

Folks: This multi-article reading concerns one of the modern scourges of globalization and inequality: modern slavery (also known as human trafficking) in which gender also plays a big part.

Common Myths and Misconceptions | Polaris Project

COMMON MYTHS AND MISCONCEPTIONS ABOUT HUMAN TRAFFICKING IN THE U.S

The following document summarizes some of the commonly-held myths and misconceptions regarding the definition of human trafficking and the types of human trafficking operations that exist in the United States. The goal of the document is to address these misconceptions and help shape a more accurate "lens" for identifying and understanding trafficking. A "Top 10" List is provided below.

Myth 1: Under the Federal definition, trafficked persons can only be foreign nationals or are only immigrants from other countries.

Reality: The Federal definition of human trafficking includes both US citizens and foreign nationals - both are equally protected under the Federal trafficking statutes and have been since the TVPA of 2000. Human trafficking encompasses both transnational trafficking that crosses borders and domestic or internal trafficking that occurs within a country. Statistics on the scope of trafficking in the US are only accurate if they include both transnational and internal trafficking of US citizens as well as foreign nationals.

Myth 2: Trafficking is essentially a crime that must involve some form of travel, transportation, or movement across state or national borders.

Reality: The legal definition of trafficking, as defined under the Federal trafficking statutes, **does not require transportation**, although transportation may be involved in the crime, and although the word connotes movement. Human trafficking is not synonymous with forced migration or smuggling. Instead, human trafficking is more accurately characterized as "compelled service" where an individual's will is overborne through force, fraud, or coercion.

Myth 3: Human trafficking is another word for human smuggling.

Reality: There are many fundamental differences between the crimes of human trafficking and human smuggling. Both are entirely separate Federal crimes in the United States. Most notably, **smuggling is a crime against a country's borders, whereas human trafficking is a crime against a person**. Also, while smuggling requires illegal border crossing, human trafficking involves commercial sex acts or labor or services that are induced through force, fraud, or coercion regardless of whether or not transportation occurs.

Myth 4: There must be elements of physical restraint, physical force, or physical bondage when identifying a trafficking situation.

Reality: The legal definition of trafficking **does not require physical restraint, bodily harm, or physical force**. Psychological means of control, such as threats, or abuse of the legal process, are sufficient elements of the crime. Unlike the previous Federal involuntary servitude statutes (U.S.C. 1584), the new Federal crimes created by the Trafficking Victims Protection Act (TVPA) of 2000 were intended to address "subtler" forms of coercion and to broaden previous standards that only considered bodily harm.

Myth 5: *Victims of trafficking will immediately ask for help or assistance and will self-identify as a victim of a crime.*

Reality: **Victims of trafficking often do not immediately seek help or self-identify as victims of a crime** due to lack of trust, self-blame, or training by the traffickers. It is important to avoid making a snap judgment based on the first interviews and to understand that trust will take time to develop. Continued trust-building and patient interviewing is often required to get to the whole story.

Myth 6: *Trafficking victims always come from situations of poverty or from small rural villages.*

Reality: Although poverty is highly correlated with human trafficking because it is often an indicator of vulnerability, **poverty alone is not a single causal factor or universal indicator of a human trafficking victim.** Trafficking victims can come from a range of income levels and many may come from families with higher socioeconomic status.

Myth 7: *Sex trafficking is the only form of human trafficking.*

Reality: Elements of human trafficking can occur in the commercial sex industry as well as in situations of forced labor or services. **Human trafficking encompasses both “sex trafficking” and “labor trafficking,” and can affect men and women, children and adults.**

Myth 8: *Human trafficking only occurs in illegal underground industries.*

Reality: Elements of human trafficking can be identified whenever the means of force, fraud, or coercion induce a person to perform commercial sex acts, or labor or services. **Trafficking can occur in legal and legitimate business settings as well as underground markets.**

Myth 9: *If the trafficked person consented to be in their initial situation or was informed about what type of labor they would be doing or that commercial sex would be involved, then it cannot be trafficking or against their will because they “knew better.”*

Reality: **A victim cannot consent to be in a situation of human trafficking.** Initial consent to commercial sex or a labor setting prior to acts of force, fraud, or coercion (or if the victim is a minor in a sex trafficking situation) is not relevant to the crime, nor is payment.

Myth 10: *Foreign national trafficking victims are always undocumented immigrants or here in this country illegally.*

Reality: Foreign national trafficked persons can be in the United States through either legal or illegal means. Although some foreign national victims are undocumented, a significant percentage may have legitimate visas for various purposes. **Not all foreign national victims are undocumented.**

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Polaris Project works to empower and mobilize people from diverse backgrounds and of all ages to take meaningful action against human trafficking. Register with www.polarisproject.org/signup to receive regular updates on human trafficking in the United States.

Folks: This document continues below.

Comparison Chart of Primary Sex Trafficking Networks in the U.S.

	Asian Networks	Latino Networks	Domestic Networks
Locations of operation	Asian Massage Parlors (AMPs), room salons/hostess clubs, residential brothels, karaoke bars, escort services	Residential brothels, escort “delivery” services, hostess clubs/”cantinas,” and some massage parlors	Street, hotels, residential brothels, strip clubs, some massage parlors, internet, truck stops, private parties
Trafficker profile	Older Asian female management in AMPs, male owners, enforcers, and transporters	Latino male controllers, recruiters, enforcers, transporters; pimps known as “padrotes” (father)	U.S. domestic male pimps, male and female recruiters and enforcers, male transporters
Victim profile	Predominantly South Korean women, and some Chinese and Thai women, often between ages of 18 and 55; rare minors	Predominantly Mexican, central American, and south American adult women and some minors	U.S. Citizen adults and minors; some Native Americans; avg. age of recruitment estimated at 12-14
Demand profile (Johns) Open: All men Closed: Only some men	Middle to upper class working professionals; Asian men in ‘closed’ networks; some foreign business men	Entirely ‘closed’ network catering to Latino males	Open network that includes men of all backgrounds
Methods of recruitment	False promises of legitimate employment, internet chat rooms, in saunas/baths	False promise of marriage and opportunity; false promise of legitimate jobs	False promise of love and support; sometimes kidnapping or abduction
Methods of control	Physical isolation, language barriers, debt bondage, threats, threats of reports to immigration, psychological control, intimidation, controlled transportation	Physical abuse, rape, assault with weapons, debt bondage, threats of force, threats to family, threats of reports to immigration, sexual abuse of minors	Physical abuse, rape, assault with weapons, debt bondage, threats of force, sexual abuse of minors, threats to family or to children, control of drug supply, psychological control
Affiliation to gangs	Some have affiliation with Asian street gangs and/or organized crime	Some have affiliations with MS-13 and other Latino gangs	Some have affiliations with street gangs; some gangs directly engage in trafficking
Advertising mechanisms to attract customers	Classified ads, Asian newspapers, internet classifieds, phone directories, word of mouth, billboards	Fake business cards distributed person-to-person, word of mouth	Online sex ads, internet classifieds, local newspapers, phone directories, word of mouth, text messaging
Pricing structure/Cost per sex act	\$60 per hour plus tips for AMPs; inflated prices for food and alcohol in room salons; average of 5 to 15 men a day	\$30 for 15 minute sex act; avg. of 20 to 35 men a day; money usually taken by managers and ‘padrotes’	Nightly quotas of \$200 to \$1,000; average of 7 to 15 men per day; all money kept by pimps/traffickers
Transnational and internal transportation structure	Smuggling through Canada and Mexico; overstaying legitimate visas; use of Korean “taxi” services	Smuggling through Mexico; transported via cargo vans or commercial buses between cities	Direct transportation by pimps; use of individual cars and/or commercial transportation lines
Support Structure that Facilitates Operations	Advertisers, landlords, active online john community	Advertisers, landlords	Advertisers, landlords, media, operators of hotels used heavily by pimps, taxis

CHILD SEX TRAFFICKING IN THE UNITED STATES

The following document provides a brief overview of child sex trafficking in the United States. The definition, relevant Federal law, statistics, and sample of prosecutions are included below. The document is intended to provide a basic understanding of this issue and should not be viewed as exhaustive.

AN OVERVIEW OF CHILD SEX TRAFFICKING

Trafficking of minors for the purpose of commercial sex acts is a form of modern-day slavery. Child sex trafficking occurs when a person under the age of 18 is induced to engage in commercial sex. Unlike other forms of trafficking, there is no need to show that a minor has been forced, coerced or defrauded into engaging in commercial sex. If a minor has been induced to perform commercial sex in any way, that minor is a victim of human trafficking.

SELECT FEDERAL LAWS RELEVANT TO CHILD SEX TRAFFICKING

- **Trafficking Victims Protection Act (TVPA) of 2000** was the first comprehensive federal act to combat human trafficking through measures of prevention, protection, and prosecution. It was reauthorized in 2003, 2005, and 2008. Under this statute, the crime of sex trafficking of children occurs when a person under 18 years of age is induced to engage in commercial sex. Penalties for this crime are as high as life imprisonment for the most severe cases.¹
- **Mann Act of 1910** makes it a felony to knowingly transport a person in interstate or foreign commerce for prostitution or any sexual activity for which a person can be charged with a criminal offense, or to persuade, induce, entice or coerce any person to travel across state lines to engage in prostitution or other immoral purposes, or attempt to do so.²
- **The Racketeer Influenced and Corrupt Organizations Act (RICO Act)**³, passed in 1970, created new rules for admitting evidence of organized crime by creating a way to make a claim based on a “pattern,” defined as two occurrences of “racketeering activity,” which is defined as behavior that violates other specified laws, federal statutes or state laws.⁴ The Trafficking Victim Protection Reauthorization Act (TVPRA) allows “trafficking in persons” to be included in the definition of a “racketeering activity.”⁵

RELEVANT STATISTICS

The following are existing statistics on the sex trafficking of U.S. citizen minors. The availability of statistics on human trafficking is limited due to the crime’s hidden nature, limited awareness by law enforcement and social service providers, and lack of research.

- According to the National Center for Missing and Exploited Children, approximately 100,000 children are at risk of being commercially sexually exploited annually.⁶
- The average age of entry into the commercial sex industry is between 12 to 14 years old.⁷

TYPES OF CHILD SEX TRAFFICKING

Although child sex trafficking may occur within a wide range of situations, it is often found in the following forms. This list is not exhaustive nor is it a fixed indicator that trafficking is taking place without further investigation.

- **Pimp-Controlled Prostitution and Stripping:** A pimp exerts control over minors who provide commercial sex to paying customers where the pimp retains the profit. Pimps recruit vulnerable girls



through promises of love, attention and support, and use the victim's emotional and financial reliance to induce the girls into commercial sex. Pimp-controlled prostitution is extremely manipulative and can be exceedingly physically violent. Victims are often moved from place to place or city to city to avoid detection and increase reliance on the pimp. Sites include, but are not limited to, street-based prostitution, hotels and motels, truck stops, and exotic dance clubs.

- **Residential Brothels:** Residential brothels are typically informal, cash-based, underground businesses that operate in residential and non-commercial areas. Common venues include: homes, condos, apartments, trailers, and outdoors in agricultural areas. Typically, residential brothels maintain a flexible and mobile status; escort services or “out calls” are also used. One of the most common types of residential brothels in the U.S. is a “closed network” Latino brothel which is restricted for Latino men only. The victims present within these networks are almost always women and children from Latin America and are recruited through a variety of means, often with false promises of a good job in the United States.
- **Escort Agencies:** Though escort agencies may claim to advertise adult women to their customers, at times these agencies will advertise commercial sex with minors, often using coded language such as “barely legal” or “young” on websites or other media outlets. Pimps often use escort agencies to advertise the minor victims under their control.
- **Truck Stops:** Pimps often bring young girls to truck stops to engage in commercial sex with truck drivers. Pimps may target truck stops exclusively, may use truck stops to supplement their main market or may bring their victims to truck stops as the opportunity arises; for example, as they are en route bringing their victims to another location. Purchasers of commercial sex will search “john boards” on the internet to find truck stops where commercial sex is available. At the truck stop, pimps will advertise that girls are available using CB radios or by forcing the victims to solicit customers by going truck to truck. Johns signal that they want to purchase sex by using their headlights or stickers on their windows.

RECENT CHILD SEX TRAFFICKING CONVICTIONS

- 2011, [U.S. v. Rivas](#): Alexander Rivas, an MS-13 gang member, was convicted and sentenced in 2011 to 10 years in prison for child sex trafficking offenses after compelling two girls, aged 14 and 17, into prostitution. Rivas would procure up to 100 clients per night, and would transport the minors to the clients. Rivas carried a gun and machete to intimidate the minors as well as customers.⁸
- 2010, [U.S. v. Jones](#): Eddie Jones and Daryl Tavares each received a sentence of 25 years in prison for trafficking women and girls in Massachusetts and other states. Four others pleaded guilty to conspiracy charges related to the trafficking ring. Victims, many of whom were younger than 18 when they were trafficked, described Jones' and Tavares' brutal physical violence. One victim explained that Tavares carved her face to scar her permanently, indicating to others that she was his physical property.⁹
- 2011, [U.S. v. Kweme](#): Cooper Kweme, a 31 year old shopping mall security guard in suburban Maryland, pleaded guilty to sex trafficking of a 16-year-old girl. In October 2011 he received a sentence of 11 years in prison. Kweme met his victim on an online social networking website aimed at teenagers. After Kweme lied about his age to the girl, he initiated an intimate relationship and took sexually suggestive photos of her, which he used to advertise her for commercial sex on the internet. From March until May 2011 Kweme sold the girl for sex in the Washington, D.C. suburbs.¹⁰



CHALLENGES FACING CHILD SEX TRAFFICKING VICTIMS

The following are examples from a broad range of challenges faced by child victims of sex trafficking.

- **Criminal Charges:** Minor victims of sex trafficking are often arrested and criminalized despite their status as victims under federal law. Victims of sex trafficking may be arrested on such charges as prostitution, loitering for the purposes of prostitution or indecent exposure. When victims are treated as criminals they become less likely to reach out to law enforcement for assistance to leave a trafficking situation, even when they are in real danger.
- **Cultural Pressure:** Popular culture glamorizes the relationship between pimps and their victims in music, movies, and video games that are directly marketed towards youth. Additionally, young females are inundated with messages that being physically attractive to men gives them value. These representations strip girls of healthy self-image and may cause them to overlook the violence involved in pimping. These societal messages prime vulnerable girls to become victims of trafficking. The commercialization of sex similarly affects victims who are GLBTQ youth, particularly youth who experience isolation or homelessness due to their sexual orientation or gender identity and thus lack stable emotional or financial support.¹¹
- **Emotional Control:** Child victims of sex trafficking may not readily self-identify as victims due to the psychological abuses inflicted by their trafficker to reinforce control or shame victims into submission. As reflected by law, children lack the emotional and psychological development to engage in sexual relationships with adults.
- **Familial Sex Trafficking:** Parents or other family members may be traffickers. If the controller is a family member, it can be particularly difficult for the child to leave the situation or involve law enforcement due to shame, fear of repercussions within the family unit or fear of leaving, and emotional attachment to the family member. This creates much of the same complexity that exists with leaving an abusive relationship. Family members may also have arranged the sex trafficking situation in exchange for monetary compensation, and may also pressure the child to enter or remain in the situation to help support the family.
- **Immigration Status:** A trafficker may use visa fraud to bring a foreign national child sex trafficking victim into the United States. Traffickers often use the threat of deportation as well as document confiscation to maintain control over their victims. Children are particularly vulnerable to this manner of crime.
- **Isolation:** Child victims can be isolated from friends and family and manipulated into believing that their only possible means of support is a pimp and his or her co-conspirators for all of life's necessities. As a result, it is extremely difficult for a child victim of trafficking to extricate him or herself from a trafficking situation, and it may take repeated attempts to leave a situation.
- **Social Services:** Though social services do exist for both foreign national and domestic child victims of trafficking, there remain insufficient services to meet the scope of the problem. Domestic victims of child sex trafficking often struggle to navigate social services and other federal assistance programs, despite their legal status in the U.S. Both foreign national victims and U.S. citizen victims of pimp-control experience document confiscation which hampers their ability to access services.

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Child Sex Trafficking At-A-Glance | Polaris Project

¹ 18 U.S.C. § 1591.

² 18 U.S.C. §§ 2421 - 2428.

³ 18 U.S.C. §§ 1961 - 1968.

⁴ Kathleen Kim and Daniel Werner, *Civil Litigation On Behalf of Victims of Human Trafficking*, 3rd ed. (Southern Poverty Law Center, 2008), 44-45, http://library.lls.edu/atlast/HumanTraffickingManual_web.pdf (accessed November 8, 2010).

⁵ *Ibid.*

⁶ Ernie Allen, President and CEO of the National Center for Missing and Exploited Children, speaking to the House Victims' Rights Caucus Human Trafficking Caucus, Cong. Rec., 111th Cong., 2nd sess., 2010.

⁷ *Ibid.*

⁸ "MS-13 Member Receives 10 Years for Sex Trafficking of Juveniles." Federal Bureau of Investigation <http://www.fbi.gov/washingtondc/press-releases/2011/alexandria-ms-13-member-receives-10-years-for-sex-trafficking-of-juveniles> (accessed December 17, 2011)

⁹ "Boston Man Sentenced to 25 Years for Sex Trafficking of Minors." Federal Bureau of Investigation. <http://www.fbi.gov/boston/press-releases/2010/bs042310.htm>; (accessed December 17, 2011); "Two Boston Area Men Convicted of Sex Trafficking Children." Federal Bureau of Investigation. <http://www.fbi.gov/boston/press-releases/2009/bs110609a.htm> (accessed December 17, 2011)

¹⁰ "Montgomery County Man Sentenced 132 Months for Sex Trafficking a Minor." Federal Bureau of Investigation. <http://www.fbi.gov/washingtondc/press-releases/2011/montgomery-county-man-sentenced-132-months-for-sex-trafficking-a-minor> (accessed December 17, 2011).

¹¹ Brett M. Figlewski and Lee W. Brannon, "Trafficking and the Commercial Sexual Exploitation of Young Men and Boys," in *Lawyers' Manual on Human Trafficking* (New York, 2010): 155, <http://www.nycourts.gov/ip/womeninthecourts/LMHT.pdf> (accessed January 2, 2012).



HUMAN TRAFFICKING CHEAT SHEET

Overview

- Human trafficking is a form of modern-day slavery.
- Human trafficking is prevalent in many countries around the world. Different countries may be primarily sites of origin, transit, destination, and/or internal trafficking.
- Cases of human trafficking have been reported in all fifty states of the United States (Free the Slaves).
- Human trafficking is a market-based economy that exists on principles of supply and demand. It thrives due to conditions which allow for high profits to be generated at low risk.

What is Human Trafficking?

- As defined in the Trafficking Victims Protection Act of 2000, the legal definition of “severe forms of trafficking in persons” is:
 - a) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
 - b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- Under the legal definition, trafficking victims in the US can be divided into three populations:
 - Minors (under age 18) induced into commercial sex;
 - Adults age 18 or over involved in commercial sex via force, fraud, or coercion;
 - Children and adults forced to perform labor and/or services in conditions of involuntary servitude, peonage, debt bondage, or slavery, via force, fraud, or coercion.
- Victims are trafficked for a wide variety of purposes, such as commercial sex, agricultural work, or housekeeping, yet they all share the loss of one of our world's most cherished rights—freedom.
- There is no one consistent face of a trafficking victim. Trafficked persons can be rich or poor, men or women, adults or children, and foreign nationals or US citizens.
- There is no one consistent face of a trafficker. Traffickers include a wide range of criminal operators, including individual pimps, small families or businesses, loose-knit decentralized criminal networks, and international organized criminal syndicates.

The Law

- Human Trafficking is a crime under US and international law, as well as under many state laws.
- The Trafficking Victims Protection Act (TVPA) of 2000 is the main US law on trafficking. It has been reauthorized in 2003, 2005 and 2008.
- The “Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children” is the main international law on the subject.

Statistics

- The number of trafficking victims in the US is largely unknown. However, hundreds of thousands of US citizen minors are estimated to be at risk of commercial sexual exploitation.

Myths and Misconceptions

- It is important to dispel certain myths about trafficking.
 - Trafficking is not smuggling or forced movement.
 - Trafficking does not require transportation or border crossing, and does not only happen to immigrants or foreign nationals.
 - Trafficking does not require physical force, physical abuse, or physical restraint.
 - The consent of the victim is considered irrelevant, as is payment.

Why Slave Labor Still Plagues the Global Food System

by Eliza Barclay

June 20, 2013 1:04 PM

When the State Department released its [annual report](#) on human trafficking Wednesday, we got a chilling reminder that even in 2013, slave labor is still embedded in the global food system.

As many as 27 million men, women and children are estimated to be trafficking victims at any given time, according to the report. And some of those victims, the State Department says, are later forced to work in agriculture and food processing (though no one has a good idea how many).

The agriculture sector has an ugly track record when it comes to labor abuses, of course. Sugar production fueled the slave trade that brought millions of Africans to the Americas. As the Polaris Project, an anti-slavery organization, , agricultural work today is often isolated and transient, with peaks and lulls in employment due to changing harvest seasons. These conditions leave workers vulnerable, creating opportunities that farmers and food factory owners continue to exploit.

The new State Department report has many references to farm work: Malian children transported to Ivory Coast for forced labor on [cocoa farms](#), and ethnic Indian families forced to work in the Bangladesh tea industry, to name a couple. Some of these offending farms and factories serve only the local economy. But some are selling food products on the international market.

As NPR's Michele Kelemen , the State Department hopes that this year's report will hit home with Americans. And so an official reminds us that as consumers, we are at one end of a food supply chain that sometimes leads back to slavery.

Luis CdeBaca, the official in charge of the office that monitors and fights trafficking, told Michele:

"This year's report looks at things like the fishing industry — and actually raises a question that I think all of us should be asking, which is: How much of my life is impacting modern-day slavery? Do I know where the shrimp is being caught or processed that is on my plate?"

CdeBaca's comment was a lightly veiled reference to shrimp farms and processing plants in Thailand, which labor groups claim are heavily reliant on migrant workers from Laos, Myanmar and Cambodia.

Because of ongoing issues on shrimp farms and elsewhere, for the fourth year in a row the State Department put Thailand on the "Tier 2 Watch List" for failing to increase efforts to address human trafficking, compared with the previous year.

Thailand is the source of one-third of all shrimp imported by the United States. American retailers (and consumers) like it in part because it is cheap. Labor abuses at Thai shrimp factories and farms that export are well-documented. As PBS [reported](#) last year, Thai labor activists have documented abuses of Myanmarese migrant workers who work in the shrimp-peeling sheds that supply shrimp to larger factories for export to the U.S.

A recent [briefing paper](#) by the International Labor Rights Forum and the Warehouse Workers United noted labor abuses at Thai shrimp producer , which has been a major supplier to Walmart and a leading shrimp processor for the U.S. market. But despite the prevalence of abuse, the paper recommends that Walmart not drop Narong as a supplier but instead "work with labor and human rights activists in Thailand to ensure the rights of the workers who produce shrimp for Walmart in Thailand are respected."

Forced labor, including debt bondage, also continues to sustain palm oil plantations in Malaysia, also on the Tier 2 Watch List, and Indonesia. (Palm oil is used in lots of processed foods, from to .) Cargill, the largest importer of palm oil and trader of 25 percent of the world's palm oil supply, it has a policy of not using any slave or child labor. But the Rainforest Action Network [has alleged that](#) one of Cargill's palm oil suppliers used slave labor on the island of Sumatra in Indonesia.

Even in the U.S., food workers aren't exempt from abuse and even slavery. As our NPR colleague Yuki Noguchi [reported](#) last month, men with intellectual disabilities who worked at an Iowa turkey-processing plant suffered severe verbal and physical abuse for over 20 years. A jury eventually awarded the men approximately \$3,000,000, the largest jury verdict in the history of the U.S. Equal Employment Opportunity Commission.

And we here at The Salt have [previously told you](#) about labor groups that have documented cases of enslaved migrants working in Florida's tomato industry.

To get a rough idea of how your consumption habits may lead back to slave labor, use the calculator at [slaveryfootprint.org](#).
