

CHARACTERISTICS OF A STATE COURT FOCUSED APPROACH TO ADDRESSING HUMAN TRAFFICKING

Function	Components	State Court Strategies
<p>Punishment</p>	<p>Case Adjudication</p> <ul style="list-style-type: none"> ■ Process cases where traffickers are charged with trafficking offenses. ■ Process cases where traffickers are charged with non-trafficking offenses, such as cases involving partner or family violence against women and children, procuring and compelling prostitution, unlawful imprisonment, and code/ordinance violations. ■ Process cases where offenders charged with prostitution peddling, drug dealing, theft, and other offenses, might be trafficking victims. ■ Process cases involving consumers of services provided by trafficking victims, such as solicitation of prostitution. ■ Process cases involving foreign national trafficking victims where state court actions can affect immigration status and eligibility for federal Human Trafficking protections. ■ Process cases expeditiously to help protect victims. <p>Justice System and Community Leadership</p> <p>Work with justice and community partners, and policy-makers to:</p> <ul style="list-style-type: none"> ■ establish laws and sanctions for addressing human trafficking; and ■ establish and maintain court, agency, and justice network infrastructure for supporting human trafficking case processing. 	<ul style="list-style-type: none"> ■ Maintain state court records of sufficient quality so that they can be used readily in concurrent or subsequent federal human trafficking, immigration or other proceedings. ■ Provide methods for protecting the safety of human trafficking victims to enable them to testify against their traffickers. ■ Where permitted under law, limit pretrial release for persons charged with human trafficking offenses. ■ Assure speedy trials for human traffickers by eliminating unnecessary delays. ■ Sentence offenders charged with human trafficking crimes appropriately according to the harm done to their victims and the risk of offenders re-victimizing their victims.



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Function	Components	State Court Strategies
<p>Protection, Healing, Making Whole</p>	<p>Case Adjudication</p> <ul style="list-style-type: none"> ■ Connect trafficking victims with a range of appropriate services. ■ Require restitution to victims from traffickers. <p>Justice System and Community Leadership</p> <ul style="list-style-type: none"> ■ Reduce the risks involved in trafficking vulnerable individuals and populations. ■ Establish restorative approaches for addressing the needs of victims, holding offenders accountable for the harm they have done. ■ Address the harm to communities and society from human trafficking 	<ul style="list-style-type: none"> ■ Reduce the risks involved in trafficking vulnerable individuals and populations. ■ Establish restorative approaches for addressing the needs of victims, holding offenders accountable for the harm they have done. ■ Address the harm to communities and society from human trafficking
<p>Empowerment, Adequate Representation, Procedural Justice</p>	<p>Case Adjudication, Justice System, and Community Leadership</p> <p>Assure procedural fairness for all trafficking victims, offenders who benefit from the services of trafficking, and traffickers, particularly:</p> <p>Respect – People react positively when:</p> <ul style="list-style-type: none"> ■ they feel they are treated with politeness, dignity, and respect; ■ their rights are respected; and ■ they understand how things work and what they are expected to do. <p>Voice – People want the opportunity to:</p> <ul style="list-style-type: none"> ■ tell their side of the story; ■ explain their situation/views; and ■ have their stories told to an authority who listens carefully. <p>Neutrality – People are more likely to accept court decisions when those in authority do things that both are, and are perceived as, fair and neutral.</p>	<ul style="list-style-type: none"> ■ Take appropriate steps to assure competent interpretation services for offenders, victims, and witnesses. ■ Take appropriate steps to assure competent legal representation and advice for offenders and victims. ■ Assure that offenders charged with trafficking crimes, trafficking victims charged with crimes related to their victimization, other victims, and witnesses are treated with respect by all court staff and other justice system personnel. ■ Assure that offenders charged with trafficking crimes, trafficking victims charged with crimes related to their victimization, other victims, and witnesses are provided a full opportunity to be heard in a safe forum.

Function	Components	State Court Strategies
<p>Empowerment, Adequate Representation, Procedural Justice (Continued)</p>	<p>Trust – People observe behavior or look for actions to indicate they can trust the character and sincerity of those in authority, and those in authority are aware of and sincerely concerned with their needs.</p> <ul style="list-style-type: none"> ■ Work with justice partners and the community to establish health, safe housing, education, employment, and other options for trafficking victims, and trafficking vulnerable populations. 	
<p>Prevention and Deterrence</p>	<p>Case Adjudication</p> <ul style="list-style-type: none"> ■ Identify potential trafficking-vulnerable, at risk, individuals across a range of criminal, civil, family, guardianship, juvenile, and child protection case types. ■ Follow up on sentencing and service effectiveness in cases involving trafficking victims, potential victims, and traffickers. <p>Justice System and Community Leadership</p> <p>Work with a broad range of justice and community partners to:</p> <ul style="list-style-type: none"> ■ Increase awareness among all court and justice actors, and communities about trafficking types, dynamics, and reduction strategies. ■ Enhance the regulation of and vigilance over trafficking-risky settings and employment sectors such as massage, hair, and manicure parlors, strip clubs, restaurants, bars, pornography production, and the domestic service, construction, agriculture, forestry, and hospitality industries. ■ Implement evidence-based approaches to addressing human trafficking. ■ Address broader societal, as well as population-specific, attitudes and behaviors. 	<ul style="list-style-type: none"> ■ Become familiar with case types that might have a human trafficking component and individual risk factors for potential victims. ■ Make custody and placement decisions for juveniles at risk of becoming human trafficking victims to minimize their vulnerability to human trafficking. ■ Make appropriate use of incarceration and intensive probation to prevent convicted traffickers from engaging in further human trafficking activity.



HUMAN TRAFFICKING
AND THE STATE COURTS COLLABORATIVE



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