Understanding and Responding to Human Trafficking in Ohio

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Overview

- Understanding the crime of human trafficking
  - Federal and state legal definitions
  - Nature and scope of the crime
- Human trafficking in Ohio
  - Who are traffickers?
  - Vulnerabilities of potential victims
  - Sample cases
- Ohio’s response to human trafficking
  - Map of Ohio’s coalitions
  - Governor’s Ohio Human Trafficking Task Force
Understanding the Crime
Human trafficking is a crime in which people profit from the control and exploitation of others.

- Often referred to as compelled service of others for profit
- In the United States, must include elements of force, fraud, or coercion
# How Trafficking Occurs

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<th>ACTION</th>
<th>MEANS**</th>
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**Minors induced into commercial sex are human trafficking victims—regardless if force, fraud or coercion is present.

*Sex trafficking only
Sex Trafficking of Minors

**ACTION**
- Recruiting
- Harboring
- Transporting
- Providing
- Obtaining
- Patronizing, soliciting, and advertising*

**MEANS**
- Force
- Fraud
- Coercion

**PURPOSE**
- Commercial sexual exploitation

*Minors induced into commercial sex are human trafficking victims regardless if force, fraud or coercion is present.

*Sex trafficking only
Means: Examples & Definitions

Force: Physical assault, sexual assault, confinement

Fraud: An act of deception with criminal intent

Coercion: Threats of serious harm against any person; the abuse or threatened abuse of the legal process

- The Salvation Army of Central Ohio
Federal Legal Definition of Trafficking

As defined in the Trafficking Victims Protection Act (TVPA) of 2000, the legal definition of “severe forms of trafficking in persons” is:

a) **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;
   -from 22 USC § 7102 (9)(A)
   
   or

b) the recruitment, harboring, transportation, provision, or obtaining of a person for **labor or services**, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
   -from 22 USC § 7102 (9)(B)

-The TVPA of 2000 was the first comprehensive federal law to address trafficking in persons. The TVPA was reauthorized in 2003, 2005, 2008, 2013 and 2017.
Ohio’s Legal Definition of Trafficking

As defined by the Ohio Revised Code Section 2905.32 (Trafficking in Persons), Ohio’s legal definition of human trafficking is:

“(A) No person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain...another person knowing that the person will be subjected to involuntary servitude or be compelled to engage in sexual activity...”

“...For a prosecution under division (A)(1) of this section, the element "compelled" does not require that the compulsion be openly displayed or physically exerted. The element "compelled" has been established if the state proves that the victim's will was overcome by force, fear, duress, or intimidation, or fraud.”

- Advocating Opportunity
Ohio’s Tiered Definition of Sex Trafficking

- Ohio has a **tiered** definition of trafficking:
  - *For minors under the age of 16*, law enforcement officials do not need to prove that the minor was compelled to engage in commercial sexual activity ORC 2905.32 (A)(2)
  - *For 16-17 year olds*, law enforcement officials do not need to prove that the minor was compelled to engage in commercial sexual activity if the trafficker is in a “position of authority” over the victim (as defined in section 2907.03 of the ORC, which includes parents or persons acting in loco parentis, teachers, coaches, etc.) ORC 2905.32 (A)(3)
  - *For people with developmental disabilities*, law enforcement officials do not need to prove that the person was compelled to engage in commercial sexual activity ORC 2905.32 (A)(2)
Nature & Scope of Human Trafficking
Global Scope of Human Trafficking

- An estimated **40.3 million** people globally thought to be trafficked (ILO)
  - Estimated **20 million** victims of labor trafficking
  - Estimated **4.8 million** victims of sex trafficking
  - Estimated **15.4 million** people living in forced marriage

“In Bolivia, some children are forced to work in the mining sector. Some do not receive proper safety equipment, which puts them at risk for workplace injuries and long-term health problems.” 2016 State Department TIP Report
Prevalence of Human Trafficking in Ohio

- **1,032** minor and youth victims identified from 2014 - 2016
- In addition to known victims, **4,209** at-risk individuals were identified based on youth presenting with common risk factors associated with trafficking
- **1,200** at-risk individuals found within juvenile justice data

Findings are based on data collected and analyzed by the University of Cincinnati from 14 distinct data sources from 2014 - 2016. Sources include state and local agencies and newspaper accounts. Full study is available on www.humantrafficking.ohio.gov.
2018: Ohio Reported 5\textsuperscript{th} Highest Number of Cases to National Hotline

1. California (1,656)
2. Texas (1,000)
3. Florida (767)
4. New York (492)
5. Ohio (443)

2018 National Human Trafficking Hotline Data for Ohio
- 349 sex trafficking cases
  - Residence-based
  - Illicit massage
- 34 labor trafficking cases
  - Traveling sales crews
  - Domestic work
What are we missing?

- Estimated by the ILO - **80%** of trafficking is labor trafficking

- In the United States, reported labor trafficking cases to the National Hotline account for only **11%**
Typology of Modern-Day Slavery: 25 Types

- Escort services
- Illicit massage, health and beauty
- Outdoor solicitation
- Residential
- Domestic work
- Bars, strip clubs and cantinas
- Pornography
- Traveling sales crews
- Restaurants and food service
- Peddling and begging
- Forestry and logging
- Health care
- Agriculture
- Personal sexual servitude
- Health and beauty services
- Construction
- Hotels and hospitality
- Landscaping
- Arts and entertainment
- Commercial cleaning services
- Factories and manufacturing
- Remote interactive sexual acts
- Carnivals
- Recreational facilities
Human Trafficking in Ohio
Who are the Traffickers?

Pimps
Parents/guardians
Caregivers
Businesses
Domestic employers
Seasonal farm employers
Men AND women
Gangs

Traffickers are anyone using force, fraud or coercion to exploit another person for profit.
Vulnerabilities to Victimization

- Trafficking disproportionately affects vulnerable people
  - Foreign nationals
  - Runaway & homeless youth
  - Individuals with drug addictions
  - People with developmental disabilities
- Kids with past sexual abuse and kids already involved in illegal activities are especially vulnerable to sexual exploitation.
- Both documented and undocumented foreign nationals can be vulnerable to trafficking.

Children who experience sexual abuse are 28 times more likely to be arrested for prostitution (U.S. Dept of Health and Human Services)

There is no demographic profile for a victim of human trafficking
Labor Trafficking in Ohio

- Couple trafficked a woman with cognitive disability and her daughter
- Used violence, threats, sexual assaults, humiliation, deprivation and monitoring to establish control
- Caused physical harm and took her prescription drugs
- Used her food stamp benefits

Woman held as slave by central Ohio trio, according to federal labor-trafficking charges

CLEVELAND, Ohio -- A mentally disabled woman and her child were held captive for two years by three people in the central Ohio community of Ashland, according to federal labor-trafficking charges announced today.

The woman and her child were forced to live in a basement with pit bulls and pythons, according to the charges released at a news conference by Steven Dettelbach, U.S. attorney for the Northern District of Ohio.

Dettelbach said the woman was beaten, threatened and forced into slavery. Some of the threats included telling the woman she would be attacked by the animals.

"These individuals preyed upon a human being with a disability," Dettelbach said. "They treated her worse than the animals in that house."

Named in the charges are Jordie Callahan, 26, Jessica Hunt, 31, and Daniel J. Brown, 33, all from Ashland.

Court records indicate that a fourth person has been charged. Dettelbach's office declined comment today on why that person was not named in today's announcement.

Officials said the woman managed to free herself last October by stealing a candy bar so she would be arrested.

At the news conference, an Ashland police lieutenant said the woman had suffered a brain injury at age 16 that left her with the mental capacity of a girl of 13 or 14.
Labor Trafficking in Ohio

Four charged with human-trafficking organization that brought Guatemalan minors to work on Ohio egg farms

“Castillo-Serrano recruited the victims, smuggled them into the U.S., oversaw money transfers and issued threats to ensure compliance.”

“...and arranged for their wages to be transferred to co-conspirators in Guatemala and elsewhere.”

-U.S. Attorney’s Office
Sex Trafficking in Ohio

- Trafficker sentenced to 15 years in prison
- Forced women to perform commercial sex acts and *maintained all the money earned*
- Used Backpage.com to create prostitution advertisements
- Withheld heroin until victim made a certain “quota” through commercial sex
Sex Trafficking in Ohio

- Two sisters recruited Chinese national women who could not speak English and had no ties to central Ohio
- 18 victims identified
- Victims were forced to live at the parlors and sleep on massage tables
- Sisters charged with promoting prostitution, money laundering and practicing medicine without a license

Two convicted of running massage parlor brothels

By Dean Narciso
The Columbus Dispatch • Tuesday August 25, 2015 2:16 AM

DELAWARE, Ohio — A Delaware County jury took two days to find two Chinese nationals guilty of promoting prostitution and organized crime at three suburban massage parlors they operated.

Qing Xu, 57, and her sister, Estella Xu, 55, were each convicted

Local and federal officers investigate the Amsun Massage Spa at 125 E. Olentangy St. in Powell.
In 2014, Ohio children younger than 6 were sex trafficked by their parents in exchange for drugs, rent and cash.

“We think it happens to young girls and runaways. But with these youngest kids, it’s their actual families who are trafficking them.”

- Director, Child Advocacy Center
Signs & Indicators
Signs and Indicators of Trafficking

Common work and living conditions: The individual in question
- Is not free to leave or come as they wish
- Is under 18 years of age and is providing commercial sex acts
- Is unpaid, paid very little, or paid only through tips
- Works excessively long and/or unusual hours
- Is not allowed breaks or suffers under unusual restrictions at work
- Owes a large debt and is unable to pay it off
- Was recruited through false promises concerning the nature and conditions of his/her work
- High security measures exist in the work and/or living locations (e.g. opaque windows, boarded up windows, bars on windows, barbed wire, security cameras, etc.)
Signs and Indicators of Trafficking

Poor Mental Health or Abnormal Behavior

- Is fearful, anxious, depressed, submissive, tense, or nervous/paranoid
- Exhibits unusually fearful or anxious behavior after bringing up law enforcement
- Avoids eye contact

Poor Physical Health

- Lacks health care, dental care
- Appears malnourished
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture

-From The National Human Trafficking Hotline
Signs and Indicators of Trafficking, cont’d

Lack of Control
- Has few or no personal possessions
- Is not in control of his/her own money, no financial records, or bank account
- Is not in control of his/her own identification documents
- Is not allowed or able to speak for themselves

Lack of Clarity and Awareness
- Claims of just visiting and inability to clarify where he/she is staying/address
- Lack of knowledge of whereabouts and/or do not know what city he/she is in
- Loss of sense of time
- Has numerous inconsistencies in his/her story

-From The National Human Trafficking Hotline
Challenges to identifying victims

- Hidden nature of the crime
- Victims often do not self-identify
- Traffickers coach victims through threats & sometimes violence
- Victims are fearful of harm to themselves & their families
- Shame
- Mistrust of authorities
- Feel they are honor-bound to pay debts
- Trauma-bond with traffickers
- Lack of understanding by community of human trafficking
- Language barriers
How can you get involved in the fight against trafficking?

- Report suspected trafficking to the National Human Trafficking Hotline: **888-373-7888** or text **BEFREE**
  
  *Or if you suspect immediate danger, call 911*

- Join your local anti-human trafficking coalition
Responding to Human Trafficking in Ohio
Ohio’s Response Context

- Grassroots advocacy and victim services
- Law Enforcement Task Forces
- Federal Laws

- State Laws - Safe Harbor
  - Safe Harbor
  - End Demand Act

- State agency initiatives
  Governor’s Ohio Human Trafficking Task Force
Ohio’s Anti-Human Trafficking Coalitions

➢ Community-level coordination of anti-trafficking efforts

➢ Opportunity for law enforcement to link with victim service community to identify and obtain assistance in getting services to human trafficking victims

➢ Map on www.humantrafficking.ohio.gov
Ohio Human Trafficking Task Force

- Ohio Human Trafficking Task Force created by Executive Order in March 2012

- Created to marshal the resources of the state to coordinate HT prevention and response efforts

- 10 state agencies working to identify service gaps and meet those gaps

- Important: Many of these initiatives work hand in hand with grassroots and coalition initiatives
Resources

- Governor’s Ohio Human Trafficking Task Force: www.humantrafficking.ohio.gov
  - Sign up for our newsletter
  - Request a speaker
  - Online training video
  - Data and reports
  - Public awareness materials
  - Map of anti-trafficking coalitions

- National Human Trafficking Hotline: www.humantraffickinghotline.org

- Polaris: www.polarisproject.org
Questions?

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