

# HUMAN TRAFFICKING IN NC

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## What is Human Trafficking?



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### Where does it happen?

- Human trafficking is an international crime
- Human trafficking is a national crime
- Human trafficking is a local crime
- It can happen anywhere



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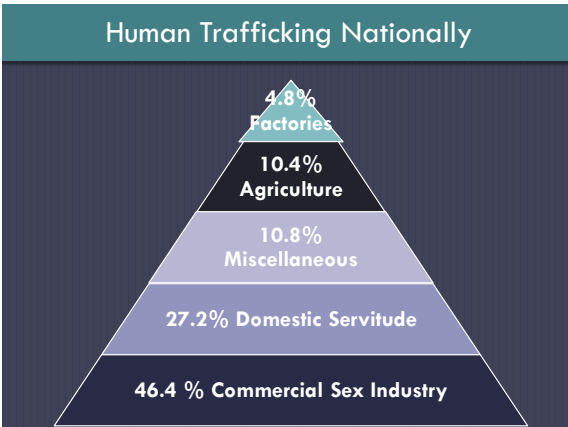
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**Why is North Carolina ranked the 8<sup>th</sup> most likely state for human trafficking?**

- Multiple major highways: I-95, I-85, I-40
- Large agriculture and meat processing industries
- Large rural areas
- Coastal state
- Military presence

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## Forms of Exploitation




**SEXUAL EXPLOITATION**

Brothels, massage parlors, pornography productions, street prostitution, exotic dancing



**LABOR EXPLOITATION**

Agricultural/farm work, cleaning services, construction, domestic servitude, factory/manufacturing, restaurant, beauty salons/nail salons



**DOMESTIC SERVITUDE**

Live-in Nannies, housekeepers, grounds keepers, residential cooks, etc

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### North Carolina Statistics NHTRC 2012 State Report

- 512 calls received (crisis, tips, training, referrals, misc.)
- Top 10 Caller Locations:
  - Charlotte
  - Durham
  - Fayetteville
  - Greensboro
  - Greenville
  - High Point
  - Kill Devil Hills
  - Raleigh
  - Wilmington
  - Winston-Salem

- Top 10 Caller Types:
  - Community member
  - Educator/school personnel
  - Faith-based organization
  - Family member of potential victim
  - NGO-anti-trafficking
  - NGO-other
  - Potential victim of labor exploitation
  - Potential victim of other crime
  - Potential victim of trafficking
  - Student

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### North Carolina Statistics NHTRC 2012 State Report

- 98 potential trafficking situations
- 50 of the cases involved potential minors
- 35 of these cases rated as "high" (demonstrated key indicators of human trafficking)
- Of the cases ranked as "high" probability to be a HT case:
  - 30 of these cases involved sex trafficking
  - 5 of these cases involved labor trafficking



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 North Carolina Statistics  
NHTRC 2012 State Report

- Agriculture/farms
- Commercial front brothel
- Domestic work (childcare/housekeeping)
- Escort service/delivery service
- Housekeeping/cleaning service
- Other small business
- Personal sexual servitude
- Phone chat line
- Pimp
- Residential brothel
- Truck stop
- Sex – other
- Not specified




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 North Carolina Statistics  
NHTRC 2012 State Report

- Location of Trafficking:
  - Asheville
  - Charlotte
  - Concord
  - Dunn
  - Fayetteville
  - Greensboro
  - Greenville
  - Jacksonville
- Laurinburg
- Maxton
- Morrisville
- Raleigh
- Walkertown
- Wilmington
- Winston-Salem
- Not specified




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 North Carolina Statistics  
NHTRC 2012 State Report

- Nationality/Ethnicity of Victim(s):
  - Afghan
  - Guatemalan
  - Bosnian, Herzegovinian
  - Chinese; South Korean
  - Mexican
  - Salvadoran
  - U.S.A.
  - Unknown
  - US Citizens – LPR
  - Vietnamese




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### N.C.G.S. §14-43.11 Human trafficking

A person commits the offense of human trafficking when that person (i) knowingly or in reckless disregard of the consequences of the action recruits, entices, harbors, transports, provides, or obtains by any means another person with the intent that the other person be held in involuntary servitude or sexual servitude or (ii) willfully or in reckless disregard of the consequences of the action causes a minor to be held in involuntary servitude or sexual servitude.

- If the victim is an adult - Class F felony
- If the victim is a minor - Class C felony
- Mistake of age is not a defense
- Consent of a minor is not a defense

Effective Oct 1 2013

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### N.C.G.S. §14-43.12 Involuntary servitude

A person commits the offense of involuntary servitude when that person knowingly and willfully or in reckless disregard of the consequences of the action holds another in involuntary servitude.

- If the victim is an adult - Class F felony
- If the victim is a minor - Class C felony
- Mistake of age is not a defense
- Consent of a minor is not a defense
- If any person reports a violation of this section, which violation arises out of any contract for labor, to any party to the contract, the party shall immediately report the violation to the sheriff of the county in which the violation is alleged to have occurred for appropriate action.
- If it involves a minor and the offender is convicted they must register as a sexual offender

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### N.C.G.S. §14-43.13 Sexual servitude

A person commits the offense of sexual servitude when that person knowingly or in reckless disregard of the consequences of their actions subjects or maintains another in sexual servitude.

- If the victim is an adult – Class F felony
- If the victim is a minor - Class C felony
- Mistake of age is not a defense
- Consent of a minor is not a defense
- If convicted the offender must register as a sexual offender

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### N.C.G.S. 14-43.14 Unlawful Sale, Surrender, or Purchase of A Minor

A person commits the offense of unlawful sale, surrender, or purchase of a minor when that person, acting with willful or reckless disregard for the life or safety of a minor, participates in any of the following: the acceptance, solicitation, offer, payment, or transfer of any compensation, in money, property, or other thing of value, at any time, by any person in connection with the unlawful acquisition or transfer of the physical custody of a minor, except as ordered by the court.

- (1) A person who violates this section is guilty of a Class F felony and shall pay a minimum fine of \$5,000.
- (2) For each subsequent violation, a person is guilty of Class F felony and shall pay a minimum of \$10,000.

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### Safe Harbor Legislation

- ✓ Clarifies the statutory language to include the mistake of age not being a defense
- ✓ Increases the penalties for sexual servitude to a Class D felony for adults; already a Class C felony for minors
- ✓ Defines minors as being anyone under the age of 18
- ✓ Provides immunity for prosecution of minors
- ✓ Strengthens the laws regarding prostitution
- ✓ Allows a deferred judgment for first time prostitution offenders
- ✓ Permits expunction for prostitution convictions for sex trafficking victims
- ✓ Restructures the North Carolina Human Trafficking Commission

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### Trafficking Indicators: Identifying Victims

- Injuries/signs of physical abuse or torture
- Restricted/scripted communication
- Demeanor – fear, anxiety, depression, submissive, tense, nervous
- Living with employer
- Under 18 and in prostitution
- Evidence of being controlled, of an inability to move or leave job
- Lack of passport, immigration or identification documentation
- Lack of knowledge of a given community or whereabouts

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# Identifying Trafficking Victims

During initial interviews, victims may be reluctant to share details of their experiences, for the following reasons:

- Fear of traffickers
- Fear of law enforcement
- Loyalty to trafficker
- Distrust of outsiders
- Memory loss




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# Sample Screening Questions for Identifying A Victim of Human Trafficking

- ❑ What type of work do you do?
- ❑ Are you being paid?
- ❑ Can you leave your job?
- ❑ Can you come and go as you please?
- ❑ Have you or your family been threatened?
- ❑ Do you live with your employer?
- ❑ What is your working and living condition like?
- ❑ Are you in debt to your employer?
- ❑ Where do you sleep and eat?
- ❑ Do you have to ask permission to eat/sleep/go to the bathroom?
- ❑ Are there locks on your doors/windows that you cannot unlock?
- ❑ Has your identification or documentation been taken from you?



(Adapted from the Rescue and Restore, HRIS, "Look beneath the Surface" question card; US Department of Health and Human Services Website, 2006)

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# Interacting with Trafficking Victims

## Building Trust:

- ✓ Reassure the victim that you are there to help them
- ✓ When possible, interview one-on-one
- ✓ Avoid derogatory labels like "prostitute"
- ✓ Don't make promises
- ✓ Conveying a sense of safety to emancipated victims is of paramount importance




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## Interactions with Trafficking Victims



### Learning the Truth:

- Use informal conversation
- Remember most victims do not self-identify as "trafficking victims"
- Victims may often tell the false story they've been coached to give; it often takes 3-5 encounters before the true story may emerge
- Allow victim to set length and pace

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## Interacting with Trafficking Victims



### Breaking the Trafficker's Control

- Understand the victim may be attached to the trafficker.
- Encourage victims to make their own choices and decisions.

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## The Unique Needs of Trafficking Victims



- Escape from trafficking does not guarantee a direct road to recovery; it is a long-term, complex process.
- Many foreign-born victims cannot speak English and are unfamiliar with the United States culture. They will need interpreters and English-language instruction.
- Many foreign-born victims fear being deported and will need legal assistance to define their legal status.

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## The Unique Needs of Trafficking Victims



- Foreign-born victims will need counseling in their first language, as well as means by which they can contact their loved ones overseas.
- Many victims will not initially cooperate with law enforcement or social service providers due to distrust and fear enhanced by traffickers' brainwashing.
- Many victims will be dependent on drugs and alcohol, as they had often been coerced and forced to use these substances by their traffickers.

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- Victims were isolated from general society and existed as property within an "invisible" underground industry. This leads to high levels of distrust of others and a sense of loss of control over their lives.
- Many sex trafficking victims have sustained long periods of systematic rape, and need specialized medical care and counseling to help them through the traumatic physical and psychological effects of this unique form of abuse.

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- Victims often suffer from anxiety and mood disorders including panic attacks, obsessive compulsive disorder, generalized anxiety disorder, and major depressive disorder.
- Victims need a safe place to recover from their trauma where they don't feel singled due to their unique experiences.

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### The Unique Needs of Trafficking Victims



- ❑ **Safety needs:** victims need a safe place to live where they are free from their traffickers (permanent or transitional housing)
- ❑ **Emergency needs:** food, clothing, and medical treatment
- ❑ **Legal assistance:** legal representation, help in understanding legal rights, assistance with filing T-visa applications and immigration petitions for foreign-born victims
- ❑ **Advocacy needs:** assistance retrieving identification documents, completing applications, attending appointments, and navigating the different U.S. systems, including criminal justice, child welfare, immigration, human services, transportation, etc.
- ❑ **Health needs:** medical treatment, dental care, health screenings, health insurance, addressing chronic health problems such as HIV/AIDS and STDs.

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### The Unique Needs of Trafficking Victims



- ❑ **Education needs:** GED assistance, enrollment in school, technical training/certification, English-language classes
- ❑ **Mental health services:** therapy, trauma counseling, cognitive-behavioral therapy, anger management and conflict resolution
- ❑ **Drug and alcohol treatment:** treatment to help victims end dependency upon drugs and alcohol
- ❑ **Life skills training:** assisting international victims with operation of basic household appliances, using public transportation, learning how to cook a meal, financial management assistance
- ❑ **Job skills training**
- ❑ **Accessing public benefits**
- ❑ **Safe and reliable transportation**

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### The Unique Needs of Trafficking Victims



- ❑ **“Revictimization:” some sex trafficking victims placed in domestic violence shelters face humiliation and isolation.**
- ❑ For foreign-born victims, the isolation is usually due to cultural differences and language barriers.
- ❑ For U.S. victims, they are shamed and isolated due to perceptions that they are “prostitutes,” or were willing participants rather than victims.
- ❑ It is important for client services agencies to recognize these potential risks and take care to make victims feel welcomed and safe.

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### Unique Needs of Trafficking Victims



- ❑ Foreign-born adult victims may want to reunite with their families or dependents in their countries of origin.
- ❑ Family reunification assistance will often be required, as victims may be eligible to apply for visas to legally bring their children into the United States
- ❑ Financial stability and consistent employment will be a major concern for these victims in preparation for the arrival of their children
- ❑ Victims will need assistance in registering their children with the school system, obtaining child care and health insurance for their children, and may request mental health counseling for their children.
- ❑ Self-sufficiency and rehabilitation are long-term goals

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### Benefits of Using a Strength-Based Approach



- ❑ Concentrates on strengths of survivor's personality that helped her endure trauma
  - “What strengths did you pull from within yourself to survive?”
- ❑ Structured questions that follow up victim's recall of negative events with strength-based questions.
- ❑ Reduces potential for re-victimization
- ❑ Lowers impact for reliving the abuse

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### Counseling: Issues of Concern to Victims



- ❑ Counseling should enable victims to:
  - Re-build their self-esteem and empower them to be in control of their lives.
  - Build or restore competence, coping mechanisms and decision-making skills.
  - Develop their own resources to realize their personal development potential.
  - Formulate practical solutions according to their individual needs and circumstances




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**Counseling:**

**Issues of Concern to Victims**

**Issues That Should Be Immediately Addressed:**

- Restoration of emotional and physical stability and well-being
- Personal safety from traffickers
- Avoiding criminal penalties and other sanctions
- Cooperation with law enforcement agencies in legal proceedings against traffickers
- Whether and how to contact family members and return to community of origin and family
- Likely reaction by family and the community members regarding the absence and possible return of the victim of trafficking
- Where and with whom to live
- Financial means of support and sustainability

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**Safety Concerns When Working With Victims**



- All victims are at risk of reprisal from traffickers, especially if victims cooperate with law enforcement.
- The location of certain facilities housing trafficking victims are often known to traffickers. It has been reported that sex traffickers will recruit girls outside shelters.
- Safety and confidentiality are primary concerns. Service providers need to be prepared for these risks to establish physical and emotional safety for the victims and to ensure the safety of the facility and staff.
- Examples of security measures to put in place included: "undisclosed location, security cameras and alarm systems, 24-hour staffing and presence of security guards, unannounced room searches and drug screens, limited phone use, supervised or no access to the Internet, locked doors at all times with staff and residents buzzed in and out of the facility, pre-approved/screened contact lists, etc".

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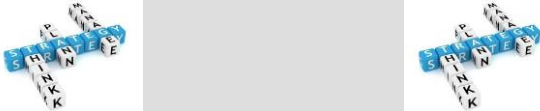
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- Remember the importance of confidentiality and safety (traffickers may attempt to retaliate if they know the location of victims).
- Employ a victim-centered approach.
- Build trust with victims.
- Explain your role as an advocate and your agency's responsibilities.
- Explain what will happen with the information they provide you.
- Be aware of traffickers' presence in the community.
- Assure interpreter does not have ties to the trafficker.
- Be aware that client may not know they are a victim.
- Be aware of the legal remedies that assist victims.
- Be aware of the benefits available to victims

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## Collaborative Approach



□ Cooperation between law enforcement and victims services providers is essential. Collaboration will help victims obtain services more easily. Programs can build on each other's expertise and services.

### Plan now before the first case

- Are you aware of your agency's procedures?
- What are the likely avenues for trafficking in your community?

### Be proactive; go meet the players

- Do you know who the contacts are?
- Have you begun to develop a trusted relationship?

### Consider formalizing your partnership

- Develop written agreements

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### Considerations: Coordinated Response in Your Jurisdiction

Law Enforcement (local, state, and federal)

Victim assistance agencies (advocate, legal services, health)

District Attorney's Office/US Attorney's Office

Community networks

NCCAHT – NC Statewide Human Trafficking Task Force

Rapid Response Team

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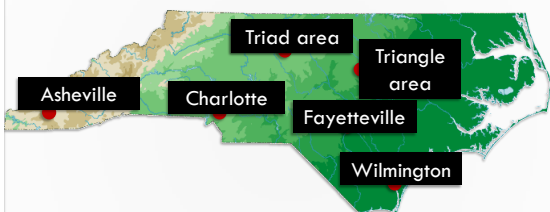
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### Rapid Response Teams in NC




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## Goals of the Rapid Response Team




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2004 – NCCAHT established by the NCCASA and the US Attorney General’s Office to address services and law enforcement response to victims of trafficking.

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### Closing Statement

- We must acknowledge that it can happen anywhere and it is happening in our state.
- If properly identified, investigated, and prosecuted, the traffickers will be held accountable, thus ending “modern day slavery.”

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## Contact Information

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