When Sex Trafficking is Sensationalized

Criminalizing Working Together

Definitions

Sex work – the exchange of erotic energy for resources. This can include exotic dancing, phone sex, and prostitution.

Sex industry – an inclusive term for everyone in the sex trades – including those that don't identify with being either a worker or victim.

Definitions

Sex trafficking – When an adult is coerced, forced, or deceived into prostitution—or maintained in prostitution through one of these means after initially consenting—that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harboring, transporting, providing, or obtaining a person for that purpose are responsible for trafficking crimes. Sex trafficking also may occur within debt bondage, as women and girls are forced to continue in prostitution through the use of unlawful "debt" purportedly incurred through their transportation, recruitment, or even their crude "sale"—which exploiters insist they must pay off before they can be free.

Prostitution = Sex Trafficking

What are the differences between sex work and sex trafficking?

A look at Alaska, New York and California

COCOLOGIANO DE COMPANS DE COMPANS

A CRIVEV Exclusive in

Anchorage, Alaska

Federal Sex Trafficking Statute

18 U.S.C. § 1591.

<u>Sex trafficking of children or by force, fraud, or coercion (a)</u> Whoever knowingly— (1) recruits, entices, harbors, transports, provides, obtains, or maintains by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing, or in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.

Alaska: Prostitution = Sex Trafficking

What are the differences between sex work and sex trafficking?

Alaska State law conflates sex work with sex trafficking by generalizing the Sex Trafficking term to include sex workers working together, without any instance of fraud, force or coercion. Alaska law also lists working with anyone under the age of 20 as Sex Trafficking in the First.

As we saw in the video, Alaska changed Promoting Prostitution laws, renamed as Sex Trafficking, with harsher felony punishments and broader terms of the definition of Sex Trafficking.

Alaska Prostitution laws became Sex Trafficking laws

The change proposed could result in a fairly broad prohibition of criminal activity. However, working with law enforcement and adopting appropriate case screening standards for prosecutors will address this potential concern.

Michael C. Geraghty, Alaska Attorney General

The crime of promoting prostitution had been in effect in Alaska law since 1978 when the criminal code was adopted. Similar laws prohibiting the procurement of a prostitute were effective before the criminal code.

Promoting prostitution included having a place of prostitution, supportive tasks, such as driving, screening agents, security personnel.

Prostitution = Sex Trafficking

What are the differences between sex work and sex trafficking?

In **New York**, Sex Trafficking is providing drugs in order to impair judgement, making false statements to induce or maintain, withholding documents such as passports, ID's, uses force, extortion, abuses power is Sex Trafficking. **Class B felony, punishable by 1-3 years, max. 25 year.** PEN§ 230.34 Sex trafficking

Promoting prostitution in the fourth degree is when a person is guilty of promoting prostitution in the fourth degree when he or she knowingly advances or profits from prostitution. **Class A misdemeanor.** PEN§ 230.20

Prostitution = Sex Trafficking

In **New York**, Promoting prostitution in the third degree is when he or she knowingly:

- 1. Advances or profits from prostitution by managing, supervising, controlling or owning, either alone or in association with others, a house of prostitution or a prostitution business or enterprise involving prostitution activity by two or more persons in prostitution, or a business that sells travel-related services knowing that such services include or are intended to facilitate travel for the purpose of patronizing a person for prostitution, including to a foreign jurisdiction and regardless of the legality of prostitution in said foreign jurisdiction; or
- 2. Advances or profits from prostitution of a person less than nineteen years old. Promoting prostitution in the third degree is a **Class D felony**. PEN§ 230.25

New York: Prostitution = Sex Trafficking

In **New York** Promoting prostitution in the second degree is when a person is guilty of promoting prostitution in the second degree when he or she knowingly:

- 1. Advances prostitution by compelling a person by force or intimidation to engage in prostitution, or profits from such coercive conduct by another; or
- 2. Advances or profits from prostitution of a person less than eighteen years old.

Promoting prostitution in the second degree is a Class C felony. PEN§ 230.30

Notice the element of force and intimidation is present, rather than Alaska's State law of no element or force is needed. Also, the age of less than 18 in New York and age 20 in Alaska. Also, this would be a Class A felony in Alaska.

Prostitution = Sex Trafficking

What are the differences between sex work and sex trafficking?

In **Texas**, State law prosecutes sex trafficking when someone advances or profits from prostitution by providing drugs in order to impair judgement, making false statements to induce or maintain, withholds documents such as passports, ID's, uses force, extortion, or abuses power. Texas is very similar to New York in views of sex trafficking vs. promoting prostitution.

Promoting prostitution is a Class A misdemeanor, unless 2 or more are working together, then it becomes an Aggravated Promoting Prostitution Class C felony.

Prostitution = Sex Trafficking

In **Texas**, just like in New York, when force or threat are involved, Promoting Prostitution becomes Compelling Prostitution. This is when a person commits an offense if the person knowingly:

(1) causes another by force, threat, or fraud to commit prostitution;

or (2) causes by any means a child younger than 18 years to commit prostitution, regardless of whether the actor knows the age of the child at the time the actor commits the offense.

An offense under <u>Subsection (a)(1) is a felony of the second degree.</u>

An offense under Subsection (a)(2) is a felony of the first degree. PENAL § 43.05.

What this means: When sex workers work together or sex workers have others work with them for safety precautions, prostitution often is called sex trafficking and the sex worker(s) can be charged with felonies.

Texas: Prostitution = Sex Trafficking

Those arrested for prostitution in Texas can participate in a first offender prostitution prevention program for deferred sentencing, also can essentially seal criminal record concerning charge if:

- 1) There are no previous felony convictions
- 2) and is not convicted of any other felony offense before the *second* anniversary of the defendant's successful completion of the program.

When sex work is conflated as sex trafficking, and consensual sex workers are criminalized as sex traffickers, this takes away valued resources that could be used to help actual victims of sex trafficking victims.

To say all sex workers are exploited and are victims belittles the actual experiences of sex trafficking victims.









Under federal law, anyone under the age of 18 who is engaged in sex work is considered to be trafficked even if they did not do so under force, threat or coercion.

But even teenagers who are legally considered trafficking victims can still face trafficking charges and harsh prison sentences.

LeeAnn's story (excerpt from Truth Out)

LeeAnn let a girl shower in her mother's apartment, gave her a clean change of clothes and held onto the girl's \$40 while she had sex with a man in another room.

These are normal actions in the daily life of sex workers trying to keep themselves and each other safe. But the girl turned out to be 14 and, in the eyes of the federal government, these acts constitute sex trafficking of a minor. It didn't matter that the girl had told LeeAnn that she was 17. It also didn't matter that LeeAnn, who was addicted to various drugs and also engaged in sex work, never made money from the girl's actions. Under the Trafficking Victims Protection Act, the girl was considered a trafficking victim, and LeeAnn a trafficker.

LeeAnn pled guilty and was sentenced to 87 months in federal prison with five years of probation.

She will spend the rest of her life on the sex offender registry.

SEX TRAFFICKING: THE NEW FACE OF SLAVERY

12.3 - 27 million people

are enslaved in forced or bonded labor, child labor, sexual servitude, and involuntary servitude at any given time



\$32 billion per year

The second largest criminal industry in the world







"What I hate most is when they try to kiss me - hands all over me, breathing on my face."

Does this sound like a regular job to you?

PROSTITUTION

WE DON'T BUY IT

#wedontbuyit



HELP STOP HUMAN TRAFFICKING IN MONTANA







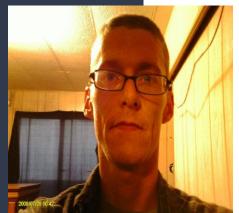
SOURCE: Free The Slaves; ILO, 2005

Can you pick who the Sex Trafficker might be?













Hope Zeferjohn Sex Trafficker





19-year-old Hope Joy Mae Zeferjohn was sentenced to 71 months in prison for aggravated human trafficking of a minor.

Three years earlier, Zeferjohn, then age 16, sent messages on Facebook to a 14 year old she had met at a church camp.

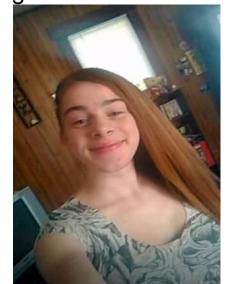
Through Facebook, she introduced the 14 year old to 26-year-old Anthony Long.

Long wanted the younger teen to live with him and Zeferjohn, and work as a sex worker.

The girl never met Long; instead, she reported these messages to her parents, who alerted police. The police arrested both Long and Zeferjohn.

Long was sentenced to 35 years in prison.

Police and prosecutors viewed Zeferjohn not as a trafficking victim, but as Long's accomplice.



Dale Bruesch

Sex Trafficker



Alaska State Troopers investigated a report of a suspicious vehicle and spotted a set of tracks leading from the vehicle to a nearby residence.

The trooper followed the footprints and knocked on the door of the house, where he met Lindsey (sex worker) and Hart (patron) at the front door.

Hart told the Trooper he had parked in the road to avoid an icy driveway and was at the house visiting a friend. When asked the last name of his friend, he couldn't answer.

Short story: It ended with Sex Trafficking charges.

Bruesch was charged with four felony counts: two counts of second-degree sex trafficking for procuring customers and running an enterprise and two counts of third-degree sex trafficking for running a place of prostitution and accepting the proceeds of prostitution.

Amber Batts

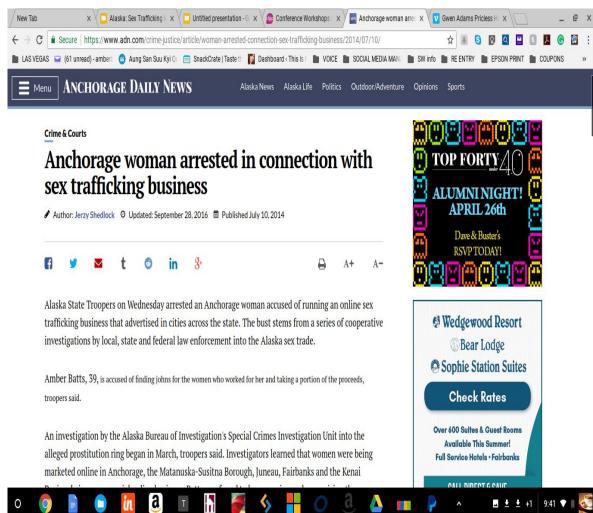
Sex Trafficker

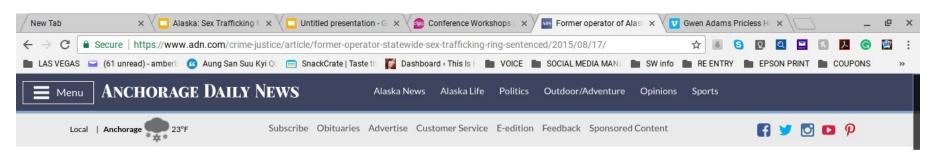












Crime & Courts

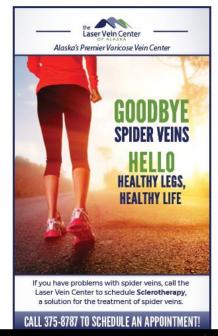
Former operator of Alaska sex trafficking ring sentenced in Anchorage

Author: Megan Edge © Updated: September 28, 2016
Published August 17, 2015

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The 41-year-old former operator of a statewide prostitution enterprise was sentenced in Anchorage Monday afternoon to more than five years in prison on a charge of sex trafficking and violating probation.

Anchorage Superior Court Judge Phillip Volland sentenced Amber Batts to five years for the charge of second-degree sex trafficking and one year -- with six months suspended -- for a probation violation in a previous case.















































Quinn Batts

Sex Trafficker





Posted March 30, 2015 12:01 am THE ASSOCIATED PRESS

Anchorage husband, wife plead guilty to sex trafficking

ANCHORAGE — An Anchorage wife and husband have pleaded guilty to sex trafficking charges after investigators alleged they ran a prostitution ring across Alaska.



Amber Batts pleaded guilty to second-degree sex trafficking, the Alaska Dispatch News reported. She originally faced eight counts of sex trafficking in the first, second and third degree.

Wearing handcuffs and yellow Hiland Mountain Correctional Center jail clothes, Batts wiped tears from her cheeks during a Quinn Batts pleaded guilty to third-degree sex trafficking.

Judge Philip Volland sentenced Quinn Batts to five years of probation and suspended a two-year sentence.

Alaska State Troopers reported arresting Amber Batts in July.

Troopers said Amber Batts managed and supervised the business, trafficking to about 800 clients. She would take \$100 out of \$300 charged per hour, according to charges.

Quinn Batts was arrested in October for helping his wife run the business.

Not a Sex Trafficker Just likes Batman



Heidi Ross

Sex Trafficker



Ross was indicted on seven counts of Sex Trafficking and faced 10 to 25 years, the Department of Law said.

Ross also has several previous convictions, including for practicing prostitution, soliciting prostitution, a drug charge and several lesser charges.



Alaska News

Accused sex trafficker targeted and terrorized Alaska Native teens, prosecutor says

Author: Julia O'Malley
 ○ Updated: February 16, 2017
 章 Published February 15, 2017





riday, March 13th 2015, 6:37 pm AKD1





POPULAR STORIES

Man loses 'kicking contest' with

Armed Anchorage man arrested for DUI, endangering minor

2 charged in Ship Creek cab drive



























300,000 kids trafficked a year

12 - 14 average age (DOJ)

Sex trafficking in America

CA

(4 biggest trafficking states) NY
NV

TX

TRAFFICKERS

70% male

a pimp can make up to \$200,000 year per child prostitute (U.S. Dept. of Justice) 41% of cases reported to National Human Trafficking Resource Center Hotline, concerned U.S. citizens.

\$32 billiondollar industry 1 in 3 teens on the street will be lured into prostitution within 48 hours of leaving home (National Runaway Hotline)

The average pimp keeps 4 - 6 prostitutes (national center

for missing and exploited youth)

MOST COMMON FORMS

- 1 Pimp-street 3 Escort prostitution services
 - 2 Commercial brothels

The danger of sex trafficking has become a rallying cry for law enforcement, prosecutors and politicians.

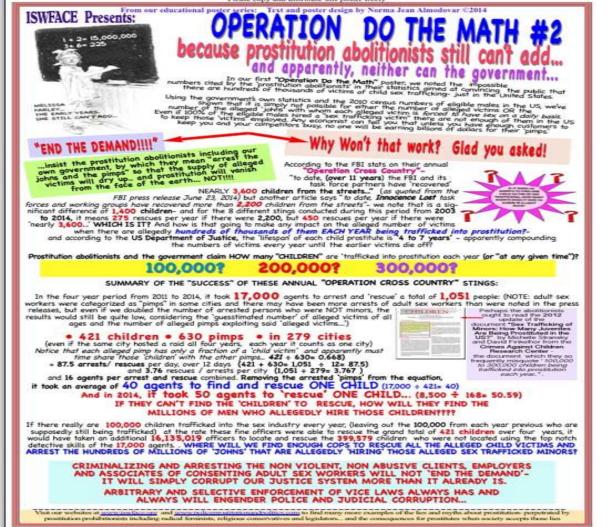
Sex work and sex trafficking are often conflated, aided by inflated (and wrong) statistics and sensationalized stories, and reflected in laws that fail to distinguish sex work from trafficking.

But in the rush to "save" people, little attention is paid to sex workers swept into the dragnet of these laws -- subject to prison and a lifetime of punishment.

The FBI reported **744 arrests for human trafficking for sex work in 2015**, a steep jump from the **399 arrests the year before**.

Of the **439 trafficking convictions** secured by the US Department of Justice in 2016, **425 were for sex trafficking**.

The numbers aren't broken down into how many convictions were handed to people who coerced, threatened or forced other people into sex work, how many were coerced, threatened or forced themselves, or how many were engaged in sex work and arrested for helping another sex worker.

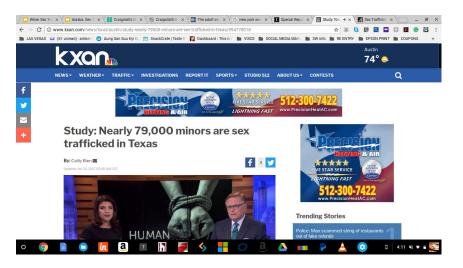


It's never easy to decipher stats when the numbers don't add up.

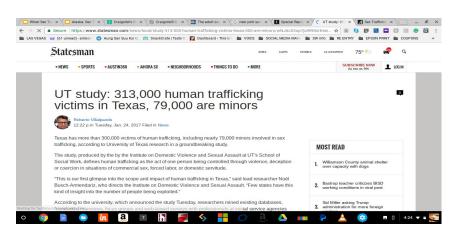
University of Texas, Institute on Domestic Violence and Sexual Assault (IDVSA) did a study and came up with some numbers. January 24, 2017

The Human Trafficking Center critiqued this study, citing "this research project does not narrowly define key terms like human trafficking, labor trafficking, or sex trafficking, it defines trafficking as a "broad umbrella term that encompasses trafficking."





January 24, 2017, both images



The Human Trafficking Center cautioned "concern is that the majority of non-academic readers will take the information presented in the outset as solid fact. These numbers become increasingly dangerous as they run the risk of being copied and circulated as truth." Essentially, those at risk were counted as victims.

*Jumping to Conclusions: Unpacking the "Human Trafficking by the Numbers" Methodology. February 27, 2017. Sex Offender Registrations for those charged with prostitution related crimes.



SEX OFFENDER REGISTRATION

In Kansas, Tennessee, Alabama, and Michigan those with prostitution-related offences, such as solicitation or running a brothel, require registration as a sex offender.

Kansas: Prostitution, promoting prostitution, patronizing a prostitute.

Tennessee: Aggravated prostitution, which is working as a prostitute while knowingly having HIV, as well as Solicitation.

Alabama: Promoting Prostitution I and II.

Promoting I has elements of fraud, force and/or coercion, or profits from prostitution of a person less than 16 years of age.

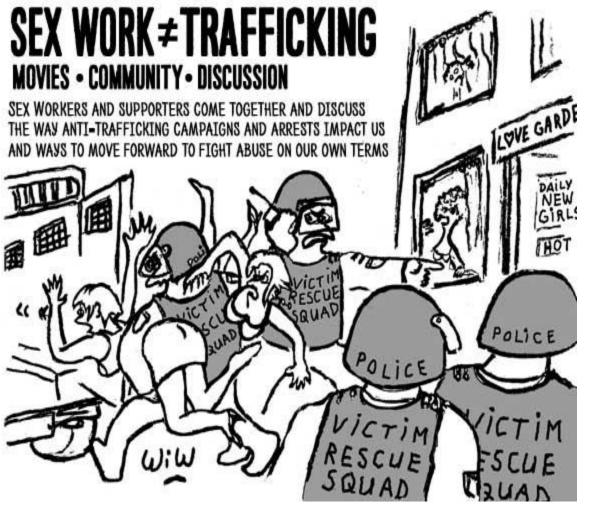
Promoting II, advances or profits from prostitution by managing, supervising, controlling or owning a house of prostitution or a prostitution business or enterprise involving prostitution activity by two or more prostitutes other than the defendant; or prostitution of a person less than 18 years of age.

SEX OFFENDER REGISTRATION

Michigan: Solicitation and prostitution are considered misdemeanor offenses. Those convicted face a maximum fine of up to \$500, up to 93 days in jail, or both. With a second offense, face a maximum fine of \$1,000, up to one year in prison, or both. A third charge includes a maximum fine of \$2,000 and up to two years in prison if convicted. Soliciting and promoting prostitution are listed as Tier Two sex offences and must those convicted must register as a sex offender and be placed on the Sex Offender Registry, checking in twice a year.

Alaska: Sex Trafficking Class A felonies (elements of force, coercion, fraud, OR victim under age 20) require an individual to register as a sex offender.

Federal Sex Trafficking charges always require sex offender registry.



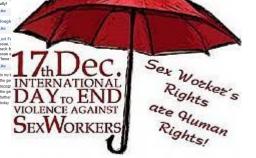








Norma Jean Almodovar@ 2009



Prostitution is one of the few crimes where women are arrested more frequently than men, but prostitution alone does not explain the growing numbers of Black, Latino, and trans-women behind bars.

Arrests of adult voluntary sex workers reported in Atlanta by the APD by Race



According to a study done recently published by the University of California's Hastings Law Journal in April, America's biggest cities spend an average of about \$2,000 for each arrest of a sexworker. Data from US Dept of Justice 2010 via the FBI data analysis tool

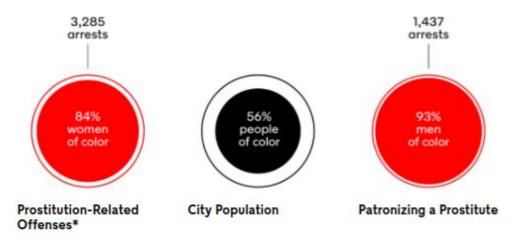
Graphics by Scarlett umbrella Southern Art Alliance

If we are going to make reforms to crimes based on morality, we need to consider laws that affect sex workers.

Sex workers are often subject to the same "revolving door" approach that people convicted of drug offenses receive; women do time, but rarely receive the resources, social, economic and, psychological support that would enable them to leave the industry if they choose.

PROSTITUTION IN NEW YORK CITY

Arrests for selling and buying sex in New York in 2014 and 2015.



The figures above don't reflect the population of men who hire prostitutes in New York, sex workers and defense lawyers told me. "That's not our client base — it's who police target," says Anna Saini, a former sex worker who is now a sex-worker activist and law student living in Brooklyn. Mogulescu agrees: "There's a real reluctance to disturb areas where power operates," she says. "If you target lower-income men of color, their entry into the criminal justice system won't make waves."

^{*}Engaging in prostitution and loitering for the purpose of prostitution. Sources: Arrest data is from New York State Division of Criminal Justice Services; City Population data is from the U.S. Census Bureau.

Those with sex trafficking charges and/or prostitution charges face challenges in obtaining employment, finding housing, and often times, although the charges aren't considered sex offenses or need to register on the sex offender registry, are treated as sex offenders with the same punitive stipulations.

What are some elements that enable the media to see sex workers as sex trafficking victims?

What are some elements that enable the media to see sex workers as sex trafficking perpetrators?

What are some common elements we can do to make sex work safe without causing sex work to be confused as sex trafficking?

How can we change the way sex trafficking and sex work is often portrayed as being the same in the media?

SWOP Behind Bars Swopbehindbars.org

There are more than 200,000 women behind bars in the U.S.

The rate of incarceration for women has been growing nearly twice as fast as that of men since 1985, according to the American Civil Liberties Union (ACLU), and account for about 7% of the total prison population in the U.S.

The fastest growing population behind bars is black women.

CUSP

http://sextraffickingalaska.com/

We are the Community United for Safety and Protection (CUSP) a group of current and former sex workers, sex trafficking victims, and our allies working towards safety and protection in Alaska's sex industry.

We educate and advocate for each other as individuals trying to access equal protection under the law or other public services, and also at the legislative level.

Criminalizing sex work by rebranding it as sex trafficking and shutting down forums widely used for screening, security and safe advertising causes more harm - there are higher chances for exploitation and less chances for safety protocols used.

(*Craigslist's Effect on Violence Against Women* by Baylor University (2017) found that after Craigslist created an "erotic services" section, the rate of female homicides in U.S. cities fell by 17 percent. The researchers concluded that sex workers who advertised online spent less time on the streets, where they were more likely to face dangerous situations.)

Online it is easy to screen clients, using blacklist forums where other sex workers can share violent client information, as well as leave a digital trial in case of a missing person. It is completely different than walking the streets and jumping into a car. With the new sex trafficking laws in place, and the changes to online advertising, this is where some sex workers could be forced to go.

More agency=Less stigma. Less stigma=More agency

The US Locks Up More Prostitutes Than Sex-Traffickers D.

Trafficked sex slaves do exist, but in the US they constitute a microscopic percentage of sex workers. From 2000-2007, 1,362 victims of human trafficking were identified by the government in the US. (This number included those trafficked for non-sexual labor as well.) In that same time period, there were over half a million prostitution arrests. This means that for every identified sex-trafficking victim there are hundreds, if not thousands, of willing sex workers arrested.

Politicians have fought prostitution legalization under the guise of preventing trafficking. Sex trafficking is a heinous crime that should be combated, but sensationalizing the problem to justify the persecution of all sex workers is just as heinous. Imprisoning sex workers to "help" them is cruelty masquerading as morality.

Criminalization allows sex workers to be abused by traffickers, pimps, and clients.



Prosecuting sex workers and branding them with permanent criminal records destroys their lives. Sex trafficking is evil, but so is criminalization.

For sources and more, read the article "The Evil of Sex-Trafficking Hype" at Narco Polo (blog.suburra.com).

Brought to you by You Will Die: The Burden of Modern Taboos by Robert Arthur.

Prostitution Facts

Prostitution is an act of violence which is intrinsically traumatizing.

Average Age Entering Prostitution

reported a history of sexual abuse

13.5 85%

| in childhood | 0370 |
|--|------|
| reported a history of incest | 70% |
| Percentage That Said Porn Taught Them What Was Expected Of Them | 52% |
| said porn was used to illustrate client demands | 80% |
| said pimps regularly exposed them to porn | 30% |
| Rough Percentage Of Prostitutes Who Were Victims Of Rape | 75% |
| prostituted women who had pimps | 90% |
| prostituted women raped by pimps | 85% |
| Prostituted Women Were Raped 16 Times Yearly By Pimps | |
| Of 475 Women, Men And Transgende People In Prostitution From 5 Countr (South Africa, Thailand, Turkey, USA, Zambia): | ies |
| raped in prostitution | 62% |
| physically assaulted | 73% |
| currently or formerly homeless | 72% |
| Wanted To Escape Prostitution Immediately | 92% |
| Girls And Women In Prostitution Hav A Mortality Rate 40 Times Higher The The National Average | - |
| women in escort prostitution that have attempted suicide | 75% |
| completed suicides of prostituted women of all completed suicides | 15% |

Ingredients: Excerpted from the Prostitution Fact Sheet, compiled by Melissa Farley, at the Prostitution Research & Education site, prostitutionresearch.com.

reported by hospitals