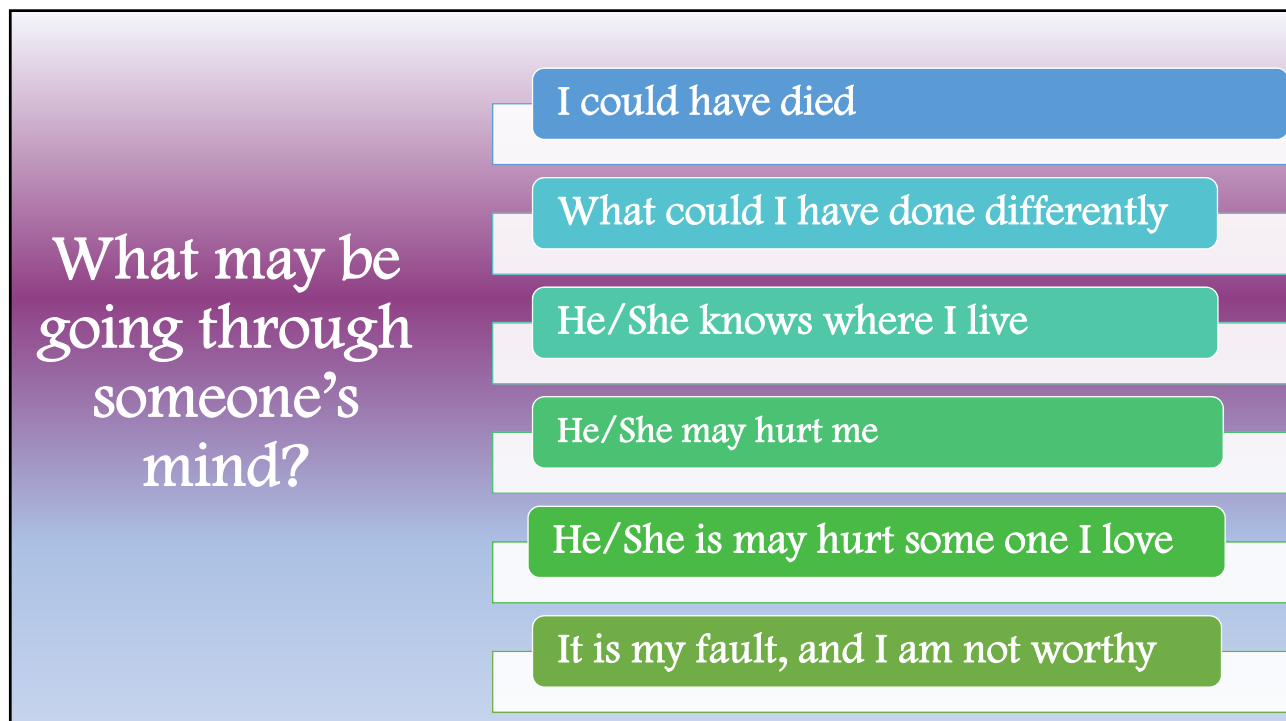
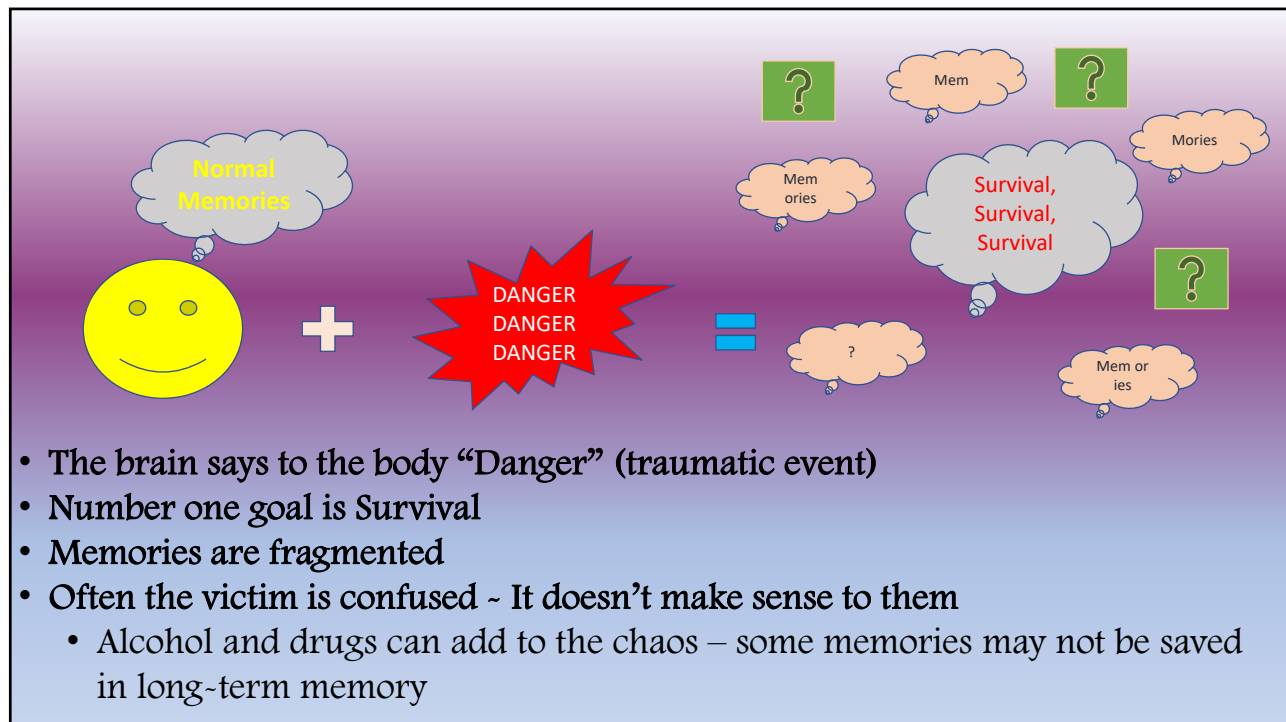


Force, fraud,  
coercion =  
Human  
trafficking

Force, fraud,  
coercion =  
Trauma

## What is trauma?

- Unexpected event outside a normal experience of a person
- Person is trying to determine what may happen
- War, natural disaster, unexpected injury/death, violent events accidents, Robbery, Sexual Assault, Child Abuse
- Events may happen to them, their families, friends, or acquaintances.



## COMMON TRAUMA REACTIONS

Fight

Flight

Freeze

Fawn

*What is the most common response?*

**FREEZE**

**FREEZE**

## Potential Effects

May not believe Victim/Survivor is being truthful

- Can't recall details
- Victim/Survivor answers questions falsely (because it seems to make sense)
- Often closed-ended questions result in misinformation

How to overcome

- Keep an open mind
- Understand trauma – May be having difficulty accessing the memories
- It takes time and patience for it to come together
- Allow time to recall/answer

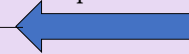
## Responses to Trauma (Experiencing or Witnessing)

Controlled



Appear: calm, composed or subdued  
 Sitting calmly  
 Responding to questions in a detached way  
 Sounds like they are talking about someone else  
 Zoned out - Emotionally flat (unaffected)  
 Downplaying assault, feelings of fear, anger, etc.

Expressive



Openly displaying emotions  
 Agitation, restlessness,  
 Talkative, crying, swearing,  
 Yelling, laughing, joking

Victims can go back and forth between both extremes



# Police involved shooting

"Don't try to interview your colleague about that shooting right afterwards because it doesn't make sense."

Officers are given time to process the traumatic event

Most Trauma victims are expected to recall details on the spot in chronological order.

**Trauma Trigger- Something that reminds someone of a traumatic event**

**Can include all the senses:**

**Sight - Places/ People/Things**

**Sounds – Songs/Tone/People talking**

**Smells - Food/Body Odor/Cigarettes/Alcohol**

**Taste**

**Touch**



## During Court

### Trauma Triggers

- May experience trauma triggers ~ (Fight/Flight/Freeze)
- Defendant's actions (Silent – Effective)

### Identify and Respond

- Be perceptive Can't recall details
  - Can't recall details
  - Change in Demeanor
- Take Breaks
- Flexibility ~ Advocates – Needs – Breaks/water/tissues/clothing
- Don't assume you know what is needed ~ ask
- Be Patient

## Secondary Victimization

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Attitudes, beliefs and behaviors of others, especially in authority, may be perceived as victim blaming and insensitive.

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May feel like they're experiencing more trauma and they are being violated again.

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Can experience from members of Society, Family, Police, Defense Attorneys, Prosecutors, Judges.

## What does it mean to be

- Trauma-informed?
- Victim-centered approach (Person Centered)?

## Avoid

- Criticizing the victim
  - I don't understand why you don't leave
  - You have been given opportunities (verify those opportunities)
  - Victim-blaming
- Classify the individuals involved – victim/survivor
  - They may not identify the same way.
  - Victim
  - Prostitute
- Telling the victim what to do
  - Saying
    - You should
    - You need to
    - If I were you, I would...

## Words/Phrases Carry Meaning

### Phrase?

- Victim claims/alleges...
- Victim's story
- Victim consented
- Uncooperative victim
- The victim's delayed report...

### BETTER CHOICE

- Victim reports, says, states...
- Victim's account
- Victim submitted
- Non-participatory victim, Not able
- 10 days after the victim states...

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# Forced Criminality

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## Related International Criminal Businesses

- Arms trafficking
- Drug trafficking
- Sex tourism
- Child pornography
- Child prostitution
- Money laundering
- Identity Theft
- Extortion



## Things to Consider

- The Victim is doing the best they can in a traumatic situation
- The Victim's response can change when you are talking to them
- The Victim is reacting to the situation, not you.
- Don't personalize
- Victims most likely don't trust the system and don't want to come to court
- The court should do what it can to refer victims for free legal advocacy

## Communicating with Victims

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Literal – Punishment/Hit/Beat

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Survival lies – Who can they Trust

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Everything has always been their fault

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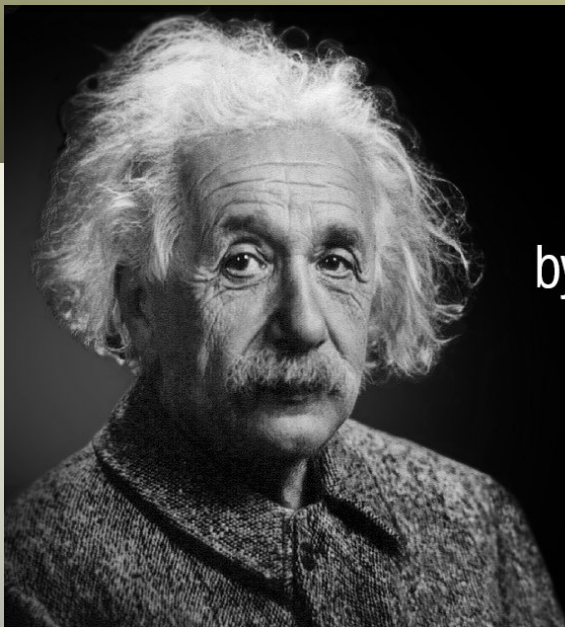
Give hope – Resources - Kindness

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Ask them what they want to do with their life

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DON'T CALL PROSTITUTE



**Everybody is a genius.**  
But if you judge a fish  
by its ability to climb a tree,  
it will live its whole life  
believing that it is stupid.

– Albert Einstein

AZ QUOTES





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