

National Judicial Network Forum on Human Trafficking and Immigration in State Courts

Human Trafficking Victims Identification & Red Flags

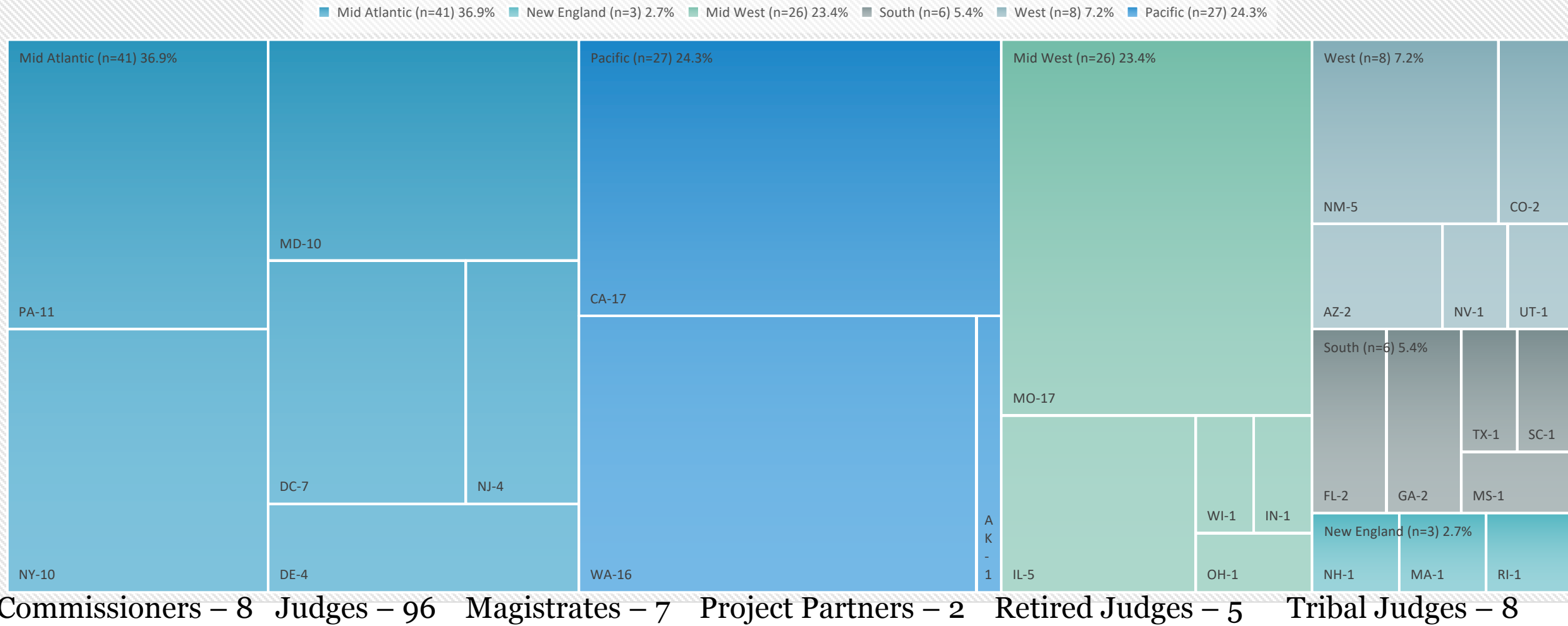
May 4th , 2021

This publication was developed under grant number SJI-20-E-005 from the State Justice Institute.
The points of view expressed are those of the authors and do not necessarily represent the official
position or policies of the State Justice Institute.

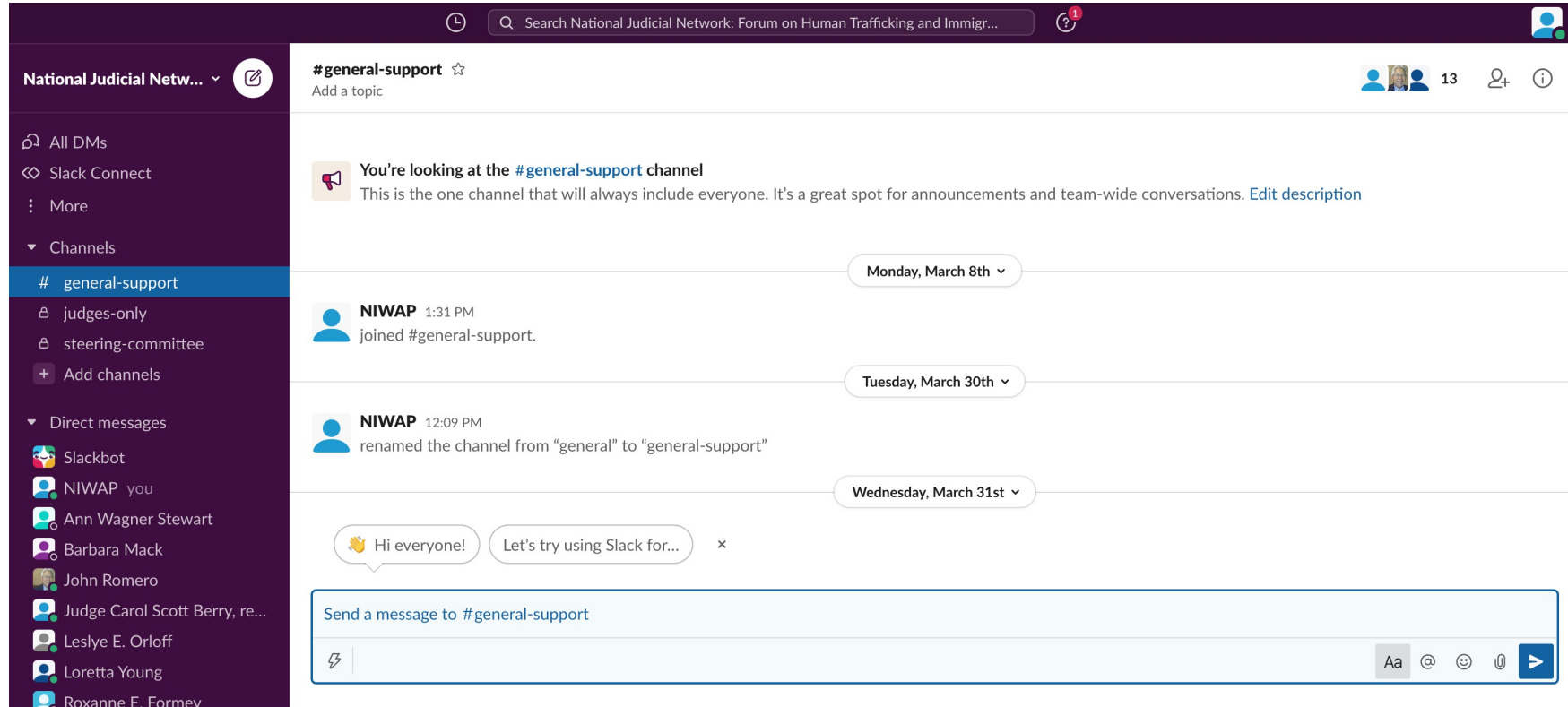


Regional Representation in The Network

Figure 2: Regional Location of National Judicial Network Members (n=126 members) as of May 4th, 2021



The Network Slack has launched!!!



Upcoming Peer-to-Peer Session Dates & Topics

June 1st – Immigration Options for Survivors &
Court's Role

July & August – BREAK, Webinar TBD

September 7th – TBD

October 5th – TBD

November 2 – TBD

December 7th – TBD

Human Trafficking In Family Court

Cases & Patterns

Today's Facilitator



Commissioner Loretta M. Young
Family Court, New Castle County, Delaware

Do you think YOU have seen
trafficking in your courtroom?

What did it look like and how did you
know?

Courts, **Especially** Family Courts, Serve Vulnerable Populations

ADULTS can be

- Formerly abused, abandoned, neglected as setting backdrop for exploitation
- Presently unstable (housing, employment)
- Presently in violent domestic relationships
- Addicted to substances

CHILDREN and ADOLESCENTS can be

- Dependent and neglected, abused or abandoned
- In DFS custody
- Runaway, disenfranchised, lonely, truant
- Lacking familial support
- Addicted to substances

Vulnerability Opens the Door to Victimization



Runaway

Boys, girls, LGBT,



Homeless or Abandoned

Minors and adults



Abused

Minors (especially sexual abuse)

And DV adult victims

Case Types Where Trafficking Has Been Uncovered

Delinquency:

- shoplifting, criminal trespass, assault, prostitution, loitering
- Drug Charges: purchase, possess, distribute
- Status Offenses: runaway, truancy
- Dependency: abuse, neglect, abandonment

Custody, Guardianship:

- Children residing with unrelated adults with or without guardianship may be trafficked

Adult Domestic Violence Victims

What is the Connection Between These Crimes and Trafficking?

Victims may:

- Steal to provide extra income for the trafficker or feed themselves when trafficker is withholding
- Remain or return to restricted areas
- Assault or be assaulted by others in the course of their work
- Be on the streets late, solicit clients to meet quota
- DV victim may go from frying pan to the fire trying to escape domestic violence

Traffickers may:

- Require victims to sell drugs in addition to sexual services
- Use drugs to control the victim
- Obtain guardianship over the victim

High Risk Factors:

- Runaway, Truant, Lack of Parental Involvement
- Prior sexual abuse by trusted individual/caretaker, neglect, abandonment

A Trafficker is a Wolf in Sheep's Clothing

- The majority of victims are not kidnapped or taken against their will initially, but are tricked into believing the trafficker is there to help them in their time of need or moment of despair
- Traffickers are master manipulators and are adept at identifying psychological and physical needs of victims and using those needs to draw the victim in
- Traffickers will groom a victim until they trust, depend, and even love them before gradually making higher demands
- Victims will be kept under control by physical force or psychological tactics such as shame, guilt, and fear

Just because the person making contact with the victim is another female, don't assume it's safe

Other Avenues of Access:

- Traffickers use male and female recruiters who will make contact with victims
- Recruiters may be mistaken for BFs, potential BFs, or BFFs
- The Recruiter may be someone more in the age range of the victim so that they can better relate to the victim

Traffickers Have Many Ways of Accessing Victims

Boy friending In

- Pretending to have a personal romantic interest in the victim, dating victim to get them attached to them
- Tell them they will “take them places”, “take care of them”, Professing their love
- AND THEN it turns into a domestic violence type situation where the trafficker starts mentally and physically abusing and manipulating
- Victim is brainwashed the feels they cannot leave. Some continue to try to “win” abuser over by pleasing

Mass Blasts, Social Media

- “Hey, Cutie! Saw ur pic on FB and ur r so beautiful. Want to talk or meet up sometime”
- Searching FB for posts that scream loneliness, no support system, been recently disappointed or just broke up
- Using dating sites to find victims, carrying on conversations designed to uncover victim vulnerability so they can exploit it

Face to Face

- Scouring bus stations, train depots for runaways and loners
- Approaching single victims or groups with modeling offers or other ways to make money together
- Hitchhikers, lone walkers, kids leaving school early

Traffickers Borrow Tactics From DV Abusers and Sex Offenders

DV

- DV cycle of abuse
- Physical, mental abuse
- Game plan is to tear victim down, make them feel worthless, dependent on abuser, shamed, and isolated

Sex Offender

- Engages in grooming process to build trust
- Gradual and incremental
- Uses fear, shame and humiliation to prevent disclosure and to ensure continuation of conduct

Juvenile Sex Trafficking

Have you seen this in your courtroom?
How did you uncover it?

Common Red Flags

- Share your experiences from the bench

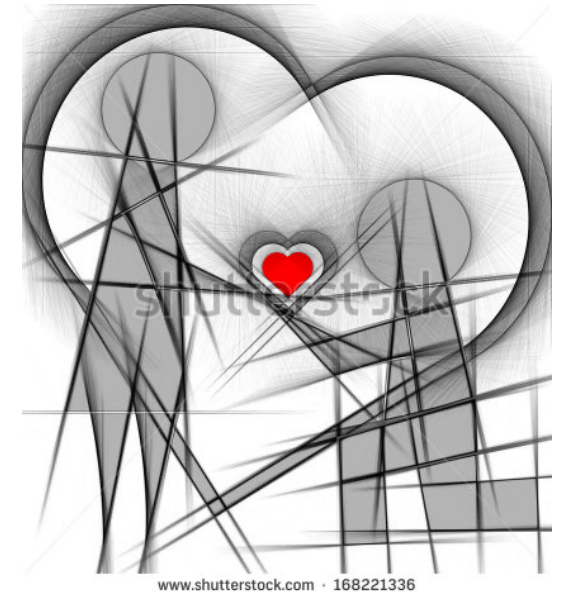
The Case of “CT”

16-year-old female

- CT’s mom was a single parent of four. CT was the oldest.
- Dad just finished a 10-year sentence
- CT stayed at home a lot, watching younger kids and was saddled with a lot of responsibility. She missed school often.
- She was bored and resented her obligations
- She was spending a lot of time on the internet and was initially contacted by her trafficker through Facebook

It only took CT's
trafficker six
weeks to pull her
to him

Hey beautiful ☺ Ever though about being a MODEL?
Your eyes make the stars look dim!
Send me a few pictures of your body
I think you will look fabulous in Marc Jacobs
Your mom probably wouldn't understand
I can be like your daddy and take care of you
We can make enough money to support your family
Can't wait to see you in person
I think I'm falling in love with you
Meet me TONITE!





CT thought her trafficker was her
boyfriend

After a few months, CT learned that her
“boyfriend” had other “girlfriends”



Her trafficker
promised her that
when he got
enough money,
SHE would be his
ONLY girl

She tried to make as
much money as possible
for him so they could be
together soon



Traffickers Will Use Shame, Fear and Violence to Keep the Victim Under Control

Who Wants You Now?

- Victims have arrest records, health care concerns, scars, tattoos, brands
- No one will believe YOU anyway

I'll Tell Everyone

- Traffickers will post sex ads, embarrassing photos, lewd photos, or send them to family/friends

I Know Where Your Sister Goes to School

- Threats to harm or “turn out” a sibling
- Threats to harm family, kill victim
- Physical abuse

CT's Parents Were in Denial Despite Strong Clues

Calls for Help

- MIA for multiple days

Serious Injury

- Non-Age-appropriate clothing

STDs

- Extreme Nails, hair, makeup
- Gifts

CT's probation officer became suspicious of CT's running away, injuries, and other clues and searched for her on Backpage.com

And unfortunately, found her picture in a sex ad

CT's Case Is Being Investigated by the Fed

Inter-state activity

- Traveling, posting ads, and “doing business” in several states

Several Victims

- Victims from several states

Greater Penalty

- Federal Penalty for Trafficking a Minor
14-17: not < 10 years
- 18 U.S.C § 1591- Sex trafficking of children or by force, fraud, or coercion
18 U.S.C. § 2421- Transportation generally
18 U.S.C. § 2422- Coercion and enticement
18 U.S.C. § 2423- Transportation of minors
18 U.S.C. § 2425- Use of interstate facilities to transmit information about a minor

Helping Kids who you already identified:

Look at the child's psychological, physical, and social needs and try to replace the negatives with positives. Collaboration is essential.

CT Increased Her Social Capital And It Changed Her Life



School

- Increased her self-confidence
- A fresh start, normalization
- Gave her more opportunities for employment



Therapy

- Dispelled false notions of limitations and worthlessness
- Reduced self-harm ideations
- Taught her how to cope with her trauma



Volunteering

- Broadened her experiences
- Made her feel needed
- Satisfied some of her need to “be an adult” and to be recognized

Labor Trafficking makes an
appearance as a loitering
charge...

The Case of “J” 17-year-old male

- J had a good relationship with his parents
- He was attending high school
- He had a sweetheart
- Everyday after school he trained to become a jockey
- He dreamed of riding in the Kentucky Derby



J's trafficker was a trusted family friend and J's parents gave him guardianship

He took J to the east coast to ride "just for the summer"

He got a fake ID for J that made him older

- Every day they woke up at 400 am and started work. Many nights, they did not go to sleep until after midnight
- J slept on the floor of a loft with six other jockeys
- J had to pay his guardian for room and board, food, transportation, and "professional guidance and promotion"
- Despite winning many races, J did not have enough money to buy a plane ticket home

“J” Considered His Trafficker His Agent



This Had Been Overlooked For Almost Two Years

- Dozens of people in the racing business knew partial facts, but never asked questions or didn't recognize the problem
- No one reported to police or track management or racing commission
- J's parents knew about it, but felt obligated to "fulfill the terms of the agreement"
- J's parents were financially unable to send J money to come home or to pay off his alleged debts

The Discovery of J's Plight

J was arrested for loitering at a racetrack/casino in January because his trafficker was hours late picking him up. J was without money, hungry, and cold so he went inside to see if he could find someone he knew and get warm

J's Trafficker Was Never Prosecuted or Investigated

J's situation was
ALSO discovered by
an owner who paid
for his airfare home
and honored J's
wishes not to report
to the authorities

J did not
think he was
a victim

HE JUST
WANTED TO
GO HOME

This is what makes trafficking hard to see

Victims are unlike
victims of other
violent crimes

Often manipulated
by trafficker to feel
“in control”,
“grown decision
maker”,
empowered

The “Chain on the
Brain” leads them
to protect
trafficker,
rationalize, believe
trafficker cares for
and loves them

And....at the intersection of Domestic Violence and Trafficking....

“Husband” vs “Wife” Protection From Abuse Cross-Petitions

Wife filed a PFA alleging

- Husband held her captive in a hotel room at knifepoint
- Encouraged her to use heroin when she was in recovery
- Regularly took all her money out of her purse after she returned home from work

Husband’s X-petition alleged

- Wife abandoned him, causing extreme emotional upset
- Wife’s abandonment resulted in “reduction of lifestyle and loss of income”
- After tracking Wife through escort section, found her residing in motel with two men who threatened Husband at gunpoint saying “She is with us now”

PFA Relief Requested

Wife asked for:

- 100 yard stay away
- No contact with her, her residence or places of employment

Husband asked for:

- Order Wife to return home
- Assistance in making wife attend marriage counseling
- Return cell phones
- Return cash

Neither Party
Appeared For
Trial and Petitions
Were Dismissed
Without a
Hearing

.....Although the
Court was
anxiously awaiting
a full hearing ☹

What can you do from the bench?

Now that you see it....what do you do about it?

Juveniles who are already in your Court Program (other than human trafficking court)

Litigants who are before you as DEFENDANTS, but you see their victimization

Litigants who are before you on a completely unrelated matter but trafficking bubbles up

Q & A

Please put your questions in the chat

Session Evaluation

- Link to the poll
 - <https://www.surveymonkey.com/r/ZM83ZYB>
- We will also send the link in a separate email