



Human Trafficking: State Responses to Modern-Day Slavery

CSG Regional Policy Webinar Series
Presented by CSG South

Named after the North Star that guided slaves towards freedom along the Underground Railroad, Polaris Project's vision is for a world without slavery.

Polaris Project has been providing a comprehensive and community-based approach to combating human trafficking since 2002.

WHAT IS THE DEFINITION OF HUMAN TRAFFICKING?

Action

- Recruits
- Harbors
- Transports
- Provides
- Obtains,
- or so attempts

Means

- Force
- Fraud
- Coercion

Purpose

- Commercial Sex Acts
- Labor or Services

MODEL LEGISLATION

- Polaris Project Comprehensive Model Legislation
- Uniform Law Commission Uniform Act: Prevention of and Remedies for Human Trafficking

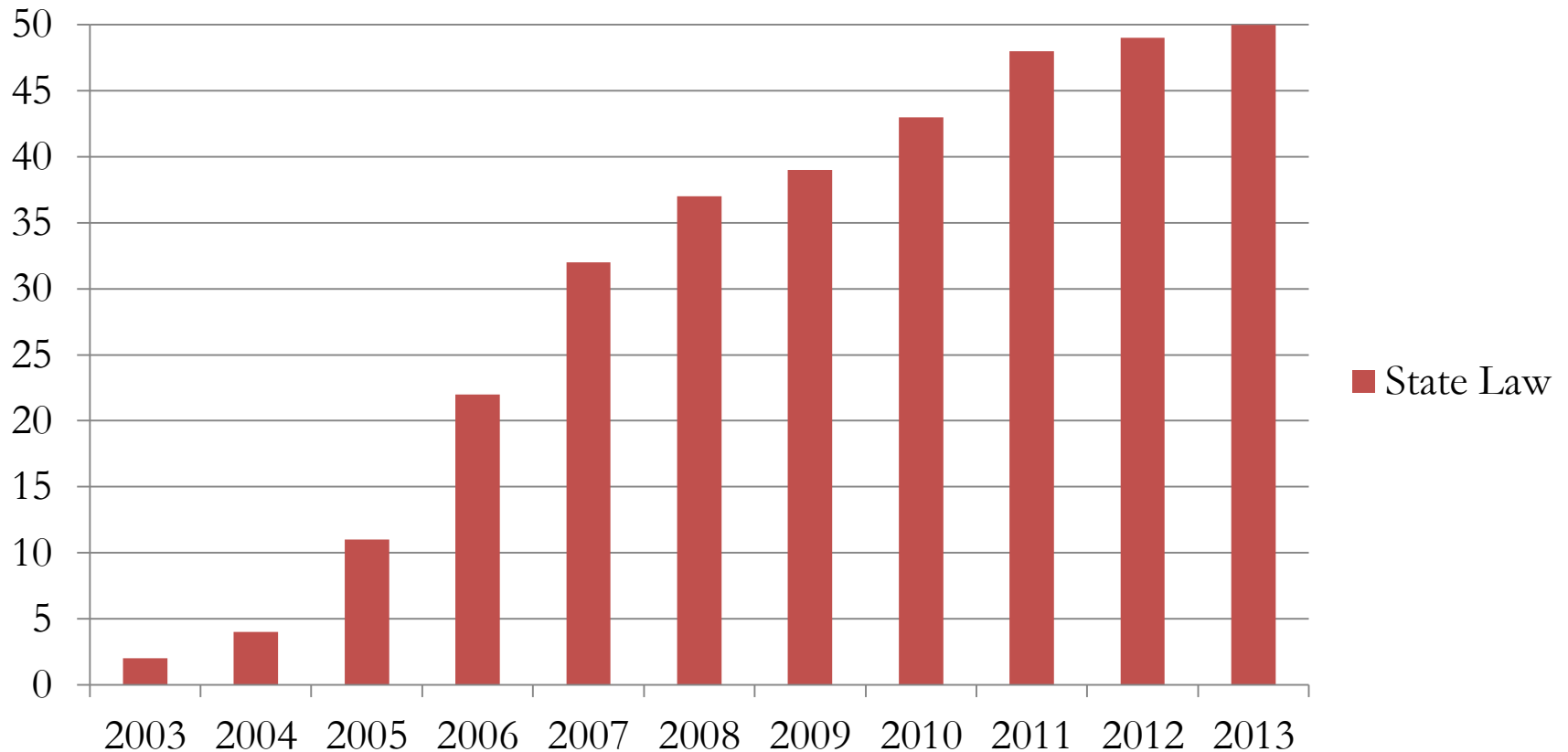


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FOR A WORLD WITHOUT SLAVERY

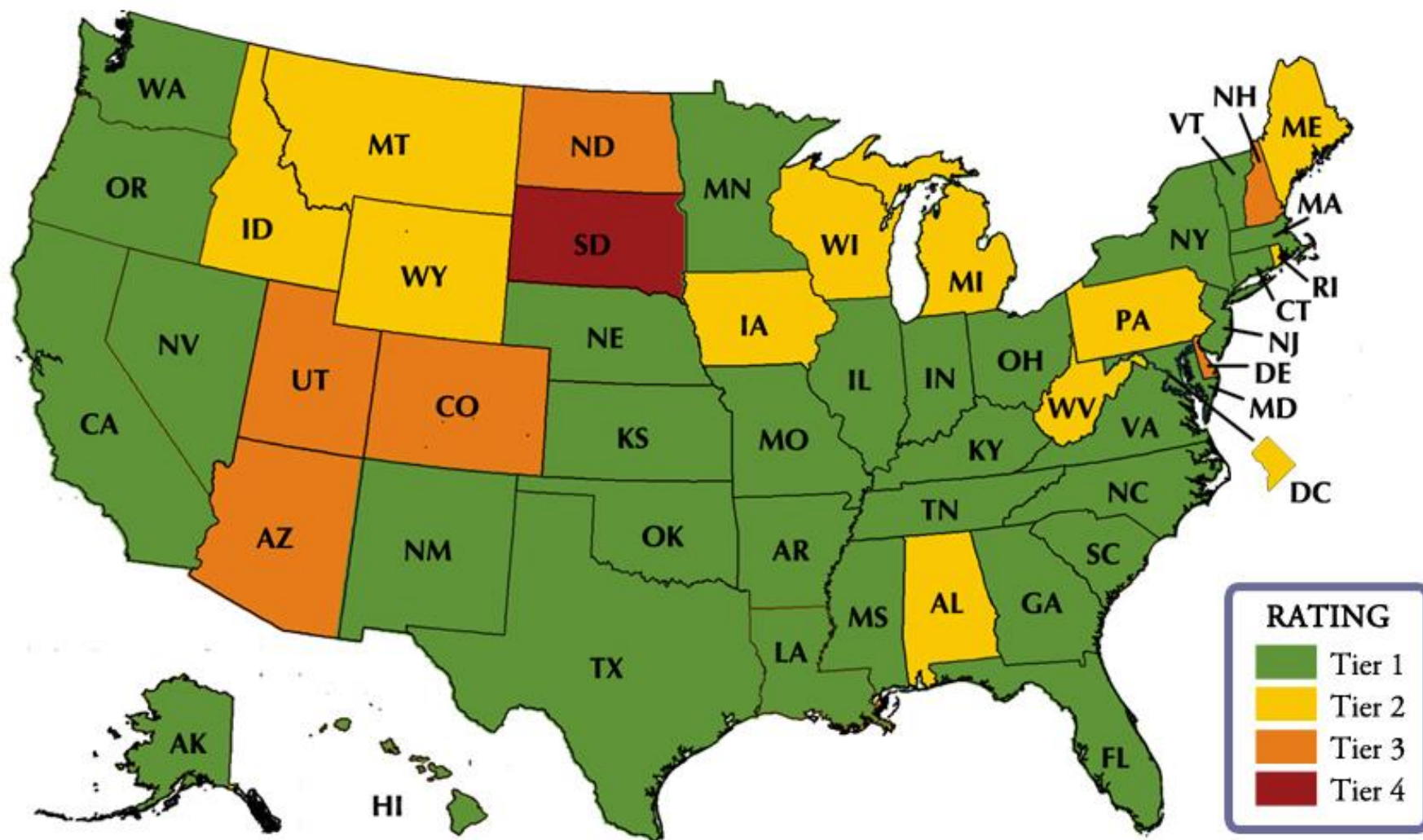
STATE POLICY

State Laws 2003- 2013



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Arkansas

The Human Trafficking Act of 2013

Arkansas' journey in understanding and confronting human trafficking

Senator Missy Thomas Irvin
Assistant President Pro Tempore
Arkansas State Senate
District 18

Understanding our Mission

Listening to our citizens allows us, as legislators, to truly understand the issues our society faces, and to be as effective as possible in crafting the policy.

When it comes to children, it is incumbent upon us to do all we can to protect them. It should be our first priority.



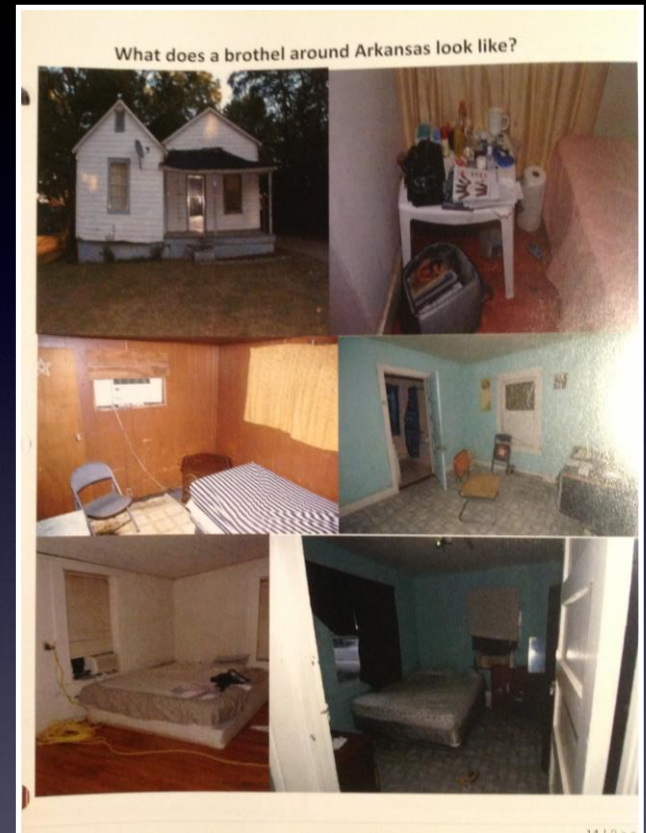
Why Arkansas?

Little Rock, AR

"The defendants were indicted by a federal grand jury in Little Rock, Ark., for conspiracy to commit sex trafficking and sex trafficking for their roles in using force, fraud and coercion to cause juvenile girls and adult women to engage in commercial sex acts. Handy and Cooney allegedly benefitted financially from the conspiracy, which took place from January 2002 to May 2008. Cooney admitted in open court that many of his victims were among the ages of 14 through 18. In order to keep them in the house, Handy provided one of the 16 year olds with cocaine and got her addicted. He provided her with free cocaine as long as she did tricks. Most of the sexual acts occurred in hotel rooms."

DISCOVERY: The Little Rock police department was tipped off and then informed the FBI

Human trafficking is the second largest criminal enterprise in the world, bringing in \$32 billion annually.



Worldwide Victims between 700,000-2 million annually.
United States - 50,000 annually
- Catholic Charities of Arkansas

Arkansas' Grade: Polaris Project

- In 2012, Arkansas ranked in the bottom Tier 4 with a score of 2
- In 2013, Arkansas moved into the top Tier 1 with a score of 10.5
- Arkansas, and 3 other states, achieved "most improved" status in 2013 Annual Report



Building our Team

Bi-partisanship played a huge role in addressing this issue as 'Modern Day Slavery'

Senator Missy Irvin (R)

Senator Joyce Elliott (D)

Senator Jason Rapert (R)

Representative David Meeks (R)

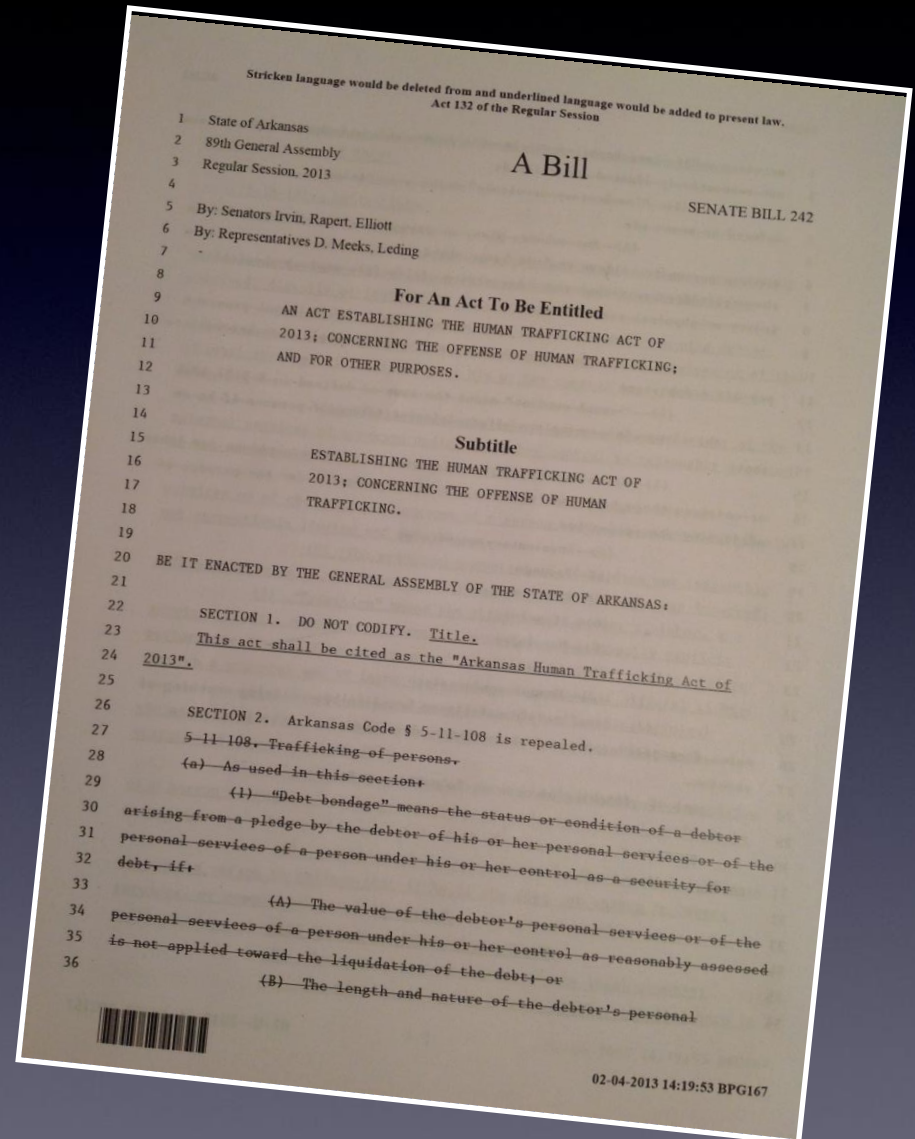
Representative Greg Leding (D)



Tackling the legislation

Months of editing and understanding all issues associated with this crime

- Repealed previous law, Arkansas Code 5-11-108, Class A Felony
- Definitions; expanded
- Trafficking of Persons defined
- Patronizing a victim
- Enhanced liability of an organization convicted of an offense
- Prostitution: affirmative defense if victim
- Sexual Solicitation: affirmative defense if victim
- Human Trafficking Task Force
- Class Y Felony - inclusion of Trafficking of Persons
- Civil Cause of Action for Victims



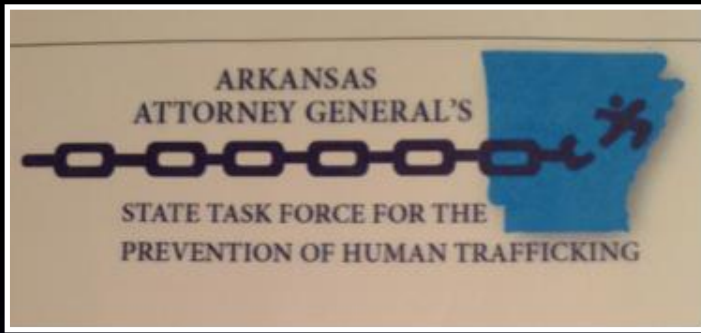
Significant Policy Achievements, Polaris Project

- Sex Trafficking Provision
- Labor Trafficking Provision
- Asset Forfeiture and/or Investigative Tools
- Training and/or Human Trafficking Task Force
- Posting Human Trafficking Hotline
- Safe Harbor: Protecting Minors (law does not provide both services for the child and immunity from prosecution/diversion from juvenile delinquency proceedings)
- Lower Burden of Proof for Sex Trafficking of Minors
- Victim Assistance
- Access to Civil Damages
- Vacating Convictions for Sex Trafficking Victims (meets partial requirements)

Arkansas Attorney General's State Task Force for the Prevention of Human Trafficking



November 19, 2013



Human Task Force Committee List

- Development of State Plan
- Coordination/Collection/Sharing Information
- Establishment of State Time Limits
- Establishment of Policy on Victims
- Public Awareness
- Timeline & Law Enforcement Training
- Report & Recommendations



Governor Mike Beebe signing The Human Trafficking Act of 2013



Senator Missy Thomas Irvin
Assistant President Pro Tempore
Arkansas State Senate, District 18
email: missy.irvin@senate.ar.gov
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Human Trafficking in Georgia



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What is CSEC???

■ CSEC

- Is sexual exploitation of **minors**
- Includes both girls and boys but emphasis at present is on the girls
- Is both domestic and international minors

■ Human Trafficking

- Misconception: Is thought to be only international in scope
- Is both domestic as well as international
- Has both adult and minor victims
- Is for **both** labor and sexual servitude



Types of CSEC

- Street prostitution
- Pornography
- Stripping
- Erotic/nude massage
- Internet based exploitation
- Phone sex lines
- Private parties
- Gang-based prostitution
- Interfamilial pimping
- Escort services

What's happening in Georgia:

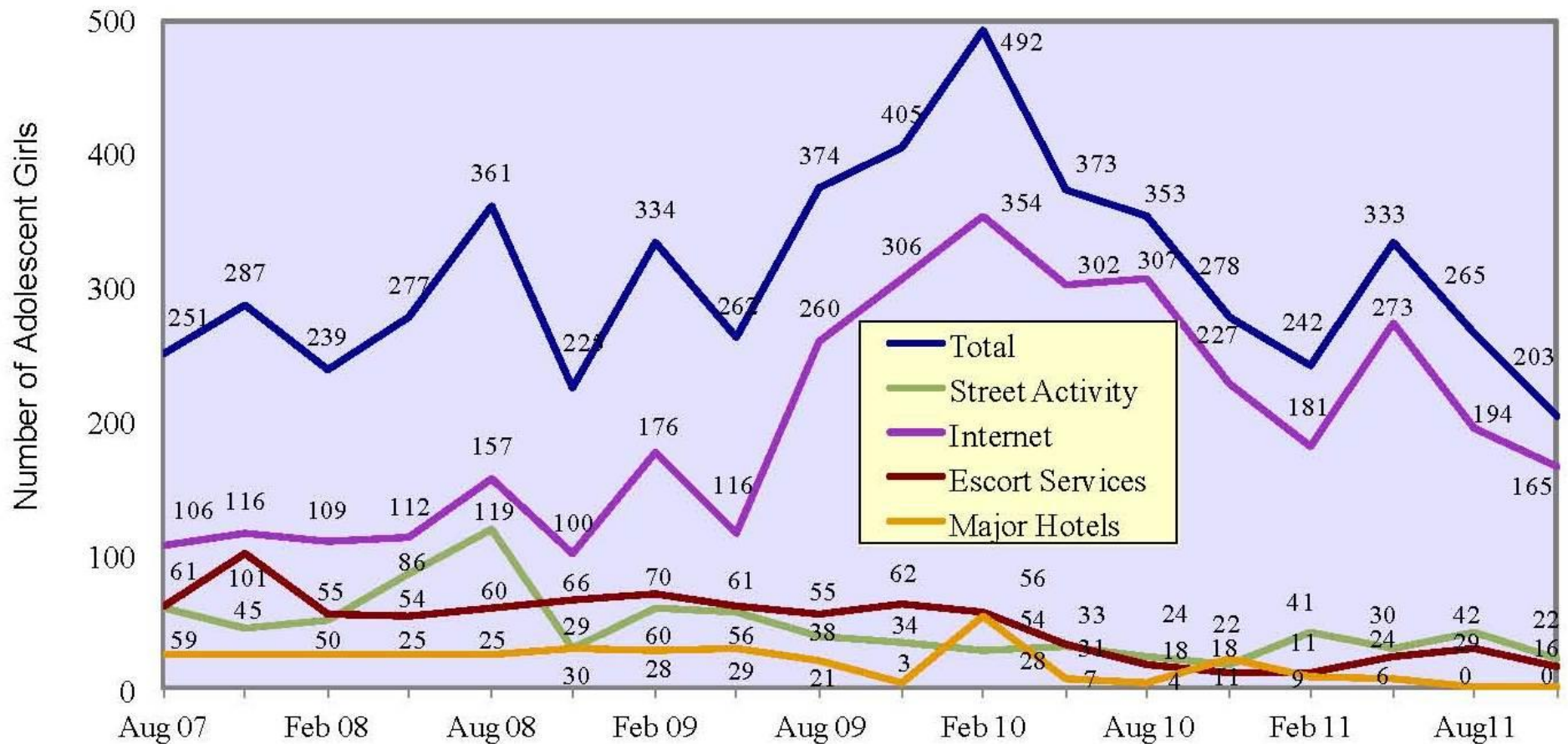
- **300 to 500 girls each month** are commercially sexually exploited in in Georgia. Governor's Office For Children and Families, 2010.
- **7,200 men per month** buy sex from adolescent girls in Georgia. That's 28,000 per year. Schapiro Group Demand Study, 2010.
- While most buyers do not seek out adolescents per se, **47% are willing to pay for sex with a child even after 3 progressive warnings that she is under-age.** Schapiro Study.
- Demand for CSEC is driven by a wide range of men from across GA, not by a small group of sexual predators or pedophiles. Schapiro Study.
- Schapiro Study available at www.wfnet.org





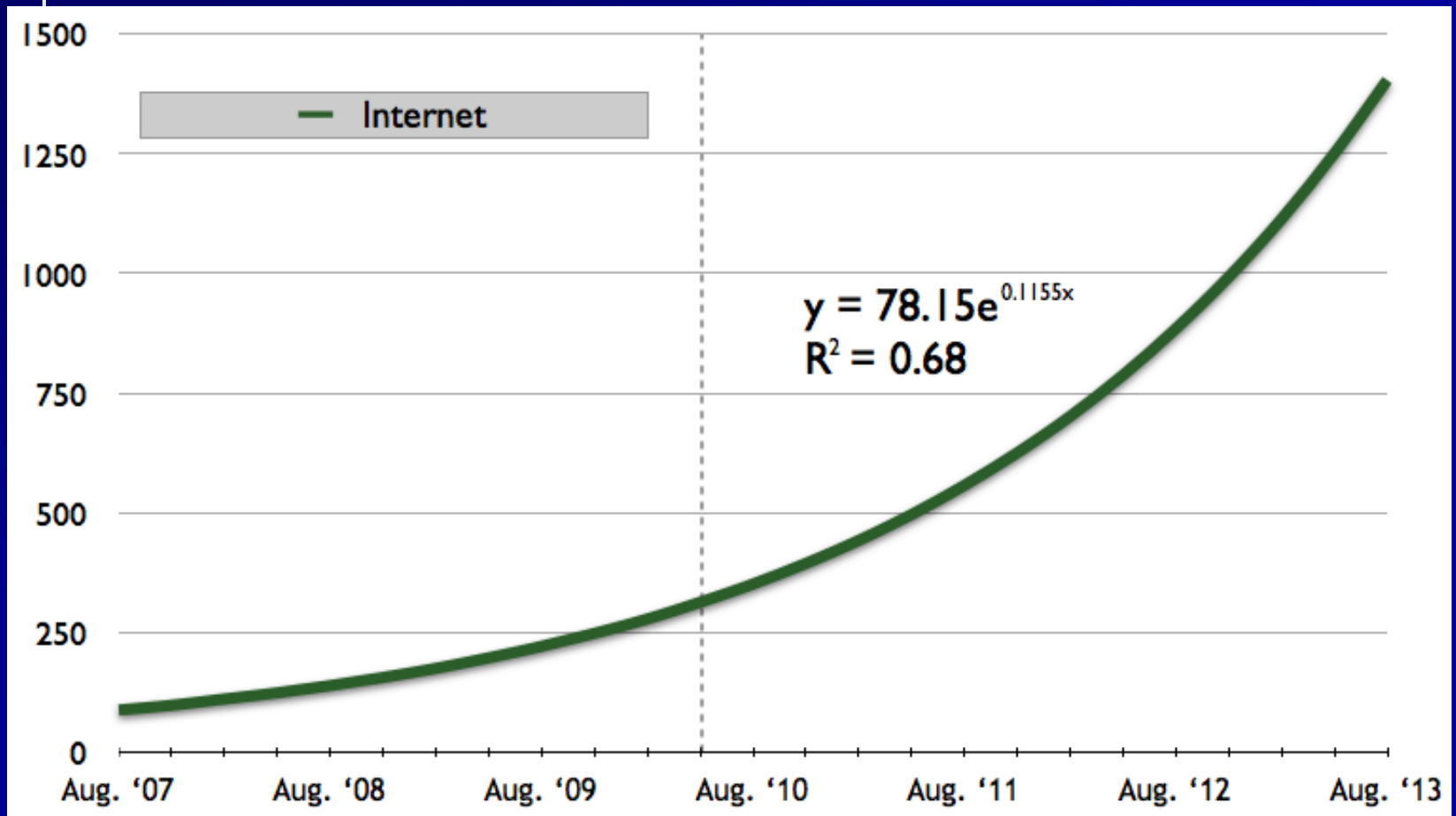
Almost 350 Adolescent Females Victimized by CSEC Per Month

Adolescent Girls in Georgia's Sex Trade ²



Adolescent Females Victimized by CSEC Per Month

Forecasting Georgia Internet Activity



Data provided by The Shapiro Group courtesy of the Georgia Governor's Office for Children & Families

Is there a BOY problem?



“...as high as 50% of the CSEC children in the U.S. are **BOYS**”

-ECPAT USA, And Boys Too Study (2013)

NOT JUST GIRLS...

- High rates of childhood sexual abuse and street sexual victimization were reported
 - **More injuries** from violence (i.e. broken jaws, stabbings, burns, bruises and scars)
- Boys enter the sex trade in order to meet their basic needs: *Money, shelter, food, drugs, clothing, and transportation*
 - *Disproportionately high drug use!*
- Majority of CSEC boys are **heterosexual**
- Average age of entry **11 to 13 years old**

-ECPAT USA, And Boys Too Study (2013)



March 7, 2012
The Atlanta Journal-Constitution
By David Ibata

An Atlanta drag show personality pleaded guilty Wednesday in a human trafficking case out of Douglas County and was sentenced to serve at least 14 years in prison.

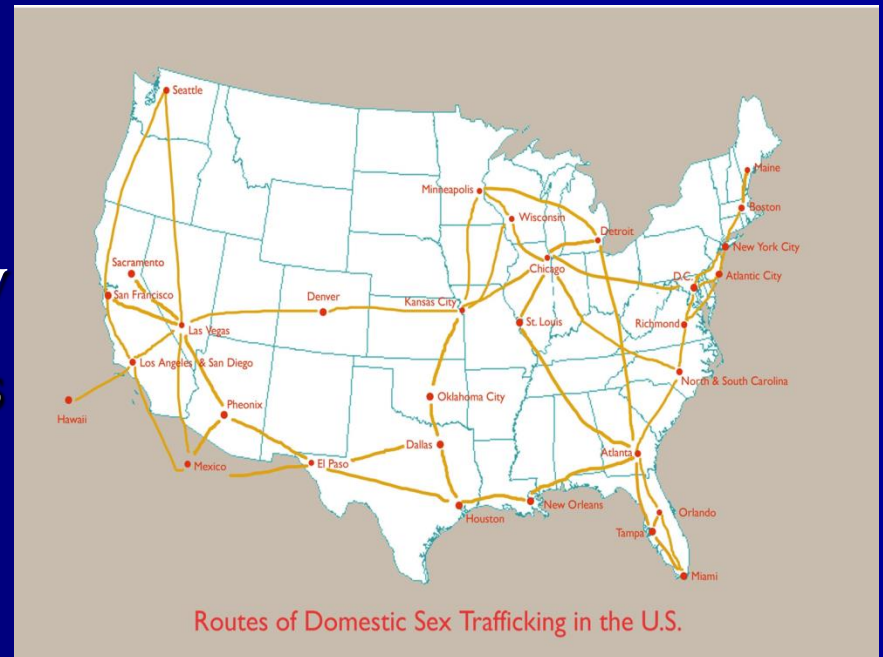
Lynch pleaded guilty to two counts of sexual exploitation of a child, one count of pimping a victim under the age of 18 and one count of pandering by compulsion.

Most of their alleged victims were **runaways**, investigators have said. Douglas Sheriff's deputies identified victims in Georgia, Alabama and South Carolina in a trafficking scheme that allegedly had been going on for **two to three years.**

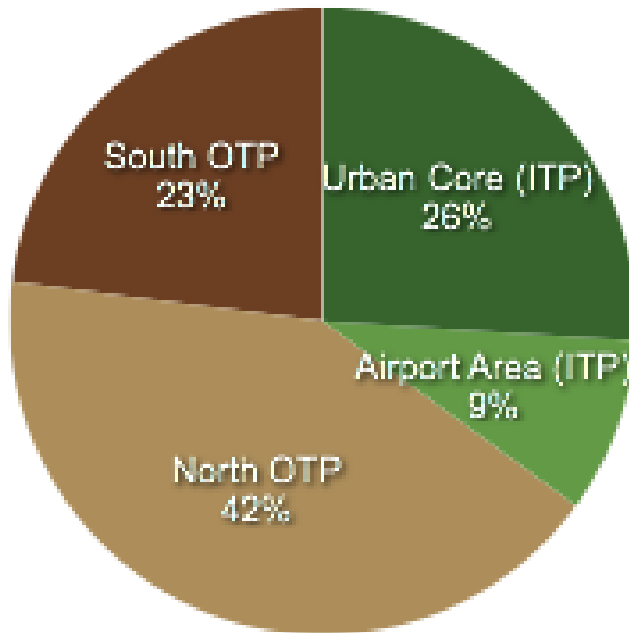
Atlanta is a hub for the prostitution of children

The FBI has named Atlanta as one of 14 cities in the U.S. with the highest incidence of children used in prostitution

- Prostitution by appointment
- Hartsfield Airport
- Adult entertainment industry
- Large hotels with busy lobbies
- Motels near strip clubs
- Escort service call centers



Not Just An Atlanta Problem



- Majority of men responsible for CSEC come from outside Atlanta
- Men place “orders” from locations all over GA
- About ½ prefer the girl to come to his locale
- 15-20% of GA escort services cater to men outside metro

Why is it such a BIG problem?

- Undetected
- Renewable Resource
- Access to supply
- High demand
- LUCRATIVE



The Truth About CSEC

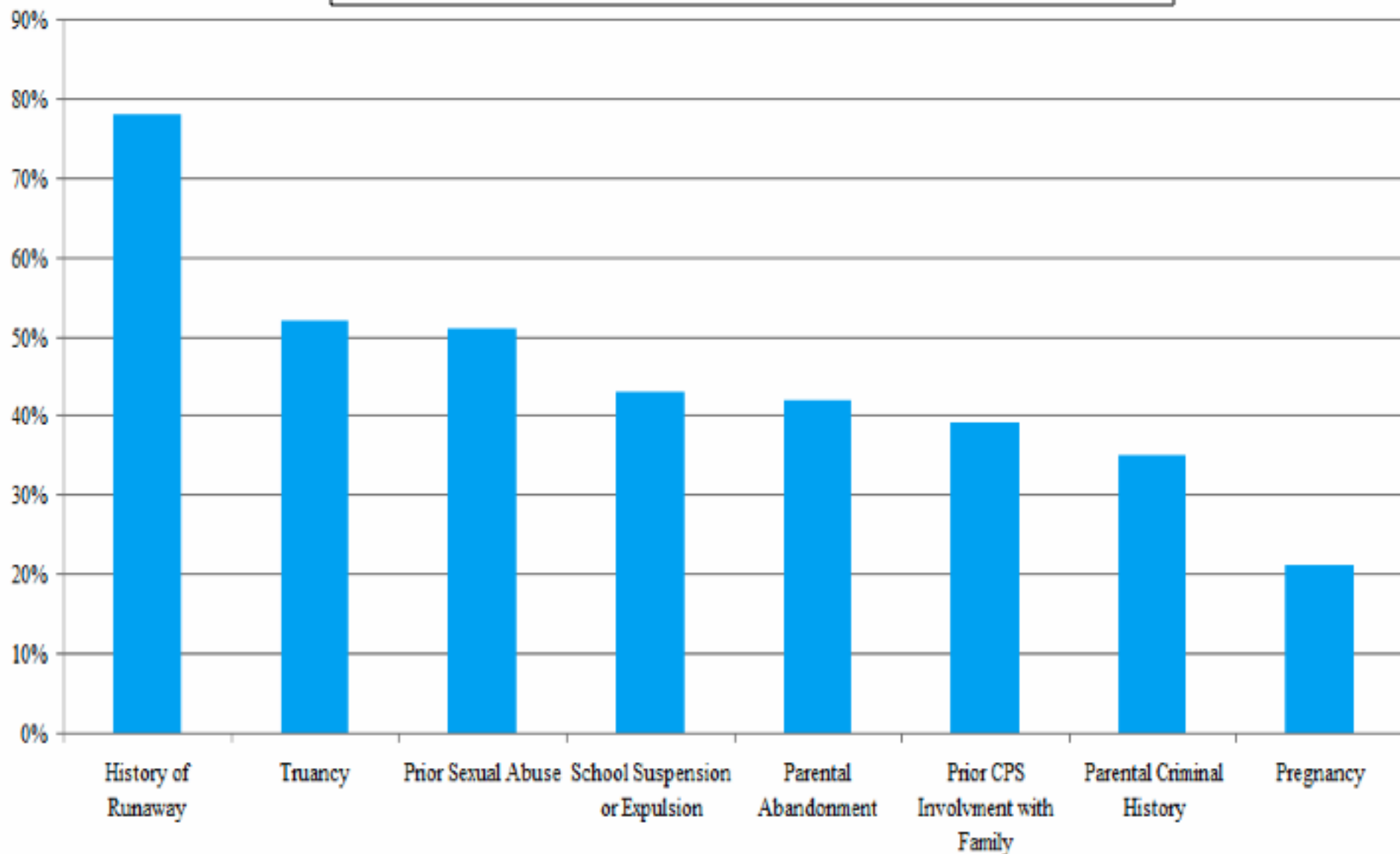
1. Victims don't "choose" prostitution.
2. Victims are young & vulnerable kids.
 - Average age of entry is 12-14 years old
 - Overwhelming number are runaways
 - **70-90% have been sexually abused**
 - Most come from troubled homes
 - Abuse, neglect, parental crime & addiction
 - Truancy and school problems are common



Figure 1

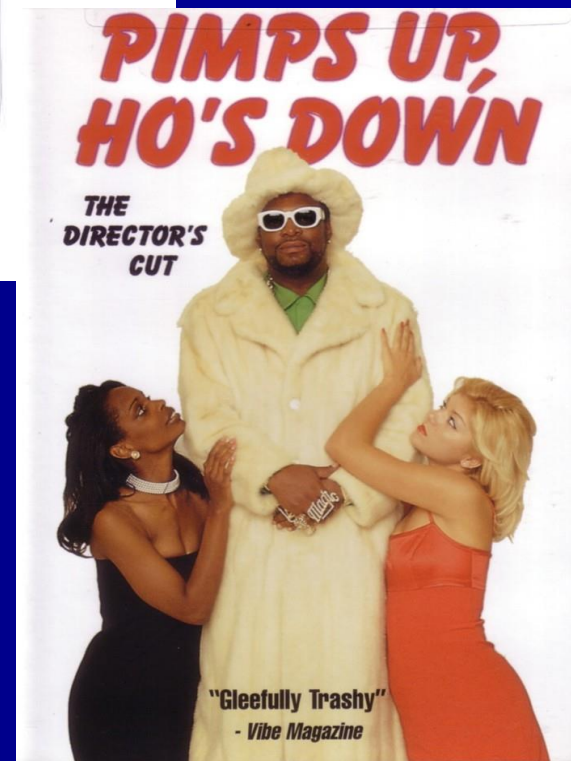
Entry Into Prostitution Risk Factors

Dallas Police Dept. Victims of Prostitution Case Review/Comparison





ties Standards:



Victims Portrayed...

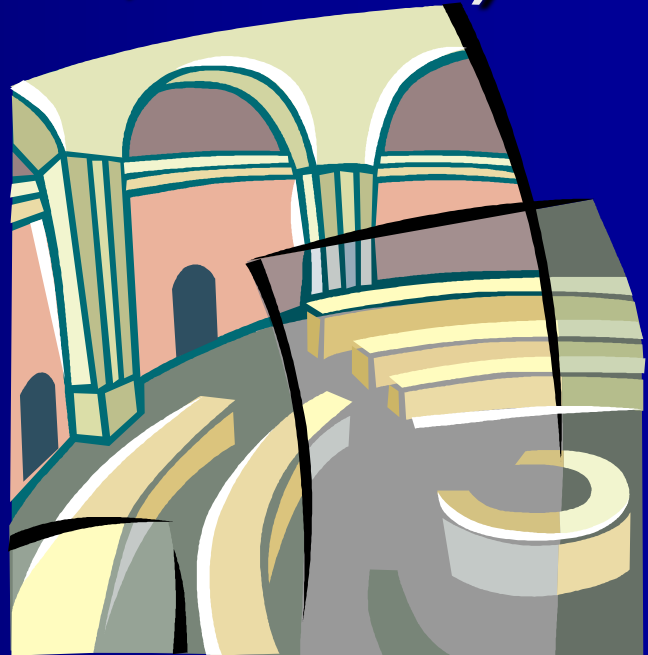
50 Cent P.I.M.P. Lyrics:

I told you fools before, I stay with the tools
I keep a Benz, some rims, and some jewels
I holla at a hoe til I got a ***** confused
She got on Payless, me I got on gator shoes
I'm shopping for chinchillas, in the summer they cheaper
Man this hoe you can have her, when I'm done I ain't gon
keep her
Man, *****es come and go, every ***** pimpin know
You saying it's secret, but you ain't gotta keep it on the low
***** choose with me, I'll have you stripping in the street
Put my other hoes down, you get your *** beat
Now Nik my bottom ***** , she always come up with my
bread
The last ***** she was with put stitches in her head
Get your hoe out of pocket, I'll put a charge on a *****
Cause I need 4 TVs and AMGs for the six
Hoe make a pimp rich, I ain't paying *****
Catch a date, suck a *****, shiiit, TRICK

THE LAW:

HB 200

(Enacted July 1, 2011)



- Limits defenses for **Traffickers**- V's sexual history, relation to D, age of consent, D's lack of knowledge of V's age
- Provides affirmative defenses if "defendant" was being trafficked for sexual servitude
- Increase penalties for human trafficking w/ Coercion & Deception:
- Property of Traffickers subject to forfeiture under RICO statutes
- Increase penalties
 - V 16-18: 5-20 years and fine up to \$10,000
 - V <16: 10-30 years and fine up to \$100,000
- Eligibility for Victim compensation and Train LEO
- GBI has jurisdiction to investigate violations of human trafficking law

- **Trafficking of a Person for Labor or Sexual Servitude O.C.G.A. § 16-5-46**

- Any person who:

- Knowingly
 - Recruits, entices, harbors, transports, obtains or maintains
 - Another person
 - For the purpose of labor or sexual servitude

- **PENALTY:** 10 to 20 years imprisonment if the victim is age 16-18 **and** without deception

- Child **UNDER** 18: 25-50 years of life with coercion and deception, \$100,000 Maximum Fine

■ **Pimping O.C.G.A. § 16-6-11**

– Any person who:

- Offers or agrees to obtain/arrange meeting/ directs/ transports/receives money/ aids counsels or commands a prostitute for another person;

■ **PENALTY:** Felony when a child under age 16-18 is prostituted = 5 -20 years imprisonment and fines.

■ Child **UNDER 16**: 10-30 years, \$100,000 max fine

Pandering O.C.G.A. §16-6-12

- Any person who
 - Solicits a person to perform an act of prostitution for himself or others, or
 - Knowingly assembles others at a place to be solicited for prostitution.
- **PENALTY:** Felony when a child under age 16-18 is prostituted = 5 to 20 years imprisonment and fines.
- Child **UNDER 16**: 10-30years, \$100,000 max fine

Keeping a Place of Prostitution

O.C.G.A. § 16-6-10

- Any person who
 - Knowingly
 - Permits the use of a place in his control
 - For the purposes of prostitution
- **PENALTY:** Felony when a child under age 16-18 is prostituted = 5 to 20 years imprisonment and fines.
- Child **UNDER 16**: 10-30years, \$100,000 max fine

Sexual Exploitation of Children

O.C.G.A. § 16-12-100

- Any person who
 - Knowingly uses, entices, or coerces a minor to
 - Engage in sexually explicit conduct
 - For the purpose of
 - Producing a visual medium of the conduct or a performance
 - Knowing the victim is a child under age 18

OR

- Any person having custody or control of a child under age 18 who knowingly permits that child to participate in the above.

OR

Sexual Exploitation of Children

O.C.G.A. § 16-12-100 *continued...*

- Any person who
 - Knowingly
 - Creates or reproduces,
 - Promotes, advertises, sells, distributes, or possesses with intent to sell or distribute,
 - Brings into Georgia or
 - Possesses a visual medium depicting a child or a portion of the child's body
 - Engaged in sexually explicit conduct
 - Knowing the child is under age 18.

PENALTY- 5 to 20 years imprisonment and fine and forfeiture of proceeds/property used to facilitate the offense.

Cruelty to Children

O.C.G.A. § 16-5-70

- Any person who
 - Intentionally (1st degree) or recklessly (2nd degree)
 - Causes a child under age 18
 - To experience cruel or excessive physical or mental pain.
- **PENALTY-**
 - 1st degree- 5 to 20 years imprisonment
 - 2nd degree- 1 to 10 years imprisonment

Enticing a Child for Indecent Purposes

O.C.G.A. § 16-6-5

- Any person who
 - Solicits, entices, or takes to any place
 - A child under age 16
 - For the purpose of committing child molestation or indecent acts
- PENALTY
 - Misdemeanor if victim is between 14 and 16, AND the defendant is age 18 or younger and not more than 4 years older than the victim.
 - In all other cases, 10 to 30 years imprisonment

Other Related Charges...



Full Range of CSEC Offenses

There are **50 other CSEC-related offenses** that may be used to prosecute offenders and strengthen sentences:

- Child-specific offenses
- Sexual offenses
- Violent offenses
- Kidnapping and false imprisonment
- Child pornography
- Organized crime and street gangs
- False identification

What can I do?

- Educate Yourself and others!
- Talk to your legislators
- Volunteer
- See something, say something

