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ARIZONA SEX TRAFFICKING 101: AN OVERVIEW

Human Trafficking is the fastest growing criminal industry in the world, second only to the illicit sale of drugs and weapons. People are sold into slavery for various jobs, including prostitution, erotic entertainment,

internet and video pornography, sexual servitude, domestic work, child care, factory work, construction and agricultural labor.

The pervasive misunderstanding of the definition of human trafficking in Arizona and across the nation is preventing progress in enforcement of the federal and state laws criminalizing sex trafficking. The general public does not understand that under federal law, any U.S. citizen or lawful permanent resident under age 18 who is engaged in commercial sex acts is defined as a victim of trafficking under the Trafficking Victims Protection Act.

According to the National Center for Missing and Exploited Children, there are an estimated 100,000 – 300,000 children trafficked in the United States today.

WHAT IS SEX TRAFFICKING?

The federal Trafficking Victims Protection Act¹ defines the crime of human trafficking as:

- A. The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act where such an act is induced by force, fraud, or coercion, **or** in which the person induced to perform such act has not attained 18 years of age, or
- B. The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Domestic minor sex trafficking occurs when U.S. citizen or lawful permanent resident minors (under the age of 18) are commercially sexually exploited.

Children can be commercially sexually exploited through prostitution, pornography, stripping, erotic entertainment or other sex acts. The commercial aspect of the sexual exploitation is critical to separating the crime of trafficking from sexual assault, molestation or rape. The term “commercial sex act” is defined by the federal Trafficking Victims Protection Act as the giving or receiving of anything of value (money, drugs, shelter, food, clothes, etc.) to any person in exchange for a sex act.

Many people confuse human smuggling with human trafficking. For purposes of clarification, human smuggling is a crime against a country by transporting

an item deemed illegal by the destination country into the country. Human trafficking is a crime against a person by using force, fraud or coercion to induce a commercial sex act or labor.

Under the Trafficking Victims Protection Act (TVPA) sex trafficking requires force, fraud

or coercion **UNLESS** the victim is a minor. Any minor used in a commercial sex act is a victim of trafficking, regardless of their willingness or desire to engage in the sex act. The age of the victim is the critical issue — there is no requirement to prove force, fraud, or coercion was used to secure the victim’s actions. The law recognizes the effect of psychological manipulation by the trafficker, as well as the effect of threat of harm which traffickers/pimps use to maintain control over their young victims.

According to the National Center for Missing and Exploited Children, there are an estimated 100,000 – 300,000 children trafficked in the United States today. Slavery was abolished in the United States in 1863 with the Emancipation Proclamation and in 1865 under the Thirteenth Amendment of the United States Constitution. However, modern-day slavery continues in America in the form of human trafficking.

¹Source: <http://www.state.gov/j/tip/laws/>

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WHY ARIZONA?

According to the U.S. State Department, Arizona is a main destination and transit point for labor and sex trafficking from within the U.S. and multiple regions of the world. Arizona's geographic location and network of freeways makes it a hub for illicit activity². **The same economic forces that fuel tourism in Arizona also support sex trafficking** – warm weather, multiple interstate highways, proximity to the border, short drive to Las Vegas or San Diego, major conference destination, and home to many professional sporting events³.

The biggest misconception is that trafficking is something that happens overseas. Few realize that hundreds of young girls are bought and sold over the internet each day in Arizona⁴. Local and federal law enforcement has indicated that sex trafficking is happening in Arizona at an alarming rate, and the income potential and ease of business with the use of technology is the reason why the crime is prevalent; currently, sex trafficking is estimated to be a \$12 billion per year industry⁵.

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Gone are the days when prostitution was isolated to certain “tracks” like Van Buren Street. While street-level prostitution still occurs, prostitution may also be facilitated by the internet, where it is as easy to “order a girl as it is to buy a pizza.”

Domestic trafficking victims are also recruited within the state or brought through the state by organized trafficking rings. The Phoenix Police Department

reports that some trafficking rings are run by criminal street gangs, as is the case in many other parts of North America⁶. Trafficking is a key criminal franchise of street gangs, and gang members gain status within the gang for serving as a pimp⁷. Girls who are recovered by police often bear tattoo symbols of known gangs.

As a large urban area that was one of the hardest hit by the recent recession, metro Phoenix has a significant population of homeless, including runaway and throwaway children that are at risk for trafficking. The Arizona Department of Economic Security estimates that there are over 5,000 homeless children in Arizona⁸. This category includes young people who have run away from home, been thrown out of their homes or abandoned by parents or guardians. This does not include the many youth who have recently turned 18 and have aged out of the foster care system without any resources or family connections on which to rely. These children and young adults are extremely vulnerable to becoming a victim of trafficking in Arizona.

THE BUSINESS OF TRAFFICKING

Sex trafficking is a business, and for any business to survive, it requires supply and demand. In this case, there appears to be a growing demand fueled by easy access through the internet, and a ready supply of underage girls that are constantly being recruited and exploited⁹.

²Gallagher, J., Roe-Sepowitz, D. E., &Hickle, K. E. (2013). An Introduction to Sex Trafficking. In D. E. Roe-Sepowitz& J. Gallagher (Co-Chairs) *First Annual City of Phoenix Summit on Sex Trafficking*. Summit conducted in Phoenix, AZ.

³Ibid.

⁴Roe-Sepowitz, D. E., Gallagher, J., Martin, L., Snyder, G., &Hickle, K. E. (2012). See http://www.azcentral.com/news/articles/20120824backp-age-ads-prostitution-asu.html?nclick_check=1

⁵McCabe (2010).Sex trafficking in the United States. In K. McCabe and S. Manian (Eds.) *Sex trafficking: A global perspective*.Lexington Books: Plymouth, UK

⁶Dorais, M., &Corriveau, P. (2009).*Gangs and girls: Understanding juvenile prostitution*. McGill-Queen University Press: Montreal.

⁷ Ibid.

⁸ Source:

https://www.azdes.gov/InternetFiles/Reports/pdf/2011_h_omelessness_report.pdf

⁹Kotrla, K. (2010). Domestic minor sex trafficking in the United States.*Social Work*, 55(2), 181-187.

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Sadly, some girls are sold by family members, some end up selling sex as a means to support drug use, while others, are initiated into “the life” through an older boyfriend, who forces them to perform sex acts for his or her personal profit. These girls are often times born and raised in Arizona –but wherever they are from, difficult early life including poverty, child maltreatment, domestic violence or substance use in the home¹⁰ places them at risk for trafficking.

Some of these are very young girls, who may be more vulnerable to the coercion and manipulation of traffickers. While these girls may appear to look 18 or give a false age when asked, the average age of entry into sex trafficking as a minor in Arizona is approximately 14 years old¹¹.

The average age of entry into sex trafficking as a minor in Arizona is approximately 14 years old. According to the FBI the average life expectancy is 7 years due to homicide and HIV/AIDS.

Girls working under the control of a trafficker are often given nightly quotas¹⁴, and can endure countless of incidents of rape while being trafficked.

Successful prosecution of traffickers is a long and complicated process for law enforcement. It is very difficult to

get victims to testify against their pimps. Girls are often scared and fear retaliation. Most cases of trafficking in Arizona are prosecuted through the Maricopa County Attorney’s Office.

THE PIMP

Vulnerable girls may be recruited via friends, while on the street as a runaway, and at locations frequented by adolescents including at shopping malls and schools and over the internet. Pimps use a variety of tactics to recruit victims; they may act as a boyfriend (a “romeo pimp”), use force tactics such as kidnapping (a “guerilla pimp”), they might befriend a victim or required one of their current victims to befriend a new girl (Roe-Sepowitz, 2010).

Victims are controlled by their pimp through beatings, isolation, starvation, and psychological abuse, threats against family or friends, rape, debt bondage and drug dependency. Instructions about how to be a successful pimp and recruit girls can easily be found on YouTube, social media sites and the

PROFIT

Profit from sex trafficking is a billion dollar business, second only to illegal arms trafficking and the illicit drug trade¹⁵.

Sex trafficking is a high profit, low risk business where the commodity can be sold repeatedly, unlike drugs or weapons, where the product can only be sold one time. While the list of internet sources where sex can be advertised and purchased is ever-changing, Backpage.com is currently the single largest internet source for underage prostitution in Arizona¹⁶. Eighty-

¹⁰ Kramer & Berg (2003); Williamson & Folaron (2003)

¹¹ Roe-Sepowitz, Hickie, Perez-Loubert, & Egan (2011). Adult prostitution recidivism: Risk factors and impact of a diversion program. *Journal of Offender Rehabilitation*, 50(5), 272-285.

¹² Williamson, C., & Cluse-Tolar, T. (2002). Pimp-controlled prostitution: Still an integral part of street life. *Violence Against Women*, 8, 1074-1092.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ McCabe (2010). Sex trafficking in the United States. In K. McCabe and S. Manian (Eds.) *Sex trafficking: A global perspective*. Lexington Books: Plymouth, UK

¹⁶ Gallagher, J., Roe-Sepowitz, D. E., & Hickie, K. E. (2013). An Introduction to Sex Trafficking. In D. E. Roe-Sepowitz & J. Gallhager (Co-Chairs) *First Annual City of Phoenix Summit on Sex Trafficking*. Summit conducted in Phoenix, AZ.

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percent of all adult services listings ads are placed on Backpage¹⁷.

The parent company of Backpage.com is a privately held Arizona corporation, headquartered in Phoenix, Arizona. Its principal shareholders are Mike Lacey and Jim Larkin, former owners and founders of Phoenix New Times. The company was sued in September 2010 by a 15-year-old sex trafficking victim for allegedly aiding and abetting forced prostitution and the exploitation of children and child pornography by failing to investigate the prostitution ads on Backpage. A federal judge dismissed the lawsuit in August 2011. Backpage maintains its ads are protected under the First Amendment protecting the freedom of speech.

WHAT CAN BE DONE?

The mere discussion of sex trafficking in Arizona sparks outrage, yet there is much work that needs to be done to really impact the industry. **Arizona should be a state where trafficking is neither ignored nor tolerated, but rather a place where criminals are punished and johns think twice before buying sex with a minor.**

In order to make progress, Arizona needs tougher laws to punish traffickers and those who knowingly purchase sex with a minor¹⁸. Many refer to Arizona's drunk driving laws as an example and its success in the overall reduction of the incidence of people drinking and driving.

Selling sex with a child is a heinous crime and should carry the strictest sentence possible under Arizona State law. The laws of a community reflect the values of a community.

A successful awareness campaign could result in a meaningful decrease in the demand side of the

equation. It could go a long way to disrupting the business of child sex trafficking.

On the bright side, Arizona has a large network of organizations and groups who are fighting sex trafficking – through innovative law enforcement efforts, churches, service providers, research institutions, and lobbyists¹⁹.

Over the last few years, community awareness regarding trafficking has increased substantially, highlighting a need for more a coordinated and integrated response. There are many distinct groups in Arizona working independently on the issue, primarily focused on victim identification and services. Through the coordination of efforts, new and sustainable resources can be developed and laws can be adopted to facilitate arrests, prosecution of the buyers and traffickers, and prioritize the identification and protection of Arizona's children involved in domestic minor sex trafficking.

It is time that all Arizonans stand against trafficking. Small business, big business - Sex Trafficking is everyone's business. When child prostitution thrives, our entire community suffers.

¹⁷Roe-Sepowitz, D. E., Gallagher, J., Martin, L., Snyder, G., &Hickle, K. E. (2012). See http://www.azcentral.com/news/articles/20120824backpage-ads-prostitution-asu.html?nclck_check=1

¹⁸ Source: Shared Hope International's Protected Innocence Challenge, retrieved at

http://sharedhope.org/wp-content/uploads/2012/09/ProtectedInnocenceChallenge_FINAL_2012_wcover_web.pdf

¹⁹ For an example, see

<http://www.azfamily.com/news/Project-Rose-targets-Valley-sex-trafficking-207979971.html>