Human Trafficking in Lehigh County

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Senior Deputy District Attorney
Motivation behind Human Trafficking
Motivation behind Human Trafficking

- Everyone in love!!!
- And I'm like
- That's cute!!!

- Real bitches be like
- here you go daddy
What is Human Trafficking?

• Modern Day Slavery that involves the use of force, fraud, or coercion to obtain labor or a commercial sex act.

• Different from Human Smuggling
  • Exploitation based
  • Does not require movement across borders
Pennsylvania Human Trafficking Statute
18 Pa.C.S.A. §3001

• A person commits the offense of Trafficking in Individuals if he “recruits, entices, solicits, harbors, transports, provides, obtains, or maintains an individual...knowing or in reckless disregard of the fact that the individual will be subject to sexual servitude”.

• Sexual Servitude
  • 1) Causing or threatening to cause serious harm to any individual
  • 2) Physically restraining or threatening to restrain another individual
  • 3) Kidnapping or attempting to kidnap an individual
  • 4) Abusing or threatening to abuse the legal process
  • 5) Taking or retaining an individual’s property as a means of coercion
  • 6) Engaging in unlawful conduct with respect to documents
  • 7) Extortion
  • 8) Fraud
  • 9) Criminal Coercion
  • 10) Duress, through the use of or threat to use force on another
  • 11) Debt Coercion
  • 12) Facilitating or controlling one’s access to a controlled substance
Pennsylvania Human Trafficking Statute
18 Pa.C.S.A. §3001

• If the victim is under the age of 18, then the means (13 factors set forth in 3012(b)) need not be proven by the prosecution.

• In Plain English:
  • If a person under 18 is being prostituted by someone, that alone is enough to establish Human Trafficking.
  • Examples:
    • Pimp lets young runaway girl live in his hotel room, while he advertises her on skipthegames.com for sex.
    • Pimp asks a young girl to sleep with someone for money.
    • Pimp helps set up a young girl’s CityXguide post for sex.
    • “Boyfriend” takes pictures of young girl, and posts ad on skipthegames.com for her to have sex for money.
Victim Commonalities

- Vulnerable Individuals
  - Addictions
  - Runaways
  - Immigration issues
  - Diminished intellect
  - Mental health
  - Nowhere else to go
  - Financially dependent
Trafficker Profile

• Dominant
• Assertive
• Intelligent
• “Smartest guy in the room” mentality
• In control
• Minimal drug use
• Alert/Business oriented
• Narcissistic
Identifying Human Trafficking
Hidden in plain sight

Looking for a lack of freedom or control:
* Can the victim freely contact friends or family
* Does the victim defer to another to speak
* Who do the people in the room look at before they answer
* Long or unusual work hours
* Exhibits fear, anxiety or paranoia
* Shows signs of physical abuse
* Background involving physical or sexual abuse
* Drug Addiction
Identifying Human Trafficking

Hidden in plain sight

Juvenile Victims

* Engaged in Commercial Sex
* Older friends
* Sexually active
* Leaves home often all weekend
* Misses a lot of school
* Inappropriate dress for their age
* Sexual abuse or trauma in their background
* Lack of supportive family
* Drug Addiction
Methods used to interview and engage

-Sexually Exploited Children

• Remember, the minor is a VICTIM!
• Be patient
• Be willing to listen
• Focus on the victim’s immediate needs, not “the case”
• Let them know that under the law they can be provided:
  • Safe and stable housing
  • Protection
  • Employment
  • Access to education
  • Drug and Alcohol treatment
  • Healthcare
  • Personal hygiene items and clothing
Terminology

Trick/a friend
Bottom / Bottom Bitch
Trap
Out of pocket
The Game/The Life
In-call/Out-call
Daddy
A band
A rack

The team
Its slow
I’m posted
Repost
Job/Date/appointment
Back seat bitch
Squares
Safe Harbor (Act 130)

- Effective 12/23/18

- Act 130 defines “Sexually Exploited Child” as an individual under 18 years of age who:
  - Is a victim of sexual servitude
    - Sexual servitude is defined as any sex act or performance involving a sex act or which anything of value is directly or indirectly given, promised to or received by an individual or which is performed or provided by any individual and is induced or obtained from a minor, or from an adult employing means of force, fraud, or coercion set forth in 3012(b).
  - Is a victim of an offense under 18 U.S.C. § 1591 (Federal Sex Trafficking)

- If a victim is a sexually exploited child, they cannot be arrested, charged, or adjudicated delinquent for prostitution or obstruction of highways in the Commonwealth.
Services

Statewide Protocol
Mandates that Pennsylvania’s Department of Human Services coordinates services to sexually exploited children.
These services include:
* Safe and stable housing
* Access to education
* Employment and life skills training
* Comprehensive case management
* Physical and behavioral healthcare
* Including trauma therapy
* Drug and Alcohol dependency
* Medical and dental care
* Personal care items and clothing.
Civil Remedies

• Under Pennsylvania Law, a victim of the sex trade can bring a civil action against anyone who profits from the victim’s sex trade.
  • 18 Pa.C.S.A 3051(a)(2)
    • Hotels and their employees face substantial risk if they knowingly rent rooms to traffickers.
$5000.00
...for each offense
CONTACT INFORMATION

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Pursuing Offenders of Digital Exploitation on the Dark Web

GLENN STERNER, PHD
Criminal Justice Research Center
DIGITAL EXPLOITATION

The use of telecommunications technology to engage with others for nefarious and illicit benefit.
Online Human Trafficking

The exploitation of people through online, internet-based technologies for the purposes of sexual and labor trafficking.
Prevalence of Online Human Trafficking

Number of Child Sexual Abuse Files reviewed by the National Center for Missing and Exploited Children

- 2004: 450,000
- 2019: 70 million files

Thorn notes that 63% of encountered child victims have been advertised online.
Locations for Exploitation

- Surface or Light Web
- Deep Web
- Dark Web
Methods for Exploitation

**Light Web**
- Location and Targeting of Victims
- Grooming
- Advertising
- Sharing of Information

**Dark Web**
- Anonymity is Key
- Monetary Transactions
- Communication on Private Forums
- Advertising
Online v. Offline Perpetrators

- Grooming patterns are similar
- Online patterns tend to focus on friendship creation
- Use of social media to target victims
Penn State Dark Web Research Initiative

- Use of Human guided data capture and scraping for collecting suspected trafficking activity
- Connection to Surface Web Investigations
- Guided by Advisory Board of Victim Services Agencies and Criminal Justice Organizations
Resources for Addressing Digital Exploitation

- Thorn: Spotlight, Safer – thorn.org
- Marinus Analytics: Traffic Jam - marinusanalytics.com
- National Center for Missing & Exploited Children – missingkids.org
- National Human Trafficking Hotline – humantraffickinghotline.org
- The Polaris Project - polarisproject.org
Interested in Connecting?

Glenn Sterner, PhD
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The Amara Legal Center

PROVIDING FREE LEGAL SERVICES TO INDIVIDUALS WHOSE RIGHTS HAVE BEEN VIOLATED THROUGH INVOLVEMENT IN COMMERCIAL SEX, WHETHER BY COERCION, NECESSITY, CHOICE, OR OTHERWISE IN THE DMV.

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Services Amara Provides:

- FAMILY LAW
- VACATUR, EXPUNGEMENTS, AND RECORD SEALING
- CIVIL PROTECTION ORDERS
- VICTIM WITNESS ADVOCACY
- CRIMINAL DEFENSE
- POLICY
- TECHNICAL ASSISTANCE
- TRAININGS
Agenda

- Social Media Recruitment
- Cyber Sexual Abuse
- Other Legal Needs of Survivors
Recruitment: Social Media

- Builds quicker relationships
- Self-erasing technology
- Developing a Second Persona
  - Catfishing

Face to Face Meeting v. Online Only

In 2004, 85% of victims that met their traffickers online eventually met them in person. According to a new study by THORN (2018), 58% of traffickers who first met their victim online eventually convinced them to meet in person. While 58% of victims still eventually meet their traffickers face-to-face, this is becoming less prevalent. Today, 42% of victims that initially met their trafficker online, never met their trafficker in person and were still trafficked.
<table>
<thead>
<tr>
<th></th>
<th>View/Comment Sites</th>
<th>Social Sites</th>
<th>Webcam Sites</th>
<th>Advertising Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commonly Used Sites</td>
<td>Facebook, Instagram, Snapchat, Tiktok</td>
<td>Tinder, Blendr, KIK, Whatsapp</td>
<td>Chatroulette</td>
<td>Sugar-babies.com Seekingarrangement.com</td>
</tr>
<tr>
<td>Less Common Sites</td>
<td>YikYak, Whisper</td>
<td>Yellow</td>
<td>Monkey</td>
<td>FOSTA/SESTA has made it much harder to identify less common sites</td>
</tr>
<tr>
<td>Process</td>
<td>Comments, DMs, Stories – if the profile is public, traffickers can recruit and groom. Handles – survivors generally have a handle with a key word signaling their involvement (e.g. 304)</td>
<td>Grooming can occur on these messaging apps &amp; sites, convincing someone to send a risky picture and then using it to extort them.</td>
<td>Build initial trust through messaging (because it can be public) and get survivors to share more of their body in pictures. Move them from monitored page to less monitored page</td>
<td>An easy step from sharing to selling pictures to traffickers, and once sold, these pictures can be used to extort the youth.</td>
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Non-Consensual Distribution of Intimate Media: Cyber Sexual Abuse

AKA REVENGE PORN OR CYBER RAPE
Definitions

- **Revenge Porn**
  - Revenge porn, also known as nonconsensual pornography, refers to the distribution of sexually explicit images without the consent of the pictured individual.

- **Sextortion**
  - A term used by the FBI to mean the sexual exploitation where somebody is coerced into doing something by the threat to release sexual images.
How Abusers Use These Images

<table>
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<tr>
<th>Trafficking</th>
<th>Sex Workers</th>
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<tbody>
<tr>
<td>• Extortion</td>
<td>• Extortion/Coercion/Blackmail</td>
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<td>• Coercion</td>
<td>• Erasure</td>
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<td>• Blackmail</td>
<td>• Law Proposals</td>
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<td>• Stigma</td>
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<td>• Danger</td>
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</table>
In a 2016 study done by the Cyber Civil Rights found:

- 61% of respondents said they had taken a nude photo/video of themselves and shared it with someone else
- 23% had some sort of photo/video shared of themselves without their consent
- 90% were women

57% of victims said their material was posted by an ex-boyfriend, 6% said it was posted by an ex-girlfriend, 23% said it was posted by an ex-friend, 7% said it was posted by a friend, 7% said it was posted by a family member

82% said they suffered significant impairment in social, occupational, or other important areas of functioning due to being a victim

51% have had suicidal thoughts due to being a victim
Federal Laws: Civil

- **Community Decency Act**
  - SESTA/FOSTA: Exempts services providers from Section 230 immunity when dealing with civil or criminal crimes related to sex trafficking, which removes section 230 immunity for services that knowingly facilitate or support sex trafficking.

- **Digital Millennium and Copyright Act**
  - Safe Harbor for Internet Providers

- **Tort Law**
  - Intentional Infliction of Emotional Distress
  - Defamation

- **Privacy Law**
  - Invasion of Privacy
  - Right of Publicity
Federal Criminal Law:

- Computer Fraud and Abuse Act, 18 U.S.C. § 1030
- Aggravated Identity Theft, 18 U.S.C. § 1028A
- Interstate Stalking or Harassment, 18 U.S.C. § 2261A
- Interstate Threats or Extortion, 18 U.S.C. § 875
- Obscene or Harassing Telephone Calls in Interstate or Foreign Communications, 47 U.S.C. § 223
Remedies

- Report to Law Enforcement
- Protection Order
- Civil Suits
- DCMA
- Organize the Evidence
- Interventions
Legal Needs

- Family Law
- Protection Orders
- Name/Gender Marker Changes
- Rights Enforcement
- Criminal Defense
- Cyber/Privacy Rights
- Employment Law
- Immigration
- Public Benefits
- Vacatur/Expungement/Record Sealing

- Be treated with fairness and with respect for the victim’s dignity and privacy;
- Be reasonably protected from the accused offender;
- Be notified of court proceedings;
- Be present at all court proceedings related to the offense, including the sentencing, and release, parole, record-sealing, and post-conviction hearings, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony or where the needs of justice otherwise require;
- Confer with an attorney for the prosecution in the case which does not include the authority to direct the prosecution of the case;
- An order of restitution from the person convicted of the criminal conduct that caused the victim’s loss or injury;
- Information about the conviction, sentencing, imprisonment, detention, and release of the offender, and about any court order to seal the offender’s criminal records; and
- Be notified of any available victim advocate or other appropriate person to develop a safety plan and appropriate services.
Possible Solutions

- **Education**
  - Training on risk factors and identification
  - Trauma training and cultural competency/humility
  - Familiarize self with community resources to refer survivors

- **Involvement**
  - Get involved in task forces
  - Create a coordinated community response or a multi-disciplinary team

- **Be trauma-informed**
  - Avoid the need to “rescue”
  - Avoid detaining survivors “for their own good”
  - Balance the interest of justice with the needs of the survivor

- **Non-criminalization**
  - To the extent possible, use diversion instead of prosecution
Want to make a referral?

To refer a client in need of legal services to the Amara Legal Center, please call 240-257-6492 or email referrals@amaralegal.org

Feel free to contact me directly: (202) 630-5585
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