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Halting human trafficking in Pittsburgh

by Lisette M. McCormick

On your way home from a long evening at the office or after seeing a show downtown, have you ever seen a woman standing on a corner and periodically approaching pedestrians or cars? If so, you may have witnessed the trafficking of a human being, possibly as young as 12.

Most of us would simply file the image away in our mind as a routine act of prostitution, probably involving an adult female and an older male customer. Some of us might even expect that if law enforcement appeared at the scene, they would arrest the customer, as well as the prostitute and possibly, the trafficker, if he could be located.

Unfortunately, that would be highly unlikely. Many of these scenarios result in the arrest and incarceration only of the young woman (or boy), frequently under the age of 18, who is being coerced into prostitution, or “trafficked.” Indeed, it is common for trafficking to occur in plain sight, but it is often mistaken for or prosecuted as another crime with the victims being treated as criminals. If police are not trained to recognize the signs of human trafficking, victims of sexual abuse can be incarcerated for prostitution and released to the custody of the trafficker who victimizes them.

You might ask how the scenario could be defined as “human trafficking” since it did not involve a woman from a foreign country and a gang of kidnappers from an eastern European country. Certainly, human trafficking can and does involve the sexual exploitation of foreign nationals who are transported from country to country and state to state within the United States. But it also involves the transfer of American children or young adults from states and counties—even from one street corner to another within an urban or suburban municipality. These are often local girls or boys who have run away from abusive homes and ended up working the streets for a local pimp as a matter of survival.

In reality, these children are captives of the trafficker who physically and sexually assaults them and treats them as a commodity. The abuse of these young victims is so severe that they often die within five to seven years of being brought into the sex-trafficking industry.

A considerable amount of information is now available online about human trafficking as a crime and as an industry. Although human trafficking includes labor trafficking, as well as commercial sexual exploitation, my focus in this article is the sex trafficking of women and children. I have synthesized some of this data into a series of questions and brief responses, but you can find many more details at www.PolarisProject.org.

What is human trafficking? Often described as “modern slavery,” human trafficking is one of the fastest growing

criminal industries in the world and the second largest form of organized crime; the first being the illegal drug trade. One of its most common types in Pennsylvania is the “commercial sexual exploitation” of children and young adults defined as “a commercial sex act induced by force, fraud or coercion or in which the person induced to perform such an act has not attained 18 years of age.”

How prevalent is it and how does it relate to prostitution?

An estimated 100,000 to 300,000 American children are sold for sex each year. The average age of entry into the commercial sex industry in the United States is between 12 and 14 years old. Pimps and traffickers sexually exploit these children through street prostitution and in adult nightclubs, illegal brothels, sex parties, motel rooms, hotel rooms, and other locations. They often advertise the victims on Craigslist or Backpage postings.

Who are the victims? Human trafficking cuts across all races, ethnic groups, income levels, ages, and genders, but most of the children who are exploited in the sex-trafficking industry are so-called “street children.” The vast majority of these children come from homes in which they suffered physical and sexual abuse at the hands of their parents or foster families. This population is seen as an easy target by traffickers because the children are generally vulnerable, without dependable guardians, and suffer from low self-esteem.

Who are the traffickers? Traffickers include a wide range of criminal operators, such as corrupt individuals, small families or businesses, loose-knit decentralized criminal networks, and international organized criminal syndicates.

Why do the victims stay with the trafficker? Often in domestic sex-trafficking situations, a trafficker will cause a child victim to feel dependent on prostitution for life’s necessities and survival. For example, a trafficker will lure a child with food, clothes, friendship, love, and a seemingly safe place to stay. After cultivating a relationship and engendering a false sense of trust with the child, the trafficker will begin engaging the child in prostitution. It is also common for traffickers to isolate victims by moving them far away from friends and family, altering their physical appearances, or continuously moving victims to new locations. In many cases, victims become so hardened by the environment in which they must learn to survive that they are incapable of leaving the situation on their own.

Does human trafficking occur in our state and in our city?

Pennsylvania is well-known as both a “pass-through” and a “destination” state for human trafficking. Incidents are regularly reported in newspapers, list serve emails, and Internet blogs across our state. Pittsburgh, Philadelphia, Reading, Delaware County, and Harrisburg among others

have been identified as sites where children as young as 10 years old were victimized by traffickers. Pennsylvania is regularly ranked in the top 15 states from which the National Human Trafficking Resource Center Hotline receives calls. Traffickers utilize the highways of the state to move victims between trafficking hotspots in Ohio, New Jersey, and New York, and to connect with the Interstate-95 corridor along the eastern seaboard from New York to Maryland, Washington, D.C., Georgia, and Florida. The problem in Pennsylvania is so severe that earlier this year, our Legislature passed House Resolution 529, calling on all levels of Pennsylvania government to be vigilant against all forms of human trafficking and to stop it before it destroys more lives. In addition, there are several bills pending in the Pennsylvania Legislature designed to combat the trafficking industry.

Is human trafficking illegal in Pennsylvania? The U.S. Department of Justice enforces federal and international laws prohibiting human trafficking around the world and sometimes in our state. Pennsylvania has its own human trafficking law, as well (Title 18, Chapter 30 of the Pennsylvania Consolidated Statutes), but it is rarely used. Most sex-trafficking cases at the local level are treated solely as prostitution cases. The reasons for this failure include police and prosecutors' lack of familiarity with the law, their assumption that the victim is unlikely to cooperate with them, or the vague language used in the statutory definition of the offense.

What can be done to address the problem? In June 2012, the Legislature's Joint State Government Commission produced an extensive report on human trafficking in Pennsylvania, which included numerous policy recommendations and proposed legislation. The report states that "public awareness and professional training, increased penalties and access to victim services are crucial for combating human trafficking. Success in combating human trafficking requires concerted efforts of organizations and agencies on the regional, national and international levels." The report can be found at: <http://jsg.legis.state.pa.us/publications.cfm?JSPU>.

Members of our legal community and the general public can support the recommendations by taking the following actions: Contact your state legislator to urge his/her support of the following two pending bills related to human trafficking: H.B. 2016 (sponsored by Rep. Brian Ellis) providing for the amendment of Titles 18 and 42 of the Pennsylvania Consolidated Statutes clarifying the definition of the offense to specifically include "commercial sex," making it easier to prosecute the cases against traffickers.

S.B.1587 (sponsored by Sen. Stewart Greenleaf) which provides a wide range of anti-human trafficking initiatives, including increasing penalties for "johns" and clarifying language in the law to facilitate prosecutions of traffickers; creating a Pennsylvania Council for Prevention of Human Trafficking within the PA Commission on Crime and Delinquency charged with developing a state plan and administering a grants program for training and increasing public awareness; and providing for civil causes of action for damages and other relief and services for victims.

Through the hard work and support of many organizations concerned about this issue and members of the general public, the Legislature recently passed S.B. 338 (sponsored by Sen. Daylin Leach) requiring the posting of the National Human Trafficking Resource Center Hotline number by businesses in high-trafficking areas, such as bus and train stations, truck stops, turnpike rest stops, and the like. This should enable trafficking victims to summon help from law enforcement in the process of being transported by the traffickers from one location to another.

Contribute your time or money to one or more of several excellent organizations providing direct services to victims of human trafficking and working to combat human trafficking in Pennsylvania: Covenant House Pennsylvania; Pennsylvania Coalition Against Rape; Dawn's Place; The Project to End Human Trafficking.

If you are a prosecutor, criminal defense attorney or a judicial officer, become familiar with the Pennsylvania Human Trafficking Law or, preferably, attend a training session on human trafficking offered around the state by a reputable training organization, such as the Pennsylvania Coalition Against Rape or Aequitas. The training involves education on successful methods of identifying high-risk victims, investigative techniques, support services for victims, and gaining the cooperation of the trafficking victims to enable the successful prosecution of the trafficker.

Go to www.PolarisProject.org to learn more about human trafficking and actions you can take to help combat it.

Learn the signs of human trafficking from the Polaris website and use your knowledge to alert the authorities if you observe what you believe to be a possible incident of human trafficking.

The key to dismantling this industry in Pennsylvania is equipping law enforcement with the tools to successfully prosecute these cases, and reversing the mindset that treats these children as criminals rather than as innocent victims of a heinous crime. It will take the cooperation of many facets of the court system and other entities to succeed, but as our colleagues in other communities around the country have proven, it can be done. Our children need your help right here in southwestern Pennsylvania. ■