

HUMAN TRAFFICKING: LAW ENFORCEMENT'S
PERCEPTIONS AND KNOWLEDGE

by

STORMY MICHELLE SLIDER

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ABSTRACT

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Stormy Michelle Slider, M.A.

The University of Texas at Arlington, 2012

Supervising Professor: Jaya B. Davis

The perceptions and knowledge of law enforcement personnel regarding the issue of human trafficking was analyzed by utilizing a self-administered survey. There is a limited amount of literature available that addresses the role and responses to human trafficking amongst law enforcement personnel and was therefore taken into consideration during the analysis of this research study. The findings of this study found that there does not seem to be a significant statistical difference among law enforcement personnel's confidence in victim identification when related directly to the number of training hours they have received pertaining to human trafficking, with the outliers removed. It should be noted that the lack of significant findings could be the result of the small sample size that was surveyed.

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CHAPTER ONE

INTRODUCTION

1.1 Human Trafficking

Every year hundreds of thousands of men, women and children are trafficked in the United States as well as across international borders. Human trafficking is not only a violation of human rights but it is a serious crime against humanity. The victims are trapped in lives of misery and despair, forced to work as prostitutes or to take jobs as migrant, domestic, restaurant or factory workers. These victims often endure severe beatings, are repeatedly raped, and are deprived of the basic human necessities such as water, food and sleep. The issue of human trafficking also facilitates the illegal movement of immigrants across borders, which ultimately provides a ready-source income for organized crime groups and even terrorists (Federal Bureau of Investigation, 2012).

Human trafficking is a form of modern-day slavery and is also one of the fastest growing forms of crime throughout the world. The International Labour Office (2008) ranks human trafficking as the third largest criminal industry in the world, behind drug trafficking and arms dealing. It is estimated to generate \$32 billion per year, with sex trafficking accounting for \$7 billion. According to the United States Department of State (2002), there is an estimated 700,000- 1,000,000 men, women and children being trafficked across the globe each year, with 50,000 of them being imported into the United States. Unfortunately, these statistics are an estimate and do not accurately reflect the true number of victims since human trafficking is a hidden transnational commerce that occurs privately in homes or under the façade of a legitimate business (Wilson, Walsh, & Kleuber, 2006).

In order to address the issue of human trafficking, a victim-centered approach is crucial. By combining anti-crime and human rights objectives, the victims of human trafficking are given the protection they desperately need and deserve (U.S. Department of State, 2007). When the needs of the victims come first, they are more likely to step forward voluntarily to tell their stories. This will result in not only justice for the state who is fighting to end these slave-like practices but it also serves justice for the trafficked victim as well (U.S. Department of State, 2007). Local, state and federal agencies must

effectively work alongside non-governmental organizations to bring this often hidden crime to the public's attention and to strengthen the efforts that will put an end to modern-day slavery. Although there are federal programs in place to address the global criminal infrastructure engaged in human trafficking, there still seems to be a lack of training at the local level. As a result, local and state level agencies may not be prepared to recognize victims of human trafficking. Without effective local level responders, the crime problems connected with human trafficking will continue. This analysis is aimed at a detailed examination of the issue of human trafficking. By reviewing previous literature and surveying current law enforcement and/or criminal justice personnel regarding their knowledge about the issue, this research hopes to suggest recommendations for ways to improve the perceptions and attitudes about human trafficking in an attempt to increase victim identification. In the literature review which follows, the main issues that will be covered include: defining human trafficking, case study examples, the effects of trafficking, the different forms of trafficking, methods of control, human trafficking versus smuggling, theoretical explanations of trafficking, the contributing factors to the rise in trafficking, the United States' response to trafficking in persons, other countries' responses to the crime, laws and legislation, and lastly, law enforcement training. The second chapter will also detail some of the results of previous studies on human trafficking and will conclude with a discussion of the research questions that this study intends to analyze.

CHAPTER TWO

LITERATURE REVIEW

2.1 Defining Human Trafficking

On September 22nd, 1862, Abraham Lincoln announced the Emancipation Proclamation and issued the Executive Order on January 1st, 1863. Congress then passed and the states ratified the 13th Amendment to the Constitution in 1865; which stated that, “neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in the United States, or any place subject to their jurisdiction.” Despite the adoption of treaties and laws that prohibit slavery, the practice continues to exist through the trafficking in persons.

According to the Department of Homeland Security (2012), trafficking in persons, which is also referred to as human trafficking, can be defined as:

- The recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.
- 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.

Human trafficking contains three constituent elements: the act (what is done), the means (how it is done) and the purpose (why it is done). When considering whether a particular circumstance constitutes trafficking in persons, the definition along with these three elements are taken into consideration (UNDOC, 2009). There are many different forms of trafficking. Although not the only type of human trafficking, the most often considered and the type that receives the most attention is sex trafficking. Sex trafficking is when an adult is coerced, forced or tricked into prostitution, or maintained in prostitution through one of these means after initial consent. Sex trafficking may also occur within debt bondage after a person is forced into sexual slavery in order to pay off an “unlawful” debt that was accrued through their transportation, recruitment or their “sale.”

Linda Smith is a U.S. Representative that founded Shared Hope International in November of 1998 to fight sex trafficking and commercial sexual exploitation. Smith (2009) states that recognizing the technical terms can be useful in defining and understanding the scope of sex trafficking, which will be the first form of human trafficking that is discussed. According to Public Law 106-386, “commercial sex” occurs when money or something of monetary value (drugs, shelter, food, clothes, ect.) is exchanged for a sex act (Smith, 2009). Furthermore, sex trafficking is a component of commercial sex. This is “the recruitment, harboring, obtaining, and transporting of persons by use of force, fraud, or coercion for the purpose of subjecting them to commercial sexual exploitation” (Smith, 2009, p. 25). Sex trafficking occurs when a human is bought or sold for a sexual act for the benefit another person. This can occur by the individual, a family member, some outside party, a facilitator, or any other party in any form of a business arrangement (Smith, 2009). A facilitator is “any business or person allowing a trafficker/pimp to carry out his/her exploitations. These facilitators may include taxi drivers, hotel owners, newspapers where girls are advertised-work in direct and indirect partnerships with pimps to enable the commercial sexual exploitation of human beings” (Smith, 2009, p. xiii).

Linda Smith focuses her tenacity and advocacy towards the sex trafficking of children. According to the federal law, the sex trafficking of children occurs when minors (under the age of 18) are sold for sex or a sexually-related activity. These may include but are not limited to: prostitution, stripping or exotic dancing, and/or child pornography (Smith, 2009). In addition, Smith (2009) explains that when the term “domestic” and “minor” are added to this definition it is known as “Domestic Minor Sex Trafficking.” This term is used in reference and regards to the children who are being sex trafficked within the borders of the United States (Smith, 2009).

2.2 The Different Forms of Human Trafficking

According to the United Nations (2002), human trafficking involves “an act of recruiting, transporting, transferring, harbouring or receiving a person through a use of force, coercion or other means, for the purpose of exploiting them.” There are many different forms of trafficking. Although not the only type of human trafficking, the most often considered and the type that receives the most attention is sex trafficking. Sex trafficking is when an adult is coerced, forced or tricked into prostitution, or maintained

in prostitution through one of these means after initial consent. Sex trafficking may also occur within debt bondage after a person is forced into sexual slavery in order to pay off an “unlawful” debt that was accrued through their transportation, recruitment or their “sale.” Child sex trafficking occurs when the individual is under the age of 18. Force, fraud or coercion does not need to be proved in order to prosecute the trafficker or to be characterized as child sex trafficking (Department of State, 2012). Sex trafficking operations can be found in the form of prostitution, brothels, pornography, exotic dancing/stripping, massage parlors, escort services and modeling studios. The U.S. Attorney General’s 2006 Report to Congress stated that global estimates reveal that “more than 80% of human trafficking victims are women and girls, and 70% of them are forced into sexual servitude” (U.S. Department of Justice, 2006).

Another common form of human trafficking is forced labor. Common types of forced labor may include farm workers that are coerced through violence to harvest and tend to crops or even factory workers that may be held captive in inhumane conditions with little to no pay (Polaris Project, 2012). Migrants tend to be particularly vulnerable to this type of trafficking but individuals may also be forced into labor within their own countries. Forced child labor is also increasingly prevalent. Indicators of possible forced labor of a child may include situations in which the child appears to be in the custody of a non-family member who has the child performing duties that financially benefit someone other than the child (Department of State, 2012).

A third type of human trafficking is involuntary domestic servitude. Domestic workers perform duties such as cooking, cleaning, child and elder care, outside work and any other household chore that the victim’s employer feels is necessary (Polaris Project, 2012). Unlike the other two forms previously mentioned, it has unique circumstances. Contrary to sex trafficking and forced labor, involuntary domestic servitudes are typically informal, connected to off-duty living quarters and are not usually shared with other workers. This forces the victim into isolation making it more difficult to be found and freed. As Authorities cannot inspect homes as easily as formal workplaces (Department of State, 2012).

Lastly there is child soldiering, which is a manifestation of human trafficking. Force, fraud and coercion are used to unlawfully recruit children as combatants for labor and/or sexual exploitation by

armed forces. Their perpetrators include government forces, paramilitary organizations, or rebel groups (Department of State, 2012).

2.3 Methods of Control & Trafficking vs. Smuggling

Traffickers use three primary methods to control their victims: force, fraud and coercion. Success for these traffickers is dependent upon their capability of controlling their victims and whether or not they are able to instill enough fear in order to break the victims' resistance. Traffickers often use a variety of control mechanisms, which vary from one victim to the next. Traffickers rape and beat their victims to force them into cooperating. However, absence does not mean the victim is not being controlled (UNDOC, 2009).

Fraud can be defined as any false promise or advertisement that leads one into a situation where they are left vulnerable to becoming a victim of human trafficking. For example, those living in third world countries often seek better opportunities within the United States in an effort to have a better life for their families and themselves. Unfortunately, they are frequently smuggled then trafficked for forced labor or prostitution once they arrive.

Coercion is also utilized as a primary method for traffickers to exert control over their victims. This is executed through violence or the threat of violence not only on the victim but against his/her family as well. Traffickers will often shame their victims by exposing their true circumstances to their families. In addition, other common threats may include those of imprisonment and/or deportation for immigrant violations if the victim were to contact the local authorities.

According to the United Nations Office on Drugs and Crime (2009), some of the commonly found control measures that force, defraud and/or coerce an individual are as follows:

- Violence and threats of violence
- Deception
- Imprisonment
- Collusion
- Debt bondage
- Isolation

- Religion, culture and belief

Violence or the threat of violence is used by traffickers to force and/or coerce their victims into cooperating and can be utilized at any stage of the trafficking process. As aforementioned, the victims are not the only targeted subjects. Traffickers frequently threaten the friends and family members of victims as well. It is only important that the threat is believed not whether or not it can actually be carried out. Furthermore, traffickers will sometimes use indirect threats to force victims to comply by making an example out of another victim with beating and/or possibly killing that victim. The United Nations Office on Drugs and Crimes (2009) states that direct violence at the early stages of human trafficking varies depending on the type of trafficking, the source location and also the local conditions. For example, a victim who is sexually exploited may be initially trafficked through the use of deception but then later controlled by violence or through the threat of violence if he/she tries to resist or escape. Contrarily, child soldiering victims may be obtained by violent abduction followed by long-term conditioning (UNDOC, 2009).

As previously mentioned, those living in third world countries often seek better opportunities within the United States in an effort to have a better life for their families and themselves. Traffickers take advantage of these types of people by tricking and deceiving them into a life of slavery. A trafficker's job becomes easier in places that are undeveloped and also because people in these areas have unrealistic expectations of what life is like in other countries. Deception usually takes place at the beginning stages of the trafficking process but may exist throughout. For example, a person might be promised a job in a bar but is then forced to work in a brothel. This is known as complete deception. In order to maintain control over their victims traffickers will often suggest that the local authorities are corrupt and that they cannot be trusted. A victim does not have to be completely deceived in order to be trafficked; partial deception is also an effective means. In the case of partial deception, a person might be told that they will work as a domestic servant with reasonable conditions, but actually find themselves in a situation where they are not paid and kept as a slave (UNDOC, 2009).

Many victims are imprisoned in order for traffickers to be able to control them. They are kept in locked buildings and secure compounds where they are constantly guarded and watched so that they

cannot escape. Even those victims who appear to have some freedom are still under the continuous supervision of their trafficker (UNDOC, 2009).

Collusion is known as an agreement or any secretive cooperation that is carried out for an illegal or deceitful purpose. Traffickers sometimes use collusion in conjunction with the illegal acts that they are forcing their victims to perform. This helps ensure the victims' compliance and also makes it much more difficult for law enforcement agencies to investigate. Examples of collusion may include but are not limited to: victims receiving minimal compensation to send back to their families, a woman who agrees to be a prostitute, but then does not consent to every sexual act that she performs and lastly, any illegal act such as pickpocketing, theft, credit card fraud and/or the transportation of drugs where the victim has not only been exploited but has also committed several crimes (UNDOC, 2009).

Another commonly found control measure used to force, fraud, and/or coerce an individual is debt bondage. The United Nations Office on Drugs and Crime (2009) states that debt bondage involves charging victims steep fees to not only transport them but also for their housing, food and other false expenses accrued while the victim is working. Victims are typically unaware of how much these fees will be and traffickers often add additional charges and outrageous interest to the victims' debt, making it impossible to ever be paid off. As a result, the victims are forever indebted to their traffickers and continue to remain under their control. However, in some cases the victims actually do pay off their debt. This is usually done when the victim becomes a risk to the operation or presents competition with the traffickers. Victims can also pay off their debt by being "promoted" and then becoming part of the trafficking operation (UNDOC, 2009). In some cases, victims actually pay cash up front to be smuggled but are then asked for more money once en route or when they reach their final destination. The reality is that they have been trafficked and their "debt" will then be used against them for exploitation purposes (UNDOC, 2009).

Trafficking is similar to the crime of smuggling, but there are distinct differences between the two (Rizer, & Glaser, 2011). The United States Immigration and Customs Enforcement (ICE) defines smuggling as the "importation of people into the United States involving deliberate evasion of immigration laws and includes bringing illegal aliens into the country, as well as the unlawful transportation and harbouring of aliens already in the United States" (ICE, 2012). Human smuggling is typically conducted with the purpose of financial gain or some type of material benefit for the smuggler, although these are

not necessarily elements of the crime itself (Rizer, & Glaser, 2011). Furthermore, human smuggling generally takes place with the consent of the person(s) who are being smuggled and who are willing to pay large amounts of money in order to be smuggled (Rizer & Glaser, 2011). Human smuggling is transportation based whereas trafficking centers on exploitation. The two terms are not interchangeable (ICE, 2012).

As aforementioned, there are distinct differences between the two crimes. Contrary to smuggling, human trafficking “targets the trafficked person as an object of criminal exploitation” (Rizer, & Glaser, 2011, p. 71). Rizer and Glaser (2011) also state that the purpose of trafficking is to profit from the exploitation of the victim and that human trafficking does not require the crossing of an international border. Unlike trafficking, human smuggling does require the illegal entry of a person(s) across the international border. Rizer and Glaser (2011) define human smuggling as “the facilitation, transportation, attempted transportation or illegal entry of a person(s) across an international border, in violation of one or more countries laws, either clandestinely or through deception, such as the use of fraudulent documents” (p. 71).

Victims also sometimes find themselves in situations where they consider themselves to be in a relationship with their trafficker or where they feel that compliance is the only way to survive. Relationship control is often referred to as “Stockholm Syndrome.” The United Nations Office on Drugs and Crime (2009) characterizes Stockholm Syndrome as capture bonding and states that it occurs when a victim has an apparent irrational bond with their victimizers. Common examples of relationship control include parent/child relationships where the parent exploits their own child for labor or sexual purposes, forced begging or domestic servitude. Parents control the child simply because the child trusts them or because they have no choice but to comply. In addition, many boyfriend-girlfriend relationships are also commonly found among victims and their traffickers. Traffickers tend to prey on the vulnerable population: young women and children. According to the Polaris Project (2012), traffickers often target populations who have a history of abuse then use violence, threats, lies, false promises, debt bondage as well as many other forms of control and/or manipulation to keep their victims locked into this industry. Other factors that can leave these populations vulnerable to traffickers include children who lack parental supervision, young females without the presence of a stable male authority figure, runaways and lastly, children who

become homeless as a result of running away. Traffickers develop a boyfriend-girlfriend relationship with these individuals and eventually use this type of control to have the women and children “prove” their love by doing something they would not normally consent to (UNDOC, 2009).

Human trafficking victims are typically isolated as a result of their situations and circumstances, which makes it much more difficult for the success of their rescue. According to the Department of State’s Trafficking in Persons Report (2012), the following are common mechanisms utilized to isolate victims. First of all, traffickers will restrict the movement of their victims by confiscating their passports, visas, and/or any other type of identification document. The traffickers are constantly accompanying the victims, answering questions for the victims and speaking on their behalf. The traffickers isolate their victims by not disclosing his or her location and by forcing the victims to live and work in the same location.

The Department of State’s Trafficking in Persons Report (2012) also describes the types of conditions that many victims have to endure while in isolation. They are forced to live in harmful living conditions, they have restricted access to food and appropriate clothing, and they are also forbidden access to adequate medical care. In addition, the victims have little time off from work as well as insufficient time to sleep.

Trafficked victims not only live in harmful conditions, but they are also forced to work in harmful conditions. They are typically promised a better life and more work opportunity in exchange for a fee that is nearly impossible to pay off. The victims work unusually long hours with few or no breaks and they receive limited days off with little or no pay (Department of State’s Trafficking in Persons Report, 2012).

The last type of control mechanism that the United Nations Office on Drugs and Crime (2009) reports is, religion, culture and belief control. Victims are denied the freedom to practice or to take part in any religious practices, which ultimately has devastating effects on their psychological well-being. In addition, traffickers also exploit a victim by using their culture and set of beliefs to shame them and make them think that nobody will believe the victim or that their friends and family will be embarrassed by their actions.

2.4 Sex Trafficking in Practice

The following case study paints a devastating picture of life inside a brothel and furthermore, illuminates the importance of exploring the topic of human trafficking. A brothel, also called a bordello, cathouse and/or whorehouse, is typically a large apartment or house where sex acts are exchanged between the victim and buyer (Smith, 2009). These facilities are specifically designed for selling sex and include extreme security measures that are intended to keep the victims from escaping and to also prevent attacks by other criminals seeking the large amounts of drugs and cash that are kept inside the brothel (Smith, 2009). The facilities are guarded 24 hours a day and only close for short periods of time (Smith, 2009).

In the cities along the East coast, many Latino communities are deeply embedded with criminal activity that includes prostitution and the operation of brothels and massage parlors. In order to recruit buyers, the brothels are advertised with business cards that are routinely distributed near day-labor areas. According to Smith (2009), a buyer is “anyone who pays for or trades something of value for sex. This can be a family member of the clergy-anyone, male or female” (p. xii). In addition, Smith (2009) also states that a buyer or “John” is “a person paying another for sexual gratification, control, and/or domination” (p. xvi). The term “John” is used so that the customer has an alias and remains anonymous (Smith, 2009). The “Johns” drive the entire system. Without these buyers there would not be any sellers and there would not be any victims (Smith, 2009).

These East Coast Latino trafficking rings operate by using “stash” houses that are typically based in either New York or New Jersey. Calls are made throughout the week to determine which brothels need girls and exactly how many are needed. The girls are then delivered to the brothels on a Monday, work through the entire week, then return to the “stash” house on Sunday. The women are usually prostituted for around \$600 per day and about \$30 per 15 minutes. They also never see any of the money that has been collected from the buyers. The brothel gets to keep 50 percent of the profits made and the remainder is sent to the “stash” house, which is used to pay off the girls’ “debt.” It is estimated that human trafficking victims can service up to 55 men in any given business day. When they are not being forced into sexual slavery, they are locked inside small one-bedroom apartments with little or no furniture and only one or two mattresses on the floor where dozens of women must sleep. Victims are primarily illegal

immigrants who do not speak English. About 80 percent are Mexican whereas the other 20 percent are from the Dominican Republic, Honduras, Guatemala, El Salvador, and other countries (Shared Hope International, 2006).

Human trafficking is not limited to illegal immigrants. American women and children can also be victims of human trafficking. Traffickers often prey on young, vulnerable girls who come from families of mental, physical and/or sexual abuse, then lure them into the world of prostitution. The following is a quote from a domestic minor sex trafficking survivor:

“I was 14 years old and the way the pimp came at me was that I did not even know that he was a pimp. He came at me like a boyfriend. Yes he was an older boyfriend but he cared for me... six months later he told me ‘Lets run away together. We can have a beautiful house and family.’ And I believed him. We ran away but then the story changed and I met the other girls that he had in his stable. I was forced to go out every night and work the streets. The alternative was being gang raped by a group of pimps while everyone else watched” (Shared Hope International, 2006).

2.5 The Effects of Human Trafficking

Human trafficking can include commercial sexual exploitation, the prostitution of minors, debt bondage and forced labor. Human trafficking strips individuals of their human rights. This crime not only affects the victims and puts the citizens of the communities at risk for the spread of infectious diseases, but it also infringes on the security needs of the states.

According to the Department of Health and Human Services (2012), there are also multiple psychological harms that arise as a result of being trafficked. These include mind/body/separation/disassociated ego states, shame, grief, fear, distrust, hatred of men, self-hatred, suicide, and suicidal thoughts. Many trafficked victims also suffer from Post-Traumatic Stress Disorder (PTSD), acute anxiety, depression, insomnia, physical hyper-alertness, self-loathing that is long lasting and reluctant to change (Department of Health and Human Services, 2012).

In addition to psychological harms, sex trafficked victims face numerous health risks. Physical risks include drug and alcohol addiction; physical injuries (broken bones, concussions, burns, vaginal/anal

tearings); traumatic brain injury resulting in memory loss, dizziness, headaches, numbness, sexually transmitted diseases (HIV/AIDS, gonorrhea, syphilis, urinary tract infections, pubic lice); sterility, miscarriages, menstrual problems; other diseases (tuberculosis, hepatitis, malaria, pneumonia); and forced or coerced abortions (Department of Health and Human Services, 2012). These conditions are a result of the methods used to “condition” a victim which include, starvation, confinement, beatings, physical abuse, rape, gang rape, threats of violence to the victims and their families, forced drug use and the threat of shaming the victims by revealing their activities to their families and families’ friends (Department of Health and Human Services, 2012).

Human trafficking has an impact on the security needs of the states. Trafficking in persons often originates outside the United States and is driven by gender inequality, the absence of equal opportunity, economic disparities, corruption and vulnerability due to failing judicial and law enforcement systems, civil instability and the failure of states to protect and provide for their citizens (International Labour Organization, 2008). These unstable countries affect the commerce of the United States who considers its economy a crucial national security interest (Rizer, & Glaser, 2011).

Although globalization has many benefits, it also adversely affects national security by contributing to the cause of terrorism (Rizer, & Glaser, 2011). Because human trafficking is facilitating the illegal movement of immigrants across borders, this ultimately provides a ready-source income for organized crime groups and even terrorists (Federal Bureau of Investigation, 2012). The globalization of the international economy, the internationalization of markets and the integration of organized criminal activity has significantly impacted domestic criminal activity and also has broader implications (Rizer, & Glaser, 2012). As a result, there is a connected world that allows criminal organizations, terrorists, drug traffickers and human traffickers to operate in areas that are not highly regulated, allowing for freer movement of trafficking in persons through travel as well as communication in both domestic and foreign realms (Rizer, & Glaser, 2011).

The security needs of the state and national security can also be impacted on a diplomatic level. The United States may sanction a country that has excessive violations of human trafficking laws (Rizer, & Glaser, 2011). If a decision is made to place a country on the Tier 2 or Tier 3 human trafficking lists,

which will be further discussed in Section 2.8, this can greatly influence and have a detrimental outcome on the diplomatic relations (Rizer, & Glaser, 2011).

The third way that there may be a breach of national security is by the penetration of the American borders. Rizer and Glaser (2011) explain that anytime criminals enter the United States illegally, they tend to view the U.S. as a fertile ground for violence. This impacts the citizens of every community and all persons across the nation. Terrorists and spies also try to seek access into the United States through trafficking in persons (Rizer, & Glaser, 2011). The trafficking of weapons and drugs are generally associated with human trafficking and also pose a threat to national security. As a result of the connection between terrorism and human trafficking, the United States government formed the Human Smuggling and Trafficking Center (HSTC) (Rizer, & Glaser, 2011). To facilitate the exchange of information to support the investigation and prosecution of all criminals who engage in human trafficking (Rizer, & Glaser, 2011).

2.6 Why Trafficking is on the Rise

There are numerous reasons for the rise in trafficking in persons, also referred to as human trafficking. First of all, criminal organizations take advantage of those who live in poverty, despair, war, or other crises as well as those who have unfortunately not been educated about the entrapment by traffickers. The globalization of the world economy has increased the movement of people across borders, legally and illegally, especially from poorer to wealthier countries. International organized crime has taken advantage of the freer flow of people, money, goods and services to extend its own international reach (Miko, & Park, 2002).

There are several other factors that play a role in the rise of human trafficking. Many societies within this world still favor sons and view girls as an economic burden. In impoverished countries, there are sometimes desperate families that are willing to sell their own daughters to brothels or traffickers to relieve themselves of any kind of payoff or the debt that may be accrued as a result of marrying off their daughters (Miko, & Park, 2002).

The possibility of a better life abroad has also made many victims vulnerable to the entrapment of traffickers. Unfortunately, there has been a weakening of law enforcement personnel in post-Communist

societies which has allowed criminal organizations to not only establish themselves as a profitable business, but has also allowed them to expand substantially in the international arena of human trafficking (Miko, & Park, 2002).

The high demand, worldwide, for trafficked women and children for sex tourism, sex workers, cheap sweatshop labor, and domestic workers has also encouraged traffickers to prey on these vulnerable victims in order to increase their profits through little to no income to the workers (Miko, & Park, 2002).

The inadequacy of laws and law enforcement in most origin, transit, and destination countries, continues to confine efforts to combat trafficking. Even in the United States, more effective legal remedies are just now being acknowledged and considered. Prostitution is legal and/or tolerated in many countries, and widespread in most. When legal action is taken against this crime, it is unfortunately directed at the prostitutes themselves and the traffickers tend to walk free. If traffickers are indeed held responsible for their actions, their punishment is usually less than those who have been found guilty of gun or drug trafficking (Miko, & Park, 2002).

The priority placed on stemming illegal immigration in many countries, including the United States, has resulted in treatment of trafficking cases as a problem of illegal immigration, thus treating victims as criminals. When police raid brothels, women are often detained and punished, subjected to human rights abuses in jail, and then eventually deported. Support for these victims has not been established, along with health care, and most importantly, access to justice. The majority of victims are reluctant to testify against the traffickers or those who hold them, living in fear of retribution for themselves and their families since most governments do not offer stays of deportation or adequate protection for witnesses (Miko, & Park, 2002).

Another reason for the rise in the trafficking is the conspiracy of governments. Many law-enforcement agencies and governments ignore the plight of trafficking victims and the scope of the trafficking problem. In some cases, police and other governmental authorities accept bribes and even conspire with traffickers by selling fraudulent documentation. In addition, local police often fear reprisals from criminal gangs so they find it easier to deny any knowledge of trafficking (Miko, & Park, 2002).

2.7 The United States' Response to the Issue of Human Trafficking

During the 1990's public awareness about human trafficking increased significantly after the release of two high profile cases. The first trafficking case took place in Monte, California, where a police raid of a garment factory uncovered an estimated seventy-two Thai nationals that had been forced to work in slave-like conditions. Dreaming of a better life for themselves and their families, the individuals traveled to the United States to start their new jobs as initially promised. Upon their arrival their passports were confiscated, they were confined to the compound and then threatened physically if they did not comply. Not only were the individuals themselves threatened but the perpetrators threatened to harm their families as well. The Thai nationals were forced to work for less than sixty cents per hour, up to eighteen hours a day, seven days per week (Hendrix, 2010).

The second high profile case that dramatically heightened public awareness about human trafficking occurred in 1997 after the New York Police Department unveiled a trafficking ring where sixty-two Mexican nationals were being forced to sell trinkets in the New York subways for twelve to eighteen hours per day, seven days a week. As in the case of the Thai nationals, the victims had been led to the United States on a false promise and were physically and sexually abused to ensure their cooperation. The traffickers also forced the workers to turn over all their earnings (Hendrix, 2010).

As a result of the aforementioned trafficking cases, the United States took action domestically as well as internationally. The U.S. took a proactive response by enacting Federal legislation that began to criminalize trafficking as well as sex tourism. Many states have also adopted anti-trafficking legislation. In 1998, the Clinton administration and the 106th Congress launched a government-wide anti-trafficking strategy of prevention, protection and support for the victims, and prosecution of traffickers. One of the major implications in combating human trafficking comes from the first comprehensive domestic legislation known as the Trafficking Victims Protection Act (TVPA). This act was signed into law on October 28th, 2000, by President Bill Clinton, and was supplemented by the Trafficking Victims Protection Reauthorization Act of 2003 as well as the Trafficking Victims Protection Reauthorization Act of 2005. The TVPA was also amended on December 23, 2008. According to Hendrix (2010), the purpose of the act is to "combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominately women and children, to ensure just and effective punishment of traffickers and to protect

their victims” (p. 184). Prior to the TVPA, there was not a comprehensive Federal law that existed to protect the victims of human trafficking or to prosecute the perpetrators.

The Trafficking Victims Protection Act utilizes a three-pronged approach known as the “Three P’s.” The first “P” safeguards the trafficking victims, the second establishes the protocol to prosecute the perpetrators and lastly, the third “P,” prevention, attempts to alleviate all future human trafficking cases by initiating innovative and contemporary measures (Hendrix, 2010). Protection for the victims may include but is not limited to, making housing, educational, health care, job training and other Federally-funded social service programs available in an effort to help assist the victims in rebuilding their lives (Department of Health and Human Services, 2000). In addition, the law also established the T-visa, which allows victims of trafficking to become temporary residents of the United States. The T nonimmigrant status (T-visa) provides immigration protection to victims of severe forms of trafficking in persons who assist law enforcement in the investigation and prosecution of human trafficking cases (Department of Homeland Security, 2011). In order to be considered for a T-visa, the following are required by the Department of Homeland Security (2011): The individual must be a victim of a severe form of trafficking in persons, they must be physically present in the United States on account of the trafficking, the individual must comply with any reasonable requests for assistance in the investigation or prosecution (or be under the age of 18) and they must also suffer extreme hardship involving unusual and severe harm if removed from the United States.

The TVPA authorizes up to 5,000 victims of trafficking each year to receive permanent residence status after three years from the issuance of their T-visa, which signifies a change of direction in immigration policy as well. Prior to the Trafficking Victims Protection Act, many victims were immediately deported as illegal aliens. In addition to the T-visa, Immigration and Customs Enforcement also hosts “Train-the-Trainer” conferences with special agents and collateral duty victim assistance coordinators that cover victim assistance responsibilities for agents (DHS: Blue Campaign, 2012). This also helps aid in victims’ protection against human trafficking. Furthermore, the law also allows trafficked victims the opportunity to take advantage of the Witness Protection Program (Department of Health and Human Services, 2000).

The second part of the “three P’s,” prosecution, has allowed for new law enforcement tools to be utilized in order to make human trafficking a Federal crime as well as enact stiffer penalties for the traffickers. The Department of Health and Human Services (2000) states that if a trafficking crime results in death or if the crime includes kidnapping, an attempted kidnapping, aggravated sexual abuse, attempted aggravated sexual abuse, or an attempt to kill, the trafficker could possibly be sentenced to life in prison. In addition, if the victim is under the age of 14, and was exploited by the use of force, fraud or coercion, for the purpose of sex trafficking (a commercial sex act), the trafficker could also be imprisoned for life. Lastly, if a child is between 14 and 18 years of age and the sex trafficking did not involve force, fraud or coercion; the punishment may result in up to 20 years in prison. The Clinton administration also fought for restitution for the victims by allowing civil lawsuits against their traffickers. Furthermore, the Department of Justice called for laws that would expand the definition of involuntary servitude, criminalize a broader range of actions constituting involuntary servitude, as well as increase the penalties for placing victims in involuntary servitude (Miko, & Park, 2002). Not only did the second part of the “three P’s” enact harsher penalties for the traffickers, but it also allowed prosecutors to go after any individual/group who profited from trafficking. It was no longer limited to those individuals and/or organizations that were directly involved (Miko, & Park, 2002).

The prevention measures include authorization and support for educational as well as public awareness programs. An example of an educational program is Traffick 911’s “traps of a trafficker,” which mentors and educates individuals who are in a juvenile detention program on how to prevent becoming a victim of trafficking. Public awareness programs are also extended into other countries where trafficking dangers are overshadowed by those who are seeking employment in other parts of the world and who may fall prey to the lures of human traffickers. The Clinton administration also outlined the need for programs to increase economic opportunities for potential victims as well as advocated for more funding for research on the issue of human trafficking (Miko, & Park, 2002).

The TVPA also sets standards for other countries that have been designated as places where forms of severe trafficking originate as well as places where a significant number of victims are trafficked. Hendrix (2010) states that under these standards, the governments of such countries should attempt to “prohibit severe forms of trafficking in persons and punish such acts of trafficking” (p. 185). Furthermore,

the governments should implement the following measures: investigating and prosecuting the traffickers, encouragement of the victims to cooperate with law enforcement officials in exchange for protection, increasing awareness and educating the public, collaborating with other governments to investigate and prosecute severe forms of trafficking, extraditing persons charged with trafficking, monitoring immigration patterns, and finally, investigating and prosecuting public officials who engage in or facilitate human trafficking (Hendrix, 2010).

After a comprehensive evaluation, countries were ranked into three groups/tiers. The establishment of this ranking only listed those countries that are seen as having a significant human trafficking problem whether by source, transit and/or if they are seen as a country of destination. In addition some countries not listed may actually meet this criteria, but there is insufficient information available about their particular role (Miko, & Park, 2002).

Tier I is made up of countries deemed by the State Department to have a serious trafficking problem, but fully complying with the Act's minimum standards for the elimination of trafficking. (*Included are Austria, Belgium, Canada, Colombia, Germany, Hong Kong, Italy, The Netherlands, Spain, Switzerland, Taiwan, and the United Kingdom*) (Miko, & Park, 2002).

Tier 2 countries are those whose governments the State Department views as not fully complying with those standards but making "significant efforts to bring themselves into compliance." (*They include Angola, Bangladesh, Benin, Brazil, Bulgaria, Burkina Fasso, Cambodia, Cameroon, China, Costa Rica, Cote d'Ivoire, Czech Republic, Dominican Republic, El Salvador, Ethiopia, France, Georgia, Ghana, Guatemala, Haiti, Honduras, Hungary, India, Japan, Kyrgyzstan, Laos, Lithuania, Macedonia, Mali, Mexico, Moldova, Morocco, Nepal, Nigeria, Philippines, Poland, Sierra Leone, Singapore, Slovenia, South Africa, Sri Lanka, Sweden, Thailand, Togo, Uganda, Ukraine, and Vietnam*) (Miko, & Park, 2002).

Tier 3 are those countries whose governments the State Department deems as not fully complying with those standards and not making significant efforts to do so. (*They include Albania, Bahrain, Belarus, Bosnia-Herzegovina, Burma, Democratic Republic of Congo, Gabon, Greece, Indonesia, Israel, Kazakhstan, Lebanon, Malaysia, Pakistan, Qatar, Romania, Russia, Saudi Arabia, South Korea, Sudan, Turkey, United Arab Emirates, and the Republic of Yugoslavia*) (Miko, & Park, 2002).

The Department of Homeland Security combats human trafficking through a combination of programs and coordinates these initiatives through the “Blue Campaign.” The Blue Campaign is also organized around the “three P’s, protection, prosecution and prevention,” but has created a “fourth P” that they believe is the key component: Partnership. The Department of Homeland Security’s Blue Campaign (2012) states that human trafficking is a global problem that requires a global situation. This campaign uses a victim-centered approach by incorporating local, state and federal government, non-governmental agencies as well as the private sector to help combat human trafficking and to properly identify the victims. The following are the Homeland Security Components that are responsible for combating human trafficking (DHS: Blue Campaign, 2012): ICE, CBP, USCIS and FLETC.

U.S. Immigration and Customs Enforcement, also known as ICE, is the leading and primary agency in charge of combating human trafficking. This federal agency works to dismantle human trafficking organizations, raise public awareness, rescue the victims and seek justice for the victims by aiding in the prosecution of their traffickers. ICE accomplishes their mission by utilizing all of their resources and by making full use of their personnel, training and expertise. In addition, they are able to strip away assets and profit incentive, collaborate with U.S. and foreign partners in order to attack networks worldwide, and lastly, ICE works in partnership with non-governmental agencies in an effort to identify, rescue and provide assistance to trafficking victims (DHS: Blue Campaign, 2012).

According to the Department of Homeland Security: Blue Campaign (2012), there are currently 63 ICE offices in 44 countries that are held accountable for the coordination of all international investigations with foreign counterparts and who provide assistance and support to domestic offices regarding human trafficking cases. Immigration and Customs Enforcement also provides training and outreach to foreign law enforcement agencies, non-governmental organizations as well as other international organizations that might benefit from strategies on how to combat human trafficking, forced labor and child sex tourism (DHS: Blue Campaign, 2012).

The second component within the Department of Homeland Security that is responsible for combating human trafficking is the U.S. Customs and Border Patrol (CBP). This agency employs an estimated 42,000 Custom Border Patrol officers and agents to help protect nearly 7,000 miles of land border and 327 ports of entry. U.S. Customs and Border Control is the largest law enforcement

organization in the nation and is uniquely situated in order to deter and disrupt human trafficking (DHS: Blue Campaign, 2012).

The third component that helps protect victims of human trafficking and other crimes, is the U.S. Citizenship and Immigration Services (USCIS). They help protect trafficked victims by providing one of two types of immigration relief: 1) T Nonimmigrant status (T Visa) and 2) U Nonimmigrant Status (U Visa) (DHS: Blue Campaign, 2012). The T visa is set aside for those who are or who have been victims of human trafficking, protects victims of human trafficking and allows victims to remain in the United States to assist in an investigation or prosecution of human trafficking (USCIS, 2012). The U visa provides temporary immigration benefits to aliens who are victims of qualifying criminal activity, and to their qualifying family members, as appropriate (USCIS, 2012).

The fourth and final component of the Department of Homeland Security's Blue Campaign (2012) is the Federal Law Enforcement Training Center (FLETC). This training center works in conjunction with ICE and all of the international law enforcement academies to develop human trafficking training modules and to also provide training for thousands of law enforcement personnel. The FLETC developed a web-based training course in 2010 that teaches officers how to properly identify a potential victim of human trafficking while performing their regularly scheduled duties (DHS: Blue Campaign, 2012).

The Bush administration and the 107th Congress continued to make the human trafficking one of their top priorities. In July of 2001, the State Department issued its first congressionally mandated report on worldwide trafficking. The report rated countries around the world based on the efforts they were making towards combating trafficking in persons and penalized those who failed to meet certain standards through U.S. sanctions, which began in 2003. Furthermore, during the 107th Congress, the Foreign Operations, Export Financing and Related Programs Appropriations Act of 2002 included over \$30 million in funds that helped fight human trafficking (Miko, & Park, 2002).

On February 13, 2002, President Bush signed an Executive Order establishing an Interagency Task Force to Monitor and Combat Trafficking in Persons. The Task Force was mandated by the Trafficking Victims Protection Act of 2000 (P.L. 106- 386), includes the Secretary of State, the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Director of the Central Intelligence Agency, the Administrator of the Agency for International Development, and the Director of

the Office of Management and Budget (Miko, & Park, 2002). The Task Force is responsible for improving the coordination among key players and organizations. The State Department Office to Monitor and Combat Trafficking in Person was tasked with assisting the Interagency Task Force in implementing P.L. 106-386 and Task Force initiatives (Miko, & Park, 2002).

The State Department also issued a fact sheet on February 14, 2002, detailing planned U.S. activities to stop human trafficking. The Departments of State and Justice were required to establish a Migrant Smuggling and Trafficking in Persons Center that would collect and disperse information from intelligence and law enforcement agencies. The Department of Justice created training programs for federal prosecutors, Immigration and Naturalization Service personnel, and FBI agents in 2002. The Department of Justice sought sponsors in Congress for legislation to punish Americans engaging in “sex tourism” abroad with minors. The Department of Labor was to establish six training and support centers for women victims or at risk of trafficking in major cities of Central and Eastern Europe and the Newly Independent States. USAID was given the responsibility with developing partnerships between source and destination countries to combat trafficking and lastly, the Department of Health and Human Services was to launch a public awareness campaign to encourage trafficking victims to come forward (Miko, & Park, 2002).

Human trafficking is one of the fastest growing areas of international criminal activity and is a top priority for the United States as well as the international community. It is considered the third largest source of profits for organized crime and continues to generate billions of dollars each and every year. The U.S. has teamed up with other countries in a collaborative effort to stop the buying and selling of human beings. In addition to Federal legislation, the United States is also working with the European Union, the Group of Eight, the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and numerous other individual countries to combat human trafficking (Miko, & Park, 2002). It is through these initiated bilateral and multilateral programs that countries may come together to help put an end to modern day slavery.

2.8 The International Response to Human Trafficking: Palermo Protocol

Human trafficking is a global issue that affects every country within the international community. For some countries the sex trade is the infrastructure and foundation for their economy. Hendrix (2010) gives the example of Thailand, where the sale of women and young girls for commercial sex acts is essential for their tourism industry. Unfortunately, many trafficked victims never come forward out of fear of retaliation from their traffickers and/or legal authorities. As a result, it is difficult to obtain accurate data for the total number of victims in existence. Many of the statistics are an estimate and are solely based on the number of rescued victims of human trafficking. In addition, several countries lack laws that consider human trafficking a crime. If such laws exist, they fail to accurately define the nature of human trafficking (Hendrix, 2010). Human trafficking poses substantial costs for not only the trafficked individual but for the international society as well. Even if the victims are fortunate enough to be rescued, they still endure relentless physical and psychological problems. As a result of their living and working conditions, the trafficked victims are extremely vulnerable to contract illnesses such as HIV/AIDS that are easily spread to others in the community. In terms of societal and international costs Hendrix states (2010) that human trafficking “leads to the perpetuation of crime and corruption by funding global criminal organization and suppressing the workforce in a way that reinforces the cycle of poverty” (p. 180).

The international community has responded to this global crisis by developing the Palermo Protocol, which was adopted by resolution on November 15, 2000, and was ratified by enough countries to enter into force on December 25, 2003. The goal of the Palermo Protocol is to unite countries throughout the world so that a collaborative effort is made to prevent and combat human trafficking, to protect the victims of trafficking and to cooperate with one another to eliminate this crime all together (Hendrix, 2010). The United Nations (2000) states that the drafters of the Palermo Protocol settled on the following definition for trafficking:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation

of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

In order to initiate the “three P’s” the Palermo Protocol states that parties to the protocol must strive to protect the trafficked victims’ privacy and identity, they must provide resources and assistance that is vital to their physical and psychological recovery, and the parties must also assist the victims by helping them reintegrate back into society. Secondly, the parties are required to adopt the necessary laws and legislation that would criminalize human trafficking and as a result, effectively punish the perpetrators. The Palermo Protocol adds that the adopted legislation should cover not only the individuals who intentionally commit the prohibited acts, but must also include any accomplices or persons involved in the organization and/or directing of others in human trafficking. Furthermore, the parties involved must develop policies, programs and procedures that are geared toward the prevention of human trafficking. In addition to addressing the “three P’s,” the protocol requires that the parties also concentrate on targeting the demand for trafficked victims. Finally, the protocol also advocates for supplemental law enforcement training in an effort to increase victim identification as well as the collaboration of all parties involved in order to raise the likelihood of punishment for the perpetrators of human trafficking (Hendrix, 2010).

2.9 The Training of Law Enforcement Personnel

Although the United States and the international community have responded to the human trafficking crisis with the Trafficking Victims Protection Act as well as the Palermo Protocol, there is a fractionalized law enforcement environment within the United States Policing is a local government function, therefore it is the police officer on the beat who will most likely come into contact with a victim of human trafficking (Wilson, Walsh, & Kleuber, 2006). There are an estimated 17,784 full time agencies in the United States, which include city, suburban, county, rural as well as state police agencies. Based on the number of agencies across the country, it is imperative that a national effort be established in order to address and combat the human trafficking epidemic (Wilson, Walsh, & Kleuber, 2006). Despite the steps that federal agencies have taken to prevent human trafficking and to prosecute the perpetrators, there is

a lack of literature that examines the role and responses to human trafficking amongst local law enforcement personnel (Caldwell, Galster, & Steinzor, 1997; De Baca, & Tisi, 2002; Landesman, 2003).

As aforementioned, there are many federal campaigns that have been implemented to raise awareness about human trafficking as well as to increase support for the victims. However, De Baca and Tisi (2002) suggest that it is the local police officers that are more likely to encounter the victims and perpetrators of human trafficking before federal agencies even become aware of the situation. In addition, De Baca and Tisi (2002) recommend that local law enforcement agencies seek out the federal agencies in order to work on increasing their knowledge about human trafficking, to become engaged in activities that are integrated with federal law enforcement, to set up groups that would work in a collaborative effort to prosecute more traffickers and most importantly, to increase victim identification (De Baca, & Tisi, 2002).

In the study presented by Wilson, Walsh, and Kleuber (2006), the researchers surveyed 163 municipal and county police departments with jurisdictions of 150,000 or more in population. The purpose of their study was to explore local law enforcement's response to human trafficking and to prompt future research that is essential in combating the issue. The following were included in the assessment: the attitudes and perceptions of the nature and extent of human trafficking in the United States, the training of law enforcement personnel on issues related to human trafficking, and the investigation activities of law enforcement related to human trafficking. The information gathered for this study was collected through the distribution of mailed surveys with the final response rate being approximately 83 agencies (Wilson, Walsh, & Kleuber, 2006).

The questions presented that were used to determine the attitudes and perceptions of law enforcement personnel towards human trafficking revealed that almost half of the agencies surveyed (46%) believed that it was a problem within their region but only 40% believed that it was a problem within their state. In addition, 35% viewed trafficking as a problem for local law enforcement agencies, 18% believed it was a problem within their own jurisdiction and only 12% believed that it was a serious issue in their department. Furthermore, an astonishing 72% believed that human trafficking was best addressed at the federal level (Wilson, Walsh, & Kleuber, 2006). Based on the participants' responses regarding their perceptions on human trafficking, the findings suggest that their knowledge is limited and that it may

reflect what is manifested in the media. They were also inclined to believe that mostly transnational organized groups committed human trafficking rather than other forms of criminal organizations as well as individuals (Wilson, Walsh, & Kleuber, 2006).

The survey also included several items to determine how many hours of training, if any, local law enforcement personnel had received that were strictly designed for the purposes of instruction about human trafficking. Only 8% reported that they had conducted or received training. However, 55% did report that they had participated in training pertaining to immigration laws and issues (Wilson, Walsh, & Kleuber, 2006). Not only did the findings reveal a lack of training amongst local law enforcement but the reports on investigations and arrests also indicated a lack of unprepared personnel. An estimated 23% of the agencies reported that they had conducted at least one investigation related to human trafficking in the previous three years but only 17% had actually made an arrest related to the crime. In addition, there were only 4% of the departments that had assigned personnel where their primary responsibility was to handle issues dealing with human trafficking. Instead of having a unit to focus solely on this crime, many agencies left the responsibility to divisions such as Vice, Organized Crime, Crimes Against Persons, Child Exploitation and Detective Bureaus. Lastly, the majority of the participating agencies (96%) did not have a policy that specifically addressed the needs of human trafficking victims (Wilson, Walsh, & Kleuber, 2006).

Wilson, Walsh, and Kleuber (2006) concluded that, local law enforcement officers are “ill prepared to recognize human trafficking victims or to investigate this emerging crime problem” (p. 158). Human trafficking has been noted as one of the most heinous crimes with the victims often hidden in plain sight. Unfortunately, many agencies believe that it is not their responsibility to handle trafficking in persons cases and they fail to recognize that they are the ones who will most likely come into contact with the victims. Landesman (2003) states that many U.S. police officers believe that women who sell their bodies for money do so by choice and that illegal immigrants are also criminals and should be deported. It is these negative attitudes and perceptions by local law enforcement officers that ultimately hinder their ability to provide protection and reduce crime.

Victim identification poses a major challenge to all law enforcement personnel across the United States. This issue is of particular concern to human trafficking as many victims generally fail to self-

identify. According to Stolz (2010), often individuals are in denial of their situation, fear law enforcement, fear retaliation by their perpetrators against them or their own family members, they may love their trafficker, be embarrassed of their situation because of cultural norms, have language barriers or simply lack the capability of expressing their emotions or the psychological trauma they have endured. Therefore, the responsibility of identifying these victims falls in the hands of law enforcement. Farrell, McDevitt and Fahy (2010) surveyed municipal, county, and state law enforcement agencies in an attempt to identify factors that predict the identification and investigation of human trafficking. Much like the study presented by Wilson, Walsh, and Kleuber (2006), the findings indicated that few agencies believed that the issue was a concern within their own community and that training seemed to only be implemented in departments of larger communities (Stolz, 2010). Based on their findings, Farrell et al (2010), proposed recommendations that would aid in the improvement of victim identification by law enforcement personnel. The recommendations include the training of more officers to identify and respond to human trafficking, the development of protocols to guide human trafficking identification and response, the collection and reporting of data on human trafficking investigation and lastly, to integrate human trafficking response into local crime activities (p. 271).

Trafficking is a domestic as well as international issue that cannot be addressed by only a fraction of agencies and/or countries. In order to effectively combat this crisis, local, state, and federal agencies, as well as the global community, must actively participate in the interdiction and prevention of trafficking in human beings. This research is exploratory in nature as very little is known about the perceptions of law enforcement toward human trafficking. The research questions that this study analyzed are as follows:

1. Is there a relationship between the quantity of human trafficking training and law enforcement perception?
2. Is there a relationship between the quantity of human trafficking training and the ability of law enforcement to properly identify a victim of human trafficking?

The challenge for law enforcement is immense. However, the human trafficking can be tackled by, first, changing the traditional law enforcement paradigm. Progress in this direction can only be accomplished through education and training of first responders about human trafficking.

CHAPTER THREE

METHODOLOGY

Based on the previous two chapters, human trafficking is a crime against humanity that not only affects the United States but the international community as well. Although steps have been taken to combat the issue, such as the Trafficking Victims Protection Act and the Palermo Protocol, there still seems to be a disconnect amongst law enforcement personnel. The primary reason for conducting this study was to explore the issue of human trafficking, to examine how law enforcement's perceptions can be affected based on the amount of training they have received in this area and lastly, to examine how their training and perception affects victim identification.

3.1 Sample Selection and Measurement Instrument

This thesis explores criminal justice practitioner's perceptions and knowledge regarding human trafficking. Therefore, the unit of analysis and sample elements in this study will be individual male and female criminal justice practitioners. The sample for this study was taken from the University of Texas at Arlington's 2012 Criminology and Criminal Justice fall graduate cohort program. A quantitative method was utilized by administering 38 surveys to graduate students. In addition to the survey, a letter was provided informing the participants of the purpose of the research and assuring confidentiality of their responses. Furthermore, SPSS student version 20.0 was used in the analysis of the completed student surveys. The self-administered survey was divided into three sections (See Appendix A for a complete copy of the survey). The first section consisted of general items assessing law enforcement's perceptions and knowledge regarding human trafficking. The second section consisted of questions that asked the participants about the personnel in their department/agency specifically assigned to handle human trafficking cases, about the perceived importance given the issue in their agency. This section also consisted of measures of the independent and dependent variables. The primary independent variable in

this study is the quantity of training law enforcement and/or criminal justice practitioners have received regarding the issue of human trafficking and the dependent variable in this research is the perceptions and knowledge base of law enforcement personnel pertaining to trafficking in persons. Finally, the third section of the survey contained demographic questions.

Table 3.1 provides the descriptive statistics for the sample population. It shows that there were a total of 38 participants with 19 being male and 19 being female. Secondly, it gives the age of each respondent in this study. Three of the participants were 22-25 years of age, six were 26-30, fifteen were between the ages of 31 and 40, nine were 41-50, three were 51-60 and lastly, two of the participants were age 61 or older. Third, it shows the race of each participant. 42.1 percent were African American, 13.2 percent were Hispanic/Latino, 39.5 percent were Caucasian and 5.3 percent claimed "other." None of the participants were American Indian/Native American or Asian American.

Table 3.1 Descriptive Statistics for the Sample Population N= 38.

Variables	N	Percent
<u>Gender</u>		
Male	19	50.0
Female	19	50.0
<u>Age</u>		
22-25	3	7.9
26-30	6	15.8
31-40	15	39.5
41-50	9	23.7
51-60	3	7.9
61 or over	2	5.3
<u>Race</u>		
African American	16	42.1
Hispanic/Latino	5	13.2
Caucasian	15	39.5
Other	2	5.3

Table 3.2 provides information about the agency affiliation for each participant. The responses of the participants were collapsed into categories for presentation purposes. County, county probation, county sheriff's, county sheriff's office and sheriff's, were placed into one category of "county." State and state parole were put into a category of "state." "None" represented those who did not claim to be

affiliated with any agency. The modal category of the participants, (39.5 percent), work for a police department. There was one participant serving in the United States military and three participants that claimed to work outside of the criminal justice sector.

Table 3.2 Agency Affiliation N= 38.

Variables	N	Percent
Federal	2	5.3
State	5	13.2
County	6	15.7
Police Department (City/Local)	15	39.5
Probation	3	7.9
Department of Family Protective Services	1	2.6
Military	1	2.6
Private Security	1	2.6
None	2	5.2

Table 3.3 indicates how many years each respondent has worked in the criminal justice field or any other related field. There were 5.3 percent of the participants stated that they had 0-1 years of experience, 23.7 percent had 2-5, 28.9 percent had 6-10, and 42.1 percent of the participants responded that they had been working in the criminal justice field or another related field for 11 or more years. Overall, the majority of the respondents have worked 6 or more years in the criminal justice field or some other related field.

Table 3.3 Years Worked in the CJ field or Other Related Field N= 38.

Variables	N	Percent
0-1	2	5.3
2-5	9	23.7
6-10	11	28.9
11 or more	16	42.1

In table 3.4, the majority of participants were neutral about whether or not prostitution is a choice. There were 78.9 percent who “strongly disagreed” that the victims of sex trafficking are only females and 78.9 percent that “strongly agreed” that human trafficking is a violation of human rights. As for trafficked illegal immigrants and whether or not they should be deported, the table reveals that 15.8 percent either agreed or strongly disagreed. There were also 36.8 percent that remained neutral, 26.3 percent that disagreed and 18.4 percent that strongly disagreed.

Table 3.4 Perceptions of Trafficking

Variables	N	Percent
<u>Prostitution is a Choice</u>		
Strongly Agree	5	13.2
Agree	5	13.2
Neutral	15	39.5
Disagree	6	15.8
Strongly Disagree	6	15.8
<u>Victims of Sex Trafficking are Only Females</u>		
Disagree	7	18.4
Strongly Disagree	30	78.9
<u>Trafficked Illegal Immigrants Should be Deported</u>		
Strongly Agree	1	2.6
Agree	5	13.2
Neutral	14	36.8
Disagree	10	26.3
Strongly Disagree	7	18.4
<u>Is Human Trafficking a Violation of Human Rights</u>		
Strongly Agree	30	78.9
Agree	1	2.6
Neutral	2	5.3
Strongly Disagree	4	10.5

3.2 Independent & Dependent Variables

The primary independent variable in this study is the quantity of training law enforcement and/or criminal justice practitioners has received regarding the issue of human trafficking, which was measured by asking the participants approximately how many hours of training they have ever received. A dummy variable was also created for the t-tests due to an outlier with 1200 hours. Table 3.5 shows the descriptive statistics for the independent variable. Responses were collapsed into categories for presentation purposes. Over half of the participants had received zero to four hours of training regarding human trafficking. There were 39.5 percent who had stated that they had received 5-24 hours of training. Two of the participants had 25 or more hours of training: one with 100 hours and the other with 1200.

Table 3.5 Hours of Training.

Variables	Mean	N	Percent
0		15	39.5
1-4		6	15.8
5-9		6	15.8
10-14		4	10.5
15-19		3	7.9
20-24		2	5.3
25 or more		2	5.2

The dependent variable in this research was the perceptions and knowledge base of law enforcement personnel pertaining to trafficking in persons. The variable was measured by asking participants to indicate on a scale of 0 to 10, their level of confidence when applied to identifying a potential victim of trafficking. A response of “0” indicated “not at all confident” and a “10” indicated that they were “very confident.” Table 3.6 shows the descriptive statistics for the dependent variable. Over

seventy eight percent responded with a 0-6 in their level of confidence when trying to properly identify a victim and only 3 out of the 38 participants felt very confident. The table also shows that there was one participant who did not respond.

Table 3.6 Confidence in Identifying a Victim.

Variables	N	Percent
0-1	7	18.4
2-3	11	28.9
4-6	11	28.9
7-8	5	13.2
9-10	3	7.9
Total	37	97.4
Missing	1	2.6

3.3 Hypotheses

There are two primary hypotheses being tested in this study. These hypotheses are as follows:

- H1- There is a positive relationship between the quantity of human trafficking training and law enforcement perception.
- H2- There is a positive relationship between the quantity of human trafficking training and the ability of law enforcement to properly identify a victim of human trafficking?

CHAPTER FOUR

ANALYSIS

Table 4.1 displays the results for independent samples t-test comparing the means for those who have received training and for those who have not received training for four items measuring perceptions of trafficking. A 5 point likert scale was used to assess the participant's responses. A "1" indicated that they strongly agree and a "5" indicated strongly disagree. Therefore, a higher response would indicate that those with training would disagree with the statement. The responses were dichotomized between those who have had training and those who have not had training. Those individuals who have had no previous training regarding human trafficking had a mean average of 2.31, whereas, those who have had training had a mean average of 1.17.

In the items "prostitution is a choice," "victims of sex trafficking are only females," and "trafficked illegal immigrants should be deported," the t-tests concluded that there was no statistically significant difference between those criminal justice practitioners who have had training regarding human trafficking compared to those who have not.

Table 4.1 Difference in Means T-Tests for Perceptions Regarding Human Trafficking by
No Training vs. Training

Item	No training	Training	P-value
Prostitution is a choice	2.69 (mean) .855 (st. dev.)	3.29 (mean) 1.367 (st. dev.)	.111
Victims of sex trafficking are only females	4.85 (mean) .376 (st. dev.)	4.79 (mean) .415 (st. dev.)	.696
Trafficked illegal immigrants should be deported	3.62 (mean) 1.044 (st. dev.)	3.38 (mean) 1.056 (st. dev.)	.511
Is human trafficking a violation of human rights	2.31 (mean) 1.888 (st. dev.)	1.17 (mean) .565 (st. dev.)	.053

Likert scale for responses- 5= strongly disagree
*p<.10

Table 4.2 displays the results for independent samples t-test comparing the means for those who have received training and for those who have not received training for their perception on the importance of the needs of the victims compared to the perceived need of the state, as well as their level of confidence in identifying a victim. A scale of 0-10 responses was used for both of the items. A “0” indicated “not at all important” and a “10” indicated “extremely important.” The item “level of confidence in identifying a victim” is significant at p<.10. The average mean of those law enforcement personnel and/or criminal justice practitioners who have no training was 2.25, whereas, those who have had training regarding human trafficking was 4.92. Although there is a statistically significant difference between the two means, it is important to note that even those who have had training were not very confident in identifying a potential victim of trafficking.

Table 4.2 Differences in Means T-Tests for the Importance of the Needs of the Victims Compared to the States' and the Level of Confidence in Identifying a Victim

Item	No training	Training	P-value
Importance of the needs of the victims compared to the states'	8.08 (mean) 2.109 (st. dev.)	6.79 (mean) 2.284 (st. dev.)	.110
Level of confidence in identifying a victim	2.25 (mean) 2.667 (st. dev.)	4.92 (mean) 2.653 (st. dev.)	.008

*p<.10

Table 4.3 displays the results for the bivariate correlation between the number of training hours and the respondent's level of confidence in identifying a victim of trafficking, however, there was an outlier of 1200 training hours included in this sample. The correlation is significant at the p<.10 level when the total sample is used.

Table 4.3 Correlations

		Hours of training	Level of confidence in identifying a victim
Hours of training	Pearson Correlation	1	.353*
	Sig. (2-tailed)		.032
	N	38	37
Level of confidence in identifying a victim	Pearson Correlation	.353*	1
	Sig. (2-tailed)	.032	
	N	37	37

*. Correlation is significant at the 0.05 level (2-tailed).

Table 4.4 displays the results for the bivariate correlation between the number of training hours and the respondent's level of confidence in identifying a victim of trafficking, however, the outlier was removed. When the outlier of 1200 training hours is removed, the bivariate correlation is no longer significant.

Table 4.4 Correlations Without Outlier

		Hours of training	Level of confidence in identifying a victim
Hours of training	Pearson Correlation	1	.026
	Sig. (2-tailed)		.880
	N	37	36
Level of confidence in identifying a victim	Pearson Correlation	.026	1
	Sig. (2-tailed)	.880	
	N	36	36

CHAPTER 5

CONCLUSION

This thesis explored criminal justice practitioner's perceptions and knowledge regarding human trafficking. The descriptive statistics for the sample showed that there were a total of 38 participants with 19 being male and 19 being female. Secondly, it gave the age of each respondent in this study. Three of the participants were 22-25 years of age, six were 26-30, fifteen were between the ages of 31 and 40, nine were 41-50, three were 51-60 and lastly, two of the participants were age 61 or older. Third, it showed the race of each participant. 42.1 percent were African American, 13.2 percent were Hispanic/Latino, 39.5 percent were Caucasian and 5.3 percent claimed "other." None of the participants were American Indian/Native American or Asian American. Furthermore, the majority of the participants (39.5 percent) worked for a police department. There was one participant serving in the United States military and three participants that claimed to work outside of the criminal justice sector. The majority of the respondents have also worked 6 or more years in the criminal justice field or some other related field. Although the majority of respondents have worked in the criminal justice sector for a significant amount of time, most had very little training hours regarding human trafficking.

The results revealed that the item "is human trafficking a violation of human rights" was significant at $p < .10$. A significance level of .10 was used due to the small sample size of only 38 participants. In addition, the items were measured using a likert scale with 1= strongly agree and 5= strongly disagree. Those individuals who have had no previous training regarding human trafficking had a mean average of 2.31, whereas, those who have had training had a mean average of 1.17. In the items "prostitution is a choice," "victims of sex trafficking are only females," and "trafficked illegal immigrants should be deported," the t-tests concluded that there was no statistically significant difference between those criminal justice practitioners who have had training regarding human trafficking compared to those who have not. Therefore the hypothesis, there is a positive relationship between the quantity of human trafficking training and law enforcement perception, was not supported and seems to be a reflection of the literature discussed. Previous research has found that not only is there a lack of training amongst local

law enforcement, but it reveals that the reports on investigations and arrests also indicate a lack of prepared personnel. The literature suggests that law enforcement's knowledge is limited and that it may reflect what is manifested in the media. Furthermore, there is a significant amount of law enforcement personnel who are unaware that it is not just transnational organized groups that commit the crime of human trafficking but that individuals and other forms of criminal organizations are responsible as well. Wilson, Walsh, and Kleuber (2006) even went as far to state that, local law enforcement officers are "ill prepared to recognize human trafficking victims or to investigate this emerging crime problem" (p. 158).

The results also revealed that the item "level of confidence in identifying a victim" was significant at $p < .10$. The average mean of those law enforcement personnel and/or criminal justice practitioners who have had no training was 2.25, whereas, those who have had training regarding human trafficking was 4.92. This was based on a scale of 0-10 with 0 indicating "not at all confident" and 10 indicating "very confident." However, when a bivariate correlation was used, the results revealed that there was no statistically significant difference between the hours of training and level of confidence in identifying a potential victim of trafficking. Therefore the hypothesis, there is a positive relationship between the quantity of human trafficking hours and the level of confidence in identifying a victim of trafficking was not supported. There does not seem to be a statistical difference based on the limited number of participants and because the sample did not represent a population that was strictly law enforcement personnel. It is important to note that even those law enforcement personnel and/or criminal justice practitioners who have had training in regards to human trafficking, were still not very confident when identifying a potential victim of trafficking. Victim identification poses a major challenge to all law enforcement personnel across the United States. This issue is of particular concern to human trafficking as many victims generally fail to self-identify. According to Stolz (2010), often individuals are in denial of their situation, fear law enforcement, fear retaliation by their perpetrators against them or their own family members, they may love their trafficker, be embarrassed of their situation because of cultural norms, have language barriers or simply lack the capability of expressing their emotions of the psychological trauma they have endured. Therefore, the responsibility of identifying these victims falls in the hands of law enforcement.

This study also had a few limitations. First of all, the results presented in this study were limited due to the small sample size of only 38 participants. In addition, not all of the respondents worked in the

criminal justice field and were only pursuing a degree in criminal justice. Two of the participants were also considered outliers due to their number of hours of training regarding human trafficking. They both had a significantly higher number of training when compared to the rest of the respondents. If the study could have surveyed a larger group of participants with a more equal amount of training, the results might have revealed that there was a positive relationship between the independent and dependent variables. Future researchers might want to take this area of study and survey nationwide, particularly focusing on local and state agencies. Local law enforcement is more likely to be the first to come in contact with victims and therefore, it is crucial that these personnel are specifically trained to be able to properly identify a victim. Another suggestion for future researchers based on this study is to continue to explore the nature of the crime of human trafficking. Every level of agency also needs to collaboratively work together to attack the crime of human trafficking and to potentially increase victim identification. It is not only important to implement training but the quality of training is equally as important. After attending an 8-hour human trafficking training course in the spring of 2012, I realized how inadequate the training for law enforcement really was. There was not enough information provided and the personnel appeared to not take the course seriously. It would be beneficial to create a training program that captures the audience's attention and allows the instructors to break into the typical law enforcement mentality. In addition, a training program might be best addressed by an individual who not only has a law enforcement background, but by an individual who also has a social work perspective. This would allow for the creation of a program that is truly a victim-centered approach. Lastly, it is imperative that training is specific for each department/agency and that the implemented protocol, target the sometimes biased opinions of law enforcement personnel as well as target the deeply embedded law enforcement paradigm.

APPENDIX A

HUMAN TRAFFICKING: LAW ENFORCEMENT'S
PERCEPTIONS AND KNOWLEDGE

Perceptions and Knowledge About Human Trafficking

Intended Purpose of This Survey: The purpose of this survey is to identify perceptions and knowledge about human trafficking.

1. Human trafficking and sex trafficking are different.

Yes

No

Not sure

2. On a scale of 0-10, with 0 indicating “not important at all” and 10 indicating “extremely important,” how important do you think the needs of the trafficked victims are in comparison to the needs of the state? For example, circling 2 would indicate the needs of trafficked victims are lower priority than the state and circling 5 would indicate that the needs of the victim and the state are equal. (Please circle only one)

0 1 2 3 4 5 6 7 8 9 10

3. Most traffickers/perpetrators of human trafficking come from which of the following: (Circle one response)

Lower class

Middle class

Upper class

All of the above

4. Please fill in the box that best describes your response. Only mark one box for each question.

(1= Strongly Agree, 2= Agree, 3= Neutral, 4= Disagree, 5= Strongly Disagree)

- | | 1 | 2 | 3 | 4 | 5 |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Prostitution is a choice | <input type="checkbox"/> |
| b. Victims of sex trafficking is restricted to only females | <input type="checkbox"/> |
| c. Illegal immigrants who are trafficked should be deported | <input type="checkbox"/> |
| d. Human trafficking is a violation of human rights | <input type="checkbox"/> |

5. At which agency level is human trafficking best addressed? (Circle one response)

Local

State

Federal

6. What does "TVPA" stand for?

7. Have you had any training in human trafficking?

Yes

No

7a. Approximately, how many hours of training have you received that was specifically designed to educate personnel in your agency about human trafficking?

7b. How many classes have you had that covered human trafficking?

0-2

3-5

6-8

9 or more

8. Are there specialized personnel within your department/agency that are assigned to specifically handle human trafficking cases?

Yes (If yes, please answer question 8a and 8b)

No (If no, please skip question 8a and 8b then go to question 9)

8a. How many personnel are assigned to handle these cases?

8b. Is handling human trafficking their primary responsibility?

Yes

No

9. How important is the issue of human trafficking within your department/agency?

Very important

Fairly important

Not very important

Not at all important

10. On a scale of 0-10, with 0 indicating “not at all confident” and 10 indicating “very confident,” please circle the number below that best describes your level of confidence when identifying a potential victim of trafficking.

0 1 2 3 4 5 6 7 8 9 10

11. Please indicate how many years you have worked in the criminal justice field or any related field.

0-1

2-5

6-10

11 or more years

12. What agency level do you work for? For example- Police Department, County Sheriff’s Office, Federal Law Enforcement, ect.

13. What is your gender?

Male

Female

14. What is your age?

18-21

41-50

22-25

51-60

26-30

61 or over

31-40

15. Which of the following do you most identify with? (Please circle only one response)

American Indian/Native American

Asian American

African American

Hispanic/Latino

Caucasian

Other

Your participation in the completion of this survey is greatly appreciated and is a vital part in future efforts to design training in the areas of human trafficking. Thank you.

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BIOGRAPHICAL INFORMATION

Stormy Michelle Slider was honorably discharged from the military in November of 2007, after serving four years on active duty service in the United States Marine Corps. She earned a B.A. in Interdisciplinary Studies from the University of Texas at Arlington in August of 2010. Her areas of study included criminal justice, psychology and social work. Ms. Slider also has a M.A. in Criminology and Criminal Justice that was earned from the University of Texas at Arlington in December of 2012. Her research interests include human trafficking, sexual assault, military sexual trauma and domestic violence. Stormy Slider is currently working on her second Master's degree in social work and is also pursuing a position with the United States Marshals as well as the DEA.