Identifying and Representing Human Trafficking Survivors Effective Legal Advocacy Through a Trauma Informed Approach



Statistics

Estimated 27.6 million victims of HT worldwide 57% men/boys and 43% women/girls 78% of sex trafficking victims are female No reliable estimate for US numbers but HT has been reported in all 50 states, the District of Columbia, on tribal lands and within U.S. Territories.

Source: United Nations International Labor Organization



Michigan Numbers

than Michigan.

Since 2007, National Human Trafficking hotline has received more than 10,000 Michigan based tips with nearly 3000 confirmed cases of HT and over 6000 victims.

Source: 2024 Michigan Human Trafficking Commission Report



- As of 2023, only five states received more signals (i.e. tips) regarding suspected HT



The Crime of Human Trafficking

Sex trafficking in which a commercial sex act is induced by **force** fraud, or coercion, or in which the person induced to perform the act has not attained the age of 18 year of age; or

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.

Source: Trafficking Victims Protection Act 22 U.S.C. 7102 (11)









Laws

Criminal penalties – 10 years to life imprisonment, consecutive sentencing (MCL 750.462 et seq)

Expert testimony as to human trafficking victim's behavior is admissable (MCL 750.462g)

Deferred adjudication/dismissal for victims (e.g. accosting and soliciting) (MCL 750.451c)

Restitution for survivors (MCL 752.981)

Expungement of specified convictions without waiting period (MCL 780.621(3)); MCL 780.621d(6))

Michigan Anti-Trafficking





Beating

Sexual Assault

Burning

Confinement

Torture

Forced Drug Use







False promises

Lying about a "better life"

Deceitful, enticing, and affectionate behavior

Preying on desperation



Fraud



Creating dependency through drug addiction

Establishing quotas

Threatened abuse of legal process

Climate of fear, intimidation, and abuse

Taking personal items



Coercion





Who are the Victims?

of victimization.

The higher the <u>vulnerability</u>, the greater the chance



Vulnerability Factors

Poverty

Broken Homes

Removal from Home/Foster Care

Drug Use of Parent/Caregiver

Trafficker Known to Victim







Who are the Traffickers?

Anyone who profits from the con "Gorilla Pimps" "Daddy Pimps" "Romeo Pimps" (minors online)

"Under the Table" Employers (foreign born employees)

Anyone who profits from the commercial exploitation of another:



Social Networking Applications



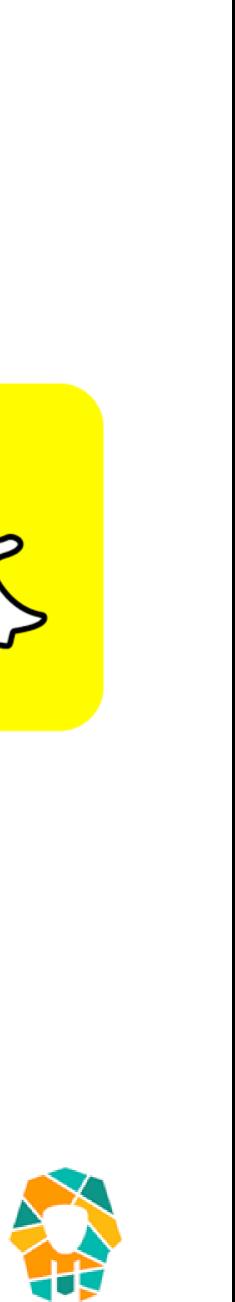












The Consequence



Legal Needs of Survivors

Family Law Custody Child Support PPOs

Immigration T and U Visas <u>Criminal Justice Advocacy</u> Expungement and Record Relief Defense for the incarcerated Legal name changes

<u>Civil</u>

Legal name changes Civil action (hotels, casinos, bars/clubs) Debt Relief

Benefits

Victim Compensation Restitution





Identifying Victims of Sex Trafficking Red Flags:

Person seems overly fearful, submissive, tense, or paranoid.

Person is deferring to another person before giving information.

pimp phrases.

Clothing is inappropriately sexual or inappropriate for weather.

Identification documents are held by another.

Person works long or excessive hours

Multiple phones or social media accounts.

Signs of unusual wealth without explanation—new jewelry, shoes, phones without any known form of income.

- Person has physical injuries or branding such as name tattoos on face or chest, tattoos about money and sex, or



Identifying Victims of Labor Trafficking

Red Flags:

Worker is not free to leave premises.

Worker lives at the business.

Worker has excessively long and/or unusual hours or is always available on demand.

Worker owes a large debt that is continually increasing and cannot be paid off.

Workplace has high security features such as opaque windows, bars, locks outside doors.

speak.

Goods or services are priced below general market rates.

Someone else controls the worker's identification documents and finances.

Source: Texas Office of Attorney General, Human Trafficking and Transnational Organized Crime Division

- Worker is transported to the location by the owner or manager and all workers arrive and leave at the same time.
- Worker seems to be deferring to another person before giving information, avoids eye contact, or isn't allowed to









Trauma Informed Lawyering

Puts the realities of the client's trauma experiences at the forefront

Understanding long term effects of trauma (memory loss, loss of executive functioning, inconsistent statements)

Focus on avoiding re-traumatization

Understand/identify trauma bonding behaviors

Coordination with providers (counselors, residential treatment programs)

Source: Hannah Savaso "The Importance of Trauma Informed Lawyering" Human Trafficking Institute, April 15, 2021





Additional Resources

National Resources:

Polaris Project (<u>https://polarisproject.org/</u>)

Call to Freedom (https://www.calltofreedom.org/about/)

U.S. Department of Justice (<u>https://www.justice.gov/humantrafficking/resources</u>)





Additional Resources

Michigan Resources:

Department of Attorney General (<u>https://www.michigan.gov/ag/initiatives/human-trafficking</u>)

Sanctum House (<u>https://sanctumhouse.org/</u>)

Grace Centers us/)

Grace Centers of Hope (https://gracecentersofhope.org/about-





A nonprofit organization committed to addressing the legal consequences of human trafficking

What is The Joseph Project?



To connect human trafficking survivors with skilled pro bono legal counsel



Our Mission

Our Services

Assess – Determine legal needs/obtain thorough background information/obtain support documentation

Initiate – Connect to attorney/stay involved to provide assistance

Empower – Address legal issues/cover court related expenses

Educate – Promote victim identification



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