

# **THE URGENT NEED FOR STATES' LEGISLATIVE REFORM ON THE ISSUE OF HUMAN TRAFFICKING: OBSERVATIONS AND SUGGESTIONS FOR CHANGE**

written and presented by Mira Sorvino to the NCSL

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Good Morning, and thank you so much to Jennifer Arguinzoni and the organizers of the NCSL, and to Amy O'Neill Richard of the State Department, for making it possible for me to be here today, In addition I wish to thank Polaris and ECPAT for many of their invaluable contributions to my research, and to Ambassador Luis CdeBaca for suggesting we address you all in the first place.

Ladies and Gentleman, I must confess, I feel an unaccustomed nervousness today, addressing you all. I have examined it in myself and realize that it is because I believe that everyone in this room has the true power to turn the tide in the war on modern-day slavery, otherwise known as Human Trafficking. Because in this great nation, each state has been given the awesome power and responsibility to write its own laws, which govern the day to day operation of law enforcement, the judicial system, and the social services afforded its citizens. All of these areas, if brought up to date with the United Nations Palermo Protocol and the Federal Trafficking Victims Protection Act, have the power to discover thousands if not hundreds of thousands of trafficking victims within our borders, to punish the evil perpetrators profiting from the sale of human beings, and to save and uplift the lives of those currently living under the yoke of slavery. And all of you here have the power to make these changes. So, considering all the heartbreaking testimonies I have gathered from victims of human trafficking, beautiful souls due all the life, liberty and the pursuit of happiness this country promises, I feel I stand here with a grave responsibility to them, and a great, hopeful, nervous excitement that all of you may be the ones finally to get the ball truly rolling in this country, to once again rid ourselves of slavery.

I go all around the world as the United Nations Office on Drugs and Crime's Goodwill Ambassador to Combat Human Trafficking, and I have interviewed many, many survivors of Human Trafficking, both abroad and on our shores, as well as government officials, NGO workers who provide vital services to survivors, members of law enforcement, and even a trafficker himself. And I have found that their experiences

and wisdom apply not only in the country where they live, but everywhere, because this pernicious trade of human beings is similar in form and the brutal human toll it takes in all locales.

This burgeoning business affects every country in the world, reaps 32 Billion dollars a year, and has now surpassed the trade of illegal arms to be the second most profitable criminal enterprise, preceded only by the sale of illegal drugs. Yet sadly, our and every other nation's assignment of priority to battling this ruthless scourge has thus far been fairly low, if judged by our discovery of victims, convictions of traffickers, or overall money spent. Consider this: Every month, the U.S. spends more on the War on Drugs than all the total budget ever expended fighting Human Trafficking since we designated it a crime over ten years ago! Or to put it another way, the US govt.'s expenditure of 200 Billion dollars a year during the Iraq War comes out to a per capita expenditure of \$7,700 per Iraqi, compared to the \$22 spent annually by the U.S. per slave, globally. As Siddarth Kara asks in his book on sex trafficking, "Is democracy in Iraq worth three hundred and thirty times more per person than fighting slavery?" I am not suggesting that these other causes are not worthy, just that the millions of human beings living in abysmal conditions rife with the threat of violence and rape and little hope for escape need their champions, too. Few see them, few have met them, but they are all around us: their hands make many of the goods we enjoy, and their young bodies are bought and sold to unscrupulous pursuers of pleasure. Their misery is the silent echo to our lives lived out loud in the sunshine.

And you may be surprised to learn that contrary to popular misconception, in the U.S., we have at least as large if not a larger population of our own citizens, our own domestic children and teenagers, as we do foreign nationals brought in as trafficking victims, to the tune of 100-300,000 minors trafficked for commercial sexual exploitation each year! This is in our own back yard, and our own children desperately need our help with state and local laws that will save, protect and rehabilitate them.

This is one of the reasons I am here. I lecture other governments on how to step up their game fighting trafficking, and then came to understand how our state legislation is often incomplete and lags behind our nationally professed federal paradigm and protocol as expressed by the TVPA.

**Don't get me wrong: Human Trafficking, the latest incarnation of slavery, is a relatively new concept, and I want to applaud the many of you legislators who have already brought great statutes to your individual states. Abraham Lincoln did not set out to be an abolitionist, and I'm sure neither did you all. But just as the times he lived in demanded his moral education and decisive action, so these times do ours. We must act in concert now, swiftly and as one, with a uniformity to respond to this crime and the concomitant needs of its victims. This will require most states to add several elements to their existing anti-trafficking laws, and a few to create comprehensive legislation where little or none exists thus far to fight this scourge. In addition, most (44) will need to institute a robust Safe Harbor Law, crucial to shattering the archaic public and law enforcement lens that perceives children under the age of 18 trafficked for sexual exploitation as criminals guilty of the crime of prostitution. It defines them instead as victims of the severest form of human trafficking, in accordance with the TVPA, and gives them crucial social services necessary to reassume their rightful place in society, with a background unmarred by a criminal record.**

**Let me now share with you some of the stories of the people who inhabit this unseen world.**

**Consider the business model of a Spanish sex trafficker who operated in Barcelona, and how he regarded his "product."**

**"I trafficked 2117 Columbianas, 311 Brasilenas, and 19 Venezuelanas, into prostitution... A woman today... is an object, a piece of mercantile goods. (picks up the empty coke bottle on the table, moves it slightly.) We take (the money) from her... We just threaten them, through their children, the family, and they work by force.**

**We trick them. In their countries we make them sign a series of very compromising papers, which in reality are worth nothing, nada. They think we are as violent as those in the drug trafficking business. We make them think this, so that we can control them. In reality...(most) knew perfectly well what was coming. But, with a difference. They weren't tricked in the hour of coming, because they knew what they were going to do. The trick was when they came here, we lied to them about the debt in a contract, about the costs of the voyage, etc., which all told, at the maximum, cost 1000 Euros; to them that sum was inflated to 6**

thousand Euros or 6 thousand dollars. What happened was when they got here the debt was inflated, with clothes, fines that the women had to pay for working in the club, all for nothing. For nada. All fiction. They accepted it all, that they had to pay for what I just said. We made up a fictitious role to their faces that we were really bad, muy malo, we postured as really evil guys, pure theatre, (mucho teatro). And since they came from one of those countries where there really are really bad guys that they know, they know violence, so because of this we don't have to do much. In their home countries, it is their own mothers, their very own mothers, who present them to us to be trafficked. The life of poverty, la vida de la povressa, si, si., their own mothers. Without a problem, not one, there they sell us their daughters because they want to make money quickly, not easily, but quickly. And it is true that in general when they pay off their debt, we let them go free. In general. But in reality, the debt never ends, and after a few years, the girls go crazy."

When I pushed him on the posture that he and his crew were not so violent, he admitted that when a girl runs away, "an example has to be made..." and then he made this motion, (Slicing off of fingers). Other scenarios he ultimately took credit for revealed arson and murder.

His story underscores the vulnerability of people living in economic desperation to being trafficked. It also must be seen as an exemplar of the fact that regardless of whether the person supposedly knew what kind of services they would be asked to provide (including the expectation of sexual services), the reality upon arrival, with little or no pay, brutally violent treatment, and no way out is the part of it that constitutes human trafficking. It is universal law that no individuals may knowingly sell themselves into slavery or peonage, and that is what happens every day to people who believe they are building towards a better future. As the head of Interpol Europe stated at the Luxor Forum to Fight Human Trafficking, "If the individual can't walk away without harm to him or herself or the threat of harm to his or her loved ones, it's trafficking."

And yet many cannot understand the ropes that bind these modern-day slaves to their traffickers, because they are invisible. As Police Chief Nicholas Sensley, of the Truckee, California Police Dept. and leader of an anti-trafficking task force described, many do not understand the concept that some trafficking victims seem to be free, i.e., with no

physical shackles binding them, so why don't they run away? He then described that an underage local girl who was trafficked by a pimp was forced to run in the park each morning to keep up her figure, and that her path took her quite close to a police station, but her fear of the trafficker was so great, it took her years to get up the courage to enter. The psychological trauma these victims undergo is so severe, that two thirds of sexually trafficked women and girls suffer from Post Traumatic Stress Disorder, according to a report by ECPAT.

One of the first victims I ever met, Maria, back in 2006, was also the first documented trafficking victim in the U.S.. Her story demonstrates many of the salient features present in so many trafficking cases across the globe. At 16, she had come to visit family in California from a South American country. An adult approached her on the street and offered her a job cleaning house for a neighborhood man. She told her not to tell her family, for a happy surprise. She arrived at the man's house: once inside she was brutally beaten and raped. The woman had sold her to him as a domestic and sex slave for 200 dollars. (It should be noted that as in Maria's case, a foreign national does not have to be moved across borders to satisfy the definition of having been trafficked: often they are plucked by the savvy recruiters upon arrival.)

For years he kept her in his house, living in a room surrounded by jars of ground substances and bones, and an altar of Jesus upside down. He intimidated her by encircling her with candles on the floor and invoking the devil: he was known locally as a powerful "brujo", or witch. Eventually he put her to work in a factory that built speakers and took all her earnings.

Twice policemen came to the door investigating tips from neighbors, but she assured them that nothing was wrong, because as the officers stood at the door, her trafficker stood four feet away from her mouthing the words "I will kill your brother." She had lost all hope, and when he kept saying he wanted to kill her, she would beg him to make good on it, to put her out of her misery, but he wouldn't. She said, "I had everything ripped from me. I was raped physically, spiritually... My family was all I had. I had nothing in this world, except to stay and endure this so I could keep my brother alive. It was all I had left to give."

So perversely the victims of trafficking are so beaten down that they become a sort of party to their own enslavement. Now the incident described with the police at the door highlights what has become a crucial key to fighting trafficking in every locale on the globe. The young officer had not received any specialized training to understand the crime of trafficking, nor telltale signs that could identify victims. Time and time again vital opportunities to identify and save victims are lost, all due to inappropriate handling by people who come in contact with them. Suspected victims must be brought to a safe place, separated from their suspected traffickers, given time to reflect (which is codified into something known as the period of reflection which has been made law in many countries) and someone who speaks their language to conduct the interview. If possible a case worker from a specialized NGO that deals with trafficking victims should be present to assist. Only in such an atmosphere can a person who has been so abused begin to feel safe enough to tell the truth.

In every country that the UNODC works with, specific training courses in Human Trafficking for police, prosecutors and judges have yielded dramatic increases in the number of victims discovered, traffickers arrested, prosecuted and convicted. This is a vital part of any state law designed to combat trafficking. Chief Senslee describes how one 8 hour training course broke an entire case for the joint local and federal task force. He said, "A line officer, after one day of training, took one piece of information, fed it into the system; collated and deconflicted it was very useful to the investigative process." Sadly, a recent report indicates that only 10 percent of U.S. police stations have any training or protocol on how to deal with trafficking at all.

In addition to those for law enforcement, prosecutorial and judicial personnel, state laws should mandate Human Trafficking training courses for anyone who could be the first and sometimes only point of contact for victims surfacing: airline personnel, teachers and school administrators, as well as those working in the hotel industry, emergency room and medical personnel, and last but not least all those working in the state's social services department. Far too often trafficking is not even a box to be ticked when assessing possible abuse and neglect of children, unless the traffickers are the parents themselves, and whole generations of trafficking victims grow up unaided by the agencies that should be their safety net.

**This extends to Foster Care reform, because not only are foster parents not catching the signs of when a minor may be being trafficked, but neglectful and abusive foster homes frequently lead children to run away, “Better the devil I don’t know than the one at home,” all too often straight into the arms of a trafficker: NISMART (National Incidence Studies of Missing, Abducted, Runaway and Thrownaway Children) estimates that nationally 450,000 children run away from home each year and that one out of every three teens on the street will be lured toward prostitution with 48 hours of leaving home. (source, ECPAT)**

**In many cases the traffickers have inculcated in their victims a fear of the police. If they are foreign-born, this has usually been magnified by the traffickers’ withholding of their passports, real or falsified, and threatening them with turning them into the police if they run away or don’t perform their duties to satisfaction.**

**Another woman I interviewed, Flor, was trafficked in from Mexico to California, ostensibly to do highly paid seamstress work: she had her papers confiscated as she was thrown into a locked-down dressmaking sweatshop, where she was made to work 7 days a week, barely fed, not allowed to use electricity at night or water to bathe herself. The woman told her, “If you run away, the police will catch you. They will lock you up and throw away the key. In this country you are lower than a dog. People here care about animals; they have whole societies devoted to them. No one here cares about you.”**

**Laws against this passport extortion have already been put into the penal code in some of your states: a good one to look at is Oklahoma SB22258 (2010). It belongs in any comprehensive piece of anti-trafficking legislation, because it is a standard weapon in the traffickers’ armamentarium.**

**Thank goodness Flor had the will to find a way to escape, and with the help of an amazing NGO, has educated herself and become a tireless advocate for human trafficking victims, showing what partnership with a strong trafficking specific aid group can do. Connecticut’s SB1500A (2007) mandates that the Office of Victim Services in the Judicial Dept. must contract with specialized NGOs to develop a coordinated response system to assist victims of human trafficking. In my work with UNODC**

I have seen that it is absolutely crucial for the long-term well-being of the victims as well as the successful trial and conviction of the traffickers that government and law enforcement agencies work hand in hand with a victim-oriented NGO. Without the continual personal involvement of NGO staff with the survivors, there is an enormous chance of his or her slipping through the cracks and back into the clutches of the trafficker in a matter of days. In addition their assistance throughout the trial period often means the difference between a courageous testimony that puts the perpetrator behind bars, and either a no-show or a perjured recantation of the original testimony out of fear of the trafficker.

Unfortunately, the woman who had trafficked Flor only received *one year's* house arrest, and was soon back on the road, trying to bribe Flor's family to give up her whereabouts, and was undoubtedly scrounging up new recruits.

This is where the state laws need to be strengthened, upping the penalties for such terrible crimes, so that traffickers suffer great loss when they get caught. The criminal codes should be given teeth so the crime of human trafficking and or the knowing involvement of anyone benefitting from that trafficking should be considered a class A or first degree felony and should have sentences of 20 or 30 years to life. Sex traffickers of minors should be in my opinion registered as sex offenders, and their emails and any online identifiers must be registered with the state, as in Colorado HB 1326(2007). Oklahoma's HB 2983(2010) includes Human Trafficking in some of the anti-terrorism and racketeering legislation involving illegal gains, transactions and electronic transfers of funds. I would like to see legislation even further expanding the wire-tapping capacities of anti-trafficking investigations, and the use of extant racketeering protocols to cover all members of trafficking operations, so they can be brought down as a group all at once.

In addition, new legislation should be developed to cover the rapid expansion of the sale of minors for sex acts over the internet, and their inducement into sexually explicit performances. Horrendously, we here in the US produce fifty percent of the world's kiddie porn, and if the initial violation of the depicted child isn't enough, as an attorney general recently said, "Live videos of child rape, often violent, very graphic, exist on the web. People who repeatedly view these images become

**desensitized. They lose their moral compass, and are more likely to act out with minors without compunction."**

**Victims should not live in continued fear of their former enslavers, or if they do, should be allowed enrollment in witness protection, or as Oregon SB 839 (2009) has it, at least be eligible for the Address Confidentiality program, similar to that provided victims of Domestic Violence.**

**The traffickers should be forced to pay restitution to the victims: I like Florida SB250 (2006) which provides that victims can receive up to three times the value of their services and lost wages as restitution. They also should be paid damages. Each person trafficked should constitute a separate offense. The perpetrators should be subject to all asset freeze and forfeiture just as drug dealers are. The victims should be eligible for crime victim's compensation, as well as being empowered to seek civil remedies; currently 40 states lack the latter legislation.**

**Increasingly, organized crime groups and gangs that formerly dealt exclusively in narcotics are turning to the trade in human people, because the risks are lower, and the product and his or her services can be sold over and over again, unlike a kilo of cocaine, which can be sold only once. Satellite intelligence reveals that crime groups are using the same transnational transport groups that they use for drugs and arms. Many operations are becoming vertically integrated, with recruitment, transport, and sale of people all being accomplished in house. The criminals are diversifying and strengthening because of the extraordinary profits to be made by them, and they won't stop until the last cent has been wrung out of their victims: In Mexico, narcotraffickers who have branched into the trade in people put children into sexual exploitation. When they are "used up" and no longer work well, they carve up their tiny bodies to harvest their organs.**

**As a mother, I can think of little that is sicker than that. Similarly, in Thailand, some stateless Burmese children living there are trafficked live across the border into Cambodia then harvested for their organs. I am sorry to talk of this, but this is what we are up against, as states, as a nation, as a world.**

And then of course, there is the unthinkable sexual abuse of children trafficked for commercial sexual exploitation. Perhaps you have, as I did, an image in your mind of pedophiles, travelling to Southeast Asia, and abusing young girls and boys. And yes, that certainly goes on there, and I have met former child victims of that scenario and was truly humbled by the beauty of their spirits in the nurturing NGO that rescued them. But I present to you some confusing facts. If an American is caught in Thailand paying for sex with a child, his case is Federal and if convicted suffers some very strong sentencing. If an American man sleeps with a minor on American soil and is caught, he is generally given 10 to 15 years, and becomes a permanent member of the sex offenders' registry. If, however, that man pays 25 dollars for that same act with a child or teenager, in general he is rarely punished! *If* he gets caught, he is often sent home with a slap on the wrist: officers on the scene have been known to say, "Go home to your wife and kids, we don't want to ruin your life." Or if he is brought in, he pays a \$300 fine and attends "John School" where he is lectured for a day.

Certain states have come up with some interesting antidotes to this leniency. Hawaii has made habitual solicitation of prostitution greater than 2 times a felony. California has just passed legislation creating a mandatory \$25,000 fine for johns who have solicited any minors, which will go directly into a fund to benefit child victims of sex trafficking. This can be used to build safe houses for victims where no other funding can be found; asset forfeiture from convicted traffickers can be used much the same way, as is a sort of "sex tax" established by (once again!) our host, Texas, in HB1751 (2007), which provides that monies collected from a fee imposed on sexually oriented businesses be used for prosecution and victim services related to Human Trafficking.

And unbelievably, in 19 states, a legal defense exists called the "defense of age" in which the john basically gets out of the responsibility by saying, "I'm sorry, your honor, I thought she looked older! She told me she was 19!" What a crock of nonsense! If you are illegally buying sex, it is your responsibility to know the age of the body you are purchasing! Please, all of you, do what you can to repeal this!

Do you know who generally is arrested, if not the man buying the sex? Not the pimp trafficker; it seems it is difficult to prove his crime in the moment. So it is the underage minor who is arrested for the crime of

prostitution, sent sometimes through the juvenile court system and detention, sometimes even to adult jail!

Something is very wrong in this picture. Who commits inappropriate sexual abuse with a minor? The John. Who receives the bulk, if not all, of the payment? The pimp trafficker. Who is subjected to physical, emotional and psychological abuse, risks contracting venereal diseases including AIDS, unwanted pregnancies and forced abortions, drug addiction, murder, and at the very least the stunting of his or her emotional and mental development, education, and job opportunities with a criminal record that will mar his or her employment for a lifetime? The exploited minor, who is arrested for the crime of prostitution. All this before the child, and I use this word to mean anyone under 18, can legally consent to having sex.

How can someone who has no legal capacity to agree to sexual relations be responsible for third party exploitation of his or her body? No matter whether the kids say they consented, they do not have the mental, emotional or psychological capacity to make that choice. And this is where we get into the greyness of dealing with what Luis CdeBaca, our State Department's Ambassador at large to Combat Human Trafficking, brought up at the introduction of the latest TIP report in June. He spoke of a victim that often seems to repulse well-meaning pity, a defiant youngster who might seem unsavory, and responsible for their own decisions. No matter how they seem in the moment, usually after some time out of the "life", the defiance fades and the numbing out melts. Then these individuals are in touch with the terribleness of their experience, which at the time they survived minute by minute.

From a legal framework, it does not matter what demeanor the victims present. It is our responsibility as caring adults to end their exploitation, punish those who inflicted it on them, and offer them services as a hand back up to a normal, possibility-filled life. The TVPA and the UN's Palermo protocol make it very clear that anyone under the age of 18 involved in commercial sexual exploitation is as I said before, a "victim of the severest form of human trafficking." In cases of underage sexual exploitation, no proof of force, fraud, or coercion is needed. The pimps and the johns are the criminals, the kids the victims, period. Thirty of your states still require that prosecutors prove force, fraud, and coercion to traffic children even though they cannot consent to their own

exploitation. Please help us put an end to this immediately. And kudos to Senator Van de Putte who just passed a bill here stop this.

I must also applaud Texas' Supreme Court for the landmark case, "In the Matter of B.W., June 18, 2010, which overthrew a prostitution conviction of a thirteen year old who had professed consent to the act. It affirmed that a child cannot understand the significance of agreeing to sex, thereby making it difficult to see how a child's agreement could reach the "knowingly" standard required by the statute. It said that "transforming a child victim of adult sexual exploitation into a juvenile offender was not the legislature's intent when it enacted the laws on prostitution and delinquent conduct of a child. As a 13 year-old, B.W. cannot consent to sex as a matter of law, and therefore cannot be prosecuted as a prostitute."

If there is any doubt as to the motivations for life choices made by these at risk American kids, please listen to the following story, of A.

"I'm 18. Um, I was like 16 (when I first came to Courtney's House) but I stopped, actually I stopped being in the whole life when I was, like, 17. Umm, I started, when I was twelve, and my brothers started when they was nine, so my aunt, and my brothers, everybody did it, so it was like, normal, so...

when my mother died, my brother was locked up, and then he told me, um, he had told me my father raped him. And, it just was hard to accept. My father wasn't dere, when I was little my father was in jail. So when he did get out of jail, like, and he try to be there in my life, I couldn't, because like my brothers was all I had. That's all that kept me *connected*. Just all like, I would do anything, I was just, like, I still question myself again when my brother get out of jail, if I'm still goin go out there and do it again, cause I would do anything for my brother. But, it's just like, I wish, like, I wish it would never happen. I know why my mother protected me for that, but when she didn't, when she died, it's like, I felt as tho she abandoned me.

But my cousin Kesha was a trafficker. She pimped other girls. She used to be like, "closed legs don't get fed, and you gonna be stupid, you gonna have sex anyway, so why not have sex?" And like, every time that I needed her she was there. And my mother had died, and then I started smoking, and then she would always give me a cup of liquid, tell me,

**“drink this, drink this, and you’ll be fine.” So... I smoked marijuana, and cigarettes. Yeah. I started smoking when I was nine. And Kesha was *there*, she was there because my mother abandoned me. And I know that it wasn’t her fault that she died, but it’s just like she’s abandoned me and Kesha’s here, and she’s telling me, hey, dadadadadada, I’m gonna provide for you, I’m gonna be your *mother*. And I *needed* dat, at dat time I needed dat and I wanted dat, and den, at times I used to like, hafta look good, and I used to hafta do everythang, and hafta sleep with people to make me feel good. Because I didn’t like myself, I thought I was ugly, and I thought I was dis, because I didn’t have- my mother left me! So when I did sleep wit people an they tell me I was pretty and I love you and then, that you dis, and you dat, I really believed that inside. But, sometimes, when I get home, I don’t feel good, and then, I’m finally learning how to sleep by myself. I never slept by myself... I still fear everyday. It’s just hard for me to like, sleep by myself because everyday, I (was) never out, I always slept with men, after men, other men. I never slept in a bed by myself, until I moved there. That’s when I started sleeping by myself, and I still have to sleep with the light on, because I still don’t feel like it’s possible. But I know it’s possible, but I still feel like, still feel like people gone get me. For some reason...**

**And Courtney’s House help me because I trust them, a lot. And they make me feel like I can make it, and I went through everything for a reason, and I will get through it... It’s still always gonna be, to me, it’s always gonna be dem hard times that I think that I can’t do it, it can’t, it’s not...the bigger thing I’m afraid of is fear, is to not make it through dis, and to not help others, and to *be* back to the person that I used to be, back to what I used to do, cause there’s all I had. There was still something nice; they... regardless, I just wanna be chosen, and regardless, regardless of anything, I knew, everytime I go out, someone’s gonna *choose* me.”**

**So this is a portrait of the pressures of a child on the brink of homelessness, with no parents to speak of, no one to take care of her except a relative who used her innocence and need for love and acceptance to her advantage. You have heard the near miraculous life change that is occurring because of Courtney’s House, run by a woman who was formerly prostituted herself. “A” said that in previous programs, she got mad because “I didn’t want them to know that part of**

my life. Cause once people know, they call you a ho, you a roller cause you don't even know how many people you had sex with." This is a typical response from trafficked minors placed in group homes or rehab programs with kids who have not been sexually exploited; they need a knowing and safe environment with a trained staff who do not make them feel judged. The capacity-building for more of these kinds of safe havens for trafficking survivors (for that is what they rightly prefer to be known as) must be built into legislation across the country. There is a very happy ending to A's story: she is currently in the home of a very loving family, and she has a scholarship for college!

By now I think you know where I stand on the creation, passage, and implementation of robust Safe Harbor Laws in the 44 states which still do not have them. Illinois currently has the strongest one, that guarantees immunity from prosecution as a prostitute any child under the age of 18 and does not place the burden of proof of trafficking on the victim. The age is enough. The weaker language using "presumption of trafficking" in other states' Safe Harbor laws has allowed some prosecutors to get around the statutes intent and still prosecute the children. And some Safe Harbor laws have addressed only the criminal side of the code but not the mandating of specialized and ongoing services for these victims, which is absolutely essential.

These in their most robust forms will ensure that the law recognizes children in the sex trade are not "child prostitutes" who somehow consent to their own exploitation and enslavement, but rather victims of human trafficking. By seeing through this new lens, we can restore their dignity, afford them the support, services and clean records they need for a bright future, and put the real criminals behind bars.

In addition, if we can switch the paradigm from searching to punish juvenile delinquent prostitutes, to searching for trafficking victims to rescue and pimps and johns to punish, we already have well-established vice squads in police stations across the country already financed, already well aware of the tracks these pimps run their girls and boys on. Imagine the progress that overnight can be made once these officers see these kids as opportunities rather than lost causes as defined by the new statutes! The response to human trafficking in general needs to be dealt with on the state level where it occurs day in and day out, just like murder and theft: it should be the bread and butter of local police

stations and courthouses, not just left to the feds, who although excellent, cannot be everywhere at once, whereas our local police and courthouses are virtually everywhere in this country.

So, in addition to all these, what other elements would a model law have? It would include provisions for the mandatory posting of the National Human Trafficking Resources Center Hotline information, a nationwide non-law-enforcement helpline for anyone with questions about human trafficking, that has aided over 3,000 victims since its inception. Once again, I must applaud our host state Texas, which requires that all establishments that have an alcohol but not a food license post the hotline.

A model law would engender the creation of task forces, both combining state and Federal law enforcement agencies to pool resources to fight this crime, (I actually would like to ask someone from Utah what the law authorizing the Attorney General to create and empower multi-agency anti-Human Trafficking *Strike Forces* is all about: it sounds exciting and could make a great tv show about fighting Human traffickers!) and task forces comprised of key actors from all concerned state, civil NGO and private actors to find and implement partnerships and best practices for fighting trafficking on the ground and victimcentric capacity-building. These should actually create results, not just commission studies that may or may not lead to recommendations that may or may not be followed.

Right now, there is a wave of action that is building and building across the country and the world on this issue. The Uniform Laws Commission of the American Bar Association has organized a Drafting Committee on Prevention of and Remedies for Human Trafficking and will be working on a model law in the upcoming months. In June, the National Association of Attorneys General (NAAG) president Rob McKenna selected and launched his presidential initiative, "Pillars of Hope" to address human trafficking during 2011-2012. On August 8 the American Bar Association House of Delegates unanimously approved a policy resolution on child trafficking, submitted by the ABA Commission on Youth at Risk and co-sponsored by many other Association entities.

The United Nations is sponsoring its ongoing Blue Heart campaign to spread awareness and spur action to combat Human Trafficking. The

**UN Global Trust Fund for Victims of Human Trafficking has just made its first round of choices for monetary grants to NGOs that directly serve victims and do the work of the angels everyday.**

**The U.S. State Department just released its annual G-Tip report in June, and casts a critical inward glance on what we must do as Americans to better our chances at defeating this mortal foe, once thought to be dead but now reinvented, slavery. Hillary Clinton spoke at its introduction reiterating what a priority it is to her personally.**

**The non-profit Polaris is a central hub of policy information about state anti-trafficking laws and tracks all pending state legislation on their website. They have just issued a third edition of their Model Provisions of Comprehensive State Legislation. They have a booth here at the convention, and will be very happy to give you a color-coded map and a state-specific report card on just how your state rates on 10 key legislative issues that comprise a response to Human Trafficking, and just which ones you need to make you whole.**

**ECPAT USA focuses specifically on the needs and the protection of children in sexual exploitation, and they will guide you every step of the way in crafting the most formidable, change-creating, child-protecting Safe Harbor laws possible.**

**So, what are we all waiting for? Lets call upon what Lincoln called “the better angels of our nature”, and join this wave of humanity rising up against evil for the sake of those used in the most inhumane of ways. Let’s show the world that the United States of America fought to end slavery once, and this time we won’t stop until the war is won!**