

HUMAN TRAFFICKING IN THE UNITED STATES: PROTECTING THE VICTIM

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HUMAN TRAFFICKING IN THE UNITED STATES: PROTECTING THE VICTIM

TUESDAY, FEBRUARY 24, 2015

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC

The Committee met, pursuant to notice, at 10:02 a.m., in Room 226, Dirksen Senate Office Building, Hon. Charles E. Grassley, Chairman of the Committee, presiding.

Present: Senators Grassley (presiding), Cornyn, Leahy, Feinstein, Schumer, Whitehouse, and Klobuchar.

OPENING STATEMENT OF HON. CHARLES E. GRASSLEY, A U.S. SENATOR FROM THE STATE OF IOWA

Chairman GRASSLEY. The Committee will come to order.

Before we hear from our colleagues at the panel, I will have an opening statement. Senator Feinstein will have an opening statement. Senator Klobuchar, sponsor of one of the pieces of legislation before the Committee, will speak, and then Senator Cornyn will speak, and then we—I will introduce the panelists at that point.

I welcome everybody to today's hearing. Trafficking, which involves the buying and selling of human beings to profit from their labor or sexual degrading, is a crime with life-shattering effects for many of the victims.

Reliable data on the number of human trafficking victims within our country's borders is not readily available, but there are some things that we know about this form of modern day slavery.

We know, for example, that the United States is a source transit and destination country for individuals who are being trafficked. We know that human trafficking occurs in every State and that it affects both U.S. citizens and non-citizens. We know that at least within our country, non-citizens are more likely to be found in labor trafficking.

We know, too, that women and girls may be especially likely to be targets of certain forms of trafficking. Experts tell us that many of the U.S. citizen victims of sex trafficking are teenagers. Up to 100,000 minors are being sexually trafficked in the United States each year, according to Polaris Project.

Through threats or deceit, human traffickers force the most vulnerable members of society into servitude to meet the demands for cheap labor and sex workers.

The good news is that we have made some progress in combating trafficking since 1994 when one of our hearing witnesses was being exploited as a 14-year-old.

Two decades ago, there were no Federal anti-trafficking laws on the books. I am pleased to have played a role in that enactment, 15 years ago that was, and it was called the Trafficking Victim Protection Act. I voted for that law when it was first being debated in Congress in 2000 and I have worked with my colleagues on several occasions since then to make sure it was extended.

In addition, today every State has a law outlawing trafficking. Numerous States updated their human trafficking laws in just the last year. Of course, much work remains to be done, particularly to protect our most vulnerable youths from traffickers and to curb the demands for sex trafficking.

According to the nonpartisan Congressional Research Service, quote, "Experts widely agree that any effort to reduce the prevalence of child sex trafficking, as well as other forms of trafficking, should address not only the supply, but also the demand," end of quote.

I hope that our witnesses can shed some light on this issue. I also hope to hear from our witnesses about two separate bills, S.166 and 178, now pending before this Committee. S.178, which I have cosponsored, known as the Justice of Victim Trafficking, if enacted, it would ensure that additional resources are available to survivors of both sex and labor trafficking to aid in their recovery.

S.178 also would help fight demand for domestic sex trafficking by ensuring that any person who is trafficking an adult or purchasing a child for sex will be punished under the full force of law. It has the endorsement of over 100 organizations.

S.166 is entitled Stop Exploitation Through Trafficking. This bill recognizes that children trafficked for sex in the United States should not be regarded as—as child prostitutes. It embraces the principle that there is no such thing as a child prostitute.

I will put the rest of my statement in the record and go to Senator Feinstein.

[The prepared statement of Chairman Grassley appears as a submission for the record]

**OPENING STATEMENT OF HON. DIANNE FEINSTEIN, A U.S.
SENATOR FROM THE STATE OF CALIFORNIA**

Senator FEINSTEIN. I thank you very much, Mr. Chairman. I want to thank you for holding this hearing. This hearing is really the result of something that I believe has never happened before, and that is that the 20 women Senators, Republicans and Democrats, got together and decided to write a letter to you and ask for this hearing, and five of us are here today.

I would like to read that letter and read it into the record. It is dated February 10. "We write to respectfully request that you hold a hearing on the significant problem of sex trafficking in the United States. We have heard heartbreaking stories of victims who were abused by their trafficker by day and sold to customers multiple times each night for profit."

As described in the Washington Post, Sondra ran away from an abusive foster home at the age of 12. A man found her at a bus

stop and, quote, “promised to love and care for her forever,” end quote. Instead he sold her to at least seven men each night.

Then there is Tammy who was kidnapped at the age of 15 on her way home from school. She was held captive for 6 months, raped, beaten and starved. At night she was sold for sex with other men.

Unfortunately, there are many stories like these. Human trafficking today is a \$32 billion criminal enterprise, making it the second largest criminal industry in the world behind the drug trade.

According to the Department of Justice, 83 percent of sex trafficking victims in the United States are American citizens. Federal, State and local law enforcement agencies are taking steps to combat sex trafficking. For example, between January and June of last year, the Federal Bureau of Investigation recovered 168 trafficking victims and arrested 281 sex traffickers in Operation Cross Country.

However, there is widespread recognition that the Federal Government needs to do more to combat sex trafficking.

Then it goes on to say a number of us have cosponsored legislation. Senator Klobuchar has a bill. Senator Cornyn’s bill is going to be marked up on Thursday. I have a bill that is going to be made part of that bill and have another bill to be introduced with Senator Kirk.

The point is this, that we really need to come together to do something about it. This letter is signed by all 20 of us in the U.S. Senate. It is a first. We intend to stay together to see that we do the very best we can to see that this industry, which is so malevolent, is curbed dramatically in our country.

Shortly, he is not on the program, but Sheriff Jim McDonnell, who operates the largest sheriff’s department in the United States, and that is in Los Angeles County, he runs a jail with 17,000 inmates in it, a county jail, and he really knows a great deal about what is happening in the West Coast with respect to trafficking organizations, will be here.

I would like to introduce him. He will be seated in the audience. He has another meeting somewhere else. I am hopeful that we can garner sufficient support from law enforcement all across this country to really take some very strong steps to put an end to the second largest criminal enterprise now in the world.

I thank you, Mr. Chairman, for responding to us. I very much appreciate it.

Chairman GRASSLEY. I believe that we are going to be able to get the two bills that are on the agenda out of committee this week.

It is also my understanding, although I have not had a conversation with the Majority Leader, but that he hopes to take these bills up shortly.

I now call on Senator Klobuchar and after her, Senator Cornyn.

**OPENING STATEMENT OF HON. AMY KLOBUCHAR, A U.S.
SENATOR FROM THE STATE OF MINNESOTA**

Senator KLOBUCHAR. Thank you very much, Mr. Chairman. Thank you to you and your staff for moving the bill that I have with Senator Cornyn on the agenda next week, and also to Senator Leahy and his staff, as well.

I thank Senator Feinstein for leading this effort with all of the women Senators, Democrats and Republicans, asking for this hearing.

Just to give you a sense, I think sometimes people think this is just something that happens on foreign lands. Just this last week, a man was arrested in connection with a horrible crime. A 12-year-old girl in Rochester, Minnesota simply got a text inviting her to a party. She showed up at the location with another girl, 12 years old. A man was in the parking lot. He got her in the car. He took her up to the Twin Cities, it was a McDonald's parking lot, and brought her to a hotel and raped her, 12 years old.

The next day he took her to another hotel, threatening to go after her family members, in another city, and she was forced to take explicit pictures of herself that were posted on Craig's List. She was then raped by two more men that saw the post on Craig's List.

This happened in Rochester, Minnesota just this past year. It is a horrible story. She was found. She is back with her family, but, of course, her life will never be the same—12 years old, not old enough to get a driver's license, not old enough to go to her high school prom.

That is what we are talking about here; 83 percent of the victims in our country are from our own country. That is why Senator Cornyn, in addition to the good bill that he is leading, has put together a bill that a version of it has already passed the House and has a CBO score of zero, and it simply creates incentives from existing pots of money for States to enact these safe harbor laws.

They are called safe harbor laws because they basically said a 12-year-old should not be prosecuted for this. A 12-year-old is a victim, should be able to qualify for job services, should be able to go to a shelter, should be able to be not prosecuted.

What we have found in the dozen or so States that are already doing this, like Minnesota, is it allows us to put together better cases against the bad guys that are running the rings.

We have a 40-year sentence that we got in Minnesota this last year against someone that was running one of these sex trafficking rings.

It is not only the right thing to do for the victims and the only chance that they are going to have to put their lives together again, it is also the right thing to do when it comes to putting together these cases against the people running these rings.

This bill is supported by the Conference of State Legislatures, the National Center for Missing and Exploited Children, the Fraternal Order of Police, Shared Hope International, and the National Alliance to End Sexual Violence.

I especially want to thank Samantha Powers, our U.N. Ambassador, who has been so helpful on this issue, as well as Cindy McCain, the wife of our colleague, John McCain, who went with me to Mexico with Senator Heitkamp on a trip focusing on the coordination between our countries on sex trafficking.

This is the third biggest criminal enterprise in the world. The only things bigger are the international trafficking of drugs and the international trafficking of illegal firearms. Then it is sex trafficking. These are 12-year-olds.

I thank you so much for acknowledging this problem, Senator Grassley, and holding this hearing. Thank you, Senator Feinstein. And certainly thank you to my colleague, Senator Cornyn, who has been such a leader.

Chairman GRASSLEY. Thank you for your leadership. Now, Senator Cornyn, and I thank you for your leadership on the other bill.

**OPENING STATEMENT OF HON. JOHN CORNYN, A U.S.
SENATOR FROM THE STATE OF TEXAS**

Senator CORNYN. Thank you, Mr. Chairman, for holding this hearing. I will tell our colleagues who are waiting here to speak I will be very brief, but thank you for working with us to make it possible for us not only to have this hearing—Senator Feinstein makes the point that the request of 20 women Senators is simply irresistible and it makes things happen in the Senate in a positive way.

I want to thank you for this hearing. As others have said and I will repeat, we are here to address one of the most terrible crimes that occur in America and across the world today, and that is modern day human slavery.

I am proud to serve as the author and sponsor of the Justice for Victims of Trafficking Act, which is comprehensive legislation targeted at the ending—at ending the scourge of human trafficking and providing comprehensive services to the victims of this scourge.

I appreciate your comments, Mr. Chairman, about how these minor children should be regarded, and they should be regarded as victims, not as people to be prosecuted for committing crimes.

I particularly want to point out Senators Klobuchar, Wyden and Kirk for serving as my lead cosponsors for this bill.

As we have said, human trafficking is modern day human slavery, plain and simple. Many Americans just do not realize that it actually exists because it happens out of their sight and beyond their experience.

This disgusting trade in human flesh is happening right here in America, in every town and every city as we speak. Every day thousands of Americans, men and women, adults and children, will wake up to a life of forced prostitution, sexual exploitation, and coerced labor.

Nearly 150 years after the ratification of the Thirteenth Amendment abolishing slavery, this scourge is alive and well in the United States. I know we are all united in our efforts to help law enforcement target the scum who perpetrate these crimes and rescue the victims and ensure that they get the services and help they need to in order to restore their life to some semblance of normalcy. Fortunately, the Thirteenth Amendment provides that Congress shall have the power to enforce this article by appropriate legislation.

The Justice for Victims of Trafficking Act would ensure that we uphold the promise of our forefathers to abolish slavery in the United States now in this new form, particularly pernicious, as I say.

First, this legislation would create a deficit-neutral domestic victims' trafficking fund to offer restorative services for victims and

increase resources for law enforcement about \$30 million a year minimum.

This fund would be financed entirely by increasing special penalty assessments on Federal sex offenders and other persons who fuel the demand for sex slavery in the United States. These offenders are among the most affluent in the Federal criminal justice system and it is time that they helped pay for the full financial costs that their crimes impose upon exploited children and sex slaves.

The Justice for Victims of Trafficking Act would also provide law enforcement with additional tools to identify, locate and prosecute the purveyors of human trafficking.

To this end, the legislation would increase the ability of State and local law enforcement agencies to obtain wiretaps in human trafficking cases so they can efficiently take down the broader networks responsible for the crime.

It would also work to reduce the demand for sexual slavery by clarifying that prosecutors can and should target those who knowingly purchase illicit sexual activities with exploited children and human trafficking victims.

Finally, this legislation would ensure that more human trafficking victims are fully compensated for their losses by allowing the proceeds of forfeited assets involved in human trafficking to go directly to satisfy victim restitution orders.

I am proud that this legislation has the support of nearly 200 organizations in the victims' advocacy and law enforcement communities. The list is obviously too long to go through here, but I appreciate the support we have gotten for our efforts.

I hope my colleagues will all join me not only this week in passing this important legislation out of this Committee, but also next week when I hope the Majority Leader will take up this legislation on the floor of the U.S. Senate.

Thanks to each of our witnesses for their patience and for their caring so much about this important issue.

Thank you. Thank you, Mr. Chairman.

Chairman GRASSLEY. I will give a short introduction of our colleagues that does not do justice to their work in this area or a lot of other areas that they are very active in.

Senator Collins is from Maine. Senator Collins has worked to help the most vulnerable youth at the risk—at risk for human trafficking by cosponsoring S.178, the Justice for Victims of Trafficking Act, a bipartisan measure that will be discussed at today's hearing.

The next witness, Senator Gillibrand of New York. She, too, is a cosponsor of both S.166 and S.178. Senator Gillibrand also deserves credit for her efforts to develop legislation that would curb on-campus sexual assaults at universities across the Nation. We plan to jointly introduce campus safety legislation in this Congress.

Our third witness, Senator Ayotte of New Hampshire, a former prosecutor, has cosponsored not only S.178, but S.166, the Stop Exploitation Through Trafficking Act. S.166 also will be discussed at our hearing. In 2012, Senator Ayotte also cosponsored legislation to extend the Trafficking Victim Protection Act.

The final witness on the panel, Senator Mikulski from Maryland, from her position on the Appropriations Committee. Senator Mikul-

ski has championed funding to support efforts to break up smuggling and trafficking rings.

I commend my colleagues for coming here today, but more importantly, for your efforts over a long period of time in this area and so many other areas.

I look forward to hearing your input. We will start with Senator Collins.

**STATEMENT OF HON. SUSAN M. COLLINS, A U.S. SENATOR
FROM THE STATE OF MAINE**

Senator COLLINS. Thank you, Mr. Chairman.

Senator Feinstein, thank you also for spearheading the letter from all 20 of the women Senators that led to this hearing today.

Thank you, Mr. Chairman, for your early leadership.

All of the women in the Senate share a common concern about the horrific problem of human trafficking right here in our country. I want to recognize Senator Klobuchar and Senator Cornyn for introducing very important legislation to combat trafficking.

No State is immune from the evils of sex trafficking and the stories of victims are simply shocking. Just this past January, police in Bangor, Maine arrested a man and woman for trafficking a 13-year-old girl.

This child, who had been reported as a missing person, was allegedly being sold for sex through ads on the Internet.

I would like to share with you another story from Maine which helps to illustrate both the harrowing experiences faced by young victims and the importance of service providers in changing the course of their lives.

In 2013, Preble Street, an organization that operates a homeless shelter and teen center in Portland, Maine formed the Preble Street Anti-Trafficking Coalition, a group of outreach health managers, legal service providers, and with the support of a Department of Justice grant, this coalition has brought together organizations such as Catholic Charities of Maine, the Sexual Assault Response Services of Southern Maine, and the U.S. Attorney's Office.

It is currently working with approximately 50 sex and labor trafficking victims whose ages range from 15 to 42. One young woman, now 20 years old, had been a familiar face around the Preble Street teen center. She was in and out of foster care and met other girls who had introduced her to what was known as survival sex, a way to trade sex for a place to sleep and other basic necessities.

At age 16, she traded sex for a ride to Boston, where she met a man who prostituted her to other men. She was sold to other pimps and endured physical abuse and violence for many years.

When she eventually escaped and her traffickers were charged by police, she had nowhere to go but to a local homeless shelter. In fact, police chiefs, prosecutors and service providers in Maine tell me that the lack of aftercare services, including a safe place to sleep, is among the greatest challenges that victims face.

Today the Preble Street Coalition is helping this young woman and others like her start a new life. She is doing well and was able to testify against her trafficker in court, a very brave and harrowing experience for a victim.

It is not surprising that Portland's homeless shelter is a critical partner in the fight to end human trafficking. Homeless youth in particular are much more likely to fall victim to sexual exploitation. In fact, studies tell us that approximately 1 in 4 homeless youth are victims of sex trafficking or engaged in survival sex and 48 percent of youth have done so because they do not have a safe place to stay.

These statistics are compelling and the stories of the young victims, many of whom are among our Nation's homeless, are particularly devastating. That is why I have joined Ranking Member Leahy in reintroducing the Runaway and Homeless Youth and Trafficking Prevention Act, which I also hope this Committee will consider.

It reauthorizes critical services that help prevent homeless youth from being trafficked. The street outreach program, the basic center programs, the transitional living program have helped thousands of young homeless men and women meet their immediate needs and provided long-term residential services for those who cannot be safely reunited with their families.

Homeless youth need access to safe beds at night and services during the day so that they never have to choose between selling their bodies and a safe place to sleep.

Mr. Chairman, I hope this Committee will reauthorize these programs which for 40 years have helped to protect some of our most vulnerable children.

I applaud this Committee for your work in shining a light on some of the darkest stories imaginable.

Thank you, Mr. Chairman.

[The prepared statement of Senator Collins appears as a submission for the record]

Chairman GRASSLEY. Thank you, Senator Collins.

Now, Senator Gillibrand.

**STATEMENT OF HON. KIRSTEN GILLIBRAND, A U.S. SENATOR
FROM THE STATE OF NEW YORK**

Senator GILLIBRAND. Thank you, Chairman Grassley and Senator Feinstein, for your decades of leadership on this issue. I am incredibly grateful that I have been invited to testify today.

Obviously, human trafficking is a crime that affects thousands of young Americans and families and Congress' focus on this epidemic is incredibly important and long overdue.

We have a number of excellent proposed pieces of legislation that have been described by Senator Klobuchar and Senator Cornyn and Senator Feinstein and each of those proposals focus on the criminal justice part and law and order part of the problem, which I think is absolutely necessary and important.

These bills make buying underage victims—those who strictly buy the underage victims strictly liable for their crimes. They make penalties for traffickers much harsher, and they incentivize law enforcement from prosecuting underage trafficking victims, and all of these measures I support fully.

I want to amplify what Senator Collins began to discuss, some of the problems that happened before and after that result in these young people being trafficked. I want to focus specifically on some

of the vulnerabilities that lead these girls and boys to become trafficked victims and how vulnerable they are even when they are able to escape their pimps and escape captivity.

It is a very broad-based problem. In small towns and big cities, thousands of young Americans are trafficked each year and every single institution that these girls and boys ever relied on simply failed them.

Their families failed to protect them, their school failed to protect them, the foster system failed to protect them, and our laws are failing to protect them.

Last week in Rochester, New York, a U.S. Attorney there announced the arrest of seven people on trafficking charges. Their victims were as young as 14 years old. The U.S. Attorney said that the victims in many cases were singled out because they were identified as being vulnerable.

We have a responsibility in Congress to end these crimes against the most vulnerable among us. We need better institutions to protect runaway and homeless youth from stumbling into shelters that will spit them right back out onto the street. We need a law that would vacate the criminal convictions of trafficked victims, because these girls and boys are not criminals, as Senator Klobuchar has so powerfully pointed out, and they are not prostitutes.

They are victims who deserve a chance to lead a fulfilling life and we have to protect these young Americans.

I want to close by telling you the story of just one young woman named Ashley, who is here with us today. When Ashley was 12, she ran away from home and lived on the streets. She went into a foster care home, but the trafficker found her and started selling her.

Ashley went out every night and risked a beating if she did not take home at least \$500. When the police finally found her, she was arrested on charges of prostitution and solicitation. She was 13 years old.

For the next 6 years, Ashley bounced between sexual predators who continued to traffic her. She ended up in New York City with a violent pimp. When Ashley was 19 years old, she escaped and was referred by law enforcement to a not-for-profit group called FAIR Girls, which provides housing and 24/7 care to young women survivors of sex trafficking.

Ashley now has a bank account, a little bit of savings, and she is enrolled in a community college and is looking for a job.

There are thousands of young men and women exactly like Ashley. We must do our job here in Congress to do everything we can to help our victims of human trafficking live fulfilling lives.

Thank you.

Chairman GRASSLEY. Thank you, Senator Gillibrand.

Now, Senator Ayotte.

**STATEMENT OF HON. KELLY AYOTTE, A U.S. SENATOR FROM
THE STATE OF NEW HAMPSHIRE**

Senator AYOTTE. I want to thank the Chairman for holding this incredibly important hearing and for your leadership on this issue.

I want to thank Senator Feinstein for spearheading the effort among the women Senators and also your tremendous leadership

on this important issue. I am very honored to cosponsor not only Senator Klobuchar's bill, but also Senator Cornyn's bill. Thank you for your leadership and, frankly, the leadership of every member of this Committee.

I think what this demonstrates is this truly is a nonpartisan issue because we all understand that this is something that can impact anyone. It is about who we are in the United States of America, that we all have to work together to end modern day slavery and make sure that there is a zero tolerance policy when it comes to trafficking in this country.

Today's hearing I think is a great example of how not only the women Senators can work together on this important issue, but all of us can work together to make a real difference for victims of trafficking, but also going after those who are trafficking and anyone who is benefiting from it.

I am very glad you are going to take the step of passing not only Senator Cornyn's bill, but Senator Klobuchar's bill, because those two bills recognize who the real victims are and makes sure that those victims are protected and that the perpetrators are held accountable.

This work that is done across the country, I know that today you are going to hear from experts and I want to thank them for what they do every day both in law enforcement and service providers to make a difference in people's lives and especially the victims of these—these horrible crimes.

I am very honored to be here also with this distinguished panel, Senator Collins, Senator Gillibrand, Senator Mikulski and the work that they have done on this. This work is work that I had the privilege of beginning when I was Attorney General of the State of New Hampshire, and I saw the challenges that law enforcement faced every day in rooting out these horrible crimes that unfortunately occur in the shadow.

One of the things I think that this hearing can do today and all of us working together is to take these crimes out of the shadow so that the American people understand that this is happening in their community, this is happening everywhere.

During my time as Attorney General and now as a U.S. Senator, I have really come to appreciate the important work done by those who serve victims in New Hampshire and across this country.

I have had the privilege of working with the New Hampshire Coalition Against Domestic and Sexual Violence, which works tirelessly on behalf of victims of both domestic and sexual violence and trafficking throughout my home State of New Hampshire.

Their work, combined with the efforts of local law enforcement and also the cooperation of State and Federal law enforcement, is a true testament to what is happening at the State level and what we can support at the Federal level to protect victims and to make our communities safer.

As has been mentioned by all my colleagues today, we know that sex trafficking affects people from all walks of life and has far-reaching consequences with long-lasting effects. That is why all of these approaches today, not only Senator Klobuchar's bill, Senator Cornyn's bill, but I am very honored to also support Senator Collins' bill, which she mentioned earlier, because we have to get re-

sources and assistance to the most vulnerable youth in our communities who are being targeted by these criminals.

I am honored to help Senator Collins and Senator Leahy, the Ranking Member on this Committee, help introduce the Runaway and Homeless Youth and Trafficking Prevention Act.

I would join Senator Collins' request that this be a bill that this Committee will take up following the important work that you are doing today, because this bill certainly is going to help runaway and homeless youth who are particularly susceptible to trafficking and often targeted and exploited by these criminals.

In New Hampshire, Child and Family Services has successfully administered runaway and homeless youth programs for nearly 20 years and today offering an estimated 1,500 at-risk youth in New Hampshire the opportunity for a safer and brighter future, and I can assure you that this had made a difference in the lives of so many children in New Hampshire, to make sure that they are not victims of trafficking, to make sure that they have the support to get them out of the situation where they are being trafficked.

Again, we have heard so many stories today and my State, like any other State, we all have these stories and they are horrific.

Just last year, in Salem, New Hampshire, police—local police, in coordination with special agents from Homeland Security, located a 15-year-old runaway from Boston at a motel in Salem, New Hampshire.

Her boyfriend was using the Internet to traffic her for sex. She had to see five or six clients a day and this continued. The exploitation was horrific, and, unfortunately, I wish I could say this was the only story. We all know that this is happening every day in America, in every community, whether it is an affluent community or it is a community where there are more needs for resources. This hits everyone.

What I have also heard from law enforcement and victim service providers in New Hampshire is the direct connection between drug trafficking and sex trafficking. In New Hampshire, as in many places across the country, we have seen a proliferation of heroin, a dramatic increase of heroin sales and drug deaths, and law enforcement and victim providers are telling me there is a direct connection between heroin and sex trafficking and other types of trafficking.

Make no mistake, we have talked about the criminal organizations that are benefiting from trafficking and how much money is coming to these organizations. We also know that terrorist organizations are being fueled by this trafficking, as well.

This is not only an issue about our safety and security, about our quality of life and who—what we stand for, but this is also about our national security and why we have to stop trafficking in this country and around the world.

As this Committee moves forward with legislation, our top priority always has to be supporting the victims of these horrific crimes, making sure that they are treated with dignity and respect in the criminal justice system, making sure that they have the support in the community so that they can get back on their feet and lead quality lives. We also have to prioritize prevention efforts so

that we can prevent any other victim from falling to a trafficker or being put in this horrible situation.

Finally, in terms of law enforcement, as a former prosecutor, I know that we have to go after these traffickers with everything we have. We have to make examples of them. We need people to understand in the community that if you are participating in trafficking in any way, that you will be made an example of in the community and that you will face the harshest punishment possible. We need to ensure that our law enforcement agencies at all levels have the resources to combat trafficking.

I want to thank Chairman Grassley for the opportunity to be here today. I want to thank Senator Feinstein for your incredible leadership on this and for all of you on the Committee, particularly Senator Klobuchar, Senator Cornyn, for your leadership.

This is an issue I look forward to working with all of you on and I am very honored to be here today. Thank you for your important work.

Chairman GRASSLEY. Thank you, Senator Ayotte.
Senator Mikulski.

**STATEMENT OF HON. BARBARA A. MIKULSKI, A U.S. SENATOR
FROM THE STATE OF MARYLAND**

Senator MIKULSKI. Thank you very much, Senator Grassley, for helping—calling this hearing and inviting us to be at the table to talk about this vile and violent issue of human trafficking.

I want to thank you for your leadership in the legislative area, but you have always been supportive on this whole issue of really attacks on women and children.

To all the members of the Judiciary Committee, we thank you and I know particularly Senators Klobuchar and Cornyn have been advancing important legislation, along with Senator Schumer and, of course, Senator Leahy.

The women of the Senate do not have a caucus. We have different views on budgets and bottom lines and top lines and so on and on other issues. We do try to find common ground where we can come together not as a caucus, but as a force; to not only make a difference, but to make a change.

This year we have analyzed kind of where we are and all 20 of us across the aisle want to work with our appropriate committees on the issue of human trafficking.

We strongly feel that when you treat women, children and boys as a commodity and you are willing to sell them as a commodity and treat them as a commodity, there is nothing worse than that.

We look at really not only our law enforcement community, we look at our wonderful nonprofits and our faith-based communities, from the outstanding work of the Evangelical Church to our own, and even His Holiness Pope Francis has taken a pretty strong stand against this.

This is a big issue and it requires us to be able to work together. That is why we sent that letter to you to ask that you—because the Judiciary Committee is really the anchor committee to move ideas forward and to be able to work on the goal of eliminating human trafficking and to be able to advance our issue.

Many of my colleagues have spoken about the issues. According to the State Department, 800,000 individuals are trafficked every year across international borders. INTERPOL has identified this as a serious crime, because if you sell women and children, you will sell anything to anybody under any circumstances, and if you track human trafficking, you track drugs and you actually track the selling of arms and possibly weapons of mass destruction.

In our own country, up to 300,000 children a year are victims of trafficking. The calls to the national hotline are really just exploding.

I am here today to talk out—to reach out to the Committee, not only working with Senator Collins, the senior women and all of our colleagues, to say let us look at the new legislation, which we find so innovative and creative, that is coming forth in this Committee, but also that we need to strengthen and fund existing programs.

I say this as the Ranking Member, but I know how strongly Senator Cochran feels about how we on the Appropriations Committee want to work with the authorizers for CJS to look at what we can put in the money in the Federal checkbook to move ahead. We want to work arm-in-arm, shoulder-to-shoulder with the authorizing committee to do this.

Last year, working with Senator Shelby on the Subcommittee on Commerce and Justice, he and I worked very hard, and I must say I had his outstanding concurrence on this, we were able to put \$42 million in the Federal checkbook for victims of trafficking grants that were used at the local level to be able to provide counseling, emergency shelters and other tools to the NGO's to be able to help people when they are rescued.

We also work very hard with the FBI, with the Center for Missing and Exploited Children, and with our U.S. Attorneys to make sure they had tools and resources to do it. It was an important step forward, but it cannot be the only step forward.

To support the FBI investigations, we put in \$47 million and that goes from the investigations for something like Operation Cross Country.

What was that in June 2014? Through our FBI, they were able to rescue close to 200 children that were being forced into prostitution and they got 281 pimps off the street. That is where our Federal dollars are going. I think the people would support this.

I had the opportunity to meet with the FBI in Maryland and with the U.S. Attorney's Office. If they were at the table, as I am sure representatives of other field offices, this was the field office, and also the U.S. Attorney's Office in my own State, they say, you know, Baltimore, Maryland, this is a sports town. We have our Super Bowls, we have great games, we have this.

You know what? They are on high alert during these big games because that is when the big traffickers come in and they use things or they were using things like Craig's List.

They also say we are a crossroads, we are in the I-95 corridor. These children and these women are being trafficked up and down I-95, which should be a corridor of opportunity and commerce and business, but there is a lot of awful, violent, despicable business going on. We need to help our local people to be able to do that.

I wanted to join with my colleagues and join with you, Senator Grassley, Senator Leahy and the members of the Committee. Let us have the authorizers and the appropriators really work together.

Let us go through what needs to be done that is new and innovative, but let us also look at what we have and how we could build on it. We need the wise counsel and the experience of the Judiciary Committee and leaders like yourself who have worked on this. We want to work hand-in-hand.

In behalf of the women of the Senate, but really everywhere, we want to thank the good men on this Committee, because this is not only a woman's issue, this is a human being issue, this is a human rights issue.

Again, shoulder-to-shoulder, I think we can do something to make it safe for our communities and really do important international work.

I thank you for your kindness and your consideration today.

Chairman GRASSLEY. Thank you, Senator Mikulski.

I have no questions. Does anybody on the panel have a question of the witnesses?

[No response.]

Chairman GRASSLEY. Well, then we thank you very much for coming and thank you for being patient.

Would the next—would the next panel please get ready to come to the table?

[Pause]

Senator WHITEHOUSE. Mr. Chairman.

Chairman GRASSLEY. Yes.

Senator WHITEHOUSE. While the next panel is gathering, can I just express my appreciation to Senator Klobuchar for including in her bill a provision that Senator Sessions and I have supported to make sure that it is clear that the U.S. Marshals can deploy in the situation in which a child has been kidnaped or disappeared, very often to be put into this kind of trafficking use.

Senator Sessions and I are grateful to Senator Klobuchar and appreciate very much that our measure is going to be included.

Chairman GRASSLEY. I am going to start to introduce the panel. I will introduce all before you give your—your testimony.

Our first witness will—today is Holly Austin Smith, a sex trafficking survivor. She was exploited in 1992 at the age of 14 by a man that she had met at Ocean City, New Jersey. He befriended her and after a period of time successfully encouraged her to run away to Atlantic City with him, where he became her pimp. A day after working the streets, she was arrested for prostitution by a police officer who recognized her as a minor.

Our next witness, Malika Saada Saar serves as Executive Director of the Human Rights Project for Girls. The Human Right Project for Girls is the name of the organization. That is here in Washington, DC. She can enlighten us on issues currently facing trafficking survivors in this country.

The third witness, Jayne Bigelsen. Jayne served as legal counsel and Director of Anti-Human Trafficking Initiatives at Covenant House International in New York City. She works closely with vulnerable youth who are at risk of being trafficked.

Our final witness is Mike Ferjak, who serves as Director of my State of Iowa's, quote, "Human Trafficking and Enforcement Prosecution Initiative," end of quote, a senior criminal investigator at the Iowa Department of Justice. Mike will testify about law enforcement's efforts to curb domestic trafficking within the United States.

Once again, welcome to all of you and I look forward to exploring policy options with our panel.

At this time, I would also ask consent to introduce into the written record additional written statements from several other individuals and organizations with interest in this issue.

No objection, and I will start with Ms. Austin Smith.

STATEMENT OF HOLLY AUSTIN SMITH, TRAFFICKING SURVIVOR AND AUTHOR OF WALKING PREY, RICHMOND, VIRGINIA

Ms. SMITH. Thank you, Chairman Grassley, Senator Leahy and other members of the Committee for holding this important hearing.

When I was 14 years old, I was coerced into prostitution by a man I had met at a local shopping mall in New Jersey. This man exploited a young teen girl who had just graduated middle school and was afraid of going into high school, so afraid that she agreed to run away from home.

This man promised a glamorous new life. He told the girl she could travel across the country, meet famous people, and live in California. What he delivered, however, was very different.

He took the girl to Atlantic City, ordered her to prostitute, and intimidated her into cooperation. She was sold to the first buyer for \$200, a man who told the girl that she reminded him of his granddaughter.

When I was arrested by law enforcement for prostitution, I was made to feel like a criminal, like a juvenile delinquent. I felt stupid, ashamed and ostracized by society. Days later, alone in my bedroom, I felt so abandoned, so forsaken by society that I attempted suicide.

I wish I could travel back in time to tell this young girl that in the future, advocates and legislators all across the country would be standing up for her, that they would demand better protection and services for kids like her. Had there been a Justice for Victims of Trafficking Act or Stop Exploitation Through Trafficking Act in 1992, perhaps law enforcement would have immediately recognized that I was a victim, not a criminal.

Even though these protections were not available to me, they can be made available to victims today. With effective and well informed legislation and services, victims can heal, overcome and achieve their greatest dreams and highest potential.

Without effective support and services, it is very difficult for victims to move forward. This is particularly true in States implementing safe harbor protections, where law enforcement cannot adequately respond without well resourced service providers trained to work with child victims of commercial sexual exploitation.

This is why I encourage legislators to include provisions that authorize resources for services for all victims of human trafficking and child exploitation, girls, boys, men and women. This would include creation of programs that focus on prevention.

Nikolaos Al-Khadra is a male advocate from Chicago who identifies as a survivor of sex trafficking and commercial sexual exploitation. Nik says he was forced into prostitution at the age of 17. He had been ordered to leave home after accepting his identity as a gay male.

"I grew up with a lot of emotional and physical abuse," Nik wrote to me in a personal e-mail. He describes a home life in which his father regularly attempted to, quote, "beat the gay out of him."

After leaving home, Nik describes a hellish experience of forced drug use and forced prostitution. He says this ultimately led him to illegal escort agencies through which he was exploited for sex in order to survive.

He writes, "There really needs to be more programs for LGBTQ youth who become homeless over parents' attitudes toward their child's sexuality. I think being beat down mentally all throughout my childhood was why I stayed years in the sex trade," end quote.

As an advocate, I speak to communities across the country and I am often asked by event organizers to address the fact that human trafficking happens to all children, including good kids from the suburbs.

This is true. Commercial sexual exploitation, including sex trafficking, can and does happen to any child regardless of gender, race or family income, but it very often happens to those youth who lack support in their homes and communities.

In response to one recent event, a reporter wrote an article about child sex trafficking and the opening line was written as follows: "Human trafficking does not just happen in back alleys in big cities, to children and teens that no one cares about." I am going to repeat that. "Human trafficking does not just happen in back alleys in big cities, to children and teens that no one cares about."

If that line does not anger you, it should. Any child who is being trafficked or otherwise exploited deserves love and compassion regardless of that child's gender, sexual identity or sexual orientation.

Whether that child is poor or rich, street smart or book smart, homeless or from a middle class home, that child deserves victim-centered, trauma-informed services from both law enforcement and service providers, as well as compassion and understanding from the community.

If Nik was in the room today, he would tell you that the Run-away and Homeless Youth and Trafficking Prevention Act is a necessary step toward preventing sex trafficking and protecting run-away and homeless youth, and I would agree.

The National Alliance to End Homelessness estimates that on an annual basis, approximately 380 youth under the age of 18 experience a homelessness episode of longer than 1 week. Multiple research studies indicate that, conservatively, 1 in 5 homeless youth self-identify as LGBTQ.

In order to create effective anti-trafficking bills, solutions and services for victims, I firmly believe that legislators and advocates

must consult with and seek feedback from diverse survivors having diverse experiences.

This is why I am so pleased that the Justice for Victims of Trafficking Act includes provisions of the Human Trafficking Survivors Empowerment Act. These provisions will create a survivors-led U.S. Advisory Council on Human Trafficking to review Federal Government policy and programs on human trafficking.

It is so important that survivors play a role in finding the solutions to prevent and end sex and labor trafficking.

There are many advocates like Nik and myself who experienced some form of human trafficking or child exploitation. We are eager to share our thoughts and perspectives in order to transform our negative experiences into positive change.

Thank you again for holding this hearing and for inviting a survivor to share testimony. I look forward to working together in the future and standing together for the rights and well being of victims across the country and around the globe.

Thank you.

[The prepared statement of Ms. Smith appears as a submission for the record]

Chairman GRASSLEY. Thank you, Ms. Austin Smith.

Now, I call on Ms. Saada Saar.

**STATEMENT OF MALIKA SAADA SAAR, EXECUTIVE DIRECTOR,
HUMAN RIGHTS PROJECTS FOR GIRLS, WASHINGTON, DC**

Ms. SAAR. Thank you, Mr. Chairman and members of the Committee.

I am the Executive Director of Rights for Girls, a human rights organization focused on gender-based violence in the U.S. I want to thank you for giving attention to the crisis of domestic child trafficking.

As a human rights lawyer, I have witnessed how children trafficked on American soil have been left behind. There are at least 100,000 American children trafficked for sex each year. The majority of them are girls who are of middle school age and many, if not most of them, are children in our foster care system.

They are girls like Aviva. Aviva was in foster care. At the age of 14, a trafficker kidnaped her. He held Aviva hostage for almost a year. During that time, she was sold to at least 10 different men a night.

Aviva was purchased and raped so many times a day that she said she did not understand what the point was of putting on her underwear. She felt that she had lost being human. She said she did not understand how adult men wanted to buy her body when she was still only a child.

When law enforcement found Aviva, she was not treated as a victim of crime. She was arrested for prostitution at the age of 15.

Too often, American children bought and sold for sex are not contemplated as victims of trafficking. They are instead considered child prostitutes. Every year, more than 1,000 children are arrested for prostitution even though most of these children are not of the legal age to consent to sex.

That is why the Stop Exploitation Through Trafficking Act is so critical. This bill moves us away from criminalization and empha-

sizes the need for services and not jails for victims, because they are not child prostitutes, because there is no such thing as a child prostitute, because what happened to Aviva and to other children who are being bought and sold for sex has nothing to do with vice or prostitution.

This is child rape. In any other context, what a john does when he purchases a girl would be construed as statutory rape or sexual assault of a minor.

There ought to be no difference between raping a child and paying to rape a child. Yet there is. There is a culture of impunity for raping children when that act is paid for.

Buyers of sex with underage girls are rarely arrested. They are politely referred to as johns and if they are arrested at all, it is usually for misdemeanor solicitation.

We have ended impunity for the traffickers who sell children's bodies as property. Now, we must end impunity for the buyers.

This is why we need the Justice for Victims of Trafficking Act, also known as the JVTa, and the Combat Human Trafficking Act. Both bills clarify the language of Section 1591 to remove all doubt as to its criminal applicability to buyers of child sex.

The JVTa also increases the investigative capability of law enforcement to go after buyers and it provides funding for services for child victims.

Over 20 years ago, the domestic violence movement made clear that when a man hit his wife, it was not simply a personal dispute or a private matter. It was an act of violence that had to be named and for which the perpetrator had to be held accountable.

We must do the same thing with child sex trafficking. It is what we owe Aviva. We owe it to Aviva and other children trafficked to make clear to them that the abuse they have suffered is no different or more tolerable than other forms of sexual abuse of minors.

We owe it to Aviva and the girls still left behind to hold accountable those who have purchased them and raped them and to create for these girls who are mighty and strong and yet so hurt opportunities for them to heal and to live out their full potential.

Thank you.

[The prepared statement of Ms. Saar appears as a submission for the record]

Chairman GRASSLEY. Thank you very much.

I go to Ms. Bigelsen.

STATEMENT OF JAYNE BIGELSEN, DIRECTOR OF ANTI-HUMAN TRAFFICKING INITIATIVES AND CO-DIRECTOR, LEGAL ADVOCACY, COVENANT HOUSE INTERNATIONAL, NEW YORK, NEW YORK

Ms. BIGELSEN. Good afternoon. First, on behalf of Kevin Ryan, the leader of Covenant House International, I would like to thank Chairman Grassley, Senator Leahy and the entire Committee for your leadership in the fight against trafficking.

I would also like to add a special thanks to Senator Klobuchar who visited our trafficking program for trafficked girls in Mexico City, and Senator Feinstein for her years of tireless advocacy for children served by Covenant House California.

Covenant House was founded in 1972 with a simple profound mission to help homeless kids escape the street. We serve more than 56,000 young people per year had have shelters in 27 cities.

The majority of our resources are raised privately from more than 700,000 donors each year, but Federal and State Governments are important partners in our movement.

I am going to focus my testimony on the intersection between trafficking and youth homelessness, because that is what is at the core of what we do and who I see in my office every day.

Please know that all of the other bills being discussed today, especially the Combat Human Trafficking Act, which addresses demand, which is key to eradicating sex trafficking, as well as bills that deal with restitution and services by Senator Cornyn and bills on advertising and safe harbor have our full support and are absolutely essential in fighting this tragedy.

I personally work in the Covenant House South right near Times Square. 350 young people mostly between the ages of 16 and 20 call this place home each night.

One of the young people I worked with was named Kay. Kay explained to me how she was 5 years old when what she now knows her mother dressed her in provocative clothing and told her that they were going to play a game of dress-up. Her mother then let a man sexually abuse her.

That continued throughout Kay's childhood, before she ran away directly into the arms of a pimp. That pimp threatened to kill her, would not let her go to school, and would not let her talk to relatives.

Kay eventually escaped and made it to Covenant House. More needs to be done to help kids like Kay. As a Nation, we are starting to make progress, although still more needs to be done in trafficking prosecution and services for survivors.

Honestly, we have largely failed to address prevention. To prevent trafficking, we must understand the connection between homelessness and human trafficking.

While it is true that any one of our children could be a victim of human trafficking, as many people said today, we know that the pimps target the most vulnerable among us—homeless children and children from foster care who don't have any families to protect them or look for them.

To prevent trafficking, we need to reduce the supply of homeless young people. We, therefore, are urging the passage of the Run-away and Homeless Youth and Trafficking Prevention Act so that we can help young people before they fall into the hands of vicious predators who prey on homeless youth, on teenagers aging out of the foster care system without families, and on young people who feel alone and desperate on the streets of America.

To get a better sense of the numbers, our research team worked with Fordham University to interview close to 200 of our youth at Covenant House New York. Suddenly we found that almost 15 percent had experiences that fit the Federal definition of trafficking and another 10 percent engaged in survival sex, which meant that they traded their basic needs for food and shelter.

LGBTQ youth were at even higher risk. All four of the transgender youth that I spoke with explained how they were

kicked out of their homes, had nowhere to go, and that no one would hire them for anything but sex work.

When I asked the survivors what could have prevented these experiences, their answers were clear—a safe place to stay, someone who cared about them, and job skills that could get them out of the life of stripping and prostitution.

On a daily basis, young people avoid traffickers by making it to youth shelters filled with trauma-informed care and comprehensive services, some of whom receive Federal runaway and homeless youth funds. Unfortunately, these shelters are full.

A Federal study in October found that 53 percent of homeless kids cannot find places to sleep because the shelters are full and the pimps take full advantage of the fact that the shelters are full. They offer free pizza, pretend affection and a place to stay, before luring them in and forcing them into prostitution.

If a homeless youth cannot access services, there will be a trafficker lying in wait to enslave them.

On the other hand, young people who find their way to youth shelters will have access to services that work. In 2013, 94 percent of young people who stayed in B6 center programs and 88 percent of youth in transitional living programs exited into a safe environment.

Clearly, combating youth homelessness is tantamount to preventing human trafficking. We will never win this war against human trafficking within our borders unless we first win the war to end youth homelessness.

Thank you.

[The prepared statement of Ms. Bigelsen appears as a submission for the record]

Chairman GRASSLEY. Thank you very much.

I call on my fellow Iowan, Mr. Ferjak.

STATEMENT OF MICHAEL FERJAK, SENIOR CRIMINAL INVESTIGATOR AND DIRECTOR, HUMAN TRAFFICKING AND ENFORCEMENT PROSECUTION INITIATIVE, IOWA DEPARTMENT OF JUSTICE, DES MOINES, IOWA

Mr. FERJAK. Good morning. I want to express my great appreciation to the Committee Chairman for inviting me to share Iowa's experience in responding to human trafficking. I would also like to extend that same appreciation to Senator Feinstein for her passion and leadership on this issue.

Today you have heard from a courageous sex trafficking survivor and two highly qualified experts, one from Washington, DC, the other from New York City, both making huge differences in the lives of girls and women every day. I am humbled to be in their company.

I learned early in my career as an officer that listening and believing the victim is a must. Their wisdom—is of our greatest of attention because it was received through a crucible of absolute despair. If we will only listen to the victims, they will show us how to best serve them and to best fight effectively against those who have harmed them. I am indebted and appreciative to the experts for providing a guiding light for us to follow.

I am from Des Moines, Iowa, a place not normally associated with national discussions about crime and victims. We both—have both just like any other place in the country.

Over the course of more than 3.5 decades, I have investigated all manner of crime, listened to victims, and gained a great deal of experience. I have worked on unique assignments where I have learned firsthand about the care and hopelessness victims endure while their bodies are sold to fill the pockets of their captors.

The undeniable truth is that trafficking is in Iowa just as it is in every other State in our country. It is in our small towns and our big cities and our children, young women and men are suffering unimaginable cruelties, even as we sit here today talking about it.

Trafficking is a hard fact that some will simply deny, others will dismiss saying the occurrence is minimal or isolated and not worthy of our attention or cost, and still others say we are just calling prostitution by another name.

As long as that denial and dismissal exists, it will stand in the way of a committed and aggressive response against this horrible crime and will condemn the victims to an existence as a slave.

In early 2012, Iowa Attorney General Tom Miller attended a meeting of the National Association of Attorneys General, where the topic of human trafficking was addressed. During the course of that meeting, General Miller spoke with survivors of human trafficking and after hearing their stories realized that the issue was not only appalling, but that the time for talking about it had passed and that it must be attacked head on.

Returning to Iowa, he immediately set about creating a plan to address human trafficking in Iowa. It was during this time that I met a survivor, a young woman named Brittany. As I listened to her, I soon realized that like so many other officers, I had likely met many other trafficking victims in my career, but did not recognize them as such at the time and did not help them in the way they needed to be helped.

I know my failure caused them to continue living in a hell that I cannot begin to imagine and it steels my resolve to do all that is possible so that no officer ever lets this happen anywhere again.

I wish to provide the Committee with a DVD entitled Anywhere—Any Kid Anywhere, which presents Brittany's story along with the story of two other Iowa girls.

As we began working with human trafficking, we learned that reactions of disbelief to the victims' stories are common and that sometimes it was even the reason officers, prosecutors, service providers and others may not have taken the victim seriously and not investigated the matter more aggressively.

Admittedly, the victim's story may indeed sound beyond the line of reality, but that depends largely on whose experience you are comparing it to—yours or the victim's?

This response is unfortunately not completely unexpected given that a national study done in 2008 indicated that 75 percent of law enforcement at all levels did not believe that human trafficking was taking place in their jurisdiction. I would not expect the answer to be markedly different today.

In December 2012, the Attorney General finalized his response and created the Human Trafficking Enforcement and Prosecution Initiative in Iowa, HTEPI, for short. I have provided the Committee with the mission statement and objectives of the HTEPI.

When the Attorney General gave me this assignment, he charged me to make Iowa the most hostile place in the country for human trafficking, so hostile that they would rather go around than go through. With the help of many dedicated Iowans, that is exactly what we set out to do.

At this time, I would like to introduce the Committee to my chief partners here with me today. First, I would like to introduce Ms. Terry Hernandez, Executive Director of the Chrysalis Foundation, a nonprofit organization doing amazing work with girls and young women by funding and providing after school programs for girls who may be at risk and leadership development training, life skill building, and career development opportunities for young women of the Des Moines metro area.

The Committee has received several pieces of information from Ms. Hernandez.

Next, it is my pleasure to introduce to the Committee Captain Curt Henderson of the Iowa State Patrol. Captain Henderson is here representing the Iowa Department of Public Safety and its Commissioner, Dr. Roxann Ryan.

Captain Henderson is the primary law enforcement trainer for the HTEPI and he is responsible for bringing the Texas Department of Public Safety to Iowa to teach our State Patrol and Division of Criminal Investigation, their roadside interdiction program called Interdiction for the Protection of Children.

The honorable Committee member from Texas here today can be very proud of your State's leadership and human trafficking—leadership and training in human trafficking across the country.

As we began the task of learning what trafficking looks like in Iowa, it became apparent that two things were true. It has been present for many years and, second, law enforcement was not trained to identify and investigate it.

As we looked for information about law enforcement responses to trafficking, I was made aware of the work of the Sisters of St. Francis in Rochester, Minnesota because of their work with trafficking victims.

I contacted them and they were gracious enough to set up a meeting with the Rochester police detectives, prosecutors from the Olmsted County Attorney's office, including the county attorney himself, and a representative from a victim service organization called Mission 21. That meeting lasted a full day and we left armed with very good ideas and very good protocols.

I was later invited by the Olmsted County attorney to a conference in Alexandria, Minnesota that was the kickoff for the Minnesota safe harbor law. That event proved to be a great training and networking opportunity.

The honorable Committee member from Minnesota, I want to offer my thanks and appreciation for your State's assistance and support.

Since 2012, the HTEPI has presented more than 324 non-law enforcement professional education programs, specific law enforce-

ment training sessions, and committee awareness meetings with over 18,000 people attending. This is in addition to our education preventing partners across the State.

We have continued to examine the various components of how trafficking works, we determined the need to work with commercial transportation interests in Iowa to effectively address human trafficking. I approached Chief Dave Lorenzen of the Iowa Department of Transportation Motor Vehicle Enforcement Division and requested assistance.

Some of the contributions they have made include active involvement in the education effort, providing training on human trafficking indicators and reporting protocols, hosting a very successful coalition-building event between commercial trucking firms in Iowa and law enforcement to talk face-to-face, and making it a requirement for every person receiving a commercial driver's license, a CDL in the State of Iowa, you must complete the Truckers Against Trafficking education program in order to obtain that license.

The challenges facing law enforcement as it becomes more familiar with human trafficking are many, but in my opinion, the most critical is changing the way trafficking is discussed and understood by law enforcement and the public. We must dispel the myth of choice and replace it with the truth of how victims are controlled. We must talk about prostituted people and not prostitutes.

We must stop thinking a 14-year-old can actually choose to become a prostitute and do it on their own, because that is simply not possible. We must see the victims as they are and not what the trafficker has forced upon them.

I would like to close by offering a few comments concerning the legislation now pending before this Committee. As I have just stated, the critical task before law enforcement is the matter of treating—is a matter of treating a victim like a criminal.

The legislation offered by Senator Klobuchar—

Chairman GRASSLEY. Can I ask you to summarize your last couple comments on the legislation?

Mr. FERJAK. Yes, Senator. It brings a laser focus to this. The Safe Harbor Act is exactly what is needed to make the transition that we are talking about here today.

The legislation offered by Senator Cornyn would offer law enforcement, victim services and community awareness efforts significant assistance by providing the much needed funding for task force and victim services. The funding identified is what every State is struggling to obtain and the uses of those funds are critical to the success of any trafficking effort.

Thank you.

[The prepared statement of Mr. Ferjak appears as a submission for the record]

Chairman GRASSLEY. Thank you very much.

I am going to call on Senator Leahy, the Ranking Member of the Committee, for any comments or questions that he wants to ask before we ask questions.

Senator LEAHY. Thank you, Mr. Chairman. I want to thank you for holding this hearing. I had urged the hearing, but I think more importantly, Senator Feinstein and Senator Klobuchar and every woman in the Senate.

I mention that because it is rare that we see bipartisan things of every single Senator, Republican or Democrat, and urged this hearing. And the hearing underscores how important it is that we address sex trafficking in a really comprehensive way.

I would urge Senators to read, as I did, the gripping testimony of Ms. Smith and Ms. Saar, Ms. Bigelsen and Mr. Ferjak.

I am a parent and a grandparent and I read that and it just—and a former prosecutor—and I thought I had heard everything. This brought even more. I will put my whole statement in the record, but we have got to stop this devastating crime from happening in the first place.

You have got to stop it from happening. We can react after the fact, but you have got to stop it. For the sake of the lives of these children, we have to stop it earlier.

I am going to offer the bipartisan Runaway and Homeless Youth and Trafficking Prevention Act when we consider trafficking legislation later this week. Ms. Bigelsen knows that.

Again, I thank you. Of course, we have to act if we find out that it has happened, but think how much more we would accomplish if we stopped it from happening in the first place.

Thank you, Mr. Chairman.

[The prepared statement of Senator Leahy appears as a submission for the record]

Chairman GRASSLEY. I thank you very much.

I am going to start out with Senator Feinstein so I can step out a minute. I have questions, and then we will go according to the rules of the Senate on the order.

Senator FEINSTEIN. Thank you very much, Mr. Chairman. I thank Senator Leahy for asking me to sit in for this.

I would like to acknowledge the presence of Sheriff Jim McDonnell from Los Angeles. He is, I guess, the second largest law enforcement officer in America next to New York City. Is that fair to say? And runs a huge operation.

I have had a chance to talk with him on the subject and he has also put a statement in for the record, and I would like to just quickly read one part of that statement.

“It is my sense that today’s street gangs have become more sophisticated about how they make their money. While they may be committing fewer murders or narcotic-related violent crimes, they have moved into human trafficking in a major way. Rather than sell narcotics, today’s gang member has learned that he can run a stable of women to make money for him day after day while taking very few risks himself. While some may believe that the individuals being sold are working by choice, we now know that most are victims or runaways, often as young as 12 years old.”

I think the people that have represented the victims here have done an excellent job. What has occurred to me is that we have seen this huge institution develop in America without much said about it.

I have learned, for example, that you can run a Website and be protected by the Communications Decency Act and people pay you essentially to solicit customers. I am just wondering if we should not put an end to that.

Mr. Ferjak, do you have any comment on that subject? Particularly, one is Backpage.

Mr. FERJAK. I do, Senator, and I agree with you that some of these sites, most all of these sites exploit and contribute to the exploitation of victims.

It is an ongoing debate within the law enforcement community as to the value of these sites in terms of their intelligence that they offer to law enforcement to track and to obtain data as far as how these people conduct their operations and where they are going to do it and all sorts of things.

I am in agreement that there needs to be greater control. I just ask us to move cautiously so that we do not remove one of the best tools that law enforcement currently has available to it as we do so.

Senator FEINSTEIN. Right. What you are saying is using it as intelligence.

Mr. FERJAK. Correct.

Senator FEINSTEIN. Ms. Bigelsen, do you have a view on this?

Ms. BIGELSEN. I do, Senator Feinstein. In particular, I have personally worked with several young people to get their pictures off of Backpage, horrified that their pictures were on Backpage.

I feel very strongly that this needs to stop. I can say that in my experience, I have never seen a young person or anyone that I have worked with sell themselves on Backpage. It is always the pimp or the trafficker who is selling them on Backpage.

We have a situation where someone else is making the money and selling youth on these Websites.

We ask—The bill gives protection if you ask for ID. We ask for ID in this country for cigarettes, we ask for ID for alcohol, but we are not asking ID for the selling of sex of children.

Senator FEINSTEIN. Just to discuss this for a minute. I think this is very important because I do not know how you would get at the size of this industry without getting at the purveyor and the john. I mean, any man that purchases a 12-year-old girl, in my view, ought to go to prison. It is that simple. That is not what the American society is all about.

You ruin this girl's life most likely and as I think one of you has described, it is much like rape. It is hour after hour and it is day after day. Any man that makes this purchase ought to be arrested and ought to be prosecuted and those who purvey this in terms of the Internet by accepting dollars for presenting girls which can be bought, it ought to be stopped.

Those are two big issues for this Committee. It is much easier to give out money, to do this or have a group. But if you are going to stop an industry, you have to stop it where it makes its money.

I am concerned about—Sheriff McDonnell, when I met with him, told me about some of the gangs in Los Angeles that are participating in this and how—how they function, and that has got to be stopped. You have got to break up that gang. You have got to arrest them.

I think three of you pointed out that it is the victim that generally gets arrested. In my view, that is the problem we have as a Committee. How do we break apart this industry and how do we also, at the same time, support the victim?

As long as you have people being able to purvey and not be penalized for it, it seems to me you cannot stop the industry.

Does anybody have a comment on that? Ms. Saar?

Ms. SAAR. So—I, along with other advocates in this room, helped to lead the takedown of Craig's List sex ads and we watched those ads migrate from Craig's List to Backpage.

Part of what we need to do is make the connection between why so many individuals feel comfortable going on these Websites and purchasing girls.

Senator FEINSTEIN. But it is anonymous.

Ms. SAAR. There is a culture of impunity. They are not afraid of purchasing a child because we are not arresting and prosecuting buyers of children. We do not arrest them for statutory rape. We do not put them on the sex offender registry.

If we started to criminalize buyers, and I mean criminalize in terms of statutory rape, Section 1591, we would not see the demand that is fueling the child sex market.

There is a connection here also with the gangs. When you look at why the gangs have started selling girls instead of meth, it is because it is less risky. There is not a culture of crime and punishment around buying girls.

So because of that, it makes sense that the traffickers have repurposed the drug routes to sell girls. It is less risky for them to do that.

If we create a culture of punishment for buying children for sex, we will not see the gangs make those same decisions and we will see a difference in the way these platforms are being used to sell children and purchase them.

Senator FEINSTEIN. Thank you. I think you have been very eloquent and very correct, and that is where I am. I am going to be looking for a vehicle to do just that.

I think this thing has gone on long enough. It needs to be stopped and you have to curb the demand and we have learned that with drugs and it is the same thing here.

Thank you very much.

Thanks, Mr. Chairman.

Chairman GRASSLEY. Thank you. I am going to start with Ms. Austin Smith. I would like to have you talk about your experiences with arrest as a victim of sex trafficking and how it is that child sex trafficking victims in the United States continue to be arrested for prostitution.

Ms. AUSTIN SMITH. I know that there are a lot of laws being passed in different States to prevent children from being arrested for prostitution. I am not familiar with all of the laws, so I am not—I'm not 100 percent sure which ones are lacking and which ones are the best.

I think that it is important that we recognize children as victims and not criminals. I just think it is important to have those services in place so that a child does not return to—so that a child does not escape juvenile detention, but then just be returned to an exploitative situation or be returned to an abusive or neglectful situation from which they had run in the first place.

I think it is important to balance laws that recognize children as victims, but also to have services in place.

Chairman GRASSLEY. Mr. Ferjak, how has the traditional approach to law enforcement contact with trafficking victims changed over time and what training resources are needed to further reinforce the idea that prostitution is not a victimless crime?

Mr. FERJAK. The realization that I alluded to in my opening comments as far as how many law enforcement officers come into contact with victims of trafficking, but fail to recognize them, is slowly changing to a very intensive education process that is part by the U.S. Department of Justice, as well as by local and State law enforcement in Iowa and other places. And that is the key to changing the entire dynamic that we are talking about here today.

One of the things that officers sometimes feel is that this child needs to be removed from the situation as quickly as possible and sometimes that option is only in the option of arrest. In Iowa, we are constantly talking about this and the realization is that there is also a long line between arrest and any prosecution.

Last year, the Iowa legislature passed a change in our trafficking statute that allows minors to be diverted from the criminal justice system into a service-oriented type of program under what is called a Child in Need of Assistance Petition.

Every county attorney, who are the charging—charging authorities in our State, has the ability to do this in each case.

Chairman GRASSLEY. I want to talk to Ms. Saar. You have talked a lot about those who buy sex from minors and the adult trafficking victims. Is there any sort of profile of the typical purchaser and has any research been done to help us understand what would most likely be done to deter the activity?

Ms. SAAR. Thank you for the question. It is an important one. The research that Michael Shively has done, as well as the Urban Institute, has surfaced that in the majority of situations, the buyers tend to be middle class, married, white professionals. We know that often we do not see those individuals criminalized.

I think we now have to rethink who is the criminal in these situations. The trafficker is the criminal. The buyer is the criminal. The child is not.

We know from the Nordic model that when we go after demand, when we criminalize the purchasing of children for sex, that it does, in fact, have an impact on trafficking.

In the Nordic model, the approach was the criminalization of buyers who buy both children and adults, and the consequence of that was we did, in fact, see a change, a shift in the number of individuals who are being bought and sold for sex. We saw a change in levels of trafficking to such extent that we now see more countries in Europe, as well as in New Zealand, in India, in South America looking at how they can replicate the Nordic model.

I think we today ought to take that same look in trying to go after demand and criminalize finally the purchase of children for sex.

Chairman GRASSLEY. I am going to call on Senator Klobuchar.

Senator KLOBUCHAR. Thank you very much, Mr. Chairman. Thank you again, Senator Feinstein.

Thank you for the moving testimony from all of the witnesses.

Ms. Smith, one of the things we have encountered in trying to get these bills passed and talking to people in the community is

something I referenced in my opening statement, that people do not actually believe it is happening. They don't—think it is something where people in foreign lands are put on boats, which does happen, we know, and brought over to America.

What do you have to say to those people?

Ms. AUSTIN SMITH. I think that there needs to be more awareness in communities that this is happening in States all across the country. I also think there really needs to be programs in schools to educate youth that they—that this is a real thing happening in America and that many times young teenagers are the targets of traffickers.

Had I known that in 1992, maybe I would have been better warned about who the person was that I was talking to. But I present all across the country and that is one of the most common questions that I get.

How common is this really? How often is this really happening? There are no hard statistics for me to fall back on, but because I get that question so often, I started to create a list.

I spend my Saturday mornings looking through Google and finding recent cases and I have started to list them one after another, and there are so many cases out there across the country that I have trouble keeping up with it.

Senator KLOBUCHAR. Okay. Thank you so much. I know you and I were at the Polaris gathering when they released their state-by-State report and that kind of gets at one of the questions that the Chairman was asking about what is happening around the country.

I think there are about a dozen States now that have the safe harbor law. There are another dozen or so that are working on it. And I really appreciate you bringing that out.

Nicholas Kristof and his wife, Sheryl WuDunn, put an amazing book together called *Half the Sky* and one of the things they talked about was trying to call public attention to this issue by getting the barbarism of it out there, and, in fact, they talked about how Britain abolished slavery before any country did by actually getting the information out that it was about their abolitionists, about their passion, but it was also about what they called the meticulously amassed evidence of barbarity. The human beings packed into the holds of slave ships, the stink, the diseases, the corpses, the bloody manacles. And I share this belief.

Mr. Ferjak, you, in your own testimony, talked about getting this crime out of the fact that it is actually right now hidden in plain sight and how do you get it out there so people understand.

Mr. FERJAK. Thank you, Senator. I could not agree more with you as far as making it common knowledge for the citizens of the country is certainly going to help us stop and deter it.

It is still a mystery to most people when you go and talk to them about human trafficking. They do not understand the realities that it is here. They do not understand the reality of what happens to these victims, the horrible things.

We had just last month in Iowa a young woman abducted and taken to Virginia. She was trafficked online. They branded her in the middle of her back with a piece of metal. They cut the bottom of her feet so she could not run.

These are the things that the average citizen does not understand or does not realize or does not hear. I believe if they did, there would be a cry that we have never heard before in this country to stop trafficking.

Senator KLOBUCHAR. Right. We have—and Senator Cornyn’s and my safe harbor bill, we have in there a national sex trafficking strategy.

Can you just quickly talk about how that would be helpful in terms of coordinating law enforcement efforts? Because we actually do not have that right now.

Mr. FERJAK. You are absolutely correct. Senator Cornyn’s bill would go a long way in correcting that deficit.

Senator KLOBUCHAR. That—We were both lead authors of each other’s bills, but this particular sex trafficking strategy is in our safe harbor bill, the one I am leading, but yes.

Mr. FERJAK. Coordination is required because we do not have the assets, the resources to just operate on your own. There has to be a coordinated effect because traffickers move in a very coordinated, effective way. We have to do the same. We have to understand how they operate.

Intelligence, the things that this type of legislation will be able to provide funding for intelligence operations, coordination of a task force, establishment of additional task forces, all of which will go toward the end goal obviously of stopping trafficking.

Senator KLOBUCHAR. Ms. Bigelsen, you talked about how Senator Cornyn’s bill was helpful in terms of getting funding for shelters. Could you just give us an example of how it can turn someone’s life away—around when they have a place to go and they do not get put back into the cycle?

Ms. BIGELEN. Absolutely. First, though, I wanted to address the issue of the numbers. I hear from a lot of people who do not believe that this happens here. But if we are seeing somewhere between 15 to 25 percent of our young people and we see 3,000 young people a year, that is about 700 young people and that is in one building, one shelter, one city. It is absolutely happening here.

I spend so much of my time just trying to find beds. So if it was not happening here, I wouldn’t—why do I need to spend so much of my time calling around the country to find a bed?

But back to your question, absolutely. These programs save lives. Not only the beds, but on job and education training is really key. I have spoken to people about both exiting trafficking and how it could have helped prevent it.

For example, a young woman told me that how she ended up being trafficked was because she was homeless, did not have an address to put on the job application, did not have a high school diploma. The only place that would hire her was a strip club and that led to one of the clients kidnaping her. Right?

If she had a program, if she had a bed, if she had job training, if she had a GED class, that would not have happened to her.

Then on the other end, trafficking survivors that I speak with so want to put those experiences behind them, but they look at me and they say, “Ms. Jayne, what am I going to do now? Sex work is my only resume. It is the only thing I know how to do.” So there needs to be funding.

Senator KLOBUCHAR. Thank you. I just want to acknowledge Ms. Saada Saar's work. We were together recently at the lunch of the No Such Thing Campaign with Cindy McCain and Senator Portman and I really appreciate your work. I was going to ask about public-private partnerships, but my time is done and I will do that on the record. So thank you.

Ms. SAAR. Thank you for your work.

Chairman GRASSLEY. Senator Whitehouse.

Senator WHITEHOUSE. Thank you. This has been a really great hearing and I appreciate the witnesses.

I would like to ask each of you to reflect a little bit about the prospect for civil justice being brought more to bear in this arena and I would like to ask you not just to respond now, but if you think about it, to send something in for the record so that you have got a little bit more chance to think about it.

It strikes me that these victims, the girls, are some of the most disempowered people anywhere and you have to feel a certain sense of empowerment to take a step in the civil justice system on your own behalf. If they are young enough, they are not even legally competent. You need guardians ad litem and things like that.

I am reminded of the good work of the Southern Poverty Law Center years ago. Nobody could do anything about the Ku Klux Klan. They had a First Amendment right to do or think whatever awful things they wanted. They were marching through Skokie, Illinois and the Southern Poverty Law Center went after them under the civil law, sued them, got a huge damages award, took their headquarters, sold it, distributed the money to people who had been harmed.

It strikes me that there may be some kind of a model here if you could figure out how you could pull these victims together as plaintiffs and then go after Backpage. I would love to be the attorney doing the civil discovery with a court subpoena into all the back papers and memos and materials in Backpage and see what they really know about what is going on.

There have got to be hotel owners who are keenly aware of what these rooms are being used for. You would have to be an idiot not to see it. Great. Nice civil case against the hotel owners and now the hotel is owned by the victims and not the owners.

A, does that make any sense to try to make the civil justice system work better for these victims? B, given their disempowerment, given their youth, given their—how scattered they are across the country, what would be the best tools to allow that kind of process to go forward, of course, in addition to law enforcement and all the others? This would not be an alternative to putting these folks in jail, but it sure as heck would add some pressure once a couple of hotels got stole—grabbed and legally given to the victims and if Backpage were facing very significant litigation. That, to me, seems like a good thing.

Ms. AUSTIN SMITH. Is that something that would fall under the proposed domestic trafficking victims' fund under the Victims of Trafficking Act? Is that seeking civil, through civil lawsuits, seeking funding from buyers and traffickers?

Senator WHITEHOUSE. As I understand it, that would allow for that to take place, but kind of as an adjunct to a criminal prosecu-

tion. You would then have a civil action against the perpetrator, the pimp or the rapist, for want of a better word, I think that is probably the accurate word to use here.

I do not know that that—and I would be interested in your thoughts. Does that provide the kind of a basis to pull people together into a significant action where they can go after the site, the Website, the parts of the economy that are complicit in this crime?

Ms. AUSTIN SMITH. I would not understand all the logistics behind that because I am not a lawyer, but that makes sense to me.

Something that I wrote in my written testimony was had there been domestic trafficking victims' funds that victims could pull from for services, then my healing process might have been a lot easier, a lot faster. My whole transition might have been easier had there been funding for services.

Our insurance—after I was recovered, I did wind up going into a hospital, but our insurance only covered it for 20 days and that was not long enough for me. I left not understanding that it was not my fault, what had happened to me was not my fault.

Senator WHITEHOUSE. Well, I am suggesting kind of two parts to the benefit. One is that it would create resources to help the victims, but it is also a sanction when hotel owners who are letting this happen lose their hotels and when Website owners who are allowing their Websites to be used for this purpose lose their Websites and their revenues, that is a value in and of itself apart from the restoration and protection of the victims.

I think my time has expired. I am afraid I am going to have to ask the remainder of you, if you have thoughts, to please put them in writing into the record for the hearing and I would love to read them and find out.

Thank you.

Chairman GRASSLEY. Senator Blumenthal.

Senator BLUMENTHAL. Thanks, Mr. Chairman, and thank you for having this hearing on a very, very important topic. I am co-Chairman along with Senator Portman of Ohio of the Human Trafficking Caucus, which has done a fair amount of work in this area, aiming principally at the international problems of human trafficking.

Let me ask the witnesses whether you see a link between those two aspects of human trafficking, the international perhaps fostering, promoting, supporting human trafficking in this country and what steps you would recommend to address it.

Ms. SAAR. I would like to answer your question from the perspective of the victim. Right—so Ruchira Gupta, who is an amazing abolitionist and leader of the anti-trafficking movement in India, talks about how in India it is the last girl who is targeted to be bought and sold, the last girl.

I would say to you that the same is true here; that in this country, as in India, as in Cambodia, as in Thailand, it is the last girl who is the most vulnerable, the girl who has been abused in foster care, the girl who has gone through multiple placements in foster care, the girl who is the runaway, the girl who is involved in juvenile justice. She is the girl who is targeted by the traffickers. She is the last girl.

There is a reason why we do not see her, because we do not see our most vulnerable girls, and yet they are the ones who are being

bought and sold in this country as they are internationally. I think the other connection is that there is a challenge that we have in the U.S. and internationally to continue the work of tackling trafficking from now a demand perspective.

We have done very good work in the U.S. and internationally in criminalizing the trafficking of human bodies. There is more work that has to be done here and internationally in going after demand.

I think that there are the shared narratives of who is the victim and the work that remains to be done in order to really change what is playing out.

If we talk about this issue as modern day slavery and we recognize that just like slavery before, this is international, this is borderless, during the last abolitionist movement, we did not make distinctions between those who sold slaves and those who bought slaves, and I think the same has to be true; that as an abolitionist movement here and internationally, we cannot make distinctions between those who buy slaves and those who sell slaves.

Senator BLUMENTHAL. Do you think that the present laws in the United States are better than those that exist abroad or, to put it differently, are there countries that are doing better that we might use as our models?

Ms. SAAR. I am going to actually answer both of what you asked, right because we do have better laws in this country. We have sexual assault of a minor. We have statutory rape. We have Section 1591. The work has to be in using those laws, especially our sexual assault laws, to go after buyers.

The second part of what you offered in terms of where are we seeing good examples is the Nordic model, so what has been done in Sweden and in Norway in terms of criminalizing demand, and they have seen a reduction in trafficking since they went after demand.

Again, there is an opportunity, an example of how we can stop this crisis in the numbers that we see of children being bought and sold by going after demand, because we have seen the success of that with the Nordic model and we have all the laws we need to go after demand, because these individuals are, in fact, sex offenders. They are not johns. What they do is criminal and they have to be held accountable for that.

Senator BLUMENTHAL. We have laws that can be applied to the demand side. They simply have to be enforced. What I hear you saying is that what is required is not new laws, but better enforcement.

Ms. SAAR. Also, we need to clarify that one of the most important Federal tools we have to go after trafficking is Section 1591 and that is why the JVT is so important.

We must make sure, we must clarify all doubt as to whether or not Section 1591 can be used toward both the traffickers and the buyers. It must be applied to the buyers, as well. And at the State level, we also have all the laws we need to go after buyers as sex offenders.

Senator BLUMENTHAL. Thank you. Thanks, Mr. Chairman.

Chairman GRASSLEY. I have one more question and then I am going to submit questions, about four or five questions to answer in writing, if you would.

To you, Ms. Saada Saar, what do you say to the assertion that buyers do not know their victims are underage?

Ms. SAAR. I guess the story that haunts me the most and motivates my response to that is a girl we know in California who was 14 years old, was being trafficked and told every single man who had purchased her that she was only a kid and to take her to the police station, and not one individual did.

I do not believe that we should make excuses for the situation. We do not make those excuses around statutory rape. There is absolutely no reason to make excuses when the rape is being paid for.

It is so important to hear the words of children who have gone through the situation. I think this is one of the few issues where so many of us tell the stories of the girls, because we have not listened to the experiences of children who are being bought and sold.

If we have a child-centered, victim-centered approach to trafficking, that we do not make excuses for individuals who say they did not know the age of the victim, because we hear the stories of the victims themselves who talk about what they were subject to, who talk about how their bodies were not even mature.

How—when they talked, they talked about Disney princesses with voices that clearly were not adult voices.

It is important to honor that lived experience. It is important to be child-centered and victim-centered and not entrench and normalize these excuses that the perpetrators simply did not know the age of the victim.

Chairman GRASSLEY. I am ready to adjourn the meeting. I thank all of you for participating very much. We are going to move forward on Thursday with these bills that are on here and there are other bills that are pending that we will give consideration to later on.

Thank you all very much. The meeting is adjourned.

[Whereupon, at 11:54 a.m., the hearing was concluded.]

A P P E N D I X

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

Witness List

Hearing before the
Senate Committee on the Judiciary

On

"Human Trafficking in the United States: Protecting the Victim"

Tuesday, February 24, 2015
Dirksen Senate Office Building, Room 226
10:00 a.m.

Holly Austin Smith
Trafficking Survivor and Author of *Walking Prey*
Richmond, VA

Michael Ferjak
Senior Criminal Investigator and Director
Human Trafficking and Enforcement Prosecution Initiative, Iowa Department of Justice
Des Moines, IA

Malika Saada Saar
Executive Director
Human Rights Project for Girls
Washington, DC

Jayne Bigelsen
Director of Anti-Human Trafficking Initiatives/Co-Director Legal Advocacy
Covenant House International
New York City, NY

Testimony by
Jayne Bigelsen
Director of Anti-Human Trafficking Initiatives at Covenant House New York
To the Hearing Before the
United States Senate, Committee on the Judiciary
Human Trafficking in the United States: Protecting the Victims
February 24, 2015

Thank you all, especially Senator Leahy and Senator Grassley, for the opportunity to testify today. At Covenant House we are immensely grateful for the leadership of the United State Senate and the Judiciary Committee. On behalf of Kevin Ryan, the leader of Covenant House International, I extend our deepest appreciation to the Senate women's caucus in this fight against the tragedy of human trafficking, in particular today Senator Klobuchar who has visited our Covenant House program for trafficked children in Mexico City and Senator Feinstein for her many years of strong advocacy for homeless and trafficked children served by Covenant House California in Oakland and Hollywood.

Covenant House was founded in 1972 with the simple, profound mission to help homeless kids escape the street. Today we are the largest charity in the Americas providing loving care and vital services to homeless, abandoned, abused, trafficked and exploited youth. We serve in 27 cities throughout the United States, Mexico, Honduras, Guatemala, Nicaragua and Canada, and we serve more than 56,000 young people per year. The majority of our resources across all 6 countries are raised privately from more than 700,000 donors each year, but federal and state governments are important partners in our movement.

I work on the ground floor of Covenant House in New York City, right near Times Square. 350 young people, most between the ages of 16 and 20 call this place home each night.

Once their basic needs of food, clothing and shelter are met, we give our young people comprehensive legal, medical and mental health care, and educational and employment training, among many other services. Soon we will be opening the doors of Aspire House, our new safe house for young trafficking survivors in the New York City area.

One of the young people I've worked with who could qualify for a bed in Aspire House is Kay.¹ Her mother let a man sexually abuse her in exchange for money when Kay was just five years old. Throughout her childhood, Kay's mother's boyfriend, her mother, and Kay's own ex-boyfriend sexually exploited her. She ran away at age 11, and was recruited by pimps, who kept her from going to school, threatened to kill her, and would not let her talk to relatives. When she was 19, Kay escaped her pimp and came to Covenant House.

We must keep kids like Kay safe from the nightmare of human trafficking. We are starting to make progress in other arenas in the fight against trafficking, including investigation, prosecution and services for survivors. But we have largely failed to address prevention. To prevent trafficking, we must understand the pipeline between homelessness and the commercial sexual exploitation of young people. Nothing is more frustrating than to watch the rush of attention and investment in human trafficking initiatives at the same time that programs to shelter and care for runaway and homeless youth at the federal and state levels are reduced or eliminated altogether.

We urge the Senate and House to pass the Runaway and Homeless Youth and Trafficking Prevention Act so that we can help young people before they fall into the hands of vicious predators who prey on homeless youth, on teenagers aging out of the foster care system without families, on young people who feel alone and desperate on the streets of America. While any one

¹ The name has been changed to protect the survivor's identity.

of our children could be a victim of human trafficking, we know pimps target the most vulnerable among us, particularly homeless youth with no families to protect them, children from foster care, and those who have been previously sexually abused.

With Fordham University, our research team at Covenant House New York interviewed a random sample of close to 200 of our youth in 2013 about their trafficking experiences. The results were stunning.

Almost 15% of the young people had experiences that fit the federal definition of trafficking, and another almost 10% engaged in survival sex, which meant that they felt so desperate they believed they had no other choice but to sell or trade their bodies in exchange for basic needs, such as food or shelter. These numbers are conservative, as some youth may have been too traumatized to disclose their experiences. If these numbers were to hold for the 3000 youth served just by one of our programs each year – that is, the young people at Covenant House New York – we would expect to serve approximately 750 youth each year who have either been victims of sex trafficking or engaged in survival sex. That is in just one building, on one block, in one city.

Although our sample size is very small, we believe LGBTQ youth are at even higher risk for trafficking. All four of the transgender youth we spoke with had been involved in commercial sex. They explained how after being kicked out of their family home, they had nowhere to go, and no one would hire them for anything but sex work.

When we asked the trafficking survivors what could have prevented these experiences, they were clear: a safe place to stay, someone who cared about them, and job skills that could get them out of the life of stripping and prostitution.

Our study's results are consistent with a multi-city study in the American Journal of Public Health, in which less than 4% of all adolescents exchange sex for money, compared to 28% of youth living on the street, who engage in "survival sex" in exchange for food, shelter or money.

To prevent human trafficking of our nation's children and youth, we need to reduce the supply of homeless young people. To keep pimps and johns from traumatizing vulnerable kids, we need to keep those kids safe, and give them opportunities for hope. To fight trafficking, we need more safe shelters, specifically for youth, filled with caring adults. Over the next 5 years, Covenant House International plans to expand our presence to new cities in the United States and to substantially grow the number of supported beds we can offer homeless and trafficked youth. We urge the Congress to join this movement, and build a stronger safety net for homeless youth to prevent the calamity of child and youth trafficking within our nation.

On a daily basis young people across the country avoid the hands of traffickers by making it to youth shelters filled with comprehensive, holistic services that offer trauma-informed care; some of these programs even receive Federal Runaway and Homeless Youth funds. These shelters allow young adults to transition into independent adults with bright futures.

Unfortunately, these youth shelters are full. In October, the Federal Administration on Children, Youth and Families, released a study showing that 53 percent of homeless kids cannot find places to sleep because shelters are full. Day after day my colleagues in this work around the country have no beds to offer. Our hearts break when we turn a kid away, because we know traffickers congregate where homeless youth do, offering free pizza, soda and pretend affection.

If a homeless youth is denied services due to insufficient resources, there will be a trafficker lying in wait to enslave him or her.

We need to do our best to take away pimps' ability to force our children to choose between selling their bodies and having a place to sleep. To do that, we need to work toward the goal of ensuring that every homeless young person has access to safe beds and services.

An important first step toward that goal is passing the Runaway and Homeless Youth and Trafficking Prevention Act. We have evidence that programs funded by this act work well to give vulnerable young people the bright futures they deserve: In 2013, 94% of young people who stayed in Basic Center Programs (BCP) and 88% of youth in Transitional Living Programs (TLP) exited into safe environments, according to the Department of Health and Human Services. Those young people are far less likely to be sexually exploited.

I join with many other advocates for trafficked youth in supporting this act. Clearly, combating youth homelessness is tantamount to preventing human trafficking. We will never win this war against human trafficking within our borders unless we first win the war to end youth homelessness.

Statement of Senator Susan M. Collins
 Senate Judiciary Committee
 Hearing: *Human Trafficking in the United States: Protecting the Victims*
 February 24, 2015

Mr. Chairman, Ranking Member Leahy, thank you for convening this important hearing and for inviting me to testify. I am pleased to be joined by my colleagues – Senator Mikulski, Senator Ayotte, and Senator Gillibrand – whom I know share my concern about the horrific problem of sex trafficking in the United States.

No state is immune from the evils of sex trafficking. Traffickers lure vulnerable victims with the promises of a better life and use violence, threats, lies, money, drugs, and other forms of coercion to trap them in a life of commercial sex. Many criminals who once worked in drugs have now turned to sex trafficking because it is more profitable.

The stories of victims are shocking. Just this past January, police in Bangor, Maine, arrested a man and woman for trafficking a 13-year-old girl. This child, who was listed as a missing person, was being sold for sex through ads on the Internet. Unfortunately, there are many cases like this occurring across the country.

I would like to share with you another story from Maine, which helps illustrate both the harrowing experiences faced by young sex trafficking victims and the importance of service providers in changing the course of the survivor's life.

In 2013, Preble Street, an organization that operates a homeless shelter and teen center in Portland, Maine, formed the Preble Street Anti-Trafficking Coalition – a group of outreach, health, case management, and legal service providers. With the support of a Department of Justice grant, this Coalition has brought together organizations such as Catholic Charities of Maine, the Sexual Assault Response Services of Southern Maine, and the U.S. Attorney's office. It is currently working with approximately 50 sex and labor trafficking victims, whose ages range from 15 to 42.

One young woman, now 20-years-old, had been a familiar face around the Preble Street Teen Center. She was in and out of the foster care system, and met other girls who introduced her to "survival sex" – a way to trade sex for a place to sleep and other basic necessities.

At age 16, she traded sex for a ride to Boston. Once in Boston, she met a man who prostituted her to other men, in Boston and back in Maine. She was sold to other pimps and endured physical abuse and violence for many years. When she eventually escaped and her traffickers were charged by police, she had nowhere to go but the local homeless shelter. In fact, police chiefs, prosecutors, and service providers in Maine tell me that the lack of aftercare services, including a safe place to sleep, is among the greatest challenges that victims face.

Today, the Preble Street Anti-Trafficking Coalition is helping this young woman and others like her start a new life. She is doing well and was able to testify against her trafficker in court – a very brave and harrowing ordeal for a victim.

It is not surprising that Portland's homeless shelter is a critical partner in the fight to end human trafficking. Homeless youth, in particular, are more likely to fall victim to sexual exploitation. According to a report prepared by Covenant House, the largest privately funded charity providing services to homeless and exploited youth, approximately one in four homeless youth are victims of sex trafficking or engage in survival sex, and 48 percent of youth have done so because they did not have a safe place to stay.

These statistics are compelling, and the stories of young trafficking victims, many of whom are among our nation's homeless, are particularly devastating. This is why I am proud to join Ranking Member Leahy in reintroducing the Runaway and Homeless Youth Trafficking Prevention Act this Congress.

Our bill reauthorizes those critical preventive and treatment services that help homeless youth around the country. The Street Outreach Program, Basic Center Programs, and Transitional Living Program have helped thousands of young homeless men and women meet their immediate needs and provided long-term residential services for those who cannot be safely reunified with family. Homeless youth need access to safe beds at night and services during the day so that they never have to choose between selling their bodies and a safe place to sleep. I hope this Committee will reauthorize these programs, which for 40 years have helped protect our most vulnerable children.

Mr. Chairman, I applaud this Committee's work in shining a light on some of the darkest stories imaginable. Many states are doing their part, including Maine, where the "Not Here" Justice in Action Network brings together law enforcement and service providers to raise awareness about trafficking. Maine's Sex Trafficking Action Response Team and the Attorney General's Human Trafficking Workgroup also provide statewide platforms for sharing resources.

Congress must do more to provide law enforcement with the tools it needs to pursue sex trafficking and to support those preventive programs that help vulnerable women and men who fall victim to trafficking.

Thank you again for the opportunity to testify.

**Testimony of Michael Ferjak
Senior Criminal Investigator, Iowa Department of Justice
Director, Human Trafficking Enforcement and Prosecution Initiative**

Before the United States Committee on the Judiciary

Hearing on "Human Trafficking in the United States: Protecting the Victim"

February 24, 2015

Good Morning. I want to express my great appreciation to the Committee Chairman for inviting me to share Iowa's experience in responding to human trafficking.

Today you have heard from a courageous sex trafficking survivor, and two highly qualified experts, one from Washington DC and the other from New York City, New York, both are making huge differences in the lives of girls and women every day. I am humbled to be included in their company today.

I learned early in my career that listening to the victim is an absolute. Their wisdom is worthy of our greatest attention because it was received through a crucible of absolute despair. If we will only listen to them they will show us how to best serve them and to fight effectively against those who have harmed them. I am indebted and appreciative to the experts for providing a guiding light for us to follow. I am from Des Moines, Iowa, a place not normally associated with national discussions about crime and victims but we have both just like any other place in the country.

Over the course of more than three and a half decades I have investigated all manner of crimes, listened to victims and gained a great deal of experience. As my biography reflects since 1998, I have worked in unique assignments that have provided me an unusual and deep insight into the dark corners of the minds of offenders who prey on children and vulnerable women that many officers may never have. I have learned about their hidden world and as much as some have argued to me otherwise, I know it exists around all of us and no place is immune to it. I have learned first hand about the terror and hopelessness victims endure everyday while their bodies are sold to fill the pockets of their captors.

The undeniable truth is that Trafficking is in Iowa just as it is in every other state in our country; it is in our small towns and our big cities; - our children and young women and men are suffering unimaginable cruelties even as we sit here today talking about it. Trafficking is a hard fact some will simply deny, others will dismiss saying the occurrence is "minimal" or "isolated" and not worthy of our attention or the cost and still others will say we're just calling prostitution by another name. So long as that denial and dismissal exist - it will stand in the way of a committed and aggressive response against this horrible crime and will condemn the victims to an existence as a slave. As Americans, as human beings, we must learn, we must act and ultimately each of us must ask: if not us - then who?

In early 2012, Iowa Attorney General Tom Miller attended a meeting of the National Association of Attorneys General where the topic of human trafficking was addressed. During the course of that meeting General Miller personally spoke with survivors of human trafficking and after hearing their stories realized that the issue was not only appalling but that the time for talking about it was over and it had to be attacked head on. Returning to Iowa he immediately set about leading his senior leadership team in devising a plan to address human trafficking in Iowa.

It was during this time that I met a survivor of human trafficking, a young woman named Brittany. As I listened to her I soon realized that like so many other officers, I have likely met many other trafficking victims in my career but did not recognize them at the time and did not help them in the way they needed to be helped. I now know my failure caused them to continue living in a hell I can never fully comprehend and it steels my resolve to do all that is possible so that no officer ever lets it happen again to any victim anywhere and so I thank the committee for its work on this critical issue.

I wish to provide the Committee with a DVD entitled "Any Kid Any Where" which presents Brittany's story along with those of two other Iowa girls who are survivors of trafficking. The DVD was created by a non-profit organization called "Braking Traffik" located in Davenport, Iowa, founded by former Iowa state senator Maggie Tinsman, the author of Iowa's original statute on human trafficking.

As we began working with human trafficking we learned that reactions of disbelief of the victim's stories are common and that some times it was the even the reason officers, prosecutors, service providers and others may not have taken the victim seriously and not investigated a matter more aggressively. Admittedly the victim's story may indeed sound beyond the line of reality but that depends largely on whose experience you're comparing it to, yours or the victim's. This response is unfortunately not completely unexpected given that a national study done by Northeastern University in 2008 indicated that 75% of law enforcement at all levels did not believe that human trafficking was taking place in their jurisdiction.

I am unaware of any study that has addressed that same question more recently, however, based on anecdotal information and my own experience, I would not expect the answer to be markedly different today.

In December of 2012, the Iowa Attorney General finalized his response and created the Human Trafficking Enforcement and Prosecution Initiative or HTEPI. I have provided the committee with the mission statement and objectives of the HTEPI. I was asked by The Attorney General Miller to lead this effort and he gave me this objective "make Iowa the most hostile place in the country for human trafficking, so hostile that they would rather go around us than go through us". Ladies and Gentlemen that is exactly what I and many other dedicated people set out to do.

I would like to introduce the Committee to my Chief Partners partners here with me today. I would like to introduce Ms. Terry Hernandez, Executive Director of the Chrysalis Foundation a non-profit organization doing amazing work with girls and young women by funding and providing after-school programs for girls who

may be at risk and leadership development training, life skills building and career development opportunities for young women in the Des Moines metro area. The Chrysalis Foundation was the very first NGO or non-government organization to join the Attorney General's Initiative and have been at our side ever since the beginning. The committee has received several information documents prepared by the Chrysalis Foundation.

Next it is my pleasure to introduce to the Committee Captain Curt Henderson of the Iowa State Patrol. CPT Henderson is here representing the Iowa Department

of Public Safety and Iowa's Public Safety Commissioner Dr. Roxann Ryan, J.D., Ph.D. Captain Henderson has also been with the Attorney General's Initiative from the beginning and has been nothing short of incredible in his drive and success. CPT Henderson is passionate about human trafficking and has been my training partner since 2012.

CPT Henderson is responsible for bringing the Texas Department of Public Safety to Iowa to teach our State Patrol and Division of Criminal Investigation their very successful roadside interdiction program called Interdiction for the Protection of Children. The honorable committee members from Texas can be very proud of your state's department of public safety's leadership in human trafficking training across the country.

The Captain is also responsible for making it mandatory training for every sworn member of the Iowa Department of Public Safety to complete the Department of Homeland Security's "Blue Campaign" online thereby raising awareness across all five Divisions of the Department.

Captain Henderson presents training on human trafficking to the Iowa Department of Public Safety basic academy each training cycle as well as to law enforcement agencies across the state.

As you can see from our mission statement and objectives we have three basic priorities; enforcement, victim services and community awareness. As we began the task of learning what trafficking looked like in Iowa it became apparent that two things were true; it has been present for many years and secondly law enforcement was not trained to identify and investigate it.

As we looked for information about law enforcement responses to trafficking I was made aware of the work of the Sisters of St. Francis of Assisi in Rochester Minnesota because of their work with trafficking victims. I contacted them and they were gracious enough to set up a meeting for myself, CPT Henderson, Ms. Hernandez, Iowa State Representative Sharon Steckman and Mary Ingham, an Iowa victim service provider. The Sisters hosted the meeting in their beautiful church in Rochester and arranged to have Rochester Police detectives, prosecutors from the Olmsted County Attorney's Office and the County Attorney himself and representatives from a victim service organization called Mission 21. The meeting lasted all day and we left with some very significant information and suggestions.

After that meeting I was contacted by the Olmsted County Attorney who invited me to a conference in Alexandria MN that was the "kick off" event for Minnesota's Safe Harbor law. The event proved to be a great training and networking opportunity and so to the committee members from Minnesota I want to offer my

thanks and appreciation for your state's assistance and support.

Since 2012 the HTEPI has presented 324 non-law enforcement professional education programs, specific law enforcement training sessions and community awareness meetings with over 18,000 people attending. This is in addition to the work of our education and prevention partners including Braking Traffik, the Network Against Human Trafficking, Teens Against Human Trafficking, Youth Shelter Services, Youth Emergency Shelter Services, Central Iowa Services Network, Achieving Maximum Potential, the Lutheran Church of Hope and Plymouth Congregational Church Trafficking Task Forces and the Junior League of Iowa.

As we continued to examine the various components of how trafficking works we determined that because Iowa has two US interstate highways running through it North to South and East to West, reaching major cities and all four borders of our country as well as numerous state highways the need to work with commercial transportation interests in Iowa to effectively address human trafficking was critical. I approached Chief Dave Lorenzen of the Iowa DOT Motor Vehicle Enforcement Division and requested assistance.

Chief Lorenzen and his staff responded immediately. Some of the contributions they have made include being very active in the commercial transportation industry education effort training operators, owners and trucking company executives and safety directors on human trafficking indicators and reporting protocols, hosting a very successful coalition building event between all of the commercial trucking firms based in Iowa, truck stop operators in Iowa and leaders from Iowa's law enforcement community, making it a requirement for every person receiving a CDL (commercial driver's license) in Iowa to complete the Truckers Against Trafficking (TAT) educational and awareness training and each driver receives a wallet card bearing the National Human Trafficking Resource Center's 24 hour Hotline number for reporting suspicious activity. The Chief has also ensured that that Hotline number and information is conspicuously posted in every rest area in Iowa and provided to every truck stop.

The challenges facing law enforcement as it becomes more familiar with human trafficking are many but in my opinion the most critical is changing the way trafficking is discussed and understood by law enforcement and the public. We must change the paradigm and vocabulary to bring accurate understanding to how traffickers obtain their victims and control them. We must dispel the myth of "choice" and replace it with the truth of how victims are controlled. We must talk about prostituted people and not prostitutes, we have to stop thinking a 14 year can actually choose to become a prostitute and do it on their own because it simply is not possible. We must see the victims as they are and not what the trafficker has forced upon them.

I would like to offer a few comments concerning the legislation now pending before this committee. As I have just stated a critical task before law enforcement today is the matter of treating the victim like a criminal. The legislation offered by Senator Klobuchar brings a laser focus to this point. In Iowa last year our state legislature passed a change in the law that specifically addressed county prosecutors and the ability to keep a child charged with a criminal act, performed at the direction or coercion of the trafficker, out of the criminal justice system by using a child in need of assistance, or CHINA petition to obtains services and treatment for the child and prosecution could be

dismissed. The intent of that law is strongly aligned with Senator Klobuchar's Safe Harbor law.

The legislation offered by Senator Cornyn would offer law enforcement, victim services and community awareness efforts significant assistance by providing much needed funding for task forces and victim services. The funding identified in section 4 of the legislation is what every state is struggling to obtain and the uses for those funds are critical to the success of any anti-trafficking effort. The legislation also hits a core issue, that of demand reduction.

I want to thank the committee chairman and members of the committee for the opportunity to spend this time with you today.

Thank you.

Remarks for Senator Kirsten Gillibrand
Testimony: Judiciary Committee Hearing – Human Trafficking: Protecting the Victim
Tuesday, January 24, 2015

Remarks

Thank you, **Chairman Grassley** and **Ranking Member Leahy**,
for inviting me to testify today.

Human trafficking is a crime that affects thousands of young
Americans and their families...and Congress's focus on this
epidemic is long overdue.

We have a number of proposed bills that would address the law-
and-order side of this issue.

These bills would make the people who buy underage victims
strictly liable for their crimes...and would make penalties for
traffickers much harsher.

But today I want to focus on the other side of human trafficking.

I want to focus on the vulnerabilities that lead to these girls and boys becoming trafficked...and how vulnerable they remain even after they've managed to escape from captivity.

In small towns and big cities, thousands of young Americans are trafficked each year. Every single institution these girls and boys ever relied on...failed to protect them.

Their families failed to protect them...their schools failed to protect them...the foster system failed to protect them...and our laws are failing to protect them.

Last week, in Rochester, New York, the US Attorney there announced the arrest of seven people on trafficking charges.

Their victims were as young as 14 years old.

The US Attorney said that "the victims in many cases were singled out because they were identified as being vulnerable."

We have a responsibility in Congress to end these crimes against our children.

We need better institutions...to protect runaway and homeless youth from stumbling into shelters that will spit them right back out onto the street.

We need a law that would vacate the criminal convictions of trafficking victims...because these girls and boys are not criminals, and they are not prostitutes...

They are victims who deserve a chance to lead a fulfilling life.

We have to protect these young Americans.

I want to close by telling you the story of a girl named Ashley, from right here in Washington.

When Ashley was 12, she ran away from home and lived on the streets.

She went into a foster home...but a trafficker found her and started selling her.

Ashley went out every night, and risked a beating if she didn't take home at least 500 dollars.

When the police finally found her, she was arrested on charges of prostitution and solicitation. She was 13 years old.

For the next six years, Ashley bounced between sexual predators, who continued to traffic her. She ended up in New York City with a violent pimp.

When Ashley was 19, she escaped...and was referred by law enforcement to a nonprofit group called FAIR Girls, which provides housing and 24/7 care to young women survivors of sex trafficking.

Ashley has a bank account now, and some savings, and she enrolled in a community college and is looking for a job.

There are thousands of young Americans whose circumstances are just like Ashley's.

So let's do our job in Congress, and do everything we can to help the victims of human trafficking live fulfilling lives.

Thank you.

United States Senate
Committee on the Judiciary

Human Trafficking in the United States: Protecting the Victim

Testimony of

Malika Saada Saar
Executive Director
Human Rights Project for Girls
Washington, DC

February 24, 2015

Thank you Chairman and Members of the Committee for the invitation to be here today. I am Executive Director of Human Rights Project for Girls (Rights4Girls), a human rights organization focused on gender-based violence in the U.S. I want to thank you for giving attention and voice to the crisis of domestic child sex trafficking. As a human rights lawyer, I have witnessed how children trafficked on American soil have been left behind.

According to the National Center for Missing and Exploited Children, there are at least 100,000 American children trafficked for sex each year.¹ The majority of them are girls who are of middle school age.² And many, if not most of them, are children in our foster care system.³

They are abducted or lured by traffickers and, once in the commercial sex trade, they are routinely raped, beaten into submission, and sometimes even branded. Yes, they are literally branded like cattle. A few months ago, in Los Angeles, I met a young girl whose trafficker branded the letters of his name onto her face.

Across the United States, there are child sex markets not terribly dissimilar to those in Cambodia, Thailand, and India. Girls are sold in this country with the same disregard for human dignity, and they are often tortured in the same ways when they try to escape.⁴

They are girls like Aviva.

Aviva was in the foster care system. At the age of 14, a trafficker kidnapped Aviva. He held her hostage for almost a year. During that time, Aviva was

¹ Ernie Allen, National Center for Missing & Exploited Children, Testimony before the Committee on the Judiciary, U.S. House of Representatives, September 15, 2010, available at:

http://www.missingkids.com/en_US/archive/documents/TestimonyErnieAllen9-10.pdf

² Jeff Slowikowski, Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, *The Effects of Federal Legislation on the Commercial Sexual Exploitation of Children*, pp.2 (July 2010), available at: <https://www.ojjdp.gov/pdffiles1/ojdp/228631.pdf>

³ "Finding and Stopping Child Sex Trafficking," NPR, August 1, 2013. Available at <http://www.npr.org/templates/story/story.php?storyId=207901614> (2013 Operation Cross Country cites that 60% of victims recovered were from group homes or foster care system); In 2012, Connecticut reported 97% of identified victims of child sex trafficking were child welfare involved. Connecticut Department of Children and Families, *A Child Welfare Response to Domestic Minor Sex Trafficking* (2012). Available at

http://www.ct.gov/dcf/lib/dcf/humantrafficking/pdf/response_to_domestic_minot_sex_trafficking.pdf; In 2012, California's Succeed Through Achievement and Resilience (STAR) Court Program reported that 80% of the commercially sexually exploited children in their program were child-welfare involved. California Child Welfare Council, *Ending the Commercial Sexual Exploitation of Children: A Call for Multi System Collaboration in California*. Available at http://www.youthlaw.org/fileadmin/nyl/youthlaw/publications/Ending-CSEC-A-Call-for-MultiSystem_Collaboration-in-CA.pdf

⁴ Tina Frundt, Essay: Enslaved in America: Sex Trafficking in the United States, available at: <http://www.womensfundingnetwork.org/enslaved-in-america-sex-trafficking-in-the-united-states>

sold to at least 10 different men a night. She was purchased and raped so many times in a day that she said she didn't understand what the point was of putting on her underwear. She forgot what it felt like to be human. And she didn't understand how adult men wanted to buy her body when she was still only a child.

When law enforcement finally intervened and found Aviva, she was not seen or treated as a victim of crime, but arrested for prostitution at age 15.

Too often, American children bought and sold for sex are not contemplated as victims of trafficking. They are instead considered child prostitutes. Every year, more than 1,000 children are arrested for prostitution in the U.S.⁵, even though most of these children are not of the legal age to consent to sex at all, let alone commercial sex.

We cannot continue to arrest and detain children for prostitution. It makes no sense to incarcerate an abused child for the abuses perpetrated against her. We must do better. And that is why legislation like the *Stop Exploitation through Trafficking Act* is so critical. This bill moves us away from criminalization, and emphasizes the need for services and not jails for child trafficking victims.

Because they are not child prostitutes. Because there is no such thing as a child prostitute. What happened to Aviva, and to other children who are being bought and sold for sex has nothing to do with vice or prostitution. This is about child rape.

In any other context, what a "John" does when he purchases a girl would be construed as statutory rape or sexual assault of a minor. There ought to be no difference between raping a child, and paying to rape a child.

And yet there is. There is a culture of impunity for raping children when the act is paid for. Buyers of sex with underage girls are rarely arrested. They are politely termed "Johns," and if they are arrested at all, it is usually for misdemeanor solicitation.⁶

⁵ Howard N. Snyder, Ph.D., BJS Statistician, Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, *Patterns and Trends: Arrest in the United States, 1990-2010*, pp.2 (October 2012) Available at: <http://www.bjs.gov/content/pub/pdf/aus9010.pdf>

⁶ Shared Hope International, *Demanding Justice*, pp.4 (2014), available at http://sharedhope.org/wp-content/uploads/2014/08/Demanding_Justice_Report_2014.pdf

Last summer, the FBI conducted its eighth Operation Cross Country, a week-long enforcement action to address child sex trafficking throughout the United States. Two hundred and eighty-one pimps were arrested on state and federal charges.⁷ But not one buyer was reported arrested or detained— this time, or in the last seven years of the operation.⁸ On two different occasions Members of Congress have asked Attorney General Holder to explain why the Department of Justice has not prioritized the arrest and prosecution of buyers of child sex trafficking.⁹ We are still waiting for Mr. Holder's response.

It is urgent that we finally address demand. For too long our enforcement efforts have focused exclusively on curbing the supply. It is equally crucial to target the demand that is fueling the child sex trafficking market. I am therefore thankful for legislation like the *Justice for Victims of Trafficking Act* (JVTA) and the *Combat Human Trafficking Act*. Both bills clarify the language of the *Trafficking Victims Protection Act* (TVPA) to remove all doubt as to its criminal applicability to buyers of child sex. The JVTA also requires anti-human trafficking task forces throughout the U.S. to increase the investigative capabilities of state and local law enforcement to go after buyers.

It must further be noted that the JVTA is the only legislation currently pending that creates a committed funding stream for domestic child trafficking victims. I too often hear from well-meaning judges that they have nowhere but jail to put trafficking victims. Judges rarely have the choice of safe, trauma-informed programs as an alternative to detention to keep victims safe. That is why we desperately need a funding stream to create and implement safe homes and comprehensive programs for trafficked children.

Over twenty years ago, the domestic violence movement made clear that when a man hit his wife, it was not simply a personal dispute or a private matter. It was an act of violence that had to be named and for which the perpetrator had to be held accountable.

⁷ Federal Bureau of Investigation, National Press Releases, *168 Juveniles Recovered in Nationwide Operation Targeting Commercial Child Sex Trafficking*, June 23, 2014, available at: <http://www.fbi.gov/news/pressrel/press-releases/168-juveniles-recovered-in-nationwide-operation-targeting-commercial-child-sex-trafficking>

⁸ Federal Bureau of Investigation, Violent Crimes Against Children: Innocence Lost, available at: http://www.fbi.gov/about-us/investigate/vc_majorthefts/cac/innocencelost

⁹ Letter to Honorable Eric Holder, Jr., Attorney General, July 23, 2014, http://delaura.house.gov/images/pdf/07_24_14%20Trafficking%20to%20Holder%20Letter.pdf; Letter to Honorable Eric Holder, Jr., Attorney General, March 11, 2014, available at http://latta.house.gov/uploadedfiles/human_trafficking_letter_to_ag_holder.pdf

Now, we must do the same with child sex trafficking. I ask you as Senators to name child trafficking not as vice or prostitution, but as an act of child rape.

It is what we owe Aviva. We owe it to Aviva and other trafficked children to make clear to them that the victimization and abuse they have suffered is no different or more tolerable than other forms of rape or sexual abuse of minors. We owe it to Aviva and the girls still left behind to hold accountable those who have purchased and raped them—and to create for these girls, who are mighty and strong and so hurt, opportunities to heal and to live out their potential.

Testimony by
Holly Austin Smith
Author, *Walking Prey*

To the Hearing Before the
United States Senate, Committee on the Judiciary
Human Trafficking in the United States: Protecting the Victims
February 24, 2015

Thank you, Chairman Grassley, Senator Leahy and other members of the Committee for holding this important hearing.

When I was fourteen years old, I was coerced into prostitution by a man I had met at a local shopping mall in New Jersey. This man exploited a young teen girl who had just graduated eighth grade middle school and was afraid of going into high school, so afraid that she agreed to run away from home. This man promised a glamorous new life; he told the girl she could travel across the country, meet famous people, and live in Los Angeles, California. What he delivered, however, was very different. He took the girl to Atlantic City, ordered her to prostitute, and intimidated her into cooperation. She was sold to the first buyer for \$200, a man who told the girl that she reminded him of his granddaughter.

When I was arrested by law enforcement for prostitution, I was made to feel like a criminal, like a juvenile delinquent. I felt stupid, ashamed, and ostracized by society. Days later, alone in my bedroom, I felt so abandoned, so forsaken by society, that I attempted suicide. I wish I could travel back in time to tell this young girl that, years later, advocates and legislators all across the country would be standing up for her, that they would demand better protection and services for kids like her.

Had there been a Justice for Victims of Trafficking Act or Stop Exploitation Through Trafficking Act in 1992, perhaps law enforcement would have immediately recognized that I was a victim, not a criminal. Perhaps they would have assigned a victim's advocate to accompany me through the process of cooperating with and providing testimony to detectives. Perhaps funds from the proposed Domestic Trafficking Victims' Fund could have enabled me to immediately enter effective aftercare treatment and remain there until I fully understood that what had happened to me was not my fault. Perhaps my healing process could have been easier, faster. And perhaps my family and I could have had an easier transition. Even though these protections weren't available to me, they can be made available to victims today. With effective and well-informed legislation and services, victims can heal, overcome, and achieve their greatest dreams and highest potential.

However, without effective services, it is very difficult to heal. This is why I encourage legislators to include provisions that authorize resources for services for all victims of human trafficking and child exploitation – girls, boys, men, and women. Without effective services, victims may return to exploitative situations and youth may be returned to abusive situations from which they had originally run. While youth may escape juvenile detention, they may not escape continued abuse or sexual exploitation. This is particularly true in states implementing safe harbor protections where law

enforcement cannot adequately respond without well-resourced service providers trained to work with child victims of commercial sexual exploitation.

In order to create effective anti-trafficking bills, solutions, and services for victims, I encourage legislators and advocates to consult with many survivors having diverse experiences – no single experience can represent all situations of sex or labor trafficking. Male, female, and transgendered survivors; survivors who were children when exploited and those who were adults; and survivors who were U.S. citizens and foreign nationals when exploited – each survivor has a different experience, a different perspective, and a different insight into effective programs that can prevent exploitation, protect victims, and prosecute traffickers and other exploiters. This is why I support the Human Trafficking Survivors Empowerment Act, which would create a survivors-led U.S. Advisory Council on Human Trafficking to review federal government policy and programs on human trafficking. It is so important that survivors play a role in finding the solutions to prevent and end sex and labor trafficking.

Many survivors, including myself, agree that policies on prevention should be one of our highest priorities, which is why it should also be a priority for policymakers. In my book, *Walking Prey: How America's Youth are Vulnerable to Sex Slavery*, I discuss many predisposing risk factors that can increase a child's vulnerability to a sex trafficker's tactics, as well as community risk factors that can increase the likelihood of crossing paths with a trafficker or other exploiter. With effective community programs, we can prevent human trafficking and child exploitation from happening in the first place. One predisposing factor I mention in *Walking Prey* is being a youth with minority status, including LGBTQ youth.

Nikolaos Al-Khadra is a male advocate from Chicago who identifies as a survivor of sex trafficking and commercial sexual exploitation. Nik says he was forced into prostitution at the age of seventeen; he had been ordered to leave home after accepting his identity as a gay male. "I grew up with [a lot] of emotional and physical abuse," Nik states in a personal email. He describes a home life in which his father regularly attempted to "beat the gay out" of him. He writes: "I drove to the gay area of Chicago. I had parked my car, met some other kids who were hanging out on a street named Halsted. I had went back to my car to get something not paying attention and was snatched from my car."

Nik then describes a hellish experience of forced drug use and forced prostitution. He says: "I think with the obvious signs of just leaving home, my personal bags in the car and being oblivious to my surroundings [I was vulnerable]...These men are predators [who] prey on kids like myself who were either like me throw-away youth or runaway." After managing to escape, Nik says he then returned to "Boystown" and "networked" with others on the street. He says this ultimately led him to illegal escort agencies through which he was exploited for sex in order to survive.

Nik writes: "There really needs to be more programs for LGBTQ youth who become homeless over parents attitudes [toward their] child's sexuality. I think being beat down mentally all throughout my childhood was why I stayed years in the sex trade."

If Nik was in the room, he would tell you that the Runaway and Homeless Youth and Trafficking Prevention Act (RHYPTA) is a necessary step toward preventing sex trafficking and protecting runaway and homeless youth. And I would agree. Many youth in America face homelessness for various reasons, including running away or leaving home to escape abuse or neglect. The National Alliance to End Homelessness (NAEH) estimates that, on an annual basis, approximately 380,000 youth under the age of eighteen "experience a homelessness episode of longer than one week."ⁱ The NAEH further estimates that about 50,000 youth in America "sleep on the street for six months or more."ⁱⁱ

Included among homeless youth are LGBTQ youth who may run away to escape discrimination within their homes or communities. The NAEH explains that “[m]ultiple research studies indicate that a conservative estimate finds 1 in 5 homeless youth self-identify as...LGBTQ.” A 2001 University of Pennsylvania study reports a “place holder” number of 3,000 regarding transgender youth living on the streets of America...; however, the authors say they believe the actual number to be “much higher.”ⁱⁱⁱ

There are many advocates like Nik and myself who experienced some form of human trafficking or child exploitation. In the Washington DC area alone, we have survivors like Evelyn Chumbow, Barbara Amaya, Tina Frundt, Withelma “T” Ortiz Walker Pettigrew, and Tanya Street, all of whom are authors, founders of organizations, or college students. Evelyn, for example, is a survivor of domestic servitude as a minor; she is now attending the University of Maryland studying Homeland Security. We are all eager to share our thoughts and perspectives in order to transform our negative experiences into positive change.

Thank you again for holding this hearing and for inviting a survivor to share testimony. I hope the survivor community, advocates, and policymakers can continue to work together to combat human trafficking and child exploitation and to stand up for victims across the country.

ⁱ National Alliance to End Homelessness, “Youth,” www.endhomelessness.org/pages/youth (accessed October 26, 2013)

ⁱⁱ National Alliance to End Homelessness, “A National Approach to Meeting the Needs of LGBTQ Homeless Youth,” *Explainer, Questions and Answers on Homelessness Policy and Research*, April 2009 <http://www.f2f.ca.gov/res/pdf/NationalApproach.pdf> (accessed October 26, 2013)

ⁱⁱⁱ Richard J. Estes and Neil Alan Weiner, *Commercial Sexual Exploitation of Children in the U.S., Canada and Mexico*, University of Pennsylvania, PA, September 19, 2001 (revised February 20, 2002), 30, [http://www.sp2.upenn.edu/restes/commercial sexual exploitation_Files/Exec_Sum_020220.pdf](http://www.sp2.upenn.edu/restes/commercial%20sexual%20exploitation_Files/Exec_Sum_020220.pdf) (accessed July 29, 2013).

**Statement of Senator Chuck Grassley of Iowa
Chairman, Senate Committee on the Judiciary
Hearing: "Human Trafficking in the United States: Protecting the Victim"
February 24, 2015**

I'd like to welcome you all to today's hearing on human trafficking. Trafficking, which involves the buying and selling of human beings to profit from their labor or sexual degradation, is a crime with life shattering effects for many of its victims.

Reliable data on the number of human trafficking victims within our country's borders is not readily available. But there are some things we do know about this form of modern day slavery. We know, for example, that the United States is a source, transit and destination country for individuals who are being trafficked.

We know that human trafficking occurs in every state and that it affects both U.S. citizens and noncitizens. We know that, at least within the United States, noncitizens are more likely to be found in labor trafficking. We know, too, that women and girls are especially likely to be targets of certain forms of trafficking.

Experts tell us that many of the U.S. citizen victims of sex trafficking are teenagers. Through threats or deceit, human traffickers force the most vulnerable members of society into servitude to meet the demand for cheap labor and sex workers.

The good news is that we have made some progress in combating human trafficking since 1994, when one of our hearing witnesses was being exploited as a 14-year old. Two decades ago, there were no federal anti-trafficking laws on the books. I am pleased to have played a role in the enactment, 15 years ago, of the federal Trafficking Victims Protection Act. I voted for the law when it was first being debated by Congress in 2000, and I have worked with my colleagues on several occasions since then to make sure it was extended.

In addition, today, every state has a law outlawing trafficking. Numerous states updated their human trafficking laws in just the last year.

But much work remains to be done in this area, particularly to curb the demand for sex trafficking of children and youths. According to the nonpartisan Congressional Research Service, “experts widely agree that any efforts to reduce the prevalence of child sex trafficking—as well as other forms of trafficking—should address not only the supply, but also the demand.” I hope that our witnesses can shed some light on this issue. I also hope to hear from our witnesses about two bipartisan bills, S. 166 and S. 178, now pending before this committee.

S. 178, which I have cosponsored, is known as the Justice for Victims of Trafficking Act. If enacted, it would ensure that additional resources are available to survivors of both sex and labor trafficking to aid in their recovery. S. 178 also would help fight demand for domestic sex trafficking by ensuring that any person who is trafficking an adult or purchasing a child for sex will be punished under the full force of the law. It has the endorsement of well over 100 organizations.

The other bill, S. 166, is the Stop Exploitation Through Trafficking Act. This bill recognizes that children trafficked for sex in the United States should not be regarded as child prostitutes. It embraces the principle that there is no such thing as a “child prostitute,” only children who are victims of sexual violence and trafficking.

Everyone in this room is in agreement about the need to stop the horrendous crime of human trafficking and the importance of supporting its victims in their efforts to heal. I look forward to working with those of you here today on policy options that will help us put an end, once and for all, to the suffering caused by human trafficking.

**Statement of Senator Patrick Leahy (D-Vt.),
Ranking Member, Senate Judiciary Committee,
Hearing on “Human Trafficking in the United States: Protecting the Victims”
February 24, 2015**

Earlier this month, every woman currently serving in the Senate wrote to Senator Grassley and me requesting a hearing on this important subject. They reminded us that “[s]ex trafficking leaves victims permanently scarred by their exploitation.” And they urged us to act because “there is widespread recognition that the federal government needs to do more to combat sex trafficking.” I could not agree with them more. It is hard to think of a more despicable crime than the buying and selling of other human beings. Yet we know that it is happening right here in America, every day. Tens of thousands, if not hundreds of thousands, of our children are sold for sex. It is happening here in Washington and it is happening in towns across the country. That should keep all of us awake at night.

We must do all we can to hold traffickers responsible and to help survivors of trafficking rebuild their lives. But if we are serious about addressing this problem we must also do all we can to stop this devastating crime from happening in the first place.

As I listen to the stories of survivors, many of them begin with a homeless or runaway teen who is scared and desperate. Traffickers prey on that desperation because there are so few places for these kids to turn. If we want to prevent more of our youth from becoming targets for human trafficking, we need to offer that safe place. Right now, we are failing these vulnerable kids. There are far too few shelters in this country and those that exist are too often losing, not gaining beds due to budget cuts. We must do better.

The link between youth homelessness and trafficking is real, it is dangerous and it cannot be ignored, as we will hear from Jayne Bigelsen. She is the Director of Anti-Human Trafficking Initiatives at Covenant House in New York City, which is the city’s largest youth homeless shelter.

A 2013 study conducted by her organization revealed that 1 in 4 homeless youth became a victim of sex trafficking or was forced to provide sex for survival needs, such as food or a place to sleep. Of these victims, about half reported that the number one reason they had been drawn into commercial sexual activity was because they did not have a safe place to sleep. The study also found that 50 percent of the homeless youth had been solicited for sex by an adult within 48 hours of leaving home. Let me say that again, half of the homeless youth were solicited for sex by an adult within the first two days of leaving home. These traffickers are ready to pounce the moment they see a vulnerable kid. As the Covenant House study put it: “Every time a shelter bed for a homeless youth is lost to budget cuts, pimps are able to operate with greater success.”

No serious effort to stop human trafficking here in the United States can be undertaken without addressing the problem of teen homelessness. A runaway or homeless teen should be able to turn to a shelter—not a trafficker—for a place to sleep, and they should be able to get the services they need to safely get back on their feet. It is clear we need to do more.

That is why I am working with Senators Collins, Ayotte, Booker and others to support funding for these critical shelters and the services they provide. Our bill, the Runaway and Homeless Youth and Trafficking Prevention Act, reauthorizes and updates the federal grant programs established by the original Runaway and Homeless Youth Act enacted more than 40 years ago. The need for these resources has never been more urgent. The population of homeless teens has more than doubled since 2007. Just a few months ago, our bill earned the overwhelming support of this committee. Since the text of it has not changed, I expect it will maintain this support when I offer it as an amendment this Thursday at the Committee's executive business meeting.

I am glad to see so many on this Committee working to address this complex problem. I thank Senator Grassley for listing Senator Klobuchar's bill, the Stop Exploitation Through Trafficking Act. I specifically asked the Chairman to put this bill on the agenda because I think it's a smart approach that will help victims. The bill creates incentives for states to adopt safe harbor laws like the ones already in place in Minnesota and Vermont, to ensure that victims are treated as victims, and not as criminals.

In recent years, many of us have worked together to pass meaningful legislation to combat trafficking. In 2013, I offered the Trafficking Victims Protection Reauthorization Act (TVPRA) as an amendment to the Violence Against Women Reauthorization Act which I led with Senator Crapo. The TVPRA was adopted by an overwhelming majority of Senators. President Obama signed into law these important reauthorizations almost two years ago. And last year, I was proud to work with Senator Mikulski who led the Appropriations Committee to secure historic levels of federal funding for victims of trafficking, an urgently needed increase. These were significant and bipartisan accomplishments we should be proud of, but as the witnesses testifying before us today can attest, there is more that we must do.

Today's hearing underscores the urgent problems we face and the need for serious solutions, not just symbolic gestures. The fight against human trafficking has always been bipartisan but the question before us is whether the laws we pass will go far enough to protect those vulnerable kids on America's streets and whether it will truly help the victims. I welcome both of the Senators who are joining us to provide their insight, and the witnesses whose testimony will underscore how urgent it is that we pass meaningful legislation to prevent human trafficking and help the victims who survive it.

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Hearing before the Senate Committee on the Judiciary
“Human Trafficking in the United States: Protecting the Victims”
Questions for the Record Submitted by Senator Al Franken

Questions for Ms. Bigelsen:

Question 1

As the hearing made clear, prevention must be part of our approach to address human trafficking. One aspect of prevention is housing. The shortage of safe shelter steers at-risk youth into trafficking. Covenant House’s 2013 survey found that nearly half of youth involved in commercial sexual activity reported exchanging sexual acts for shelter or a place to sleep. Any prevention strategy must address this lack of safe shelter.

In the Twin Cities, there are an estimated 400 to 450 homeless youth on any given night, but only around 100 shelter beds. This is a particular problem in the winter, when shelters do not have enough capacity to handle the needs of homeless youth during severe cold weather.

The President’s Budget for Fiscal Year 2016 proposes increasing funding for runaway and homeless youth programs from \$114 million to \$123 million. How would such an increase in appropriations address the shortage of safe shelter and help local service providers like Covenant House prevent homeless youth from becoming trafficking victims?

Question 2

LGBTQ youth represent a disproportionate share of the homeless youth population. The National Gay and Lesbian Task Force has estimated that, while only 3 to 5 percent of youth identify as gay, lesbian, or bisexual, LGBTQ youth represent 20 to 40 percent of all homeless youth. Based on your testimony, they also seem to represent a disproportionate share of trafficking victims.

How can we better address the unique needs of LGBTQ youth as we work to prevent trafficking and provide services for trafficking victims?

Questions for Ms. Smith:

Question 1

In your testimony, you mentioned the diverse experiences of trafficking victims. I’m interested in how we tailor supportive services to best address the needs of survivors.

In Minnesota, there are high rates of trafficking of Native American women and girls. Many of these women and girls have experienced long-term homelessness, poverty, sexual and physical abuse, and interactions with child protective services. Additionally, Native American women have discussed their experiences with racism and the generational trauma that has developed from the targeting of Native Americans since colonialism.

Can you please elaborate on the merits of gearing preventative and rehabilitative services to specific populations? How does cultural sensitivity enhance the effectiveness of services for survivors?

Question 2

LGBTQ youth represent a disproportionate share of the homeless youth population. The National Gay and Lesbian Task Force has estimated that, while only 3 to 5 percent of youth identify as gay, lesbian, or bisexual, LGBTQ youth represent 20 to 40 percent of all homeless youth. Based on your testimony, they also seem to represent a disproportionate share of trafficking victims.

How can we better address the unique needs of LGBTQ youth as we work to prevent trafficking and provide services for trafficking victims?

Senate Committee on the Judiciary

“Human Trafficking in the United States: Protecting the Victim”

February 24, 2015

Questions for the Record from Ranking Member Charles E. Grassley

For Mr. Michael Ferjak

1. What are the primary obstacles to the enforcement of human trafficking laws in Iowa and elsewhere?
2. How are law enforcement officers and social service providers being trained to better identify and understand the phenomenon of “traumatic bonding” suffered by so many trafficking victims?
3. What can you tell us about those who buy sex from minors or adult trafficking victims? For example, is there research to suggest that they would be deterred from buying sex if larger fines or jail terms were imposed for their crime?
4. Beyond enhancing criminal penalties for buyers of sex and forced labor, what are the ways that Congress and our society generally can help to reduce demand for human trafficking?
5. Have you worked with federal law enforcement agencies on trafficking cases? How is the coordination between the state, local, and federal agencies on preventing child sex trafficking?
6. Despite the enactment of state laws that generally define child sex trafficking consistent with federal law, some child trafficking victims continue to be treated as criminal offenders. Consequently, these children may be arrested and placed in juvenile detention facilities rather than in environments where they can receive protective services. What are the best approaches for ensuring that state and local courts and law enforcement interact with children as victims rather than perpetrators?
7. The National Academies, in a recent report, recommends greater collaboration and information sharing across multiple sectors to adequately address child sex trafficking. What role should the federal government play in helping coordinate this work across various sectors, such as state and local governments, academic and research institutions, and foundations as well as nongovernmental organizations?

Senate Committee on the Judiciary

“Human Trafficking in the United States: Protecting the Victim”

February 24, 2015

Questions for the Record from Ranking Member Charles E. Grassley

For Ms. Malika Saada Saar

1. Why is it so important to focus on both traffickers and buyers of children for sex?
2. To what extent do you think that child pornography and society's sexualization of young girls plays a role in fostering a demand for sex with underage girls?
3. One lawmaker (U.S. Congressman Ted Poe) reportedly has said that there are more animal shelters in this country than there are beds for domestic child sex trafficking victims in the United States. Other than a lack of funding, what accounts for the lack of services?
4. Is there an effective way to persuade minor sex trafficking victims to voluntarily report the crime against them and seek services?
5. In general, how is the relationship between law enforcement and the service community with respect to human trafficking? Do you have any suggestions on ways to strengthen the relationship to increase identification and assistance for victims?
6. Other than a lack of funding, what is the most pressing problem for service providers in meeting the needs of child sex trafficking victims?
7. Beyond enhancing criminal penalties for buyers of sex and forced labor, what are the ways that Congress and our society generally can help to reduce demand for human trafficking?
8. Despite the enactment of state laws that generally define child sex trafficking consistent with federal law, some child trafficking victims continue to be treated as criminal offenders. Consequently, these children may be arrested and placed in juvenile detention facilities rather than in environments where they can receive protective services. What are the best approaches for ensuring that state and local courts and law enforcement interact with children as victims rather than perpetrators?
9. The National Academies, in a recent report, recommends greater collaboration and information sharing across multiple sectors to adequately address child sex trafficking. What role should the federal government play in helping coordinate this work across various sectors, such as state and local governments, academic and research institutions, and foundations as well as nongovernmental organizations?

Senate Committee on the Judiciary

“Human Trafficking in the United States: Protecting the Victim”

February 24, 2015

Questions for the Record from Ranking Member Charles E. Grassley

For Ms. Holly Austin Smith

1. Why is it that victims of sex trafficking reportedly often find it hard to self-identify as victims?
2. What should law enforcement and other first responders know when encountering potential child victims?

March 20, 2015

Response to Questions from Senator Al Franken
For the Hearing before the Senate Committee on the Judiciary
“Human Trafficking in the United States: Protecting the Victims”

Jayne Bigelsen
Director of Anti-Human Trafficking Initiatives, Covenant House New York

Question 1

As the hearing made clear, prevention must be part of our approach to address human trafficking. One aspect of prevention is housing. The shortage of safe shelter steers at-risk youth into trafficking. Covenant House’s 2013 survey found that nearly half of youth involved in commercial sexual activity reported exchanging sexual acts for shelter or a place to sleep. Any prevention strategy must address this lack of safe shelter.

In the Twin Cities, there are an estimated 400 to 450 homeless youth on any given night, but only around 100 shelter beds. This is a particular problem in the winter, when shelters do not have enough capacity to handle the needs of homeless youth during severe cold weather.

The President’s Budget for Fiscal Year 2016 proposes increasing funding for runaway and homeless youth programs from \$114 million to \$123 million. How would such an increase in appropriations address the shortage of safe shelter and help local service providers like Covenant House prevent homeless youth from becoming trafficking victims?

As this question acknowledges, there is a nationwide shortage of shelter beds for runaway and homeless youth. In New York City alone, there are thousands of unaccompanied homeless youth between the ages of 16-20 and fewer than six hundred shelter beds for them. As the Covenant House/Fordham University 2013 study demonstrated, when a young person is denied a bed in a youth shelter, often there will be a pimp or other trafficker waiting to step in. Too many young people have sat in my office and explained how they were at one point forced to make the choice between sleeping on the streets of New York City or the subway or going with a friendly stranger who offered a place to stay and pretend affection and safety before enslaving them and forcing them into prostitution. Although I work in New York City, I know from my work with colleagues from Covenant Houses across the Americas and from the National Network for Youth that this happens every day, in every city across our country.

I have also heard many young people explain how a lack of job experience and education have both led them into trafficking and made it difficult for them to break free from it. For example, one young woman explained how the only place that would hire her when she was 17 and living on the street with no high school diploma was a strip club, whose operators actually preferred that she had little education and no address. Eventually one of the clients of the strip club pulled

a gun on her and forced her into prostitution. Trafficking survivors have explained how they fear that no real employer will ever hire them because they believe that sex work is their only experience and have nothing to put on a resume. They then say that if they cannot find a real job soon, they feel they may have no choice but to go back to their trafficker.

We are grateful for the President's request and we hope that Appropriators will see fit to increase the RHYA even beyond that request to the authorized amount of \$140 million. The increased funding would allow for additional RHY beds, thereby allowing youth shelters across the country to take steps to reduce the number of youth who are turned away without beds. However, this funding would cover far more than beds by including wrap-around, trauma-informed services, including educational and vocational training, which is a critical weapon in the fight against human trafficking.

Question 2

LGBTQ youth represent a disproportionate share of the homeless youth population. The National Gay and Lesbian Task Force has estimated that, while only 3 to 5 percent of youth identify as gay, lesbian, or bisexual, LGBTQ youth represent 20 to 40 percent of all homeless youth. Based on your testimony, they also seem to represent a disproportionate share of trafficking victims.

How can we better address the unique needs of LGBTQ youth as we work to prevent trafficking and provide services for trafficking victims?

At Covenant House, we see firsthand throughout our work in 27 cities that LGBTQ youth are overrepresented in the homeless youth population. Sadly, young people are still being kicked out of their homes for simply being themselves, as Kevin Ryan and Tina Kelley chronicled in their book *Almost Home* (Turner 2012). As the Covenant House New York/Fordham University study demonstrated, homelessness increases one's risk for trafficking, and LGBTQ youth are at especially high risk, especially gay males and transgender youth. Many of the transgender youth we work with explain how no one will hire them for anything but sex work. The sex work then often leads to trafficking when an abusive client turns on them and forces them to sell their bodies against their wills.

LGBTQ homeless youth need many of the same things that all homeless youth need: food, shelter, medical and mental health care, legal assistance and educational and vocational training, all grounded in trauma-informed care and principles of positive youth development. They also need caring adults in their lives who accept them unconditionally, and let them know that the families who kicked them out were misguided and that they should be proud of who they are. This is exactly what RHY shelters provide, but unfortunately they are drastically underfunded and, throughout the US, youth are being turned away due to lack of beds. When a young person shows up at one of our doorsteps, regardless of sexual orientation or gender identity, and takes

the courageous step of seeking help only to find that there are no beds, we must respond with shelter and protection.

Additionally it is extremely important that we make sure that transgender and gender non-conforming youth have access to employment. Like all of our youth, they need education and job skills training. However employers must also be willing to hire them. Employment discrimination against this population is rampant, and when young people cannot find legitimate employment, pimps and predators are often waiting in prey. We cannot allow this discrimination to continue, and we must engage in efforts to encourage employers to hire transgender and gender non-conforming youth.

Covenant House International continues to work closely with the National Network for Youth and the True Colors Fund to bring national attention to the plight of these youth and to increase federal resources directed at improving their access to safe, appropriate, and trauma-informed care.



Iowa Attorney General's Office
Human Trafficking Enforcement and Prosecution Initiative
MEMORANDUM

19 March 2015

TO: Jason Covey, Hearing Clerk, Senate Judiciary Committee

CC: Tam Ormiston, Deputy Attorney General
Scott Brown, Division Director, Area Prosecutions Division
Denise Timmins, Assistant Attorney General
Roxann Ryan, J.D., Ph.D., Commissioner Iowa Department of Public Safety
Captain Curt Henderson, Iowa State Patrol
Terry Hernandez, Executive Director, Chrysalis Foundation

FROM: Michael Ferjak, B.S., M.A.
Director- Human Trafficking Enforcement and Prosecution Initiative

RE: Questions for the Record from Ranking Member Charles E. Grassley
RE: Senate Committee on the Judiciary Hearing February 24, 2015
"Human Trafficking in the United States: Protecting the Victim"

Mr. Covey:

I am pleased to offer the following responses to the questions posed herein. I wish to make the Committee aware that these answers are the product of close collaboration and discussion between myself and the Iowa Commissioner of Public Safety, Dr. Roxann Ryan, J.D., Ph.D. The answers represent our objective and careful consideration of the questions offered in as concise a manner as possible along with additional sources of data and information.

1. What are the primary obstacles to the enforcement of human trafficking laws in Iowa and elsewhere?

Discovery of the trafficking

- Sex Trafficking
 - Online advertising, especially when designed to identify LE investigators (premium content advertising)
 - Massage parlors or other businesses that are modified in ways that allow traffickers to hide victims inside false walls, etc., if there is a raid

- Labor trafficking
 - Either not enough employees to trigger regulatory oversight, or warnings/planning to avoid regulatory discovery of problems
 - All types of trafficking
 - Language barriers for non-English-speaking trafficking victims
 - Trafficking victims do not feel safe enough to cooperate with investigators and prosecutors, because of inadequate resources for victims
2. How are law enforcement officers and social service providers being trained to better identify and understand the phenomenon of “traumatic bonding” suffered by so many trafficking victims?
- LE: Basic Academy and continuing training (so long as there are an adequate number of trainers, or adequate video/audio podcasts, etc.)
 - Social service providers: currently inadequate academic training on trauma-informed care and insufficient continuing education (for ALL social service providers)
 - Justice officials (judges, prosecutors, defense attorneys, court staff, juvenile system personnel) also need to have similar training, or their responses will be inappropriate or dangerous for victims
3. What can you tell us about those who buy sex from minors or adult trafficking victims? For example, is there research to suggest that they would be deterred from buying sex if larger fines or jail terms were imposed for their crime?
- Not likely deterred, but incarceration would incapacitate them
 - Research on “john schools” and other demand reduction
 - National Overview of Prostitution and Sex Trafficking Demand Reduction Efforts, Final Report (2012): <https://www.ncjrs.gov/pdffiles1/nij/grants/238796.pdf>
 - PLoS One: A Large Specific Deterrent Effect of Arrest for Patronizing a Prostitute (2006): <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0000060>
 - The social construction of prostitution in Californian John Schools (2012): <http://eprints.qut.edu.au/56981/>
 - Comparison with Sweden: <http://open.wmitchell.edu/cgi/viewcontent.cgi?article=1425&context=wmlr>

4. Beyond enhancing criminal penalties for buyers of sex and forced labor, what are the ways that Congress and our society generally can help to reduce demand for human trafficking?
 - Protection Project: 100 Best Practices:
http://www.protectionproject.org/wp-content/uploads/2012/07/100-Best-Practices-in-Combating-TIP_Final-Doc1.pdf
 - Protection Project Journal: Annotated Bibliography regarding demand:
http://www.ifsnetwork.org/Portals/4/docs/TPP-J-HR-Civ-Socy_Vol-5_2012-w-cover1.pdf
 - Civil liability for online advertisers/facilitators, including injunctive relief to remove sites from use of the Web

5. Have you worked with federal law enforcement agencies on trafficking cases? How is the coordination between the state, local, and federal agencies on preventing child sex trafficking?
 - In Iowa, the coordination regarding human trafficking (and many other issues) is very good.
 - Prosecutors play a significant role in determining how well the coordination works
 - Different guidelines and procedures among LE agencies adds to the complexity, but in Iowa, those differences have been worked out by working together on a variety of cases, including HT

6. Despite the enactment of state laws that generally define child sex trafficking consistent with federal law, some child trafficking victims continue to be treated as criminal offenders. Consequently, these children may be arrested and placed in juvenile detention facilities rather than in environments where they can receive protective services. What are the best approaches for ensuring that state and local courts and law enforcement interact with children as victims rather than perpetrators?
 - Discretionary decisions are an integral part of investigation and prosecution, and juvenile court judges have a high degree of discretion in decision making. Thus, training of CJ and justice system officials is particularly important. Structuring discretion can help to make decision making more predictable and more consistent.

- Removing ALL discretion regarding criminal charges against minors is unwise, for two reasons:
 - If it is impossible to charge minors for any crimes, then traffickers will even more intentionally and specifically target minors for trafficking. If they cannot be charged with any crimes, they will reach adulthood with a clean record, and serve as the “manager” of the underage victims, with little risk for arrest or for accountability. This will NOT protect underage victims.
 - Some underage victims are very effective in recruiting other underage victims. Although they are not well equipped to make decisions at such a young age, the underage recruiters should not avoid accountability for their actions if they inflict physical harm or emotional torture on another minor.
7. The National Academies, in a recent report, recommends greater collaboration and information sharing across multiple sectors to adequately address child sex trafficking. What role should the federal government play in helping coordinate this work across various sectors, such as state and local governments, academic and research institutions, and foundations as well as nongovernmental organizations?
- Law Enforcement: intelligence sharing that includes specific information about suspected traffickers and victims, maintained by federal LE (FBI as primary) and shared via secure platforms
 - Fusion Centers: additional funding for enhanced analytical personnel to maintain data and provide meaningful analysis to LE
 - LE: additional funding for resources to ensure that NIBRS data is maintained, and that it is entered electronically so that valid information can be obtained more frequently than annual data compilation
 - Justice System: juvenile information regarding runaways should be accessible to juvenile probation officers AND law enforcement; reports of runaways should be shared with LE, including federal LE
 - Victim programs: additional funding to provide more comprehensive programming for victims (short-term and long-term); additional funding that can be accessed by NGOs to provide secure, long-term programs for victim treatment
 - Academic & research institutions: additional funding for research grants that allow for extensive empirical study (quantitative analysis and qualitative analysis) of all aspects of the justice system, including LE, courts, juvenile system, victim programming, NGO role)

Senate Committee on the Judiciary

“Human Trafficking in the United States: Protecting the Victim”

February 24, 2015

Questions for the Record from Senator Al Franken

For Ms. Holly Austin Smith

Question 1

In your testimony, you mentioned the diverse experiences of trafficking victims. I’m interested in how we tailor supportive services to best address the needs of survivors.

In Minnesota, there are high rates of trafficking of Native American women and girls. Many of these women and girls have experienced long-term homelessness, poverty, sexual and physical abuse, and interactions with child protective services. Additionally, Native American women have discussed their experiences with racism and the generational trauma that has developed from the targeting of Native Americans since colonialism.

Can you please elaborate on the merits of gearing preventative and rehabilitative services to specific populations? How does cultural sensitivity enhance the effectiveness of services for survivors?

Answer 1

Every survivor has had a different journey before, during, and after exploitation. This means that every victim will have different needs and that prevention efforts must be diverse. The more services and support we have available for victims (and potential victims), the more likely each victim will be successful in recovery (and the more likely we will prevent sex trafficking from happening in the first place). As I state in my book, *Walking Prey: How America’s Youth are Vulnerable to Sex Slavery*, a twelve-year-old girl lured out of foster care by a pimp trafficker who promised romance may have different needs than a seventeen-year-old mother who was blackmailed into submission by a violent gang trafficker. Likewise, an eleven-year-old boy sold for sex by a family member for drugs may have different needs than a fifteen-year-old transgender boy lured into pornography by a man promising friendship and romance. All of these differences must be considered when weighing the options for services. All of these differences must also be considered when creating programs geared toward prevention.

One service that I recommend for any prevention or aftercare program is a mentorship program, especially one that involves local survivors. Models of survivor mentorship are available from My Life My Choice in Boston, Massachusetts. I highly recommend exposing victims to healthy and empowered survivors with whom they can relate. For example, two outspoken survivors from the Native American community are Christine Stark, author of *Nickels: A Tale of*

Dissociation, and Alexandra (Sandi) Pierce, PhD. Not only can survivors like Christine and Sandra offer kinship to victims with similar backgrounds but they can also offer culturally sensitive information to law enforcement and service providers. For aftercare programs unable to connect with local and empowered survivors, I recommend exposing victims and potential victims to diverse survivors through books and other media.

Question 2

LGBTQ youth represent a disproportionate share of the homeless youth population. The National Gay and Lesbian Task Force has estimated that, while only 3 to 5 percent of youth identify as gay, lesbian, or bisexual, LGBTQ youth represent 20 to 40 percent of all homeless youth. Based on your testimony, they also seem to represent a disproportionate share of trafficking victims.

How can we better address the unique needs of LGBTQ youth as we work to prevent trafficking and provide services for trafficking victims?

Answer 2

My recommendation would be to consult with a vetted and diverse group of LGBTQ survivors and service providers (i.e., service providers who have a confirmed history of working with this population). Perhaps an advisory council could be created to help refine prevention efforts and victim services. However, I encourage you to keep in mind that oftentimes survivors do not work in the anti-trafficking field full-time, or even part-time. When we seek feedback or participation from survivors, we are often asking them to take unpaid time away from work and family. It's important that we value their insight and time by providing compensation (as a consultant) and full coverage for travel and lodging (whenever travel is necessary).

Senate Committee on the Judiciary

“Human Trafficking in the United States: Protecting the Victim”

February 24, 2015

Questions for the Record from Ranking Member Charles E. Grassley

For Ms. Holly Austin Smith

1. Why is it that victims of sex trafficking reportedly often find it hard to self-identify as victims?

When Americans hear the term *human trafficking*, we often imagine scenarios of human smuggling. Or, we imagine people forced into labor or commercial sex in other countries only. When we consider the idea of human trafficking happening here in the United States, we often think it happens only to foreign nationals. These are misconceptions that I hear on a regular basis from adults and youth across the country. On the other hand, when Americans hear the term *prostitution*, we often immediately think of women who have been stigmatized as having made poor choices. Without effective and informed advocacy and outreach efforts, victims (especially victims of sex trafficking) may not self-identify because they fail to see a connection between their circumstances and the crime of *human trafficking*. They may instead blame themselves and fear judgment from outsiders.

Since sex traffickers often target youth and young adults, we must incorporate education and awareness efforts in middle and high schools. Youth must be educated on (1) the meaning of the term *human trafficking*, (2) the existence of sex trafficking within the United States, and (3) the common tactics of sex traffickers. The first step toward preventing victimization and enabling youth to recognize potential signs of sex trafficking is to educate them on the dynamics of the crime. Furthermore, traffickers often target youth who are more vulnerable or disadvantaged than others. They will use various tactics to befriend and/or romance victims who lack guidance, supervision, and/or community resources. They target youth who are lonely, isolated, learning-disabled, physically or sexually abused, neglected, disenfranchised, or simply young and naïve. Such victims may fail to recognize a relationship as abusive or exploitative due to prior abuse or exploitation.

2. What should law enforcement and other first responders know when encountering potential child victims?

When I speak to law enforcement, I often present on the topic of so-called “willing victims”. A willing victim is someone who is seemingly a willing participant in their own victimization. As Sergeant Byron Fassett of the Dallas Police Department says, if a young person is engaging in commercial sex (with or without force, fraud, or coercion), then it’s likely this “choice” is the result of a long history of abuse, exploitation, and/or lack of resources. Many young people who are forced into or turn to commercial sex have had so many experiences of abuse, exploitation, or neglect that they are unable to recognize certain

relationships or situations as exploitative. They may even view a life in the commercial sex industry as better than a life in which they endured abuse or neglect in their homes or communities. I cover this topic in-depth in my book, *Walking Prey: How America's Youth are Vulnerable to Sex Slavery*.

American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN™



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January 27, 2015

The Honorable Diane Feinstein
U.S. Senate
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Rob Portman
U.S. Senate
448 Russell Senate Office Building
Washington, DC 20510

Dear Senators Feinstein and Portman:

On behalf of the American Academy of Pediatrics (AAP), a non-profit professional organization of 62,000 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety and well-being of infants, children, adolescents, and young adults, I am writing to express our support for the training provisions in the *Combat Human Trafficking Act of 2015*.

Sex trafficking is a major public health issue with serious implications for the health and wellbeing of children. Pediatricians have a key role to play in preventing, identifying, and ameliorating the physical and mental health effects of child sex trafficking. Despite what we know about this important role, research has found that as few as 28 percent of victims encounter health care professionals.¹ This demonstrates a clear need to improve efforts to connect victims to health services.

The AAP applauds the *Combat Human Trafficking Act of 2015*'s measures to improve training for law enforcement officers to ensure they can connect victims with needed health services. The bill would require anti-trafficking programs funded through the Department of Justice to include technical training for law enforcement officers on facilitating the provision by health care providers of physical and mental health services for child sex trafficking victims. This training would strengthen linkages between law enforcement and health, improve access to needed services for victims, and help prevent future victimization.

Thank you again for your leadership in working to prevent and address child sex trafficking. If the AAP can be of any further assistance, please do not hesitate to contact Ami Gadhia in our Washington, D.C. office at 202/347-8600 or agadhia@aap.org.

Sincerely,

Sandra G. Hassink, MD, FAAP
Sandra G. Hassink, MD, FAAP
President
SGH/zml

Family Violence Prevention Fund in Partnership with the World Childhood Foundation. *Turning Pain into Power: Trafficking Survivors' Perspectives on Early Intervention Strategies*. October 2005. Available online at <http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/Turning%20Pain%20intoPower.pdf>

U.S. Senate Committee of the Judiciary
Human Trafficking in the United States:
Protecting the Victims

February 24, 2015, 10:00 am

Written Testimony of
Autumn Burris, Founding Director,
Survivors for Solutions
Encinitas, California
March 3, 2015

My name is Autumn Burris, the Founding Director of Survivors for Solutions, an organization advocating for survivor-led services, survivor-informed public policies and providing training, public speaking and best practices consultation. I am an Expert Consultant on Human Trafficking with the U.S. Department of Justice's Office of Victims of Crime, Training and Technical Assistance Center. From 1997-2004, I was an Administrative Director at Standing Against Global Exploitation (SAGE), one of the first NGOs created to help women trafficking into, and exploited in, the commercial sex industry leave "The Life," as it is known by those of us who have lived it. I supervised SAGE's Human Trafficking program. I am a graduate of the University of California at San Diego with a B.A. in Political Science and an author of peer-reviewed journal articles. In addition to my professional credentials, I am a survivor of sexual exploitation who exited over seventeen years ago.

Seventeen years ago, I exited the toxic, brutal, exploitive machinery called prostitution. I learned that I would be raped for a price, experience repeated violence and arrested for my economic vulnerabilities while the Sex Buyer walked away unscathed, rarely arrested, and unaccountable for the deep damage caused physically and psychologically. Can you imagine criminalizing a victim of domestic violence, sexual assault or any other form of violence against women and letting the perpetrator go free? Today, survivors of sexual exploitation in the U.S. continue to be stigmatized and criminalized while Sex Buyers typically walk away from the crime.¹

The inclusion of adult exploitation was mentioned during the Judiciary Committee's February 24, 2015 hearing on pending anti-trafficking legislation, but I want to make crystal clear, based on personal experience and working with thousands of victims: the trafficking of minors into commercial sex, adult sex trafficking, and prostitution are inextricably connected and cannot be separated as we work towards effective anti-trafficking legislation.

Prostitution itself is a violation of human rights because it is Sex Buyers (no, I don't sanitize/make anonymous by using the term "Johns") who exploit the vulnerabilities of prostituted individuals, typically women and girls. Additionally, if demand is successfully curtailed by legislation and enforcement by law enforcement, these efforts serve as a primary prevention mechanism. I will focus my remarks on why it is essential to focus law enforcement efforts on the demand for commercial sex which fuels trafficking and prostitution markets.

Survivors of Human Trafficking Empowerment Act, H.R. 500:

As the Policy Champion for the National Survivor Network for H.R. 500, I was overjoyed to hear the following statement from Michael Ferjak, Senior Criminal Investigator And Director Human Trafficking and Enforcement Prosecution Initiative, Iowa Department of Justice, Des Moines, Iowa: "If we will only listen to them [Survivors] they will show us how to best serve them and to fight effectively against those who have harmed them. I am indebted and appreciative to the experts for providing a guiding light for us to follow."² I share the hope of Ms. Holly Austin Smith regarding Survivor Leadership in the public policy arena. Ms. Smith

¹Trafficking in Persons Report: 2010, Department of State, <http://www.state.gov/documents/organization/142979.pdf>

² Ferjak, Michael, Senior Criminal Investigator And Director, Human Trafficking and Enforcement Prosecution Initiative, Iowa Department of Justice, U.S. Senate Committee on the Judiciary Hearing, Human Trafficking in the United States: Protecting the Victims, February 24, 2015

stated, “I hope the survivor community, advocates, and policymakers can continue to work together to combat human trafficking and child exploitation and to stand up for victims across the country.”³

Ms. Holly Austin Smith, the survivor witness, brought to light the mindset of the public and mistakes of the media and those in the anti-trafficking movement in considering one human to be more deserving of care and compassion than another. This point is critical in creating solutions that are based on a human rights agenda and I would like to expand that from children that are deserving versus non-deserving to include ALL exploited individuals. The anti-trafficking movement makes a big error when we develop agenda that only focuses on children-not adults, females-not males, international-not domestic and most importantly trafficking-not prostitution.

Sexual Exploitation: How it Works

Sexual exploitation doesn’t occur in silos and an effective response will require a reform of the mindset of individuals in the anti-trafficking movement. An expansion really, to include all forms of sexual exploitation as part of the problem including legal parts such as stripping and pornography. These legal forms of sexual exploitation absolutely promote and intersect with illegal ones such as prostitution, human trafficking, and the trafficking of children into the commercial sex industry. In counties in Australia where prostitution is normalized and legalized, not only did human trafficking increase, but so did the trafficking of children.⁴ In crafting solutions and legislation, it is imperative that we are clear about these links.

Human Rights Denied

From negotiation to completion of the purchased sex act, dignity and equality guaranteed by the Universal Declaration of Human Rights are violated. Equality is violated by the unequal power dynamic between the oppressor and the exploited. For example, the buyer of sex rented my body for a period of time with the expectation that I had no right to reject other acts requested of me—a very common scenario. Dignity is denied to the exploited from negotiation to the completion of the act. For example, the feelings of degradation that arise when verbalizing the sex acts and placing a price on what is intended to be priceless, to acknowledge the personal violations that would soon take place, and then, while enduring all this harm, realizing it might happen again, you’ll be bought and sold again, within an hour or so. There is no equality, dignity, autonomy, or physical security: This is no life for a human being.

Security is denied as the exploited person essentially has no control over the actions of the buyer. For example, one evening, I got into a late model truck with a male sex purchaser. A few miles down the road, it became clear I needed to exit the situation in order to survive. Jumping from the moving vehicle was the safest option for escape. I reached for the door handle only to realize I was locked in. The panic I felt, knowing what was sure to come, was unbearable. Prior to being discarded like a piece of garbage onto the road, I was raped and beaten beyond recognition. This incident was not an isolated one, rather a common occurrence in my life while involved in prostitution. Over the past 17 years, the dialogue and honest conversations I have had with other

³ Smith, Holly A., U.S. Senate Committee on the Judiciary Hearing, Human Trafficking in the United States: Protecting the Victims, February 24, 2015

⁴ Jeffreys, S. and Sullivan, M., Legalizing Prostitution is Not the Answer: The Example of Victoria Australia, p.10
<http://www.catwinternational.org/content/images/article/95/attachment.pdf>

survivors has assured me that I am not alone. In fact, many prostituted women are not here to share their struggles and stories because they are dead: the death rate due to suicide, drug overdose, and murder are higher than any other population.

Solutions: Deterrence Policy/Nordic Model Legislation

As subject matter expert in dismantling systems of exploitation and a survivor of prostitution, I advocate for the Nordic Model, whereby the demand for sexual exploitation is criminalized and exploited individuals are decriminalized and offered exit strategies. The Nordic Model creates a climate that is unfavorable for traffickers and buyers which promotes healthier communities, less crime, including organized crime and most certainly, alternative options for survivors of this form of sexual violence.

I congratulate and stand with Senators Feinstein, Portman, Cornyn, and Klobuchar as well as other leaders who realize we must move toward solutions that appropriately hold Sex Buyers accountable for their part in promoting human trafficking with their currency. A 2012 report prepared for DOJ's National Institute of Justice states that "[t]he illicit markets of prostitution and sex trafficking are, like any other markets, driven by demand. Wherever demand occurs, supply and distribution emerge. It is indisputable that removing or reducing demand reduces or eliminates markets. The need for people to provide a 'supply' and for pimps and traffickers to 'distribute' the supply to buyers would not exist without demand."⁵ Therefore, without buyers of commercial sex, sex trafficking would be dramatically reduced as it has in the Nordic countries (i.e. Sweden/Norway/Iceland).

In terms of simple economics, the demand for sex drives the market fueling sexual exploitation and ultimately, trafficking of children and adults. Simply, Sex Buyers fuel Sexual Exploitation. Therefore, legislation that deters the purchasing of sex must be a priority. According to a 2011 study, *Comparing Sex Buyers with Men Who Don't Buy Sex: "You can have a good time with the servitude" vs. "You're supporting a system of degradation,"* Dr. Melissa Farley, et al uncovered effective deterrents by surveying Sex Purchasers. In the research, it was discovered that any amount of time in jail would deter 22% of sex buyers; several hours in jail would deter 34% of sex buyers; 3 days in jail would deter 71% of sex buyers; 3 weeks in jail would deter 83% of sex buyers, and one month would deter 100% of sex buyers.⁶ Strong deterrence policy is key to halting the steady stream of currency that Sex Buyers provide which fuels all forms of sexual exploitation including trafficking.

Decriminalization for exploited individuals will reduce the barriers to employment, housing and other social service programs while healing and repairing their lives and working towards becoming productive members of society. For example, a colleague and formerly exploited woman in California exited a life of exploitation over twenty (20) years ago. She has worked for nearly that long in social services, her criminal record has been expunged, and she recently completed her Master's Degree with the goal of being a licensed therapist to assist exploited

⁵ Michael Shively, Ph.D., Kristina Kliorys, Kristin Wheeler, Dana Hunt, Ph.D., **A National Overview of Prostitution and Sex Trafficking Demand Reduction Efforts, Final Report**, prepared for the National Institute of Justice, page iv (2012) www.ncjrs.gov/pdffiles1/nij/grants/238796.pdf

⁶ Farley, et al. *Comparing Sex Buyers with Men Who Don't Buy Sex*, <http://www.prostitutionresearch.com/pdfs/Farleyetal2011ComparingSexBuyers.pdf>

individuals. Currently, she is having trouble with the Board of Behavioral Health, the licensing agency for therapists in California in obtaining her license to practice due to her past criminal history. In other states, such as Arizona, I know of a survivor who was offered a job and once her criminal record was made available, her employment was terminated. As she says, in Arizona, it is a life sentence due to criminal charges as a result of being a victim of sex trafficking. Criminalizing exploited individuals hampers their ability to rebuild their lives, to maintain legal employment, achieve their highest potential, and follow their passion and career goals.

Conclusion:

In the hearing on Tuesday, February 24, 2015, you heard Malika Saada Saar, Executive Director of Human Rights Project for Girls tell a heart wrenching and compelling story of a child victim of sex trafficking.⁷ Like Aviva who forgot what it felt like to be human, almost eighteen years ago when I exited systems of prostitution, I felt the same way-worthless and non-human. I was sure I would never heal, and be scarred for life. I deemed myself incapable of fully living. Countless exploited individuals feel this way at this very moment. As legislators, I urge each of you to think deeply and critically about anti-trafficking legislation with the assistance of survivors who have lived and professional experience. One question, Are we willing to pass legislation that ends the impunity for Sex Buyers who drive the market for sexual exploitation?

In closing, please remember: There Isn't Always a Trafficker but there is always a Sex Buyer. Thank you.

⁷ Saar, Sanda Malika, Executive Director, Human Rights for Girls, U.S. Senate Committee on the Judiciary Hearing, Human Trafficking in the United States: Protecting the Victims, February 24, 2015

Office of the District Attorney
Alameda County
Nancy E. O'Malley, District Attorney



Rene C. Davidson Courthouse
1225 Fallon Street, Suite 900
Oakland, CA 94612

January 15, 2015

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

Re: Support for S. 140, the Combat Human Trafficking Act of 2015

Dear Senator Feinstein:

On behalf of the Alameda County District Attorney's Office, I want to express our strong support for S. 140, the Combat Human Trafficking Act of 2015, which seeks to penalize adults who buy sex from trafficking victims and strengthens victim's rights and protections.

In 2005, we created what is believed to be the first non-federal Human Exploitation and Trafficking (H.E.A.T.) Unit. Since that time, we have aggressively prosecuted 435 individuals engaging in sex trafficking. An overwhelming majority of those cases have involved girls who are minors. While prosecution is vital to removing these predators from the community, we have also discovered that challenges to stopping human trafficking are much broader. With that recognition, in 2009, we introduced H.E.A.T. Watch, which is a comprehensive Blueprint and Toolkit to guide communities and leaders in combating human trafficking. We have a strong focus on the demand side of human trafficking. As long as there is demand, there will be an exploiter to fill it, at the expense of the life, well-being and psychological impact on the child.

S. 140 is critical legislation that provides important leadership and an effective framework for the country to on this insidious form of modern day slavery that impacts women and girls at alarmingly high rates, as well as boys and men who are still invisible within our society. Specifically, S. 140 clarifies that a buyer of a commercial sex act can be prosecuted under the commercial sex trafficking statute. S. 140 makes a seller or buyer of sex strictly liable for his or her action if the victim is under the age of 18, thereby sparing child victims from further traumatization. This bill also increases training on effective methods for investigating and prosecuting the buyers of sex acts, on seeking and ordering restitution for victims of sex trafficking, and on ensuring victims receive health services.

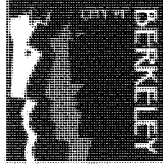
Thank you for your leadership on this important legislation to penalize adults who buy sex from trafficking victims and strengthen victim's rights.

Sincerely,

Nancy E. O'Malley

NANCY E. O'MALLEY
District Attorney

Phone: (510) 272-6222 • Email: nakred-da@acgov.org • www.alcoda.org



City Clerk Department

December 18, 2014

The Honorable Dianne Feinstein
331 Hart Senate Office Bldg
Washington, DC 20510

RE: Support the 'Combat Human Trafficking Act'

At its meeting of December 16, 2014, the Berkeley City Council voted to send you a letter affirming its support of the *Combat Human Trafficking Act*, which will strengthen law enforcement efforts to investigate and prosecute all who commit sex trafficking crimes, particularly the buyers of sex acts from trafficking victims.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Numainville".

Mark Numainville, CMC
City Clerk

Cc: Niccolo De Luca, Lobbyist
Linda Maio, Councilmember, District 1
Christine Daniel, City Manager



EXECUTIVE DIRECTOR January 20th, 2015
Bill Bedrossian

BOARD OF DIRECTORS
The Honorable Dianne Feinstein
United State Senator
331 Hart Senate Office Building
Washington, DC 20510-0504

RE: Support for the Combat Human Trafficking Act of 2014 (S.2646)

Dear Senator Feinstein,

On behalf of Covenant House California, I would like to express my strong support for the Combat

Human Trafficking Act of 2014.

California is a national destination for transient youth and those that prey upon them. The lure of

Hollywood's Boulevards and Oakland's International Boulevard, in particular, offer a 24-hour daily

opportunity for sexual exploitation, abuse and violence. According to the *National Runaway*

Switchboard, after only three days on the streets, most runaway or homeless youth are forced to

turn to survival sex and drugs (either selling their bodies or illicit substances to pay for food and

shelter, or engaging in high-risk behaviors to ease the pain).

Covenant House California, a non-profit, 501(c)3 multiservice agency responds to a critical service

gap for homeless youth, often victims of sex trafficking, through comprehensive programs based in

Los Angeles (since 1988) and the Bay Area (since 1998). We are an affiliate of the nation's largest,

privately funded youth outreach and shelter provider, Covenant House International, which serves

more than 50,000 homeless youth each year and is dedicated to increasing awareness of a

population at highest risk for sexual exploitation, injury and death.

For homeless and trafficked youth, Covenant House California programs mean the difference

between sleeping in a park or alleyway, or in a warm bed in a safe environment; the difference

between selling drugs or sex for survival, or developing skills for meaningful work and long-term self

sufficiency; and the difference between burdening emergency rooms, courts and prison systems,

and the chance to become a contributing member of one's community.

Your legislation is another tool to penalize adults who buy sex from trafficking victims and

strengthen victim's rights. Holding those accountable that prey upon and exploit youth will not only

remove substantial barriers faced by the many victims as they struggle with related mental health

issues in their recovery toward productive citizenry, but will assist in prevention efforts and

increased safety for all.

It is for these reasons that Covenant House California supports your bill and commends you and

Senator Rob Portman for authoring the Combat Human Trafficking Act.

Sincerely,



William A. Bedrossian

Executive Director

covenanthousecalifornia.org

1325 N. Western Ave.

Hollywood, CA 90027

Telephone (323) 491-3131

200 Harrison St.

Oakland, CA 94607

Telephone (510) 379-1010



Covenant House International
 1100 Broadway
 New York, NY 10036
 Tel: 212-692-5000
www.covenanthouse.org

February 23, 2015

The Honorable Dianne Feinstein
 331 Hart Senate Office Bldg.
 Washington, D.C. 20510

Dear Sen. Feinstein,

I write to you on behalf of Covenant House International and especially from our staff at Covenant House California to offer our enthusiastic support for the *Combat Human Trafficking Act of 2015* (S. 140) and to express our deep appreciation for your longstanding advocacy for homeless and trafficked children, including those served by Covenant House in Oakland and Hollywood.

We are grateful for your leadership in crafting this thoughtful and powerful legislation to curb the alarming trend of domestic sex trafficking of minors in the U.S. in a number of ways, not the least of which is added enforcement and prosecution of all predators who commit sex trafficking crimes, particularly the buyers of sex acts from trafficking victims. The *Combat Human Trafficking Act* would increase penalties for buyers of sex acts from trafficking victims, expand reporting on trafficking prosecutions, require training by the Justice Department on targeting and prosecuting buyers, expand wiretapping authority to cover all human trafficking offenses, and strengthen crime victims' rights.

This legislation will improve our ability to work in partnership with law enforcement to identify victims more quickly, remove their predators from the community, close the marketplace for sex trafficking, and focus our work and attention where it is most needed – responding to the emergency medical, housing, and social service needs of the survivors.

As you know, Covenant House was founded in 1972 with the simple, profound mission to help homeless kids escape the street. Today we are the largest charity in the Americas providing loving care and vital services to homeless, abandoned, abused, trafficked and exploited youth. We serve in 27 cities throughout the United States, Mexico, Honduras, Guatemala, Nicaragua, and Canada, and we reach more than 56,000 young people per year. The majority of our resources across all 6 countries are raised privately from more than 700,000 donors each year, but federal and state governments are important partners in our movement.

With Fordham University, our research team at Covenant House New York interviewed a random sample of close to 200 of our youth in 2013 about their trafficking experiences. The results were stunning. Almost 15% of the young people had experiences that fit the federal definition of trafficking, and another almost 10% engaged in survival sex, which meant that they felt so desperate they believed they had no other choice but to sell or trade their bodies in exchange for basic needs, such as food or shelter. These numbers are conservative, as some youth may have been too traumatized to disclose their experiences. If these numbers were to hold for the 3000 youth served just by one of our programs each year – that is, the young people at Covenant House New York – we would expect to serve approximately 750 youth each year who have either been victims of sex trafficking or engaged in survival sex. That is in just one building, on one block, in one city.

When youth end up on the streets with no means to meet their basic needs, they are easy prey for predators. Our research showed that youth most frequently reported exchanging sexual acts for



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www.covenanthouse.org

Attachment

shelter or a place to sleep (48%). Other commonly-reported commodities that youth traded sexual activity for included money for food, toiletries, drugs, and clothing, and money to support children or younger siblings. Your efforts to attack and close the marketplace for trafficking, combined with our work to provide safe harbor and evidence-based services to victims, will be an important contribution toward ending the suffering of these young people and ultimately toward ending the tragedy of sexual exploitation of minors in the U.S. for good.

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Again, please accept our support for the *Combat Human Trafficking Act* along with our deepest appreciation for your tireless efforts to improve the lives of America's most vulnerable children and youth.

Attachment

Respectfully,

Attachment

Attachment

Kevin Ryan
 President and CEO

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Attachment

Washington, D.C.

Attachment

Attachment



County of San Diego

GEOFF PATNOE
DIRECTOR
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FAX: (619) 557-4199

OFFICE OF STRATEGY AND INTERGOVERNMENTAL AFFAIRS
1800 PACIFIC HIGHWAY, SUITE 298, SAN DIEGO, CA 92101-2437

February 5, 2015

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

RE: Support for the "Combat Human Trafficking Act of 2015"

Dear Senator Feinstein:

On behalf of the residents of San Diego County, I am writing to thank you for introducing the "Combat Human Trafficking Act of 2015" (S 140). The San Diego County Board of Supervisors supports this legislation and your efforts to combat this horrible crime.

As you are aware, human trafficking is the fastest growing criminal enterprise, which has now reached \$32 billion worldwide according to the State Department. The California Department of Justice has stated that California is one of the top four destination states for trafficking victims. The Federal Bureau of Investigations has identified San Diego as one of the top 13 high intensity child prostitution areas in the United States. Additionally, in 2013, there were 46 human trafficking cases submitted to the San Diego County District Attorney's Office. This was a significant increase from the nine cases that were presented in 2009.

The San Diego County Board of Supervisors is committed to help fight against and prevent human trafficking. I thank you for your leadership on this issue. Please do not hesitate to reach out to the County if we can support your efforts to fight against human trafficking.

Sincerely,

Geoff Patnoe
Director
Office of Strategy and Intergovernmental Affairs
County of San Diego

Testimony of Alameda County District Attorney Nancy E. O'Malley in Support of S. 140

Mr. Chairman, thank you for the opportunity to testify in strong support of S. 140, the "Combat Human Trafficking Act of 2015" introduced by Senators Feinstein, Portman, Cornyn, Gillibrand, Kirk, and Capito. The Alameda County District Attorney's Office has been a leader in California in combatting human trafficking. We are honored, proud and grateful to share our experience with you and the Committee.

Mr. Chairman, human trafficking is a form of modern day slavery and it is happening across the country. Human beings – particularly women and children – are being bought and sold like human chattel. These individuals have no free choice in the matter; if they resist or make efforts to stop the exploitation, they are often tortured, sexually assaulted or murdered. Traffickers and purchasers deprive the most vulnerable of members of our community -- our children -- of their basic human rights. The proceeds from the sale of this predatory enterprise are increasingly used to fund organized crime and gangs.

Since January 2006, my office has prosecuted over 427 defendants on human trafficking related charges and achieved an 81% conviction rate on these cases. We have had great success in holding "exploiters" accountable. In my County, Alameda County, and through our leadership across California, we have had a significant impact of the actions of exploiters who are sometimes referred to as "pimps" -- a term I do not use since quite frankly, it has lost its

significance in identifying the insidious behavior of an individual over and against another. However, there is still much work to be done in addressing the demand side of human trafficking -- those who are trolling our streets and internet looking for children or other victims of human trafficking to purchase for sex. We know that as long as there is demand for victims of human trafficking, there will an exploiter who fills that demand. For that reason and many more, I strongly support S.140.

The internet has facilitated the increase of sex trafficking. It has moved the commercial sex industry from the streets to behind closed doors. Websites such as Backpage, the Erosguide, and Rubmaps make millions of dollars each year in advertising revenue from exploiters selling victims online. A survey of Backpage for the Oakland/East Bay Area on Tuesday February 24, 2015 showed that **225** advertisements were placed in the Erotic services section where commercial sex acts are sold. Prior to MyRedBook being shut down by the FBI, over 100,000 advertisements were placed for erotic services in the San Francisco Bay Area alone. We see that when law enforcement places advertisements posing as minors offering sex for sale on these sites, the response is overwhelming. In fact, the response is so voluminous, the police are unable to respond to all of the leads.

The Federal government has been at the forefront of change when it comes to the issue of human trafficking. It was Federal law that formed the basis for changing the law in my State to prosecute human traffickers. Now the Federal law can lead the way once again in impacting the demand -- those purchasing -- for human trafficking. In addition to holding purchasers accountable for their actions with tough criminal penalties, it is important that

we begin to collect reliable data on the nature and extent of the demand for commercial sex and human trafficking. S.140 accomplishes both of those key components.

S.140 clarifies current law to provide that a buyer of commercial sex may be prosecuted under the existing commercial sex trafficking statute. By taking away the defense of mistake of the age, S.140 holds buyers and sellers of child sex trafficking strictly liable for their actions. In addition, S. 140 establishes a minimum period of 5 years of supervised release for a person who conspires to violate the commercial sex trafficking statute, thereby making conspirators subject to the same term of supervised release as those convicted of attempting to violate the statute or violating the statute.

Additionally, S. 140 increases training by the Department Justice on effective methods for investigating and prosecuting the buyers of sex acts. Training is a key component to a successful strategy for stopping sex trafficking. S. 140 also includes restitution for victims of sex trafficking, and ensures that victims receive health services. The bill also expands Federal and State wiretap authorities to cover all human trafficking offenses.

We have come to know that accurate and verifiable data is critical to our national and local efforts to stop human trafficking and to providing appropriate and effective support to victims of human trafficking. Of great importance is that S.140 directs the Bureau of Justice Statistics to prepare an annual report on sex trafficking offenses prosecuted in the State court system. My Office's efforts at the State level both support and compliment S. 140

including sponsoring 2015 California Senate Bill 420. SB 420 amends the criminal statute, P.C. Sect. 647(b) by statutorily categorizing into three separate sub-sections: purchasers of commercial sexual acts from adults, purchasers of commercial sexual acts from minors and adults offering to engage in commercial sex acts with a purchaser. SB 420 is designed to collect accurate and verifiable data with a focus on the purchasers which can inform future public policies and best practices.

It is for the foregoing reasons that the Alameda District Attorney's Office strongly supports S.140.

Thank you for your leadership on this vital issue and for the opportunity to be heard.

Written Testimony of the Faith Alliance Against Slavery and Trafficking
In support of S. 140, The Combat Human Trafficking Act of 2015
Before the Senate Judicial Committee
March 3, 2015

Chairman Grassley and the Members of the Committee,

The Faith Alliance Against Slavery and Trafficking (FAAST) thanks you for holding this important hearing on S. 140, the “Combat Human Trafficking Act of 2015,” and the ability to provide this written testimony. We support this bill and encourage you to vote yes on this important bill.

FAAST is a strategic alliance of Christian organizations working together to combat slavery and human trafficking. We do this through mobilizing and equipping communities to combat slavery and human trafficking and to restore survivors. FAAST provides a framework for collaboration between Christian churches, denominations, universities and communities around the world who are rising up to confront human trafficking. We connect God’s people through the power of partnership, and equip them through the creation of resources, facilitation of training events, and development of anti-trafficking programs. Each partner organization’s impact is multiplied as our resources and efforts are combined to form large-scale anti-trafficking projects.

We could present you with numbers and statistics, such as according to the U.S. Department of Child Exploitation and Obscenity Section the average age of entry into prostitution in the United States is 12. Or traffickers in the United States can make nearly \$33,000 per week, which is more than \$1.7 million per year. We don’t belittle those numbers. Those numbers are staggering and it is why we do the work that we do. Yet, while we have these numbers and many other statistics, we are still a long way from completely understanding the vast scope of the issue. For example, it is estimated that there are 100,000 U.S. citizen children that are at risk of sexual exploitation. While that number is appalling, it would be inexcusable to learn that number is higher as the perpetrators of this crime are able to hide in the shadows, hoarding their victims that are either unable or too scared to come forward. This bill partially addresses this by expanding wiretap capabilities to all human trafficking offenses. By focusing on those who supply the need, whether it is by buying the time of the prostitute or controlling the victim, we start to concentrate on the real problem of trafficking. Creating effective solutions to reduce the supply and demand is one way in which we will be able to effectively prevent human trafficking from occurring.

However, we also want to focus on the hope that this bill provides for the victims and survivors of trafficking. Through this bill the focus of the crime will be switched from the prostitute to those buying their time or providing their body. This is important as it recognizes that the prostitute may be a victim of a crime, and spares them from having a criminal record, which hinders their life even more than it already is. We should not be adding criminal charges for the victim to fight when they already have to overcome major impediments. These impediments will include providing assistance to address the medical, psychological and economic woes that they will have to overcome.

We appreciate the time the committee is taking to address the issue of human trafficking and ask them to support S. 140, the “Combat Human Trafficking Act of 2015.

CITY OF OAKLAND



POLICE ADMINISTRATION BUILDING x 455 – 7TH STREET x OAKLAND, CALIFORNIA 94607-3985

Police Department

Telephone Device for the Deaf (510) 238-3227
Patrol Desk (510) 238-3455
Fax (510) 238-2251

February 13, 2015

U.S. Senator Dianne Feinstein
 One Post Street, Suite 2450
 San Francisco, CA 94104

RE: Oakland Police Department's Anti-Human Trafficking Efforts

Dear Madam Senator:

I am aware that you have made a request before the United States Senate to hold a hearing on the problem of commercial sex trafficking in our country. I applaud your commitment and dedication to this growing problem. In light of this, I would like to briefly provide you with a bit of information on the status of sex trafficking and the commercial sexual exploitation of minors in the City of Oakland as well as some of the efforts the Oakland Police Department has undertaken over the past fifteen years to combat this problem.

Since 1999, I have been involved in the Oakland Police Department's efforts to combat the issue of sex trafficking in our City; primarily as it pertains to children and young adults. As an investigator, supervisor and now a commander, I have been afforded the opportunity to see this problem at various levels. Along with my teammates, I established the Vice/Child Exploitation Unit, drafted several action plans, and wrote various policies and protocols that moved the police response to sex trafficking from a mere street nuisance of "prostitution" to a "victim centered" crime of trafficking.

To accomplish this, we had to reframe the issue. We have spent years working in collaboration with the Alameda County District Attorney's Office and victims' rights advocates to train criminal justice professionals, advocates, and our community to recognize that sex trafficking, is not a victimless crime. We have found that profiling particular cases and sharing information about the life circumstances that commonly lead to victimization has been effective in building compassion and understanding. Overwhelmingly, these case profiles contain the stories of children who come from severe risk including physical and sexual abuse, neglect and poverty. Many of them have emotional challenges, mental health issues, and/or learning disabilities. Most often times they are running away from a bad situation and end up being preyed upon and under the control of a trafficker – a pimp. Making matters worse, our systems, established to protect the weak, further victimizes them, criminalizes their activities

Continued – Page 2

while paying little attention to those who exploit them. We have worked very hard to change that reality in Oakland.

As you may know, in Oakland we now recognize all of our sex trafficking victims as sexual assault survivors and treat them as such. We do this by conducting proactive investigative operations in which rape advocates are present to provide near-immediate support services to our clients. In addition, the District Attorney's Office and County Child Services have incredible systems in place to provide healing services to the adults and children we encounter. We are proud of the collective efforts that are in place; however, they are not enough and Oakland continues to be a hotspot for the trafficking of women and children.

As stated, the Oakland Police Department has been active in our efforts to combat sex trafficking since 1999; however, our abilities to provide adequate resources to this problem have greatly fluctuated due to limited resources and funding. Our funding has been supported by grants and at this time those grant funds have been exhausted.

The following table outlines some of the raw statistic* as a result of our staffing and resources:

	2006	2007	2008	2009	2010	2011	2012	2013	2014
Total Operations	47	35	33	63	48	36	21	25	55
Total Arrest	660	531	318	640	464	363	210	336	555
Adult Females	473	443	263	547	370	290	114	259	442
Adult Males	120	59	31	23	23	24	47	42	83
Juveniles	67	29	24	70	71	49	49	35	30

*Numbers are not complete totals due to citation releases and re-unifications with child victims.

While we have made significant gains in how we respond, investigate, and prosecute these cases, much more work needs to be done. Additional funding and resources are needed to sustain a genuine and effective strategy. Funding and support are needed for law enforcement and our victim support services partners.

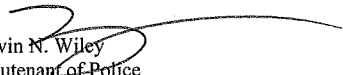
We are committed to prevention and community education efforts, intervention strategies that identify children displaying at risk behavior, and enforcement actions that locate victims and hold exploiters accountable. We truly believe in the power of collaboration and look forward to partnering with you in combating this incredible crime which can only be classified as modern day slavery.

Continued – Page 3

Thank you for your time and dedication.

Should you need more information, I will gladly provide it.

Sincerely,



Kevin N. Wiley
Lieutenant of Police
Special Victims Section
Oakland Police Department

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

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 Bureau of Indian Affairs
 Bureau of Land Management
 Fish & Wildlife Service
 National Park Service
 000
 U.S. Park Police
 JUSTICE
 Bureau of Alcohol, Tobacco, Firearms & Explosives
 Drug Enforcement Administration
 Federal Bureau of Investigation
 US Marshals Service
 000
 U.S. Attorney's Office - CI
 LABOR - 000 & Railroad
 POSTAL SERVICE
 Postal Inspection
 SOCIAL SECURITY ADMINISTRATION - 000
 STATE DEPARTMENT
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 RASHIED TAHER
 General Counsel
 LAWRENCE BECKER
 Public Information Officer
 HENRIETTA MATTHEW

September 16, 2014

The Honorable Dianne Feinstein
 Member
 U.S. Senate
 331 Hart Senate Office Building
 Washington, DC 20510

Dear Senator Feinstein:

As you know, every federal law enforcement officer takes an oath to protect and defend citizens from harm, especially the most vulnerable - our children. The members of the Federal Law Enforcement Officers Association (FLEOA) take this oath very seriously.

FLEOA is especially supportive of efforts to tackle human trafficking. Human trafficking in any form is one of the lowest and most egregious of offenses due to its very nature and the types of victims targeted, which often include children.

Those that conspire to engage in any type of human trafficking, whether it be for drugs, slavery, labor or sex deserve the strongest sentences which your proposed legislation to combat sex trafficking addresses.

FLEOA is particularly appreciative of the section in the proposal that ensures all federal judicial circuit courts apply the same rules to sex trafficking offense charging and for the protection of victims' rights. FLEOA also applauds the enhancement of the supervised release period to a minimum of 5 years and the expansion of federal wiretapping authority to cover all forms of human trafficking.

Your proposal addresses 360 degrees of sex trafficking offense issues from the investigation, to the charging of the crimes, to victims' rights. FLEOA strongly supports your proposal and looks forward to its enactment.

Respectfully,

Jon Adler

Jon Adler
 National President



**NATIONAL
FRATERNAL ORDER OF POLICE®**

328 MASSACHUSETTS AVE., N.E.
WASHINGTON, DC 20002
PHONE 202-547-8109 • FAX 615-202-547-8130

CHUCK CANTERBURY
NATIONAL PRESIDENT

JAMES O. PASCO, JR.
EXECUTIVE DIRECTOR

28 January 2015

The Honorable Dianne Feinstein
United States Senate
Washington, D.C. 20510

Dear Senator Feinstein,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for S. 140, the "Combat Human Trafficking Act of 2015."

This legislation would strengthen law enforcement efforts to investigate and prosecute those who commit sex trafficking crimes, particularly the buyers of sex acts from trafficking victims. It increases the penalties for buyers of sex acts from trafficking victims, as well as requires that each anti-human trafficking training program operated by the Department of Justice for Federal, State, and local law enforcement includes training on investigating and prosecuting these offenders, as well as how to connect victims of trafficking to providers of physical and mental health care.

This bill, by addressing the needs of victims and the strengthening the investigation and prosecution of the perpetrators, provides significant support to both law enforcement and the victims of human trafficking.

On behalf of the more than 330,000 members of the Fraternal Order of Police, I want to thank you for introducing this legislation. If I can be of any further help, please do not hesitate to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,

Chuck Canterbury
Chuck Canterbury
National President



SACHI A. HAMAI
EXECUTIVE OFFICER

**COUNTY OF LOS ANGELES
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November 25, 2014

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The Honorable Dianne Feinstein
United States Senate
SH-331 Hart Senate Office Building
Washington, D.C. 20510

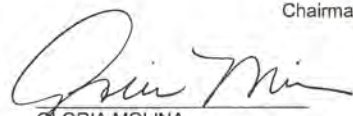
Dear Senator Feinstein:

We are writing to express our support for S. 2941, the Combat Human Trafficking Act, which you introduced. This bill would enhance the apprehension and prosecution of human trafficking crimes, including child sex trafficking, by providing law enforcement with expanded wiretapping authority to investigate and prosecute such crimes. It also would reduce the demand for child sex trafficking by stiffening penalties for buyers of sex with children and by training law enforcement officers on effective methods for investigating and prosecuting buyers of sex acts from trafficked victims. The Combat Human Trafficking Act legislation, therefore, will provide law enforcement with better tools to combat the growing epidemic of child sex trafficking – an effort to which the County of Los Angeles is strongly committed.

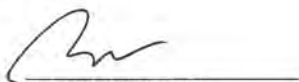
We greatly appreciate your leadership and efforts on this important legislation.

Sincerely,


DON KNABE
Chairman, Board of Supervisors


GLORIA MOLINA
Supervisor, First District


MARK RIDLEY-THOMAS
Supervisor, Second District


ZEV YAROSLAVSKY
Supervisor, Third District


MICHAEL D. ANTONOVICH
Supervisor, Fifth District



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Winnipeg, Canada

January 15, 2015

The Honorable Dianne Feinstein
331 Hart Senate Office Bldg.
Washington, DC 20510

Dear Senator Feinstein:

On behalf of the Major Cities Chiefs, representing the largest metropolitan regions of our Nation, I am writing to support S. 140, "Combat Human Trafficking Act of 2015," which will help law enforcement to stop this crime and support trafficking victims. As the front-line officers in the largest cities, we have witnessed firsthand the horrible toll sex trafficking has on its victims. This bill will assist our officers as we investigate this heinous type of crime.

This bill ensures that every law enforcement officer involved in Department of Justice anti-trafficking programs receive the necessary training to investigate and prosecute trafficking offenders, including those who buy and sell sexual access to a minor. The bill also closes critical gaps in the legal definitions associated with trafficking, which will enable an increase the number of prosecutions.

Thank you for your strong support of law enforcement and the fight to end human trafficking. Victims of trafficking are a particularly vulnerable part of our society, and we are grateful for your leadership. We hope that the Committee can move quickly on your bill and we look forward to its swift passage.

Sincerely,

Chief J. Thomas Manger
Montgomery County Police Department
President
Major Cities Chiefs Association



CITY OF OAKLAND

CITY HALL • 1 FRANK H. OGAWA PLAZA, 2nd Floor • OAKLAND, CALIFORNIA 94612Office of the Honorable Lynette Gibson McElhaney
COUNCILMEMBER - DISTRICT 3

(510) 238 - 7031

FAX (510) 238 - 6910

TDD (510) 238 - 6451

Office of U.S. Senator Dianne Feinstein
331 Hart Building
Washington, DC 20510

Dear Honorable Senator Dianne Feinstein,

RE: Support Senate Bill 140, "Combat Human Trafficking Act of 2015"

Thank you for taking leadership to address the horrific crime of human trafficking.

This bill is critical for Oakland, a City in which human trafficking, and particularly sexual exploitation of children, is a serious crime. Children as young as eleven have been exploited by adults who recruit them from school yards. Of all sexually exploited youth who are taken into custody in Oakland, nearly 60% are foster children. Law enforcement need more resources in order to combat the source of this crime. Federal leadership is direly needed.

While many service providers have risen to meet the challenges facing these child victims and District Attorney Nancy O'Malley has taken great leadership in prosecuting such offenders, our City needs federal policy to strengthen the law against these criminals and to protect these vulnerable victims. Despite good efforts by the Oakland Police Department, the demand for sex with minors remains and victims continue to be exploited on a daily and nightly basis on our streets.

Senate Bill 140 takes great strides toward addressing the current gaps in policy and law enforcement. We are pleased that the Senate Judiciary Committee passed key provisions from the measure to reduce the demand for sex trafficking by increasing penalties upon buyers of sex with children and other forms of human trafficking. This bill is strong because it gives law enforcement with real tools to protect these adults and children, such as wiretapping and enhanced training for officers. Requiring the Department of Justice to maintain data on this crime and regularly report to Congress will allow law enforcement to analyze and track these destructive crimes, identify clusters of exploitation, and develop strategies to eliminate trafficking. Additionally, S. 140 increases victims' rights, which is particularly important due to the severity of the psychological and or physical trauma that these trafficked people endure.

Signed,

Lynette Gibson McElhaney



In conjunction with:



ALAMEDA FAMILY SERVICES

CHANGING LIVES, BUILDING COMMUNITY



LOVE NEVER FAILS



OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT LYNETTE GIBSON MCELHANEY

ADOPT A RESOLUTION IN SUPPORT OF SENATE ACT 140 (S. 140) WHICH WOULD STRENGTHEN LAW ENFORCEMENT EFFORTS TO INVESTIGATE AND PROSECUTE INDIVIDUALS WHO COMMIT SEX TRAFFICKING CRIMES AND REQUIRE THE DEPARTMENT OF JUSTICE TO COLLECT AND MONITOR DATA ON THE SEXUAL EXPLOITATION OF CHILDREN.

WHEREAS, human trafficking is a serious problem in the City of Oakland and a priority identified by the Oakland City Council for many years; and

WHEREAS, sexual exploitation of children is of particular concern as there are an estimated one hundred children trapped, coerced, and trafficked on the streets of Oakland every single day; and

WHEREAS, the Oakland City Council approved legislation in June 2013 to create a Commercial Sexual Exploitation of Children ("CSEC") Task Force to work towards abolishing sexual exploitation through training, prevention, awareness, and policy development; and

WHEREAS, Senator Dianne Feinstein has drafted S. 140 to strengthen law enforcement efforts to investigate and prosecute all who commit sex trafficking crimes, particularly buyers of sex acts from trafficking victims; and

WHEREAS, victims of sexual exploitation are often required to testify in court against their "pimps" or "sellers," often causing great re-traumatization of the physical and psychological pain that they have endured, and this such requirement to testify is sought to be reduced or eliminated for victims who are minors through the passage of S. 140; and

WHEREAS, under S. 140, the Bureau of Justice Statistics will be required to prepare an annual report on sex trafficking offenses that are prosecuted in the State court system; and

WHEREAS, superior data collection is needed to track sexual exploitation in order to evaluate the number of offenses, demographics of the offenders, locations of offenses so that law enforcement, advocates, and lawmakers can determine how to prevent this crime from ever occurring; and

Item 7
Rules Committee
February 19

WHEREAS, under S. 140, victims of human trafficking will have enhanced rights, such as being informed in a timely manner of any plea bargain or deferred prosecution agreement; and

WHEREAS, wiretapping can be an appropriate tool for law enforcement to gather evidence on human trafficking and thus make arrests of exploiters, of which S. 140 will enhance the capacity for wiretapping to occur during human trafficking investigations by local law enforcement; and

WHEREAS, targeting the demand for sexual trafficking has been identified by experts and numerous studies as a means to reduce exploitation; and

WHEREAS, increased prosecution upon buyers of commercial sex will provide multiple benefits, including deterring potential buyers of sex because they are aware of the hefty penalties they could face, if charged; and

WHEREAS, the criminal justice system is responsible to impose appropriate punitive measures in order to protect criminal behavior from harming the citizens of this country, of which; and

WHEREAS, S. 140 is endorsed by Fraternal Order of Police, Shared Hope International, ECPAT-USA, Coalition Against Trafficking in Women (CATW), Human Rights Project for Girls, Survivors for Solutions, Sanctuary For Families, World Hope International, Prostitution Research & Education, Breaking Free, Equality Now, National Organization for Victim Assistance, Seraphim Global, Los Angeles County Board of Supervisors, City of Oakland (CA), Chicago Alliance Against Sexual Exploitation, Bilateral Safety Corridor Coalition, and Casa Cornelia Law Center, as well as two Oakland based non-profit agencies serving sexually exploited youth: WestCoast Children's Clinic and MISSEY (Motivating, Inspiring, and Supporting Sexually Exploited Youth); now, therefore be it

FURTHER RESOLVED: in alignment with Oakland's quest to abolish sexual exploitation of children and all human trafficking, the City of Oakland fully endorses S. 140, the Combat Human Trafficking Act of 2015 and urges its passage by the Congress of the United States of America.

IN COUNCIL, OAKLAND, CALIFORNIA,
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN

NOES –
ABSENT –
ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California

Item 7
Rules Committee
February 19



HUMAN RIGHTS PROJECT FOR GIRLS

The Honorable Dianne Feinstein
United States Senate
Washington, DC 20510

The Honorable Rob Portman
United States Senate
Washington, DC 20510

November 14, 2014

Dear Senators Feinstein and Portman:

We write to thank you for the introduction of the *Combat Human Trafficking Act of 2014* (the Act), that curtails the commercial sexual exploitation of children in the U.S. by instituting measures to hold buyers accountable for sex trafficking.

This vital legislation signals a true commitment to end child trafficking by acknowledging that the only way to stop the sale of children for sex is to end the demand of children for sex. Curbing demand requires ending the culture of impunity that allows buyers to purchase minors with little consequence.

Significantly, the Act expands prosecutors' ability to target buyers by holding individuals who pay to commit sex acts with children liable for sex trafficking under 18 U.S.C. §1591. In addition, this legislation protects child victims of human trafficking by modifying wiretapping provisions, enforcing victim's rights throughout all stages of a criminal case, and reducing the need for in-court testimony that is often re-traumatizing or endangering to victims. When victims' needs are prioritized, they are more willing to participate in prosecutions against their exploiters.

Finally, the Act requires the Bureau of Justice Statistics to collect information on arrests, prosecutions, convictions, and sentences for sex trafficking offenses in state court systems. Currently, there is very little data on the prosecution rate for buyers of sex acts. This data is critical to encourage states and local law enforcement agencies to implement demand-reduction strategies aimed at buyers.

Survivors of human trafficking consistently tell us that some of the most egregious violence they endure is from buyers. Until now, law enforcement efforts to address human trafficking have focused almost exclusively on the seller. This legislation responds to the realities expressed by these survivors, and strengthens law enforcement's ability to target the driving force behind the commercial sex trade of children.

As a human rights organization dedicated to protecting vulnerable young women and girls in the United States, we thank you for your leadership on this issue and we urge Congress to pass this critical piece of legislation.

Sincerely,

Human Rights Project for Girls
Washington, DC

Rights4Girls
1640 Rhode Island Ave., NW, Ste. 600
Washington, DC 20036
www.rights4girls.org



BONNIE M. DUMANIS
SAN DIEGO COUNTY DISTRICT ATTORNEY

March 2, 2015

Senator Dianne Feinstein
331 Hart Senate Office Building
Constitution Avenue & 2nd Street NE
Washington, DC 20510

RE: S. 140 --- COMBAT HUMAN TRAFFICKING ACT OF 2015 – SUPPORT

Dear Senator Feinstein:

The Office of the San Diego District Attorney supports Senate Bill 140, the "Combat Human Trafficking Act of 2015." Prevention and prosecution of this heinous crime is one of our office's top priorities. Due to our proximity to the Mexican border, we see first-hand the victims of this crime. Unfortunately, even more insidious than the "lone coyote" that brings the young girl across the border to sell is the network formed by our local street gangs that have made human trafficking one of their main criminal enterprises.

As you know, human trafficking is a \$32 billion criminal enterprise, making it the second largest criminal industry in the world behind the drug trade. According to the Department of Justice, 83 percent of sex trafficking victims in the United States are American citizens. Our office welcomes any and all help from the federal government to combat this increasing crime by local street gangs in our county. We know first-hand that our gangs recruit their young girls from our local schools. It wasn't that long ago, gangs were only interested in selling drugs and protecting their turf. Now, gangs realize that they sell the drugs only once, but with young girls and women the gangsters can sell the same "product" over and over again. We are now seeing rival gangs making alliances with each other to further advance their human trafficking illegal operations.

Senate Bill 140 attacks the crime of Human Trafficking directly by clarifying current law and codifying court decisions to make the conduct of buyers who "solicit" and "patronize" commercial sex with a child a crime of sex trafficking. This tactic is necessary. By directing the Department of Justice to ensure that federal law enforcement officers investigate and prosecute buyers of sex acts involving trafficking victims, Senate Bill 140 promotes enforcement of laws that fight the demand for sex trafficked children. It also ensures traffickers, facilitators and buyers who exploit children through sex trafficking are held strictly liable with respect to the minor's age. This bill will prohibit a mistake of age defense by defendants. Senate Bill 140 also helps those caught in this vicious cycle by making restitution an accessible remedy for sex trafficking victims by directing the Department of Justice and the Federal Judiciary to provide training to federal prosecutors and judges on seeking and ordering restitution for human trafficking victims.

Our office currently collects data on gang-related human trafficking cases. We believe the collection of data by the Bureau of Justice, as it relates to the crime of human trafficking, including the rates of arrest of individuals, the rates of prosecution and conviction, and finally the sentences imposed upon those

Senator Dianne Feinstein

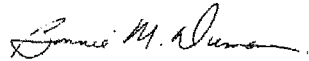
March 2, 2015

Page 2

convicted of human trafficking will provide us with additional database intelligence to help us combat this crime at the local level.

If there is anything you need from our office regarding human trafficking arrests, prosecutions or convictions, please contact our Legislative Director Gail Stewart at (619) 531-3790.
Thank you for your leadership in this area.

Sincerely,



BONNIE M. DUMANIS
San Diego County District Attorney

**STATEMENT OF LOS ANGELES COUNTY SHERIFF JIM McDONNELL
SENATE COMMITTEE ON THE JUDICIARY
FEBRUARY 24, 2015**

I appreciate the leadership of your Committee on the important issue of human trafficking and am submitting these remarks at the request of Senator Feinstein, in connection with the committee hearing to be held on February 24, 2015. Please do not hesitate to contact me if the Los Angeles Sheriff's Department can be of assistance in any way as your work continues.

For over three decades it has been my privilege to serve in law enforcement, protecting the residents of Los Angeles County -- at the Los Angeles Police Department, as Chief of the Long Beach Police Department and now as the new Sheriff of a County with over 10 million people.

Over these many years in policing, I have lived through the 1980s peak of gang violence and homicides, as well as the more recent historic crime lows. Political and law enforcement leaders have rightly taken some credit for how far we have come. Better policing, improved training and funding, and stronger community ties have all played a role in crime reduction. However, we must not allow our satisfaction with declining violent crime statistics to cause us to become complacent or to ignore serious crimes that may be flying below our radar.

It is my sense that today's street gangs have become more sophisticated about how they make their money. While they may be committing fewer murders or narcotics-related violent crimes, gangs have moved into human trafficking in a major way. Rather than sell narcotics, today's gang member has learned that he can run a "stable" of women to make money for him day after day, while taking very few risks himself. While some may believe that the individuals being sold are working by choice, we now know that many are victims or runaways, often as young as twelve years old. Most of the girls and boys working our streets are neither entrepreneurs nor criminals; they are victims of a modern day slavery.

Therefore, from a law enforcement perspective, I appreciate and support efforts by Congress, the Administration, and this Committee to strengthen the ability of law enforcement to crack down on all forms of trafficking and particularly the commercial sexual exploitation of children (CSEC).

These issues are of particular concern to California. As Senator Feinstein is well aware, of the nation's 13 High Intensity Child Prostitution areas identified by the Federal Bureau of Investigation (FBI), three of these -- Los Angeles, San Diego, and San Francisco -- are in our state.

I support the approach in pending legislation to amend the criminal code to strengthen the prosecution of those who are engaged in buying or selling individuals to be trafficked. It is vitally important that law enforcement have adequate tools and be able to work effectively with both federal and state prosecutorial offices to pursue those who make a living out of child sex trafficking. We must also have the tools to impact the demand side and deter individuals considering the purchase of young trafficked victims.

We need to enhance the ability of anti-trafficking task forces throughout the country to effectively target the demand that fuels the sex trafficking market and also help promote training of law enforcement officers and others in critically important areas including identifying victims and acts of child human trafficking and addressing the unique needs of child victims of human trafficking. Finally, all parts of the system must work together to provide justice for the victims of trafficking through much needed services and support (including increased compensation and restitution).

I know of at least two bills before this Committee that are in line with these approaches: Senator Feinstein's *Combat Human Trafficking Act* (S. 140) and Senator Cornyn's *Justice for Victims of Trafficking Act* (S. 178). I support these bills and hope that consideration of these measures will move forward.

For the larger counties such as Los Angeles, child sex trafficking is a problem that is not going away. In Los Angeles, our County departments and law enforcement agencies are endeavoring to work together to respond to the growing problem of trafficking and the sexual exploitation of children. We are crafting new approaches that better address the unique challenges these offenses pose.

One of our primary areas of focus has been on rehabilitating rather than punishing and detaining CSEC victims. We are helping sexually exploited children through a multi-agency team approach in a specialized juvenile court – called the “STAR” Court (Succeed Through Achievement and Resilience) – that avoids the typically adversarial nature of delinquency proceedings. County staff work to quickly move victims out of the juvenile justice system and coordinate with providers to offer needed services as well as increasing awareness and the identification of CSEC victims. Initiatives such as the STAR court have been funded through two grants awarded to the County's Juvenile Court and Probation Department by the State of California from its Federal Title II Juvenile Justice Formula Grant allocation. Yet this is only a single court that impacts a limited number of young trafficking victims.

What is really needed at the local level is enhanced funding. Several pieces of legislation, including the *Violence Against Women Act* enacted in 2013, authorized grants for local initiatives to combat trafficking. But funds are seldom appropriated for this purpose.

For example, in Fiscal Year 2015, Congress tripled the appropriation of Department of Justice (DOJ) funding for trafficking victim services programs from \$14.25 million to \$42.25 million, but there is currently no assurance that DOJ will provide any of this funding to local governments. At a minimum, we would request that DOJ set aside at least \$8 million of this funding for grants for local government initiatives that could be used to support more specialized courts such as the one in Los Angeles or for victim services provided by law enforcement, child welfare, or probation agencies. Funding could also be used to establish a Sex Trafficking Block Grant as authorized by the *Trafficking Victims Protection Act of 2000*, as amended.

There are a host of other areas where support for new strategies and approaches could help address and more effectively combat these horrific crimes. Those include:

- Support for local, regional and state partnerships to better address and dismantle criminal enterprises that cross jurisdictional lines;
- Enhanced law enforcement training and awareness of these issues and better strategies for how to deal with the young victims; and
- Proactive communications efforts that recognize the trafficked young people as victims and strongly discourage use of the “prostitution” label.

I also want to acknowledge the child welfare component of this issue. While reliable statistics are not readily available, studies have confirmed that children in the child welfare or foster care system are much more susceptible to being forced into the sex trafficking trade, which makes the need for new thinking, collaborative approaches and enhanced local funding even more acute.

A final area in which we need assistance is with the entertainment industry, which too often glamorizes in TV, film, music and video games the pimp lifestyle -- a lifestyle which is, by definition, the exploitation of women and young girls. As the Sheriff representing a County that includes the hub of the music and film industry, I intend to make changing this paradigm a priority. I welcome your help in this effort.

My thanks for your consideration of my views in regard to this vitally important area. I appreciate your ongoing commitment to improving public safety and enhancing the tools law enforcement has available in regard to this emerging criminal arena.

#ListenToSurvivors

February 23, 2015

Senator Chuck Grassley, Chair
U.S. Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, D.C. 20510-6050

Senator Patrick Leahy, Ranking Member
437 Russell Senate Office Building
Washington, DC 20510

Senator Diane Feinstein
331 Hart Senate Office Building
Washington, DC 20510

Senator John Cornyn
517 Hart Senate Office Building
Washington, DC 20510

Senator Amy Klobuchar
302 Hart Senate Office Building
Washington, DC 20510

Dear Senators Grassley, Leahy, Feinstein, Cornyn, and Klobuchar:

We write to you, the leaders of the U.S. Senate Judiciary Committee, and to three committee Senators who have been particularly sensitive to our (often ignored) perspective. **We write to you as survivors of sex trafficking and commercial sexual exploitation.** We write as survivors who know, profoundly and personally, the harm caused by this crime. And we write to you as survivor leaders of organizations trying to prevent sex trafficking before it victimizes others.

We write to express our support for legislation that makes progress in three essential areas:

1. **Identify new funding streams for victim services.** Current public budgets are stressed. Victims of sex trafficking typically suffer multiple harms, requiring a range of services from medical and psychological assistance to treatment for the drug and alcohol addiction that so often accompanies trafficking (addictions that make people vulnerable to trafficking; addictions that develop or worsen as people try to cope with the pain of this intimate form of abuse). We've been told by law enforcement in numerous jurisdictions that when services don't exist (mainly because they are expensive) there's a disincentive to enforcing anti-trafficking laws and identifying victims.

#ListenToSurvivors [cont.]

The *Justice for Victims of Trafficking Act* (JVTA), S 178, is innovative for creating a new fund to finance victim services—an essential goal. It also achieves a second principle we stand for: **Making sex buyers accountable for the harm they cause.**

2. **Prevent sex trafficking by targeting the buyers who create demand.** Logically, trafficking will never end until we shrink the demand that creates the market. People still in the life, still being exploited, sometimes avoid this conclusion because they see no other options but the cycle of violence in which they are trapped. We are strong witnesses to the necessity of making the buyers pay, to make the crime end.

Two bills in particular strength accountability in the sex trafficking legal regime: S178 and [Combat Human Trafficking Act of 2015](#), S140. By clarifying congressional intent that sex buyers be considered parties to the trafficking crime, by compelling the Department of Justice to incorporate training and technical assistance on investigating and prosecuting buyers in its anti-trafficking programming, and by making the crime more “costly,” we can finally begin to shrink its incidence.

3. **Treat victims as victims, not criminals, and let survivor voices inform anti-trafficking policy.** Two bills in particular recognize these realities: the [Stop Exploitation Through Trafficking Act](#), S159, which gives states incentives to approve “Safe Harbor” laws as well as job training options for victims and the [Survivors of Human Trafficking Empowerment Act](#), which creates a survivors-led U.S. Advisory Council on Human Trafficking to review federal policy and programs.

Other proposals may also make valuable contributions, but these are the three most important principles to incorporate in new legislative initiatives.

Thank you for your consideration. Please let us know if you have specific questions or would like more information on our program activities.

Sincerely,

Wendie Lazenko, **4her-North Dakota**, ND

Brooke Axtell, **Allies Against Slavery**, TX

Aliza Amar, **Breaking the Silence Together/Sole Sisters Project**, San Diego, CA

Vednita Carter, **Breaking Free**, St Paul, MN

Leah J. Albright-Byrd, Executive Director/Founder, **Bridget's Dream**, Sacramento, CA

Marian Hatcher, Human Trafficking Coordinator, **Cook County Sheriff's Office, SPACE International Member**, Chicago, IL

#ListenToSurvivors [cont.]

Tina Frundt, **Courtney's House**, Washington, DC

Cherie Jimenez, Founder, **Eva Center**, Boston, MA

D'Lita Miller, Founder/Executive Director, **Families Against Sex Trafficking**, Los Angeles, CA

Kathi Hardy, Founder/Executive Director, **Freedom From Exploitation**, San Diego, CA

Cheryl Briggs, Founder/President, **Mission at Serenity Ranch**, TX

Necole Daniels, **MISSEY, Inc.**, Oakland, CA

Dr. Brook Bello, **More Too Life**, FL

Nola Brantley, **Nola Brantley Speaks!** Oakland, CA

Rebecca Bender, **Rebecca Bender Ministries**, OR

Carissa Phelps, **Runaway Girl, Inc.**, CA

Natasha Falle, Co-Founder, **Sex Trade 101/Canada**

Bridget Perrier, Co-Founder, **Sex Trade 101/Canada**

Stella Marr, Survivor and a Founder, **Sex Trafficking Survivors United**, USA

Amy Green, **Survivors Consultation Network**, San Bernardino, CA

Rachel Thomas, **Sowers Education Group**, Los Angeles, CA

Autumn Burris, **Survivors for Solutions/SPACE Int'l Member**, San Diego, CA

Mark (Marq) Daniel Taylor, **The BUDDY House, Inc.**, GA

Tom Jones, Founder, **The H.O.P.E. Project for Male Survivors**, San Diego, CA

Kristy Childs, **Veronica's Voice, Inc.**, Kansas City, MO

Jeanette Westbrook, **MSSW, Women Graduates- USA/SPACE Int'l Member**, KY

Beth Jacobs, Founder, **Willow Way/Policy Chair, National Survivor Network**, Tuscan, AZ



Hearing: Human Trafficking: Protecting the Victim

Written Testimony for the Senate Judiciary Committee

United States Senate

February 21, 2014

Richa Mathur, Policy Research Associate and Program Manager

First Focus

1110 Vermont Avenue, NW Suite 900

Phone: (202) 999-4852

Email: richam@firstfocus.net or call (202) 999-4852

First Focus Campaign For Children Comments for the Record



Chairman Grassley, Ranking Member Leahy and Members of the Committee, we thank you for the opportunity to submit this statement on the record for this hearing to consider how best to protect victims of domestic human trafficking.

The First Focus Campaign for Children is a bipartisan advocacy organization dedicated to making children and families a priority in federal policy and budget decisions. As an organization dedicated to promoting the safety and well-being of all children in the United States, we urge Congress to pass legislation that provides services and supports to victims who have been trafficked and takes action to prevent the exploitation of vulnerable populations of children. We are encouraged by legislation introduced and recommend that the Committee consider the following:

- Ensure **all** states pass Safe Harbor Legislation so no child is criminalized for prostitution;
- Require the expungement of child prostitution criminal records;
- Increase penalties against buyers as well as traffickers;
- Provide resources for increasing housing and shelter capacity for trafficked youth;
- Include the pervasiveness of foster children, children with histories of abuse, homeless, LGBTQ and tribal youth in trafficking trainings for law enforcement and courts, and
- Increase resources available to service providers to ensure rehabilitation of trafficked youth

Who are the children being trafficked?

Youth in Foster Care

A high correlation exists between children and youth who are currently or formerly in foster care and victims of sex trafficking.¹ National data on this topic is far from comprehensive, but studies at the local level show that there is a high incidence of trafficked children and youth being part of or previously involved with the child welfare system. A study by the Department of Children and Families in Connecticut found that out of the 88 children identified as sex trafficking victims, 86 had been involved with child welfare services prior to being trafficked. The Los Angeles Probation Department also found that sex trafficking disproportionately affects children and youth in foster care, with nearly 60 percent of minors arrested on prostitution-related charges coming from the foster care system.² In northern California, Alameda County reported that 41 percent of 267 victims identified were at one time part of the foster care system. Finally, a New York state study showed that up to 85 percent of trafficking victims had prior child welfare involvement.³

Pimps recognize that children and youth in or transitioning out of foster care have vulnerabilities that make them easy prey. Reports indicate that pimps will recruit children and youth near group homes, at bus stops, malls, and other places that young people frequent.⁴ Remarkably, some young trafficked girls are sent into shelters to recruit other girls for a pimp.⁵ They will take advantage of a young person's low self-esteem and history of abuse, neglect, and rejection to make trafficking seem appealing and stable. Pimps also recruit children and youth at a young age, so that they can groom them and create a relationship in which the child feels indebted to the pimp.

Children with a History of Abuse

Another group of children and youth who have are often targeted are those with a history of child abuse, which includes mental, physical, and sexual abuse.⁶ Often children and youth who are abused in the home suffer from psychological issues that draw them to, or make them susceptible to traffickers. Abused children and youth may experience feelings of betrayal, powerlessness, traumatic sexualization, and stigmatization.⁷ In



addition, they may link the experience of receiving affection with performing sexual acts if a particular trafficker abused them over a significant period of time.⁸ Childhood trauma related to abuse also makes this group more likely to be exploited for sex later on in life. A study found that victims of child abuse were 28 times more likely to be arrested for prostitution compared to their peers.⁹

In addition to trauma due to sexual abuse, trafficked children and youth will often form emotional bonds with their trafficker, making it difficult to realize when they are being exploited. Victims may make progress in rehabilitating their lives, only to leave their support system to go back to their abuser. Researchers have identified this positive feeling by a victim towards an abuser as Stockholm syndrome and have found that trafficked children and youth often display its characteristics.¹⁰ This behavior serves as a coping measure for those who cannot mentally process the trauma they are experiencing.¹¹ As a result, children and youth may feel compelled to return to their trafficker and can be a flight risk when placed in shelters or group homes, because they feel a sense of belonging and attachment to their abuser.¹²

Homeless Youth and Runaways

Homeless youth and runaway children are especially susceptible to being trafficked. On the streets, traffickers may target these youth, because they are less likely to get caught, as no one is looking out for their protection and best interest. In addition, traffickers may also appeal to homeless or runaway children and youth, because they know they are desperate to have their basic needs met including housing and food. The exchange of sex for services, known as survival-sex, can be difficult to account for because on the surface it can appear to be a consensual relationship.

Tribal Youth

American Indian/Alaska Native (AI/AN) children and youth are five times more likely than their peers to be victims of sex trafficking. In 2009, 32.4 percent of AI/AN children and youth lived in poverty.¹³ As a result, this group is particularly susceptible to trafficking.¹⁴ One factor that distinguishes AI/AN children and youth is the high propensity of sexual violence on tribal lands. AI/AN women are 2.5 times more likely to experience sexually violent crimes than other races.¹⁵ This is in part because, until recently, tribal courts lacked jurisdiction to prosecute non-Indian perpetrators and had to rely on federal authorities such as the Federal Bureau of Investigation (FBI) to prosecute.¹⁶ According to a report examining AI/AN trafficking in Oregon:

“Traffickers were most frequently identified as non-Native “intimate partners” or men with whom young women are engaged in a sexual relationship, who initially gain the victim’s trust and dependence by providing emotional and economic security, only to pimp them out to friends and other acquaintances.”¹⁷

What Services Do Victims Need?

Once identified, the services that a trafficked child or youth needs varies based on that individual’s unique set of circumstances.

Housing

One urgent need of victims of child sex trafficking is housing. Currently, there are limited shelters and homes for victims of trafficking and what is available is focused on housing females. However, evidence suggests boys and transgender youth also need these services.¹⁸ A New York City study found that 45% of exploited children and youth were male and 8% were transgender, highlighting that solutions cannot only be framed



around females.¹⁹ Service providers continue to face challenges in safely housing children and youth in gender and age appropriate settings. There is also the need for facilities to provide housing capacities for an extended period of time, so that caseworkers can provide consistent services and can build a relationship with victims to provide the necessary therapy for rehabilitation. Gaining the trust of the victims and seeing positive outcomes from treatment can take several months and should be taken into account when service providers and agency workers make plans to address the needs of trafficked victims.²⁰

Medical and Mental Health Treatment:

Another key component in providing the necessary services for sexually trafficked children and youth is access to medical care and mental health treatment. Medical services include treatment for physical trauma, including fractures, bruises, contusions and burns; and reproductive issues, such as sexually transmitted diseases, pregnancy and abortion-related complications, and vaginal and cervical infections.²¹ Victims may also require mental health treatments if they suffer from anxiety, panic disorder, post-traumatic stress disorder, major depression, substance abuse, and eating disorders.²² Currently, there are large gaps in access to services. Even when a child is reported or placed by child protective services in a foster home, mental health services may not be provided if someone other than the parent of the child committed the abuse.²³ Trafficked victims may be eligible for Medicaid but they must meet the state eligibility categories and may have a difficult time navigating the benefits without assistance from a legal professional or social worker.

Legal Assistance:

A common point of entry for trafficked children and youth is through the juvenile justice system. Victims of sexual exploitation often find themselves prosecuted for prostitution, substance abuse and possession, and other criminal actions. While states are slowly recognizing and passing Safe Harbor laws that children and youth who are sexually exploited should not be treated as criminals, minors in juvenile court may not be properly screened and identified as victims of sex trafficking. In addition, attorneys can help expunge prostitution records in states that have vacatur laws.²⁴ Collaboration between the legal system and child welfare can increase awareness and resources for service providers. Legal professionals who work with juveniles should be trained to identify trafficked children and youth and given training and information on housing, medical treatments, transportation, and employment opportunities that are available for victims.²⁵

Trauma-Informed Rehabilitation:

Best practices in the field indicate that consistent case management leads to successful outcomes, as it takes time for exploited children and youth to trust case managers and benefit from therapy. Victims of trafficking also report that having mentors to help them through the rehabilitative process can be extremely beneficial because it is easier to talk to and trust someone who has been through the same kind of trauma. In addition, providers can engage victims in therapy program activities focused on building self-esteem and empowering victims with educational and work opportunities. These therapies can involve art, journaling, music, yoga, outdoor activities, and other self-soothing methods.²⁶ Service providers could also provide life skills training such as financial management and interview techniques. These initiatives can help children and youth gain self-confidence in their skills, promote normalcy, and ultimately lay a foundation for self-sufficiency.

Legislation Under Consideration by the Senate

We are encouraged by the Committee's consideration of the Justice for Victims of Trafficking Act (S.178), the Stop Exploitation Through Trafficking Act (S.166) and the Runaway and Homeless Youth and Trafficking Prevention Act (S. 262) and wholeheartedly support these bills, each of which aim to address some of the critical gaps in providing services to victims.



Specifically, The Runaway and Homeless Youth and Trafficking Prevention Act (S. 262) would track the demographics of trafficked youth, extend the amount of time youth can spend in shelters from 21-30 days and provides job attainment, physical, mental health and suicide prevention services for people in transitional living programs. Importantly, it also provides grants to develop programs using best practices for serving trafficked youth. While this is a vital step, it should be recognized that current shelter capacity is not meeting the needs of the homeless youth and these youth will continue to be at risk of trafficking until they each have a safe and stable place to go.

The Justice for Victims of Trafficking Act (S.178) provides resources for law enforcement working on finding and charging traffickers and buyers. The bill importantly engages the courts in a more meaningful way to facilitate the rehabilitation of trafficked youth by establishing and enhancing training for judges, development of state-administered programs including: life skills training, job placement and educational services and centralized case management and overall collaboration between law enforcement agencies and service provider. It also enhances resources for law enforcement to investigate trafficking cases and reduce the demand of trafficking. This bill has the potential to create many additional avenues for victims to obtain services for rehabilitation.

Finally, the Stop Exploitation Through Trafficking Act (S.166) incentivizes states to pass Safe Harbor laws so that trafficked youth are not treated as criminals and instead referred to appropriate service providers. It also establishes a National Human Trafficking Hotline and expands Job Corps eligibility to include trafficking victims. This bill is vital in ensuring that youth are not criminalized and have access to services and supports. It is our hope that legislation can ensure the passage of safe harbor legislation in all states so no child is penalized for being exploited and laws are consistent with regards to victims across the United States.

We thank you for the opportunity to submit this written testimony. We look forward to working with you as we continue to work towards ending trafficking in the United States and rehabilitating the lives of trafficking victims. Should there be any questions regarding this statement, please contact Richa Mathur, Policy Research Associate and Program Management, at 202-999-4852 or richam@firstfocus.net.

¹ U.S. Health and Human Services, Administration on Children, Youth and Families, Children's Bureau *Guidance to States and Services on Addressing Human Trafficking of Children and Youth in the United States*, pg.2, 3 (Sept. 13, 2013). [herein as "ACYF guidance"] http://www.acluhhs.gov/sites/default/files/eh/acyf_human_trafficking_guidance.pdf.

² *Id.* p. 3.

³ House Ways and Means Hearing on "Protecting Vulnerable Children: Preventing & Addressing Sex Trafficking of Youth in Foster Care" Representative Louise M. Slaughter Human Resources Subcommittee Testimony October 23, 2013. http://waysandmeans.house.gov/uploadedfiles/representative_slaughter_testimony_hr102313.pdf.

⁴ ACYF guidance pg. 4.

⁵ Finding a Path to Recovery, Pg.2.

⁶ Heather Clawson, Nicole Dutch, Amy Solomon and Lisa Goldblatt Grace, *Human Trafficking Into and Within the United States: A Review of the Literature*, pg. 7 (August 2009).

⁷ David Finkelhor and Angela Browne, *The Traumatic Impact of Child Sexual Abuse: A Conceptualization* pg. 1 (October, 1985). Available at: <http://lib.ilstu.edu/mjreese/psy351/CSA%20articles/Finkelhor%20and%20Browne%201985.pdf>.

⁸ *Id.* p. 6.

⁹ Kate Walker, California Child Welfare Council, *Ending the Commercial Sexual Exploitation of Children: A Call for Multi-System Collaboration in California*, pg. 18 (2013). Available at http://www.youthlaw.org/files/dmuni/nyl/youthlaw_publications/Ending-CSEC-A-Call-for-Multi-System-Collaboration-in-CA.pdf.

¹⁰ *Id.* p. 25.

¹¹ Chris Cauter and John Pice, *Traumatic entrapment, appeasement and complex post-traumatic stress disorder: evolutionary perspective of hostage reactions, domestic abuse and the Stockholm syndrome*, pg. 379 (2007) Available at <http://www.pdf-archive.com/2011/10/26/entrapment/entrapment.pdf>.



- ¹⁷ Heather Clawson and Lisa Goldblatt Grace, *Finding a Path to Recovery: Residential Facilities for Minor Victims of Domestic Sex Trafficking*, pg. 3 (Sept. 2007) [herein "Finding a Path to Recovery"].
- ¹⁸ Aspen Institute, *Fast Facts on Native American Youth and Indian Country* (Sept. 2013), Available at <http://www.aspeninstitute.org/sites/default/files/content/images/Fast%20Facts.pdf>.
- ¹⁹ Suzanne Keopplinger, *Sex Trafficking of American Indian Women and Girls in Minnesota*, pg. 130, University of St. Thomas Law Journal, Vol. 6, Iss. 1, Article 9. Available at: <http://icstthomas.edu/ustlj/vol6/iss1/9>.
- ²⁰ Patricia Tjaden and Nancy Thoennes, *Full Report of the Prevalence, Incidence, and Consequences of Violence Against Women*, pg. 23. Available at <https://www.ncjrs.gov/pdffiles1/nij/183781.pdf>.
- ²¹ Bureau of Justice Statistics, "A BJS Statistical Profile 1992-2001: American Indians and Crime."
- ²² Hayley Weedn, Joseph Scovel, and Jason Juran, *Human Trafficking and Native Peoples in Oregon: A Human Right Report*, pg. 51 (May 3, 2014).
- ²³ *Finding a Path to Recovery*, pg. 1.
- ²⁴ Ric Curtis, Karen Terry, Mercedes Dank, Kirk Dombrowski, Bilal Khan, Amy Muslim, Melissa Labriola, and Michael Rempel, Centers for Court Innovation, *The Commercial Exploitation of Children on New York City, Executive Summary*, pg. 5 (September 2008).
- ²⁵ *Id.* Pg. 4.
- ²⁶ Isaac, Reena; Solak, Jennifer and Giardino, Angelo P. (2011) *Health Care Providers' Training Needs Related to Human Trafficking: Maximizing the Opportunity to Effectively Screen and Intervene*, "Journal of Applied Research on Children: Informing Policy for Children at Risk" Vol. 2, Iss. 1, Article 8. Available at: <http://digitalcommons.library.tmc.edu/childrenatrisk/vol2/iss1/8>.
- ²⁷ Heather Clawson, Amy Salomon, Lisa Goldblatt Grace, *Treating the Hidden Wounds: Trauma Treatment and Mental Health Recovery for Victims of Human Trafficking*, pg. 1, (March 2008) [herein "Treating the Hidden Wounds"].
- ²⁸ *Id.* 3.
- ²⁹ Johnson, C. (2015, February 24) Little-Known Laws Help Sex Trafficking Victims Clear Criminal Records.
- ³⁰ ACYF Guidance pg. 34.
- ³¹ *Treating the Hidden Wounds*, pg. 7.



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ATEST Commends Senate Efforts to Prevent Human Trafficking

Washington, DC—The Alliance to End Slavery and Trafficking commends the Senate Judiciary Committee for holding yesterday's hearing, "Human Trafficking in the United States: Protecting the Victims." This important event highlighted the necessity of services for all victims of trafficking and pointed to specific policies to help prevent vulnerable youth from being trafficked in the first place.

"ATEST stands with all twenty women of the Senate who requested this hearing, four of whom testified before the Senate Judiciary Committee in a powerful demonstration of leadership on human trafficking," said Melysa Sperber, Director of ATEST. "We have to stop treating victims of human trafficking as criminals, and we must ensure that services are in place so that survivors do not return to exploitative or vulnerable situations. We urge Congress to prioritize youth homelessness and other policy solutions that will help prevent trafficking in the first place."

The Judiciary Committee is considering several bills that address human trafficking. ATEST supports the *Justice for Victims of Trafficking Act* (JVTA), introduced by Sen. John Cornyn (R-TX), which would strengthen victims' access to restitution, expand training for law enforcement, and improve data collection on human trafficking. The JVTA also includes the *Survivors of Human Trafficking Empowerment Act*, which creates a council of survivors to advise the federal government on anti-trafficking policy.

ATEST also supports the *Runaway and Homeless Youth and Trafficking Prevention Act* (RHYTPA) introduced by Senators Patrick Leahy (D-VT) and Susan Collins (R-ME).

"ATEST believes this piece of legislation can save lives and prevent the trafficking of some of our nation's most vulnerable youth. We hope the Committee considers RHYTPA at the earliest time in the appropriate form," said Sperber.

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About ATEST

The Alliance to End Slavery and Trafficking (ATEST) is a U.S.-based coalition that advocates for solutions to prevent and end all forms of human trafficking and modern slavery around the world. We advocate for lasting solutions to prevent labor and sex trafficking, hold perpetrators accountable, ensure justice for victims and empower survivors with tools for recovery. Learn more at <http://www.endslaveryandtrafficking.org/>

Written Statement of
David Stacy
Government Affairs Director
Human Rights Campaign

To the
Committee on the Judiciary
United States Senate
Human Trafficking in the United States: Protecting the Victims
February 24, 2015

Mr. Chairman and Members of the Committee:

My name is David Stacy, and I am the Government Affairs Director for the Human Rights Campaign, America's largest civil rights organization working to achieve lesbian, gay, bisexual, and transgender (LGBT) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all. On behalf of our 1.5 million members and supporters nationwide, I am honored to submit this statement into the record for this important hearing. We applaud the Committee's efforts to engage this critical issue and to acknowledge the federal government's responsibility to take steps to both respond to and prevent human trafficking.

Increased incidence of homelessness and family rejection make LGBT individuals – especially youth— particularly vulnerable to trafficking. In fact, 10 percent of all trafficking victims identify as LGBT. According to the Department of Health and Human Services Administration for Children and Families, one in four LGBT youth is rejected by their families because of their sexual orientation or gender identity. Due to this rejection, many LGBT youth find themselves homeless and living on the streets. Recent studies have shown that LGBT youth account for up to 40 percent of the runaway and homeless youth population. Once on the street, these youth are targeted for exploitation and trafficking.

Preventing homelessness and getting youth off the street is a critical step towards ending trafficking. To that end, we urge you to include the Runaway and Homeless Youth and Trafficking Prevention Act (RHYTPA) in any legislative package combatting human trafficking. RHYTPA would reauthorize Runaway and Homeless Youth Programs, which provide vital funding for support systems that serve youth who become homeless. The programs funded by the act – including emergency shelters, street outreach, transitional living, and assistance for homeless youth in rural areas – can serve as critical, final safety nets for youth who would otherwise become victims of trafficking.

According to the American Bar Association, for LGBT people who are trafficked, the societal stigma around their sexual orientation or gender identity is an additional factor that prevents them from accessing help or reporting abuse. RHYTPA provides important protections against discrimination for LGBT youth by prohibiting any program funded by the Runaway and Homeless Youth Act from discriminating on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability.

RHYTPA is a powerful tool to prevent homelessness and end trafficking. We urge you to include RHYTPA in any legislative package combatting human trafficking. All of our youth are counting on us.

