The Need for Effective Intervention Services for Victims of Domestic Human Trafficking

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Abstract

The Need for Effective Intervention Services for Victims of Domestic Human Trafficking

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Statement of the Problem

Domestic human trafficking, or sex trafficking, is the trade of, typically, young females with few family attachments. Due to the hidden nature of these crimes, reliable statistics on the frequency and rate of trafficking are not known (Reid, 2011).

While education on domestic trafficking has increased, it is still not a widely discussed or addressed issue. For each trafficker arrested, there are anywhere from one to numerous victims. While the practice of identifying traffickers has become slightly better, law enforcement and the judicial system still lacks in the area of victim identification and response (McSwane, 2013). As stated earlier, often times these victims end up convicted of crimes like prostitution versus being treated and addressed as victims (Wooditch, 2011).

Furthermore, it is the hope that proper victim identification and response will ultimately serve these victims in a way that responds to their specific needs (Wilson & Dalton, 2008). A significant part of judicial response needs to be focused on ways to better serve victims, as there is currently an astounding lack of focused services available to victims (McSwane, 2013). Therefore the goal of this paper is to look at how the criminal justice system responds to victims, and argue the need for the creation of

new and better services to include safe housing, counseling, and wraparound services, as the research will show that there is a current void in this area.

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I. Introduction

Domestic human trafficking, or sex trafficking, is the trade of, typically, young females with few family attachments. This serious and horrifying trend has come closer to the forefront of societal awareness within the last ten years, in part due to the focus on the foreign human trafficking trade. As it became more difficult to traffick non-American residents for profit in the sex trade here in the United States, pimps began to realize that there was a wealth of recruits in their own backyards that no one would be looking for: young minor runaways or abused children that were already in large part being ignored by parents and agencies.

Due to the hidden nature of these crimes, reliable statistics on the frequency and rate of trafficking are not known (Reid, 2011). The National Center for Missing and Exploited Children estimates that at minimum 100,000 children per year are exploited. In addition to this, approximately 300,000 children are living in conditions or environments that place them at risk for exploitation (McSwane, 2013). The average age of a minor trafficked in the United States is a staggering 13 years old. While this number means that there are children older than 13 being trafficked, it also means that there are children under the age of 13 being trafficked, sometimes as young as nine years old.

Trafficking is not geographically restricted within the United States. While New York, Texas, and Florida respectively have the highest incidences of trafficking, this crime stretches across the United States (McSwane, 2013). In fact, many victims report being trafficked in numerous states and cities, in order to avoid detection.

Just as trafficking is not geographically restricted, neither is it restricted to a certain race or age. What most, if not all victims, have in common are their risk factors, which will be discussed in depth throughout this paper, particularly prior sexual abuse and run away behaviors. With 1.6 million runaway or homeless youth in the United States, the victim pool is endless (McSwane, 2013). Locally, a study conducted by the Milwaukee Homicide Review Commission (2013), showed that over a two year period in Milwaukee, the average victim was an African American girl, 70% of whom had been reported missing at least once, up to nine times prior to their disappearance into the world of trafficking. While 77 victims had been identified over this time period, 68%, or 52 youth, were in the 16-17 year age bracket. While this age is higher than the national average of 13, it is just as profound in its implications as it can lead to victims being treated as offenders first and victims second.

In the United States, dependent on state law, a minor is considered an adult that can be held criminally liable between the ages of 17 and 18. In Wisconsin, law states that in matters of criminality, a youth shall be tried as an adult at the age of 17. This poses some very significant and blatant problems when dealing with victims of human trafficking. Often times these victims will finally come into contact with law enforcement through crimes of their own, be it drug use/possession, prostitution, or a myriad of other smaller infractions. The question then lies, is this person a victim or an offender? If they were trafficked under the age of 18, what other normal did they know? How can they make choices to “leave the life” if they can’t remember anything different, or don’t believe that they will be protected anywhere else? Currently, most jurisdictions in the United States charge and place these victims into custody. This is not only a way

of ensuring that the victims, as sometimes unreliable witnesses, remain available to prosecutors, but also provides the victims with housing and a certain amount of personal security (McSwane, 2013). The judicial response to these victims will be explored, and options offered on best practices for meeting these victims at the appropriate response level.

While education on domestic trafficking has increased, it is still not a widely discussed or addressed issue. For each trafficker arrested, there are anywhere from one to hundreds of victims. While the practice of identifying traffickers has become slightly better, law enforcement and the judicial system still lacks in the area of victim identification and response (McSwane, 2013). As stated earlier, often times these victims end up convicted of crimes like prostitution versus being treated and addressed as victims (Wooditch, 2011).

Furthermore, it is the hope that proper victim identification and response will ultimately serve these victims in a way that responds to their specific needs (Wilson & Dalton, 2008). A significant part of judicial response needs to be focused on ways to better serve victims, as there is currently an astounding lack of focused services available to victims (McSwane, 2013). With the current judicial and law enforcement mentality of incarcerating these victims to ensure testimony compliance, and remove them from not only substance abuse, but also continued abuse by their trafficker, young girls are being identified as criminals in increasing volume. So what then can be done to rectify this? Due to the lack of current programming, several states, including Tennessee and Minnesota, have begun grass roots efforts to implement safe houses for these victims based on the treatment model of substance abuse halfway houses

(McSwane, 2013). This paper will provide not only an overview and comparison of these programs, but offer suggestions for future development of these services. It is through ongoing education of the judicial and law enforcement systems, and the prevalence of community programming and advocates, that these victims may finally be allowed out of the shadows.

The purpose of this paper is to bring to light the issue of domestic human trafficking, how victims become victimized, and how they may be helped to successfully reintegrate into society via appropriate, needs based responses of the judicial system. In particular, the need for safe houses and the subsequent programming such as counseling will be focused upon.

As education and awareness of human trafficking has increased, so has the ability to readily identify victims, though still limited. Thus, this study will provide a review of victim identification, and existing programming, as well as provide current best practices for programming versus incarceration of these victims. Therefore, the significance of this paper is to provide an outline which current and/ or future programs, taskforces, and law enforcement/judiciary may use to better serve victims in identification and response.

As this paper will provide typical characteristics of victims as a means to identification and the appropriate ensuing judicial response, it is hoped that it may be used as a best practice recommendation for future or current programs and/or officials looking to enhance victim identification. Specifically, effective interventions in the form of safe houses, theories of victimization, a comparative analysis of current safe house

programming, and recommendations for future and ongoing victim services in these safe houses will be reviewed.

Therefore the goal of this paper is to look at how the criminal justice system responds to victims, and argue the need for the creation of new and better services to include safe housing, counseling, and wraparound services, as the research will show that there is a current void in this area. This will be accomplished by first providing a literature review of the research to include the definition, frequency, and criminal justice response to domestic human trafficking. The theories leading to victimization, including Lifestyle Choice and Routine Activity theories will be reviewed in relationship to domestic human trafficking victims. Next, the current intervention services in Tennessee, Minnesota, and Georgia will be discussed for their effectiveness in working with victims of trafficking. Finally, recommendations for new and comprehensive services to include safe housing, counseling, and wraparound services will be made.

II. Literature Review

A. Definition of human trafficking

Human trafficking can involve labor or sex trafficking both in the United States with U.S. citizens, and with non U.S. citizens brought to or from another country. For the scope of this paper, domestic sex trafficking will remain the focus. In general, traffickers use force, fraud or coercion to bring their victims into the fold and to keep them there. Trafficking can be considered a state and/or federal crime. For a trafficker to be convicted, the prosecution must show that the sex act was committed because of force, fraud, or coercion, unless the victim (i.e. trafficked individual) is under the age of 18 (“(u) a baseline,” 2013). If the victim is under the age of 18, no force, fraud, or coercion

needs to be shown. However, it is important to remember that most trafficking victims were brought into the lifestyle between the ages of 12 and 14, and may not know anything else as their "normal" by the time they come in contact with the criminal justice system ("(u) a baseline," 2013). The following tables show the difference between the federal statute on trafficking and the Wisconsin statute.

Federal trafficking occurs when the following is knowingly committed:

Action		Means		Purpose
Recruiting or Enticing or Harboring or Transporting or Providing or Obtaining …an individual without consent of the individual ---OR--- Attempting to do so	A N D	By means of… Force (causing serious harm or physical restraint) or Fraud or Coercion (threats of serious harm to, or physical restraint against, a person or another person; abuse or threatened abuse of law or legal process; any scheme, plan, or pattern, force…) *Either knowingly or by acting in reckless disregard* -EXCEPT THAT- The elements above are not required to show trafficking of a minor for commercial sex acts	A N D	For the purpose of… Sex Trafficking: commercial sex acts or Labor Trafficking: involuntary servitude, peonage, debt bondage, or slavery

("Wisconsin human trafficking," 2012).

The state of Wisconsin defines trafficking as knowingly:

Actions		Means		Purpose
Recruiting or Enticing or Harboring or Transporting or Providing or Obtaining …an individual without consent of the individual ---OR--- Attempting to do so	A N D	Done by any of the following... Causing or threatening to cause bodily harm to any individual or Causing or threatening to cause financial harm to any individual or Restraining or threatening to restrain any individual or Extortion or Fraud or deception or Debt bondage or Controlling any individual's access to an addictive controlled substance or Using any scheme or pattern to cause an individual to believe that any individual would suffer bodily harm, financial harm, restraint, or other harm.	A N D	For the purpose of... Commercial sex act or labor or services Note Whoever benefits in any manner from a violation of trafficking is guilty of a Class D felony if the person knows that the benefits come from an act of trafficking.

("Wisconsin human trafficking," 2012).

B. Frequency of Domestic Human Trafficking

As mentioned earlier, The National Center for Missing and Exploited Children estimates that there are approximately 300,000 children at risk of becoming human trafficking victims each year in the United States. Therefore, it comes as no surprise that human trafficking is the fastest growing enterprise for organized crime, and makes up the third largest criminal enterprise globally (Walker-Rodriguez & Hill, 2011). Additionally, these enterprises have networks of transportation set up cross country in order to facilitate the transportation of victims in the most expedient manner possible.

According to Walker- Rodriguez & Hill (2011), the large majority of victims are females, who come into trafficking between the ages of 12 and 14. Recently, the authors report that there has also been an upswing in victims that are male and/or transgendered, coming into contact with traffickers between the ages of 11 and 13. The Department of Homeland Security (2014) reported in fiscal year 2012, they had received 588 tips of human trafficking, up from 384 and 231 in 2011 and 2010 respectively. Locally, in a two year period studied by the Milwaukee Homicide Review Commission (2013), it was found that there were 77 known cases of human trafficking. These trends support the assertion that human trafficking is not only becoming more profitable, but more frequent.

Additionally, the Department of Homeland Security (2014) found an increase in the correlation between gang activity and human trafficking. In the Virginia, Maryland, and Washington D.C. areas, they were able to identify and rescue 12 female victims that had been recruited and victimized by the MS-13 gang by visiting local schools, streets, house parties, and social media.

While the Trafficking Victims Protection Act (TVPA) was passed and implemented with the primary purpose of protecting, preventing, and prosecuting international trafficking, it can also be applied federally to domestic traffickers. Since the inception of the law in 2003, the FBI in conjunction with project Innocence Lost, has completed 900 rescues (Walker-Rodriguez & Hill, 2011). As it is obvious that domestic human trafficking is on the rise, and has become more prevalent in the eyes of law enforcement, there is still much that is unknown about domestic victims and the most beneficial ways to assist them. The Bureau of Justice Assistance, together with

Department of Justice funding is working on 42 task forces nationally to combat human trafficking (Walker-Rodriguez & Hill, 2011). It is through these grassroots efforts that victim assistance and recommendations for future programming will be further examined throughout this paper.

C. Victim Indicators, Behaviors, and Rights

As was previously discussed, victims can be difficult to identify until they come into contact with the criminal justice system through citations and arrests. Even at that point of contact, victims may be reluctant to disclose what has been happening. Often times victims are operating under fear for their safety and that of their family ("(u) a baseline," 2013). In fact, victims are often introduced into trafficking by an adult they know and live a comparatively "better" life than that which they came from, as they may no longer be struggling to get food, attention, gifts, etc ("(u) a baseline," 2013). Additionally, many victims fear going to jail, as much of their behavior, i.e. prostitution, is illegal. For these reasons, as well as the fact the victims do not typically identify themselves as such, it is important to be able to begin to discern when an individual is committing a criminal act, versus potentially being a trafficking victim.

Victims of human trafficking can be any age, though are often introduced into trafficking at a young pre-teen/teenage. A minor in a poverty stricken environment has been found to be highly correlational to be a victim of trafficking, though not causal ("Human trafficking: A," 2012). Any minor engaged in commercial sex acts, or survival sex, as well as adults engaged in prostitution may be indicators of a trafficked individual ("Human trafficking: A," 2012). It is commonplace for a woman who was introduced into trafficking at a young age to be picked up for prostitution later in life as she has not been

able to leave the lifestyle she was forced into. The victim may present with signs of abuse, malnutrition, or appear to be controlled in speech, movement, and activities (“Human trafficking: A,” 2012). Other individuals who appear to be guards may be present, exits may be controlled, and the interior of the victim’s living space may seem like sparse (“Wisconsin human trafficking,” 2012). The following quote from the U.S. Department of Justice Anti-Human Trafficking Task Force best sums up the ability to recognize human trafficking.

> “The locations and settings where trafficking occurs do not always appear suspicious. For instance, trafficking could be occurring at places frequently visited by the public such as restaurants or hotels. Therefore, it is important to remember that the key indicators of this crime may not be in the setting itself, but in the conditions and circumstances of the labor involved (“Human trafficking: A,” 2012).”

Once a victim of trafficking has been identified, it then falls to criminal justice professionals to obtain the victim’s trust, cooperation, and maintain their general welfare. As victims have experienced significant trauma, it may be difficult for them to recall details in a linear frame, and because of fear of reprisal as well as incarceration, they may leave details purposefully out (“Human trafficking: A,” 2012). Additionally, they may be drug addicted and/or dependent on their trafficker which makes the possibility of the victim fleeing, or not coming to court dates a high probability. As mentioned earlier, the current judicial response to this is to incarcerate the victim in order to keep them safe and available. Because of this, it is difficult to develop trust and the victim often appears as self-destructive, hostile, or anti-social. As many victims have

been entrenched in trafficking for a longer period of time, they may feel ashamed and be wary of how they will survive without their trafficker (“Human trafficking: A,” 2012). Most victims will also have a general lack of knowledge about their rights, and may feel more secure in disclosing information after becoming involved with one or more treatment providers.

It is the combination of these factors that make assisting victims of trafficking a difficult task. According to the U.S. Department of Justice Anti-Human Trafficking Task Force, “Traffickers are skilled at imposing psychological coercion that often leads to a misdirected focus by law enforcement on the responsibility and willing participation of the victim (“Human trafficking: A,” 2012).” When looked at in totality, a victim may appear to collaborate with their trafficker. In conjunction with a victim’s lack of knowledge about their rights, and their unreliable behaviors with law enforcement, it is clear that specialized victim services are needed. The lack of current services, burgeoning new programming, and future suggestions will be discussed throughout the remainder of this paper.

As mentioned earlier, victims have specific rights bestowed under both federal and state laws. Many of these rights are the same or similar between the two jurisdictions. Both provide for the victim to be treated with dignity and respect, be notified of court proceedings along with the ability to testify at the proceeding, to be notified of the release of their perpetrator, and to be awarded and paid restitution in a timely manner (“Human trafficking: A,” 2012). However, the one glaring difference is that a federal victim has the right to be reasonably protected from the person they accuse, which is not provided for in the Wisconsin statute (“Your rights as,” 2014). In fact, the

federal Trafficking Victims Protection Act (TVPA) is founded upon what are known as the three “p’s”; prosecution, protection, and prevention.

D. Criminal Justice Response to Victims of Domestic Human Trafficking

In a review of numerous studies and surveys, it became evident that victim services in the realm of domestic human trafficking are sorely lacking due to the relative newness of identifying victims appropriately. It is still generally practiced that a victim should be arrested and charged with a lesser crime, in order to keep them in a secure detention facility, so that they are available to law enforcement and “protected” (“Anti-human trafficking task,” 2011). It has been suggested that in order to help this problem on the front end of identification and prevention, that education programs about trafficking and the appropriate, available services to assist potential victims, be placed into schools similar to DARE education. It was also found that middle school is the time frame that this information would be the most impactful, and any point later in the education system would be too late for possible victims (“(u) a baseline,” 2013). Swinging towards the intervention end of the spectrum, “John” schools are being developed for those individuals brought into contact with the criminal justice system for soliciting sex. These schools would teach the “johns” about human trafficking, their impact and contribution to it, and the overall impact of trafficking on the victim and the community (“(u) a baseline,” 2013).

Currently, the Department of Transportation in conjunction with the Department of Homeland Security, is attempting to aid in victim response by training its 55,000 employees on victim identification as part of the Blue Campaign (“Dhs statement for,” 2014). Amtrak has also become a recent partner in this effort. Additionally, the

Department of Homeland Security (2014) stated that a lack of general awareness still exists regarding human trafficking and is attempting to assist criminal justice professionals by launching Public Service Announcements, and expanding funding for Non-Governmental Organizations.

Criminal justice professionals have also been made aware that trafficking victims, including minors, can be referred to public housing assistance, child nutrition and food share programs, Title IV education funding, and potentially victim compensation ("Fact sheet: Human," 2012). Unfortunately, while these programs are worthwhile, as are the education components, none address the ongoing needs and safety of victims.

E. The Problem with Current Intervention Services for Victims of Domestic Human Trafficking

Clawson, Dutch, and Cummings (2006) found that while the need for law enforcement training with regards to human trafficking had been extensively studied, information about law enforcement response to trafficking was severely lacking. They went on to state that while knowledge had increased, the need to explore direct work with victims should be focused upon, and that area task forces would likely be a starting point.

In fact, in a joint study conducted by the Office for Victims of Crime (OVC) and the Bureau of Justice Assistance (BJA) (2011), victim services were reviewed. This study was completed five years after the inception of the Anti-Human Trafficking Initiative led by the federal government, in hopes that the time period examined would serve as a better representation of the overall picture for human trafficking victims. What was found, was that the Arrest, Detain, and Hold method was still fairly prevalent among

the criminal justice field (“Anti-human trafficking task,” 2011). This method has been discussed earlier, in that victims are arrested for the crime of prostitution, especially if the victim is now over the age of 18, or some other act such as drug possession, and then detained and held in custody in a detention center. This is done primarily because human trafficking victims tend to be a flight risk, are in need of protection from their traffickers, and at times are in need of detoxification from substances (Clawson & Grace, 2007).

In 2007, Clawson and Grace completed a study similar to the one conducted four years later by OVC and BJA. Clawson and Grace (2007) had similar findings of inadequate services for victims, the lack of specialized knowledge of human trafficking by providers, victims posing flight risks, and existing treatment plans being focused around a crime that the victim had been convicted of. It was also found that in order for victims to be effective witness they must first be stabilized through safe housing, case management, and providers with specialized trafficking knowledge (“Anti-human trafficking task,” 2011).

Clawson and Grace (2007), found that alarmingly only four programs meeting or coming close to these criteria for effective interventions existed across the United States. The majority were female focused, and had a general length of stay from between three to six months. Through a study and review of these programs, including local and federal law enforcement, victim witness advocates and treatment providers, the following recommendations for effective programming were made; 18 month time period of residency for victims in a secure undisclosed facility (similar to a domestic violence shelter), with basic, medical, mental health, and education needs met,

intensive case management and therapy, life skills and job training, youth development (leadership project, music, art, etc), and family involvement (Clawson & Grace, 2007).

Despite this comprehensive research, the most significant and alarming lack of services is still that of housing and protection. Victims will often return to their perpetrator out of fear, and a need for basic survival. Victims are in need of more than simply a bed and a roof once taken off of the street, especially as many may be too young to enter into homeless shelters.

They will need access to counseling, advocates, and case managers. Perhaps more importantly, they need to feel safe where they are staying, in the likely event that one of their traffickers sends individuals to find them. The more a victim feels understood and wants to stay at a housing location, the less likelihood there is of that victim fleeing. It is the view of many criminal justice professionals that because of the complex nature of the trauma experienced by trafficking victims, counseling and treatment need to be mandatory. Additionally, victims should be provided healthcare access as they are exposed to a high rate of disease while in the trafficking lifestyle, and may also require preventative services ("(u) a baseline," 2013).

Ideally, a victim would be able to enter a housing location in which all of these services are provided. Unfortunately, many of these services are in the development stage across the nation, though a few that are currently taking in victims will be reviewed later. An additional complication, though an important one, is that service providers need to be specially trained to deal with human trafficking victims ("Wisconsin human trafficking," 2012). Trafficking and the resulting trauma is a multi-layered issue that the basic service provider is generally unqualified to identify and

handle (“(u) a baseline,” 2013). In addition to specialized training due to the many facets of issues these victims face, the victim should not be limited or restricted to one provider, but rather surrounded by a victim centered team approach (“Wisconsin human trafficking,” 2012).

Many victims have existed without basic human rights for a significant period of time, thus making their need for safety a priority. This can create further challenges for service providers and law enforcement. Without a safe treatment option providing housing, victims may frequently relocate in an attempt to get away from their trafficker, in addition to the earlier mentioned feelings of deserved shame and guilt, coupled with fear of law enforcement (“Wisconsin human trafficking,” 2012). Service provider and law enforcement specialized training and collaboration is imperative for this model of treatment and victim assistance to succeed (“Wisconsin human trafficking,” 2012). The theories relating to victimization should be understood and utilized by professionals in contact with trafficking victims. The victim must feel supported, safe, and as though they are being treated like a victim, not like a criminal guilty of crimes such as prostitution or drug possession.

The intent of this research is to show the lack of services for victims, and the need for better judicial response by placing these victims into appropriate programming. As previously mentioned, typical characteristics of victims for a means of identification and appropriate judicial response have been discussed. Theories of victimization will now be discussed, followed by effective interventions in the form of safe houses through a comparative analysis, and recommendations for future and ongoing victim services in these safe houses.

III. Theoretical Framework

As discussed, it is important for professionals to understand theories behind victimization when dealing with highly sensitive victims. The Lifestyle Choice Theory and Routine Activities Theory will offer varying lenses through which to accomplish this, though certainly not the only lenses.

A. Lifestyle Theory of Victimization

Lifestyle Choice Theory states that some victims are more likely to be victimized based on their location, race, gender, and economic status (Karmen, 2010). This is seen in human trafficking, as research has shown that leading a poverty stricken life is highly correlational to victimization. This theory was developed by Hindelang, Gottfredson, and Garofalo (1978), and was originally intended to explain the variant risks of victimization across social classes and groups. The basic assertion of Lifestyle Theory of Victimization is that the more exposure an individual has to high risk situations, the higher their chance for victimization.

Lifestyle risk encompasses how a person's time and money are spent, and the social roles that they occupy (Karmen, 2010). This can be thought of as a more sociological view on victimization. For example, simply by being single, people tend to venture out more at night and spend their money in bars and clubs. This lifestyle choice is different than that of a married couple, who may be more inclined to stay in, or go somewhere like the movies. Through these choices in lifestyle, the single person then becomes more susceptible to crime. This can be applied to trafficking, when thinking of juveniles as well. A well supported and involved juvenile will be more likely to be

involved in extracurricular activities, thus fulfilling their emotional needs as well as free time. A juvenile who does not have this support system is more likely to become involved with negative people to fulfill their emotional and perhaps even basic needs. Put more simplistically, someone driving a BMW, is far more likely to have their car broken into than a person with a 2007 Ford Fusion.

Meier and Miethe (1993) found that indicators such as income and gender had a high correlation with victimization. They stated that in part, victimization by lifestyle choice can be seen as victimization risk is not uniformly distributed. Additionally, it was found that vulnerable lifestyles such as low income, young, and being single, had a higher risk of victimization (Meier & Miethe, 1993). Previously, it was discussed that victims of domestic human trafficking, tend to be girls in the pre-teen/teenage age group upon first contact with a trafficker, come from lower income homes, and generally have single parent or tumultuous home lives (McSwane, 2013). It then follows that if a key piece of victimization is the environments and lack of support that the victims were previously part of, that to assist a victim is to provide safe housing, break their poor lifestyle choices and cycle with counseling and educational groups, and provide them with significant needs based support. We will now discuss Routine Activities Theory in regards to victimization, and while similar to Lifestyle Choice is in fact different. Where lifestyle and routine activity blur, is the activities that occur within a lifestyle, thus making it difficult to delineate the two at times. (Karmen, 2010).

B. Routine Activities Theory of Victimization

Routine Activities Theory was originally developed by Cohen and Felson (1979), and stated that victimization occurred when there was a motivated offender, a suitable target, and the absence of a capable guardian. In trafficking, generally all three of these factors are present, as the absence of a capable guardian is key to convincing a trafficked victim into leaving their home life to be with the trafficker.

Routine Activity Theory deals with the attractiveness, vulnerability, and proximity of a victim, all making crime more likely to occur (Karmen, 2010). Individuals fall into routine activities, or patterns, thus becoming predictable and less aware of their surroundings. Additionally, for an offender to make routine activity work for their purposes of victimization the offender themselves must be motivated, suitable targets must be available, and there needs to be an absence of capable guardians. Let's go back to the car example as a way to illustrate the difference between lifestyle and routine activity. While the lifestyle choices of the BMW owner may make him more of a target for crime, his routine activities may not. Perhaps there is a state of the art security system on the car, or maybe it is an ugly color or has body damage. Put simplistically this would be a difference in routine activity and lifestyle risks.

Mustaine and Tewksbury (2000), studied Routine Activities Theory in relationship to assaultive offences, and found that assaulted victims had a larger exposure to potential offenders. Specially, the study was able to cite victims spending a higher percentage of the week alone with strangers, as is often seen with human trafficking victims who tend to be under supervised in their personal lives. Additionally, the

structure, or lack thereof, of the neighborhood was found to have an effect on assaultive victimization. The more the neighborhood was structured around criminal activity, as is often seen in human trafficking cases, the greater the likelihood of a youth becoming the victim of an assaultive offense (Mustaine & Tewksbury, 2000).

When discussing Routine Activities Theory, victim “responsibility” may be questioned as a suitable target and the absence of a capable guardian are central to the theory (Cohen & Felson, 1979). This “victim responsibility” can come in several different degrees. Complete innocence is the simplest form of victim responsibility as there is no responsibility placed on the victim. The victim is viewed as totally innocent and as having done all the possible things available to them to keep themselves safe. Facilitation refers to, "negligently and unwittingly" assisting offenders in the victimization (Karmen, 2010). The most common example of this would be people who have had their cars burglarized because the car was left unlocked, this may also factor in to human trafficking in the rare cases that girls leave with men known to them as criminals. Precipitation is when the victim significantly contributed to the offender's use of violence (Karmen, 2010). This could be seen as a victim defending themselves with a weapon, which is the in turn used on the victim. The next form of victim contribution is provocation. Provocation is exactly what it seems, as the victim instigated the act of violence or crime (Karmen, 2010). This often occurs in gang related shootings, mafia murders, etc. Finally, full responsibility happens when a victim is not really a victim, but rather an offender attempting to take on the victim role.

The perceived level of victim responsibility clearly affects the sentencing decisions made for offenders, and thus the offender’s levels of actual responsibility and culpability

(Karmen, 2010). When victims are seen as sharing responsibility for a crime, often times offenders will be able to plead to a lesser charge, have lighter sentences, less strict rules of supervision, etc. This also harms the case for the next victim of the offender as it establishes a pattern for the offender of less than full ownership of their actions. These factors absolutely affect the possibility of a crime being reported. When a victim feels discredited or discounted, they will be less likely to report in the future. Those individuals who are victimized by the same person, or a similar type of crime may be less likely to report based on what happened with another similar case. No victim will choose to be re victimized by the criminal justice system if they can avoid it. This is most commonly seen in domestic violence cases, sexual assault, child abuse of older children, and human trafficking (Karmen, 2010). Often times these victims are regarded through a societal lens as having contributed to their victimization even if it is only in a minute form, thus these crimes remain under reported.

As human trafficking victims are often subject to this shared responsibility, it is even more important that programming and services be directed at their individual needs. Mustaine and Tewskbury (2000), found that to be effective with victims one must use specific, detailed measures of the victim's life to coordinate services. As the victim was a suitable target and had a lack of guardianship, the victim must be strengthened in these areas (Maxfield, 1987). This would include safe housing and removal from their previous environment, educational groups, and counseling, aimed at decreasing the victim's attractiveness to an offender, and creating guidance and support as external controls. These programming options and services with be further examined in the coming sections.

IV. Effective Intervention Services for Victims of Domestic Human Trafficking

Clawson and Grace (2007) found that the most effective treatment and interventions for victims of domestic human trafficking came from an 18-24 month program, offering housing, counseling, life and job skills, education, case management, and development or leadership skills. Currently, less than 12 shelters exist nationwide, with under 100 beds available to human trafficking victims, and even fewer meeting the model of Clawson and Grace(“Housing,” 2014). This section will provide an overview of three successful programs; Magdalene in Nashville, Tennessee, Breaking Free in St. Paul, MN, and Wellspring in Atlanta, Georgia. Currently, all three programs are serving as models for coalitions and private entities across the nation that are attempting to begin human trafficking programming in their communities. In fact, Wellspring is mentoring Bridging Freedom in Tampa Bay, Florida, to help create Florida’s first safe housing program (“Therapeutic safe home,” 2014). Additionally, each program does not only provide safe housing and the ensuing case management, but also has a street outreach component, and/or public education/awareness activities or events.

A. Magdalene, Nashville

Magdalene was founded in 1997 by Becca Stevens in the Nashville, Tennessee area. Their goal is to show that all prostitution is trafficking at some point and that support for victims should not hinge on their cooperation with law-enforcement (About Magdalene, 201). The staff are working with agencies to ask for shortened sentences for women and believe that effective programming needs to meet the basic housing and job issues of victims. Generally speaking victims have been in prostitution for 10 years before coming in contact with law-enforcement and 75 to 85% of victims have co-occurring mental health and substance abuse disorders (“Prostitution and trafficking,”

2014). Additionally, 60% have no formally completed high school education, all of these components show a need for treatment versus incarceration (“Prostitution and trafficking,” 2014).

Magdalene was created by Becca Stevens because she saw need in her community. The first house in the program’s existence was in the Sylvan Heights area not far from Vanderbilt College. This was literally in Ms. Stevens’ backyard, as she wanted to show the community that this type of outreach could be done compassionately and without alienating women (Stevens, 2014). All houses that Magdalene provides were donated to the program; in 2004 they opened the last of four total houses, this one in Nashville, Tennessee. This was actually the first residential permit granted by the city for this type of programming. Additionally Magdalene was one of the first programs to take women from either corrections or straight off of the street, versus being law enforcement only centered (Stevens, 2014). Today Magdalene participates in outreach in the prison system and community corrections to promote their program and the idea that women can break the cycle of addiction and violence in their lives (“About magdalene,” 2014).

The Magdalene program is based on 24 spiritual principles, and provides safe housing for 30 victims. This two year program provides domestic human trafficking victims with housing, food, medical and dental care, therapy, education, and job training all free of charge (“About magdalene,” 2014). There are no 24/7 staff, as it is believed that the victims should maintain autonomy and not be monitored in a potentially punitive mind frame (Stevens, 2008). Victims may enter the program between 20 and 50 years of age. It has been found that most residents have been sexually abused between the

ages of seven and 11 and have an average arrest rate of 100 times (“Prostitution and trafficking,” 2014). Additionally, they have been in the prostitution world for approximately 12 years (“Prostitution and trafficking,” 2014). Currently there are 80 to 100 people on the waitlist to enter the Magdalene program, part of which can be attributed to Magdalene’s astounding success rate (“About magdalene,” 2014). Two and a half years after entering the program, and thus six months after leaving the residential portion, 70% of the residents have been able to remain sober, clean, and free from trafficking (“About magdalene,” 2014).

As a component to the job programming portion, the residents may work at Thistle Farms creating bath products for sale over the internet to benefit the program budget overall. This sister program was created as a way to augment the job needs of victims, and was named for the thistles that grow in the streets and alleys that the women walk (“About thistle farms,” 2014). Thistle Farms allows residents and graduates to build a work history and skills not only through the creation of bath products, but also through the operation on an onsite café and tours of the area. Currently, over 40 residents and graduates are employed by Thistle Farms (“About thistle farms,” 2014). Additionally, graduates of Magdalene who remain in recovery at least two years after leaving the program are eligible to participate in a matched savings home buying program. Magdalene will match what the woman has saved towards a permanent home, in further support of her lifelong success (Stevens, 2008). As further incentive, graduates of Magdalene may also work with the outreach component of the program for women still on the street. This program is a four month program that will provide women

on the street with work, school, and job training, in an effort to free them from the trafficking lifestyle (“About magdalene,” 2014).

As an additional component of the Magdalene program, made Magdalene Arms also was also created. Magdalene Arms is emergency safe housing for women attempting to get out of human trafficking or prostitution (Stevens, 2008). They are provided with emergency kits, food, and information on what their next steps may be. There is no requirement to remain in this housing or complete programming, but is rather a service and outreach to women still involved in prostitution and trafficking (Stevens, 2008).

One of the unusual things about the Magdalene program is that it receives no government funding to continue its programming. Funding is provided by gifts, private grants, sale of goods from Thistle Farms, profits from the book Find Your Way Home, and prostitution solicitation school profits (Stevens, 2008). Ms. Stevens worked with the law-enforcement and the district attorney of the area to create a school for first-time solicitation offenders. This school teaches offenders, or “johns”, about domestic human trafficking and the life that these women are forced to lead (Stevens, 2008). There is a fee to complete this school for a reduced sentence or reduced jail time, which goes directly to support the Magdalene program.

Currently Magdalene is one of the premier programs for domestic human trafficking in the United States. While agencies may be reluctant to refer clients based on the spirituality aspect of the program, the results of 70% of women remaining clean and sober are undeniable. As programming for victims of human trafficking is still very much in the grassroots stage across the nation, Magdalene is working with providers,

agencies, and law-enforcement, in Dallas and New Orleans to create programs in those respective cities. While the Magdalene program in St. Louis, Missouri, is set to open this fall.

B. Breaking Free, Minnesota

The Breaking Free program in Minnesota was created one year prior to Magdalene, in 1996. Since 1996, Breaking Free has serviced 5,000 human trafficking victims through residential programming, and 22,000 victims through street outreach (“Who we are,” 2014). Their philosophy is much the same as Magdalene, in that they strive to reduce trafficking, increase public awareness, and provide support and structure for human trafficking victims (“Who we are,” 2014). They too participate in street and prison outreach. Breaking Free has also helped to create a John school with Ramsey County in an effort to educate offenders who solicit prostitutes that may have been trafficked (“The john school,” 2014). In Minnesota, 75% of the girls and women in prostitution have been trafficked (“Facts and Stats”, 2014). Additionally 60 to 90% of those females are without safe housing and have PTSD, as well as child sexual assault and physical assault issues (“Facts and stats”, 2014). Over 83% of these women and girls have been assaulted with a weapon, and 95% are chemically dependent (“Facts and stats”, 2014). Breaking Free makes it a point to educates that 100% of these women are someone's daughter and in need of help.

Breaking Free was able to open the House of Hope in May 2006. This housing provides up to two years of programming and crisis intervention with intensive supervision and support for trafficking victims (“Housing,” 2014). This housing option is coupled with one of the four programs that Breaking Free offers; the Women and Girls

program. Of the four programming options, the Women and Girls program is the core program of Breaking Free. This program provides case planning, advocacy and case management, education support groups, and life and job skills (“Who we are,” 2014). All of this can be provided while being in the House of Hope housing program, as the two are designed to work in tandem. In addition to the case planning and case management provided by the Women and Girls program, there are specific groups for alumni, relapse prevention, and Sisters of Survival. Sisters of survival is a unique group, in that it teaches women to function in the outside world without relying on their pimp, or turning to substance abuse (“Who we are,” 2014).

Breaking Free also offers legal support and services pro bono through various lawyers throughout the city (“Who we are,” 2014). This is an uncommon aspect to programming and not offered in many other programs throughout the nation. It is however, especially important as over 90% of human trafficking victims have criminal records (“Facts and stats”, 2014). The lawyers manual on human trafficking states, “Learning that a woman has been in prostitution should create a presumption that she is a trafficking victim (“Pre-court diversion,” 2014)." This sentiment is the driving force of the Breaking Free pre-court diversion program. This program strives to place women into the Women and Girls program, and upon successful completion, reduce or eliminate their sentences for things such as prostitution and drug possession that are often the first contact that a victim has with law-enforcement (“Pre-court diversion,” 2014).

Another unique program offered by Breaking Free is their permanent supportive housing program this, named Village Place (“Housing,” 2014). Village Place was

coordinated with the Minnesota HUD program, and is a 36 unit apartment building that has efficiency apartments up to two bedrooms apartments (“Housing,” 2014). This is designed so that women may also keep their children with them while at Village Place. In order to be eligible for this program victims, must complete and/or exit either the Women and Girls program or the House of Hope transitional living (Housing, 2014). This program focuses on helping women find a livable wage and continue any schooling that may be a need or want. Currently, it is the only permanent housing available in the country, and does not have a time limit, either minimum or maximum, on the programming available to the women (“Housing,” 2014). Another unique aspect of Village Place, is that four units have been set aside for unaccompanied sex trafficked youth.

As Breaking Free recognizes that human trafficking of minors is a frequent issue, and without programming in the Minnesota area, they are launching a program for youth housing for victims between the ages of 16 and 17 years old. This programming is slated to be available between late spring and early summer of 2014 (“Housing,” 2014). The youth housing program will be modeled after the House of Hope and the Women and Girls program providing the same support and resources that are currently available to older victims.

C. Wellspring, Georgia

Wellspring Living is a program in Atlanta, Georgia offering three separate housing programs for girls and women who have been victims of trafficking, as well as an assessment center. At the Redeemed Assessment Center, victims undergo a 30 day assessment (“Empowered living program,” 2014). During this process they are

medically, mentally, emotionally, and educationally assessed. Victims may be between the ages of 18 and 40 and referred to programming and/or housing based upon their assessment needs (“Empowered living program,” 2014).

The Wellspring Living for Girls program serves girls who have been trafficked or prostituted between the ages of 12 and 17 (“Wellspring living for,” 2014). Therapy, education, and access to staff are all provided. Weekly personal therapy, daily group therapy, and twice a month family therapy are key components of the program (“Wellspring living for,” 2014). Wellspring Living operates all of its programming from a strength-based and trauma informed care perspective (“What we do,” 2014). In addition to this evidence based approach, the Wellspring Living for Girls program partners with Provost Academy Online, a charter school that will help girls meet there is high school equivalency requirements while in programming (“Wellspring living for,” 2014). The Wellspring Living for Girls program is an 11 to 13 month period, slightly shorter than the recommended 18 to 24 months, that provides 15 beds and subsequent programming to trafficking victims.

However, from the Wellspring Living for Girls program, girls may transition into the Empowered Living Program, or may enter this program without first being in the Wellspring Living for Girls program. Clawson and Grace (2007), tells us that transitioning from one program to the next will be the most beneficial, as it will provide the appropriate length of time for the victim to get back on her feet successfully. The Empower Living Program serves girls between the ages of 17 and 22 who have been trafficked, and became available in 2012 (“Empowered living program,” 2014). This program is also designed to be an 11 to 13 month program, and holds 11 beds. The

Empowered Living Program (2014) is based on an apartment setting and focuses on similar goals as the Wellspring Living for Girls program; education, career skills, life skills, therapy, community support, resume building, job hunting, and budgeting. In addition to these groups, counseling and case management are also provided and encouraged in order for the residents to successfully leave the lives that they were entrenched in the prior to coming to the Empowered Living Program.

Finally, the Independent Living Program (2014) is offered for women who have been trafficking victims age 19 or older. Like the Empowered Living Program, this program is based in apartment like setting, and offers therapy, career support, and community support. Women may come to this program out of either the of the other programs offered by Wellspring, or enter this program without having participated in either previously, though the ideal candidate has graduated from one of the other two Wellspring programs. In this program career is the main focus to helping women get on their feet and into the world outside of trafficking ("Independent living program," 2014). In order to enter this program women must have a job before being admitted, additionally if they wish to pursue schooling, services will be provided and supported to accomplish that goal.

Wellspring Living is different in that it holds a training institute for programs or coalitions across the country that wish to create their own safe housing program in their area ("Training institute," 2014). This training institute began in 2008. Wellspring Living, like the two other mentioned programs, Magdalene and Breaking Free, also participates in community awareness. They have created the White Umbrella Campaign (2014) designed to show that trafficking victims are not to blame, and are in need of protection.

The fundraising efforts through this program are designed to help start to bring awareness to the problem of domestic human trafficking throughout the nation, and encourage other areas to create similar victim services.

As can be seen by the Magdalene, Breaking Free, and Wellspring Living programs, effective intervention comes in the form of being able to provide safe housing, therapy, life skills, education, and job skills. The victims of human trafficking need to be brought out of the shadows and assisted with reintegration into their communities while not being made to feel shameful. While these three programs are extraordinarily successful and modeled after the Clawson and Grace research, much research is yet to be done in this area. It is my hope that as programs across the country continue to model themselves after these three successful programs, that eventually these programs will be researched and found to be evidence-based. As human trafficking victim services are still very much in the grassroots area this may take some time to accomplish. In the next section we will be discussing recommendations for effective intervention services in the form of safe housing, counseling, and wraparound services based upon the Clawson and Grace research, and these three successful programs.

V. Recommendations

Serving victims of human trafficking in a compassionate manner, that meets the varied and complex needs of each victim can be a difficult task. The previous sections reviewed the current research into the ways that victims can best be served and also provided overviews of three programs that are currently leading the way in human trafficking victim services. It is from this research, and these programs that the following recommendations for safe housing, counseling, and wraparound services will be made.

Additionally, it is important to note that as most individuals enter into trafficking between the ages of 12 and 14, that the following recommendations should each be enacted with both a youth and an adult component (Walker-Rodriguez & Hill, 2011).

A. Safe Housing

Law enforcement contacts with human trafficking victims have shown that victims tend to be flight risks, unreliable, and substance dependent, thus making less than ideal witnesses. As discussed by various studies, the most common way for law enforcement to provide support, safety, and to ensure continued law enforcement access to victims is the arrest, detain, and hold method ("Anti-human trafficking task," 2011). The reasoning behind this method is twofold; first the victim has undoubtedly committed some crime be it prostitution, drug possession, etc., but second and perhaps more importantly, there is nowhere other than jail or with their trafficker for the victim to reside.

Thus enters the concept of safe housing. Much like domestic violence victims and shelters, human trafficking victims need to be provided with a secure, undisclosed location with which to stay (Clawson & Grace, 2007). This can help prevent traffickers from having access to their victims and attempting to exert power and control over the victim to bring them back into the trafficking lifestyle ("Human trafficking: A," 2012).

Clawson and Grace (2007) found that the most effective minimum time frame for safe housing to be available to a victim was 18 months. Of the three programs reviewed in the last section, only Wellspring does not offer an 18 month option, usually citing between 11 and 13 months as the length of stay available ("Wellspring living for," 2014). While this may appear to be a deficit, Wellspring offers three separate programs and

housing options for victims, allowing victims to transition based on age and needs, between the programs, thus substantially increasing their length of stay (“Empowered living program,” 2014).

Currently, there are approximately 12 programs in the United States with less than 100 total beds, offering safe housing to victims of human trafficking (Breaking Free, 2014). It is the recommendation that these programs be increased in size both with existing programming, and through the development of new programming. Wellspring currently offers a training institute to programs in development in an effort to help rectify this lack of services (“Training institute,” 2014). Furthermore, it is recommended that until further research is conducted into the area of human trafficking services, that a minimum of an 18 month stay in safe housing be available to victims (Clawson & Grace, 2007).

B. Counseling

Clawson and Grace (2007) cited that in addition to safe housing, victims need to have access to counseling. As many victims of trafficking come from trauma laden backgrounds, due to their lack of capable guardians, and the lifestyles and environments from which they came, previous to becoming a trafficking victim, counseling is of the utmost importance (Cohen & Felson, 1979). It is through counseling that victims may break the pattern of lifestyle choices and environments that made them a suitable target for victimization (Karmen, 2010). Through working on this trauma, as well as the trauma caused by their trafficker, victims can hope to achieve their “new normal” and become “Sisters of Survival” (Breaking Free, 2014).

It is especially important to note that, as trafficking is a multilayered and complex issue, providers should have specialized training in working with victims of human trafficking ("(u) a baseline," 2013). It is the recommendation that this counseling be offered to both outreach and residential victims of a given program. Breaking Free in Minnesota, has seen extraordinary success in offering counseling and services to victims still living on the street, reaching over 22,000 people since 1996 (Breaking free, 2014).

While it is the recommendation that street outreach be a component of a human trafficking victim program, it should not be the only component. Residents who take part in a safe housing program, need also to be offered counseling. It is suggested that initially this counseling should mirror the Wellspring program to include weekly personal counseling, daily group counseling, and twice a month family counseling ("Wellspring living for," 2014). No matter the age of the victim, it is important that they realize they are not at fault and have a support system around which to build a healthier, more successful life. A step down process should be built into the program as well, so that individuals making progress and reporting stability may see a counselor less often if they feel that is appropriate, so that resources may be directed to those with a higher need.

C. Wraparound Services

The final and equally important component in comprehensive victim services, are wraparound services. Wraparound services encompass all of the other needs of the victim; medical, educational, case management, life skills, job skills, and leadership

development/community involvement (Clawson & Grace, 2007). Victims are often so entrenched in the trafficking world that they find it difficult to trust, and are afraid of how they will survive without the "support" of their trafficker ("Human trafficking: A," 2012).

It is recommended that these services be provided through a victim centered comprehensive team approach (WI human trafficking, 2012). With wraparound services, a victim will be able to further create their support network, as in addition to a specialized counselor, they will have access to a case manager to help them reintegrate into society, find jobs, education, and take care of themselves medically and emotionally.

The ultimate goal, and subsequent recommendation created by the research for this paper, is to provide a comprehensive program for victims of human trafficking, offering safe housing for a minimum of 18 months, counseling, and wraparound services. When all of these components work in synchronicity, victims can be best served, and have the most opportunity for a successful life after the trauma of being trafficked. It is also the hope and recommendation that while some programs, such as those reviewed, exist to address victims, that ultimately more programs following the aforementioned recommendations will be implemented.

VI. Summary and Conclusion

The purpose of this paper was to bring to light the issue of domestic human trafficking, how victims become victimized, and how they may be helped to successfully reintegrate into society via appropriate, needs based responses of the judicial system.

In particular, the need for safe houses and the subsequent programming such as counseling and wraparound services was focused upon.

Every year in the United States, approximately 100,000 individuals fall victim to human trafficking, with another estimated 300,000 children living in environments that are high risk for human trafficking victimization (McSwane, 2013). Through Lifestyle Choice Theory, we know that vulnerable lifestyles such as low income, youth, and being single, had a higher risk of victimization (Meier and Miethe, 1993). Additionally, Cohen and Felson (1979) showed that victimization is likely to occur when there is a motivated offender, a suitable target, and an absence of a capable guardian. Through a study of Routine Activities Theory, Mustaine and Tewksbury (2000), found that assaulted victims, such as human trafficking victims, had a larger exposure to potential offenders. When the elements of both theories are combined, there is a perfect storm for individuals to become human trafficking victims.

Once the depth and complexity of human trafficking is understood, it stands to reason, and is supported by research, that the most effective interventions for victims are through providers with specialized training in the area of human trafficking (WI human trafficking, 2012). Additionally, the arrest, detain, and hold method of dealing with victims needs to be abandoned for safe housing options based around treatment and case management ("Anti-human trafficking task," 2011).

Clawson and Grace (2007) found that the most helpful interventions for human trafficking victims consisted of a safe housing program where individuals could remain in residency for a minimum of 18 months. This housing option needs to be coupled with

counseling and wraparound services to be the most effective (Clawson and Grace, 2007). Currently, there are less than 12 programs nationwide that offer housing and specialized services to victims of human trafficking (Breaking Free, 2014).

Tennessee, Minnesota, and Georgia all have programming available for human trafficking victims that meets the majority of the recommendations for best practice put forth by Clawson and Grace (2007). It is the recommendation of this paper, that existing programming expands, and that new programs following the model of an 18 months minimum housing, counseling, and wraparound services be instituted. It is through successful intervention options for victims, and public awareness, that these victims may be brought out of the shadows and helped to integrate back into society successfully. Through street outreach, victims will become aware of options outside of their trafficker, and successful implementation of these victim oriented programs may ultimately have a hand in the overall reduction of human trafficking victims. With trafficking coming to the forefront of public perception, it is anticipated that the next several years will produce an abundance of best practices, and hopefully a decrease in trafficking overall.

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