

HUMAN TRAFFICKING

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Myths Associated with Human Trafficking

Myth or Fact #1:

All Prostitutes Are Willing Participants

Myths Associated with Human Trafficking

Myth or Fact #2:

**All Immigrants Smuggled into the
United States Enter Willingly**

Myths Associated with Human Trafficking

Myth or Fact #3:

**All Participants Involved in
Human Trafficking Are Criminals**

Myths Associated with Human Trafficking

Myth or Fact #4:

**Human Trafficking Is Crime
Prosecuted Only at Federal Level**

Human Trafficking: What Is It?

- Human trafficking is a form of modern-day slavery
- Victims of trafficking exploited for commercial sex or labor purposes
- Traffickers use force, fraud or coercion to achieve exploitation

Human Trafficking: What Is It?

Sex Trafficking: Commercial sex act induced by force, fraud or coercion, or in which person performing the act is under age 18.

- ▣ *Victims can be found working in massage parlors, brothels, strip clubs, escort services*

Labor Trafficking: Using force, fraud or coercion to recruit, harbor, transport, obtain or employ a person for labor or services in **involuntary servitude, peonage, debt bondage or slavery**

- ▣ *Victims can be found in domestic situations as nannies or maids, sweatshop factories, janitorial jobs, construction sites, farm work, restaurants, panhandling*

INTERNATIONAL CRIME INDUSTRIES:

1. Illegal drugs

2. Arms trafficking

3. Human trafficking



\$32 billion
generated annually

\$15.5 billion
from industrialized
countries

Data source: United Nations Office on Drugs and Crime

Compared to Drugs or Arms, Human Trafficking:

- Is more profitable
- Produces continuous profits
 - Involves less risk



WHY? \$\$\$\$\$\$

- Supply and Demand
 - ▣ MARKET
- Repeated profit
 - ▣ RESOLD
- Possession not illegal
 - ▣ Harder to prove



TRAFFICKING INTO THE U.S.

Between

14,500-17,500

human beings trafficked into the U.S.

ANNUALLY

Data source: U.S. Department of State

WISCONSIN
TRAFFICKING
STATUTES

§940.302 & §948.051

WISCONSIN ACT 116 2007
ENACTED MARCH OF 2008

Human Trafficking: §940.302(2)(a)

Class D felony; \$100,000 fine ,25 years prison, or both

1) ACTION

Knowingly...
Recruiting
Enticing
Harboring
Transporting
Providing
Obtaining

... an individual *without consent* of the individual

OR

Attempting to do so

2) MEANS

Done by any of the following...

- Causing or threatening to cause bodily harm to any individual
- Causing or threatening to cause financial harm to any individual
- Restraining/threatening to restrain any individual
- Violating or threatening to violate a law
- Controlling identification documents
- Extortion
- Fraud or deception
- Debt bondage
- Controlling any individual's access to an addictive controlled substance
- Using any scheme/pattern to cause an individual to believe that any individual would suffer bodily harm, financial harm, restraining, or other harm

3) PURPOSE

For the purpose of...

Commercial
Sex act

Or

Labor or services

Human Trafficking: §940.302(2)(b)

Class D felony; \$100,000 fine, 25 years prison, or both

Person benefits in any manner
from human trafficking

+

Person knows that these
benefits came from
human trafficking

U.S. CHILD SEX TRAFFICKING

- In 2011 the U.S. Department of Justice estimated between 200,000 and 300,000 children were being forced into prostitution at any given time and that the average age of a new child prostitute was **13**.
- As many as 2.8 million children run away each year in the US. Within 48 hours of hitting the streets, one-third of these children are lured or recruited into the underground world of prostitution and pornography.
 - *The National Center for Missing and Exploited Children*

Trafficking of a Child: §948.051(1)

Class C felony; \$100,000 fine ,40 years prison, or both

(1) ACTION

Trafficking of a child
means knowingly...

Recruiting
Enticing
Harboring
Transporting
Providing
Obtaining

... a child

OR

Attempting to do so

A
N
D

(2) PURPOSE

For the purpose of...

Commercial
Sex act

Or

Sexually explicit
performance

FOR THE PURPOSE OF:

□ Commercial Sex Act

- Sexual contact for which anything of value is given to, promised, or received, directly or indirectly, by any person

□ Sexually Explicit Performance

- Live or public act intended to arouse or satisfy the sexual desires or appeal to the prurient interest of persons (US DOJ Model anti-trafficking crim. Stat.)
- Live or public act intended to arouse or satisfy the sexual desires or appeal to the prurient interest of patrons or viewers, whether public or private, live, photographed, recorded or videotaped (Polaris Project model legislation)

(3) VICTIM IS UNDER 18

- Knowledge of victim's age is not required
- Mistake of age is not a defense

Trafficking of a Child: §948.051(2)

Class C felony; \$100,000 fine, 40 years prison, or both

**Person benefits in any manner
from trafficking of a child**

+

**Person knows that these benefits
came from trafficking of a child**

WI Affirmative Defense: §939.46(1m)

939.46 (1m) A victim of a violation of s. 940.302 (2) or 948.051 has an affirmative defense for any offense committed as a direct result of the violation of s. 940.302 (2) or 948.051 without regard to whether anyone was prosecuted or convicted for the violation of s. 940.302 (2) or 948.051.

Sexual Exploitation of Children Crimes

- Sexual assault of a child §948.02 & §948.09
- Sexual Exploitation of a child §948.05
- Incest §948.06
- Child Enticement §948.07
- Use of a computer to facilitate a child sex crime §948.075
- Soliciting a child for prostitution §948.08
- Possession of child pornography §948.12
- Pandering §944.33(2)
- Keeping a Place of Prostitution §944.34(1)

WHO ARE THE VICTIMS?

- ANYONE - from a range of backgrounds
- Vulnerable POPULATIONS:
 - **Runaway and homeless youth;**
 - vulnerable to recruitment tactics and methods of control
 - Undocumented immigrants;
 - lack of legal status and protections, language barriers, limited employment options, poverty and immigration-related debts, and social isolation
 - Oppressed, marginalized, and impoverished groups and individuals.

Human Trafficking: Who Are Victims?

- ❑ Many victims in the U.S. do not speak English and are unable to communicate with service providers, police, or others who might be able to help them.
- ❑ Often kept isolated and activities restricted to prevent them from seeking help
- ❑ Typically watched, escorted or guarded by traffickers or associates of traffickers
- ❑ Traffickers may “coach” victims to answer questions with cover story about being wife, student or tourist
- ❑ Victims comply and don’t seek help because of fear

Trafficking Victims: Understanding Mindset

Frequently victims:

- Do not speak English and are unfamiliar with U.S. culture
- Confined to room or small space to work, eat, sleep
- Fear, distrust health providers, government, police
 - *Fear of being deported*
- Unaware what is being done to them is a crime
 - Do not consider themselves victims
 - Blame themselves for their situations
- May develop loyalties, positive feelings toward trafficker as coping mechanism
 - *May try to protect trafficker from authorities*
- Sometimes victims do not know where they are, because traffickers frequently move them to escape detection
- Fear for safety of family in home country

Identifying Victims of Human Trafficking

- Law enforcement and social service providers play important role identifying and helping trafficking victims
- While trafficking is largely hidden social problem, victims are in plain sight if you know what to look for
- Very few places where someone from outside has opportunity to interact with victim

Identifying Victims of Human Trafficking

- Is potential victim accompanied by another person who seems controlling?
- Does person accompanying potential victim insist on giving information to you?
- Can you see or detect any physical abuse?
- Does potential victim seem submissive or fearful?
- Does potential victim have difficulty communicating because of language or cultural barriers?
- Does potential victim have any identification?

How are victims recruited?

- INTERNET
 - ▣ Twitter, Instagram; any Social Media
 - ▣ Facebook
- FRIENDS
- MALLS / TEEN SOCIAL SPOTS
- BUS STATIONS / SHELTERS
- ADDICTION
- RESTAURANT / SERVICE INDUSTRIES
- ESCORT SERVICES
- MASSAGE BUSINESSES
- STRIP CLUBS
- PARTY PROMOTIONS (DJS)

Backpage – Escorts Section

Im The Best In Town – 18

Posted: Tuesday, April 2, 2013 4:52 AM

HELLO Gentleman My Name Is ALexis Im New In Town here and ready to please you as your every fantasy could come true TONIGHT! I don't have rushed or upsell sessions, my main priority is spending good quality time with you!! I aim to please and leave you satisfied everytime!! My pics are 100% really me GUARANTEED!!"If you want to get together give me a call @ 414-467-6635 OUTCALLS ONLY

Poster's age: 18

- Location: Kenosha / Racine, all surrounding areas Out Calls ONLY



Prevalence of Human Trafficking in Wisconsin

HIDDEN IN PLAIN SIGHT

*A BASELINE SURVEY OF HUMAN
TRAFFICKING IN WISCONSIN*



OFFICE OF JUSTICE ASSISTANCE

FEBRUARY 2008

OJA estimated over 200 cases since 2000

Trafficking occurred in:

- more than 1/2 of Wisconsin's counties
- urban and rural areas
- 15% of encountered victims were minors
- 75% of encountered victims were victims of sex related trafficking crimes
- 20% victims of forced labor trafficking

Independent UW-Whitewater survey concurred the results

Who are the TRAFFICKERS ?

- Gangs
- Drug dealers
- Neighbors, “Friends”, family members
- Boyfriend
- “Landlord”

Tactics

- Traffickers identify and exploit a vulnerability
 - Love
 - Fear
 - Friendship
 - Illegal status
 - Homeless
 - Poverty

Climate of Fear

- Fear of placing family or themselves in danger
- Fear of losing family/children
- Economic dependence
- Emotional dependence
- Cultural/religious constraints
- Fear of law enforcement
- Guilt
- Stigma
- Belief that abuse/situation will change
- Ambivalence over making change
- Lack of resources
- Lack of documents/legal status

TRAFFICKING PROSECUTIONS

- In the United States, the number of trafficking victims is roughly equivalent to the number of murders each year. And while 90 percent of murder cases are solved, only 1 percent of trafficking cases ever reach prosecution.

■ *The Slave Next Door* by Kevin Bales

Calimlim Case

- Jefferson & Elnora Calimlim, affluent medical doctors in Milwaukee with a multimillion dollar home in Brookfield
- In 1985, recruited and brought the 19 year old Philippine victim to the U.S.
- Forced to work from 6 am to 11 pm every day, 365 days a year for 19 Years. Rescued in 2004, at 38
- Not paid, not allowed to socialize, communicate freely with the outside world, locked in a basement when Calimlins had visitors
- Forbidden from going outside, and told that she'd be arrested, imprisoned & deported if discovered
- Used threats of serious harm & physical restraint against her to obtain her services



Initially sentenced (11.16.2006):

- four-year prison terms each
- ordered to pay restitution
- will be deported after serving time

June 9, 2009:

- Resentenced to 6 years in prison

June 15, 2012

- ICE announced Calimlins' deportation

Derek Avery; Pimp Snooky



- Derek Avery who gained fame in movies and on television as "Pimp Snooky," and Shamika Evans were charged with conspiracy in sex trafficking by use of force in federal court in Milwaukee.
- Avery beat Evans, his top prostitute, with pool cues and metal chairs. He extinguished cigarettes on her and controlled whom she saw and where she went.
- April 13, 2012 sentenced to 20 years in prison
- Two of his victims were 14 when they started prostituting for him. Avery's most trusted prostitutes would "program" the new ones, teaching them Avery's rules.
 - ▣ The women had to walk behind Avery with their heads bowed and call him "Daddy."
 - ▣ They could not talk to other pimps or look men in the eye unless the men were clients.
 - ▣ They had "quotas" requiring them to earn thousands of dollars every night for Avery.
 - ▣ Avery assaulted the women by beating them with his fists, wooden and metal brooms, pool cues, pans, chairs and leather belts; slapping them in the face methodically back and forth with his rings facing inward; stomping and kicking them with his alligator shoes; & placing a phone book on their backs and striking it with a baseball bat.

Sheboygan; March 20, 2013

- Jason B. Guidry, 31 was charged in the Eastern District :
 - Sex Trafficking
 - Heroin Distribution
- Allegations: caused four women to be addicted to heroin and then forcing them into prostitution before giving them more of the drug.
- Involved in a conspiracy to distribute controlled substances, including heroin, crack cocaine and powder cocaine.
- He also is charged with distribution of heroin causing serious bodily harm, a crime that carries a mandatory sentence of life in prison, the U.S. attorney's office said.
 - Milwaukee Journal Sentinel
 - The defendant is presumed innocent.

Resources

- **National Human Trafficking Resource Center**
1 (888) 373-7888

- <http://www.doj.state.wi.us/ocvs/human-trafficking>
 - Resources Link:
 - Human Trafficking: A Guide for Criminal Justice Professionals