LAW ENFORCEMENT AND SOCIAL SERVICE RESPONSES
TO HUMAN TRAFFICKING
IN MARIN COUNTY

by

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A final project submitted to
Sonoma State University

in partial fulfillment of the requirements
for the degree of

MASTER OF ARTS

in

Interdisciplinary Studies

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By Emily Dominique Sims
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ABSTRACT

Purpose of the Study:

The crime of human trafficking is formally addressed by nonprofit organizations and government agencies in every Bay Area county with the exception of Marin. The purpose of this study is to examine possible instances of sex trafficking in Marin County, culminating in the creation of practical applications and suggested interventions for social service providers and law enforcement professionals.

Procedure:

To determine the scope of sex trafficking in Marin County, social service providers and law enforcement personnel were interviewed regarding their experiences working with survivors of human trafficking, and their level of training related to domestic and sexual servitude. Best practices and recommendations were compiled from national and international organizations working to address human trafficking.

Findings:

Counselors working with women receiving treatment for alcohol and drug dependency reported the presence of forced prostitution related to intergenerational aspects of family violence, substance abuse and poverty. Social service providers working with juvenile populations contribute the rise of the Internet as a factor in the solicitation of underage prostitutes by organized traffickers. Law enforcement personnel and faith-based organizations recognize the role low-cost motels play in facilitating the trafficking of juvenile and adult victims of sexual servitude.

Conclusions:

Increased multidisciplinary trainings are needed to create working groups and collaborative interventions to address human trafficking in Marin County. It is highly recommended for local sexual assault resource agencies and domestic violence advocacy organizations to take an active role in addressing human trafficking.

Chair
Signature

MA Program: Interdisciplinary Studies
Sonoma State University

Date: 6/17/2012
To assume responsibility for a future, however, is not to know its direction fully in advance, since the future, especially the future with and for others, requires a certain openness and unknowingness; it implies becoming part of a process the outcome of which no one subject can surely predict.

Judith Butler, 2004
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Chapter I. Contextual Overview

Historical Perspective

The California Gold Rush of 1849 established San Francisco as an international hub of commerce, prosperity, immigration and social change. In 1847 the population of the city was approximately five-hundred, including less than one-hundred and fifty women (Gentry, 1964). Two years later, an additional ten-thousand people had arrived in San Francisco, with less than five-hundred women among them (Gentry, 1964). The methods and details of how and why specific women entered the City vary greatly. Some of the earliest women to arrive in San Francisco were referred to as opportunistic settlers, remembered as “pioneer prostitutes” (Gentry, 1964). Others came by cargo ship from Europe, Central and South America and the Pacific Islands. Unable to afford the cost of passage, these women were auctioned to the highest bidders upon landing in San Francisco (Baker Barnhart, 1986).

In the Twenty-first Century, this practice is referred to as human trafficking. More than one-hundred and fifty years later, there is still a vast divide between individual examples of financially successful prostitution and the illegal commerce of trafficked victims. Human trafficking is defined as the act of enslaving an individual or group of people by trickery, force and/or coercion, resulting in financial gain for the trafficker(s). Human trafficking is also referred to as sexual servitude and forced prostitution.

In a contemporary setting, the divide between high-end escorts with the trafficked individuals sold into sexual slavery has much to do with the overarching issues of immigration and race. The women who profited most greatly from prostitution during the Gold Rush travelled to San Francisco mainly from the Eastern Coast of the United States.
- providing companionship and sexual services to the burgeoning upper class men and politicians who financed the construction of the city’s most extravagant homes. The luxury goods department store Gump’s established its first client base with the women who ran and worked in parlor houses; retail customers who were fond of the most elaborate furniture and clothes, often the only women in San Francisco who could afford to purchase from the retailer (Baker Barnhart, 1986).

Portions of the modern day neighborhoods of North Beach, Chinatown and Telegraph Hill were referred to as the Barbary Coast during the Gold Rush (Baker Barnhart, 1986). The nickname was a reference to gold-rich regions in Northern Africa, and became the central location of prostitution, gambling and organized crime in San Francisco. While the lucrative and elegant parlor houses were staffed by American women with a certain degree of personal choice and social mobility, girls and women working in the Barbary Coast who had been sent from China and Central and South America were generally forced into sexual servitude.

At the base of Telegraph Hill, the community known as Little Chile soon evolved into the most dangerous area within the Barbary Coast. Latin American girls and women were sold to clients in open air tents, and were expected and forced to perform sex acts numerous times per day with rotating customers (Gentry, 1964). Emerging charitable and benevolent societies, formed by the wives of East Coast businessmen and gold speculators soon took note of the young white and Chinese girls working off their indentures in the low-cost brothels within the Barbary Coast. By the 1850’s, organizations intent on rescuing women from immoral vice and promiscuity organized raids and offered girls and women the opportunity to become “rehabilitated” members of
polite society (Baker Barnhart, 1986). Notably missing were any raids or rescue efforts aimed at assisting women in Little Chile. In fact, women from Mexico as well as all other parts of Central and South America were thought to be immoral and enterprising (Gentry, 1964). The racial divide between who was seen as worthy and unworthy of charitable aid took root within several years of the opening of San Francisco’s first parlor houses and brothels. This divide is evident and strongly in existence to this day, through the politics and criteria delineating which groups of trafficked victims receive attention and assistance from local and international media, nongovernmental organizations, local and federal law enforcement efforts.

In 1910, the Mann Act, or White-Slave Traffic Act as it was initially named, was passed into law in the United States. Rescue societies spread rampant claims of white women being sold into sexual servitude, for forced prostitution purposes in China. These claims were never substantiated, even after extensive investigation. Law makers were lobbied by rescue groups intent on a belief in the dangers of Chinese kidnappers and slave traders (Baker Barnhart, 1986). From its inception, the Mann Act was mainly used for the prosecution of African American men who entered into sexual relationships with white women. The wording of the federal law allowed for arrests based on “immoral” activity, providing police departments with wide sweeping authority to investigate and arrest men based on highly subjective opinions and beliefs.

The Mann Act has served as the basis for interstate kidnapping laws in the United States, making it possible for abductors to be prosecuted in federal courts throughout the Twentieth and Twenty-first centuries. However, the penalties prescribed by the Mann Act are antiquated and are of little deterrence to modern day traffickers who kidnap and
coerce girls and women from within the United States for sex trafficking purposes. The Mann Act also fails to provide penalties for traffickers using force, coercion and trickery to bring human beings from foreign countries to the United States for sexual and domestic servitude purposes.

**Practical Applications**

The purpose of this training manual is to provide both social service and law enforcement personnel in Marin County with an historical background of human trafficking in the Bay Area, and a thorough explanation as to why increased awareness and training are imperative within the community. By bringing to light possible instance of trafficking within the county, the secondary goal is to facilitate recommendations for appropriate responses, leading to the arrest and successful prosecution of perpetrators and necessary and appropriate interventions for victims and survivors.

Chapter 2 details collaborative interventions between nongovernmental organizations, governmental social service providers, law enforcement agencies and faith-based efforts. Every county in the Bay Area (and most counties in California) with the exception of Marin has formally addressed the issue of human trafficking within each respective community. Massage parlors and nail shops in the Sacramento area staffed by monolingual non-English speaking Asian women, nursing homes in Sonora staffed by undocumented men and women from the Philippines and Asian-owned sensual massage parlors and spas in the Tenderloin District in San Francisco have drawn the attention of concerned community members. This in turn has created a movement on the part of police agencies to investigate claims of human trafficking in many parts of California (J. McDonnell, personal communication, June 1, 2012).
Chapter 3 covers legislative initiatives at the local, state, federal and international levels aimed at increasing awareness of human trafficking and increasing the penalties for convicted traffickers. Immigration relief which allows undocumented victims of human trafficking the opportunity to remain in the United States legally, has led to testimony which has convicted organized groups of traffickers. Gaining information from victims when the fear of deportation is decreased, also leads to identifying and prosecuting the customers who pay for sex with underage and adult victims of trafficking.

Input from sex workers’ rights groups has been included in Chapter 4, with the aim of expanding the knowledge base of the vast territory defined as the adult industry. The notion of choice and consent will be explored in the context of sex work, due to the fact that trafficked victims often remain working in the adult industry when given alternative options, much to the dismay of rescue and women’s rights organizations. Lastly, relevant Bay Area resources will be identified, with specific focus placed on agencies providing culturally and linguistically appropriate services.

Local organizations, particularly in Alameda and Contra Costa counties are working to address the issue of trafficked juveniles and adults from within the United States. Abusive family situations, gang involvement and initiation, unsuitable foster placements and the Internet have given rise to runaways at risk of becoming victims of sexual trafficking. Successful best practices, improvements in service delivery and increases in training and collaborative work-groups will be used as models of implementation for law enforcement personnel and social service providers in Marin.

At present day, Marin County has close to a quarter-million residents (Marin County Civil Grand Jury, 2009). Spanning the city of Novato at the north of the county,
Sausalito to the south, the coastal town of Pt. Reyes at the western edge of the county to the eastern edges of San Rafael, Marin is comprised of both rural open spaces and congested residential and commercial spaces (Ashley & Lauritzen, 1993). More than seventy-five percent of Marin County residents are white and born within the United States, and the average family income exceeds one-hundred thousand dollars per year (Marin County Civil Grand Jury, 2009).

From the outside looking in, Marin County often appears to be one of the most idyllic regions in Northern California. Upon further review, poverty, crime and social issues such as family and community violence and limited access to essential medical care affect Marin County residents at ever increasing rates (Brown, 2012). It is estimated that nearly one-third of Marin County residents cannot afford access to adequate medical care (Marin County Civil Grand Jury, 2009). Homeless advocates have reported a tendency on the part of Marin County officials and affluent residents to ignore the “invisible” and a preference to avoid addressing the “dark side” of the community (Marin County Civil Grand Jury, 2009).

A drive through downtown San Rafael illuminates one of Marin County’s overlooked human service issues. Massage parlors, often run out of the second story of commercial buildings and advertised by neon signs can at first be easy to miss. The Downtown San Rafael Merchants Association designates the downtown area from the western edges of H Street at the intersections of 3rd and 4th Streets, to the eastern edges of Lincoln Avenue at the intersections of 3rd and 4th Streets (http://downtownsanrafael.org). Within this area, there are roughly a dozen massage parlors staffed by primarily monolingual non-English speaking women from Asian and South Asian countries.
Without exception, these particular massage parlors are advertised on adult websites, and reviewed by customers of sexual massage services.

Task Forces in San Francisco and the East Bay exist to ascertain whether or not women in massage parlors are in fact victims of human trafficking. Without collaboration between local law enforcement, prosecutors and social service organizations, raids of massage parlors can easily lead to increased danger for victims, who are generally in the United States without the documentation required to work and live in the country legally.

Marin County is home to two nonprofit social service agencies whose specific focus are domestic violence victim advocacy and resources for sexual assault survivors. In San Francisco, the East Bay and the Peninsula, cross-training and collaborations take place between organizations focused on the needs and concerns of trafficked persons and those organizations specializing in the issues of domestic violence and sexual assault.

Relationships between victims of sexual trafficking and the individual(s) involved in trafficking can be mistakenly labeled as intimate relationships. When investigating the elements of a crime, law enforcement personnel look at details such as living situations, shared bedrooms and whether or not two parties have children in common. If a victim’s first language is not English, or is perhaps being interviewed within hearing distance of a perpetrator and afraid to disclose details, a first responding officer may easily classify a crime as a domestic disturbance between two people in a dating relationship. One result of mislabeled crimes are referrals made to social service organization with a scope differing from the true needs of a victim. However, with appropriate knowledge of human trafficking, advocates at domestic violence and sexual assault resource agencies can be poised to identify possible instances of trafficking.
The most significant identified need for improvement in Marin County with respect to addressing human trafficking revolves around two agencies: Community Violence Solutions (CVS) and Center for Domestic Peace (formerly known as MAWS, or Marin Abused Women’s Services). CVS, the singular sexual assault resource agency working in Marin County does not currently provide law enforcement agencies or complimentary social service providers with training on human trafficking. The organization also oversees offices in Contra Costa County, where sex trafficking is more readily recognized as an emergency in the human services field. Federal grant funding has been provided to the agency through anti-trafficking coalitions for use in both counties, however staff members and executive leadership have been unresponsive to requests for information about victim outreach and training curriculum.

Sexual Assault Response Teams (SARTs) are dispatched to hospitals during rape examinations at the request of law enforcement agencies. In the event of a trafficked victim being identified by officers, investigators and/or hospital staff, the sexual assault resource agency located in Marin would be responsible for sending a SART advocate to accompany a victim during the exam. A SART advocate’s role is to explain subsequent police procedures to the victim and facilitate referrals and information about counseling, court hearings, legal recourse and rights to confidentiality. Without knowing the specific agency procedures at CVS, it is difficult to ascertain how law enforcement agencies and social service providers can best ally themselves and work in tandem with sexual assault advocates to address the needs of trafficked victims.

Since the height of the Women’s Movement in the 1970’s, domestic violence and sexual assault resource agencies have served as leaders in designing training and public
awareness campaigns which have led to increased knowledge of laws regarding consent, the role of police, prosecutors and courts, and general knowledge surrounding gender and relationship equality. Globally and within the United States, women's rights organizations have taken the initiative to contact and maintain positive working relationships with local law enforcement. Many governmental and private foundation grantors require domestic violence and sexual assault agencies to directly contact their local police departments and sheriffs' offices to make training dates and opportunities known. While Marin County's two agencies focused on domestic violence and sexual assault fulfill their obligations to provide basic training, the overlapping issue of human trafficking is largely being ignored.

Center for Domestic Peace, Marin County's singular domestic violence resource agency is located in downtown San Rafael, two doors away from a massage parlor with darkened windows and a male-only clientele. The women who work in the massage parlor are not seen coming and going (a major indicator of human trafficking), and the windows in the apartments upstairs are darkened with foil window coverings. Occasionally, one or two women from inside the building will hand out coupons and advertisements to men walking by during the lunch hour. The leaflets are not offered to women passing by. While the neighboring domestic violence resource agency has worked for nearly three decades with clients from diverse backgrounds and overlapping human service needs, the possibility of the occurrence of human trafficking steps away from the office is not addressed internally amongst staff, with complimentary service providers, or in multi-disciplinary team meetings with police departments, the probation department or the prosecutor's office.
From the late 1990's until 2010, the website Craigslist.com served as a free format for the advertisement of sexual services. Many independent and progressive newspapers also sold back page advertisements to providers of erotic companionship and sensual massage. Both formats provided relative anonymity, allowing the advertisers to choose which names, pictures and identifying details to include. While some of the ads were placed by self-employed individuals over the age of eighteen, Craigslist in particular became a convenient, quick and free way for pimps to advertise juveniles whom they had kidnapped and forced into sexual servitude.

While traffickers used Craigslist to advertise trafficked girls and women, law enforcement agencies in the United States and Canada were able to monitor and investigate advertisements, and organize undercover operations with the goal of arresting traffickers and providing aid to victims. Undocumented victims in both countries were at significant risk of being deported to their home countries, at times to the families who had originally sold them into servitude. Since the dissolution of adult erotic ads on Craigslist and many independent print media sources, investigating organized trafficking has become more difficult in some ways. As a result, the need for increased knowledge of trafficking at the community level is even more pressing.
Chapter II. Collaborative Interventions

The purpose of this section is to increase the knowledge base between complimentary service providers and intervening organizations. Social service providers from the for-profit, nonprofit and government sectors were interviewed on topics related to best practices within the fields of victims’ services, substance abuse rehabilitation and mental health treatment models. Gaps in service, challenges and barriers to addressing prostitution and sex trafficking, as well as successful programs and philosophies for battling trafficking were identified and are presented alongside ideas for future in-service trainings.

Methodology

Three licensed therapists, and an additional unlicensed peer advocate were interviewed in order to gain various viewpoints on recommended responses to human trafficking. All four interviewees requested anonymity, and a single key system was used for assigning pseudonyms. Two of the therapists work primarily in Marin County, and the third works solely in Sonoma County. The peer advocate who was interviewed works on behalf of an agency in the East Bay. Funding for human services are scarce in the current economic climate, and these participants were reluctant to take the risks associated with critiquing local politicians and grant funders. The additional three interviewees gave full permission to use their names and organizational affiliations.

Service Provider Recommendations

For Roberta Jefferson, the Clinical Services Director at one of Marin County’s residential treatment facilities for substance abuse, the topic of prostitution is generally linked to clients with histories of childhood abuse and domestic violence. In her
experience, prostitution usually begins through methods of physical violence, threats, coercion and forced drug use from pimps, intimate partners and family members. For both juvenile girls and adult women, prostitution is seen as a means of survival, often thought to be the only feasible option for buying drugs, paying for food and housing and providing for their children (R. Jefferson, personal communication, February 2, 2012).

In drug rehabilitation settings, shame serves as a barrier in disclosing not only associations with prostitution, but also histories of sexual trauma. The commercial sexual exploitation of children (CSEC) occurs both as a result of organized crime endeavors and at the hands of abusive parents, family members and men thought of by girls to be their boyfriends. It is not uncommon to discover that a girl was first prostituted by her mother, who may have in turn been prostituted in the same manner a generation before (R. Jefferson, personal communication, February 2, 2012). The intergenerational aspect of forced prostitution increases the need for one-on-one mentoring and group support networks for survivors.

Jefferson has been troubled by the lack of response from Marin County law enforcement, particularly in San Rafael, to the prevalence of young girls spending extended periods of time at local bus terminals. In particular, she feels local law enforcement need to investigate the well-being of juvenile girls speaking at length to adult men in public settings. In her opinion, the presence of juvenile females in locations known to be common spots of prostitution creates additional impetus for police investigation.

When possible, Jefferson recommends the dispatch of women police officers to calls for service related to suspected trafficking or prostitution. If a juvenile girl or adult
woman has been abducted or coerced by a pimp or trafficker, fear of speaking and interacting with male police officers and investigators can create challenges in determining a girl or woman’s well-being. In the event of the necessity for mental health interventions (commonly referred to as 5150’s), Jefferson urges responding law enforcement personnel to be as compassionate as possible to the sexual trauma prostitutes and trafficked individuals have endured. The prevalence of mental health disorders with the co-occurrence of substance abuse can increase safety concerns for police officers. As a result, Jefferson recommends specific training for law enforcement agencies regarding best practices and safe responses with respect to mental health crises.

The concept of *rape supportive attitudes* is one Jefferson has studied at length in her academic and professional life. The term refers to the tendency on the part of both men and women to take rape less seriously when drugs and alcohol are involved. Jefferson notes the prevalence of alcohol fueled parties on college campuses and the “Greek life” mentality at sororities and fraternities. Rape supportive attitudes encompass activities and beliefs that promote casual sex alongside heavy drinking. Jefferson believes societal norms have in turn been influenced by the dismissiveness of date rape on college campuses. Jefferson has interacted with girls and women on and off college campuses and in treatment facilities, and has witnessed victims of sexual assault dismiss and blame themselves for what has happened to them. Jefferson counsels her clients to view substances as catalysts rather than label them as the causes of assaults and rapes. Placing accountability on offenders and perpetrators of sexual assault, rather than blaming alcohol and drugs for rape is key in undoing rape supportive attitudes.
The struggle to untangle emotions of love, dependence and attachment felt by some girls and women for their pimps is a challenge Advocate Anna Jones faces in her work with teenage survivors of sexual trafficking (A. Jones, personal communication, March 22, 2012). Close to ninety-percent of the population she works with are African-American teenage girls. The average age when prostitution begins for most of the clients she interacts with is twelve to thirteen years of age. Jones stresses the importance of never assuming how a girl first entered forced prostitution. Some girls are forced by family members, others by boyfriends and by pimps they met after running away from abusive family lives and/or foster homes, some were forced into prostitution as part of gang initiations and yet others were recruited by peers they thought of as friends. The spectrum of victims and perpetrators is varied and often multilayered with histories of family abuse, drug and alcohol use.

Jones works on behalf of a nonprofit organization with strong ties to juvenile probation departments in the East Bay. Four full-time and two part-time staff members also maintain relationships with foster care agencies, local churches and political action groups to create awareness around the topic of CSEC crimes. The acronym stands for commercial sexual exploitation of children. CSEC advocates stress the importance of never referring to CSEC victims as child prostitutes. Jones and her co-workers facilitate appropriate interventions for teens identified as high-risk and youth believed to be survivors of CSEC crimes. One-on-one mentoring provided by adult survivors of domestic sexual trafficking has proven to be an effective method for assisting in the transition between lives defined by abuse and control at the hands of abusers, towards futures containing the possibility of healthy relationships, sobriety and education.
The organization plans quarterly exposure outings, providing girls with the opportunity to broaden realities and opportunities through museum trips, visits to amusement parks and local sightseeing destinations. While seemingly simple in philosophy, these experiences provide a framework for exploring new ideas, places and connections to people within the context of non-oppressive situations. By enabling new definitions of normalized activities, former victims are given the opportunity to nurture their own self-sufficiency outside the scope of basic survival through traumatic means of coping.

**Juvenile Interventions in Marin County**

Mental health practitioners in the Bay Area generally agree that the more time youth offenders spend in juvenile halls, the worse off they are. While there are limited resources for mental health services for detained youth in Marin County, all wards in Marin complete a psycho-social assessment for mental health needs and diagnoses (G. Lee, personal communication, February 6, 2012). The assessment also screens for attention-deficit hyperactivity disorder (ADHD) and posttraumatic stress disorder (PTSD). Juvenile crimes are those which pose a danger to self and/or community, and in Marin County a disproportionate amount of the juveniles in detention are youth of color. Latino juveniles from San Rafael’s Canal District and certain parts of Novato represent the majority of detained youth at any given time in Marin. Local mental health practitioners see this fact not so much as a true representation of the most dangerous juveniles in Marin County, but more as an indicator of the need for greater community resources, education and intervention in lower-income neighborhoods and communities of color.
Therapist Gail Lee works on behalf of a Marin County agency providing court mandated counseling services to juvenile offenders. Lee points out that middle class families are not immune to situations of juvenile crime and delinquency. Children in higher income bracket families usually spend more time alone, and generally live in households with less family members. As a result, access to unmonitored computer use often increases, bringing with it the risk of unsafe communications.

A requirement for juveniles who have been detained in Marin County is Functional Family Therapy, a counseling model which lasts twelve to sixteen weeks. The model looks at strengths and contributions of family members, and relies on the philosophy of treating the entire family. The question of what is safe and unsafe in a household becomes the primary focus. Parents are urged to be more vigilant about electronic devices, and specifically to monitor activity such as Facebook accounts. The website is often used by gangs to facilitate prostitution between both peers and strangers with girls being initiated and “groomed” into gang lifestyles.

To the north of Marin in Sonoma County, therapist Patricia Morris utilizes an evidence-based peer support group in her work with juvenile populations, within her private practice and at a nonprofit organization providing services to homeless youth (P. Morris, personal communication, March 9, 2012). She finds that gender responsive models which look at problems related to mother/daughter and father/son relationships help in understanding the dynamics which contribute to mental health issues, substance abuse, criminal activity and delinquency. Girls are counseled in a supportive environment which fosters sexual empowerment and curriculum related to trauma recovery. Boys are encouraged to learn ways to foster masculinity in healthy, non-threatening interactions.
Both groups are counseled on the importance of safe and respectful communications in and out of group counseling settings.

In the event of interactions with families living with ongoing physical and sexual violence in the home, Child Protective Services (CPS) at times facilitates a process called *Voluntary Family Maintenance*. Twelve sessions of therapy are offered as a means of child abuse prevention and safety planning, rather than immediate removal of a child or children to another guardian or foster care. When removal from the home is determined to be necessary, team meetings occur between CPS, any additional service providers and the family if possible and appropriate. The *Family Systems Model* is the main therapeutic tool used by CPS – a philosophy which takes into account brain development in children, and the connectedness in preventing and healing trauma through multidisciplinary family-centered interventions (P. Morris, personal communication, March 9, 2012).

In Morris’ experience, juveniles who identify as lesbian, gay, bisexual, transgender and queer (LGBTQ) are at a greater risk for sexual abuse. LGBTQ youth who do not feel safe to disclose their identities in their homes are also at greater risk of running away. The National Center for Missing and Exploited Children reports that most runaways in the United States will be approached by a sex trafficker within forty-eight hours (Grady, 2010). Knowledge of supportive services for queer youth is vital in addressing juvenile homelessness and trafficking prevention. Homelessness amongst queer youth and queer adults of color increases at even higher rates, causing increased interactions with law enforcement and disproportionate rates of incarceration. Arrests and convictions lead to greater difficulties obtaining employment, which contributes further to increases in sex work for survival purposes.
Community agencies, police departments and district attorneys' offices form triangular relationships in terms of victim assistance and crimes such as sexual assault and trafficking. Detective Trevor Hall from the Novato Police Department has seen the visibility of prostitution at the street level decrease with the use of the Internet by pimps and traffickers (T. Hall, personal communication, May 30, 2012). While Craigslist no longer allows the advertisement of sexual (adult) services, the website MyRedbook.com is now used heavily to advertise escorts, erotic massage and sexual services.

Within Novato, gang activity still centers heavily around drug sales, however disturbances at motels have drawn suspicion from the police regarding the possibility of prostitution. Officers have not had success in gaining information from women thought to be prostitutes, and Detective Hall believes the threat of retribution from pimps is what has kept women silent. Since the Novato police responds to calls for service at several low cost motels in particular, education for managers and owners of motels is thought to be a possible solution for addressing the possibility of trafficking in Novato.

Deputy District Attorney Ron Ravani sees the role of the Marin County District Attorney’s Office as facilitating rehabilitation for juvenile offenders of crime. In the instances when juveniles are arrested for prostitution in Marin, criminal charges against juveniles are pursued. In a very few cases, police investigators have been able to identify and arrest pimps. Once juveniles are placed on probation, specific programs are identified in the hopes of eliminating further escalation into the criminal justice system.

Marin County prosecutors have not received specific expert training on handling trafficking cases, and given that it is a relatively small county, coordination between the criminal justice system and social service providers would be less difficult to facilitate
than in the East Bay and San Francisco. Marin County has the opportunity to become an example of collaborative services and early intervention for juvenile and adult trafficking victims. District Attorney’s offices in California employ victim-witness advocates possessing the ability to access compensation funds specifically intended for survivors of trafficking. At this time those funds are untouched by Marin County DA advocates.

**Faith-Based Philosophies**

As in the days of the Gold Rush, organizations founded on religious principles continue to focus time and resources on the issue of sexual slavery, both domestically and abroad. The Jewish Coalition to End Trafficking addresses the topic of sweat shops and forced physical labor in the United States (J. McDonnell, personal communication, June 1, 2012), but for the most part, faith-based anti-trafficking organizations in the US are aligned with the Baptist and Catholic religions. While the financial backing from parishioners, internal church funds and capital campaigns greatly benefit faith-based anti-trafficking initiatives, problems can arise when religious doctrine prohibits working alliances with LGBTQ organizations and sex workers’ rights groups.

The Dominican Sisters, Catholic nuns with communities throughout the Bay Area, is one faith-based group which has managed to form positive working relationships with a variety of religious and secular anti-trafficking organizations. The core group of Dominican nuns in Marin County working on anti-trafficking projects has joined the Leadership Conference of Women Religious (LCWR), the organization which is currently under the scrutiny of the Vatican for its refusal to allow priests’ input and management of programs. Sister Judy McDonnell, an LCWR member, believes it is not the sisters’ place to condemn birth control, abortion or same sex marriages.
LCWR members throughout the United States have come together in financial solidarity as well as philosophical beliefs in standing up to traditional patriarchal church structures. The LCWR has joined the Social Responsibility Investment Committee, a group of Catholic investors with stock in corporations which inadvertently facilitate human trafficking. With approximately five million dollars in collective stock, the Investment Committee has voting power at shareholders’ meetings, and a unanimous voice in battling corporate protections. Motel 6, owned by the Accor Corporation, is a company LCWR members have identified as being one of the worst offenders in facilitating human trafficking.

The Stop Slavery Coalition, a consortium of eleven different congregations of Catholic nuns in the Bay Area, has become active in public campaigns to educate consumers about the prevalence of human trafficking by manufacturers of chocolate, clothing and technological products, as well as sex slavery (J. McDonnell, personal communication, June 1, 2012). The Coalition also spends time and resources educating the public about the increase in sex trafficking in cities hosting activities such as the Super Bowl, the Olympics and the America’s Cup sailing competition.

A combination of large-scale advertising campaigns, combined with grass roots activities to create and maintain safe houses and shelters for trafficked victims defines the nature of the work Catholic nuns in the United States are doing with respect to human trafficking. Understanding the fear of deportation many victims live with is core to the work the Dominican sisters undertake. Lobbying for compassionate immigration reform is thought to be an equally important activity for the LCWR and the Stop Slavery Coalition.
Sister Judy McDonnell believes nonprofit social service organizations and law enforcement agencies could benefit greatly from creating working relationships with the Marin Interfaith Council (MIC). MIC has been in existence in Marin County for thirty years, and works to bring attention to social justice issues and community human service needs through interfaith workshops and community strengthening exercises. Sister McDonnell recommends creating alliances with organizations such as MIC specifically for community education regarding massage parlors in San Rafael. The momentum and voice of various parishes, combined with strong public service values, could raise awareness around issues which local sexual assault, domestic violence and law enforcement agencies do not have the time or resources to currently address.

**Group Exercises and Expert Trainings**

The Commission on Police Officer Standards and Training (POST) is responsible for creating and overseeing training curriculum for law enforcement organizations within California. POST standards mandate requirements for responding to and investigating crimes, and also sets guidelines for victim advocacy, confidentiality and interaction with collaborative social service providers. In 2008, POST released guidelines for law enforcement responses to human trafficking, which includes an overview of California and federal laws pertaining to trafficking, definitions of human trafficking and case studies. POST has yet to mandate this training for all law enforcement organizations within California, however the curriculum is available free of charge, and provides a comprehensive list of best practices in relation to human trafficking. Non-compulsory POST trainings often become a part of standard operating procedures for law enforcement agencies. Addressing emerging law enforcement trends is a valuable
practice for law enforcement agencies interested in remaining one step ahead of community crises.

In addition to seeking out expert training on human trafficking, examining existing connections and alliances with local organizations and agencies is an equally valuable exercise. Determining which working relationships have been most beneficial, and which interactions have been problematic can assist in the planning of future task forces and training session work groups. Collaborative efforts which address human trafficking are often the most successful, and in organizing training opportunities, a working knowledge of community partners serves as a basis for action planning.

Recognizing that the topic of human trafficking can be one of the most traumatic areas within the criminal justice and social service sector is imperative for first responders and direct service providers. Those assigned to anti-trafficking initiatives are exposed to case details related to violent sexual and physical assaults, forced drug use and crimes against children. The term vicarious trauma is used to describe the posttraumatic stress experienced by therapists, advocates, police personnel and other individuals interacting with victims of violent crime and traumatic experiences.

Nonprofit organizations with limited budgets rarely have the time or resources to address vicarious trauma, and high staff and volunteer turnover is one result. Police officers often feel pressure to maintain a stoic exterior when dealing with the difficult realities of patrol and investigative work. Creating and fostering work cultures where it is acceptable and commonplace to address emotional burnout is vital in both social service and law enforcement agencies. Free webinars and podcasts are excellent ways to
introduce the topic of vicarious trauma and the equally important concept of *self-care*, the practice of relaxation techniques, exercise, proper sleep and nutritional habits.
Chapter III. Legislative Initiatives

Victim Testimonies

The narratives and testimonies of individuals who have survived the violence and isolation of human trafficking and commercial sexual exploitation are generally shocking and gut wrenching. The United States Department of Justice estimates that between 14,500 and 17,500 victims of trafficking enter the United States every year. Victims of overseas trafficking into the United States are often times promised jobs as nannies and housekeepers, only to have their passports taken by traffickers and forced to perform domestic servitude, forced labor on farms and in factories and in other cases sexual servitude. California has one of the highest rates of trafficked victims from overseas, and the San Francisco Bay Area contains roughly forty-five percent of these victims. Perhaps even more startling are the one-hundred thousand youth within the United States trafficked for commercial sexual exploitation purposes. An estimated two-hundred thousand additional American youth are considered at-risk for commercial sexual exploitation (http://www.sagesf.org). Traffickers use networks of recruitment that include foster and group homes, gangs, online methods and direct recruitment through victims’ families.

The American National Summit of Commercially Sexually Exploited Youth is a conference sponsored yearly by the United States Justice Department. Survivors of CSEC crimes are provided the opportunity to share their stories with other survivors, service providers, government officials and politicians with the ability to legislate for increased criminal penalties for traffickers and increased services for victims. The following statements were provided by CSEC survivors at the 2009 conference. The power of
victim and survivor statements are often at the core of law makers’ decisions to more seriously address human trafficking.

Jessica: “My dad raped me when I was two years old...Next thing I knew, my dad was sitting next to me, whispering in my ear, ‘Don’t be scared, you’re helping Daddy pay the rent.’ Oh, by the way, I was nine years old. Then I was a ward of the state. The second year there I started doing prostitution. I was twelve years old.” (Sterry, 2009, p. 316).

Topaz: “How is a child expected to be successful and happy in life when love is not shown in the way it’s supposed to be shown? If you don’t receive love and support from your family, who would you turn to?” (Sterry, 2009, p. 321).

Brenda: “My pimp was my first real love and it felt like I couldn’t leave him. I believed that I needed him just as much as he needed me...I was the most loyal person he could ever find, and I did all this out of my heart, even though he would still beat me and I was still unhappy.” (Sterry, 2009, p. 323).

Janice: “I ran away from the group home where I got beat up and abused and misused sexually. I was twelve and had to get out of there. I had no choice. So this super nice guy came up to me and asked me did I need a place to stay, was I hungry...He took me back to his place and bought me clothes, and told me he loved me. I thought I was his girlfriend.” (Sterry, 2009, p. 332).

Janice: “My pimp found out one of his women was stashing part of the money she earned...he tied the woman who’d been stashing money to a chair. He covered her in alcohol and set her on fire...We had to watch while she burned to death. I was fifteen.” (Sterry, 2009, p. 332).
As with laws which criminalized domestic violence and sexual assault, it is often
the case that victims become the advocates who in turn lobby politicians to make changes
on their behalf. The punitive nature of arresting juveniles for prostitution and adults who
have been trafficked and commercially sexually exploited is often reduced when
statements are made about first hand experiences of violence and exploitation.

**California Penal Codes**

In the past decade, laws have been created in California to directly address human
trafficking and sexual exploitation. Prior to these changes, in the rare instances when law
enforcement was made aware of human trafficking and sex slavery, the antiquated Mann
Act mentioned in Chapter 1 was used to prosecute trafficking across state lines into
California. California Penal Code Section 261 (261 PC) was sometimes used for arresting
and prosecuting rape cases. California Penal Code Section 236 (236 PC) was used
sporadically for cases of false imprisonment. With the creation of new laws aimed
specifically at human trafficking, the California criminal justice and judicial systems are
now aligned more closely with current federal statutes protecting victims trafficked into
the United States and victims who are legal residents and United States citizens.

The 2008 California Commission on Police Officers Standards and Training
(POST) Guidelines on Law Enforcement Responses to Human Trafficking, detail the
newly created California Penal Code 236.1 PC. As defined in Section (a), “human
trafficking is comprised of depriving or violating the personal liberty of another with the
intent of coercing, forcing or procuring a person (juvenile or adult) to perform acts of
prostitution or forced labor.” Under the same section, human trafficking is also defined as
“forcing or using false pretenses to coerce an adult female to perform a sex act by threat,
force or coercion.” 236.1 PC further defines trafficking as the act of creating and producing child pornography and “the act of extortion or blackmail to force a juvenile or adult to perform sexual acts” (POST, 2008).

Specific vulnerabilities for human trafficking are listed as escape from oppressive environments and victimization by means of domestic violence and child abuse. At the top of the list of individuals and groups perpetrating trafficking are close friends and family members, followed by gangs and organized criminal groups (POST, 2008). International criminal groups most commonly responsible for trafficking victims into the United States are the Russian Mafia, Chinese and Japanese gangs. In addition to human trafficking for sexual servitude purposes, human trafficking is most commonly seen in agricultural communities, the construction industry and motel/hotel housekeeping settings (POST, 2008).

The November 2012 California election will include the ballot initiative Proposition 35, also called the CASE Act (O’Malley, 2012). If passed, convicted traffickers will face longer sentences, be required to register as sex offenders and disclose email accounts and Internet use to supervising law enforcement agencies. Additionally, fines paid by traffickers would be used for victim compensation services. Proposition 35 is not without controversy. Many sex workers’ rights advocates have brought to light the fact that the ballot initiative has been introduced and sponsored heavily by California Against Slavery (CAS) (Morain, 2012). The organization was founded by members of fundamentalist religious organizations, prompting Prop 35’s opponents to question CAS’ aim and role in the creation of laws related to both prostitution and human trafficking. Sex workers’ rights advocates are concerned CAS and similar organizations will work to
further criminalize prostitution, invalidating sex workers who remain working out of economic necessity and/or legitimate choice and consent.

In early 2011, Assembly Bill 109 (AB 109) was passed in California. Officially named the Public Safety Realignment Plan, AB 109 “transfers responsibility of a large segment of the criminal justice population from the State to local jurisdictions” (County of Marin, 2011, p. 4). In Marin County, the realignment is being implemented by the Probation Department, the Sheriff’s Office, members of the Marin Superior Court and staff from Health and Human Services.

The new population to be supervised by individual counties are offenders on Post Release Community Supervision, a group called “3-nons,” offenders convicted of non-serious, non-violent and non-registerable offenses (the criminal offenses associated with sex crimes). Officials from the Community Corrections Department in Marin County stress an emphasis on ensuring public safety, and using evidenced-based interventions in respect to enforcing and facilitating AB 109.

Marin has the lowest incarceration rate in California. Statewide, women represent eight percent of the incarcerated population. AB 109 offers the opportunity to provide in-depth case management for women convicted of crimes including prostitution. Job training will focus on economic independence, cutting edge substance abuse treatment, mental health interventions and counseling for previously incarcerated women who have been victims of domestic violence and sexual assault (County of Marin, 2011).

The Probation Department and Sheriff’s Office are specifically poised to affect lasting changes within the criminal justice system in Marin County. Probation will employ a Re-Entry Coordinator, and is already using a screening process called the
LS/CMI (Level of Service/Case Management Inventory). Law enforcement interventions such as this particular screening take into consideration issues of domestic violence and mental health concerns. The specialized Family Violence Court and STAR Court (Specialized Treatment After Release) are used for offenders with family violence backgrounds and offenders with serious mental health disorders. AB 109 has also led to alliances with Immigrations and Customs Enforcement (ICE) agents to reduce the number of low risk, undocumented offenders on immigration holds in county jails (County of Marin, 2011).

Information sharing and community collaboration is vital to the success of AB 109. Realignment will focus on best practices, data driven results and the increased role of Probation. Marin County Community Mental Health has begun using an assessment tool called GAIN (Global Appraisal of Needs). The database will allow multidisciplinary service providers access to information related to individuals assigned to their case loads, while ensuring medical related confidentiality where appropriate and/or mandated by law (County of Marin, 2011).

Federal and International Factors

On a federal level, human trafficking is generally investigated by specialized units within the FBI and the United States Attorney General’s Office. The Trafficking Victims Protection Act of 2000 (TVPA) provides immigration relief, financial assistance and counseling services for undocumented victims of trafficking brought into the United States and juvenile and adult victims of trafficking who are legal residents or US citizens (Fine Collins, 2011). As with Proposition 35, there is question as to whether or not TVPA will further criminalize the act of prostitution. The FBI and the US Attorney General’s
Office rely upon the findings and philosophies of victim advocates who do not believe there is any form of sex work which is not inherently oppressive (Fine Collins, 2011).

Domestic and international critics of United States policies pertaining to human trafficking critically examine the impact of armed conflict and peacekeeping missions funded by the United States. In 2010, The US State Department published a study on human trafficking in Afghanistan. The report places exclusive blame on Afghani law enforcement for increases in brothels and prostitution. Critics of the report have pointed out the US State Department failed to mention that most of the men visiting the brothels are UN and NATO officials, US military personnel and private security contractors (Nasuti, 2011).

Women's rights organizations in Afghanistan believe Al-Qaeda's anger at the United States' view of women is further inflamed by US military officials playing leading roles in the creation and patronizing of brothels in Kabul (Nasuti, 2011). Adding to the transnational aspect of military-backed sexual slavery and exploitation are the Chinese women trafficked into Afghanistan to meet the demands of Western clients (Tang, 2008).

In 1992, sexual exploitation committed by North American military personnel was uncovered during the Bosnian War. NATO officers in Kosovo were responsible for procuring girls as young as eleven years old for purposes of forced prostitution. A top ranking Canadian general, senior-level military officers, peacekeepers from New Zealand, France, Ukraine and various African nations were all known to frequent brothels and seek the services of trafficked juveniles. Several NATO officers were fired, and
several resigned, however there were no arrests or prosecutions, or any official statements or apologies offered (Allen, 1996).

For decades, sex tourism has been on the rise in countries such as Costa Rica, India, Thailand and the Philippines. North American and Western European men were largely immune from prosecution for visiting brothels staffed by trafficked juveniles and adults. Bribery of local police officers was generally a sufficient means to avoiding arrests in foreign countries. Police officers, judges, school teachers, doctors and working class men from the United States were included in the legions of perpetrators guilty of paying for sex with trafficked victims while on vacation abroad. Until the early Twenty-first century, these men avoided prosecution in the United States or overseas for their crimes. In 2004, United States federal investigators and prosecutors began the process of arresting men upon re-entry into the US, and in some cases extraditing pedophiles on suspicion of acts of molestation and rape of juveniles while abroad (Dan & Lichtblau, 2004). This change in procedure targets habitual offenders, and allows for prosecution and incarceration for United States legal violations committed while outside the country.

Travel abroad for bachelor parties is commonplace in some police departments, the San Francisco Police Department being one such example. Whether or not men who visit brothels have specific knowledge of the ages of the prostitutes they pay to have sex with, the likelihood of juvenile victims of human trafficking within the brothels is high. Law enforcement and social service personnel are not immune to becoming victims of domestic violence or sexual assault. Both groups also contain batterers and perpetrators. In addition to receiving training on the investigation of human trafficking cases in Bay
Area counties, addressing overseas bachelor parties and sex tourism should be addressed when presenting information pertaining to human trafficking laws.

Many people are familiar with the expression, “Prostitution is the world’s oldest profession.” However, it may be more appropriate to ask, is slave trading in fact the world’s oldest profession? The profitable nature of war, exploitation of impoverished children and adults, fetishizing of cultures of color and imbalances of power within the global political economy are responsible for staggering numbers of human trafficking victims.
Chapter IV. Sex Workers’ Rights

The Sex Workers’ Rights Movement aims to address violence against sex workers, discrimination with respect to medical care, compassionate immigration reform and the issue of police brutality and profiling of sex workers. What has stemmed from a grassroots effort of self-identified prostitutes has grown into a globally recognized human rights movement, addressed at the highest levels of the United Nations. Sex workers’ rights campaigns also reframe commonly held beliefs about labor rights, consent and choice. Sex workers’ rights advocate Kari Lerum views the movement as an opportunity to “discuss sex work BOTH as a human rights issue AND an issue that cannot be adequately addressed by responses to sex trafficking alone” (Lerum, 2011, p. 1).

In the early 1970’s, Margo St. James formed a group in San Francisco called COYOTE. The organization’s named stood for “Call Off Your Old Tired Ethics.” St. James had grown weary of witnessing the San Francisco Police Department routinely harass and arrest prostitutes, while ignoring the legal violations committed by the men who were soliciting services from women (Lutnick, 2004). Prostitutes were routinely injected with penicillin after being booked into the San Francisco County Jail, whether or not they tested positively for sexually transmitted infections (STIs) (Lutnick, 2004).

Women’s rights organizations in North America largely ignored the topic of prostitution in the 1970’s, and when the issue was raised, sex work in all forms was generally thought of to be a form of violence against women (Leigh, 2008). Today, there are two main schools of thought amongst feminist scholars and women’s rights organizations with respect to prostitution and sex work. The Coalition Against Trafficking in Women, a group of self-defined “female abolitionists” considers even
voluntary and consensual sex work to be a form of human trafficking (Leigh, 2008). Such
groups believe strongly in the criminalization of prostitution.

Organizations similar in focus to COYOTE advocate for decriminalizing
prostitution, while working to legislate stricter penalties for convicted traffickers. Sex
workers’ rights groups view the issue of sex work as being separate and distinct from the
issue of human trafficking. Many sex workers’ rights groups also advocate for
compassionate immigration reform and access to medical care and housing for
individuals who have been trafficked into the United States, and victims originating from
inside US borders.

Carol Leigh, the sex worker who coined the term “sex workers’ rights” at a
women’s conference in the 1970’s, has written and spoken at length about the divide
amongst feminists surrounding sex work. In 2008, Leigh wrote that in order to find
“common ground” in the women’s movement, activists must “face each other and
acknowledge the role that feminists have played in the current criminalization and
stigmatization of sex work” (Leigh, 2008, p. 2). Abusive childhood and family
situations, issues of mental health and addiction, limited access to education and even
minor criminal infractions limit employment options for many individuals who choose
sex work as a means of employment. Automatically assuming that sex workers are people
who need to be “rescued” further perpetuates the public perception of prostitutes as being
ignorant and unaware of the dangers they face.

In the United States, nearly forty percent of street prostitutes are women of color,
and upwards of eighty-five percent of sex workers sentenced to time in jail are women of
color (Hollibaugh, 2000). While these figures align with the realities seen by police
officers and social service providers in the Bay Area, organizations geared towards abolishing trafficking without also addressing sex work as a legitimate work choice generally show pictures and submit the testimonies of young white women lured and coerced by pimps in the United States. When women of color are shown as victims of trafficking by rescue organizations, it is generally in the context of overseas sex tourism, or instances of victims trafficked into the United States.

In 1999, a clinic opened in San Francisco, focusing on the medical and psychological concerns of sex workers. The clinic was named the St. James Infirmary (after Margo St. James), and continues to be run as a joint effort between the sex workers’ rights community in San Francisco and the San Francisco Department of Public Health (Lutnick, 2004). In 1999, St. James received a phone call from a woman who had been arrested for prostitution in San Francisco. When she was booked into the San Francisco County Jail her blood was drawn without her consent, in what she believed was an attempt to illegally determine her HIV/AIDS status. St. James called upon allies in San Francisco’s LGBTQ community, securing the initial funding for the peer-run health clinic for sex workers.

The St. James Infirmary has served to validate the existence of sex work as a legitimate work choice. In combination to providing safe and nonjudgmental medical services, the clinic provides a space for individuals transitioning out of sex work to gain skills in the medical sector, an opportunity not possible for many with prostitution arrests on their criminal records (Lutnick, 2004). Statistics gathered from the work done at the clinic have assisted in highlighting the importance of addressing safer sex practices, and
providing a physical location for individuals to honestly discuss the work they do in relation to the physical and emotional risks they face.

The United Nation’s Universal Periodic Review is a process which has taken place since 2006, aimed at addressing internal human rights issues respective to UN member states. Sex workers’ rights groups within the United States and internationally have pushed for the UN to support awareness campaigns focused on decreasing the risk of violence for sex workers on a global scale (Lerum, 2011). As many prominent feminist scholars, policy advocates and politicians still take the position that sex work in all forms falls within the scope of human trafficking, sex workers’ rights advocates are often dismissed by political leaders and humanitarian organizations.

The United States Anti-prostitution Loyalty Oath is a form organizations must sign in order to receive funding from the President’s Emergency Plan for AIDS Relief (PEPFAR). As a result, organizations which provide aid to sex workers are ineligible for both monetary assistance and access to cutting edge medical research and innovations (Lerum, 2011). Policies which do not delineate between prostitution and sex trafficking often result in trafficked women being arrested and prosecuted, and increased risks of HIV/AIDS infection. Within the United States, the anti-prostitution pledge has specifically affected immigrant, African-American and LGBTQ communities.

The AIDS pandemic emerged as an international health and political crisis during the 1980’s, furthering social divides and disparities in medical care for individuals and groups marked as deviant and immoral by both conservative and relatively mainstream government institutions. On a global scale, the health crisis has affected children and adults, women, men and transgender populations and individuals identifying as gay,
lesbian, bisexual, queer (LGBTQ) and straight. Federal funding for AIDS research and medical care in the United States has marginalized and excluded communities of color and sex workers from receiving vital health services. During the summer of 2012, sex workers from overseas were barred from attending the International AIDS Conference in Washington, D.C. (Democracy Now, 2012). In fact, United States travel restrictions prohibit sex workers and individuals with positive HIV/AIDS statuses from entering the country for tourism, work or immigration purposes.

In the City of Vallejo, visible street prostitution has angered community members and caught the attention of sex workers’ rights organizations, including SWOP (Sex Workers’ Outreach Project). The current economic realities in Vallejo are some of the worst in California, leading to scarce police resources after the city declared bankruptcy. In 2011, several major Bay Area newspapers and television stations began to publish and air stories about Vallejo’s “homeless hookers” (Fagan, 2011, p. 3). Citing the lack of police officers as an opportunity for prostitutes to flock to the city, articles failed to mention the dire financial realities the women were living in. Additionally, there was no mention of the existence of coercion from pimps or of women trafficked by pimps.

Neighborhood watch groups in Vallejo reportedly formed “ho patrols” (Fagan, 2011, p. 3). As part of the community’s response to street prostitution, groups of Vallejo residents used garden hoses to spray women suspected of being prostitutes. SWOP responded with a press release, urging a review of the economic issues which contribute to increases in prostitution. SWOP urged neighborhood watch groups to realize that their actions were sending a message “that violence towards sex workers is acceptable” (Few, 2011).
SWOP also addressed the ban on adult service advertisements on sites such as Craigslist. By doing away with a means of communication between clients, pimps and traffickers, and at times clients and voluntary sex workers, prostitution has become more visible as a street crime in certain cities. SWOP takes the stance that arresting and prosecuting prostitutes rather than pimps and clients does little to eradicate the underlying poverty which leads to street prostitution.

The Sex Workers' Rights Movement has been an opportunity for LGBTQ, communities of color and working class individuals to voice their concerns and beliefs without facing the academic exclusivity of portions of the women's rights movement. Sex workers' rights advocate and author Amber Hollibaugh has written of the fear she faced when she decided to disclose her status as a sex worker while working as an organizer within lesbian feminist organizations. Interestingly, while she faced physical abuse as a child in the working class community she grew up in, she has stated she felt less fearful to say she had been a stripper and prostitute when talking with working class straight individuals in rural small towns, than with educated lesbian scholars and advocates she met while living and working in San Francisco and New York City (Hollibaugh, 2000.)

The class distinction addressed by Hollibaugh is vital in understanding sex work as a labor issue, outside the scope of whether or not prostitution is decriminalized. In California, one such aspect of anti-trafficking laws allows for victims to receive financial compensation from convicted traffickers who have profited from selling sexual services. Essentially, victims are being given the opportunity to recoup the monetary gains of the illegal profits made from the forced sale of their bodies.
Sex work is a term which has become inclusive of the work done by adult performers in capacities ranging from strippers, phone sex operators and nude models to adult actors in pornographic films. Claiming rights to equitable compensation and shares of profits has revolutionized historically male owned strip clubs and adult film companies. In 1997, San Francisco became home to the world’s first unionized peep show when the dancers at the Lusty Lady formed a unionization effort. Located on Kearny Street, very much within the borders of the former Barbary Coast, the “Lusties” as the women call themselves, fought for safer and more sanitary working conditions and greater portions of the profits. Currently, the Lusty Lady is a worker-owned cooperative, with corporate bylaws written by the dancers-turned-owners (Krammen, 2007). Union wage scales, benefits packages and information related to workplace safety and anti-discrimination policies have legitimized the work the Lusties perform, and has allowed for the work of strip tease to be taxable and legitimately recognized income.

Pornographic films are also being revolutionized by the sex workers’ rights movement. Many of the newest directors and actors are progressive feminists who have chosen to portray women’s sexuality from the point of view of genuine wants and desires, outside the scope of what male-only audiences demand. The results have been multilayered, causing feminist scholars to take a deeper look at how class, race and immigration status relate to sex work, human trafficking and the middle ground which can exist between the two delineations.

Author, playwright and former sex worker David Henry Sterry undertook a project in 2009, creating a writing workshop for sex workers – individuals who had chosen to work in the industry, individuals who had been trafficked and the individuals
whose entrance into sex work fell on the spectrum between coercion and authentic choice and consent. Sterry realized what sex workers and writers such as Leigh and Hollibaugh had previously acknowledged; many of the sex workers who felt the most empowered by their work came from more privileged backgrounds, generally had access to higher forms of education and were more often than not white women. The racial and class differences in sex work were summed up by Sterry with the following statement, “It’s like the difference between working in a restaurant that serves sixty-five dollar steaks and being held against your will, toiling feverishly eighteen hours a day in a sweatshop. Yet both those things are called prostitution.” (Sterry, 2011, p. 5).

The area of sex workers’ rights has created a venue for individual sex workers to create communities focused on physical and emotional safety, adequate medical care and eradicating police profiling and violence. Sex workers’ rights have also allowed those without access to higher levels of education an opportunity to contribute to global politics and human rights campaigns. Both feminist organizations and conservative religious movements funding anti-trafficking initiatives have often been at odds with the sex workers’ rights movement. Failing to recognize the difference between the coercion and force of commercial sexual exploitation, and sex work chosen through personal decisions and economic factors silences dialogue and collaboration – obstructing achievement of the common goal of eradicating human trafficking.

Recommendations

Moving forward, there are specific and identifiable steps social service providers and law enforcement agencies in Marin County can implement in order to improve responses to human trafficking. Educating motels about the occurrence of human
trafficking, specifically in Novato, is one option for creating community alliances between businesses and police departments. While profits are generally the bottom line for any business, motel owners may be more willing to report suspected trafficking when educated about the prevalence of violence and drug use that often exist in tandem with forced prostitution. Criminal and civil liabilities for motel owners who fail to report suspected trafficking is another option police departments can pursue.

The San Rafael Police Department is understaffed and underfunded, much in keeping with police departments throughout California. However, leading social service providers working within San Rafael have identified the lack of police response as a major barrier for increasing the safety of youth at-risk for trafficking. Once again, understanding the interconnectedness of drug use, violent crimes and human trafficking may be the catalyst in propelling The San Rafael Police Department to begin training officers on the topic of human trafficking, proper responses and updated penal codes.

The Marin County District Attorney’s Office has the opportunity to make full use of victim compensation funds specified for aiding trafficking victims and survivors. Until the Marin DA’s Office ceases to prosecute juveniles for prostitution, the department will remain behind cutting edge prosecution procedures in the United States. Having the ability to become an example of best practices in the human services field is advantageous for lead prosecutors, particularly in relation to voter and constituency support.

The Marin Interfaith Council (MIC) has been identified as an organization with the time and resources to educate the public about the prevalence of human trafficking in massage parlors, mainly those in San Rafael. Existing working relationships between
religious and secular organizations, fostered over the past thirty years, would allow MIC to reach a wide range of allies in the nonprofit, government and law enforcement communities, as well as local reporters with the ability to highlight the issue of human trafficking in media campaigns.

Most profoundly, the need for increased cooperation from Marin County’s domestic violence and sexual assault resource agencies are vital in disseminating a broader understanding of the violent and exploitative nature of human trafficking. Eradicating crimes against women, children and populations at-risk for physical, emotional, financial and sexual exploitation are at the core of the Women’s Movement. The Women’s Movement in turn propelled sexual assault and domestic violence advocates to educate law enforcement agencies and the public about ceasing to tolerate and dismiss abusive relationships. When Marin County’s law enforcement agencies, faith-based organizations and coordinating social service providers address human trafficking, it will become impossible for Community Violence Solutions and Center for Domestic Peace to ignore their responsibilities to address and respond to this crime in Marin County.
Appendix A – Operational Definitions

1) CSEC – Commercial sexual exploitation of children. This acronym is used by social service providers specializing in the advocacy of juvenile victims of human trafficking. CSEC advocates stress the importance of never referring to CSEC victims as child prostitutes.

2) Human Trafficking – The act of enslaving an individual or group of people by trickery, force and/or coercion, resulting in financial gain for the trafficker(s). Human trafficking includes forced prostitution and a multitude of forced labor situations (domestic help such as nannies and maids, nursing home caregivers, farm workers and sweat shop laborers, massage parlors and nail salons). Human trafficking occurs across international lines, as well as within the United States. Human trafficking is also referred to as sexual servitude and forced prostitution.

3) John – A client who seeks the sexual services of another human being. John almost always refers to a man.

4) Madam – A woman who facilitates the sexual services and pricing structure between the individuals working for her, and the clients seeking services. The term madam is sometimes used to describe a woman who owns or runs a brothel.

5) Pimp – A man who facilitates the sexual services and pricing structure of individuals working for him, and the clients seeking services. The term pimp is sometimes used to depict an image synonymous with violence, organized crime and drug use.

6) Sex Worker – A term created by Carol Leigh, an advocate for individuals working in the adult industry. Sex worker was initially used to convey a sense of empowerment and choice surrounding the work of prostitutes, strippers, phone-sex operators and individuals
earning an income through the exchange of monetary payment for various forms of sexual role-play.

7) Sex Workers' Rights – The recognition of human rights pertaining to the safety of sex workers. SWR groups work to educate law enforcement, social service providers and lawmakers on the differences between human trafficking and sex work, and assist in legislative efforts to increase criminal penalties for traffickers.

8) T-Visas – Work and resident visas granted to victims of human trafficking and their immediate family members (non-perpetrators). T-Visas are closely related to U-Visas, which are at times granted to victims of domestic violence and other forms of violent crime. Both U and T-Visas must be signed by specifically designated members of police agencies and prosecutors’ offices, and are generally drafted with the assistance of nonprofit social service providers. There are limited numbers of U and T-Visas granted per year in the United States.

9) TVAP – The Trafficking Victims Protection Act of 2000 addresses the prosecution, protection and prevention of human trafficking. According to the federal guidelines of TVAP, victims become eligible for services administered through the U.S. Department of Human Services, regardless of citizenship. TVAP and the Department of Labor have created a comprehensive list of the goods often produced overseas through means of forced child labor.

10) VAWA – The Violence Against Women Act of 1994 is a federal law administered through the Department of Justice, providing grant funding to law enforcement and social service agencies working with battered women and victims of family violence. VAWA has led to the creation of immigration reform which allows undocumented victims of
crime the possibility to remain in the United States legally, in exchange for testimony and cooperation with the prosecution of their offenders.
Appendix B – Bay Area Resources

Agency Index

Advocacy
MISSSEY

Culturally/Linguistically Specific
Asian Pacific Islander Legal Outreach
Canal Alliance
Narika

LGBTQ
Community United Against Violence (CUAV)
LYRIC

Legal Services
Asian Pacific Islander Legal Outreach
Canal Alliance
Narika

Sex Workers’ Rights
St. James Infirmary

Training
MISSSEY
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San Jose Police Department Human Trafficking Task Force

Youth
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Agency Descriptions

1) Asian Pacific Islander Legal Outreach
1121 Mission Street
San Francisco, CA 94103
(415) 567-6255
www.apilegaloutreach.org

With offices in San Francisco and Oakland, API Legal Outreach is able to provide services in the following languages: Cantonese, Chiu-Chow, Hindi, Ilocano, Japanese, Korean, Mandarin, Tagalog, Taiwanese, Urdu and Vietnamese.

Case management and legal assistance is available for domestic violence, human trafficking and elder abuse victims and survivors and individuals and families with immigration concerns. The youth outreach program emphasizes teen dating violence prevention and online dating safety tips.

API Legal Outreach offers technical assistance training on the topics of human trafficking prevention and intervention and elder abuse prevention and intervention.

2) Canal Alliance
91 Larkspur Street
San Rafael, CA 94901
(415) 454-2640
www.canalalliance.org

Services focus on low-income, Spanish speaking immigrants and families in Marin County. Family resource services include access to medical clinics, K-12 education and continuing adult education. Case management services are provided for clients in need of mental health referrals. The Canal Alliance runs a legal clinic for immigration concerns, domestic violence restraining orders (TROs), U and T-Visas.

3) Community United Against Violence (CUAV)
427 South Van Ness Avenue
San Francisco, CA 94103
(415) 777-5500
www.cuav.org

CUAV operates a 24-hour crisis line for survivors of hate crimes and domestic violence. LGBTQ survivors work with schools to address community violence, harassment and discrimination. CUAV also collaborates with the San Francisco Police Department to address anti-transgender police discrimination and violence.
4) Huckleberry Youth Programs  
361 Third Street, Suite G  
San Rafael, CA 94901  
(415) 258-4944  
www.huckleberryyouth.org

Peer-run programs in Marin County and San Francisco aim to address family problems, substance use and abuse, mental health concerns, birth control, safer sex practices, family, community and dating violence. Access is facilitated to social welfare programs and education regarding aspects of the criminal justice system.

Huckleberry runs a crisis shelter in San Francisco for youth ages 11-17, a delinquency prevention program for arrested youth (also in San Francisco), counseling services, a health clinic, health career training and transitional-age youth services in both counties for clients ages 16-24.

5) LYRIC  
127 Collingwood Street  
San Francisco, CA 94114  
(415) 703-6150  
www.lyric.org

LYRIC focuses on community building, education and economic development, health and wellness programs for LGBTQQ (lesbian, gay, bisexual, transgender, queer and questioning) youth and their families. Paid internships, poetry workshops, mural projects and LGBTQQ conferences offer confidence boosting opportunities for program participants.

Job readiness classes include resume and cover letter writing, employment law education, computer training and job search techniques. LYRIC runs a “Safe Space” after school-program, a queer youth health clinic and organizes dances and field trips.

6) Marin Interfaith Council  
1510 5th Avenue  
San Rafael, CA 94901  
(415) 456-6957  
www.marinifc.org

MIC focuses on community building amongst Marin’s religious and secular leaders. Social justice issues such as access to health services and adequate food and housing for under/un-served populations are a primary focus for MIC.
7) MISSSEY
436 14th Street, Suite 1201
Oakland, CA 94612
(510) 251-2070
www.misssey.org

MISSSEY's advocates work with victims and survivors of CSEC crimes, generally facilitated through collaborations with juvenile probation departments and family service agencies.

Training provided on national trafficking routes, the demand for the sale of children and youth, pathways of entry, community specific trafficking, street terminology and the needs of victims. Trainings at MISSSEY's offices are provided free of charge.

8) Narika
P.O. Box 14014
Berkeley, CA 94712
(510) 444-6068
www.narika.org

Narika aims to prevent and eliminate domestic violence in South Asian cultures within the San Francisco Bay Area. Services are provided for clients from Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka, Fiji and the Caribbean.

Services include a multilingual support line, legal assistance for family law and immigration concerns, client advocacy, emergency shelter, support groups and a men’s violence prevention program. Economic empowerment services include computer and employment training and English (ESL) language classes.

9) One Circle Foundation
734 A Street, Suite 4
San Rafael, CA 94901
(415) 419-5119
www.girlscircle.com

Using gender-specific support groups for juveniles ages 9-18, One Circle Foundation addresses school and peer leadership, health education, the juvenile justice system and economic literacy. Participants take part in outdoor adventure classes, boys and girls clubs, gang-prevention, substance abuse prevention and pregnancy prevention education.

One Circle Foundation offers facilitator training, using evidenced-based results. These include decreases in alcohol use, decreases in self-harming behaviors and increases in attachment to school.
10) St. James Infirmary
1372 Mission Street
San Francisco, CA 94103
(415) 554-8494
www.stjamesinfirmary.org

Holistic health services provided for sex workers, including STI/HIV/AIDS testing, acupuncture, massage, mental health treatment, counseling and support groups. Career training is offered for sex workers interested in working in the medical field.

11) San Jose Police Department Human Trafficking Task Force
888-3737-888
StopSlavery@sanjoseca.gov

The SJPD’s Human Trafficking Task Force is a nationally recognized leader in human trafficking training. The SJPD training model focuses on identifying victims within communities, collaborating with local, state and federal law enforcement agencies and accessing funds for investigation and victim advocacy.
Appendix C – Rights of Human Subjects

Statement of Informed Consent

You are invited to participate in a study of the administration of local policies affecting sex workers and victims of human trafficking in Marin County, California. This study is being conducted by Emily Sims, a graduate student enrolled in the Interdisciplinary Studies Program at Sonoma State University. This study will be supervised by Dr. Lena McQuade, professor of Women's and Gender Studies at Sonoma State University. We hope to gain an in-depth understanding of the governmental, nonprofit and community based services available to juveniles and adults affected by prostitution and human trafficking in Marin County. You were selected as a possible participant in this study due to your educational and professional background in the human services field.

If you decide to participate, we will discuss your knowledge of the presence of prostitution and human trafficking in Marin County and California-at-large, programs and services you are aware of which aid trafficked juveniles and adults, and your recommendations for improving law enforcement and social service responses to this topic. We will meet for a length of 1-2 hours, and may communicate via telephone and/or e-mail for verification of information and follow-up purposes.

Any information that is obtained in connection with this study, and that can be identified with you, will remain confidential and will be disclosed only with your permission or as required by law. If you give us your permission by signing this document, we plan to include the information you provide in the creation of a training manual for law enforcement and social service professionals. There will be no financial remuneration provided for participating in this research study.

Your decision whether or not to participate will not prejudice your further relations with Sonoma State University. If you decided to participate, you are free to withdraw your consent and to discontinue participation at any time without prejudice. If you have any questions, please ask us. You may reach me (Emily Sims) via telephone, #415-230-9918, or through e-mail: emily@atlantiswriting.com. You may also contact my faculty advisor, Dr. Lena McQuade via telephone, #707-664-2950, or through e-mail: mcquade@sonoma.edu.

You will be given a copy of this form to keep. YOU ARE MAKING A DECISION WHETHER OR NOT TO PARTICIPATE. YOUR SIGNATURE INDICATES THAT YOU HAVE DECIDED TO PARTICIPATE HAVING READ THE INFORMATION PROVIDED ABOVE.

Subject’s Name

Subject’s Signature

Date

Emily Sims (Student Researcher)
Protocol Summary Sheet

If requesting Exception or Expedited Review, specify category (see Appendix B):

Title of Project: Law enforcement and social service responses to crimes involving sex workers and victims of human trafficking in Marin County.

Brief description of purpose of project: I plan to create a training manual for law enforcement and social service professionals which will enhance the social services provided to sex workers and victims of human trafficking in Marin County.

| Subjects | Number: 10-15 | Population: Law enforcement professionals/social service providers |

Source/How contacted: e-mail/telephone

Check all that apply: ☐ Tests ☐ Questionnaires ☐ Interview guide ☐ Other: X Telephone ☐ Mail or email ☐ In person

Length and frequency of procedure: 1-2 hours per interview, 1-5 meeting per participant

Setting: Participants' offices/workplaces

Data will include:

☐ written notes ☐ audio tape ☐ video tape ☐ photography ☐ film X other: Written documentation provided by research participants

Data will be used for:

☐ publication ☐ evaluation ☐ needs assessment ☐ items ☐ Final Project

Informed Consent

X written (attach copy of consent form; see attached sample and checklist) ☐ oral (attach text of statement and request for waiver of written informed consent; see Appendix A)

Human Subjects Administrator: Date: 11/1/2011

Chair, IRB: Date:

Comments: Project is Approved

Version 2, Revised June 2007
Works Cited


