

“LOOK BENEATH THE SURFACE”

The Greater Phoenix Area Human Trafficking Task Force’s
Human Trafficking Training Seminar

An in-depth investigative article presented to the Maricopa County Adult Probation supervision and staff to educate and raise the level of awareness on how to identify and report potential victims of a modern day manifestation of the slave trade, namely,

Human Trafficking

By

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In conjunction with

Daniel G. Knauss, the United State Attorney, District of Arizona Office, 2007

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TABLE OF CONTENTS

	Page
Objective – <i>Look Beneath The Surface</i>	1
Introduction.....	2
What is Human Trafficking?	2
Smuggling Versus Human Trafficking	2
Human Trafficking Victim Profiles	3
Trafficking Victims Protection Act (TVPA).....	3
Who are the Human Traffickers?	3
Trafficking Indicators.....	3
The Victim Centered Approach	4
Temporary Visa (T-Visa).....	4
Providing Services for Victims	4
Victim Interview Considerations	4
How Severe Trauma Affects Trafficking Cases	4
How Adult Probation Officers Can ‘Look Beneath The Surface’	4
Trafficking and Evidenced-Based Practice in Probation	4
Important Web-Based Trafficking Resources.....	5
List of Participants.....	5
Distinguished Speakers / Guests	5
Article Reviewers.....	5
Acknowledgments	6
Bibliography.....	7

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Introduction

Recently, Adult Probation Officers Joshua Kelley and James Purucker attended the Greater Phoenix Area Human Trafficking Task Force’s Human Trafficking Training Seminar held at Glendale Community College. The objective of this event was to orient law enforcement and others, including Adult Probation, to the issue of human trafficking by increasing awareness and promoting the need for a coordinated and effective community response. The topics and subsequent commentary below chronicles our experience at the seminar with hopes that this department will be able to obtain an enhanced understanding and awareness of these critical issues.

What is Human Trafficking?

According to U.S. Attorney, Daniel G. Knauss, “human trafficking is a modern-day manifestation of the slave trade.”

Some noteworthy indicators of human trafficking include:

- Is the victim in possession of identification and travel documents; if not, who has control of the documents?
- Was the victim coached on what to say to law enforcement and immigration officials?
- Was the victim recruited for one purpose and forced to engage in some other job?
- Is the victim’s salary being garnished to pay off a smuggling fee?
- Was the victim forced to perform sexual acts?
- Does the victim have freedom of movement?

Smuggling versus Human Trafficking

In an effort to clearly define the scope of human trafficking, it is necessary to distinguish it from the practice of smuggling. Smuggling is an offense against the integrity of the U.S. borders and requires an illegal crossing of said border, whereas, trafficking, is an offense against a person and does not require the crossing of borders.¹ According to the Greater Phoenix Area Human Trafficking Task Force, “smugglers generally terminate their ‘business

¹ Greater Phoenix Area Human Trafficking Task Force Seminar, Glendale Community College, October 30, 2007

relationship' with an individual once an alien has reached the border. Traffickers, on the other hand, maintain ongoing control over their victims, even after the border is crossed." According to U.S. Immigration and Customs Enforcement, "smuggling is transportation-based and trafficking is exploitation-based. Smuggling and trafficking are not interchangeable terms."²

What are some possible "profiles" of human trafficking victims?

Federal law defines a victim as, "a person directly and proximately harmed by the commission of a crime". As it relates to human trafficking, the *Victims of Trafficking and Violence Protection Act of 2000* recognizes two distinct features of victimization. A victim can be involved in "sex trafficking in which a commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such an act is under 18"; or someone caught up in the "recruitment, harboring, transportation, provision or obtaining of a person for labor or services through the use of force, fraud or coercion of the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery."³ All too often, actual *victims* of trafficking tend not to identify themselves as such. Since many of these victims are in the United States illegally, cultural barriers, such as language, can serve to increase dependency of victims unto traffickers.

Who are the human traffickers and how do they get their power?

Often times, traffickers are members of their victim's ethnic or national community, and sometimes, can even be members of the victim's own family. Many have "diversified trafficking portfolios", meaning that they smuggle drugs and guns in addition to human beings.³ To the dismay of many, penalties for human trafficking usually are less severe than the penalties for running drugs or guns. While psychological coercion is the main tactic traffickers use to control their victims, other methods used include, but are not limited to: beatings, burning, rapes, starvation, isolation, drug dependency, document withholding, debt bondage, threats of deportation and threats against the victim's family or friends.³ A common scheme employed by traffickers is to confiscate a victim's travel and identity documents, telling them that if they attempt to escape, the victims or their families will be harmed, or that their families will be forced to assume the debt they once owed.

Here are some indicators of a trafficking home/place of business:

- Multitude of locks on premise or area restrictions
- Bars on windows
- Large number of occupants in relation to the living space
- Suspicious amount of "patrons" in and out of the area
- People living on or near work premise

How should we deal with victims?

² U.S. Immigration and Customs Enforcement, "Trafficking vs. Smuggling" Promotional Wallet Card, www.ice.gov. 2007

During investigative efforts, trafficking victims are likely to lie or use rehearsed stories initially, may be behaviorally dependent on those exploiting them, and can be reluctant to speak to persons in uniform or individuals they suspect to be law enforcement.³ Efforts to forge a stronger trust between victims and investigators have placed an emphasis on a victim-centered approach, that, if implemented correctly, can effectively facilitate the prosecution of suspected traffickers. The Trafficking and Violence Protection Act of 2000 is based on such an approach, with an aim at providing resources and reasonable safeguards for those deemed victims. Protection and assistance for victims of trafficking under the law include “making housing, educational, health care, job training and other federally-funded social service programs available to assist victims in rebuilding their lives”.³ In some cases, a temporary visa (T-Visa) can be issued allowing victims to temporarily become residents of the United States. The *Trafficking and Violence Protection Act* authorizes us to 5,000 victims of trafficking each year to receive permanent residence status after three years from issuance of their temporary residency visas.⁵ Other entities, such as Catholic Charities of Arizona with their Sex Trafficking Outreach Program (S.T.O.P.), have contributed by offering information and resources to women and children in communities with palpable prostitution activity. By doing so, they hope to be able to identify those individuals who may be victims of trafficking.

Victim Interview Considerations

As stated earlier, most trafficking victims suffer extreme physical and psychological trauma as they are deprived of food, water, sleep, medical care and other basic life necessities. Trafficking offenders threaten to physically harm, deport, and even torture victims, in the event they should try to notify anyone or attempt escape. With this in mind, it is vitally important that Adult Probation Officers, as potential interviewers of trafficked victims, recognize their non-verbal cues and allow them to set the tone of the interview, thereby regulating its pace. It is helpful to use informal conversation to set the victim at ease as they may be reluctant, initially, to speak to someone in authority. As with all interviews, we should never make promises we cannot keep. In the end, conveying a sense of safety to emancipated victims is of paramount importance.³

Evidence Based Practice in motion

The Greater Phoenix Area Human Trafficking Task Force coordinated an elaborate and eye-opening seminar focused on educating law enforcement, business and community leaders on how to identify and report potential victims of trafficking. The consensus among Task Force participants is that by promoting awareness of human trafficking, we can take monumental strides in combating this modern-day manifestation of the slave trade. By utilizing an informed, coordinated response, law enforcement, probation, the legal community, non-government organizations, forward-thinking business and community leaders, volunteers and others can perform their respective duties while simultaneously implementing evidence-based strategies to prevent, identify and combat this heinous crime from taking place from within our communities.

³ Trafficking Victims Protection Act of 2000 Fact Sheet. Rescue and Restore Foundation

For more information on this topic, please visit the following websites:

- www.traffickingaz.org (ALERT – Arizona League to End Regional Trafficking)
1-877-76-ALERT
- www.ice.gov (Immigration and Customs Enforcement)
- www.catholiccharitiesas.org

LIST OF PARTICIPANTS

Distinguished Speakers/Guests

Ann Harwood, First Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona

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⁴ Knauss, Daniel G., Re: "Human Trafficking Training Seminar – LOOK BENEATH THE SURFACE" Letter to the author, 04 Oct 2007

⁵ Catholic Charities Community Services, Re: "Human Trafficking – S.T.O.P. – Sex Trafficking Outreach Program" Promotional material to the author, 04 Oct 2007

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