

Human Trafficking

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Overview

- I. Human Trafficking: Scope, Typology, Trends
- II. The North Carolina Systems Overview
- III. Recognize and Respond: Red Flags and The Mindset of a Victim
- IV. Moving Forward: What the Courts Can Do



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Scope, Typology, Trends North Carolina Systems Recognize & Respond

Human Trafficking: Scope, Typology, Trends

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What is Human Trafficking?

- ▶ Human trafficking is the buying, selling or trading of human beings for labor and/or sex acts.
- ▶ Victims of trafficking are **exploited** for commercial sex or labor purposes.
- ▶ Traffickers use **force, fraud, or coercion**.
- ▶ Common factor in cases is a **vulnerability** that can be exploited.

Source: Immigrants and Custom Enforcement, Bolaris Project

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Legal Definition:

According to the Trafficking Victims Protection Reauthorization Act of 2013:

Sex Trafficking:
The recruitment, harboring, transportation, provision or obtaining of a person for a **commercial sex act** induced by force, fraud or coercion, **OR** in which person induced to perform such an act has not obtained 18 years of age.

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.

22 U.S.C. §§ 7101-7113
Also see - State Law : NC General Statutes § 14-43.10A

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Force, Fraud & Coercion

<i>Force</i>	<i>Fraud</i>	<i>Coercion</i>
- Physical assault	- Romance / relationship	- Threats of serious harm to self/loved ones
- Acid burns	- False promises / marriage	- Confiscating documents or passports
- Rape and gang rape	- Employment	- Threatening to report to police
- Restraint or bonded	- Better life: jobs, education, citizenship	- Threatening legal ramifications
- Confinement	- Increasing debt	
- Kidnapping	- Recruitment traps	
- Starvation	- Corruption	
- Forced substance use / misuse		

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Who can be a victim of Human Trafficking?

- Victim Demographics:
 - Any Age
 - Any Race
 - Any Gender
 - Any Socio-Economic Class
- Commonality = A Vulnerability to Exploit
 - Poverty
 - Past History of Abuse
 - Homelessness
 - Lack of Support System
 - Desire to be liked or to fit in with peers

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Who can be a Trafficker?

- Pimps
- Intimate partners/family members
- Friends / Peers
- Gangs and criminal networks
- Brothel and illicit massage parlor owners/managers
- Growers and crew leaders in agriculture
- Labor brokers
- Employers of domestic servants
- Small business owners and managers
- Large factory owners and corporations

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Scope: International

- There are an estimated 40.3 million people enslaved globally, according to the Global Slavery Index by the Walk Free Foundation.
- \$150 Billion dollar a year industry (second largest criminal enterprise in the world). International Labor Organization
- The International Labor Organization estimates that 26% of modern slaves are children. (Roughly 10.47 million children – NC's total population in 2017 was 10.27 million)
- 15.4 million people were in forced marriages in 2016 (Axios)

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Scope: National

- Nationally, hundreds of thousands are estimated to be trafficked within our own borders. Polaris estimates the total number of human trafficking victims in the U.S. to be in the hundreds of thousands.
- The National Center for Missing and Exploited Children in 2018 estimated 1 out of 7 endangered runaways reported to their agency were likely sex trafficking victims.

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Scope: Why North Carolina?

- Interstate and Highway System
- Agricultural Need for Migrant Labor
- Processing Plants
- Coastal Tourism
- Military Bases
- High number of universities
- Major Sports Venues
- Opioid Epidemic



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Scope: Labor Trafficking in North Carolina

Industries where Labor trafficking has been identified in North Carolina:

- Traveling Sales
- Domestic Servitude
- Factories / Plants
- Restaurants or Food Service
- Agricultural / Farm Work
- Begging Rings / Panhandling
- Illicit Massage Businesses
- Sporting leagues




* Not comprehensive.

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Typology: Labor Trafficking in North Carolina

Illicit Massage Businesses:

<p>On the Surface</p> <ul style="list-style-type: none"> • Register and attempt to behave like legitimate businesses • Operating out of commercial spaces • Pay rent to legitimate landlords • Business is incorporated and insured • Display licensing and other regulatory material 	<p>In Reality</p> <ul style="list-style-type: none"> • Debt traps • House fee to reside in business • Weekly management fee • Food fee • Personal items fee • Transportation fee • Security fee
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Typology: Sex Trafficking in North Carolina

Industries where sex trafficking has been identified in North Carolina:*

- Agricultural / Farm Work (camps)
- On-Line / Internet (in-call or out-call)
- Pornography
- Brothels
- Hotels
- Truck Stops
- Personal Sexual Servitude
- Bars, Strip Clubs
- Pimping “The Life”
- Family Facilitated

**Not comprehensive.*

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Typology: Sex Trafficking in North Carolina

Common Posting Websites:

<ul style="list-style-type: none"> • us.backpage.com • usaadultpersonal.com • www.erotictimugshots.com • usasexguide.info • calescort.org • humaniplex.com • theeroticreview.com • cityvibe.com • skipthegames.com 	<ul style="list-style-type: none"> • eccie.net • nightshift.com • liveescortreviews.com • rubmaps.com • escortads.xxx • bestgfereviews.com/reviews • myescortcareer.com • preferred411.com • Social Media Apps & Dating Apps
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Typology: Pimping and “The Life”



Business: selection process, courtship, isolation, transition, control with occasional indulgences

Source: (CSEC curriculum, Lloyd and Polaris Project)

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Typology: Pimping and “The Life”

Common Language

- The Life
- Trick
- Circuit
- Quota
- Turned Out
- Date / John
- Stable
- Daddy / Manager / Bodyguard
- Automatic
- Bottom
- Romeo Pimp
- Gorilla Pimp
- Wifey / Wife-In-Law

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Trend: Social Media



Snapchat
Messaging App
Sexting from strangers occurs frequently. “Vanishing” images, including inappropriate photos of teens, can actually be saved and shared.



Tinder
Dating App
Utilizes GPS to find “hook-ups” nearby. Some teens use it, so predators browse for potential victims. Profiles are also rated, which can facilitate bullying.



Kik Messenger
Texting App
Kik is child exploiters’ favorite app because it lets them communicate with kids anonymously. Sexting and sexual content are common.



Instagram
Photo App
90% of Instagram teens’ accounts are public, which allows predators to find them. Instagram Direct feature provides private messaging.



Audio Manager
Hiding App
Deceptive icon for user to shelter apps, messages and media, that looks like music

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Trend: Human Trafficking and Substance Use

- Common Situations:
 - Familial Trafficking
 - Drug Dealing
 - Farm Labor Camps
- Recruitment Tactics:
 - Identifying an individual with an addiction to a substance to use their addiction to control them.
 - Forced dependency in order to facilitate the trafficking incident to occur.
 - Coercing someone that owes a drug debt to sell a family member or child to pay off their debt.
 - Offering substances to keep the victim in debt to the trafficker (debt bondage).

Victims can fall through many cracks in our various systems. If these systems were providing screenings, then they would have identified and helped them much earlier.

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The North Carolina Systems Overview

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NC Human Trafficking Commission - Members

Jasmine McGhee , Department of Justice, <i>Attorney General's Designee</i>	Dianne Layden , <i>Public at Large</i>
Jennifer Haigwood , Department of Labor, <i>Commissioner of Labor's Designee</i>	Suzanne Mauney-Smith , Gaston County Police Dept., <i>City or Town Police</i>
Pamela Cashwell , NC Department of Public Safety, <i>Secretary of Public Safety's Designee</i>	William M. Nichols , Ret. State Highway Patrol, <i>County Sheriff's Designee</i>
Thomas N. Bernard , <i>Health Care Representative</i>	Caitlin Ryland , Legal Aid of North Carolina, <i>Legal Aid of North Carolina</i>
Libby Magee Coles , Justice Matters, Inc., <i>Faith Based or Benefits Organization</i>	Judge Sherri Elliott , Chief Judge for District Court 25, <i>NC Association of District Court Judges</i>
Monika Johnson Hostler , N.C. Coalition Against Sexual Assault, <i>Public at Large</i>	Judge Claire Hill , Superior Court Judge 12A, <i>NC Conference of Superior Courts</i>
Angelica Wind , The NC Coalition Against Human Trafficking	Ryan Boyce , Senior Counsel for Policy, <i>NC Administrative Office of the Courts</i>
William R. West, Jr. , Administrative Office of the Courts, <i>District Attorney</i>	

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2019 Report to the NC General Assembly

KEY RECOMMENDATIONS:

- Expand the definition of “sexual servitude” to apply to all instances of buyer conduct.
- Prohibit the promotion or sale of “sex tourism” services.
- Create a civil cause of action for victims to recover damages from individuals who trafficked them or financially benefited from the trafficking activity.
- Expand and streamline the process for human trafficking victims to expunge convictions for nonviolent crimes that were committed as a direct result of their being a victim of human trafficking.
- Expand the grounds for appropriate relief and vacatur of convictions for nonviolent crimes committed by individuals as a direct result of their being victims of human trafficking.
- Provide the Commission with recurring funding to continue operations in future fiscal years.

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North Carolina Human Trafficking Commission

HUMAN TRAFFICKING AWARENESS POSTER LOCATIONS

- Job centers
- Transportation stations, rest areas, and welcome centers
- Emergency rooms/emergency departments
- Establishments permitted by ABC Commission
- Adult establishments
- “Public nuisance” establishments

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North Carolina Administrative Office of the Courts

NCAOC is working to establish comprehensive human trafficking court personnel and judicial education training programs that build on and enhance the numerous local, regional, and national court, justice partner, and service provider programs readily available.

NCAOC houses the NC Human Trafficking Commission.

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Examples of Other State Agency Work:

North Carolina Department of Justice

North Carolina Dept. of Health and Human Services

North Carolina Department of Administration

North Carolina Department of Public Safety

UNC-Chapel Hill School of Social Work



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NC Coalition Against Human Trafficking

The North Carolina Coalition Against Human Trafficking (NCCAHT), is a coalition of committed members collaborating in knowledge and practice to provide leadership and support across the state to eradicate human trafficking in North Carolina.

The Coalition, which is organized under the Non-Profit Corporation Act of North Carolina, operates for charitable and educational purposes. Membership is open to governmental agencies, non-governmental organizations and individuals who support the purpose of the Coalition.



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facebook.com/nccaht

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NC Coalition Against Human Trafficking

Coalition members identify with four membership categories:

- Government and Law Enforcement
- Direct Service
- Training and Education
- Community and Faith-based

The membership of the Coalition meets quarterly each calendar year as determined by the Board of Directors.



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North Carolina Coalition Against Sexual Assault

- NCCASA has been involved in the anti-human trafficking movement for over 10 years.
- The agency provides training and technical assistance to projects and agencies around the state who are addressing human trafficking in their community.
- Executive Director Monika Johnson Hostler is a member of the NC Human Trafficking Commission.
- Associate Director Robin Colbert, is the Chair of the NC Coalition Against Human Trafficking.
- NCCASA is a collaborative partner with Project NoRest, helping to shape the PSA outreach efforts, support the project pilot sites and improve the response to HT statewide.



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Regional Response Teams

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Salvation Army, Project FIGHT Locations

www.projectFIGHTNC.org or ProjectFIGHT@wakearmy.org

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Legal Aid of North Carolina

LEGAL AID NC

Legal Aid of North Carolina is a statewide, nonprofit law firm that provides free legal services in civil matters to low-income people in order to ensure equal access to justice and to remove legal barriers to economic opportunity.
 Helpline: 1-866-219-LANC | Website: Legalaidnc.org

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Contact the National Human Trafficking Hotline to ask questions, report an incident, find help for a potential victim.

NHTRC | NATIONAL HUMAN TRAFFICKING RESOURCE CENTER
 1-888-373-7888

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Recognize and Respond: Red Flags and the Mindset of a Victim

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Red Flags

- Is not free to leave / come and go
- Is unpaid, paid very little, or paid only through tips
- Works excessively long and / or unusual hours
- Is not allowed breaks or suffers under unusual restrictions at work
- Owes a large debt and is unable to pay it off
- Was recruited through false promises concerning the nature and conditions of work
- High security measures at work / or living conditions
- Has few or no personal possessions
- Is not in control of own identification documents or own money
- Is not allowed to speak for him / herself.
- Lives on site or with their employer

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Red Flags

- Past history of sexual or physical abuse
- Evidence of DV/SA
- Older boyfriend/partner
- Substance misuse
- Foster care
- History of Running away
- Reluctant to work with law enforcement
- Specific Tattoos (pimp names, gang symbols, branding)
- New possessions
- Any sudden changes in behavior or appearance
- Gang related activities, appearance, friends

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Mindset: Understanding the Victim

Why don't they just leave?

- Use of threats and violence
- May be under surveillance
- Fear/distrust of health providers, law enforcement, government
- Unaware what is being done to them is a crime
- Isolated and kept in states of exhaustion and illness
- Shame, self-blaming, and feeling responsible (for situation or a debt)
- Substance use disorder
- Moved frequently to deter becoming familiar with people or places
- Unfamiliar culture or limited English proficiency

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This content was adapted from the Domestic Minor Immigration Project's Dutch Model Power and Control Wheel.

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Trauma – Impact on the Brain

Persistent Stress Changes Brain Architecture

Normal
Toxic stress

Typical neuron—many connections
Damaged neuron—fewer connections

Prefrontal Cortex and Hippocampus

3-Year-Old Children
Normal
Extreme Neglect

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Trauma – Some Research Shows

- Studies have found individuals with higher experiences of trauma need more ongoing support compared to lower experiences of trauma.
- A 2018 study on sex trafficking of runaway and homeless youth ages 12-25 sited that almost half of the youth that reported being victims commonly scored 7 or above on the ACES, compared to 25% of the non-trafficked youth.
- Core general approach include meeting basic needs, building trust and rapport, being conscious of language, remaining sensitive to power dynamics, and avoiding retraumatization.

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Survivor Response

Immediate Needs

- Crisis Safety Services
- Crisis Shelter Services
- Basic Necessities
- Language Services
- Emergency Medical Care
- Crisis Legal Advocacy

Ongoing Needs

- Physical Health Care
- Mental Health Care
- Substance Abuse Services
- Safety Services
- Transitional Housing
- Immigration Advocacy
- Legal Advocacy
- Language Services

Long-Term Needs

- Life Skills
- Language Skills
- Job Skills
- Long-term Housing
- Peer-To-Peer Mentoring

Macy, R. and Johns, N. (2011). Policies for international sex trafficking survivors: Informing U.S. service and program development in an emerging practice area. *Trauma, Violence, and Abuse*, 12(2), 87-98. doi: 10.1177/1524838010390709

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Moving Forward

Moving Forward: What the Courts Can Do

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Moving Forward

What Can the Courts Do?

From the Bench:

Consider the effects trauma, victimization and trafficking can have on defendants in court.

- Does it seem like trauma and/or trafficking are playing a role in this person’s behavior?
- Are you seeing elements of force, fraud or coercion in relation to this person’s recidivism?
- Has this person been assessed for potentially being a victim of human trafficking?
- Can I consider connected them to a community based provider for services or further assessment?

Source: Human Trafficking and the State Courts Collaborative. 42

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Moving Forward

What Can the Courts Do?

Connect with local anti-human trafficking organizations that provide services to victim-survivors.

- Non-Governmental Organizations and Regional Response Teams
- NC State Bureau of Investigations contact

Learn what other courts are doing to address human trafficking:

- Cumberland County District Court
- Mecklenburg County District Court
- Center for Court Innovation
- Center for Human Trafficking Courts Solutions
- NC Administrative Office of the Courts

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Moving Forward

What Can the Courts Do?

Learn about procedural justice or giving a voice to the victim-defendant (procedural justice); using a trauma informed approach; and using multidisciplinary collaboration.

Train Your Court and Court Personnel:

- Cumberland County District Court: June 28, 2019 with Dr. Sharon Cooper and others presenting.
- The National Judicial Institute on Domestic Child Sex Trafficking: July 8-10, 2019
- February 2020 NCHTC Symposium
- Podcasts can be a way to learn more about this topic while eating lunch, commuting to / from work, etc. One example is Ending Human Trafficking by Dr. Sandra Morgan.

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