

**Minnesota Attorney General's Office All-Day CLE
Human Trafficking: What It Is and How to Prevent It**

June 22, 2023

@ Saint Paul College

In person with a live/remote option

8:30 – 8:35	Welcome and Introductions
8:35 – 8:45	Welcome by Attorney General Keith Ellison
8:45 – 9:30	The Intersection Between Wage Theft and Human Trafficking <ul style="list-style-type: none"> • Attorney General Keith Ellison • Jonathan Moler, Assistant Attorney General
9:30 – 10:00	What is Human Trafficking? <ul style="list-style-type: none"> • Carly Bentley, Forensic Interview Specialist, Homeland Security Investigations, U.S. Dept. of Homeland Security • Mary Hogan, Homeland Security Investigations Community Relations Officer, U.S. Dept. of Homeland Security
10:00 – 10:30	Empowering Governments and Companies to Combat Human Trafficking <ul style="list-style-type: none"> • Blake Howald, Senior Director, Data Science and R&D, Thomson Reuters Special Services • Aimee Miller, Analyst, Thomson Reuters Special Services
10:30 - 10:45	Break
10:45 - 11:30	Overview of Safe Harbor Minnesota, Including Child Welfare Response <ul style="list-style-type: none"> • Caroline Palmer, Safe Harbor Director Violence Prevention Programs Unit, Injury & Violence Prevention Section, Minnesota Department of Health • Sarah Ladd, Human Trafficking Child Protection Program Coordinator, Minnesota Department of Human Services
11:30 – 12:15	How Attorney General Offices Can Respond to Trafficking <ul style="list-style-type: none"> • Jennifer Montgomery, Magenta Girls Initiative
12:15 – 1:30	Lunch Break
1:30 – 2:15	The Intersection Between Immigration and Human Trafficking <ul style="list-style-type: none"> • Madeline Lohman, The Advocates for Human Rights
2:15 – 3:00	Prosecuting Human Trafficking <ul style="list-style-type: none"> • Leah Erickson, Assistant Attorney General • Stacie Cox Harris, Chief, Special Victims Section, United States Dept. of Justice
3:00 – 4:00	Civic Efforts to Combat Human Trafficking <ul style="list-style-type: none"> • <i>Moderator:</i> Dana Mitchell, Assistant Attorney General • Marisol Nichols, Founder & Executive Director, Slavery Free World • Lt. Marc Evans, Officer in Charge - Human Trafficking/Vice/Counter Terrorism, LAPD • Alessandra Serano, Chief Legal Advisor, International Operations Team, Operation Underground Railroad
4:00 – 4:15	Perspectives from Survivors <ul style="list-style-type: none"> • Tamara Stark, Senior Director of Housing and Youth Development, Tubman



HUMAN TRAFFICKING AND ITS INTERSECTION WITH WAGE THEFT

Office of the Minnesota Attorney General

What is Wage Theft?

- Wage Theft is: Civil and Criminal
 - Not being paid all wages owed.
 - Demanding or receiving a refund from wages.
 - Making it seem like wages paid are greater than actually paid.
- Difference:
 - Intent to Defraud (Criminal) – Minn. Stat. section 609.52, subd. 13
 - No Intent Required (Civil)

What is Wage Theft?

- Both Civil and Criminal Wage Theft Require an Employer-Employee Relationship.
 - Workers are generally classified as either employees or independent contractors
 - Employees are long-term workers whose work is controlled and directed by the employer
 - Independent contractors are short-term workers who generally are hired to do a short term, specific job

What is Wage Theft?

Employee vs. Independent Contractor

- Some employers prefer independent contractors because they are cheaper:
 - Employers don't need to pay taxes and insurance for ICs
 - Employee protections like minimum wage, overtime, etc. don't apply to ICs
- BUT: It is illegal to classify someone as an IC when they should be classified as an employee. Minn. Stat. section 181.722

Employee Misclassification

- Employee misclassification is a type of wage theft. Misclassification is when an employer classifies a worker as an independent contractor even though they should be an employee.
- It is very common in some industries, like the construction industry and the janitorial industry.

Worker Protections: Employee vs. IC

Employee

- Overtime
- Minimum Wage
- Unemployment Insurance
- Antidiscrimination
- Whistleblower
- FMLA
- Bargaining Rights

Independent Contractor

- NONE

The Scope of Wage Theft

- At least \$15 *billion* per year is stolen from low wage workers in the form of minimum wage violations. Cooper & Kroeger (2017)
 - These workers lose almost 25% of their annual earnings to wage theft.
- In 2019, \$9.27 billion was stolen from workers who earned less than \$13 per hour. Baran and Campbell (2021)
 - 4.6 million workers – 26% of workers subject to forced arbitration – experienced wage theft

The Costs of Wage Theft

- Wage theft costs states and taxpayers as well
 - Unpaid taxes, UI insurance, work comp, and more
 - A study of the construction industry in MN/WI/IL showed that the states lost out on \$362 million in tax revenues because of misclassification of workers alone. Goodell and Manzo IV (2021)
 - CA estimated misclassification costs the state \$7 billion per year. (CA Dep't of Labor Standards Enforcement)
 - Equivalent for MN would be about \$850 million per year

Only a Fraction of Wages Stolen are Recovered

- Between 2017 and 2020, enforcers and litigants recovered \$3.24 billion in back wages.
 - BUT estimates of wages stolen during this period is likely more than \$60 billion

Wage Theft Affects Everyone

- Workers
- Families
- Communities
- Government

Common Forms of Wage Theft

- Not paying workers for all hours worked
 - Last Paycheck issues (employee quits or is fired and employer refuses to pay last paycheck)
 - Off-the clock work
 - E.g.: employee is instructed to report at 8:30 am and open a store but isn't paid for the time before opening.
 - E.g.: employee is scheduled to work until restaurant closes but is required to stay late to clean and isn't paid for the extra time.

Common Forms of Wage Theft (cont.)

- Failure to pay overtime
 - E.g., worker works 50 hours in a week but is not paid time and a half after 40 hours (or 48 hours, if federal overtime laws don't apply)
 - E.g., a worker is paid a weekly salary, but is not an executive, administrative, or professional worker.
- Stealing/pooling tips
 - Generally, tipped employees are entitled to the tips they receive. Sometimes employers require employees to pool their tips and use those tips to pay non-tipped employees.

Common forms of Wage Theft (cont.)

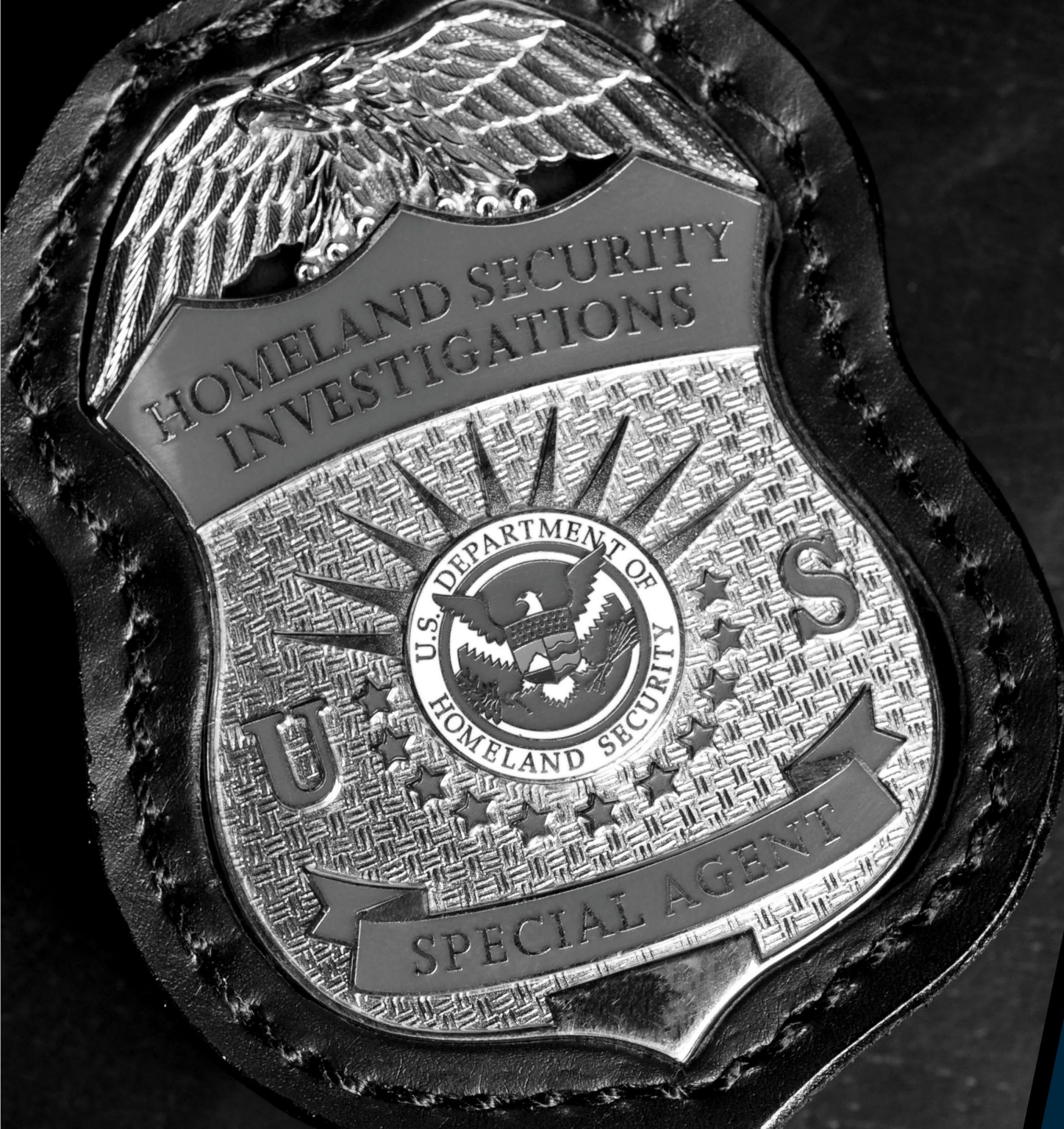
- Paying less than minimum wage
 - Workers in Minnesota are entitled to be paid the minimum wage.
 - \$8.63 for small employers (gross sales less than \$500,000), \$10.59 for large employers. Minneapolis and St. Paul both have higher minimum wages
- Unlawful deductions
 - Sometimes, employers deduct wages from employee paychecks for lost, damaged, or stolen property or for some other claimed indebtedness.
 - This is illegal unless the worker has authorized the deduction in writing.

2019 Wage Theft Law

- Created criminal wage theft liability.
 - Criminal wage theft is the same as civil wage theft except the employer must have the intent to defraud the employee of wages.
- Provided the Attorney General with civil enforcement authority of chapters 177 and 181.
- Created requirement for employee notices
 - Employers must provide notices to employees of when, how, and how much they are paid and whether they are eligible for overtime.

Criminal Wage Theft

Wages stolen (per employee*)	Max Prison Sentence	Maximum Fine
More than \$35K	20 Years	\$100,000
\$5K - \$34,999	10 years	\$20,000
\$1K - \$4,999	5 years	\$10,000
\$500 - \$999	1 year	\$3,000



Human Trafficking 101

Minnesota Attorney General Continuing
Legal Education Training
June 22nd, 2023

Carly Bentley
Homeland Security Investigations
Forensic Interview Specialist

Mary Hogan
Homeland Security Investigations
Community Relations Officer



Homeland Security Investigations
Victim Assistance Program

Minnesota BCA Human Trafficking
Investigators Task Force

HONOR | SERVICE | INTEGRITY

HOMELAND SECURITY INVESTIGATIONS

WARNING– We will be discussing crimes involving sexual assault and other violent acts involving both adults and children. There may also be mention of suicide risk and mental health. Public Awareness videos and recent cases in the media will be shown that discuss sexual assault.



Terminal Performance Objective



By the end of this presentation, given definitions of human trafficking and examples of victimology, participants will be able to apply techniques to their cases and use best practices when interacting with a victim of human trafficking is needed.

Enabling Performance Objectives

EPO #1

Outline HSI's mission and approach
Prevent, Protect, Prosecute and Partner

EPO #2

What is Human Trafficking?

EPO #3

Victim Centered Investigations=Successful Prosecutions

Terminology

HSI: Homeland Security
Investigations

CSAM: Child Sexually Abusive
Material

FIS: Forensic Interview Specialist

HT: Human Trafficking

FI: Forensic Interview

MDT: Multi Disciplinary Team

CRO: Community Relations Officer

SME: Subject Matter Expert



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ABOUT HSI

Homeland Security Investigations (HSI) is responsible for investigating a wide range of domestic and international activities arising from the illegal movement of people and goods into, within, and out of the United States.

HSI is the principal investigative arm of the U.S. Department of Homeland Security (DHS).

Mission Statement: To investigate, disrupt, and dismantle terrorist, transnational, and other criminal organizations that threaten or seek to exploit the customs and immigration laws of the United States.



PUBLIC SAFETY



**FINANCIAL
CRIMES**



**CYBER
CRIMES**



**CHILD
EXPLOITATION**



**NATIONAL
SECURITY**



**HUMAN
TRAFFICKING**



**HUMAN
SMUGGLING**



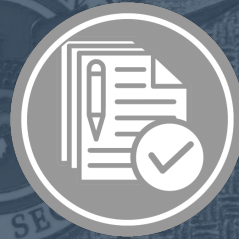
**TRANSNATIONAL
GANGS**



**COUNTER-
PROLIFERATION**



**NARCOTICS
ENFORCEMENT**



**WORKSITE
ENFORCEMENT**



**IDENTITY AND
BENEFIT FRAUD**



**IP AND TRADE
ENFORCEMENT**

BORDER SECURITY

HOMELAND SECURITY





DHS CENTER FOR COUNTERING HUMAN TRAFFICKING (CCHT)



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Human Trafficking Defined

The Trafficking Victims Protection Act (TVPA) of 2000 defines “severe forms of trafficking in persons” as:



Sex trafficking in which a **commercial sex act** is induced by force, fraud, or coercion, or in which the person induced to perform such an act has **not attained 18 years of age**;

Labor Trafficking: 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.**

A victim does not need to be physically transported from one location to another for the crime to fall within this definition.

HUMAN TRAFFICKING IS
HAPPENING IN
THE UNITED STATES



IT IS HAPPENING **EVERYWHERE**



SUBURBS



RURAL TOWNS



CITIES

HONOR | SERVICE | INTEGRITY

<https://www.dhs.gov/blue-campaign/tools>

Recognize the Signs of Trafficking

Someone you know may be in a sex trafficking situation if:

- They want to stop participating in selling or trading sex but feel scared or unable to leave
- They disclose that they were reluctant to engage in selling sex but that someone pressured them into it
- They live where they work or are transported by guards between home and workplace
- They are children who live with or are supported by or dependent on a family member with a substance abuse problem or who is abusive in other ways
- They have a pimp or manager in the sex trade
- They work in an industry where it may be common to be pressured into performing sex acts for money, such as a strip club, illicit cantina, go-go bar, or illicit massage business
- They have an older, or simply controlling parent, guardian, romantic partner or “sponsor” who will not allow you to meet or speak with the person alone or monitors their movements, spending and/or communications

Recognize the Signs of Trafficking

Someone might be in a labor trafficking or exploitation situation if you learn they:

- Feel pressured by their employer to stay in a job or situation they want to leave
- Do not have control of their passport or other identity documents
- Appear to be monitored by another person when talking or interacting with others
- Are working in dangerous conditions, without proper safety gear, training, adequate breaks and other protections
- Owe money to an employer or recruiter and/or not being paid what they were promised or are owed
- Are living and working in isolated conditions, largely cut off from interaction with others or support systems
- Are being threatened by their boss with deportation or other harm
- Are living in dangerous, overcrowded or inhumane conditions provided by an employer

Sex & Labor Trafficking

Individuals can be victims of both

Many of the dynamics are the same

Exploring the business model is important in both types of cases

There can be sex crimes in labor trafficking

What Human Trafficking is Not

Human Smuggling

Working for little pay or for long hours

A transportation crime

A crime that only happens to people experiencing homelessness or living in poverty.

HOMELAND SECURITY INVESTIGATIONS

What questions do we want answered in a HT investigation?

How does the business work?

How is it advertised?

How is the money received?

Where does the money go?

What are people's roles?

How does the victim know what to do and when?

The ins and outs of how it all works

HONOR | SERVICE | INTEGRITY

HOMELAND SECURITY INVESTIGATIONS

**What do
we look
for?

Force?

Fraud?

Control?

Coercion?**

- We want to know about medical attention or lack there of
- We want to know about family contact or lack there of
- Means of control of the victim
- What promises were made/what was the victim made to believe would happen if they did what they were told to do?
- What threats were made/what was the victim made to believe would happen if they didn't do what they were told?
- How did it all start...and end...

HOMELAND SECURITY INVESTIGATIONS

Force

- Physical abuse or assault?
- Sexual abuse or assault?
- Confinement?

Fraud

- Where does the money go?
- Withholding wages or given a portion of the income?
- What promises were made? False promises of work or living conditions?
- What was the victim made to believe something would happen if they did what they were told to do? Or if they didn't do something?

Coercion

- Family contact or lack there of?
- What threats were made/what was the victim made to believe would happen if they didn't do what they were told?
- Threats of harm to victim or others?
- Psychological manipulation? Belief that failure would result in harm?
- Freedom of movement?
- Physical restraint?
- Fear?

Control

- Medical attention or lack thereof?
- Other means to control?
- How did it all start...and end...
- What were the rules about _____?

Enabling Performance Objectives

EPO #1

Outline HSI's mission and approach
Prevent, Protect, Prosecute and Partner

EPO #2

What is Human Trafficking?

EPO #3

Victim Centered Investigations=Successful Prosecutions

Victim-Centered & Trauma Informed Techniques



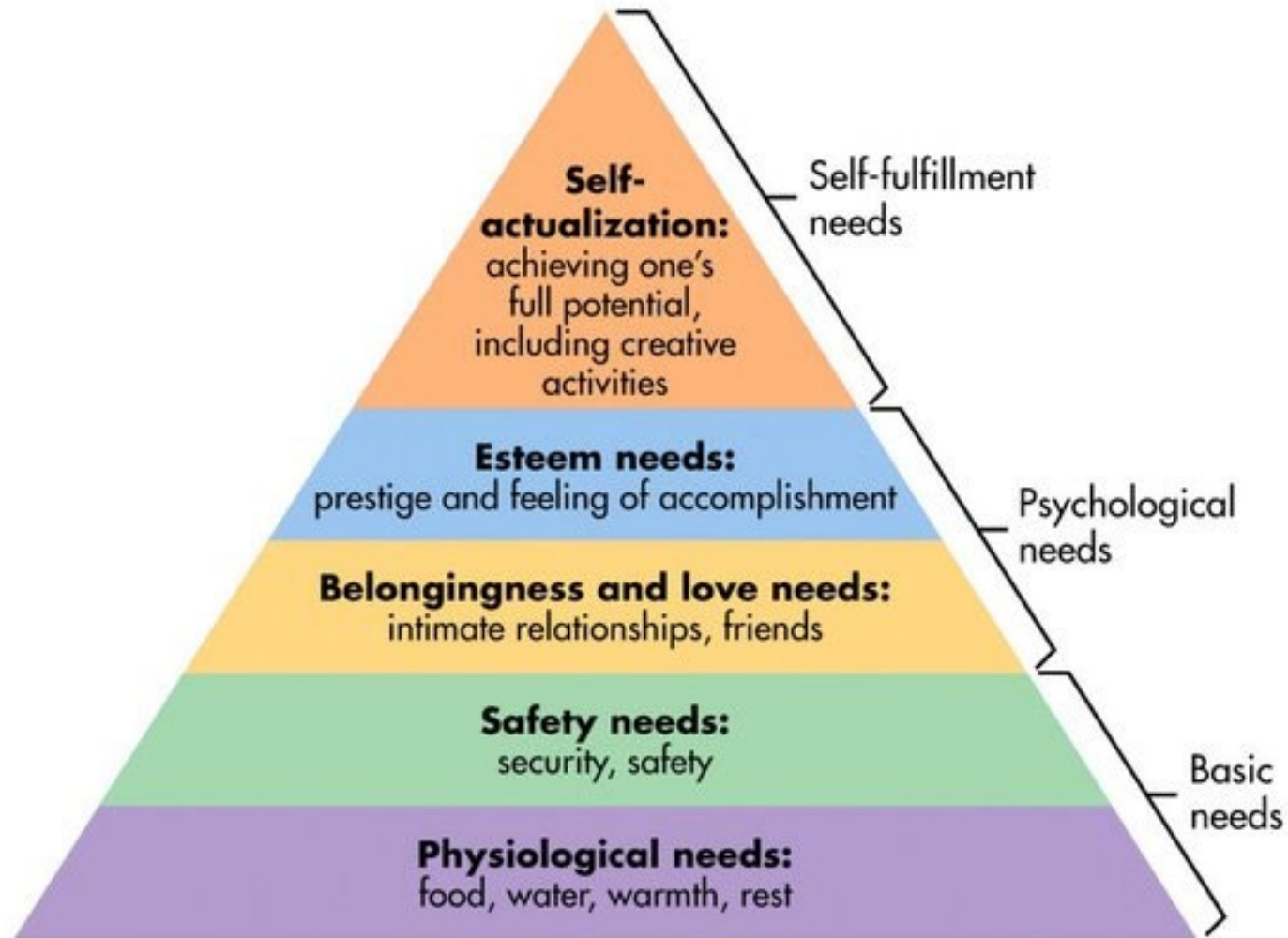
It is not possible to have a credible, reliable witness until you have a victim who feels safe and secure

- Victims have **rights** even if they committed an illegal act during their exploitation.
- Victims need to be informed and have **opportunities to engage** on their case throughout the process.

“The largest cause of prosecution failure was the loss of once-cooperative witnesses who simply stopped helping a justice system that was indifferent to their most basic needs.”

Department of Justice (DOJ) National Criminal Justice Reference Service (NCJRS)
https://www.ncjrs.gov/ovc_archives/ncvrw/2005/pdf/historyofcrime.pdf

Maslow's Hierarchy of Needs



**Basic needs
must be secured
before a victim
can competently
participate in an
interview**

- **Investigative**
 - **Corroboration**
 - **Clarification**
 - **Finding justice**
- **For the Victim**
 - **Empowerment of the victim**
 - **Giving them back their voice**
 - **Honoring your victim**





**Don't forget to place the blame
where it belongs...**

**The blame always belongs on the
target of the investigation.
Use language that reflects that...**

Concerning and Blaming Statements

- In these videos the victim produces child exploitation material
- In video 7 the victim exposes her vagina
- In video 4 the victim exposes her breasts
- Video 2 is “clean” and the victim is clothed
- The victim had sex for money



More examples....

- “When you had sex for drugs, where were you?”
- “When the sex for drugs happened, where were you?”
- “Who was there while you were doing drugs?”
- “You said drug were being used, say more about who else was there?”
- “Why did you walk home alone that night?”
- “Tell me the reason you were walking home alone that night.”

Victim Service Coordination



- Be aware that asking a victim to revisit these experiences can be re-traumatizing.
- This may result in an increase in victim assistance needs or changes in behavior by the victim.
- Help ensure planning for assistance with any social service providers or others who are a support system for the victim after any interview is conducted.
- Agency advocates can coordinate with the prosecutor's office advocate.



<https://www.dhs.gov/blue-campaign>

Blue Campaign is a national public awareness campaign designed to educate the public, law enforcement, and other industry partners to recognize the indicators of human trafficking, and how to appropriately respond to possible cases.

 **1-866-347-2423 Report suspected human trafficking to federal LE**

 **1-888-373-7888 National Human Trafficking Hotline**

HOMELAND SECURITY INVESTIGATIONS

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HSI TIPLINE 1-866-347-2423 | Follow us on Twitter @HSI_HQ 

Visit us at <https://t.co/GEAF00ErKI?amp=1>



Empowering Governments and Companies to Combat Human Trafficking

Blake Howald, Aimee Miller

June 22, 2023

Minnesota Attorney General's Office CLE



- Subsidiary of Thomson Reuters focused on United States national security mission
- Support includes subject matter experts, data and technology (data science, engineering)
- Active support of human trafficking, forced labor, and child exploitation investigations for federal law enforcement clients
- Long history of supporting human rights initiatives



THOMSON REUTERS

<https://www.helpforukrainians.info/>

Use Case #1 – NFL Draft

- Studies and analysis indicates that large events, such as the Super Bowl and NFL Draft, drive a demand for commercial sex which results in traffickers bringing victims to the host site to meet the uptick in demand
- TRSS provided on-the-ground support to a federal law enforcement agency that was conducting a human trafficking operation with a focus on identifying traffickers and their victims
- Using a combination of proprietary tools, third party data, and open source intelligence we were able to supply the agency with numerous tips and leads that led to 22 arrests and the rescue of two human trafficking victims



<https://www.thomsonreuters.com/en/careers/careers-blog/the-super-bowl-grid-iron-dreams-human-trafficking-nightmares.html>

Use Case #2 – IMB Graph

- Illicit Massage Businesses (IMBs)
- Identification of IMBs based on open source reviews and connection to public records
- Facilitates understanding of larger (domestic and international) networks associated with activity
- Larger networks can also overlap with supporting activities (money laundering, drug trafficking, visa fraud)
- <https://www.theglobeandmail.com/business/article-human-trafficking-shell-companies-money-laundering/>



IMBs associated with a single address

Use Case #3 – Honolulu Pro Bono

- TRSS provided pro bono support in the investigation of a 19-year-old suspected victim of sex trafficking who was in a coma after being sexually assaulted
- HNP facilitated TRSS involvement
 - Bringing together law enforcement, non-profit, and private sector to fight human trafficking
- Analysis of Venmo transactions, social media and phone toll data led to creation of an inter-connected network of individuals, addresses and businesses
 - Linked to suspected narcotics and human trafficking
 - Identification of a serial rapist
 - Support for multiple search warrants and lead prioritization efforts



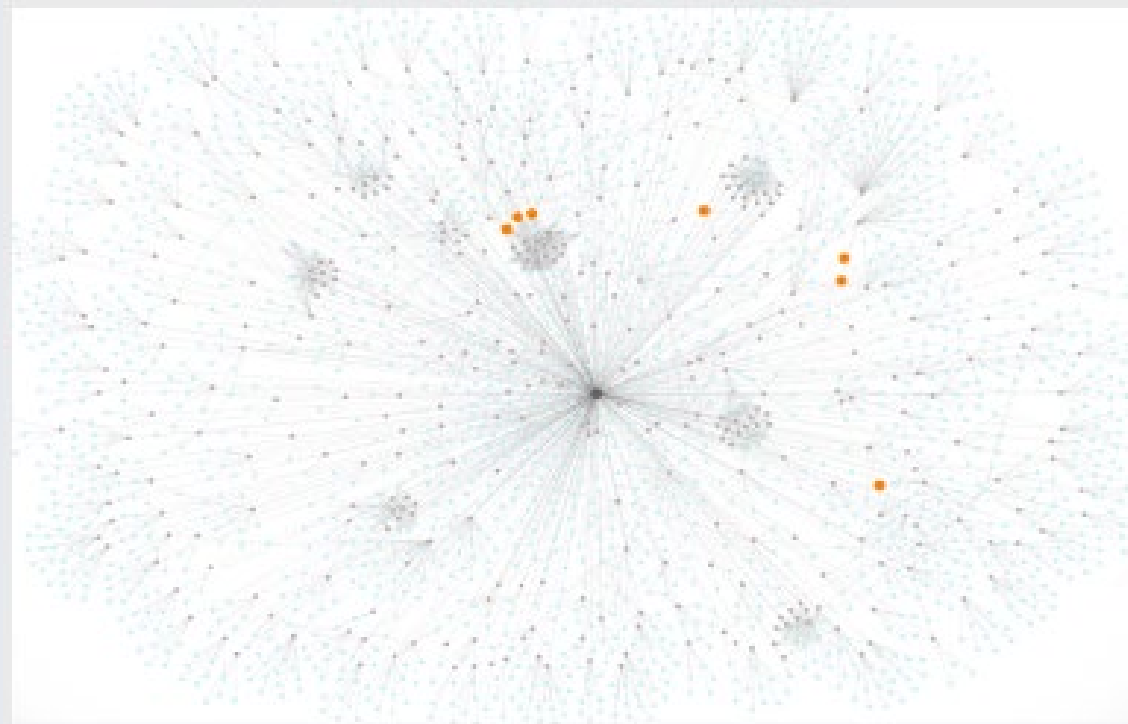
HO'ŌLA NĀ PUA

Partnership with Ho'ōla Nā Pua (HNP) –
Hawaii-based non-profit that provides
holistic, comprehensive, trauma-informed
care for survivors of sex trafficking

<https://hoolanapua.org/>

Use Case #4 – Uyghur Goods

- Uyghur Forced Labor Prevention Act (UFLPA)
- Requires supply chain visibility to maintain importer compliance and sanction avoidance
 - 1.4 Billion (~4200 shipments) assessed since Q3 2022
 - <https://www.cbp.gov/newsroom/stats/trade/uyghur-forced-labor-prevention-act-statistics>
- Xinjian Production and Construction Corps (XPCC) is responsible for control of the Xinjian Uyghur Autonomous Region (XUAR)
- Networked economic connections to XPCC in the cotton, tomato and textiles industries



XPCC's network of executives, subsidiaries, and associated entities (~2000)

Questions?

Contact:

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Safe Harbor: Minnesota's Response to the Trafficking and Exploitation of Youth Through Age 24

Violence Prevention Unit

Injury and Violence Prevention Section

Health Promotion and Chronic Disease Division



SAFE HARBOR PROGRAM OVERVIEW



B A C K G R O U N D

- Safe Harbor law passed 2011
 - Youth under age 18 no longer criminalized for prostitution; services and supports offered instead
 - Focus on sexual exploitation and sex trafficking
- No Wrong Door planning 2011-2014
- Full implementation 2014 including Safe Harbor Director in MDH, state funds
- Public health model working in collaboration with government and community partners with a focus on prevention
- Tribal Summit and early tribal engagement
- Service eligibility through age 24

NO WRONG DOOR REPORT

NO WRONG DOOR



A Comprehensive Approach
to Safe Harbor for Minnesota's
Sexually Exploited Youth

January 2013



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF JUSTICE PROGRAMS

KEY REPORTS

Garden of Truth:
The Prostitution and Trafficking of Native Women in Minnesota

By
 Melissa Farley
 Nicole Matthews
 Sarah Deer
 Guadalupe Lopez
 Christine Stark
 Eileen Hudon

Research by
 Minnesota Indian Women's
 Sexual Assault Coalition
 and
 Prostitution Research
 & Education

Shattered Hearts

The Commercial
 Sexual Exploitation
 Of American Indian
 Women And Girls
 In Minnesota

Minnesota Indian Women's Resource Center

Early Intervention to Avoid Sex Trading and Trafficking of Minnesota's Female Youth: A Benefit-Cost Analysis

Executive Summary

UROC | Urban Research and Outreach-Engagement Center
 UNIVERSITY OF MINNESOTA
 Driven to Discover™

STATEWIDE AND LOCAL PARTNERSHIPS

- Minnesota Department of Health
 - Safe Harbor Director, Regional Navigator and supportive services grants, biennial evaluation, training and technical assistance; federal grant - Office for Victims of Crime
- Minnesota Department of Human Services
 - Office of Economic Opportunity manages shelter, housing, and outreach grants
 - Child welfare and vulnerable adult system responses
- Minnesota Department of Public Safety
 - Bureau of Criminal Apprehension Human Trafficking Investigators Task Force
 - Office of Justice Programs grants for law enforcement support, training, and technical assistance
 - Missing and Murdered Indigenous Relatives Office

STATEWIDE AND LOCAL PARTNERSHIPS

- Multidisciplinary Local Protocol Teams
 - Partner TBD
- Minnesota Attorney General
 - McKnight Foundation grant to support human trafficking prosecutions
 - Seed funding and intern funding for Expungement program (Helpsealmyrecord.org)
 - Membership on the Conviction Review Unit
 - Victims Considerations Subcommittee

NATIONAL PARTNERSHIPS: CENTERS FOR DISEASE CONTROL

- Centers for Disease Control Grant (2022-27)
 - Evaluation of Love 146's Not a Number Trafficking Prevention Curriculum for Youth
 - Used in Minnesota since 2017 – MDH recommended curriculum
 - Partnerships with University of New Hampshire Crimes Against Children Research Center, University of Minnesota School of Nursing, Love 146

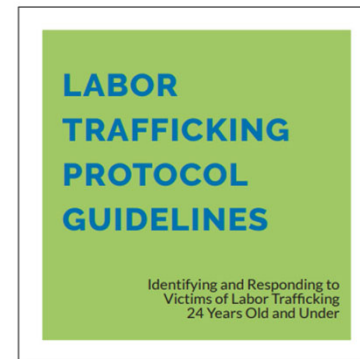
**NATIONAL PARTNERSHIPS :
USDOJ OFFICE OF VICTIMS OF CRIME
(3 GRANTS 2016 - 2025)**

- Support for Tribal Nations, urban-based Native American services organizations, and MMIR office
- Integration of labor trafficking and exploitation response into Safe Harbor
- Survivor Advisory Groups
- Development of Labor Trafficking Protocol guidelines and BCA Labor Trafficking Protocol for Law Enforcement
- Support for child welfare response including ICWA/child welfare liaison
- Development of MYTEI tool as well as educational resources and media guide
- Support for BCA embedded victim advocate

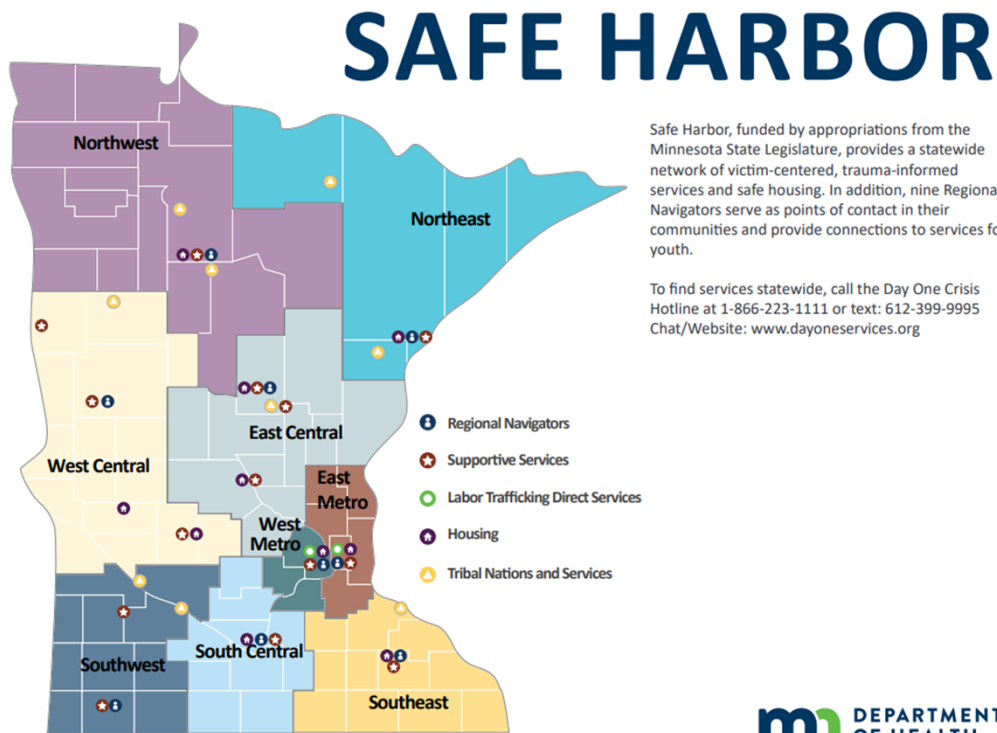
HELPING ADULTS BE PREPARED TO HELP YOUTH

- Minnesota Youth Trafficking and Exploitation Identification Guide (MYTEI)
 - Best practices for identifying and responding
 - Indicator list to help professionals recognize signs
 - Resources for further information, referrals, and guidance
 - Can be adapted for adults

PROTOCOL GUIDELINES



SAFE HARBOR NETWORK (CHANGES COMING IN FY2024!!)



11 Regional Navigators (includes 2 Tribal Navigators)

28 Supportive Services grantees

17 Shelter/Housing/Outreach grantees

2 Labor Trafficking direct services grantees (federal funds)

3 Urban-based Native American serving organizations (state and federal funds)

9 Tribal Nations (state and federal funds)

Note – some agencies have grants in more than one category

A D D I T I O N A L T R A I N I N G S

- Legislatively mandated trainings on sex trafficking for lodging establishments
 - Updates including new video and materials coming in fall 2023
- Online training for health care providers
 - Available for free through MDH online learning system
 - CEU credits available; 6 brief modules on sex and labor trafficking
 - Developed by providers and survivor subject matter experts

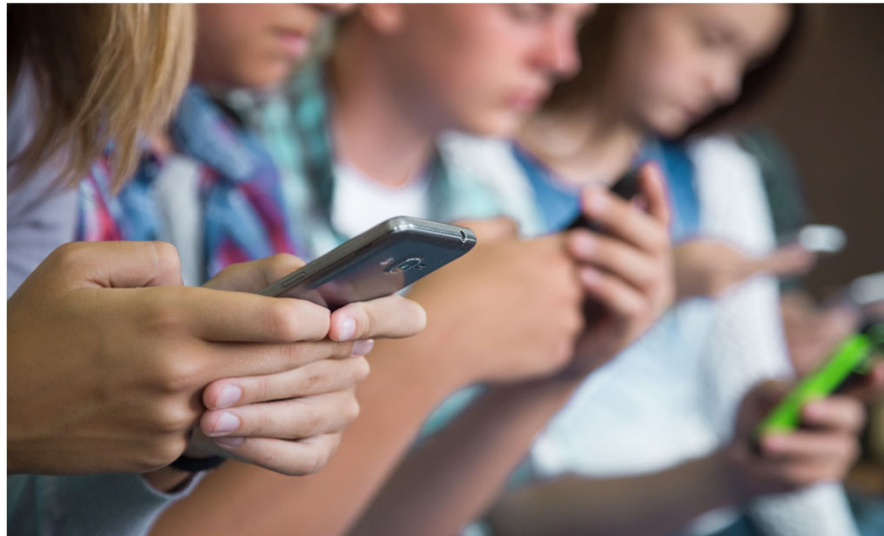
MATERIALS DESIGNED BY YOUTH FOR YOUTH

- MDH Safe Harbor Youth Outreach Materials
- Office for Victims of Crime: Youth victims and witnesses support materials, including graphic novels (sample image below) to explain the criminal justice process.



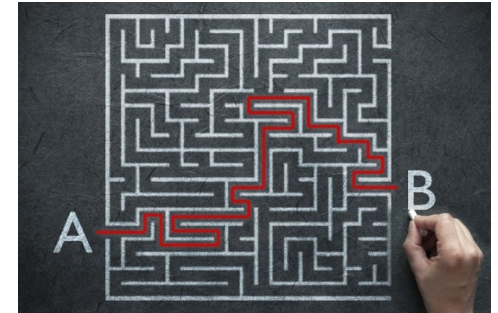
COORDINATING TO PROVIDE HELP

- Youth Services Network (YSN)
- Day One Emergency Shelter & Crisis Hotline



COMING UP IN 2023 - 24

- Implementation of new state-level labor trafficking services funding (from 2023 legislative session)
- Safe Harbor Strategic Planning process
- 2023 Safe Harbor Evaluation Report
- Updated Minnesota Student Survey Data (2022)
- Regional trainings on substance use and human trafficking including forced criminality funded by Johns Hopkins Bloomberg School of Public Health American Health Initiative
- Potential changes to the Safe Harbor Laws
 - Inclusion of labor trafficking and exploitation
 - Removal of age limit



SAFE HARBOR
EVALUATION DATA (4 / 1 / 1 9 - 6 / 3 0 / 2 1)

- Youth clients provided grantees with their self-defined demographic information during intake.
- The average age at the time of enrollment for new clients was 16.7 years. The average age for total services was higher, 17.13 years, suggesting that clients who reenroll in services may be slightly older.
- Some demographic data is missing, which may undercount certain groups.

**SAFE HARBOR
EVALUATION DATA (4 / 1 / 19 -
6 / 30 / 21) CONTINUED**

Race demographic	Unique enrollments (n=1123)	Total services (n=2633)
Black	263 (23.4%)	629 (23.9%)
American Indian	163 (14.5%)	394 (15.0%)
POC	95 (8.5%)	262 (8.7%)
White	437 (38.9%)	1075 (35.7%)
Multiracial	165 (14.7%)	273 (9.1%)

**OTHER SAFE HARBOR
EVALUATION DATA (4 / 1 / 1 9 - 6 / 3 0 / 2 1)**

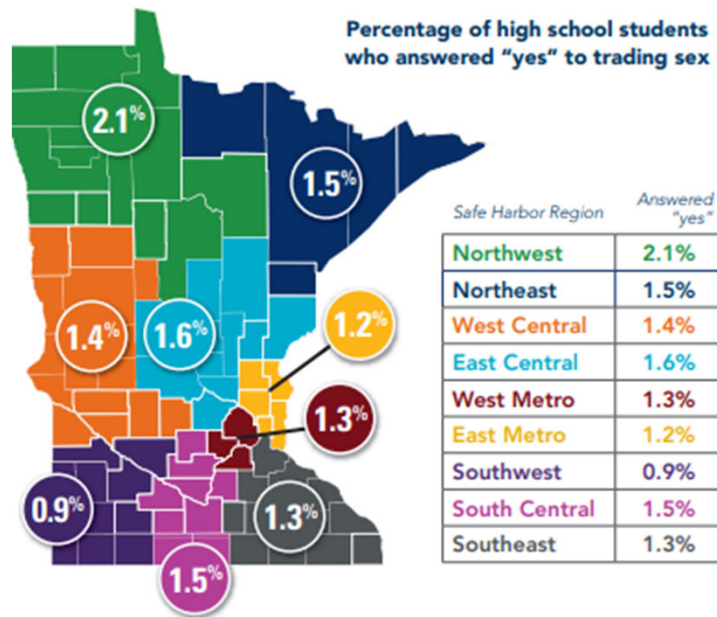
Gender identity	Unique enrollments (n=1204)	Total services (n=3000)
Female	1071 (88.9%)	2687 (89.4 %)
Male	86 (7.1%)	203 (6.8%)
Transgender and non-binary	47 (3.9%)	110 (3.7%)



MINNESOTA STUDENT SURVEY 2019



2019 MSS DATA



RACE & ETHNICITY

Students from many different backgrounds reported trading sex.

Percentage of youth who answered "yes" within each category.

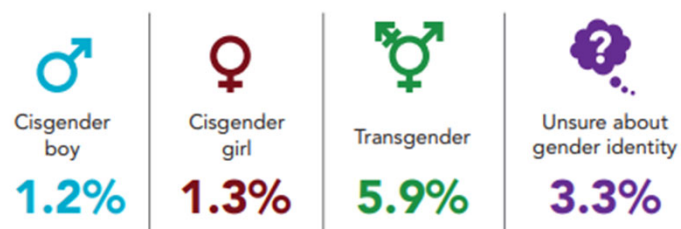
American Indian/Native+³	3.1%
Asian/Asian American	0.7%
Black, African, or African American	1.7%
Hispanic/Latinx	1.5%
White	1.2%
Multiple Races	1.8%

³ This category includes all students identifying as American Indian or Alaskan Native (AIAN) only or AIAN plus other races/ethnicities or Native Hawaiian or Other Pacific Islander (NHOPI) or NHOPI plus other races/ethnicities.

2019 MSS DATA CONTINUED

GENDER IDENTITY²

Students of all gender identities reported trading sex. For example among transgender students, 5.9% reported trading sex.



² Transgender is a term that describes individuals whose gender identity differs from social or cultural expectations of their birth-assigned sex. Cisgender is a term for those whose gender identity aligns with their birth-assigned sex.

RELEVANT EXPERIENCES & CONTEXTS

Some groups of young people are more likely to be impacted by trading sex and sexual exploitation. Below is the percentage of youth in some of these groups who reported that they have traded sex. For example, among youth in juvenile correctional facilities who completed the MSS, 12% reported trading sex.



⁴ This estimate is derived from a separate sample of youth in juvenile correctional facilities.

⁵ ALC includes alternative schools and area learning centers. This estimate is derived from a separate sample of students attending ALCs.



Thank you!

Caroline Palmer, JD, MPH

Caroline.Palmer@state.mn.us

<https://www.health.state.mn.us/communities/safeharbor>



Child welfare response to human trafficking and sexual exploitation

Sarah Ladd, JD | DHS Human Trafficking Child Protection Program Coordinator

Child welfare system's role in responding to human trafficking

- What is it in your experience?
- What good can come from child welfare involvement?
- What harms have come from child welfare involvement?
- What SHOULD or COULD the role of child welfare be in responding to human trafficking of children?



Minnesota's Child Protection Response to Human Trafficking and Exploitation (Current)



The Basics

1. Sex trafficking of a child is a mandated report in Minnesota, even if the alleged trafficker is a non-caregiver/ household member. (Minn. Stat. 260E.03, subd. 20)
2. Sex trafficking requires three parts:
 - a) **ACTOR**: Third party trafficker (not the buyer or victim)
 - b) **ACTION**: Receiving, recruiting harboring, providing, or obtaining; or profiting
 - c) **ACT**: Aid in the “prostitution” of an individual
3. Reports of sexual exploitation (without a caregiver alleged offender) or labor trafficking should be referred to voluntary child welfare services through the county or tribal agency.
4. Law enforcement and county or tribal child welfare agencies must promptly cross report.

Federal Laws Addressing Child Welfare's Response to Human Trafficking

Trafficking
Victims
Protection Act

2000

Preventing Sex
Trafficking and
Strengthening
Families Act

2014

Justice for
Victims of
Trafficking Act

2015

Family First
Prevention
Services Act

2018

TVPRA of
2022

FFPSA: Specialized programs for ST/CSE/At Risk youth

- **Trauma-informed model of care**
- **Safe setting designed to prevent ongoing and future trafficking**
- **Providing equitable, culturally-responsive, and individualized services**
- **Assisting youth with accessing services based on individual needs**
- **Providing educational, life skills, and employment supports**
- **Offering a trafficking prevention education curriculum***
- **Direct contact staff are trained by DHS on human trafficking***

Overview of NEW federal laws and guidance

- **New federal guidance and recommendations- HHS ACF, Dec. 2022**
 - [ACF-IM-22-01: Child welfare response to human trafficking and youth missing from care](#)
 - [National Advisory Committee on the Sex Trafficking of Children, Final Recommendations](#)
 - [OIG Report, July 2022- In Five States, There Was No Evidence That Many Children in Foster Care Had a Screening for Sex Trafficking When They Returned After Going Missing](#)
- **New federal laws- signed into law Jan. 5, 2023**
 - [Abolish Human Trafficking Act of 2022 \(S. 3946, Pub. Law 117-349\)](#)
 - [Trafficking Victims Protection and Prevention Reauthorization Act of 2022 \(S. 3949, Pub. Law 117-348\)](#)

NEW Non-Caregiver Sex Trafficking Assessment Response

“In cases involving non-caregiver alleged offenders, county and tribal agencies report re-traumatization for the child and family as well as additional safety risks created by the current investigation response. A new response track, training and greater capacity are needed in order to improve safety for the child and family and provide more effective services for trafficked youth in Minnesota.”

STY/SEY Enhanced Child Welfare Response Proposal, FY2022



Creation

Create new child protection Non-Caregiver Human Trafficking Assessment track



Alignment

Modifying existing statutes to update definitions of sexually exploited youth and egregious harm; and create new track requirements



Training

Mandatory training of all state, tribal, and local child welfare staff on best practices for responding to sexual exploitation and trafficking

2023 session updates: Proposal fully funded in HHS omnibus in House and Senate- in Conference Committee

- ~~Training requirement for all child welfare staff~~
- ~~Amending definition of sexually exploited youth (and related)~~
- ~~Certification for specialized residential programs serving youth who have been or are at risk of sex trafficking or commercial sexual exploitation~~
- Third track!!- See [Conference Committee updates on SF2995/ HF0238](#)

mn.gov/dhs

Federal child welfare changes

1. Human trafficking must be a form of “child abuse and neglect” and “sexual abuse”- 117-348
2. Child welfare agency must have policies and procedures for identifying, documenting, and determining services for children under state child welfare supervision at risk for or who have experienced human trafficking.- IM (interpreting prior laws)
3. Mandated reporters must report concerns of sex trafficking... using the definition of sex trafficking from the TVPA, as amended (which includes non-caregiver perpetrators)- IM (interpreting prior laws)
4. States should evaluate whether to remove third party control requirement for child sex trafficking- 117-348 (“sense of congress”)
5. Child welfare agencies shall maintain regular communication with NCMEC and law enforcement to provide for safe recovery of missing child AND new requirements for data child welfare provides to NCMEC- 117-348

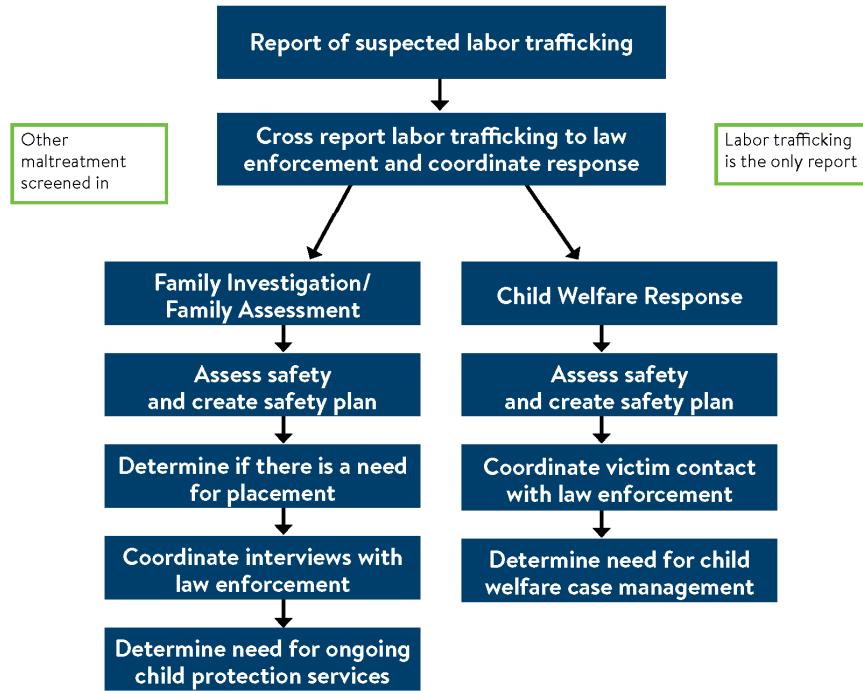
Adding labor trafficking

Changing sex trafficking definition



Child protection and child welfare responses to labor trafficking

Labor trafficking response today




Other maltreatment screened in

Labor trafficking is the only report

In all cases, assigned child protection and child welfare workers should:



 For accessible formats of this information or assistance with additional equal access to human services, write to dhs.info@state.mn.us, call 651-431-4670, or use your preferred relay service. ADA1 (2-18)

New Laws Implementation Subgroup

Challenges	Frequency
Lack of services/ funding for response (services, advocacy, Safe Harbor, all sectors)	10**
Lack of capacity in child welfare workforce	6
Lack of training and awareness about labor trafficking, working with foreign nationals	3
Chilling effect of mandated reporting of labor trafficking	3
Referrals and collaboration already challenging, even more so with new type of trafficking reports	2
Impact on farming families (labor exploitation?)	2
Engaging families who may be scared, especially foreign national families worried about immigration	2
Lack of guidance/ knowledge of how to investigate or assess these reports in child welfare field	2
Identification of labor trafficking	1
Increase disproportionality for children and families of color	1

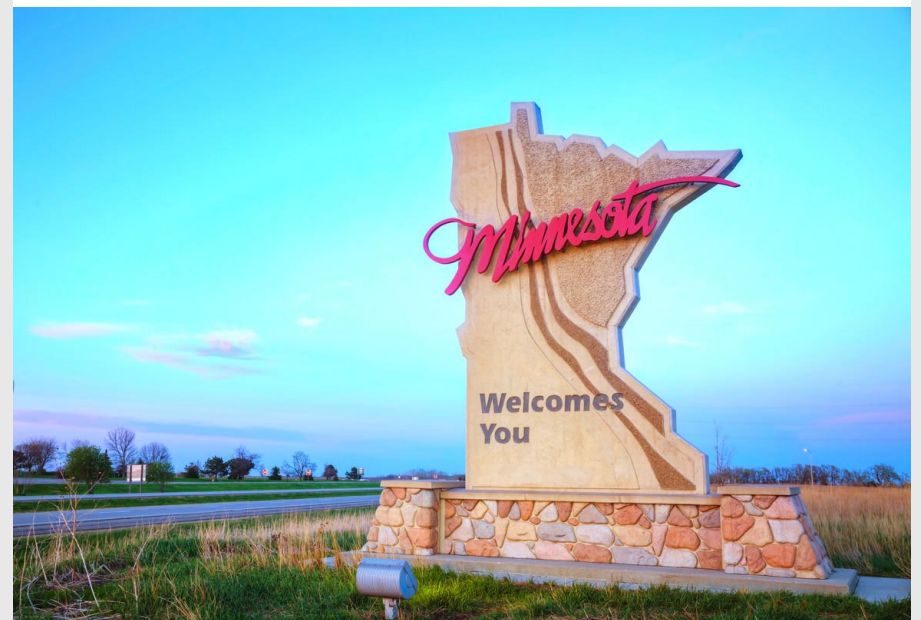
Upcoming process

- Human centered design
- Backwards mapping → Case examples
- 30 participants
- NHTTAC/ACF TA
- Developing FY24-25 proposal



Minnesota lessons learned and opportunities

- Minnesota Safe Harbor No Wrong Door
- Safe Harbor response today and possibilities for phased development of new responses
- 2023-24 legislative session changes
 - Safe Harbor shelter/ housing funding, labor trafficking funding
 - Safe Harbor RN and shelter/housing
 - Labor trafficking definition amended
 - Non-caregiver sex trafficking assessment created
 - BCA Human Trafficking Investigators Task Force Funding



Questions and discussion

**Sarah Ladd, Human Trafficking Child Protection
Program Coordinator (DHS)**

Sarah.ladd@state.mn.us

Want to join the [DHS Child Trafficking and Exploitation Work Group?](#)

Have you seen the revised [Minnesota Best Practice Response to Child Trafficking and Exploitation: A Guide for County and Tribal Child Welfare Agencies?](#) (Jan 2023)

Anti-Human Trafficking Strategies for AG Offices

Myths

- Sex trafficking occurs when *something of value* (not just money) is exchanged for sex with a vulnerable adult or child.
- Traffickers are not always strangers. Romantic partners/spouses, parents, other family members.
- No requirement of a violent act (abduction/use of physical force). Psychological means: manipulation, threats or fraud to induce victims into providing commercial sex or exploitative labor.
- Human trafficking is a global and *local* problem.
- Human trafficking and human smuggling are two separate crimes. Trafficking does not require any movement or transportation. Victims can be recruited and trafficked in their own communities, homes.
- Victims frequently stay in exploitative situations due to psychological manipulation, fear of violence, isolation and economic abuse. In some cases, physical restraint and restricted movement is used to control.

GOALS

- Reduce vulnerability of at-risk populations in your state (prevention)
- Train law enforcement (interdiction/identification, investigation and operations)
- Educate key professions and the public on red flags and how to report potential trafficking
- Prosecution. Building capacity
- Leadership

Prevention

- Identify vulnerable populations
- Work with state agencies on policies & protocols
- Address drivers/vulnerabilities of trafficking in policy & laws

Training

- State and local law enforcement training
- Educational presentations & training of key sectors
- Public awareness

Public Awareness



Are you or someone you know being sold for sex or forced to work for little or no pay and cannot leave?

There is a way out.
Here's how:

Contact the National Human Trafficking Resource Center
Call 1-888-373-7888
toll free and confidential
or text **HELP** or **INFO** to **BeFree (233733)**

The Hotline and Text line can be used to:
Get help, report a tip, connect with anti-trafficking services in your area, and to request training and technical assistance, general information or specific anti-trafficking resources.

The National Human Trafficking Resource Center is a national, toll-free hotline available to answer calls and texts from anywhere in the country, in English, Spanish, and more than 200 additional languages through an interpreter, 24 hours a day, 7 days a week, every day of the year.

Human trafficking situations can be dangerous to you and to victims if you attempt to intervene.

If you suspect human trafficking, call the Hotline or 1-800-KS-CRIME.

If it is an emergency situation, call 911.



Provided by
Kansas Attorney General Derek Schmidt
1-800-828-9745 (8 a.m. - 5 p.m. Central Time)



Rev. 01/2022

Public Awareness

A horizontal banner with a black background and torn edges. On the left, a young woman with long dark hair sits on a wooden bench, looking down with a sad expression. On the right, a man wearing a grey hat and a pink shirt is shown in profile, looking to the left. The central text is in red and yellow.

**Human Trafficking is
Happening in Kansas**

If you see something, **REPORT IT.**
National Human Trafficking Resource Center

1-888-3737-888



ag.ks.gov

Policy/Laws

- State Task Force or Advisory Board (MDT approach)
- Review basic HT laws and determine gaps/needs
- Outreach & Education of Legislature**

Prosecution

- Training (building capacity statewide)
- Communication with Law Enforcement, victim advocates

Key Partnerships

- Feds – U.S. Attorney's Office, USDOL, HHS
- State agencies – child protective services and department of labor
- Survivors
- State, local, national & international nonprofit organizations

Partnerships

- **Truckers Against Trafficking**, state curriculum for CDL requirement. <http://www.truckersagainsttrafficking.org>
- **ECPAT-USA**, industry-specific curriculum for the travel, tourism & hospitality industry. <http://ecpatusa.org>
- **In Our Backyard**, freedom stickers. Convenience store association effort <http://inourbackyard.org>
- **Strike Out Slavery**, national non-profit raising awareness of trafficking in sporting venues. MLB/Kansas City Royals. <http://strikeoutslavery.com>
- **KHA Toolkit**, partnership with the Kansas Hospital Assn. on digital toolkit, resources, training for healthcare providers <https://www.khanet.org/CriticalIssues/QualityandPatientSafety/human-trafficking/>
- **Rotary**, talking points and HT awareness poster distribution with all Rotary clubs across Kansas.
- ***Demand an End*** public awareness campaign. <http://www.DemandanEnd.KS.gov>

Funding

- + Education & Awareness = funding
- Human Trafficking Victim Assistance Fund (HTVAF) grants – fines and fees from buyers and traffickers
- Scalable based on initiatives/priorities of office

Leadership

AG's offices should be leading anti-trafficking efforts in each state.

- Public awareness
- Prevention
- Partnerships
- Policy
- Training & Education
- *Prosecution*
- *Victim Services*

Jennifer Montgomery

jennifer25montgomery@gmail.com

(785) 588-0144

THE INTERSECTION BETWEEN IMMIGRATION AND HUMAN TRAFFICKING

Madeline Lohman | The Advocates for Human Rights



Immigrants at risk



Immigration status

- 55% of labor trafficking cases reported to NHTH involved foreign nationals
- 2009 study: 71% of victims entered US with legal visa; 69% undocumented by the time they receive services
- Seeking immigration assistance is one way trafficking victims are identified

IMMIGRATION BENEFITS

Immigration Options

Return to Home Country

- Repatriation
- Reintegration

Short-term Immigration

- Continued Presence
- Deferred Action (two kinds!)

Long-term Immigration

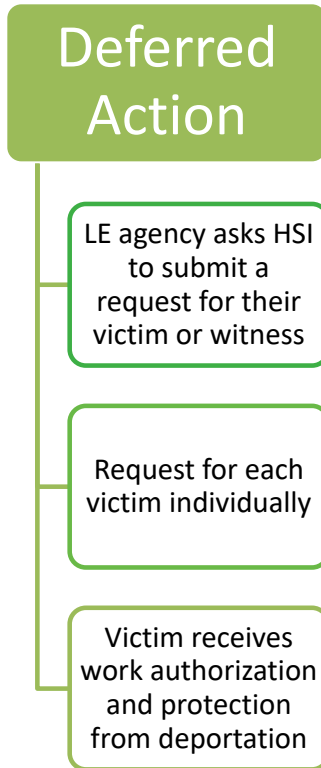
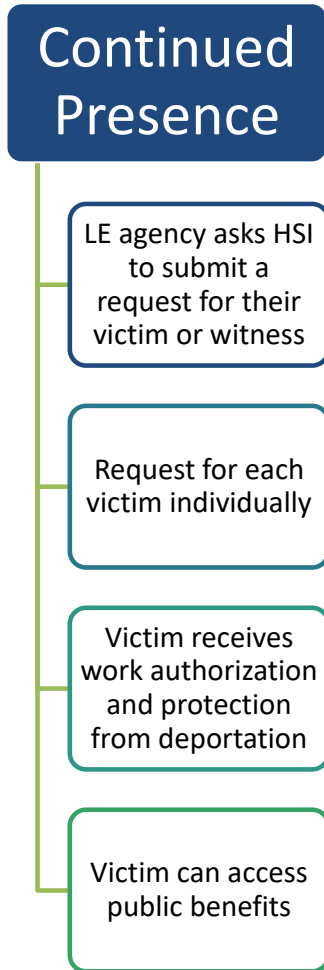
- T visa (trafficking)
- U visa (specified crimes)

Immigration benefits help criminal investigations

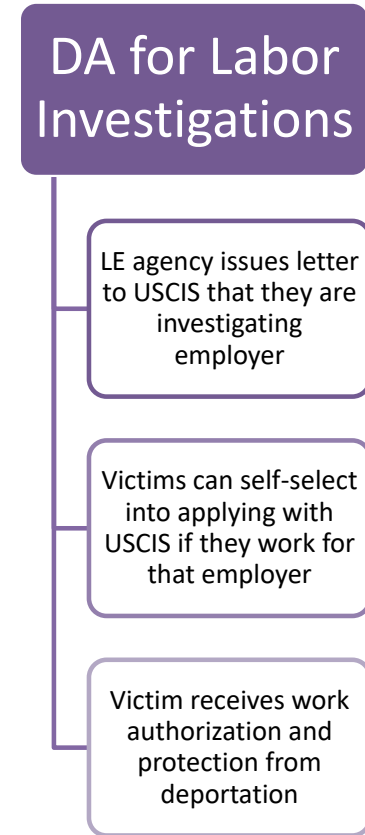


Temporary Protections for Trafficking Victims

Potential trafficking + identified victim?



Workplace crime + no specific victim?



T VISAS

Eligibility Requirements

Victim of a severe form of trafficking

Physically present in U.S. (or territories) on account of trafficking

Cooperated with reasonable requests from law enforcement (unless exception)

Would suffer hardship if removed from U.S.

Is admissible to the U.S.

Cooperation with Law Enforcement

Exceptions

Victim under 18

Physical or psychological trauma that precludes cooperation

USCIS
determines

Did victim comply?

Were requests for cooperation “reasonable”?

Primary
evidence of
cooperation

I-914B, Law Enforcement Certification

Roles and Responsibilities

Law Enforcement

- ID trafficking
- Detect, investigate, prosecute trafficking
- Complete Form I-914B

HSI

- Investigate sex and labor trafficking
- Provide victims services
- Adjudicate Continued Presence

Victim

- Comply with reasonable requests for assistance from law enforcement
- Complete T visa application

Attorney

- Advise if eligible for T visa
- Advise of legal rights
- Assist client in collecting evidence and applying for T visa

USCIS

- Determine if eligible for T visa
- Background check of applicant
- Approve or deny immigration benefits—T visa, work permit, green cards, etc.

MN Stat 611A.95

Subd. 2. **Certification process.** (a) A certifying entity shall process a certification requested by a victim of criminal activity or a representative of the victim, including the victim's attorney, family member, or domestic violence or sexual assault violence advocate, within the time period prescribed in paragraph (b).

(b) **A certifying entity shall process the certification within 90 days of request**, unless the victim is in removal proceedings, in which case the certification shall be processed within 14 days of request. Requests for expedited certification must be affirmatively raised at the time of the request.

(c) An active investigation, the filing of charges, or a prosecution or conviction are not required for the victim of criminal activity to request and obtain the certification, provided that the certifying entity initiated an investigation and the victim cooperated in it.

I-914B, Law Enforcement Certification

- Does not guarantee T visa eligibility
- Confirms law enforcement's belief that applicant is trafficking victim
- Provides valuable evidence of victim's cooperation
- Continued requirement to cooperate – certification can be withdrawn

Benefits of T Visas

Eligibility for
services

Work
authorization

Family
reunification

Lasts longer
than CP or DA

Can be turned
into green
card

Other Immigration Remedies

U Visa – victims of qualifying crimes

12-year wait (10,000 annual cap, waitlist at 122,000+)

Requires law enforcement certification

Requires substantial physical or mental abuse

Can be processed from outside of the U.S.

Asylum

Defensive or Affirmative

Country conditions related to trafficking

Special Immigrant Juvenile Status (SIJS)

Minors: contact immigration attorney immediately

Requires final custody determination issued by competent authority

VAWA petition/cancellation

Especially where trafficker is domestic partner

Lack of assistance harms investigations



Office on Trafficking in Persons (for minors)

Eligibility Letter = Access to all services available to refugees

OTIP eligibility letter may be submitted as evidence that client is a victim of severe form of trafficking for T visa

- Does not grant automatic T visa

RFA – request for assistance – can be submitted by anyone on behalf of minor human trafficking survivor

- Submit before victim turns 18

Caution on Immigration



- Asking about immigration first thing can chill victim and witness willingness to cooperate
- Immigration law is complex – even with law enforcement certification, victim may not get status – don't promise anything!

Best practice: provide referrals to services including immigration attorneys (list is in the protocol!)

BEYOND IMMIGRATION

IMMEDIATE RESPONSE



Assess safety



Evaluate special needs



Basic needs assessment



Contact victim advocate

SHORT-TERM RESPONSE



Decide criminal justice plan



Mandated reporting for minors & vulnerable adults



Find providers for housing, social services, etc



Secure access to benefits (SSN, immigration status, etc)

LONG-TERM RESPONSE



Pursue criminal restitution & civil compensation



Establish formal collaboration structure



Create plan based on victim's long-term goals



Continue providing services, case management, & advocacy



Ensure family reunification

Direct Services for Labor Trafficking

Primary referral

- Cornerstone General Crime Victims Hotline
- 612-767-9844
- 8:30 to 4:30 Monday – Friday
- Funding for hotel stays, connect victims to legal and social services

Domestic or sexual violence?

- Standpoint
- 612-343-9842 or 800-313-2666

Foreign national?

- The Advocates for Human Rights
- 612-341-9845



PROSECUTING HUMAN TRAFFICKING

Office of the Minnesota Attorney General

Assistant Attorney General Leah Erickson

What is Human Trafficking?

- Human trafficking is the business of stealing freedom for profit.
 - In some cases, traffickers trick, defraud or physically force victims into providing commercial sex.
 - In others, victims are lied to, assaulted, threatened or manipulated into working under inhumane, illegal or otherwise unacceptable conditions.
 - Human trafficking is a multi-billion dollar criminal industry that denies freedom to 24.9 million people around the world.

See National Human Trafficking Hotline (<https://humantraffickinghotline.org/en/human-trafficking>)

How do we prosecute human trafficking in Minnesota?

- Labor Trafficking – Minn. Stat. Sec. 609.281, subd. 5
 - NOTE: Modified this session
- Sex Trafficking – Minn. Stat. Sec. 609.322

How do we prosecute human trafficking in Minnesota?

- Labor Trafficking – Minn. Stat. Sec. 609.281, subd. 5
 - NOTE: Modified this session
- Sex Trafficking – Minn. Stat. Sec. 609.322
 - Beware subd. 1a verses subd. 1(a)

Labor Trafficking

Subd. 1. Labor trafficking resulting in death. Whoever knowingly engages in the labor trafficking of an individual is guilty of a crime and may be sentenced to imprisonment for not more than 25 years or to payment of a fine of not more than \$40,000, or both if the labor trafficking victim dies and the death was proximately caused by the labor trafficking conduct of the offender and murder in the first or second degree was not committed thereby.

Subd. 1a. Individuals under age 18; extended period of time; great bodily harm. Whoever knowingly engages in the labor trafficking of an individual is guilty of a crime and may be sentenced to imprisonment for not more than 20 years or to a payment of a fine of not more than \$40,000, or both if any of the following circumstances exist:

- (1) the labor trafficking victim is under the age of 18;
- (2) the labor trafficking occurs over an extended period of time; or
- (3) the labor trafficking victim suffers great bodily harm and the harm was proximately caused by the labor trafficking conduct of the offender.

This section is effective August 1, 2023, and applies to crimes committed on or after that date.

Sex Trafficking

Subdivision 1. Solicitation, inducement, and promotion of prostitution; sex trafficking in the first degree.

(a) Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than 25 years or to payment of a fine of not more than \$50,000, or both:

- (1) solicits or induces an individual under the age of 18 years to practice prostitution;
- (2) promotes the prostitution of an individual under the age of 18 years;
- (3) receives profit, knowing or having reason to know that it is derived from the prostitution, or the promotion of the prostitution, of an individual under the age of 18 years; or
- (4) engages in the sex trafficking of an individual under the age of 18 years.

(b) Whoever violates paragraph (a) or subdivision 1a may be sentenced to imprisonment for not more than 30 years or to payment of a fine of not more than \$60,000, or both, if one or more of the following aggravating factors are present:

- (1) the offender has committed a prior qualified human trafficking-related offense;
- (2) the offense involved a sex trafficking victim who suffered bodily harm during the commission of the offense;
- (3) the time period that a sex trafficking victim was held in debt bondage or forced labor or services exceeded 180 days; or
- (4) the offense involved more than one sex trafficking victim.

Sex Trafficking: Federal v. State?

- Sex Trafficking – Minn. Stat. Sec. 609.322
 - Does not require force, fraud, or coercion even for adult victims.
 - Defendant cannot be acting as either a prostitute or patron of a prostitute.
- Sex Trafficking of children or by force, fraud, or coercion – 18 U.S. Code Sec. 1591
 - Does require force, fraud, or coercion if adult victim.
 - Defendant can be acting as the patron.

Sex Trafficking: Federal v. State?

- Sex Trafficking – Minn. Stat. Sec. 609.322
 - Does not require force, fraud, or coercion even for adult victims.
 - Defendant **cannot** be acting as either a prostitute or **patron of a prostitute**.
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 - Does require force, fraud, or coercion if adult victim.
 - Defendant **can be acting as the patron**.

How do we prosecute human trafficking in Minnesota?

Table 2. Number of Human Trafficking Charges and Convictions in Minnesota, 2008-2017

Statute Title	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Labor trafficking charges	0	0	0	0	2	0	0	0	2	4
Labor trafficking convictions	0	0	0	0	0	0	0	0	0	1
Solicitation of prostitution; sex trafficking charges	26	26	24	43	100	95	63	138	83	96
Solicitation of prostitution; sex trafficking convictions	16	7	15	8	32	49	19	44	41	32

See Minnesota Department of Public Safety (<https://dps.mn.gov/divisions/ojp/statistical-analysis-center/Pages/human-trafficking-reports.aspx>)

How do we prosecute human trafficking in Minnesota?

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Solicitation of prostitution; sex trafficking convictions	16	7	15	8	32	49	19	44	41	32

See Minnesota Department of Public Safety (<https://dps.mn.gov/divisions/ojp/statistical-analysis-center/Pages/human-trafficking-reports.aspx>)

How do we prosecute human trafficking in Minnesota?

- Human Trafficking-Related Charges
 - Coercion
 - Unlawful Conduct
 - Prostitution Crimes
 - Disorderly House
 - Solicitation of Children/ Communication with Children
 - Possession of Child Sexual Abuse Material (i.e., Child Porn)
 - Harmful Materials/ Dissemination and Display to Minors

Why are convictions so low?

- Trafficking cases can involve every imaginable difficulty:
 - Recanting victims
 - Child victims
 - Lower socio-economic victims
 - Non-English or ESL victims
 - Trauma victims
 - Interfamilial or other manipulation

How do we present evidence on human trafficking in Minnesota?

- Try to build a case without the need for a victim.
 - Follow the \$\$\$
 - Phones
 - Social Media (Facebook, IG, Snap, WhatsApp, Viber, Etc.)
 - John stops

**Shout out to RCAO Treye Kettwick

How do we prosecute human trafficking in Minnesota?

- Sex Trafficking Aggregation (Subd. 1c)
 - Acts by the defendant in violation of any one or more of the provisions in this section within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this section; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this subdivision

How do we sentence human trafficking in Minnesota?

- Sex Trafficking – Under 18
 - Severity Level B Offense
- Sex Trafficking – Over 18
 - Severity Level C Offense
- Labor Trafficking
 - Unranked – apply *Kenard*

4.B. Sex Offender Grid

Presumptive sentence lengths are in months. Italicized numbers within the grid denote the discretionary range within which a court may sentence without the sentence being deemed a departure. Offenders with stayed felony sentences may be subject to local confinement.

SEVERITY LEVEL OF CONVICTION OFFENSE (Example offenses listed in italics)		CRIMINAL HISTORY SCORE						
		0	1	2	3	4	5	6 or more
<i>Criminal Sexual Conduct (CSC) 1st Degree</i>	A	144 <i>144-172</i>	156 <i>144-187</i>	168 <i>144-201</i>	180 <i>153-216</i>	234 <i>199-280</i>	306 <i>261-360</i>	360 <i>306-360</i> ²
<i>CSC 2nd Degree-1(a)(b)(c)(d)(e) 1a(a)(b)(c)(d)(h)(i) (e.g., contact & force with bodily harm)</i>	B	90 <i>90³-108</i>	110 <i>94-132</i>	130 <i>111-156</i>	150 <i>128-180</i>	195 <i>166-234</i>	255 <i>217-300</i>	300 <i>255-300</i> ²
<i>CSC 3rd Degree-1(a)(b)(c)(d) 1a(c)(d)(g)(h)(i) (e.g., penetration & coercion/occupation)</i>	C	48 <i>41-57</i>	62 <i>53-74</i>	76 <i>65-91</i>	90 <i>77-108</i>	117 <i>100-140</i>	153 <i>131-183</i>	180 <i>153-216</i>
<i>CSC 2nd Degree-1a(e)(f)(g) (age) CSC 3rd Degree-1a(a)(e)(f) or 1a(b) with 2(1) (age)</i>	D	36	48	60 <i>51-72</i>	70 <i>60-84</i>	91 <i>78-109</i>	119 <i>102-142</i>	140 <i>119-168</i>
<i>CSC 4th Degree-1(a)(b)(c)(d) 1a(c)(d)(g)(h)(i) (e.g., contact & coercion/occupation)</i>	E	24	36	48	60 <i>51-72</i>	78 <i>67-93</i>	102 <i>87-120</i>	120 <i>102-120</i> ²
<i>CSC 4th Degree-1a(a)(b)(e)(f) (age) CSC 5th Degree-3(b) (subsequent)</i>	F	18	27	36	45 <i>39-54</i>	59 <i>51-70</i>	77 <i>66-92</i>	84 <i>72-100</i>
<i>CSC 3rd Degree-1a(b) with 2(2) Possession of Child Pornography Solicit Child for Sexual Conduct</i>	G	15	20	25	30	39 <i>34-46</i>	51 <i>44-60</i>	60 <i>51-60</i> ²
<i>CSC 5th Degree-3(a) (nonconsensual penetration)</i>	H	12 ¹	14	16	18	24	24 ² <i>24-24</i>	24 ² <i>24-24</i>
<i>Failure to Register as a Predatory Offender</i>	I	12 ¹ <i>12¹-14</i>	14 <i>12¹-16</i>	16 <i>14-19</i>	18 <i>16-21</i>	24 <i>21-28</i>	30 <i>26-36</i>	36 <i>31-43</i>

¹ 12¹ = One year and one day

Presumptive commitment to state imprisonment. Sex offenses under Minn. Stat. § 609.3455, subd. 2, have mandatory life sentences and are excluded from the Guidelines. See section 2.E, for policies regarding those sentences controlled by law, including conditional release terms for sex offenders.

Presumptive stayed sentence; at the discretion of the court, up to one year of confinement and other non-jail sanctions can be imposed as conditions of probation. However, certain offenders in the shaded area of the Grid may qualify for a mandatory life sentence under Minn. Stat. § 609.3455, subd. 4. See sections 2.C and 2.E.

² Minn. Stat. § 244.09 requires that the Guidelines provide a range for sentences that are presumptive commitment to state imprisonment of 15% lower and 20% higher than the fixed duration displayed, provided that the minimum sentence is not less than one year and one day and the maximum sentence is not more than the statutory maximum. See section 2.C.1-2. For Severity Level H, all displayed durations, including the upper and lower ranges, are constrained by the statutory maximum at criminal history scores above 4.

³ Solicits, Promotes, or Receives Profit Derived from Prostitution; Sex Trafficking 1st Degree is not subject to a 90-month minimum statutory presumptive sentence so the standard range of 15% lower and 20% higher than the fixed duration applies. (The range is 77-108.)

How do we sentence human trafficking in Minnesota?

- Sex Trafficking Enhancements (Subd. 1(b))
 - If one of the following are proven, then statutory max is increased to 30 years, and 48 months is added to the presumptive for a completed offense (24 for attempt/conspiracy).
 - Prior human trafficking-related offense (does not say conviction)
 - Sex trafficking victim suffered bodily harm during offense
 - Sex trafficking victim was held in debt bondage or forced labor/services for more than 180 days
 - More than one sex trafficking victim

How do we sentence human trafficking in Minnesota?

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 - If one of the following are proven, then statutory max is increased to 30 years, and **48 months** is added to the presumptive for a completed offense (24 for attempt/conspiracy).
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 - More than one sex trafficking victim



PROSECUTING HUMAN TRAFFICKING

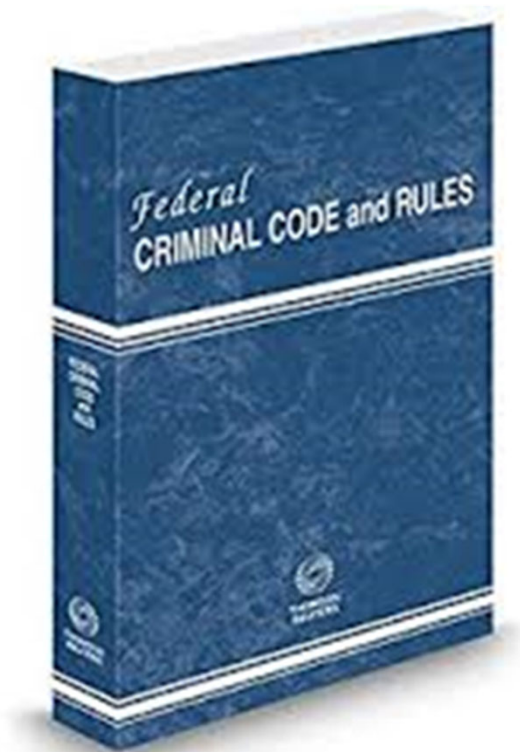
Office of the Minnesota Attorney General

Assistant Attorney General Leah Erickson

Prosecuting a Federal Human Trafficking Case



Stacie B. Harris, Chief Special Victims Section
U.S. Attorney's Office – Middle District of Florida

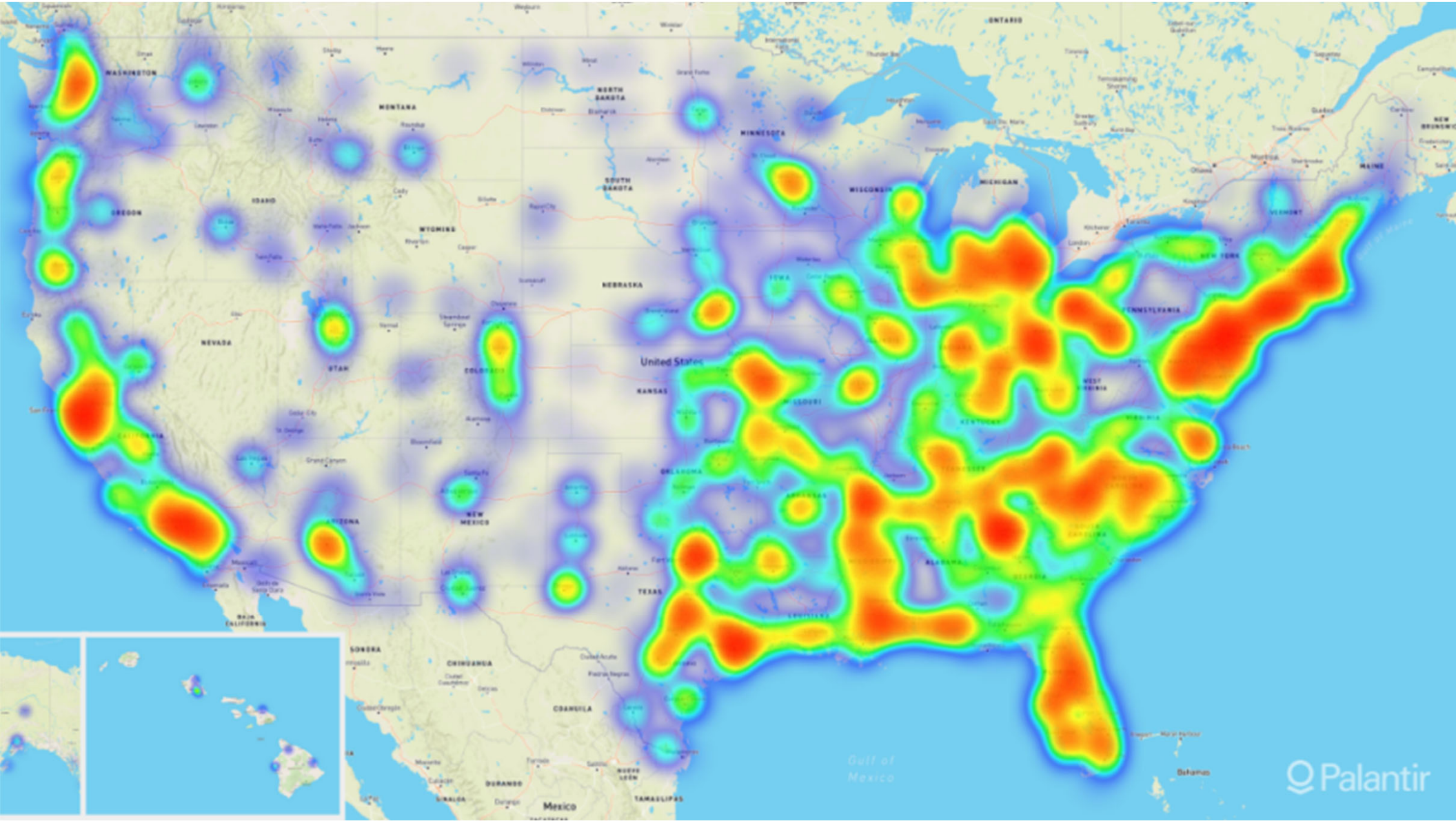


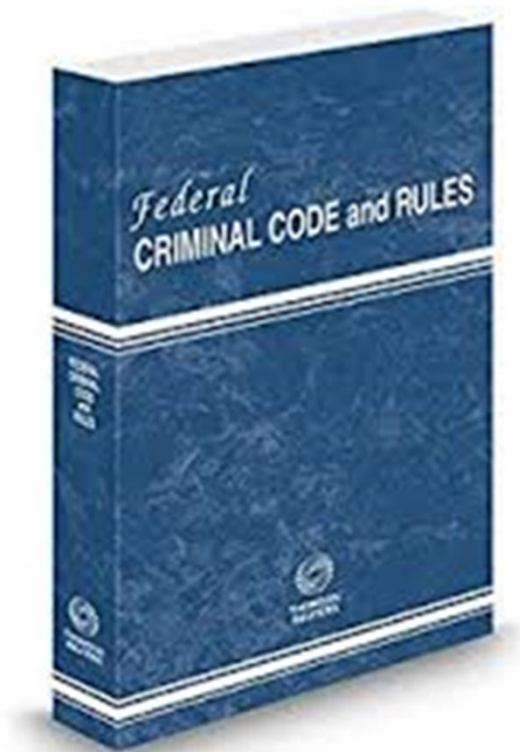
Objectives

- Human Trafficking Overview
- Building a Sex Trafficking Case
- Working with Your Prosecutor
- Charging Strategies
- Timeline for Federal Cases
- Benefits of Federal Prosecution
- Penalties
- Federal Sentencing

WHAT IS HUMAN TRAFFICKING?

“COMPELLING OR COERCING ANOTHER PERSON’S LABOR, SERVICES, OR COMMERCIAL SEX ACTS” OR EXPLOITING A MINOR FOR COMMERCIAL SEX





Federal Offenses

- Sex Trafficking
- Production of Child Pornography
- Livestreaming
- Coercion/Enticement/Sex Tourism
- Mann Act (Transportation/Travel for Purposes of Prostitution)
- Guns
- Drugs
- Racketeering/RICO
- Money Laundering
- Labor Trafficking
- Conspiracy
- Witness Tampering/Obstruction

Sex Trafficking by Force, Fraud, or Coercion

1

the Defendant knowingly recruited, enticed, harbored, transported, provided, obtained, advertised, maintained, or patronized by any means the individual named in the superseding indictment;

OR

1

the Defendant benefited financially, or received anything of value, from participation in a venture that recruited, enticed, harbored, transported, provided, obtained, advertised, maintained, or patronized by any means the individual named in the superseding indictment;

2

that the Defendant did so knowing or in reckless disregard of the fact that means of force, threats of force, fraud, coercion, or any combination of such means would be used to cause the person to engage in a commercial sex act; and

3

that the Defendant's acts were in or affected interstate or foreign commerce.

- ◆ To traffic D.J.
- ◆ Govt. Ex. No. 1A
- ◆ Govt. Ex. No. 13



Red Roof Inn Tampa - Busch
 2307 East Busch Boulevard
 Tampa, FL 33612 US
 Phone: 813-932-0073
 Fax: 813-933-5689
 Email: i0144@redroof.com
 Printed: 6/20/2014 12:03:09 PM

Folio (Detailed)

Name: WILLIAMS, MAURICE Confirmation Number: 144-022820
 Address: 5506 TERRACE CT Tampa, FL 33617 US
 Room: 140 Room Type: NS2F, NON-SMOKING STANDARD 2 FULL BEDS
 Nights: 1 Guests: 1/0
 Rate Plan: BAR Daily Rate: \$51.99 + \$6.24 Tax GTD: 900 - CASH
 Arrival: 6/19/2014 (Thu) Departure: 6/20/2014 (Fri)

Room Rate:
 6/19/2014 (Thu) - 6/19/2014 (Thu) \$51.99 + \$6.24 Tax per night.

Date	Code	Description	Amount	Balance
6/19/2014	900	CASH	(\$59.92)	(\$59.92)
6/19/2014	100	ROOM CHARGES	\$51.99	(\$7.93)
6/19/2014	150	STATE TAX	\$3.64	(\$4.29)
6/19/2014	151	COUNTY TAX	\$2.60	(\$1.69)
6/19/2014	624	SAFE WITH LIMITED WARRANTY	\$1.50	(\$0.19)
6/19/2014	150	STATE TAX	\$0.11	(\$0.08)
6/19/2014	151	COUNTY TAX	\$0.08	\$0.00

Summary

Room	Tax	F&B	Other	CC	Cash	DB
\$51.99	\$6.43	\$0.00	\$1.50	\$0.00	(\$59.92)	\$0.00

administration > backpage.com > tampa adult entertainment > tampa escorts

This ad is not live. Status: Removed by Me

[Report Ad](#)

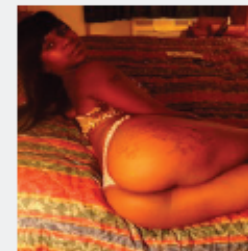
\$60 Special Sexy Black.,New an Ready For Some.Fun - 18

Posted: Thursday, June 19, 2014 6:10 PM

[View Account](#) Email: ninajohnson120@yahoo.com [Delete this Ad](#) [\[Global](#)

[\[+SPAM: \]](#) [Delete \]](#)

Reply: [click here](#)



[Enlarge Picture](#)

Well im Nina Stand 5'2 weigh 121
 Freaky NEW Sexy Choca

Fun Laid Back Pleaseble
 Lovable

WFUNSIZE PCKGW

Ready To Please That Special Someone
 NO GAMES
 Call me NOW
 @88*650*1227

Poster's age: 18

• Location: Hillsborough Co, tampa fl

• Post ID: 12786942 tampa

But this what it is I got a escort service thats basically what my team is

Lol what's it about?

Yessss I know what that is, I mean I'm asking where and how are U running your business. Is it legit?

Its me and my brother and we take care of everything we basically do what we do we been In diffeent hotels and we travel u gon be wit us all da time u will

Ok I can get dat done that aint nth

Have a place to sleep free weed turn or liquor if u do any of them we all a team u will have to meet the other girls and get acquainted wit them

U dont know what a escort is

They here wit me now we like a family we wit each other all day everyday they stay at the rooms wit us we havel like 3 rooms we playing to travel all over

We went to Sarasota last week we goin bk Saturday

Oh OK. Well that's wassup. How many girls is it? & do you book the clients or?

Ohkay. Weeaa the other girls ? Who are they & Wea u be traveling to?

Its like 5 girls and naw i set u up a page and it dont show yo face or nth u just take sexy pics and clients call u but I gotta give u da game on the prices

FINANCIAL BENEFIT

Exhibits
30C & 37E

PIMPIN SINCE 1994



FINANCIAL BENEFIT

Exhibits
24, 25 & 37E

PIMPIN SINCE 1994



Weston, FL



Katy, TX



Odessa, FL

FORCE, FRAUD, OR COERCION

SEX TRAFFICKING

- SUBSTANCE ABUSE
- PHYSICAL ABUSE
- SEXUAL ABUSE
- INTIMIDATION/BRANDISHING WEAPONS
- EMOTIONAL ABUSE

LABOR TRAFFICKING

- WITHHOLDING PAY/EARNINGS
- EXCESSIVE WORK HOURS
- IMMIGRATION/LE THREATS
- VERBAL ABUSE
- WITHHOLDS/DENIES NEEDS
- DEBT COLLECTION

VICTIM 1

2009 - 2014

Evidence of Coercion & Serious Harm

- PHYSICAL ABUSE
- SEXUAL ABUSE
- VERBAL ABUSE
- PSYCHOLOGICAL ABUSE
- FINANCIAL ABUSE



Exh. 20

TRAFFICKER SPECTRUM

GORILLA PIMP

ROMEO PIMP



FORCE

FRAUD

COERCION

ROMEO PIMP

Inbox	+18136501227 Diamond	12/7/2014 4:02:16 PM (UTC-5)	+12063130 026	Read	Not even that you don't understand I don't need to be here doing this with You I Chose too My Heart won't stop me from being with you .I'm just not about to be that young Dumb 16yr old giving a man the money I use to make of my Body an Soul an he treat me like Notching an Give the money I make to another female UNLESS she about to do what I'm doing
-------	-------------------------	------------------------------------	------------------	------	--

Not even that you don't understand I don't
need to be here doing this with You I
Chose too My Heart won't stop me from
being with you .I'm just not about to be
that young Dumb 16yr old giving a man
the money I use to make of my Body an
Soul an he treat me like Notching an Give
the money I make to another female
UNLESS she about to do what I'm doing

Govt. Ex.
No. 120C

GORILLA PIMP

Angel L.: Maurice Williams punched Dennisha J. in the bathroom.

Ariel K.: Physical altercation with co-conspirator Antawan Hudson. Injuries to her face, eyes, nose and lips.

How do we
prove a federal
nexus?

Interstate Travel

- Use of highways, buses, trains, and airplanes
- Use of hotels

Interstate communication

- Use of cellular phones

Interstate/foreign commerce

- Purchase of condoms, drugs, clothing, hair extensions, nails, etc.

Use of the Internet

Instrumentalities of Interstate Commerce

- Cellphones, computers, guns, etc.

**FACILITIES
OF
INTERSTATE
COMMERCE**

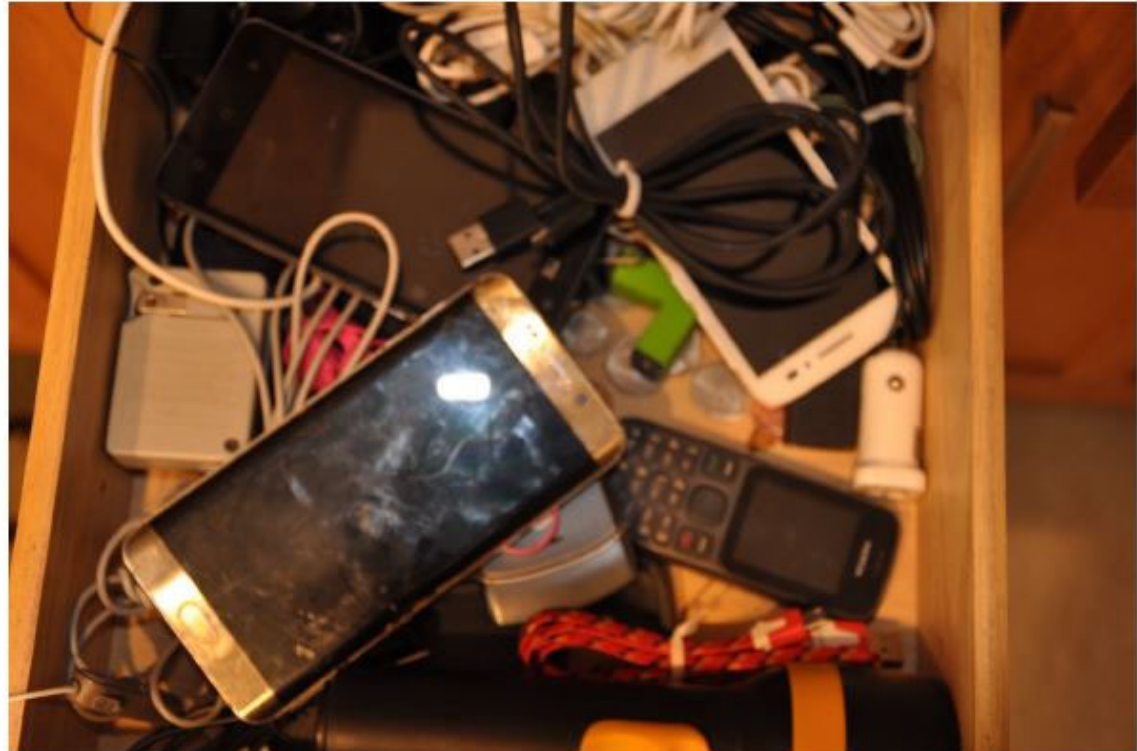


Exhibit 23

BEST WESTERN MIDTOWN



December 18, 2014

Registration Card
BEST WESTERN Midtown
www.bwmidtown.com
1425 South Tamiami Trail
Sarasota, FL 34239
Phone: (941) 955-9841 FAX: (941) 954-8948
Each Best Western® branded hotel is independently owned and operated

Guest Name: Mr. maurice williams

Company/Profile: _____

Address: 5506 Terrace Ct Apt 4

City: Tampa State/Province: FL Postal Code: 33617

Telephone #: (813) 381-2868 Email: x@x.com

License Plate #: CHRY IMPALA WHITE

Member #: _____ Tier: _____

Guest Info: Your reservation has been guaranteed to your credit card. Hotel cancellation px _____

Stay Information

Arrival Date: December 18, 2014 Departure Date: December 19, 2014 Initials _____

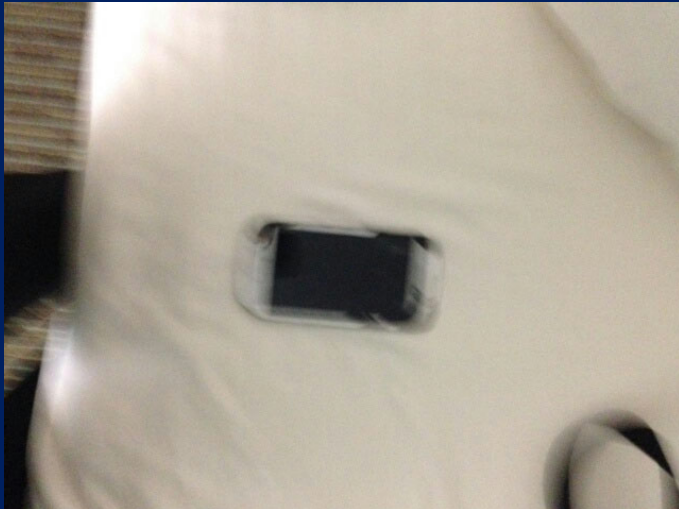
Conf. #: 116722 Adults: 1 CO: 0 CU: 0 Group: _____

Rate 1: \$79.99 +Tax Rate 2: _____ Rate 3: _____ Room: 202 Initials _____

Information:
I agree to vacate the room by 11:00 a.m. on my scheduled date of departure. Notice to guest: Safe deposit boxes are provided for the deposit of valuables. The hotel cannot be held responsible for valuables left in the room.
PLEASE ALSO NOTE THAT BEST WESTERN MIDTOWN IS 100% NON-SMOKING. IF WE FIND THAT A ROOM HAS BEEN SMOKED IN THE GUEST ASSUMES A \$100.00 CLEANING CHARGE.

Guest Signature: Maurice Williams

ROOM 202 – BEST WESTERN



Virtual Child Sex Trafficking

- Livestreaming/real time sexual abuse of minors conduct in exchange for value to those with access to the minors
- Philippines and Southeast Asia
- Buyers often in wealthy countries



The background features a dark blue horizontal band at the top. On the right side of this band, there is a large, semi-transparent light blue circle. The rest of the background is white.

Working with your Prosecutor

Charging Strategies, Legal Process, and Using the Grand Jury

Role of Case Agent

- Arrest is just the beginning
- Gather ALL paperwork
- Continue the investigation—witnesses, additional SWs
- Witness prep & trial strategy
- Sit at counsel table during trial

Working with your Prosecutor

- Timing

- Will need to coordinate with AUSA if you need evening/weekend process

- “Exigency”

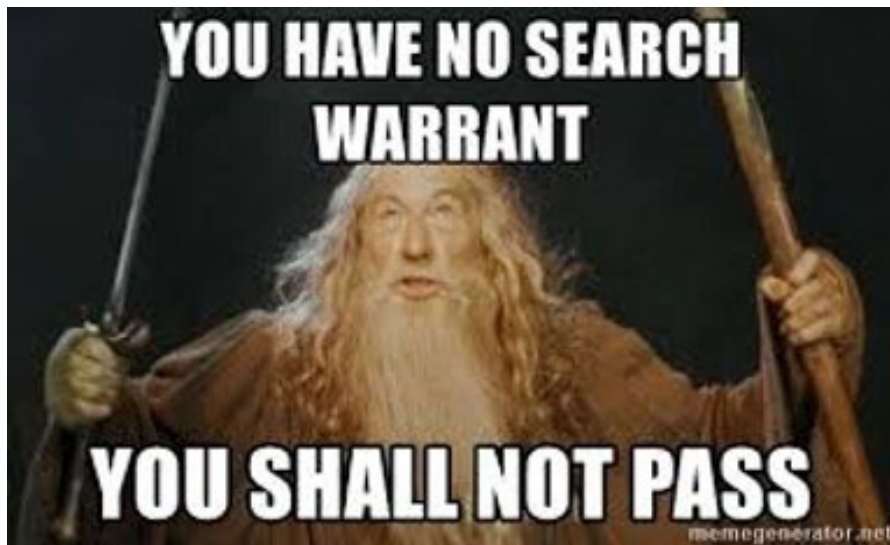
- Search warrants

- AUSAs review warrants before submission to USMJ

Legal Process

- Grand Jury
 - Testimony
 - Subpoenas (subscriber info – non-content)
- Search Warrants
 - Real property, residences, businesses
 - Cloud Services
 - Stored Communications (get NDOs)

Search Warrants



- Challenges to search warrant are determined by federal law not state law
- Good faith exception applies with search warrants
- State suppression does not automatically prevent federal prosecution

Interviewing Defendants

- Preference for recorded statements
 - Federal agents required to record
- If no recording of interview – document carefully
- Document everything including timing of how investigation unfolds
- Document with pictures – including during searches (include authorizing language in SWs)

Charging Strategies

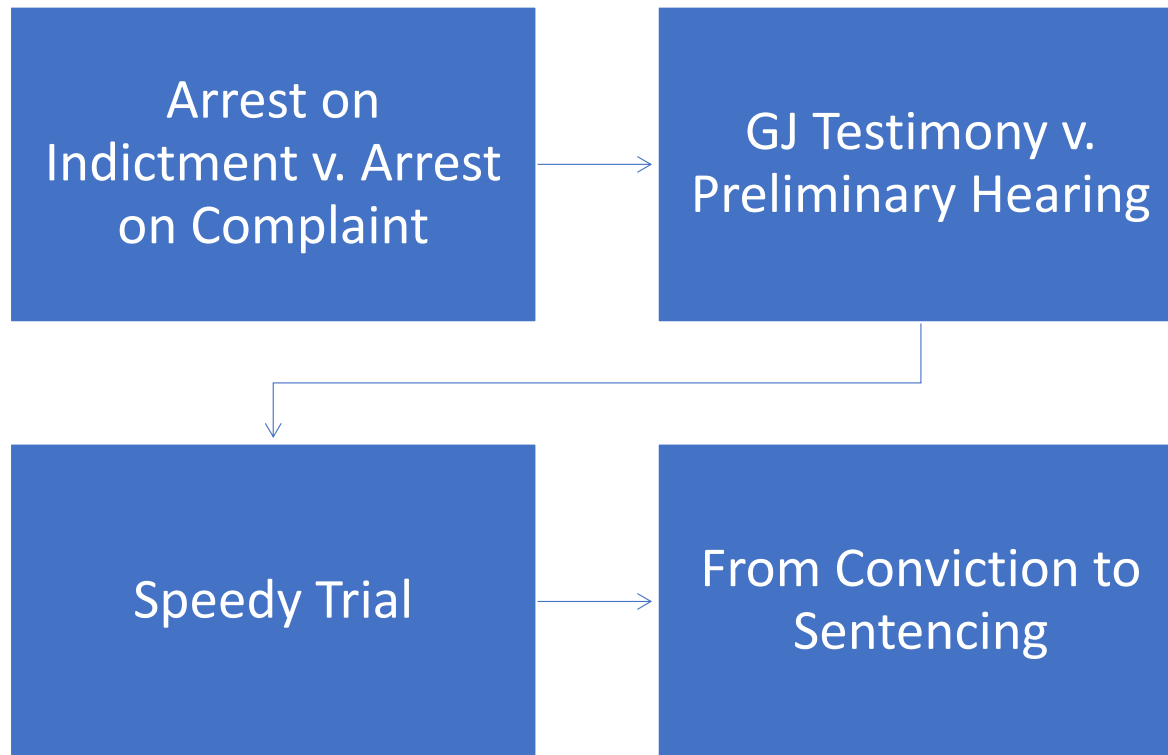


WHO TO CHARGE?



WHAT TO CHARGE?

Timelines for Federal Cases



Detention – No Cash Bond System

- **Pretrial detention is *presumed* for most federal child exploitation crimes, including adult sex trafficking offenses**
- **If released, stringent conditions are required:**
 - Electronic monitoring
 - No contact with children, vics, wits
 - Restricted travel
 - Limited or no computer access
 - Curfews, home detention, home confinement

Penalties

- Adult Sex Trafficking: 15 years to life
- Child Sex Trafficking with victim under 14: 15 years to life
- Child Sex Trafficking with victim over 14: 10 years to life
- Possession: up to 20 years
- Receipt/Distribution/Transportation: 5 to 20 years
- Production/Advertisement: 15 to 30 years
- Enticement/Transporting Minors: 10 to life

Penalties

If defendant has a qualifying prior, punishment ranges essentially double.

- Possession: 10 to 20 years
- Receipt/Distribution/Transportation: 15 to 40 years
- Production/Advertisement: 25 to 50 years*
- For non-CP offenses where a defendant is a registered sex offender at the time of the crime, additional 10 years stacked

Penalties

Mandatory life with one prior pursuant to 18 U.S.C. § 3559(e) :

- Defendant must be convicted of qualifying federal sex offense involving a minor victim
- Defendant has prior sex abuse conviction involving a minor

Federal Sentencing

NO PAROLE

- Serve at least 85% of sentence

SUPERVISED RELEASE

- Follows a term of imprisonment
- Like probation with specific conditions placed on the defendant
- Actively supervised by federal probation officers
- At LEAST five years up to defendant's life
- Failure to comply means return to custody with no prior credit for the time served

Federal Sentencing

- Sentences are determined by the judges
- Discretion to stack up to the statutory maximum
- Judges rely on federal sentencing guidelines to determine the appropriate sentence.
- Judges also rely on federal sentencing statute when considering the appropriate sentence.

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Federal Sentencing

- Guidelines have been established for the various federal crimes
- Certain factors will increase— number of images, types of images, etc.
- Certain factors will decrease— acceptance of responsibility
- Talk with your state and federal prosecutors to determine who will get the best sentence

Table 1
Sentencing Table (in Months of Imprisonment)

Offense Level	Criminal History Category (Criminal History Points)					
	I (0 or 1)	II (2 or 3)	III (4, 5, 6)	IV (7, 8, 9)	V (10, 11, 12)	VI (13 or more)
1	0-6	0-6	0-6	0-6	0-6	0-6
2	0-6	0-6	0-6	0-6	0-6	1-7
3	0-6	0-6	0-6	0-6	2-8	3-9
Zone A						
4	0-6	0-6	0-6	2-8	4-10	6-12
5	0-6	0-6	1-7	4-10	6-12	9-15
6	0-6	1-7	2-8	6-12	9-15	12-18
7	0-6	2-8	4-10	8-14	12-18	15-21
8	0-6	4-10	6-12	10-16	15-21	18-24
9	4-10	6-12	8-14	12-18	18-24	21-27
Zone B						
10	6-12	8-14	10-16	15-21	21-27	24-30
11	8-14	10-16	12-18	18-24	24-30	27-33
Zone C						
12	10-16	12-18	15-21	21-27	27-33	30-37
13	12-18	15-21	18-24	24-30	30-37	33-41
14	15-21	18-24	21-27	27-33	33-41	37-46
15	18-24	21-27	24-30	30-37	37-46	41-51
16	21-27	24-30	27-33	33-41	41-51	46-57
17	24-30	27-33	30-37	37-46	46-57	51-63
18	27-33	30-37	33-41	41-51	51-63	57-71
19	30-37	33-41	37-46	46-57	57-71	63-78
20	33-41	37-46	41-51	51-63	63-78	70-87
21	37-46	41-51	46-57	57-71	70-87	77-96
22	41-51	46-57	51-63	63-78	77-96	84-105
23	46-57	51-63	57-71	70-87	84-105	92-115
24	51-63	57-71	63-78	77-96	92-115	100-125
Zone D						
25	57-71	63-78	70-87	84-105	100-125	110-137
26	63-78	70-87	78-97	92-115	110-137	120-150
27	70-87	78-97	87-108	100-125	120-150	130-162
28	78-97	87-108	97-121	110-137	130-162	140-175
29	87-108	97-121	108-135	121-151	140-175	151-188
30	97-121	108-135	121-151	135-168	151-188	168-210
31	108-135	121-151	135-168	151-188	168-210	188-235
32	121-151	135-168	151-188	168-210	188-235	210-262
33	135-168	151-188	168-210	188-235	210-262	235-293
34	151-188	168-210	188-235	210-262	235-293	262-327
35	168-210	188-235	210-262	235-293	262-327	292-365
36	188-235	210-262	235-293	262-327	292-365	324-405

Federal Sentencing

Reliance on 18 U.S.C. § 3553(a):

- Nature and circumstances of the offense
- History and characteristics of defendant
- Reflect seriousness of offense/promote respect for the law/just punishment
- Adequate deterrence
- Protect the public

Consider 18 U.S.C. § 3661:

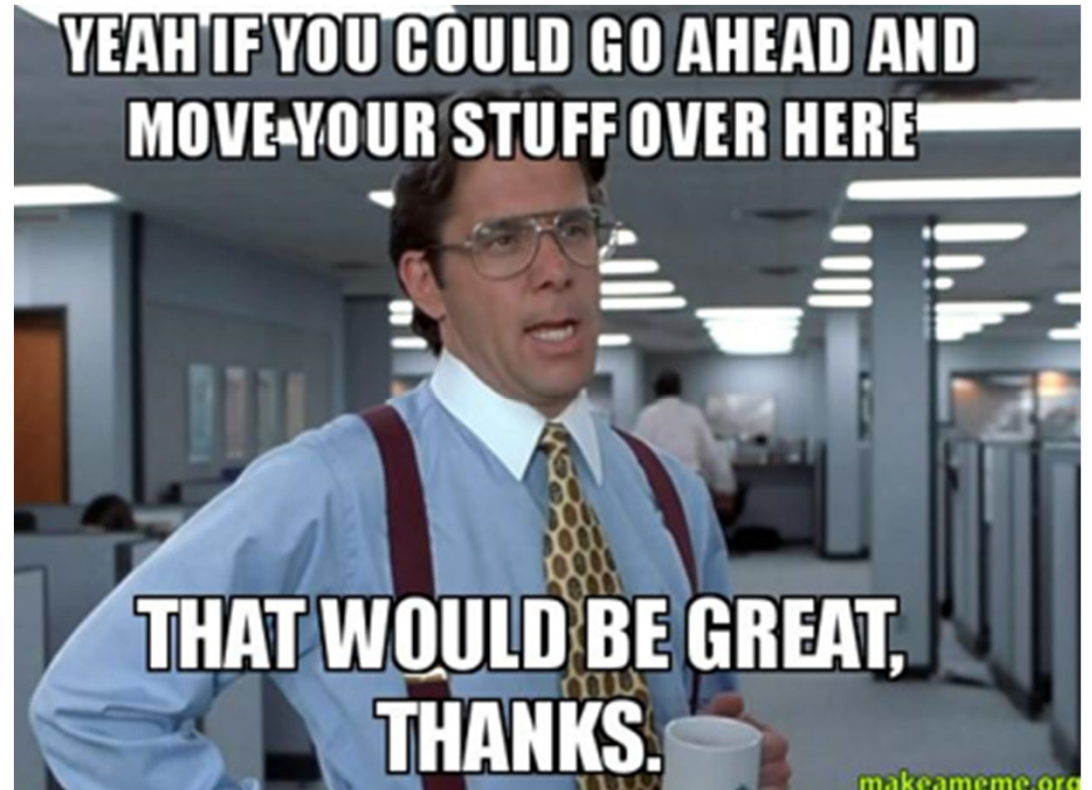
- No limit on information considered about defendant's background, character, content

But Wait...
**THERE'S
MORE!!!**



Forfeiture

- Get to take evidence, fruit and instrumentalities of the crime. Examples:
 - Computers and related equipment
 - Cars, Houses, Hotels
 - If profit, can take cash and substitute assets.



Petite Policy

- Prevents subsequent federal charges/conviction for substantially same criminal conduct
- Remedy—
 - Federal charges go first
 - Work with different charges
 - Permission from D.C.

Benefits to Federal Prosecutions

- Multi-jurisdictional
 - BUT does not require physical movement of victims or traffickers across state or county lines
- Victim friendly discovery rules
- Victim Services



Questions

Stacie B. Harris
U.S. Attorney's Office- MDFL
Stacie.harris@usdoj.gov
(813)274-6185





Online Hashtags & Emojis

- #HGO- Hoeing going on
- #PGO- Pimping going on
- #CCHGO-Cross country (HGO)
- #CCPGO-Cross country (PGO)
- #RHGO- Real hoeing going on
- #RPGO- Real pimping going on
- #304(s)- HOE(s)
- #izm- Hoe-ism
- #AOB- All on bitches
- #AOBB- all on a bitches back
- #Snowgo: Snow bunny ready-to-go (White girl)
- #Crosscountry- Trafficked all over U.S.
- #BFE/GFE- boyfriend/girlfriend experience
- #16's – 'P' for pimp is the 16th letter in the alphabet.

Emoji	Meaning
	Pimp
	Pay to Play
	24-hours
	All on a Bitch
	10 toes down
	Slow Feet Don't Eat



EMOJI GUIDE

This emoji guide catalogs common emojis and emoji combinations that may be encountered when working with subject matter involving gangs, drugs, or human trafficking. These emojis and their definitions are specific to the state of Texas and Gulf Coast regional areas. Other areas of the United States may see different meaning in emoji usage. Use discretion in assimilating context of use of an emoji and its meaning.

DRUG EMOJIS

COMMON DRUG RELATED EMOJIS

- LEAF:** This emoji is used as a universal symbol for drugs
- PLUG:** This emoji is used to refer to a dealer or online supplier who can provide you with drugs
- ROCKET SHIP:** This emoji can be used to indicate the drug has a high potency
- FIRE:** This emoji is used by dealers to indicate they have good quality drugs
- NO ONE UNDER 18:** This emoji is used by dealers to indicate they will not sell to anyone under 18
- MONEY BAG:** This emoji is used by dealers to indicate they have drugs for sale even if they state "no sales" elsewhere
- SKULL AND CROSSBONES:** This emoji is used by dealers and users to indicate the drug is potentially deadly and they should proceed with caution
- MONEY:** This emoji used in combination with a drug emoji indicates a dealer has that drug for sale
- EYES:** This emoji is used in combination with other emoji's by drug users to indicate they're looking for a dealer or to purchase particular drugs

DRUG SPECIFIC EMOJIS

- MARIJUANA:** 🌿 🍃 🍷 🍀 🌴 🧘 🌫 🌲
- COCAINE:** 🔑 🌫 🎮 🧠 🍌 ❄️ 🌬 🧊 📢 🌫
- ECSTASY / MDMA, MOLLY:** ⚡ ❤️ 🧠 🍌 ❌
- METH:** 💎 🍦 ❤️ 🧠
- PSILOCYBIN MUSHROOMS:** 🍄
- HEROIN:** 💊 📄
- CODEINE / LEAN:** 🍷 🍌

GANG EMOJIS

- Universal symbol for gangs
- 100% dedication to the gang or "Keeping it 100"
- Symbolizes strength of gang or dedication to the gang

PEOPLE NATION

- Commonly uses the number 5
- Pitchfork Down - shows disrespect to Folk Nation

BLOODS (People):

- 'B' Hand Sign
- Dog Paw
- Represent derogatory terms for Crips
- 59 Brims Bloods Set

LATIN KINGS (LK) (People):

- LK Hand Sign
- LK 360 degrees concept

FOLK NATION

- Commonly uses the number 6
- Crackin' 5's - shows disrespect to People Nation
- Disrespect to Bloods

CRIPS (Folk):

- Crip affiliation
- L for 'Lee' or Love of Crips
- Hoover Crips
- 52 Hoover Crips
- Rollin' 20's Crips

GANGSTER DISCIPLES (GD) (Folk):

- GD 'L' Hand Sign
- Sisters of the Struggle

ARYAN BROTHERHOOD OF TEXAS

-

ARYAN CIRCLE

-

TANGO BLAST

- Tango Valluco
- Tango Blast Houston Hand Sign

TEXAS SYNDICATE

- Longhorn Symbol
- Facebook style Longhorn Symbol

SEX TRAFFICKING EMOJIS

COMMON SEX TRAFFICKING EMOJIS

- CAPITAL P:** This emoji means 'Pimp'
- PRINCE:** This emoji represents a pimp. The prince emoji is often used together with the Capital P emoji
- CROWN:** This emoji is used to reference the sex trafficker
- MONEY BAG:** This emoji represents earning money
- GORILLA:** This emoji represents a guerilla, or gorilla, pimp. A guerilla pimp is a type of trafficker that controls their victim(s) almost entirely through physical violence and force
- PIN:** When followed by a location, the pin emoji is used to indicate current location
- DANCING GIRLS:** This emoji may represent a '2 Girl Special', meaning two female victims being advertised
- DANCING WOMAN:** This emoji may represent a sex trafficking victim. Variations of this emoji may be used to indicate the types of victims or amount of victims available
- ROSE:** Roses are used to signify donations - donations being how much money is required for a sex act
- DIAMOND:** This emoji is commonly used in human trafficking related commentary
- DROPLET:** This emoji means drip, which is another word for swag or sauce. Pimps will refer to their drip or sauce in regards to their fashion

SEX TRAFFICKING EMOJI COMBINATIONS

- 'Hoe Down' from the phrase "Hoe down, Pimp up"
- Earning money / pimping
- 16 means pimp because 'P' is the 16th letter in the alphabet
- Snow Bunny
- 304 means 'hoe'

Social Media Evidence

good_game_dame

The screenshot shows the Instagram profile for 'good_game_dame'. The profile picture is a man wearing a red hat, sunglasses, and gold jewelry. The bio includes the text 'kalifornia', 'GOOD GA M E DA M E DUCKING ALL LA M EZ', and 'P hanez_Game_P hashionairz_Clothing™'. It also lists a contact email 'kingdamedap1@gmail.com' and mentions 'INGLEWOOD KALI M ADE INTERNATIONAL'. At the bottom of the bio, there are several emojis: a blue 'P' in a square, a red 'A', a red 'O', a red 'B', a blue 'ATM', and a green '24' in a square.

Emoji	Meaning
	Pimp
	Pay to Play
	24-hours
	All on a Bitch
	10 toes down
	Slow Feet Don't Eat

Multiple Victims

\$10,000

enticed.maneater

80 posts 5428 followers 1350 following

+ FOLLOW

Russia rhgo Miss_BreakATrick
Hoe Fairy 🍷💰
SC RUTHLESSXXX11
Stand Tall or You Fall 🙌
Rhgo 🤪
304 ways to progress 🍷
Russian
X Bfe/Gfe
Karma V. ←

Photo

316 likes

karmav._ Damn 🤪 Senior Year Straight #GURB 🙌 NoW LOOK AT ME. LOL I WAS SO #Pure NOT WHOLE STOMACH TATTED 🤪 #ThatBitch #Blondie YOUR MY #wcv 🤪 THANK YOU FOR MAKING ME THE LADY I

karmav._

94 posts 12.6K followers 1,390 following

+ FOLLOW

karma_vixen
New and improved
First name 304 / LAST NAME BITCH 🤪
🙌💰
SC : Miss_BREAKaTrick
#FREEPMG !!!
📺 2 1
🚫 KIDS
CROWNED BY THE GREATEST 🙌

824 likes

karmav._ NO SLEEP 🤪 #RHGO I CAN DIGG IT 🙌 #Karma #BBLU #cali #Calibound #KarmaV

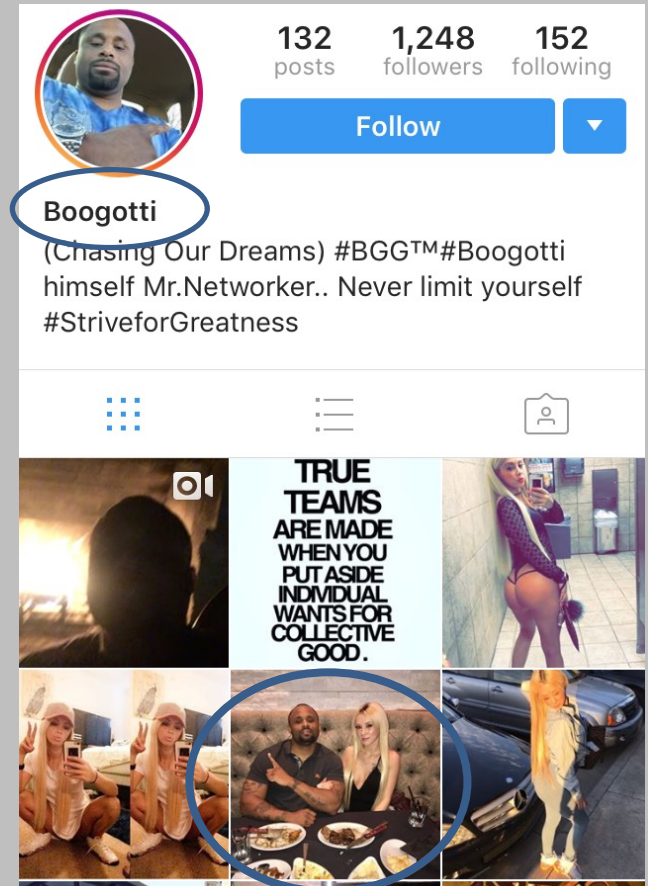
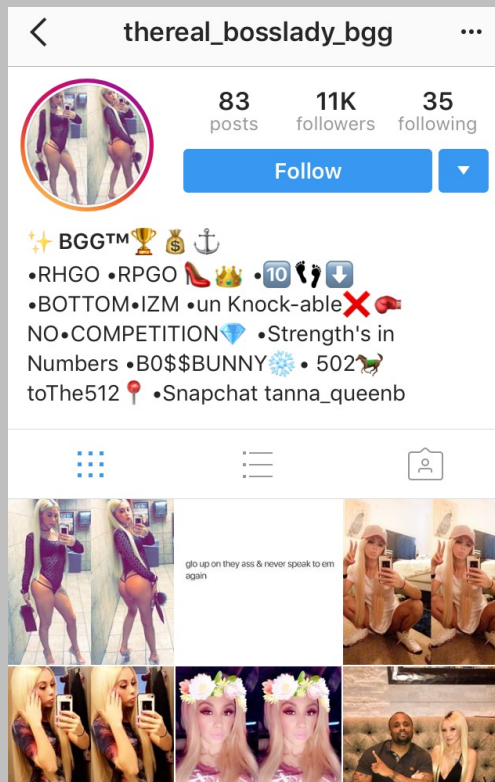
Photo

824 likes

karmav._ NO SLEEP 🤪 #RHGO I CAN DIGG IT 🙌 #Karma #BBLU #cali #Calibound #KarmaV

How to gather evidence

linking the pimp: Boogotti_BGG



#HASHTAG evidence



queensnow304 • Following



queensnow304 #Rhgo 🌸

57w



dalanodash Saucy



57w Reply



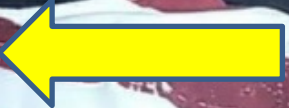
Liked by bigdaddybjb and others

MARCH 8, 2020



Add a comment...

Post



Not a peace sign

kountupnotdown • Following ...

kountupnotdown 🏠👤🔑💰💰💰
81w

247realism 100
81w 1 like Reply

king_david_214 100
81w 1 like Reply

1stladybossmoney 🍷👑
81w 1 like Reply

Like Comment Share Bookmark


Liked by ittybittybittyqueen304 and others
SEPTEMBER 22, 2019

Add a comment... Post



Vehicle Type


 i_am_the_real_bank_roll • Follow ...

 i_am_the_real_bank_roll I AM NOT REGULAR 🏆🏆🏆

57w

 biggamefame 🏆 ❤️

42w Reply

Liked by lwaybulls and others

MARCH 7, 2020

 Add a comment... Post



real_izum • Follow



real_izum Real_izum

115w



mcbeandonpablo Pimping Aint Easy..😂😂😂😂😂



115w 1 like Reply



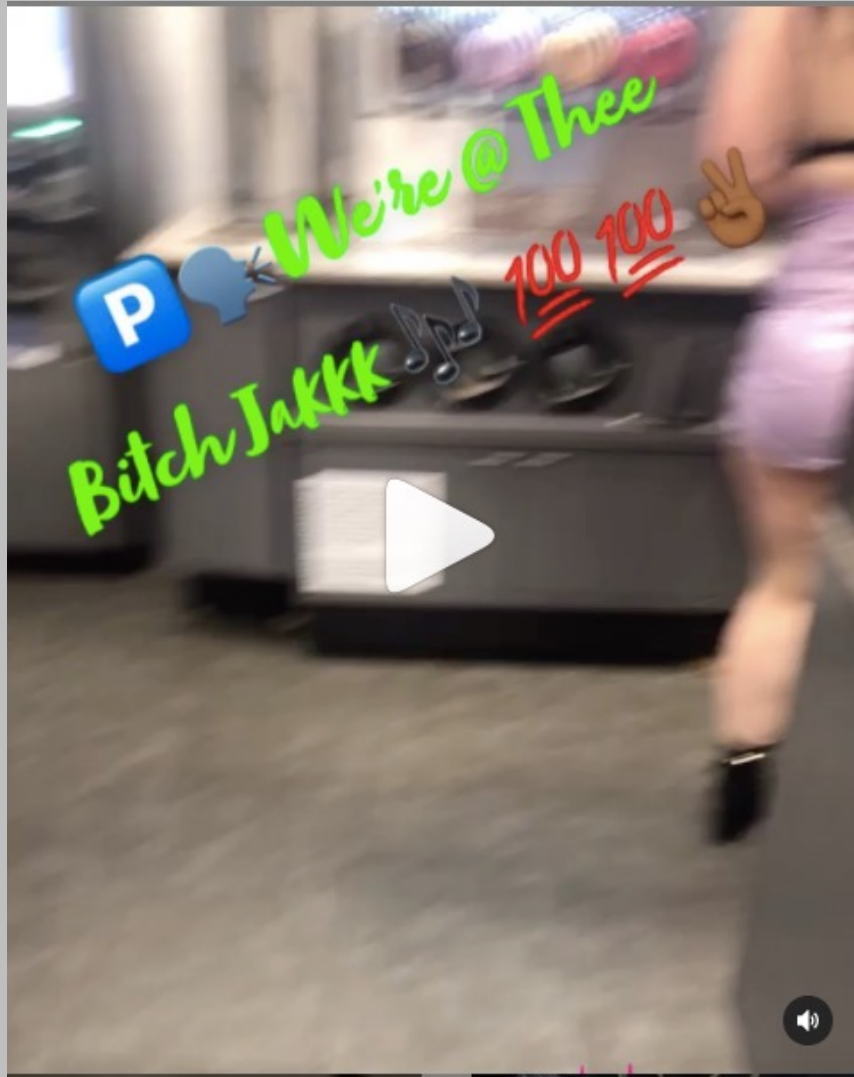
Liked by peezy2808 and others

JANUARY 24, 2019



Add a comment...

Post



relldoesthamost • Follow

figueroa Hoe stroll



relldoesthamost Just another night at the **16** store.. it's active on this FigaHoeroa, so you Know it's a Whole bunch of **P_PING**, **P__dering** & demanding it going on Udiggg **100100** 🎵👌

23w



lv2ny6 It look like it stank 🤢



23w 4 likes Reply



micah.jackson.501151 Get em P Ski 🤪🤪



23w Reply



4,249 views

NOVEMBER 6, 2020



Add a comment...

Post



DCFS

v #Hollyweird divison! Really??? #pgo #hgo
ebrand #pgomusic #pgoclothing



304s_16s_weirdo @304s_16s_weirdo · 20 Oct 2016

#shoutout to ma [redacted] #thuggerthugger1 "He don't want the fade with the [redacted] in the heels" 🤔🤔🤔👠👠 #pgo #hgo #rpg #rhgo #Ventura Co #Press





Common Street Evidence

Did u get date

Options Back

but im trying i kno u
have to fix yo car
the day jus started
Nasty girl

Options Back

I would of called u
king look dad im
trying k idont kno
mayb cause kids in
school its like that
till like 3 somtimes

Options Back

Dad pls i need a
shirt its hot like for
5 bucks
Nasty girl

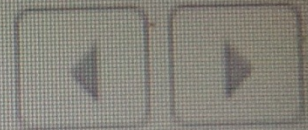
Options Back

Jus got to m
Nasty girl

Options Back



Between You and [redacted]



cut thote.



[redacted]
Feb 20 at 3:00am

Its not wat I'm tryn to do its wat I'm doin.I'm wat to open ur mine to cross country money move ment. Ther isnothen rong wit usen wat u got to get wat u want.bitch think it cute fuckin for free not for a fee.don't b lost its hard time right time to get cut thote.



[redacted]
Feb 20 at 11:23am

Boii get the fucc on n stop hittn me up yhu bout to get blocced on nutty dnt hit me up nomo

Type to reply



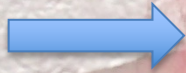
Pretty Determined







Where is the KEY evidence





cedar_nutt_554 • Follow



cedar_nutt_554 🚩 Mommas bad to the bone #Baby got fine all in her DNA and that's on PIRU 🤝 matter #Fact that's on all the PIRU'Z !! 🍅🍅🍅🏁 #badbitch #gogetter #rhgo 🙌🚗📺💰👛💰🙌 #YouFigMe

25w



khoggeljefe #Rhgo My God!



25w 1 like Reply

— View replies (2)



raelynlegend36 She's a fine azz hoe! Most definitely not from out here tho...



25w 1 like Reply



Liked by johnwick_witdasticc and others

OCTOBER 21, 2020



Add a comment...

Post

Street
Tattoos

Link
Victims
Together







BAYLOR'S
PROPERTY







Dave B's
Money
Maker





DECRIMINALIZED PROSTITUTION: IMPUNITY FOR VIOLENCE AND EXPLOITATION

Melanie Shapiro, Esq. and Donna M. Hughes, Ph.D.***

INTRODUCTION

From 1980 to 2009, prostitution in Rhode Island was decriminalized.¹ Prostitution was not prohibited or regulated by law if it was performed indoors.² The lack of laws or regulations created a unique and permissive legal, economic, and cultural environment for the growth of sex businesses.³ Although a few counties in Nevada have legalized prostitution,⁴ no other state or county has decriminalized prostitution in recent decades.⁵ During the twenty-nine year period from 1980 to 2009, sexual exploitation and violence against women and girls were integrated into the economic development of Rhode Island's urban areas.⁶ The growth of sex

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** Donna M. Hughes holds the Eleanor M. and Oscar M. Carlson Endowed Chair in Women's Studies. She is a Professor in Gender and Women's Studies with an Affiliation with Sociology and Anthropology (Criminology and Criminal Justice) at the University of Rhode Island. Email: donnahughes@uri.edu. This Article is dedicated to Representative Joanne Giannini, without whose leadership and perseverance, Rhode Island would not have the laws needed to end the violence and sexual exploitation described in this Article. The authors of this Article thank Colonel Stephen M. McCartney, Chief of Warwick Police, for giving the authors access to police records relating to Philip Markoff's assault and robbery attempt in 2009.

1. Edward Achorn, *New Landscape of the Sex Biz*, PROVIDENCE J., Dec. 22, 2009, at B7.

2. *Id.*

3. See W. Zachary Malinowski, *The Sex Business in Providence: "Why Here,"* PROVIDENCE J., Apr. 21, 2002, at A1.

4. Michael Martinez, *What to Know About Nevada's Legal Brothels*, CNN (Oct. 19, 2016, 6:50 AM), <http://www.cnn.com/2015/10/14/us/lamar-odom-nevada-brothels/>.

5. *See id.*

6. Donna M. Hughes, *Top U.S. Official on Trafficking Says Lack of Prostitution Law Creates a "Zone of Impunity" for Traffickers*, DIGITALCOMMONS@URI 1 (Aug. 14, 2009), https://works.bepress.com/donna_hughes/56/.

businesses led to the capital city of Providence being called the “red light district” of New England.⁷

The lack of laws controlling prostitution impeded police from investigating and stopping serious crimes and prevented officials from arresting pimps, traffickers, and sex buyers.⁸ According to Luis CdeBaca, former Ambassador at Large to Combat Human Trafficking and Director of the Office to Monitor and Combat Trafficking in Persons in the U.S. State Department, decriminalized prostitution created a “zone of impunity in which police [could not] go, and where traffickers [could] exploit their prey.”⁹

This Article describes the growth of sex businesses in Rhode Island from 1980 to 2009 and the harmful activities—particularly violence against women, sexual exploitation, and slavery—that were endemic to it. It describes how individual criminals, organized crime groups, and mainstream business people, such as landlords and lawyers, exploited women and girls for profit and pleasure.

For over a decade, from 1998 to 2009, the violent nature of these businesses became increasingly known to law enforcement, other government officials, and the public.¹⁰ With increased awareness, momentum grew for legal reform to prohibit prostitution, sex trafficking, and the employment of underage teens in sex businesses.¹¹ In 2009, the Rhode Island General Assembly passed three unprecedented laws to end these practices.¹²

This Article on decriminalized prostitution is important for contemporary debate. Around the world, there are both small groups and large agencies, such as UN Women¹³ and Amnesty International, that advocate for the decriminalization of prostitution.¹⁴ One such group is suing the state of California to decriminalize prostitution using the same legal argument and strategy that created decriminalized prostitution in Rhode Island in 1980.¹⁵ The authors of this Article believe the findings reported

7. W. Zachary Malinowski, *Sex Industry Expands at Startling Pace*, PROVIDENCE J., Apr. 23, 2002, at A1.

8. Hughes, *supra* note 6, at 1.

9. *Id.*

10. *See infra* Subparts I.C–I.D.

11. *See infra* Subpart I.G.

12. 11 R.I. GEN. LAWS §§ 11-34.1-1 to -14, 11-67-1 to -18 (2009); 28 R.I. GEN. LAWS § 28-3-9.1 (2009); 2009 R.I. Pub. Laws 185 (repealing provisions that decriminalized prostitution).

13. UN Women, *Note on Sex Work, Sexual Exploitation, and Trafficking*, NSWP (Oct. 9, 2013), <http://www.nswp.org/sites/nswp.org/files/UN%20Women%27s%20note%20on%20sex%20work%20sexual%20exploitation%20and%20trafficking.pdf>.

14. Darren Geist, *Amnesty International's Empty Promises: Decriminalization, Prostituted Women, and Sex Trafficking*, 1 DIGNITY: J. ON SEXUAL EXPLOITATION & VIOLENCE 1, 1 (2016).

15. Brief for Plaintiffs-Appellants at 13–14, *Erotic Serv. Provider Legal, Educ. & Res. Project v. Gascón*, No. 16-15927 (9th Cir. Sept. 30, 2016).

herein on Rhode Island's twenty-nine year experience with decriminalization are an important contribution to the debate.

Methods

This Article is a descriptive case study—its historical analysis of three decades of decriminalized prostitution is based on court records, police records, interviews, and media reports on crimes and other activities in Rhode Island's sex businesses. Information was collected about spa-brothels from print and online advertisements, publicly available corporate records from the Office of the Secretary of State, and municipal tax assessment records. Shapiro conducted extensive research on the brothels and developed a database to analyze patterns of activities.

During the twenty-nine-year history of decriminalization, there were no empirical studies of prostitution or the sex businesses. The most comprehensive and analytical stories on the subject were written by local investigative reporters for the *Providence Journal*, the largest newspaper in Rhode Island.¹⁶ This case study includes exhaustive research into local newspaper stories on prostitution-related reporting.

There is no other comparable legal model of complete decriminalization of indoor prostitution in contemporary western countries. Therefore, this Article only focuses on the decriminalization of indoor prostitution in Rhode Island.

I. DECRIMINALIZATION OF INDOOR PROSTITUTION

In Rhode Island, from 1980 until 2009, engaging in prostitution in an indoor location was decriminalized and unregulated.¹⁷ This unusual legal status resulted from two converging actions in the 1970s.

In the late 1970s, residents in some areas of Providence (the capital city of Rhode Island) were calling for the city to act on the problem of street prostitution.¹⁸ Residents complained about the harassment of female residents and the impact on their community.¹⁹ At the time, prostitution was a felony that resulted in complicated and drawn out prosecutions and appeals.²⁰ While

16. See, e.g., Malinowski, *supra* note 7, at A1.

17. Achorn, *supra* note 1.

18. Matthew J. Smith, *How I Advanced the Cause*, PROVIDENCE J., June 20, 2009, at Commentary 6.

19. Michael A. Hiltzik, *Prostitution Not a Victimless Crime in West End*, PROVIDENCE J., Sept. 30, 1979.

20. The applicable statutory section at the time read as follows:

It shall be unlawful for any person to secure, direct or transport, or offer to secure, direct or transport another for the purpose of prostitution, or for any other lewd or indecent act; or to loiter in or near any thoroughfare or public or private place for the purpose of

awaiting trials, prostitutes returned to soliciting on the streets.²¹ A member of the West Broadway Council on Crime commented that the law was "as useful as a screen door in a submarine."²² To more effectively curb street prostitution, law enforcement, judges, and residents advocated for the penalty to be reduced from a felony to a misdemeanor to streamline the judicial process.²³

In 1976, Margo St. James, founder of COYOTE ("Call Off Your Old Tired Ethics"), a prostitutes' rights organization, began a legal campaign to decriminalize prostitution.²⁴ COYOTE, COYOTE Rhode Island, and Jane Doe (an anonymous prostitute) sued the Providence Police Chief and the Rhode Island Attorney General on behalf of all Rhode Island prostitutes.²⁵ The plaintiffs claimed that the prostitution law was unconstitutional on a number of grounds but primarily based their claim on sex discrimination.²⁶ Jane Doe testified on behalf of female prostitutes.²⁷ She claimed they were discriminated against because the Providence Police arrested more women than men for prostitution violations.²⁸ The arrest records showed that COYOTE's claim that more women were being arrested than men was accurate.²⁹

In May 1980, the Rhode Island General Assembly amended the state prostitution law.³⁰ The publicly stated intent was to decrease the penalty for soliciting for prostitution from a felony to a misdemeanor in order to make the court process faster and easier.³¹

inducing, enticing, soliciting, or procuring another to commit lewdness, fornication, unlawful sexual intercourse or any other indecent act; or to commit or in any manner induce, entice, or solicit, or procure a person in any thoroughfare, or public or private place or conveyance to commit any such act; or to receive or offer or agree to receive any person into any place, structure, house, building, room, or conveyance for the purpose of committing any such acts, or knowingly permit any person to remain therein for any such purposes, or to, in any way, aid or abet or participate in any of the acts or things enumerated herein.

Any person found guilty under this section, shall be subject to imprisonment in the adult correctional institutions not to exceed five (5) years.

11 R.I. GEN. LAWS § 11-34-5 (1956) (amended 1980 and repealed 2009).

21. Thomas E. Walsh, *Smith Bill Would Speed Decisions on Prostitutes*, PROVIDENCE J., Mar. 19, 1980, at B1.

22. Thomas E. Walsh, *Legislators Get Message from West Enders and 'Yea' Bill to Change Prostitution Laws*, PROVIDENCE J., Mar. 22, 1980, at A8.

23. Hiltzik, *supra* note 19.

24. *See* COYOTE v. Roberts, 502 F. Supp. 1342, 1344 (D.R.I. 1980).

25. *Id.*

26. *Id.* at 1344-45.

27. *See* Transcript at 14-46, COYOTE, 502 F. Supp. 1342.

28. *See* COYOTE, 502 F. Supp. at 1344-45.

29. *Id.* at 1352-53.

30. 11 R.I. GEN. LAWS § 11-34-8(a) (1980) (repealed 2009).

31. *See* Walsh, *supra* note 21, at B1.

The resulting new law banned loitering for prostitution, which was defined as standing or wandering “in or near any public street,” or stopping or attempting “to stop motor vehicles, for the purpose of prostitution.”³² The new law made the offense—loitering for indecent purposes—a misdemeanor instead of a felony.³³ In addition, apparently without the full awareness of many of the legislators, the same bill repealed the laws pertaining to soliciting or engaging in prostitution.³⁴ In fact, the legislation removed all reference to soliciting to engage in prostitution, except for loitering along a street.³⁵ This deletion effectively decriminalized prostitution as long as it was performed indoors.

The new prostitution law legally separated indoor and outdoor prostitution: loitering for prostitution became known as “outdoor prostitution,” and prostitution off the street or inside a building became known as “indoor prostitution.”³⁶ Following the revision of the prostitution law, if a commercial sex act took place indoors, no laws or regulations—including zoning regulations—applied to it. As a result, from 1980 to 2009, indoor commercial sex acts were legal and unregulated.

A. *Growth of Prostitution in Rhode Island*

The lack of law criminalizing or regulating commercial sex acts allowed for the growth of sex businesses in Rhode Island. By 2002, Providence was known as “New England’s red-light district.”³⁷ There were “strip clubs, gay bathhouses, an under-21 strip club, a private swinger’s club, massage parlors and sex video stores,” and a club for bondage and other fetishes.³⁸ Commercial sex was a form of economic development for the city of Providence.³⁹ An investigative reporter described it this way: “In recent years, the sex industry has exploded in [Providence], and a dreary industrial strip along Allens Avenue has become the most densely concentrated red-light district in New England.”⁴⁰

32. 11 R.I. GEN. LAWS § 11-34-8(a).

33. *Id.*

34. *COYOTE v. Roberts*, 523 F. Supp. 352, 357–58 (D.R.I. 1981).

35. See 11 R.I. GEN. LAWS § 11-34-8; *COYOTE v. Roberts*, 502 F. Supp. 1342, 1348 (D.R.I. 1980) (noting the new legislation added the phrase “for pecuniary gain” to section 11-34-5 but seemed “to have decriminalized the sexual act [of prostitution] itself,” and thus it appeared “to the Court that § 11-34-5 now outlaw[ed] only certain preliminary or preparatory activities . . . and then only when pecuniary gain [was] somehow involved”).

36. *R.I. Looks to Close Prostitution Loophole*, CBS NEWS (June 18, 2009, 1:37 PM), <http://www.cbsnews.com/news/ri-looks-to-close-prostitution-loophole/>.

37. See Malinowski, *supra* note 3, at A1.

38. *Id.*

39. *Id.*

40. *Id.*

With the growth of sex businesses, Rhode Island cities, and particularly Providence, became sex tourist destinations.⁴¹ Although it is a small state, three interstate highways—Interstates 95, 195, and 295—run through Rhode Island.⁴² In 2002, a *Providence Journal* investigative report on the growth of the sex industry described a typical night at a local strip club named Cheaters:

Chartered buses pull up to the curb outside the gaudy pink building on Allens Avenue with the flashing police light on the roof. Hundreds of cars pack the lots and side streets. Next door, dozens of pedestrians, almost all men, venture into a windowless brick warehouse. The visitors, many from Massachusetts and Connecticut, are in pursuit of a common goal: sex.⁴³

After it was decriminalized, indoor prostitution became well known. Rhode Island saw a proliferation of brothels that advertised as “spas,” or “health centers” and offered “acupressure,” “body work,” “table showers,” or “body rubs,” performed, for the most part, by Asian women.⁴⁴ For example, some of these ads, found online or in the *Providence Phoenix’s* “Adult Entertainment” section, featured photos of scantily clad, young Asian women and suggestive phrases, such as “Top Class Orient Beauty,” “New Young Asian Girls,” “Have a tantalizing Asian woman will ease your stress” and “Hot Asian Girls.”⁴⁵ A senior Providence Police officer from the Investigative Division commented on the number of men visiting the Asian spa-brothels, “[W]hen we sent a detective [to an Asian brothel] to go in and get propositioned, it’s eleven o’clock in the morning and he’s waiting in line. They’re packed at 11 am.”⁴⁶

The prostitution industry became so normalized that on one occasion when Providence Police raided a Korean spa-brothel, they found an ATM inside that allowed men to get cash on site.⁴⁷

41. *Id.*

42. *Travel Information*, R.I. DEP’T TRANSP., www.dot.ri.gov/travel/ (last visited Mar. 28, 2017).

43. Malinowski, *supra* note 3, at A1 (emphasis omitted).

44. See Amanda Milkovits, *Crackdown Leads to Closing of Providence ‘Spas,’* PROVIDENCE J. (Feb. 28, 2015), <http://www.providencejournal.com/article/20150228/NEWS/150229286>.

45. Advertisements on file with authors.

46. Rebecca Johnson, *Sex Trafficking and Prostitution in Rhode Island: Brothels Busted 21* (Fall 2005) (unpublished student course paper, University of Rhode Island) (on file with author).

47. *Id.* at 24.

Businesses or individuals could openly advertise their services, although many still used euphemisms and code terms.⁴⁸

Although many of the sex businesses were located in Providence, there were many others in cities and towns throughout the state.⁴⁹ In suburban Middletown, Rhode Island, where two spa-brothels advertised services and sex buyers wrote online reviews about whether the women had performed to their satisfaction, a town official tried to maintain a normalized view of the brothels.⁵⁰ He told a city employee not to call them “brothels.”⁵¹

Other than a few investigative journalism articles, there was no research on the burgeoning sex industry at the time. One recent, unpublished study documented the increase in the size of the sex industry in Rhode Island while prostitution was decriminalized.⁵² The study used two sources to measure the increase in prostitution.⁵³ The researchers counted the number of advertisements for “massage parlors” in a local weekly newspaper, the *Providence Phoenix*, from January 1, 2000, to December 31, 2008.⁵⁴ The “Adult Entertainment” section was the main venue for Asian brothel advertisements.⁵⁵ There were also advertisements for strip clubs, “modeling agencies,” dominatrices, and other types of prostitution, but the researchers did not count these commercial sex services in their study.⁵⁶ The study found that the number of advertisements for “massage parlors” doubled during a six-year period.⁵⁷

The researchers also counted the number of reviews by men for female prostitutes on the *Erotic Review*.⁵⁸ They collected 90,000 records from this online site from 1998 to 2008.⁵⁹ They found that the number of reviews increased twelve-fold during the

48. Melanie Shapiro, Sex Trafficking and Decriminalized Prostitution in Rhode Island 54 (Apr. 2009) (unpublished Senior Honors thesis, University of Rhode Island), <http://digitalcommons.uri.edu/srhonorsprog/135>.

49. *Id.* at 51.

50. Melanie Shapiro, *Media Attention Gets Inspections at Middletown Spa-Brothel*, DIGITALCOMMONS@URI (July 27, 2009), https://works.bepress.com/donna_hughes/65/.

51. *Id.*

52. See generally Scott Cunningham & Manisha Shah, *Decriminalizing Indoor Prostitution: Surprising Implications for Sexual Violence and Public Health* (Nat'l Bureau of Econ. Research, Working Paper No. 20281, 2014), <http://papers.nber.org/tmp/10223-w20281.pdf> (finding that the decriminalization of indoor prostitution increased the size of the indoor prostitution market).

53. *Id.* at 11.

54. *Id.*

55. Shapiro, *supra* note 48, at 54.

56. Cunningham & Shah, *supra* note 52, at 34.

57. *Id.* at 11.

58. *Id.*

59. *Id.* at 12.

measurement period—from an average of 3.6 to 44.8 per week.⁶⁰ The number of unique prostitutes reviewed increased from an average of 2.6 to 37.4 per week.⁶¹ Between 2003 and 2007, there was a 200% increase in the number of prostitutes being reviewed on this site.⁶² In 2009, the Providence Police estimated that there were about forty brothels in Providence.⁶³ It is not clear if they counted strip clubs and “gentlemen’s clubs.” Based on Shapiro’s own findings, most brothels counted by police were spa-brothels advertising Asian women.⁶⁴ And even though indoor prostitution was not illegal, many other brothels operated underground.⁶⁵

Men on the sex buyer forums reported that they traveled from other states to Rhode Island because they did not fear being arrested for buying sex in Rhode Island. For example, one sex buyer from a town in Massachusetts close to the Rhode Island border wrote, “No reason to visit [a brothel in Massachusetts] when you are just 5 miles away from the safety of the RI border.”⁶⁶ Another sex buyer referred to Rhode Island as “a buyer’s paradise.”⁶⁷ A sex buyer from New York wrote, “I decided to take the 3 hour trip yesterday Very nice.”⁶⁸ One man from China, who had a layover at the local airport, wrote that he took the time to come to Providence to buy sex.⁶⁹ Shapiro observed many sex buyers arriving at the brothels in cars with out-of-state license plates.⁷⁰

As the number of sex businesses increased, they sometimes impinged on the safe operation of other businesses around them. In 2008, owners of a children’s toy store in Middletown, Rhode Island,

60. *Id.*

61. *Id.*

62. *See id.* An earlier version of this study notes the 200% increase specifically. *See* Scott Cunningham & Manisha Shah, *Decriminalizing Prostitution: Surprising Implications for Sexual Violence and Public Health* 15 (Aug. 2013) (unpublished manuscript), <http://frihetspartiet.net/dokumenter/decriminalizing-surprising.pdf>.

63. Simmi Aujla & Jennifer Levitz, *Legal Prostitution Under Pressure in Rhode Island*, WALL ST. J., Sept. 5, 2009, at A5.

64. *See* Shapiro, *supra* note 48, at 51.

65. *Id.* at 52–54.

66. Guest123, *Massage Parlor Reports: Rte 1A Wellness AMP in Plainville*, USA SEX GUIDE (Oct. 23, 2008, 10:22 PM), <http://www.usasexguide.info/forum/showthread.php?4067-MassageParlorReports&p=718491&viewfull=1#post718491>.

67. DaddysLookin, *Massage Parlor Reports: A New One?*, USA SEX GUIDE (Oct. 24, 2008, 8:32 AM), <http://www.usasexguide.info/forum/printthread.php?t=4067&pp=15&page=137>.

68. Torq465, *Massage Parlor Reports: Dt*, USA SEX GUIDE (May 29, 2006, 11:45 AM), <http://www.usasexguide.info/forum/showthread.php?4067-Massage-Parlor-Reports/page887>.

69. *See* Lao Ma, *Massage Parlor Reports: Asian Fantasies*, USA SEX GUIDE (Feb. 1, 2009, 09:01 AM), <http://www.usasexguide.info/forum/showthread.php?4067-Massage-Parlor-Reports&p=762696&viewfull=1#post762696>.

70. Shapiro, *supra* note 48, at 136.

were driven out of their retail location because of a spa-brothel next door.⁷¹ Middletown is a medium-sized, suburban town in Rhode Island, distant from the dense sex-industry area of Providence.⁷² The police were unable to shut down the brothel that was operating next to the toy store, and the landlord was unwilling to evict it.⁷³ The toy store owners, who found drug paraphernalia in the parking lot, were worried about the reputation of their child-centered business.⁷⁴ Additionally, one of the store owners, an Asian woman, was often mistaken for a prostitute by men seeking to buy sex.⁷⁵ In one frightening incident, an Asian woman fled the brothel and came into their store looking for help.⁷⁶ She could only speak a few words of English, but indicated through hand gestures and use of the word “fuck” that she was being forced to engage in prostitution.⁷⁷ She warned the store owners about the danger the spa-brothel posed to their little girl, who often was with them in the store.⁷⁸ The owners had her wait in a back room while they called the police, but when they went to check on her, she had disappeared.⁷⁹

Most of the Asian brothels advertised as mainstream businesses, such as health clubs, spas, or massage parlors.⁸⁰ Shapiro noted many connections between the brothels and other, more mainstream, business people, such as lawyers, property owners, landlords, and public officials.⁸¹ During the political discussion about ending decriminalized prostitution, the authors often heard comments that business people in the state liked the large number of commercial sex venues because they enhanced the convention business for Providence.⁸² Men liked coming to meetings and conventions in Rhode Island because they could buy sex legally while they were in the state.⁸³ One *Providence Journal* columnist

71. Aujla & Levitz, *supra* note 63, at A5.

72. See R.I. HISTORICAL PRES. COMM'N, HISTORIC AND ARCHITECTURAL RESOURCES OF MIDDLETOWN, RHODE ISLAND: A PRELIMINARY REPORT 1 (1979).

73. Melanie Shapiro & Donna M. Hughes, *Middletown Loses Children's Science Center Due to Inaction Against Brothel*, DIGITALCOMMONS@URI (July 17, 2009), https://works.bepress.com/donna_hughes/66/.

74. *Id.*

75. *Id.*

76. Melanie Shapiro & Donna M. Hughes, *Asian Woman Fled Brothel in Middletown Last Year*, DIGITALCOMMONS@URI (July 16, 2009), https://works.bepress.com/donna_hughes/58/.

77. *Id.*

78. *Id.*

79. *Id.*

80. Shapiro, *supra* note 48, at 52.

81. See *id.* at 120–46 (discussing a variety of information regarding various brothels, including ownership, registration, and history).

82. See Johnson, *supra* note 46, at 25.

83. Melanie Shapiro & Donna M. Hughes, *Behavior and Attitudes of Johns*, DIGITALCOMMONS@URI (Sept. 12, 2009), https://works.bepress.com/donna_hughes/59/.

referred to prostitution as the “under-the-table sector of the state economy.”⁸⁴ These interconnections showed the sex businesses were sources of money for more mainstream, even well-known, business people and public officials.

Many of the brothels retained the same lawyers to serve as their registered agents and to defend them against licensing, building, or health code violations.⁸⁵ One of the lawyers had real estate dealings with the owner of one of the brothels.⁸⁶ A former Providence mayor owned at least one building with space leased to a brothel—a brothel that was part of a major federal smuggling and sex trafficking investigation.⁸⁷ Although many people may have viewed the Asian spas as separate from the mainstream community, in fact, local business people worked with and derived profit from the sex businesses.⁸⁸

The open commercial environment for prostitution attracted sex industry businesses, pimps, madams, traffickers, and organized crime.⁸⁹ Asian spa-brothels were the focus of the limited amount of research done on decriminalized prostitution.⁹⁰ There has been no contemporary or historic research done on other types of prostitution, such as the prostitution occurring at strip clubs, private clubs, hotels, and residential brothels. After the new prostitution and human trafficking laws were passed, sex traffickers who were arrested told police they came from out-of-state and brought victims with them because indoor prostitution was legal in Rhode Island.⁹¹

B. Increase in Asian Spa-Brothels

New brothels opened at an increasing pace as brothel operators learned that Rhode Island lacked laws prohibiting or regulating indoor prostitution.⁹² Concurrently, sex buyers learned about decriminalized prostitution, and the demand for sex businesses

84. Edward Fitzpatrick, *Prostitution Has No Place in R.I. Economy*, PROVIDENCE J. (Jan. 15, 2009, 9:06 AM), <http://archive.li/KQJ9T>.

85. See Shapiro, *supra* note 48, at 120–46 (listing the registered agents for the brothel business).

86. *Id.* at 66.

87. See Lynn Ardit, *Providence Journal: “Paolino Versus the Spa,”* KELLY & MANCINI, P.C. (Dec. 2, 2009), <http://kellymancini.com/paolino-versus-the-spa/>; see also Affidavit of Won Yoon at 12–13, *United States v. Kim*, No. 1:06-cr-00605-CBA-RLM (E.D.N.Y. Aug. 14, 2006).

88. See Shapiro, *supra* note 48, at 55–56.

89. See Amanda Milkovits, *Two Men Indicted for Trafficking in Providence*, *N. Providence*, PROVIDENCE J., Dec. 11, 2010, at A4.

90. See Shapiro, *supra* note 48, at 51.

91. See Milkovits, *supra* note 89, at A4.

92. W. Zachary Malinowski, *Busloads Come to Providence for New England’s ‘XXX’ Haven*, *(The Providence Journal)*, HIGHBEAM RES. (May 2, 2002), <https://www.highbeam.com/doc/1G1-85599917.html>.

increased.⁹³ The most visible expansion was in Asian spa-brothels.⁹⁴ The commanding officer of the investigative division of the Providence Police commented on the increase of Asian brothels from 1999 to 2005 and the nature of their business:

In Providence, . . . there has been a number of what we call “oriental spas” that have popped up. [Also in] Johnston, [and] Cranston, but mainly in Providence. All of them, in my experience, have women who are Korean who are in these so-called massage parlors that are not actually massage parlors. They are houses of prostitution, brothels . . . [T]hey are performing sex acts for money, so its [sic] prostitution.⁹⁵

Shapiro documented the increase in the number of Asian brothels from 1998 until 2009.⁹⁶ She found that in 1998, there were two or three Asian spa-brothels.⁹⁷ Eight years later, in 2006, there were ten to twelve.⁹⁸ By the end of 2008, there were twenty-two.⁹⁹ Then over just a five-month period from January 2009 until April 2009, ten new spa-brothels opened, bringing the total to thirty-one.¹⁰⁰ This rapid and accelerating growth occurred during a period when decriminalized prostitution was being discussed in the media.

C. *Organized Crime and the Sex Businesses*

Crimes ranging from assault, sexual slavery, and murder, to extortion and racketeering occurred in connection with the decriminalized sex business in Rhode Island. The perpetrators ranged from individual criminals to regional mafia groups and international, organized crime networks.

Even before the passage of the Trafficking Victims Protection Act in 2000, and the awareness raising campaigns about human trafficking that followed,¹⁰¹ Rhode Island police officers, who had

93. *Id.*

94. Shapiro, *supra* note 48, at 51.

95. Johnson, *supra* note 46, at 18–19.

96. Shapiro, *supra* note 48, at 51.

97. *Id.*

98. *Id.*

99. *Id.*

100. *Id.*; Melanie Shapiro & Donna M. Hughes, *Brothel List by Senate District, Rhode Island, May 2009*, DIGITALCOMMONS@URI (May 31, 2009), https://works.bepress.com/donna_hughes/61/.

101. *Trafficking Victims Protection Act*, FIGHT SLAVERY NOW! (Nov. 29, 2009), <https://fightslaverynow.org/why-fight-there-are-27-million-reasons/the-law-and-trafficking/trafficking-victims-protection-act/trafficking-victims-protection-act/>.

contact with the prostitution businesses, recognized the slavery-like conditions in which the women lived and worked.¹⁰²

In 1998, Providence Police raided an Asian brothel disguised as a health club.¹⁰³ Police exposed the fraudulent nature of the business when they found that the exercise machines in the club were not plugged in.¹⁰⁴ During the raid, officers seized \$14,000 and a bag of pink condoms.¹⁰⁵ The commander of the Providence Police Special Services Division said, "This was like slavery [The women] worked 16- to 18-hour days. They didn't get paid. They just got tips."¹⁰⁶ The investigation found that the traffickers brought victims from Southeast Asia to Flushing, New York, and then transported them to Providence.¹⁰⁷ The traffickers forced the women to pay their travel and living expenses and only permitted them to keep cash tips.¹⁰⁸ The police noted that one of the women had cigarette burn marks on her forearm, a possible sign of torture.¹⁰⁹

In 2005, the head of the investigative division of the Providence Police commented on what he had observed in the Asian brothels:

The Koreans have limited [English] language [skills] and no support from family and friends. They are isolated; they live and eat in these places. Everything is provided for them. They just don't walk out the door [I]t seems to me that they are more restrained and less free to leave. Although they do leave to go to the store, walk a dog. They usually go in pairs. But where are they going to go? . . . They don't take their ID's [sic] with them. They only take small amounts of money When I see girls that are watched over, transported, told what to do, provided for, I think there is some restraint there.¹¹⁰

As awareness of the likely trafficking of women in the Asian spa-brothels grew, the Providence Police wanted to be able to speak to the women and offer them services instead of arresting them.¹¹¹ The head of the investigative division explained, "We went to the International Institute and we got a Korean woman who could translate for us [during the raid]. [The translator] was visibly upset

102. Jonathan D. Rockoff, *Police Allege Club Was a Brothel; the Providence Police Say That Women from Southeast Asia Were Brought to Club Osaka to Work as Prostitutes to Pay Off Their Passage to the United States*, PROVIDENCE J., Nov. 24, 1998, at B1.

103. *Id.*

104. *Id.*

105. *Id.*

106. *Id.*

107. *Id.*

108. *Id.*

109. *Id.*

110. Johnson, *supra* note 46, at 19–20.

111. *Id.* at 25–26, 29.

to see [women from her country] trapped in this situation.”¹¹² The translator also explained the many challenges to assisting women in the Asian brothels. She told the police, “[The Asian women in the brothels are] not going to readily and willingly speak to you because the women in my country are not as valued as the men. They are subservient and they have a different role”¹¹³

Shapiro found that women in the Asian brothels were often moved from state to state, as part of a larger network.¹¹⁴ They were usually at one location for a couple of weeks to a few months.¹¹⁵ The head of the investigative division of the Providence Police made the same observation about one spa-brothel they raided, which was “probably the biggest massage parlor in the state.”¹¹⁶ Following a raid on the brothel, he said,

“We went in yesterday There were six girls, three of them I knew from past encounters there. Three of them I didn’t, and I learned they had only been there for three days. One was from Georgia; others were from NY, New Jersey. One had no ID; one had Korean currency mixed in with her American, U.S. currency. They all have their bags packed—they’re always ready to go. They don’t set up residence or stay for a long time. So they move from place to place. Is that trafficking? It seems to me [it is].”¹¹⁷

During the raid, the police found an Asian woman on a couch with a serious untreated foot infection.¹¹⁸ They took her to the hospital for treatment.¹¹⁹

Several Asian spa-brothels were also part of a regional, organized crime network with international connections.¹²⁰ In 2006, two spa-brothels in Rhode Island were included in a federal investigation regarding women being smuggled from Korea into the Northeast United States.¹²¹ The regional network of brothels, which stretched from Massachusetts to Georgia, was managed from a base in New York.¹²² Using a wiretap, investigators caught a Rhode

112. *Id.* at 22.

113. *Id.*

114. Shapiro, *supra* note 48, at 60, 74–75.

115. *Id.* at 59.

116. Johnson, *supra* note 46, at 19.

117. *Id.* at 19–20.

118. Phillip Gara, *Managers of Spa Prostitution Fronts Arrested for Unlicensed Massage*, BROWN DAILY HERALD (Nov. 28, 2005), <http://www.browndailyherald.com/2005/11/28/managers-of-spa-prostitution-fronts-arrested-for-unlicensed-massages/>.

119. *Id.*

120. See Rockoff, *supra* note 102, at B1.

121. See Affidavit of Won Yoon, *supra* note 87, at 3, 6, 12–13.

122. *Id.* at 6–7.

Island brothel manager ordering women with green cards for her spa-brothel.¹²³

Traffickers in this network coerced women into prostitution.¹²⁴ The traffickers targeted women in Korea who wanted to come to the United States to work and support their families.¹²⁵ The traffickers used legal or fraudulent documents to get the women into the United States through immigration.¹²⁶ In some cases, the traffickers smuggled the women into the country.¹²⁷ The traffickers charged inflated fees for travel, food, and rent for women staying at the brothels.¹²⁸ The women usually had to live in squalid conditions.¹²⁹ The U.S. Attorney's Office stated, "In some instances, the women were threatened or led to believe that if they left the prostitution business before paying off their debts, they would be turned over to United States law enforcement or immigration authorities, or that their families in Korea would be harmed."¹³⁰

In the regional investigation, federal agents arrested thirty-one people, closed twenty brothels, and freed seventy women.¹³¹ This case demonstrated that spa-brothels in Rhode Island were involved in large-scale smuggling and trafficking organized crime networks.

As awareness about the sex trafficking of Asian women grew, the *Providence Journal* became a strong, consistent voice against decriminalized prostitution.¹³² The *Journal's* editorials frequently condemned the exploitation of women in the brothels and advocated for new prostitution laws.¹³³ The deputy editorial pages' editor wrote about the condition of the women in the Asian spa-brothels:

[They are] trapped in dirty brothels, day and night, fearful of being beaten or killed if they try to leave . . . [T]hey serve men with their bodies from the time they get up until they go

123. *Id.* at 12.

124. *See id.* at 7; Press Release, U.S. Attorney's Office, E. Dist. of N.Y., 31 Korean Nationals Arrested Throughout the Northeastern United States in Federal Human Trafficking Case (Aug. 16, 2006), <https://www.justice.gov/archive/usao/nye/pr/2006/2006Aug16.html>.

125. *See* Press Release, U.S. Attorney's Office, E. Dist. of N.Y., *supra* note 124.

126. *See id.*; Affidavit of Won Yoon, *supra* note 87, at 6.

127. *See* Press Release, U.S. Attorney's Office, E. Dist. of N.Y., *supra* note 124.

128. *See* Shapiro, *supra* note 48, at 60–61.

129. *See id.* at 61.

130. *See* Press Release, U.S. Attorney's Office, E. Dist. of N.Y., *supra* note 124.

131. Amanda Milkovits, *Federal Sweep Shuttters City Spa*, PROVIDENCE J., Aug. 18, 2006, at B1.

132. *See, e.g.*, Edward Achorn, *One Business R.I. Can Do Without*, PROVIDENCE J., Apr. 10, 2007, at B5.

133. *See, e.g., id.*

to sleep. They sleep on filthy mattresses and cook from Sterno cans in a back room. They are essentially slaves.¹³⁴

The high-profit sex businesses were also targets for extortion by organized crime groups.¹³⁵ Rhode Island is the home of the largest Italian organized crime group in New England—La Cosa Nostra.¹³⁶ This mafia network has a long history of criminal involvement with Providence strip clubs going back decades.¹³⁷ The strip clubs in Providence were known hangouts for mafia figures.¹³⁸

In the mid-1990s, members of the Patriarca crime family of the La Cosa Nostra, including a known violent enforcer, targeted a local businessman and a restaurant owner for extortion.¹³⁹ They used the basement of the Satin Doll, a Providence strip club, to threaten and beat up the businessman.¹⁴⁰ In 1995, the Rhode Island U.S. Attorney's Office charged three men with extortion.¹⁴¹ Three dancers from the club witnessed the incident.¹⁴² The enforcer was called "one of the most ruthless mobsters ever to run the streets of Rhode Island."¹⁴³ At the enforcer's trial, the dancers testified.¹⁴⁴ Two of them were so frightened they wept and refused to point him out in the courtroom. The third woman misidentified the enforcer when asked.¹⁴⁵ The enforcer was sentenced to life imprisonment.¹⁴⁶

In 2011 and 2012, a multi-state federal investigation of organized crime resulted in charges against 127 people from seven crime families in four northeastern states.¹⁴⁷ According to U.S. Attorney General Eric Holder, the law enforcement sweep was "the

134. *Id.*

135. Press Release, U.S. Attorney's Office, Dist. of R.I., Longtime Rhode Island Mob Boss, Associate Among 91 Leaders, Members, and Associates of La Cosa Nostra Families in Four Districts Charged with Racketeering and Related Federal Crimes, Including Murder and Extortion: 127 Individuals Charged in Providence; Brooklyn, N.Y.; Manhattan, N.Y.; and Newark, N.J. (Jan. 20, 2011), <https://archives.fbi.gov/archives/boston/press-releases/2011/bs012011a.htm>.

136. *Id.*

137. Malinowski, *supra* note 3, at A1.

138. *Id.*

139. Tom Mooney, *Ouimette Accused of Shakedowns; The Mobster and Two Others Are Charged with Demanding Cash from Two Businessmen*, PROVIDENCE J., Mar. 21, 1995, at A1.

140. *Id.*

141. *United States v. DeLuca*, 137 F.3d 24, 30 (1st Cir. 1998); *United States v. DeLuca*, 945 F. Supp. 409, 411 (D.R.I. 1996).

142. W. Zachary Malinowski, *Mobsters Ouimette, DeLuca Are Convicted of Extortion Facing Life in Prison, Ouimette Tells Reporters: 'Just Another Day'*, PROVIDENCE J., Oct. 27, 1995, at A1.

143. W. Zachary Malinowski, *Three Strikes and He's in*, PROVIDENCE J., Feb. 2, 1996, at A1.

144. *Id.*

145. *Id.*

146. *Id.*

147. WPRI, *Mafia Bust Charged 127 People - 6pm Version*, YOUTUBE (Jan. 20, 2011), <https://www.youtube.com/watch?v=mCH8eAb8CoA>.

largest single day operation against the mafia in the FBI's history, both in terms of the number of defendants arrested and charged and the scope of the criminal activity."¹⁴⁸ Law enforcement charged leaders and members of the La Cosa Nostra, including the New England Patriarca crime family, with racketeering and extortion for coercing Providence strip clubs to pay \$2000 to \$6000 per month for "protection."¹⁴⁹ Federal investigators estimated that the organized crime groups extorted between \$800,000 and \$1.5 million from Providence strip clubs, including the Satin Doll, the Cadillac Lounge, Cheaters, Club Desire, and The Foxy Lady.¹⁵⁰

According to the federal indictment, the racketeering conspiracy in Rhode Island dated back to the mid-1980s.¹⁵¹ The New York-based Gambino crime family conspired with the Patriarca crime family to extort protection money from the strip clubs in Rhode Island.¹⁵² U.S. Attorney General Eric Holder called members of La Cosa Nostra "among the most dangerous criminals in our country."¹⁵³

In Rhode Island, the former and acting heads of the New England La Cosa Nostra crime families were convicted and imprisoned.¹⁵⁴ In total, nine leaders, underbosses, or members of this Rhode Island organized crime group were convicted of offenses related to extortion of adult entertainment businesses in Rhode Island.¹⁵⁵

These cases demonstrate that brothels were often run by organized crime networks,¹⁵⁶ and strip clubs, where there was

148. *Id.*

149. See Press Release, Office of Pub. Affairs, U.S. Dep't of Justice, New England Crime Boss Sentenced to 78 Months in Federal Prison (Nov. 14, 2012), <https://www.justice.gov/opa/pr/new-england-crime-boss-sentenced-78-months-federal-prison>; Press Release, U.S. Attorney's Office, Dist. of R.I., *supra* note 135; see also W. Zachary Malinowski, *Mobster Enters Plea in Racketeering Conspiracy*, PROVIDENCE J., Feb. 23, 2012, at A5.

150. Laura Crimaldi, *Ex-NE Mob Boss Gets 5 1/2 Years in RI Strip Club Plot*, MASS LIVE (May 11, 2012), http://www.masslive.com/news/index.ssf/2012/05/ex-ne_mob_boss_luigi_baby_shac_1.html.

151. Third Superseding Indictment at 5-6, United States v. Dinunzio, No. 11-004-02S (D.R.I. Sept. 22, 2011).

152. See Press Release, Office of Pub. Affairs, U.S. Dep't of Justice, Alleged Acting New England Crime Boss Anthony Dinunzio Charged in Racketeering and Extortion Conspiracy (Apr. 25, 2012), <https://www.justice.gov/opa/pr/alleged-acting-new-england-crime-boss-anthony-dinunzio-charged-racketeering-and-extortion>; see also Jess Bidgood, *Man Said to Be Acting Head of New England Mob is Held*, N.Y. TIMES, Apr. 26, 2012, at A14.

153. WPRI, *supra* note 147.

154. Press Release, Office of Pub. Affairs, U.S. Dep't of Justice, *supra* note 149.

155. *Id.*

156. See, e.g., Sentencing Memorandum at 2, United States v. Kim, No. 1:06-cr-00605-CBA-RLM (E.D.N.Y. Mar. 3, 2007) (No. 141) (noting the defendant

prostitution,¹⁵⁷ were often targeted by organized crime groups for extortion. Decriminalized prostitution facilitated the operation of crime networks and made sex businesses a soft target for traditional organized crime groups.

D. Murders, Assaults, and Armed Robberies

Women in prostitution are often victims of violent crimes by men other than pimps and traffickers.¹⁵⁸ They are targeted for robberies because they often have cash and are not likely to make police reports.¹⁵⁹

Serial killers often target women in prostitution because they are vulnerable, and some men have a particular hatred of prostitutes.¹⁶⁰ In Rhode Island, between 2003 and 2004, Jeffrey S. Mailhot killed three prostitutes.¹⁶¹ Though Mailhot visited a local strip club regularly, he picked up his victims on the street in an area known for prostitution in the city of Woonsocket.¹⁶² He strangled the three women at his apartment, dismembered them with a handsaw, and disposed of their bodies in garbage bags thrown into trash bins around the city.¹⁶³ Searchers found body parts from one of the victims in the local landfill.¹⁶⁴

Mailhot also assaulted and choked two other women who escaped.¹⁶⁵ One of the surviving victims said Mailhot did nothing to frighten her “until [they] got to the house.”¹⁶⁶ She added,

It doesn't justify whether [sic] I am a prostitute or I am walking the streets There are three women who were my friends who are dead right now And one of them could've

“was a member of a wide-ranging conspiracy that operated brothels along the East Coast” for two years).

157. Melanie Shapiro, *Prostitution at the Strip-Clubs in Providence*, DIGITALCOMMONS@URI (Aug. 7, 2009), https://works.bepress.com/donna_hughes/101/.

158. See WARWICK POLICE DEP'T, NARRATIVE FOR SERGEANT ROBERT E AVIZINIS NO. 09-10479, at 2–3 (2009).

159. *Id.*

160. Kenna Quinet, *Prostitutes as Victims of Serial Homicide: Trends and Case Characteristics, 1970-2009*, 15 HOMICIDE STUD. 74, 81–82 (2011).

161. Cynthia Needham, *Guilty Pleas End Ordeal - Court Hears How Mailhot Dismembered 3 Women*, PROVIDENCE J., Feb. 16, 2006, at A1.

162. Cynthia Needham, *Woonsocket Man Indicted on 3 Counts of Murder*, PROVIDENCE J., Dec. 11, 2004, at A3.

163. Needham, *supra* note 161, at A1.

164. Cynthia Needham, *An Awful Search: Digging in the Dump for Body Parts*, PROVIDENCE J., Sept. 19, 2004, at A1.

165. See Cynthia Needham, *On Tape, Mailhot Describes Killings*, PROVIDENCE J., Feb. 23, 2006, at B1.

166. Tom Mooney, *She Survived Encounter with Suspect*, PROVIDENCE J., July 21, 2004, at A1.

been me Just because we have a drug problem doesn't mean we are bad people.¹⁶⁷

The body of one woman was found in a local landfill.¹⁶⁸ The bodies of two of the women were never found.¹⁶⁹ When arrested in 2004, Mailhot confessed to murdering three women. He was sentenced to life in prison. Mailhot was not the only individual to violently attack prostitutes in Woonsocket—prostitutes in the area were targeted by multiple perpetrators.¹⁷⁰ For example, one of the women Mailhot murdered had previously been kidnapped and beaten by another man.¹⁷¹

In the spring of 2009, there were two well-publicized, serious attacks and robbery attempts on women engaged in prostitution.¹⁷² The first was a robbery attempt in a Warwick hotel by Philip Markoff—known as the “Craiglist Killer.”¹⁷³ In Boston, Markoff had robbed prostitutes to pay off gambling debts.¹⁷⁴ He murdered one woman and assaulted at least one other one, although there was evidence that he had robbed other victims.¹⁷⁵

In Rhode Island, Markoff attempted to rob a woman at gunpoint in a hotel room in Warwick.¹⁷⁶ The victim and her husband, who was previously arrested for pandering (pimping), traveled to Rhode Island from Nevada each month to work the strip clubs.¹⁷⁷ The

167. *Id.*

168. Cynthia Needham, *The Mailhot Chronology*, PROVIDENCE J., Feb. 16, 2006, at C1.

169. Cynthia Needham, *supra* note 161, at A1.

170. See Cynthia Needham, *Victim's Slaying Forces State to Drop Charges*, PROVIDENCE J., July 20, 2005, at D4 (describing an instance where one prostitute was victimized in two high-profile violent crimes, the latter of which was her murder at the hands of Jeffrey S. Mailhot).

171. *Id.*

172. See *Accused Craiglist Killer Faces Charges in Rhode Island*, CNN (May 4, 2009), <http://www.cnn.com/2009/CRIME/05/04/craiglist.hotel.assault/>; Debra Cassens Weiss, *Lawyer Tells Police She Was Assaulted While Working as an Escort*, ABA J.: DAILY NEWS (May 6, 2009, 11:22 AM), http://www.abajournal.com/news/article/lawyer_tells_police_she_was_assaulted_while_working_as_an_escort.

173. Karen Lee Ziner, *A Close Call with Craiglist Killer*, PROVIDENCE J., Apr. 1, 2011, at A1.

174. Michele McPhee et al., *Police Say Craiglist Killer Owed Gambling Debts*, ABC NEWS (Apr. 21, 2009), <http://abcnews.go.com/GMA/story?id=7387628&page=1>.

175. Beverly Ford & Helen Kennedy, *Suspected 'Craiglist Killer' Phillip Markoff Charged with Assault of a Stripper in Rhode Island*, N.Y. DAILY NEWS (May 4, 2009), <http://www.nydailynews.com/news/suspected-craiglist-killer-phillip-markoff-charged-assault-stripper-rhode-island-article-1.377718>.

176. WARWICK POLICE DEP'T, SUPPLEMENTAL NARRATIVE FOR OFFICER JEDIDIAH D PINEAU NO. 09-10479, at 1–2 (2009); Ziner, *supra* note 173, at A1.

177. See Ziner, *supra* note 173, at A1; see also WARWICK POLICE DEP'T, SUPPLEMENTAL NARRATIVE FOR DETECTIVE JAMES M. MEDEIROS NO. 09-10479, at 1 (2009).

victim was strip dancing in a local club, the Cadillac Lounge, and offering private commercial sex acts as the “Sexxy Petite Blonde Bombshell” at the Warwick hotel.¹⁷⁸

Markoff was arrested shortly after his attack on the woman in Rhode Island.¹⁷⁹ The Rhode Island Attorney General and Warwick Police Department filed arrest warrants for Markoff.¹⁸⁰ Markoff committed suicide while awaiting trial.¹⁸¹

This case highlighted the hazardous environment created by decriminalized prostitution. While pimps and prostitutes were coming to Rhode Island to take advantage of the lack of laws against indoor prostitution, decriminalized prostitution was also attracting predators like Markoff.

Less than three weeks after the Craigslist Killer’s robbery attempt, a lawyer who ran a “dating service” and engaged in prostitution was assaulted at knifepoint in a robbery attempt in Providence.¹⁸² The man assaulted the victim after she went to meet him in his apartment.¹⁸³ She escaped by spraying chemicals in his eyes.¹⁸⁴ The man had a lengthy record of assault, drug, and weapons charges that dated back to 1993.¹⁸⁵

As lawlessness and violence around prostitution increased, police learned that pimps were running prostitution businesses out of hotel rooms and were carrying weapons to protect themselves.¹⁸⁶ In a Warwick hotel room, a pimp, who was a convicted felon, was found with a twelve-gauge shotgun.¹⁸⁷ He said he needed it because of his “lifestyle” and to protect his women.¹⁸⁸

178. See Ziner, *supra* note 173, at A1; Maureen Orth, *Killer@Craigslist*, VANITY FAIR (Aug. 31, 2009, 12:00 AM), <http://www.vanityfair.com/culture/2009/10/craigslist-murder200910>.

179. See Orth, *supra* note 178 (noting that the Warwick robbery attempt occurred six days after April 10—i.e., April 16—and that the arrest occurred on April 20).

180. Tom Mooney, *R.I. Brings Charges Against Craigslist Suspect*, PROVIDENCE J., May 5, 2009, at A1.

181. Stephen Singer, *Craigslist Killer Suspect Philip Markoff Found Dead*, CHRISTIAN SCI. MONITOR (Aug. 16, 2010), <http://www.csmonitor.com/From-the-news-wires/2010/0816/Craigslist-killer-suspect-Philip-Markoff-found-dead>.

182. Amanda Milkovits, *Providence Man Threatened Escort with Knife*, *Police Say*, PROVIDENCE J., May 5, 2006, at A10.

183. Weiss, *supra* note 172.

184. See Milkovits, *supra* note 182, at A10.

185. See *id.* (noting that the perpetrator’s criminal record dated back more than twenty years at the time of the offense).

186. See Press Release, Peter F. Neronha, U.S. Attorney’s Office, Dist. of R.I., *Convicted Felon Who Armed Himself Because of His “Lifestyle” Sentenced to 70 Months in Prison on Firearm Charge* (Nov. 30, 2010), https://www.justice.gov/archive/usao/ri/news/2010/nov2010/lombardi_sentence.html.

187. *Id.*

188. *Id.*

The burgeoning sex industry in Rhode Island and unregulated nature of indoor prostitution attracted predators who targeted women in the sex industry. The cases of attempted robberies and assaults against women engaged in prostitution increasingly alarmed law enforcement officials and the general public in Rhode Island.¹⁸⁹ With prostitution as an unregulated activity, police and officials had no authority to take proactive steps to stop the increase in prostitution and the violence surrounding it. They could only respond to such violence after the acts had occurred.

E. Teenage Girls Legally Employed in Strip Clubs

While people in Rhode Island were learning about the crimes that were hidden by decriminalized prostitution and how the flourishing sex trade was attracting violent criminals, another type of commercial sexual entertainment was found to be operating without regulation: underage teens dancing in strip clubs.

In June 2009, Providence Police responded to a domestic violence call and found a sixteen-year-old runaway girl with injuries on her face and head.¹⁹⁰ Her forty-year-old boyfriend, who was likely her pimp, had assaulted her.¹⁹¹ He was later identified as a fugitive from justice in Massachusetts.¹⁹² The victim had fake identification and was working as a dancer at a popular strip club.¹⁹³

A Providence emergency medical technician who responded to the call wrote this about the victim:

A young girl got punched in the face a few nights ago. She stood outside of her [three-story residence], bleeding from her bottom lip. She offered me money because she didn't have insurance. She told me she was a "dancer" at Cheaters, a notorious adult entertainment club down the road from my station. She opened her purse, a stack of twenties and a bunch of condoms lay inside. The girl was high, confused and needed help. I helped her. We put her in our truck, dressed her

189. See *Accused 'Craigslist Killer' Faces New Charges in Rhode Island*, FOXNEWS (May 5, 2009), <http://www.foxnews.com/story/2009/05/05/accused-craigslist-killer-faces-new-charges-in-rhode-island.html> (reporting statements by Rhode Island Attorney General Patrick Lynch that "it may take some time to bring [Markoff] to court in Rhode Island" but that charges would be brought "because a community cries out for justice").

190. See PROVIDENCE POLICE DEP'T, PROVIDENCE INCIDENT REPORT DETAIL CASE NO. 2009-00058160, at 2 (2009); Amanda Milkovits, *Missing Boston Teen Found in Providence*, PROVIDENCE J., June 10, 2009, at B2.

191. See Milkovits, *supra* note 190, at B2 (noting that the girl told police that the forty-year-old man was her boyfriend and "had punched her in the face").

192. *Id.*

193. See *id.*; Michael Morse, *Circle the Wagons*, RESCUING PROVIDENCE (June 10, 2009), <https://mmorsepfd.wordpress.com/2009/06/10/circle-the-wagons/>.

wound and had her put her money and condoms away. Her ID said she was twenty and lived in Connecticut. Her face said she was sixteen and lived on the streets. Her face was right; her ID a lie.¹⁹⁴

The victim was a teen missing from Boston for six months who was being held against her will by an escaped convict.¹⁹⁵ When the police and medical technicians found her, she was suicidal.¹⁹⁶ Since the girl had a large quantity of condoms in her purse,¹⁹⁷ the convict was likely forcing her to engage in prostitution in the private booths in the strip club in addition to her dancing.

When police attempted to hold someone accountable for the girl's exploitation, they discovered that there was no state law or city ordinance prohibiting teens from working or stripping in clubs.¹⁹⁸ The only laws that applied were federal child labor laws that restricted the number of hours a child could work and prohibited certain kinds of dangerous work.¹⁹⁹ Under Rhode Island employment laws, it was not illegal to employ sixteen- and seventeen-year-old individuals in strip clubs or other sex businesses because sixteen was the minimum employment age in Rhode Island.²⁰⁰ Because sixteen is also the age of legal consent for sex in Rhode Island, the girl could legally be involved in prostitution at the strip club.²⁰¹ One police officer commented on the violence and exploitation by saying, "It leads to societal breakdown These are just little girls."²⁰²

The lack of a law prohibiting this level of sexual exploitation drew national media attention.²⁰³ State Representative Joanne Gianinni appeared on national news to say that she was going to introduce another bill into the Rhode Island General Assembly that would ban minors from working in adult entertainment establishments.²⁰⁴ Although there was no law against hiring teens

194. *Id.*

195. See Press Release, F.B.I. Bos., Innocence Lost Task Force and Providence Police Recover Missing Juvenile (June 9, 2009), <https://archives.fbi.gov/archives/boston/press-releases/2009/bs060909.htm>.

196. PROVIDENCE POLICE DEP'T, PROVIDENCE INCIDENT REPORT DETAIL CASE NO. 2009-00060104, at 1 (2009).

197. See Morse, *supra* note 193.

198. Amanda Milkovits, *Minors in R.I. Can Be Strippers*, PROVIDENCE J., July 21, 2009, at A1.

199. *Id.*

200. *Id.*

201. *Id.*

202. *Id.*

203. See *Legal Loophole Allows Rhode Island Minors to Strip*, CNN: AM. MORNING BLOG (July 24, 2009, 09:24 AM), <http://am.blogs.cnn.com/2009/07/24/legal-loophole-allows-rhode-island-minors-to-strip/>.

204. *Id.*

to strip in clubs, the Providence Board of Licenses asked ten clubs to voluntarily sign a pledge not to hire teens younger than eighteen.²⁰⁵

During the debate about decriminalized prostitution in Rhode Island, the focus had been on the Asian brothels, but this case highlighted that sexual exploitation was also happening in the strip clubs. Media stories started appearing that described the open sexual exploitation in the clubs.²⁰⁶ Providence's seven strip clubs were said to have a notorious reputation throughout New England.²⁰⁷ One male customer said, "You get more contact here talking to a woman at the bar than you do in most clubs during a lap dance, and in the private rooms, anything goes for probably half the women working there, and the others will still make sure you leave happy."²⁰⁸

Without laws or regulations for adult entertainment businesses, an "anything goes" culture existed in the clubs and other sex businesses in Rhode Island.

F. *Cat and Mouse Games: Attempts to Close Asian Brothels*

Without laws prohibiting or regulating indoor prostitution, Rhode Island and federal law enforcement agencies' authority to investigate and prosecute suspected pimps and traffickers was stifled. Because there were no laws against prostitution, property owners were free to rent to prostitution businesses. According to a senior Providence Police officer,

The problem . . . [in Rhode Island] is the prostitution laws are very narrowly defined They are really designed for street-walkers. They do not address, or make [prostitution] a crime, any sex for money if it's done indoors. So we have a lot of this going on. It's done easily and it's tough to disrupt it because we really don't have the law on our side.²⁰⁹

Since there were no laws or regulations concerning indoor prostitution, city officials looked for other ways to close the Asian

205. Gregory Smith, *Clubs Asked to Sign Pledge on Hiring of Strippers*, PROVIDENCE J., July 25, 2009, at A4.

206. Donna M. Hughes, *Donna M. Hughes: Hold R.I. Strip Club Owners Accountable*, PROVIDENCE J. (Mar. 30, 2014), <http://www.providencejournal.com/opinion/commentary/20140330-donna-m.-hughes-hold-r.i.-strip-club-owners-accountable.ece>.

207. Susan Donaldson James, *Rhode Island Clubs Ban Teen Strippers*, ABC NEWS (Aug. 5, 2009), <http://abcnews.go.com/Business/story?id=8257359&page=1>.

208. Susan Donaldson James, *Teen Strippers, Old Enough to Be Indoor Hookers but Too Young to Drive*, ABC NEWS (July 23, 2009), <http://abcnews.go.com/Business/story?id=8149969>.

209. Johnson, *supra* note 46, at 19.

brothels.²¹⁰ Providence officials tried to shut down the spa-brothels for professional licensing violations.²¹¹ The spa-brothels were advertising “massage[s].”²¹² Therapeutic massage businesses require a license, so the brothels were violating the massage ordinance by giving massages without a license.²¹³

To get around this city ordinance violation, the brothel managers changed the wording of their advertisements to offer “body rubs,” “table showers,” and other creative terms for activities that were not regulated or prohibited by law.²¹⁴ If the police arrested anyone for licensing violations, the brothel’s lawyer argued that they did not give a massage and, therefore, did not need a license.²¹⁵ After several attempts, city officials and law enforcement no longer tried to use massage ordinances to close Asian brothels.²¹⁶

Providence officials also tried to charge the Asian brothels with maintaining a nuisance, but that was not successful either.²¹⁷ A senior police officer said, “So it’s a cat and mouse game.”²¹⁸ He commented about the brothels’ ability to change the names of their services and advertising to avoid any regulations:

[T]here’s a huge amount of money that’s generated from [prostitution in Asian brothels] [t]he Spa owners have good lawyers. Highly skilled, highly paid, high profile attorneys who are very creative in trying to get around the law [t]he attorneys play cute and we have to go back and forth. So we’re really not getting anywhere on that front.²¹⁹

After not being able to use the massage regulations to close the brothels, the Providence authorities tried to close the brothels using fire, building, and health code violations.²²⁰

210. Associated Press, *R.I. Tries to Outlaw Indoor Prostitution – Again*, NBC NEWS (June 18, 2009, 1:42 PM), http://www.nbcnews.com/id/31428425/ns/us_news-crime_and_courts/t/ri-tries-outlaw-indoor-prostitution-again/#.WII_lmQrLfY.

211. See, e.g., Neil Remiesiewicz, *Police Close Massage Parlor, Arrest Masseur*, WPRI NEWS (July 17, 2015, 10:39 PM), <http://wpri.com/2015/07/17/police-close-massage-parlor-arrest-masseur/>.

212. See, e.g., Bill Tomison, *3 Spa Workers Face Prostitution-Related Charges*, WPRI NEWS (July 10, 2015, 1:27 PM), <http://wpri.com/2015/07/10/3-spa-workers-face-prostitution-related-charges/>.

213. See 23 R.I. GEN. LAWS § 23-20.8-3 (2008).

214. Milkovits, *supra* note 44.

215. See Johnson, *supra* note 46, at 20–21.

216. Lynn Arditi, *How R.I. Opened the Door to Prostitution*, PROVIDENCE J. (Nov. 14, 2014), <http://www.providencejournal.com/news/content/20141114-5-31-2009-how-r.i.-opened-the-door-to-prostitution---broken-legal-barriers-made-public-nuisance-a-private-act.ece>.

217. *Id.*

218. Johnson, *supra* note 46, at 21.

219. *Id.* at 20–21.

220. *Id.* at 21.

Officials were successful in forcing one spa-brothel to close, but law enforcement and city officials realized that they were running out of enforcement tools.²²¹ Next, they decided to pressure the building owners to evict the brothels.²²² By 2009, there was a lot of public discussion about the problems created by decriminalized prostitution, and attention shifted to some well-known business people who were known to be renting buildings to Asian spa-brothels.²²³ The city of Providence sent letters to the owners of buildings where brothels were located, asking them to evict the brothel.²²⁴ At least one property owner pressured a brothel to leave, while others resisted the pressure from the city and replied that they would not change their practices until the law changed.²²⁵

Property owners hesitated to evict brothels because they could charge brothels premium rent rates.²²⁶ Pressuring property owners to evict brothels also had a limited effect because the brothels moved to another location and opened again, sometimes under another name.²²⁷ For example, following negative publicity, a former Providence mayor evicted a brothel that subsequently relocated to the same address as another brothel in Providence.²²⁸ The brothel advertised that it was “under new management,” but continued to advertise that it offered “full service,” a euphemism for sexual intercourse with “beautiful, charming, sex[y] Asian girls.”²²⁹ Often, the old and new brothels seemed to be connected.²³⁰ For example, the same photos, descriptions, and formatting would be used in advertisements, the same registered agents were used to incorporate the new location, and the same managers’ vehicles were seen at the new location.²³¹

221. Amanda Milkovitz, *Brothels Survive on Weak R.I. Law*, PROVIDENCE J. (Aug. 21, 2006) (on file with author).

222. Gregory Smith, *City Pressures Building Owners to Evict Spas*, PROVIDENCE J., Dec. 2, 2005, at D1.

223. See Arditi, *supra* note 87.

224. See Johnson, *supra* note 46, at 29.

225. See Smith, *supra* note 222, at D1.

226. Donna M. Hughes, *Donna M. Hughes: Another Prostitution Loophole in R.I.*, PROVIDENCE J. (May 9, 2015), <http://www.providencejournal.com/article/20150509/OPINION/150509309>; see also Milkovitz, *supra* note 221; Arditi, *supra* note 87.

227. See Sarah Schweitzer, *Many Seek Ban as Prostitution Thrives in R.I.*, BOS. GLOBE (Aug. 13, 2009), http://archive.boston.com/news/local/rhode_island/articles/2009/08/13/in_rhode_island_battle_over_legal_prostitution_rages_on/?page=full.

228. See Melanie Shapiro, *Evicted Brothel Relocates, Bali Day Spa Moves to ABC Spa: Still Located in Providence*, DIGITALCOMMONS@URI (Aug. 12, 2009), https://works.bepress.com/donna_hughes/62/.

229. *Id.*

230. See, e.g., Shapiro, *supra* note 48, at 120–46.

231. See, e.g., *id.*

The cat and mouse game between the Providence city authorities and the Asian brothels reinforced the need for new laws that ended decriminalized prostitution.

G. Decriminalized Prostitution and the Consequences for Investigating Sex Trafficking

Awareness of sex-industry-related human trafficking was growing, but the lack of laws prohibiting prostitution hindered law enforcement investigations. Cases of sex trafficking are often identified while police are investigating prostitution, and sex trafficking investigations are often initiated by police setting up a sting or acting as a sex buyer to contact a potential victim.²³² Police were unable to investigate suspected sex trafficking because indoor prostitution was a private act. Therefore, police could not meet the necessary legal requirements of probable cause to investigate what was not a crime.

Numerous law enforcement officers and officials wrote letters supporting prostitution related legislation.²³³ They described their frustration in not being able to act to stop pimping and trafficking because of the lack of legal authority.²³⁴ One Pawtucket police officer, who was also a representative in the Rhode Island House of Representatives, wrote,

Pimps are transporting their victims to Rhode Island where they know they can operate with near impunity. They have no fear of a police sting nabbing them in the act since there are no laws against indoor prostitution. The police have their hands tied and need the loophole closed in order to combat the pimps and traffickers. All the human trafficking legislation in the world won't help as long as the loophole that allows indoor prostitution exists.²³⁵

Decriminalized prostitution excluded Rhode Island from participating in a national partnership with the FBI, the

232. See Donna M. Hughes, *Analysis of the Arrest of a Cambridge Pimp and the Identification of a Victim*, DIGITALCOMMONS@URI 1 (July 3, 2009) https://works.bepress.com/donna_hughes/57/.

233. See Donna M. Hughes, *Senators Prostitution Bill is a Sham*, PROVIDENCE J., Sept. 4, 2009, at Commentary 6 (describing widespread support for a House bill that would have been a traditional law against prostitution).

234. See, e.g., Letter from Col. Stephen M. McCartney, Chief of Police, City of Warwick, to Chairman Lally & Honorable Members of the House Judiciary Committee (May 6, 2009), https://web.archive.org/web/20101016122332/http://citizensagainsttrafficking.org/uploads/McCartney-Chief_of_Police-Warwick.pdf.

235. Press Release, Rep. Roberto DaSilva, Statement on the Harm of Decriminalized Prostitution in Rhode Island (June 18, 2009), http://www.rilin.state.ri.us/pressrelease/_layouts/RIL.PressRelease.ListStructure/Forms/DisplayForm.aspx?List=c8baae31-3c10-431c-8dcd-9dbbe21ce3e9&ID=5391.

Department of Justice Child Exploitation and Obscenity Section, and the National Center for Missing and Exploited Children to investigate the domestic sex trafficking of children in the United States.²³⁶ The program, called the Innocence Lost National Initiative, required coordination with state and local law enforcement agencies.²³⁷ Because Rhode Island had no law on indoor prostitution, local and state police had no authority to investigate prostitution.²³⁸ A letter to Rhode Island Governor Donald Carcieri from the National Center for Missing and Exploited Children stated,

Under current Rhode Island law, commercial sex between adults inside a building is considered a private activity and is thus protected. This deprives Rhode Island law enforcement of the ability to detect whether children are being victimized in this commercial sex trade, to rescue these child victims, and to provide them with the services they so desperately need. Your state's efforts in the fight against child prostitution would be greatly enhanced if law enforcement were empowered to fully investigate the commercial sex trade.²³⁹

Since prostitution was not an illegal activity in Rhode Island, federal agents could not arrest pimps or traffickers for transporting victims into Rhode Island using the Mann Act, which is an important federal law used to prosecute the transportation of someone across state lines for the purpose of "illegal sexual activity."²⁴⁰ The inability to use this simple but powerful federal law stymied federal investigations and prosecutions of sex trafficking in Rhode Island. The violence, exploitation, and lawlessness in the state led the mayor of Providence to call Rhode Island a "true wild west."²⁴¹

As the push for an end to decriminalized prostitution intensified during the summer of 2009, Luis CdeBaca, Ambassador at Large to Combat Human Trafficking and Director of the Office to Monitor and Combat Trafficking in Persons in the U.S. State Department, called for legal reform:

There is a need for both a legal and a cultural message that does not tolerate prostitution. I was surprised to learn that in Rhode Island . . . prostitution is legal so long as it happens

236. Letter from Ernie Allen, former CEO & President of the Nat'l Ctr. for Missing & Exploited Children, to Gov. Donald Carcieri (July 23, 2009) (on file with the authors).

237. *Id.*

238. *Id.*

239. *Id.*

240. 18 U.S.C. §§ 2421–2424 (2012).

241. David N. Cicilline, *Time to End Legalized Prostitution in R.I.*, PROVIDENCE J., May 19, 2009, at Commentary 6.

indoors, and girls as young as 16 years of age can legally dance in strip clubs It is a legitimate concern that such a hands-off approach towards the so-called “sex industry” can result in a zone of impunity in which police can’t go, and where traffickers can exploit their prey. State legislators are trying to close these prostitution loopholes in Rhode Island so that the state does not become a magnet for commercial sexual exploitation.²⁴²

The knowledge that police were impeded from investigating serious crimes like domestic minor sex trafficking and transportation of victims into Rhode Island helped build momentum for the passage of a law to end decriminalized prostitution.

CONCLUSION

In October 2009, the Rhode Island General Assembly passed several laws aimed at ending decriminalized prostitution, sexual exploitation, and human trafficking.²⁴³ These included a law criminalizing prostitution, a comprehensive human trafficking law, and a law prohibiting minors from working in the adult entertainment industry.²⁴⁴

These three new laws marked the end of a legal and commercial era in which the sexual exploitation of women and girls through prostitution was a legitimate form of economic development and a high-profit enterprise for business owners. These laws also marked the end of a cultural era in which buying sex was a legal form of entertainment for men.

An added benefit of the public discussion about prostitution and sex trafficking was that awareness about the subordinate status of women in prostitution grew within police departments.²⁴⁵ Officers’ attitudes toward women in prostitution shifted, and they started to see the women and girls as likely victims instead of criminals.²⁴⁶ By 2005, when Providence Police raided the Midori Spa, they

242. Hughes, *supra* note 6, at 1.

243. 11 R.I. GEN. LAWS § 11-34-5 (2002); 11 R.I. GEN. LAWS §§ 11-67-1 to -8 (Supp. 2016); 28 R.I. GEN. LAWS § 28-3-9.1 (Supp. 2016).

244. 11 R.I. GEN. LAWS §§ 11-34-5, 11-67-1 to -8; 28 R.I. GEN. LAWS § 28-3-9.1; *see also* H.R. 5044 Substitute B., 2009 Gen. Assemb., Jan. Sess. (R.I. 2009) (House bill criminalizing prostitution); S. 0596 Substitute B., 2009 Gen. Assemb., Jan. Sess. (R.I. 2009) (Senate bill criminalizing prostitution); H.R. 5661 Substitute B., 2009 Gen. Assemb., Jan. Sess. (R.I. 2009) (House bill on trafficking of persons); S. 0605 Substitute B., 2009 Gen. Assemb., Jan. Sess. (R.I. 2009) (Senate bill on trafficking of persons); H.R. 6441, 2009 Gen. Assemb., Jan. Sess. (R.I. 2009) (House bill on minors working in the adult industry); S. 1059, 2009 Gen. Assemb., Jan. Sess. (R.I. 2009) (Senate bill on minors working in the adult industry).

245. *See, e.g.*, W. Zachary Malinowski, *Officials Decry Trafficking of Women for Sex*, PROVIDENCE J., Nov. 29, 2006, at A1.

246. *See, e.g.*, Amanda Milkovits, *Hunting Houses of Ill Repute; Law Enforcement Sex Trafficking*, PROVIDENCE J., May 27, 2014, at A1.

announced a new strategy to crack down on brothels.²⁴⁷ They said they would arrest only the managers of the spa and not the women, who were likely victims of human trafficking.²⁴⁸ The police went into the brothel with translators and counselors for the women.²⁴⁹

Today, sex worker rights groups and international organizations, such as UN Women (the United Nations organization dedicated to equality and empowerment of women) and Amnesty International (the largest human rights group in the world), are advocating for the decriminalization of prostitution.²⁵⁰ This Article describes what happened over a period of twenty-nine years of decriminalized prostitution in Rhode Island. The authors think this research documents the lawlessness, violence, and exploitation that accompanies decriminalized prostitution. When prostitution is decriminalized, it is women's and girls' bodies that become legal sexual entertainment for men and the legal basis of profit and economic development for pimps, traffickers, business people, and public officials.

247. See Gara, *supra* note 118.

248. *Id.*

249. Smith, *supra* note 222, at D1.

250. See, e.g., AMNESTY INT'L, 32ND INTERNATIONAL COUNCIL MEETING CIRCULAR NO. 18 2015 ICM CIRCULAR: DRAFT POLICY ON SEX WORK 4-5 (2015), <http://files.ctctcdn.com/54482ed6201/46da8bac-36d7-4a59-b9e0-fd79b1aec409.pdf>.

Human Trafficking: Countless Ways to Help



Perspectives from Survivors

- ▶ *My mom went through it...grandma too. I guess it's just how it goes for us around here. I hate that my little sisters might think it's okay.*
- ▶ *I just don't want this life for my daughter.*
- ▶ *My brother's out there. A lot of bad stuff is going on. I wish he could come back to MN so someone could be there for him too. There's no one to help where he's living.*
- ▶ *I have hopes and dreams, too.*
- ▶ *We need housing, love, a place to belong, and to be supported in our goals,*
- ▶ *I'm glad I found this place. It saved me and my friends' lives. Truly.*
- ▶ *I want to give back and help so that others don't go through the awful stuff I have. And if they do, I want to be that person who shows them love and care, no matter what.*

A Snapshot of What We Offer:

- ▶ Community-Based Youth Programs and Wraparound Services
- ▶ Support Groups
- ▶ Basic Needs (Clothing, Food, Jobs, Education, Financial Resources)
- ▶ Outreach, Violence Prevention, and Leadership Development
- ▶ Shelter -Short-term emergency shelter for individuals and families
- ▶ Safe Journeys -Site-based youth housing and metro-wide rapid rehousing
- ▶ Mental and chemical health care
- ▶ Legal resources for victims – Advocacy and representation
- ▶ 24/7 Resource line to call with questions and/or to get connected to services

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- Public health awarded program provided by Tubman's Youth and Family Workers who deliver intensive wrap-around services in the community
- Safe Journeys Youth Transitional Housing and Aftercare
- Youth Community-Based Housing
- Movement for Violence Prevention youth leadership and school-based violence prevention education provided by Tubman's Youth Educators
- Youth social media campaigns and content created with, by and for youth
- NorthStar Youth Outreach Center -Maplewood Mall-supported by Tubman's volunteers and interns
- Economic Advancement – additional financial assistance and career navigation for survivors
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