

Project W



MARCH 25, 2021

SPEAKER: KAYLA K. BROCHU

Why are people talking about human trafficking so much these days?



When many of us were growing up we were hearing about domestic violence or dating violence or even stalking but we didn't hear about human trafficking? And that's because the modern era of human trafficking didn't start until 2000 with the passage of a watershed international law.

End of the 20th Century CHANGE TO THE OLD MODEL?



In the second half of the 20th century Human rights advocates and even some law enforcement agents saw that the world needed to recognize and police the way that what we now call human trafficking was actually happening.

Slavery – as we saw during the colonial model is outlawed everywhere in the world and the The existing model – of colonial era slavery did not fully encompass what was happening in the world.

Wasn't just force and restraint – traffickers as we now call them - were much more shrewd – they used elaborate schemes and threats or outright fraud and the forms of exploitation were different from the wholesale of people or "chattel" slavery – people were being used for sexual exploitation or for labor for organs as soldiers and not necessarily sold outright.

GEOPOLITICAL FACTORS @ THE END OF THE 20th CENTURY



GEOPOLITICAL FACTORS @ THE END OF THE 20th CENTURY

+Globalization



+Fall of the Soviet Empire



+Regional Strife



+ Marginalization of
Minorities



+ Feminization of Poverty

+ Rise of Organized Crime



PROFOUND FEAR OF MIGRANTS & TRANSNATIONAL CRIME



RESULTED IN...

Convention on Transnational Crime
160 Countries



40 Countries

Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

“PALERMO PROTOCOL”

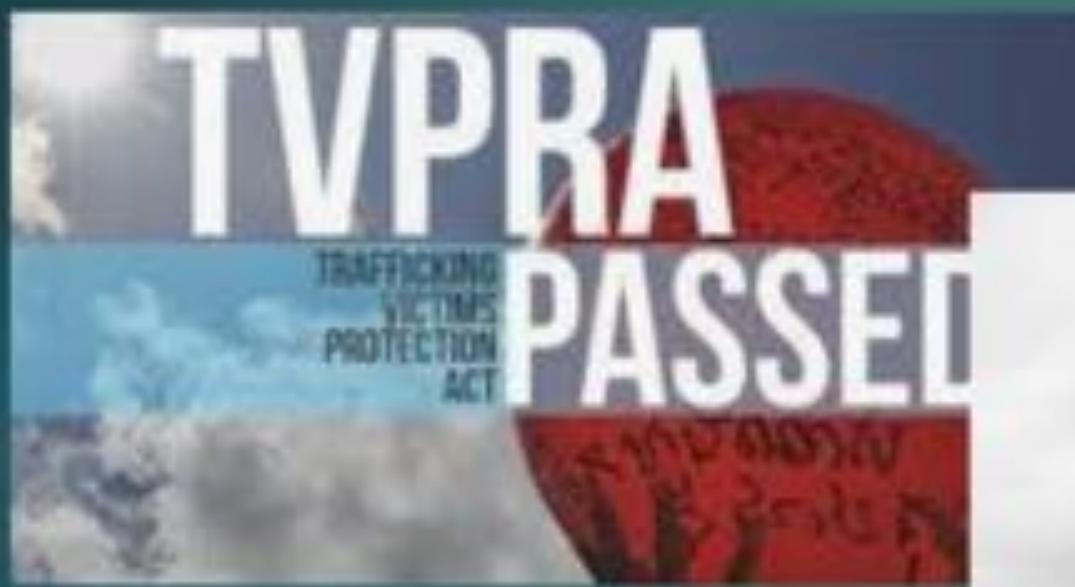
*Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons,
Especially Women and Children*



OPTIONAL PROTOCOL – 40 NATIONS

GLOBAL MOVEMENT OVER 20 YEARS
– 178 NATIONS

USA Passed a Law in Tandem in 2000 TRAFFICKING VICTIMS PROTECTION ACT



ELEMENTS OF HUMAN TRAFFICKING

US Law & Most Laws Around World

Some Bad Actors
Are Creating the
Situation Through
Certain Acts



Something that
Makes the
Exploitive
Conduct
Involuntary



Certain
Exploitive
Purposes



ELEMENTS OF HUMAN TRAFFICKING

US Law & Most Laws Around World



UNITED STATES FEDERAL LAW

TRAFFICKING VICTIMS PROTECTION ACT (TVPA)

(Bad) Acts

- Recruiting
- Transporting
- Harboring
- Receiving
- Providing
- Obtaining
- Patronizing
- Soliciting

Involuntary Factor “Means”

- Force
- Fraud
- Coercion
- *Sometimes Children**

Exploitive Purposes

- Commercial Sexual Acts
- Forced Labor Including Domestic Servitude
- Organ Trafficking
- Chattel Slavery

Flash Poll

► Can Someone who gets paid still be a trafficking victim?

► Yes

Because Voluntariness is the key

► No.

COMMERCIAL SEX TRAFFICKING

ENCHANTMENT PHASE

- ▶ Vulnerable Targets
 - ▶ Seeking shelter, food, security, attention
- ▶ Systematic Effort to Meet their Needs / Desires
 - ▶ Love, Attention, Luxury, Status
- ▶ Social Media
 - ▶ Prime Medium for Young Targets
 - ▶ Efficient
 - ▶ Build Virtual Attachment before even Meeting → Faster route to exploitation



Additional Notes

- ▶ Career pimps frequently employ the "Romeo tactic" to recruit new sex workers.
- ▶ The pimps are referred to as Romeo or Flirtate Pimps (compared to Gorilla Pimps who abduct women/girls)
- ▶ From the juvenile justice webinar – trainees attempt to inoculate prospective victims from traffickers' tricks.
- ▶ Vulnerable Targets – Some places pimps target – bus stations, homeless shelters, soup kitchens, shelters, juvenile detention, schools.
- ▶ Not always runaways or desperate on the surface
- ▶ Ask CLASS to guess where pimps recruit: bus stations, even group homes, juvenile detention centers as well as junior high and high schools, malls
- ▶ Social media, in particular, is a powerful recruitment tool—a tool young people understand better than the adults caring for them. Many victims of sexual exploitation engage in what they believe to be bona fide romantic relationships, so that they are already emotionally attached to a pimp by the time an exploitative situation is first introduced.
- ▶ Pimps make a systematic effort to discover a potential victim's deepest desires. One pimp compares this process to finding the magic words: sometimes it's as simple as saying "I love you" at the right time. Are victims craving a fairy-tale romance? A warm, stable, secure relationship? A luxurious lifestyle? Do they simply want their basic needs, like food and shelter, to be met by a consistent source?
- ▶ Once vulnerabilities are identified, it's disturbingly easy for a pimp to make lavish promises tailored to each individual they pursue. Playing the role of Romeo, who appears at just the right moment, paves the way for future manipulation. To bolster the clever deception, patient pimps will wait up to a year before showing signs that the romance is anything other than innocent. By then, the victim is primed to accept violence and exploitation, potentially unable to tell the difference between love and performative infatuation.
- ▶ An outsider may notice red flags early on. Pimps may seem like dashing, loving boyfriends from the victim's perspective, but observant third parties may pick up on a demanding nature; a preoccupation with money; a tendency to isolate; an unnatural interest in underground markets. Unfortunately, many victims, especially young teenagers, are not equipped to see danger in these traits, and neither are their peers.

COMMERCIAL SEX TRAFFICKING

METAMORPHOSIS

- Trafficker Feign Desperation for Money
- Victim Feels Pressure to Reciprocate for Enchantment Phase Gifts
- Dependence
 - Emotional
 - Financial
- Victim Clinging to Original Dreamy Vision
- Victim Likes Lavish Lifestyle

- Bullying
- Blackmail
- Violence



COMMERCIAL SEX TRAFFICKING

TRAFFICKING PHASE

- ▶ Victims' Recognition of Situation
- ▶ Other Women & Girls
- ▶ Rules/ Structure
- ▶ Strict Demands
- ▶ Threats/Violent Enforcement
- ▶ Alienation of Law Enforcement
- ▶ (Alienation Compounds Other Systemic Problems)



United States V. Rodney D. King



United States V. Rodney D. King



UNITED STATES V. VASQUEZ



Recruited by Female Trafficking / Smuggling Team
Promised Jobs as Nannies
Trapped in Brothels in Los Angeles



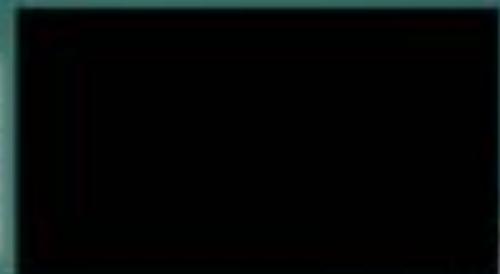
- Five Victims – Identified with some children as young as 13.
- Compelled to engaged in commercial sex with as many as 30 patrons per day
- Brutality, Captivity, Threats, Witchcraft

Case Notes

- LOS ANGELES (AP) — Five people who lured Guatemalan women to Los Angeles, where the women were beaten and forced into prostitution, have been sentenced to federal prison terms of 30 to 40 years.
 - The ringleader, Gladys Vásquez-Volcánquez, got 40 years in prison Monday in U.S. District Court.
 - Her sister and two nieces received 30 years each. One of her niece's boyfriends was sentenced to 30 years.
 - The five were found guilty in February of dozens of counts, including conspiracy and sex trafficking by force and fraud.
 - The judge said the scheme forced girls as young as 13 to prostitute themselves. Some women saw as many as 30 men per day.
 - Several victims testified Monday about the brutality they endured and their persistent fears.
 - The judge said none of the defendants showed any signs of remorse.
- WASHINGTON — Five members of an extended family were sentenced to federal prison late yesterday, all receiving lengthy sentences for their roles in an international sex trafficking ring that lured young Guatemalan women and girls to the Los Angeles area and forced them into prostitution, the Justice Department announced.
 - The five defendants sentenced yesterday — four Guatemalan nationals and one Mexican national — were found guilty in February of various charges, including conspiracy, sex trafficking by force, fraud or coercion, and importation of aliens for purposes of prostitution. Gladys Vásquez-Volcánquez, 30, was sentenced to 40 years in prison. Gladys Morales, the Mexican national, 35, was sentenced to 30 years and the other three defendants, Mireya Joanneth Vásquez-Volcánquez, also Mexican, 28; María de los Angeles Vicente, also Angela, 30, and Maribel Rodríguez-Vásquez, 29, were each sentenced to 30 years in prison.
 - Evidence showed that the defendants intimidated and controlled their victims by threatening to beat them and kill their loved ones in Guatemala if they tried to escape. Some defendants also used witch doctors to threaten the girls that a curse would be placed on them and their families if they tried to escape. At least four of the defendants further restrained the victims by locking them in at night and blocking windows and doors. The defendants also used manipulation of debt, verbal abuse, and psychological manipulation to reinforce their control over the victims. The scheme included strict control over the victims' work schedules and ominous comments about consequences that befell the families of other victims who attempted to escape.
 - The defendants collected the profits generated by the acts of prostitution the victims were compelled to perform, and maintained control over the proceeds, keeping tens of thousands of dollars while the victims received next to nothing.
 - "The young girls and women in this case were victimized and exploited in a horrific way, and these sentences should send a clear message to all sex traffickers that they cannot escape justice for such egregious human rights violations," said Loretta King, Acting Assistant Attorney General for the Civil Rights Division. "Attorneys in the Civil Rights Division will continue to work with U.S. Attorneys' Offices across the nation to stamp out this vicious and intolerable crime, and to seek significant prison sentences for anyone engaging in these despicable acts."
- "In this disturbing case, the defendants lured young, uneducated and impoverished women and girls to the United States, where they were forced to work as prostitutes in degrading conditions," said U.S. Attorney Thomas P. O'Brien for the Central District of California. "There were at least 10 victims who were forced into becoming prostitutes under a variety of threats, as well as actual physical attacks that included rapes."
- "These sentences are a stern reminder about the consequences facing those involved in the unconscionable practice of human trafficking," said Robert Schuch, special agent in charge for the U.S. Immigration and Customs Enforcement (ICE) Office of Investigations in Los Angeles. "While we can't erase the suffering these young women experienced, by aggressively investigating and prosecuting these cases, ICE and the other members of the Los Angeles Human Trafficking Task Force are ensuring that those involved in schemes like this pay a significant price for the pain they cause."
- Four additional defendants have pleaded guilty for their role in the scheme. For Mireya Sánchez was sentenced in May to two years in prison; Pablo Bonifacio was sentenced last November to 23 months in prison. Adeline Vásquez-Volcánquez, also known as Cristina, was sentenced in February to 23 months in prison. The final defendant, Luis Vicente Vásquez, has pleaded to be sentenced on Sunday to 30 years.

CASE STUDY

Immigrant Labor Trafficking



Case Notes

- ▶ **Signal International Case (2006-2015)**
- ▶ **Outcome**
- ▶ After a four-week trial before U.S. District Judge Susie Morgan in 2015, the jury ruled that Signal International, New Orleans lawyer Malvern C. Bennett, and India-based recruiter Sachin Dewan engaged in labor trafficking, fraud, racketeering and discrimination. The jury also found that one of the five plaintiffs was a victim of false imprisonment and retaliation.
- ▶ **Class action lawsuit – David et al v Signal International LLC et al**
- ▶ In October 2008, a number of named plaintiffs filed a class action on behalf of over 500 Indian workers, against Signal International, a marine repair company, and a network of US labour recruiters and immigration lawyers.
- ▶ In January 2012, a US district court denied class certification for the claim. In January 2015, the case in respect of five of the named plaintiffs went to trial. In February 2015, a jury found in favour of the plaintiffs and also held that one plaintiff had been subjected to false imprisonment and retaliation.
- ▶ The company was ordered to pay \$12 million damages, and a recruitment broker and lawyer were each ordered to pay \$915,000.
- ▶ In July 2015, Signal settled the David lawsuit and 11 other cases for \$20 million. The company later filed for bankruptcy.
- ▶ **Related individual lawsuits**
- ▶ Since May 2013, more than 200 plaintiffs who had been excluded from the 2008 class action have filed at least twelve federal lawsuits against Signal and the co-defendants, asserting similar claims. These cases are on-going.
- ▶ **US Equal Employment Opportunity Commission lawsuit**
- ▶ In April 2011, the US Equal Employment Opportunity Commission (EEOC) filed a federal lawsuit against Signal, accusing the company of discriminating against the workers, and retaliating against those who protested against their treatment. Some workers from the 2008 lawsuit joined this action. In December 2015, Signal International agreed to pay \$5 million to settle the lawsuit.
- ▶

Flash Poll

- ▶ According to the largest (and best) labor trafficking study in the US to date:
- ▶ What Percentage of Labor Trafficking Victims entered the United States **Legally** (Guest Worker Visa, H1-A Visa etc)
 - A. 10%
 - B. 40%
 - C. **70%**
 - D. 100%

LABOR TRAFFICKING – MIGRANTS/ US



Of All Migrants who were Trafficked for Labor (Across all Sectors of Work)

What Percent of Traffickers are American?

50%

NEVER ENDING DEBT

Most migrants are poor and they take out the debt to get the ball rolling,

- pay for their smuggling or travel and related expenses

But the Debt is a Con-job

- It will never get paid back – because highly exaggerated expenses are tacked on – and victims rarely have a sense of what market prices are so they don't know they are being scammed.

Most trafficking victims don't just say – "forget it" I'm going home –

- Logistical problems – no money for a plane ride home
- no where to go to get a ticket/ can't speak the language
- might not have their passport
- might be threats if they try to escape on top of the debt problem.

Even if they could escape, they don't believe they can go back to their country of origin until that debt is paid off

- Many people say about America is that our bankruptcy laws are what built the American economy.
- That when you can't pay your debts you can go to the courts, declare bankruptcy and start over. That's unique to the US and
- there are real consequences both formal and informal for people who don't pay off their debts in other countries.
- Shame,
- Imprisonment
- Collateral of home in origin
- Family has to pay back creditors (criminals)
- Violence – Loan sharks or Organized Crime is involved

There are cases where people are liberated and they want to go back to work and pay off their debt!

LABOR TRAFFICKING – MIGRANTS/ US



Of All Migrants who were Trafficked for Labor – Agriculture/ Farming

What Percent of Traffickers are American?

80%

CASE STUDY- Sabhani Case



CASE STUDY- SABHANI CASE

Outcome of the Case:



N.Y. / REGION

Couple's Downfall Is Culminating in Sentencing in Long Island Slavery Case

By ERIC KOMSGAARD JUNE 23, 2008



3 P Framework

3Ps Framework

- Prosecution
- Prevention
- Victim Protection



WHICH DIRECTION FROM HERE?



What Does Success Look Like Working in this Field?



One day, an old man was walking along a beach that was littered with thousands of starfish that had been washed ashore by the high tide.

As he walked he came upon a young boy who was eagerly throwing the starfish back into the ocean, one by one. Puzzled, the man looked at the boy and asked what he was doing.

Without looking up from his task, the boy simply replied, "I'm saving these starfish, Sir"

The old man chuckled aloud, "Son, there are thousands of starfish and only one of you. What difference can you make?"

The boy picked up a starfish, gently tossed it into the water and turning to the man, said, "I made a difference to that one!"

Why does Human Trafficking Matter So Much?

It is impossible to ever reach a consensus on the true scale of the problem but, regardless of the figures, what matters is that human trafficking is big and getting bigger. What matters is that every number represents a human life destroyed. It is happening on every continent and in almost every country; whether the place we live is a source, destination or transit point for trafficking, none of us can claim to be wholly unaffected by this crime.

