

Stop Trafficking! AwarenessAdvocacyAction

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FOCUS: Human trafficking within the United States prison system.

Human Trafficking and Women's Prisons

The United States is home to 4% of the world's female population, and 33% of the entire world's incarcerated female population. As of January 2019, 133 women per every 100,000 female citizens in the United States were imprisoned. The number of women in state prisons has risen by 834% over the past 40 years. Traffickers are targeting these women, trapping many of them in an endless cycle of criminalization and exploitation.

Recruitment

Researchers and advocates state that traffickers throughout the United States take similar steps to recruit women in prison to become potential victims. Many states post information of anyone charged with a criminal offense on their government websites. This data could include mugshots, home addresses, criminal records, court dates, and information on bail bonds.

The details of an arrest may be printed in local newspapers. This allows traffickers to know where a woman is imprisoned, on what charges, and potentially when she will be released. Pimps and sex traffickers routinely use fraudulent bail bondsmen to access potential victims in prison. These predators bail a woman out, pick her up as she leaves prison, and they now "own" her. If the woman refuses to work off her debt, then her bond is rescinded, sending her back to prison. The bail bond system is used by pimps and sex buyers in Florida, Texas, Ohio, North Carolina, and Mississippi.

Inside prisons and jails, commissary accounts allow prisoners to receive money from outside to spend on food, toiletries, and other essentials and is another mode of recruitment.

In many facilities, anybody can send money to a prisoner. The debt inmates accumulate from money added to their commissary accounts through JPay is a way for human traffickers to entrap women upon their release. Women are financially supported through their incarceration by men on the outside, who then demand repayment when they are released. Recruitment usually occurs during a woman's first 30 to 45 days of incarceration as this is when new inmates struggle to find work duty to make money. The lack of money leaves inmates dependent on



families and friends, and if they don't receive this financial assistance, they are particularly vulnerable to traffickers.

Traffickers also pay recruiters in prison to scout out potential victims. A woman who is in prison for petty theft or a DUI conviction is exposed to other women who have been in the sex industry for years. Some women recruit other women with whom they are incarcerated on behalf of pimps on the outside. "Oh, you don't have a place to go when you get out? I have this friend he is a nice guy and he will let you stay with him and..." The pimps specify how many women they must recruit and how much they will be paid for their services.

Prisons do not have rules or stipulations for who can pick up an inmate other than that someone needs to pick them up. The traffickers pick the women up the minute they walk out the prison walls. The young woman getting released thinks she is staying with someone for a few days until she gets a job. These victims will then be threatened with physical harm, coerced at gunpoint, or hooked on drugs ensnaring them into the prostitution ring.

Awareness



Instead, the 'pimp' soon gets her high and forces her into prostitution. One such recruiter stated, "I'd tell the girl he wanted whatever they needed to hear to make sure she got in that car with him when she left."

A former pimp, now in prison, states: "Jails and prisons are good recruiting places because they come out of jail and they have nothing, they have nowhere to go, they have no family, don't have any money or any food. Other girls will see someone in jail and say: 'Hey, my guy wants to talk to you' - and the next thing, you're putting money on her books and sending her letters. When women are released, pimps wait outside to collect them. They probably have never seen you a day in their life, but they become loyal to you because of what you did. So, when they get out, they feel obliged to continue to be loyal to them, so you just got yourself a new girl."

Click here to learn more.

Child Victims as Inmates

In 2016, a 17-year-old inmate in a prison in Texas lived with two dozen women in a single room. She slept on a metal bunk and wore an oversized orange jumpsuit every day. She went to the bathroom with no privacy, using a toilet attached to the wall. However, compared to how she had lived in the past she felt safe.

The young girl was adopted by a woman who abused her. After her mother lost custody, the girl lived from one foster home to the next. When she was 13, she was so frustrated and angry she left school in the middle of the day. In less than an hour, she met a man who promised to "take care of her." She lived with him and several other women he also prostituted for about a year. During the next three years, she lived with three different pimps until she was arrested by an undercover cop posing as a customer. However, there was no place to house this young victim of trafficking. Although recognized as a child who was sexually exploited and in need of protection and care, she ended up in prison.

A study by the University of Texas, Austin in 2019 found that Texas has the second most reports of child sex trafficking in the nation. Approximately 79,000 young adults and minors are being sex trafficked in Texas. The number of residential treatment centers in the state for children who are survivors of sex trafficking is limited. Other residential treatment centers in the state provide care for foster kids who may have behavioral and emotional problems but are not equipped to treat the trauma experienced by survivors of sex-trafficking. Therefore, authorities have no other option in many cases but to arrest the children to get them off the streets and then drop the charges.

Click here to learn more.

Richard Rawls, a convicted sex offender, was able to pick up multiple women from Florida jails and prisons. Upon his arrest in 2014, it was revealed that he had trafficked at least 19 women out of prisons in Florida in a span of five years At the time of his arrest, he was making thousands of dollars a month from prostituting the multiple women he was keeping at the house, controlling them with narcotics, prescription pills, and brutal beatings. Rawls advertised the women on street corners and escort websites. He is the first sex trafficker convicted in the U.S. for trafficking women from prison.

Rawls was released from prison in 2017.

Prison Labor

Labor trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for subjection to involuntary servitude, peonage, debt bondage, or slavery. In the United States, inmates who are deemed capable of physical labor are required to work a minimum of seven hours a day. The most common type of "work program" for inmates is institutional, jobs that support the operations of the prison or detention facility. Their work may include jobs such as food service, groundskeeping, and housekeeping that contributes to the day-to-day operation of the institution. Other work programs may include maintenance jobs for the institution, such as janitorial, laundry, food service, or landscaping jobs outside of detention facilities.

In addition to these institutional jobs, most states and the federal government have created businesses that operate in prisons and "employ" inmates as free or cheap laborers. These can include manufacturing, furniture building, agriculture, making license plates or signs, and making uniforms or apparel. Most products from correctional industries can only be sold to government agencies and non-profits within the state except for agriculture, which can be sold across state lines to anyone, including subcontractors who use the agriculture goods to make other products.

A small number of inmates work for private companies through the Prison Industry Enhancement Certification Program, which permits private companies to contract with state governments to hire inmates to work for them. Those in this program are paid the prevailing wage for the work they are doing. Inmates are charged for room and board while in prison so, most leave prison owing money to the state.

These programs have been established to reduce inmate idleness while allowing inmates to develop useful skills and work habits (US DOJ FBOP PS 5251.06, 2008).

Some advocates oppose these work programs because they further marginalize and exploit inmates. Most of this work is for low pay, on average \$0.14-\$0.63 an hour, and in some states, inmates receive no pay at all for work performed. Without the use of this free or largely discounted labor, the facility would need to hire civilian employees to do the work at market rate. The use of prisoners results in a profit for the prison system. Some argue that this creates an incentive to incarcerate even more people, especially for "for-profit' prisons.

The for-profit prison system houses over eight percent of the prison population in the United States.

Correctional corporations lobby to increase the prison population and keep the inmates in prison for a longer time.

Advocates point out that the required working conditions outlined in US DOJ FBOP PS 5251.06, 2008 violate international labor standards. Also, communication is monitored within the prison which makes it difficult for inmates to report abuses or violations of their rights. Even if they could report exploitative working conditions, many protections are unavailable for them as they are not considered "employees" in the legal sense. Provisions under the Fair Labor Standards Act, Equal Pay Act do not apply to inmates.



Inmates may face disciplinary action if they refuse to work, including jobs that may be dangerous, an indication of forced labor. In 2017, officials at the Stewart immigration detention center in Georgia placed Shoaib Ahmed, a 24-year-old immigrant from Bangladesh, in solitary confinement for encouraging fellow workers to stop working. Ahmed was paid 50 cents per hour to work within the facility. His punishment was solitary confinement for 10 days in inhumane conditions: a cell with no access to other workers, only an hour of out of cell time per day, and showers only three times per week. Stewart is operated by the largest prison corporation in the US, CoreCivic (formerly Corrections Corporation of America), under a contract with Immigration and Customs Enforcement. The corporation's net income in 2019 was \$198 million. A lawsuit against Geo Group, another prison corporation, is moving forward for using similar practices at the Aurora Detention Center in Colorado and violating the Trafficking Victims Protection Act.

Click here to learn more.

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Awareness

Tena Dellaca-Hedrick is a trafficking survivor . . .

... and a victim advocate at a sexual assault treatment center in Indiana. She reports that during exchanges between a pimp and his new recruit who is in prison, the women will feel indebted to their prospective new boss prior to release from prison. The trafficker will start putting money into the woman's commissary account — say \$10 a month— as a loan. "What they don't realize is that \$10 comes at extremely high interest rate, so when you get out of prison you might have borrowed \$100, or you might have borrowed \$500, that \$100 is now \$10,000 or that \$500 might be now \$50,000 due to the interest rate piped on the borrowing," Dellaca-Hedrick said. "So it is kind of shocking, and in the end they find out they cannot work a regular job and pay that back, and the pimp says 'I got a job for you to pay that back.' So they are indebted, then, to that human trafficker."

The traffickers often compound the indebtedness with romance. Through this psychological manipulation, and because the woman comes to believe they are in love, a pimp can make his new prey more accepting of his brutality or the strict rules he imposes. Dellaca-Hedrick states "The most important part to understand about these victims is that the pattern of psychological torment is particularly acute for those who are "gullible" and "looking for love." The prevalence of abuse and instability in the personal histories of many inmates makes them particularly vulnerable to human traffickers who say that they will give them what they want and need.

Click here to learn more.

Prostitution and Cannabis Production

A woman was forced into prostitution and cannabis production after being trafficked from Vietnam in the back of a lorry. She spent more than five months in prison before she was recognized as a victim of human trafficking. Her charges were dropped, and she was released into safe accommodation with supportive services.

Foreign national women in England who have committed crimes as a result of exploitation and coercion by traffickers are routinely jailed despite legislation that should protect them. Section 45 of the Modern Slavery Act 2015 allows a statutory defense for victims of trafficking in England who are coerced or compelled to commit a crime by a trafficker. Advocates believe that there is a conflict of interest in government between immigration control and protecting victims of trafficking. According to the Prison Reform Trust, one in 12 non-British prisoners were identified as victims or potential victims of trafficking between 2013 and 2017. Their crimes included prostitution-related offenses and begging as well as fraud and false document offenses, indicators for trafficking and coercion. There is no official data on the number of victims of trafficking who are wrongly prosecuted for offenses carried out due to exploitation.

Click here to learn more.

The Bangkok Rules

Historically, prisons have been designed for the majority male prison population – from the architecture of prisons to security procedures, to healthcare, family contact, work, and training.

The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders ('the Bangkok Rules') were adopted by the UN General Assembly in December 2010 to fill a long-standing lack of standards providing for the specific characteristics and needs of women offenders and prisoners. Included in the 70 rules that give guidance regarding the imprisonment of women are specifics regarding women who have been trafficking victims.

Advocacy

States and, where applicable, intergovernmental and nongovernmental organizations, should consider ensuring that trafficked persons are not prosecuted for violations of immigration laws or for the activities they are involved in as a direct consequence of their situation as trafficked persons. States shall ensure that trafficked persons are protected from further exploitation and harm and have access to adequate physical and psychological care. Such protection and care shall not be made conditional upon the capacity or willingness of the trafficked person to cooperate in legal proceedings.

Click here to learn more.



A Survivor Turns Advocate

Nicole Bell is a trafficking survivor and founder of Lift, Living in Freedom Together, which is a survivor-led organization comprised of those who are survivors of commercial sexual exploitation and professionals sensitive to the needs of this vulnerable population. Bell states, "It's a matter of survival." When a woman is released, it is the traffickers who are the ones who can help meet her basic needs, such as housing.



Bell runs workshops inside Western Massachusetts Regional Women's Correctional Center, one of the few institutions that acknowledge it has a problem with the trafficking of inmates, in an attempt to prevent inmates from being groomed and recruited by pimps and sex traffickers. Bell states that solutions must start inside the facilities themselves, with an urgent need for staff training and more interventions to support women.

Bell was incarcerated at the jail many times during years of addiction and prostitution. "I remember the feeling of dread whenever I came back here [to the jail], the feeling of hopelessness, the [sense of]: 'How did I get back here?'" she says. "It took me a long time to recognize I was a victim myself because society just treats us like criminals. Trafficking for many of these women started with a relationship that turned exploitative or a past that has led them to drug use – but because they're involved in prostitution and addiction and have a criminal record, they're treated like a throwaway population."

"These women have been hurt and exploited by people their whole lives, but society doesn't care what happens to them," says Bell. "When you get the letters ... sometimes you want to believe what they're telling you is real. In an attempt to groom them, the senders offer to send cash and provide the woman with money, drugs, and housing after her release. This grooming process often goes on for months."

One inmate states loneliness is a large factor and that when a woman receives letters from these men, they want to believe what they are telling them is real. "Without them, we would have nobody." Many of the women state that they know the men writing to them are pimps or sex buyers but that without their support they would have nowhere to go when released.

Click here to learn more.

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The Sexual Abuse to Prison Pipeline: The Girls Story

The National Institute of Corrections published a report, *The Sexual Abuse to Prison Pipeline: The Girls Story*, in 2015 that describes how girls, especially girls of color, who have been sexually and physically abused are criminalized. Girls who are victims of sex trafficking, girls that run away from abusive situations are imprisoned. Meanwhile, laws that criminalize the act of sex with minors are rarely enforced in the context of child sex trafficking. In many cases, child-sex buyers escape with little or no accountability, despite the traumatic effect of their acts on the victims.

The report includes the following potential solutions to help end the cycle of victimization to prison for girls:

- Educate the public on the role of buyers in perpetuating systematic violence against underage girls and other vulnerable youth;
- Increase training of law enforcement and prosecutors on investigations and prosecutions of child-sex buyers and redirect resources to scale up operations against buyers rather than criminalizing victims;
- Instruct federal and state anti-trafficking task forces throughout the country to target buyers of child sex in their operations; and
- Encourage the use of federal anti-trafficking statutes and state laws that criminalize sex with minors to prosecute buyers of underage girls. A targeted strike against demand from both a cultural and legal standpoint would weaken the market for commercially sexually exploited youth and help combat this form of gender-based violence.

Meanwhile, the arrest and detention of youth for prostitution should be abolished. State laws should define children under the age of 18 who engage in commercial sex acts as per se victims of trafficking, and they should prohibit the arrest, detention, and prosecution of children for prostitution, prostitution-related offenses, or other acts related to their sexual exploitation. These laws would be

consistent with state laws that declare minors to be legally incapable of consenting to sex, as well as federal law, which defines any act of commercial sex with a person under the age of 18 as a form of trafficking in persons. The provisions of existing safe harbor laws vary, but all strive to direct child victims of sex trafficking into appropriate treatment services and divert them from juvenile justice involvement.

The report was compiled by the Human Rights Project for Girls, Georgetown Law Center on Poverty and Inequality and Ms. Foundation for Women. The complete report may be accessed by clicking here.

Released From Prison

In April 2020, 22-year-old Alexis Martin was released from prison to a residential program for survivors of human trafficking. She was one of several inmates granted clemency amid the coronavirus outbreak, which health experts say particularly threatens prison populations.

Martin became a victim of sex trafficking at the age of 14. A year later, her trafficker, Angelo Kerney, was robbed. Martin had hoped the crime may provide an opportunity to flee. But the robbery became violent. As Martin was being raped in another room, Kerney was killed by the robber. Martin was charged with the murder and, at 17 years of age, she was sentenced to a minimum of 21 years in prison. Summit County prosecutors had argued she helped plot the robbery and was culpable in the murder despite never pulling the trigger.

The court failed to apply a law protecting child trafficking victims. The 2012 Ohio Safe Harbor Law protects children whose crimes are related to their status as trafficking victims. Safe Harbor Law allows victims charged with a crime to enroll in diversion programs such as health and trauma education that, if completed successfully, could lead to expungement.

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Martin is on parole until 2034. Her parole conditions include an ankle bracelet, inability to leave the state, therapy, anger management, and medication. Another condition of her parole is she cannot speak to anyone else who is also on parole, not even over the phone, including some members of her family. Kim Kardashian West visited Martin in prison and featured her in a documentary, Kim Kardashian West: The Justice Project.

Click here to learn more.



In the past few years, about 20 civil cases have included allegations that private prisons and detention centers have violated federal anti-trafficking and forced labor laws.

A 2003 law permits victims of labor trafficking to hold their traffickers accountable, giving teeth to the Trafficking Victims Protection Act (TVPA).

Federal criminal law recognizes forced labor under threat of criminal sanction as a form of involuntary servitude. The Thirteenth Amendment to the U.S. Constitution states, "[n]either slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." People awaiting trial and civil immigration detainees are protected and several ongoing cases are testing the extent to which the TVPA can protect against abuse in all detention facilities.

Click here to learn more.

Correctional Anti-Human Trafficking Initiative (CATHI)

In a relatively new correctional anti-trafficking initiative, the National Institute of Corrections (NIC) has begun to develop resources for both staff and inmate awareness of the issue of trafficking in the criminal justice system. In accordance with the legal mandate that supports prevention, protection and prosecution, they have forged partnerships with the following agencies to best counter sex trafficking of women in prison: the Bureau of Justice Assistance/BJA, Department of Justice/DOJ, Office of Juvenile Justice and Delinquency Prevention/OJJDP, Office for Victims of Crime/OVC, Office on Violence Against Women/OVW, and the Bureau of Prisons/BOP.

"Did You Know That Women Are Being Groomed in Prison?"

This 2-page brochure produced by the U.S. Department of Justice National Institute of Corrections offers resources for correctional officers.

Click here to learn more.



The Role of Corrections Officers in Efforts to End Human Trafficking

Soon after the Indiana Protection for Abused and Trafficked Humans (IPATH) trained staff in a female correctional facility in Indiana on the signs of human trafficking, a recruiter was identified in the women's prison. She had been writing letters to her trafficker where she shared observations about inmates who might make potential recruits. The training opened the eyes of prison staff to the signs of trafficking that had always existed but were never recognized among the inmate population.

Prisons are an untapped resource in efforts to eradicate human trafficking. Correctional officers are in daily contact with both perpetrators and victims of trafficking. In a 2019 article for Corrections1, Rusty Ringler, a former correctional officer, outlines steps correctional officers can take to combat trafficking within their facilities.

Officers need to first educate themselves about human trafficking. In many cases, a victim of trafficking may initially present as a suspect in some type of crime. For example, a suspect arrested for prostitution may be a victim, forced into committing the crime; or an individual arrested on what appears to be an immigration violation may be a victim of labor trafficking.

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Corrections staff may be among the first to interact with potential trafficking victims as they are processed into facilities as suspects. As a new inmate is processed, the officer may come across indicators of trafficking, which can include:

- Tattoos or brands indicating a person is someone's property;
- Large quantities of condoms;
- Large amount of cash;
- Hotel receipts, key cards;
- Prepaid cards;
- Business cards:
- Multiple cell phones;
- Signs of malnutrition, physical or sexual abuse;
- Lack of identification or fraudulent identification;
- Evidence of employment by an employer with a history of labor violations.

Normal security processes may help identify trafficking victims, such as cell and property searches. These may reveal letters or other correspondence that could be an indicator of trafficking. Letters that show a person is under the control of another, or who is displaying control over another, could be a possible indicator. Telephone calls can reveal the same type of relationships as found in the letters. The tone and manner of phone calls may also be an indicator of trafficking. Correctional officials and local, state, and federal law enforcement need to develop relationships with each other and anti-trafficking organizations and resources, including a trauma-informed response team, in their area.

A new prisoner who is a victim of trafficking will probably not self-report her victimization due to fear or distrust of law enforcement. Although inmates in most states are restricted to calling all but a few pre-approved phone numbers, the number for the National Human Trafficking Hotline should be always available to inmates.

To help prevent re-entry into trafficking once a woman is released from prison, the prisons and the criminal justice systems needs to partner with organizations in their communities to assist with re-entry efforts for female inmates.

Furthermore, the American Jail Association, the American Correctional Association Jail and other prison accrediting associations need to implement trafficking victim identification standards and train their staff to identify sex trafficking recruitment rings operating within all, but especially women's, facilities. Click here to learn more.



The Trap

This 32-minute documentary investigates how prisons across the United States have become recruiting grounds for human traffickers, who are targeting incarcerated women and trafficking them out of correctional facilities and into pimp-controlled prostitution. In 2018, the Guardian published their results of an 18-month investigation on the role of the criminal justice system in feeding vulnerable women into America's thriving domestic sex trafficking industry. With unique access in Florida, Massachusetts, and Chicago, the film follows the stories of women caught in the trap of criminal exploitation and incarceration and those trying to stop some of America's most vulnerable women from falling under the control of human traffickers.

Click here to learn more.

What Can be Done

Education of correctional officers and inmates themselves is the key to curtailing human trafficking among the prison population. Many women under the control of pimps do not realize they are being trafficked and legally considered victims, entitled to restitution.

The Anti-Trafficking Task Force "Florida Abolitionists" is creating a program with the University of Central Florida to educate the female prison populations about how to recognize if they are victims of manipulation or sexual exploitation. Among these groups are chaplains who, especially in central Florida, are often very involved with inmates and have proven to be excellent at identifying trafficking victims. Since the task force's first training session for this group back in 2012, the number of reports of both potential victims and recruitment has increased significantly.

Women's prisons in Ohio have similar training sessions about human trafficking. In 2014, a mandatory human trafficking screening program was implemented for all women upon entry into the prison system. If the screening reveals that a woman has been trafficked, she is put into a specialized program for prison populations.

Chicago Books to Women in Prison educate the female populations they serve by offering books about sex trafficking by survivors such as Holly Austin Smith, author of *Walking Prey*, and Katarina Rosenblatt, author of *Stolen*.

Protecting Inmates

Other measures that may protect inmates include a decrease in public access to personal information about individual inmates, psychological screenings for incoming inmates, and specific training for medical personnel to identify signs of trafficked women. Services and support are needed for women both inside and outside of the prison. Women are more likely to experience economic hardship, employment instability, and fewer vocational skills as compared with males. They are also more likely than men to have a history of trauma and abuse, which poses additional challenges for reentry, specialized initiatives and programs that are trauma-informed and address women's gender-based needs need to be offered at female facilities.

Penal Labor

The Federal Board of Prisons should ensure that inmates be paid at least minimum wage, and preferably prevailing wage, for their work. Wages have not increased since October 1990. The Federal Board of Prisons should increase the pay grades to reflect income inflation. Moreover, states that contract with private prison corporations must insist that they pay inmates minimum wage for work done.

The Trafficking Victims Protection Act covers the conduct of private contractors operating federal immigration detention facilities. State and federal oversight agencies need to ensure that labor programs within detention facilities are voluntary and free from coercion or force. Incarcerated or detained workers should be paid adequately for their work to not undermine local employment markets. Proper safety protocols and worker protections should be put into place to decrease the risk of contracting COVID-19, workplace injury, or death.

The US State Department Trafficking in Persons (TIP) Report, published annually, should include inmate labor in private prisons, both in the US and globally, when determining country rankings. For more information on what can be done to prevent labor trafficking in prisons, please click here.

Inside a Women's Maximum Security Prison



If you've ever wondered what it's like inside a maximum security prison, your questions are answered in 'Lockdown', an Insight two-part special. Part one may be accessed <u>here</u> and part two <u>here</u>.

Women Behind Bars: Life and Death in Indiana



Life Inside A Female Maximum Security Prison (Prison Documentary) | Real Stories

Veteran broadcaster Trevor McDonald ventures inside two prisons that hold some of America's most notorious women criminals, to find out how they got there, and what their life is inside the prison system. Indiana Women's Prison and the Rockville Correctional Facility in the State of Indiana hold over 1800 offenders. Some are serving long sentences for very violent crimes, others will never be released. Click here to view this documentary.

Websites

Living in Freedom Together

<u>Problems and Unmet Needs</u> in the Contemporary Women's Prison

Correctional Anti-Human Trafficking Initiative (CAHTI)



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