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Where are the Victims? Perspectives on U.S. Anti-Trafficking Policy: Funding & Practice

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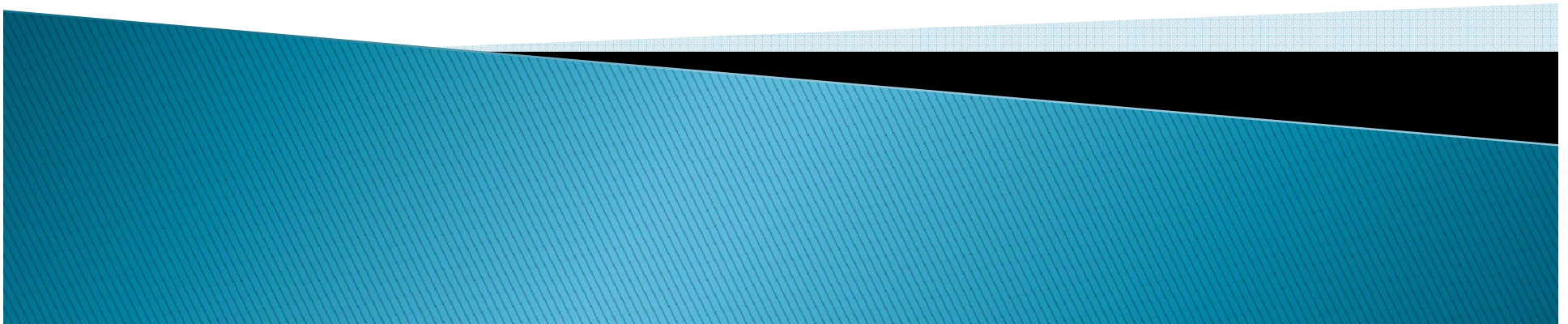
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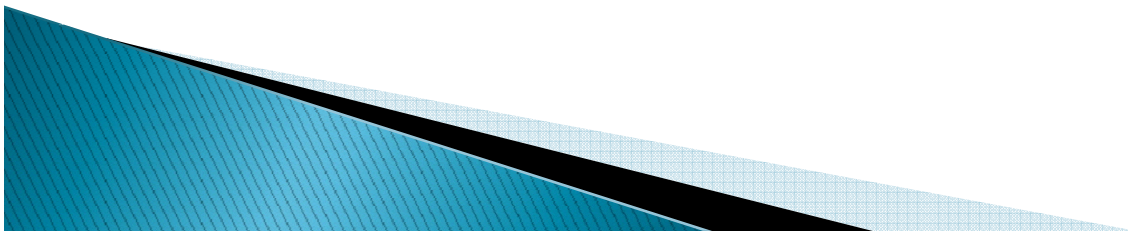
Where are the Victims? Perspectives on U.S. Anti- Trafficking Policy: Funding & Practice

Johnny McGaha, PhD
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Florida Gulf Coast University
Co-chair, Lee County anti-trafficking Task Force



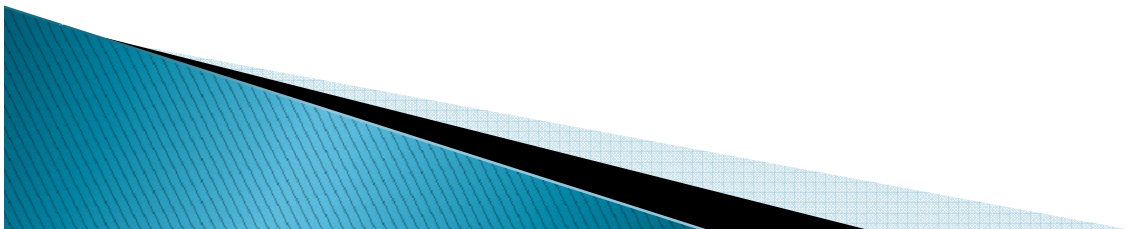
The Elephant in the Room

Human Trafficking policy based on facts & truth rather than passion and emotion



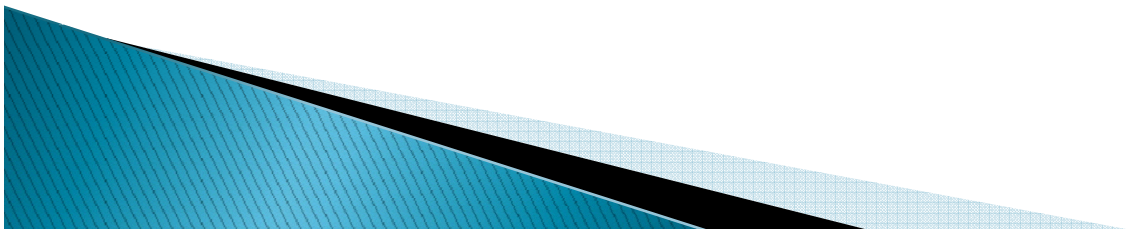
Ramos case: Classic Labor slavery

- ▶ Three victims finally came forth and agreed to testify. Between them they had 13 children to support. They had each managed to come up with \$250 to a “coyote” to smuggle them across the border. They found themselves broke and stranded in a border town. A trafficker promised them good jobs in Florida and they were transported in a van that made no stops across the country.



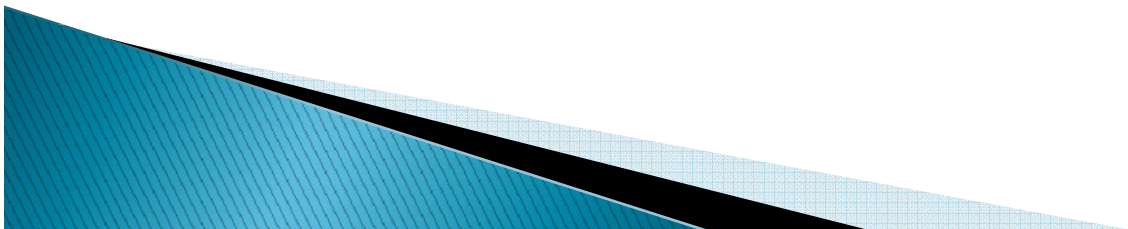
Ramos Bros: Slave trade Operation

- ▶ Once at an Agricultural farm in Florida the traffickers “sold” them to the Ramos brothers who paid \$1000 each for them.
- ▶ Placed in a dormitory for migrant workers, 6 men to a room. Slept on bare mattresses on the floor, worked 12 hour days in the field, 6 – 7 days a week. Monitored by armed guards. Friday’s were paydays. After all the multiple deductions they retained very little and still owed the \$1000 transportation fee to the Ramos.
- ▶ Based on their testimony the Ramos were convicted



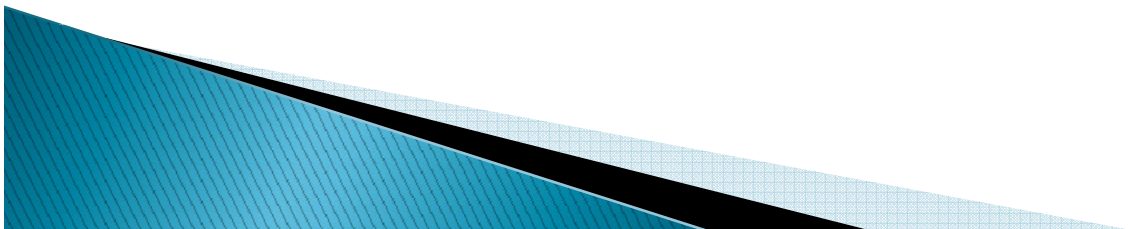
Ana - sex-trafficking/ bondage

- ▶ She did not know how to speak English or exactly how she crossed the border. She was not aware that she was in the US illegally. But when she arrived she was told that she was “in trouble” and that if the police discovered her they would put her in jail and that her parents would be murdered.
- ▶ She was put in a trailer that served as a portable brothel, primarily serving migrant farm workers. When she first refused to have sex the first time and tried to escape she was beaten and raped to “break her in”.



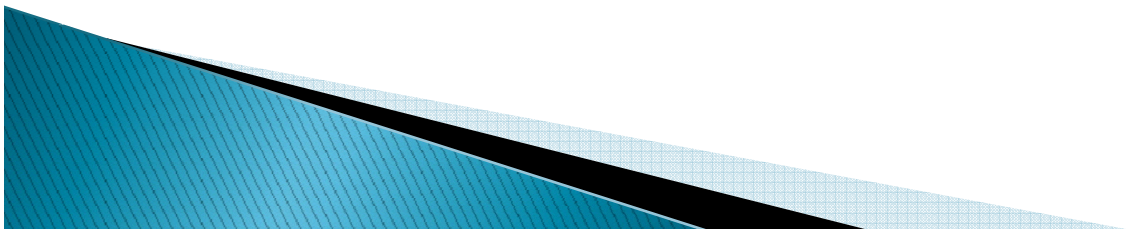
Ana – classic prostitution slavery

- ▶ She was told she would service men all day and night. Up to 20 a day.
- ▶ On a tip a police officer came and tried to talk to the girl but the officer could speak no Spanish. He ask the man sitting outside the door to translate. He told the girls in Spanish that the officer was there to arrest them. Ana did not know what he told the policeman but the officer left.
- ▶ After several more tips officers conducted an undercover operation and Ana was taken to a detention center where she helped the police make a case.



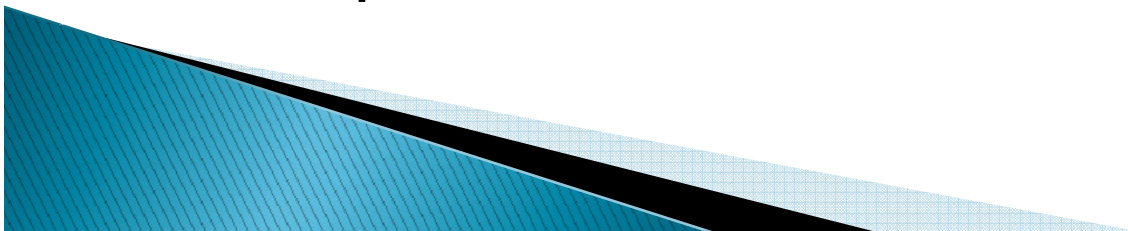
Isabel, 15 – Venezuela

- ▶ Grew up in a comfortable home in Maracay Venezuela with a loving family. While shopping with friends she was approached by an attractive young business woman who gave them compliments on how they looked and offered to buy them lunch. At lunch She offered them a part-time job selling cosmetics for her. They accompanied her to her hotel room to see the products and were given gourmet cookies and fancy drinks.



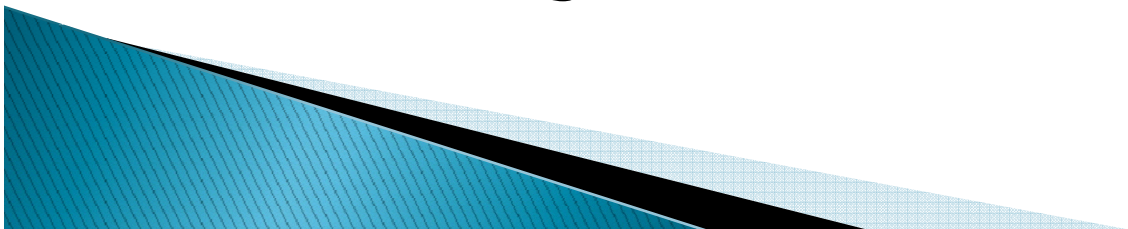
Forced child prostitution

- ▶ After having a drink Isabel remembers waking up in a very dark freight bin of a small boat. The woman had sold her into slavery and she was being transported across the Gulf of Mexico. Her friends were not there but other women were. The women were ushered off the boat and into vans where a man told her she was now his “property”. Told her that she was now in the US illegally and would be arrested and punished if found. Was informed that she had a debt to him and would pay it by working as a prostitute.



Isabel (cont)

- ▶ He and two other men “gang raped” her to break her in. She gave up completely and was forced to work as a prostitute near a military base in Florida for 11 months, sometimes servicing 30 men a day. She says she lost the ability to feel and doesn’t remember much.
- ▶ Again, after tips, the FBI investigated and took Isabel to a shelter where she helped with the prosecution and is undergoing counseling.



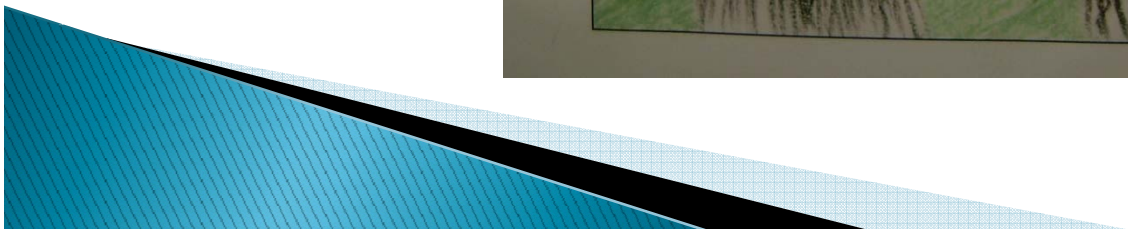
Center to Combat Trafficking in Persons, Moldova



U.S. Marshal Teaching CCTIP officers witness protection



Art therapy posted on CCTIP wall by trafficked victims in Moldova:



The Rose and the Sword



D(17) was brutally raped by her uncle when she was twelve years young. She couldn't stay in her native village; she was taunted and marginalized in school. When she was 16 she ran away from home. In Chisinau she was sold to work in Moscow. During six months she was forced to prostitute herself - another word for being raped regularly and systematically. Together with a friend she organized the escape of four girls from the brothel. In Moldova she testified against the pimp. Currently, D is married and has a child.

"The Rose and the Sword" symbolizes the sexual trauma, the vulnerability of women to brutality, the psychological suffering, the loss of innocence. The red color shows the interiorized aggressiveness, desire for revenge against those who destroyed her life.

D(17) a fost violată cu brutalitate de unchiul ei la vârsta fragedă. Nu a putut rămâne în satul său natal, ea era stigmată, marginalizată la școală. La vârsta de 16 ani D a fugit de acasă. În Chișinău a fost vândută pentru a lucra în Moscova. Timp de șase luni a fost forțată să se prostitueze - adică violată sistematic. Împreună cu un prieten D a organizat evadarea a patru fete din țara. În Moldova, a depus mărturie împotriva proxenetului. În prezent căsătorită și are un copil.

"Trandafirul și sabia" simbolizează trauma sexuală, vulnerabilitatea femeilor la fața brutalității, suferința psihologică, pierderea inocenței. Culoarea roșie indică agresivitatea interiorizată, dorința de răzbunare împotriva persoanelor care i-au distrus viața.

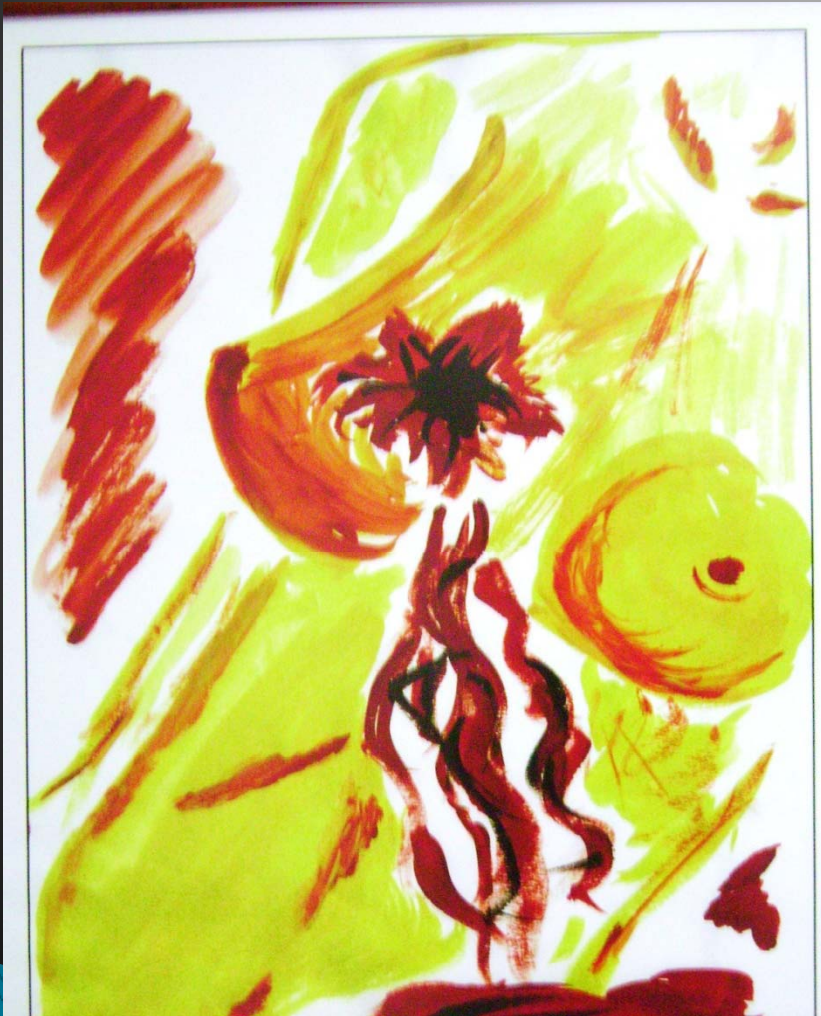
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Victims of sex trafficking in Moldova



Open Wound



D(17) was brutally raped by her uncle when she was twelve years young. She couldn't stay in her native village; she was taunted and marginalized in school. When she was 16 she run away from home. In Chisinau she was sold to work in Moscow. During six months she was forced to prostitute herself - another word for being raped regularly and systematically. Together with a friend she organized the escape of four girls from the brothel. In Moldova she testified against the pimp. Currently, D is married and has a child.

"Open Wound" shows a powerful clash between a beautiful feminine torso which is covered and tarnished with an open, bleeding wound in her chest. This picture reveals how torn she feels about her body, which has suffered many years of sexual violence.

Bird in a Cage



S(25) was trafficked to the Czech Republic and kept like an animal for eight months in a racehorse stable. During the day she had to look after the horses, at night the horse-back riders from town abused her sexually. She was fed oats and apples only. She ran away through the snow barefoot and pregnant. Today she works as a housekeeper in Italy.

"Bird in a Cage" When she was trafficked, she felt like a bird in a cage. It also reminds us of the five years she spent at a boarding school while her mother was in jail.

the Czech Republic and kept like an animal for eight months in a
the day she had to look after the horses, at night the horse-back
her sexually. She was fed oats and apples only. She ran away

S (25) a fost traflicată în Republica Cehă și ținută într-un grajd cu
animal. În timpul zilei, ea avea grijă de cai, iar în timpul nopții, oricui

A New life is not for her

C(17) was forced to give her body during three months on the highways of Moscow. She was beaten daily for refusing clients. She escaped jumping from the 3rd floor of a building where she was kept against her will while expecting a baby. She gave birth in Moldova.

"A new life is not for her" A black line is dividing the face of the girl in two parts. Before being trafficked she was strong as the tree near the house and she had a carefree face. After being trafficked: the tree is cut, the hair is loose and her eye in tears. She is tormented by memories: she sees the hands of the pimps, the money paid for her as merchandise. The gray color shows pessimism and despair.



"Double tree" The crown of the tree is bent to be ground showing pessimism, despair, and anxiety. The leaves on the ground are

„Copacul dublu”. Coroana copacului este îndoită spre pământ,

Darrell Self (DHS/FLETC) & Kevin Haniff (IRS) CCTIP training team: Moldova



Team building & witness protection exercise





Dr. McGaha >>

Task force development lecture

Task Force Development: CCTIP Moldova – Dr. McGaha



U.S. Marshal – teaching foot formations



IRS agent – follow the money exercise



CCTIP Officers and Prosecutors



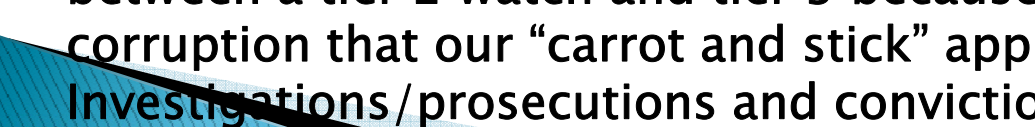
U.S. Ambassador and Moldovan Ministry of the Interior



Graduation



Moldova CCTIP comments

- ▶ We did not ask the officers what they needed to actively arrest and prosecute traffickers. Big brother just assumed and sent the best and brightest of the FLETC/FBI there to train them in the US way at tremendous cost 10 - 12 training sessions at 50=100K each.
 - ▶ New cars were routinely given to Moldovan officials out of TIP funds to actively fight trafficking (guess who drives them) We are “buying” their loyalty to US rather than Russia....nothing new except TIP funds are being used. Officers asked for CSI equipment...we gave them flashlights and bullet proof vests.
 - ▶ Second year of operation the assistant director of the new CCTIP was removed, but not prosecuted for complicity with traffickers
 - ▶ After close to 8 million dollars in assistance not much has changed except new laws that are not being enforced. Moldova vacillates between a tier 2 watch and tier 3 because of wide spread systemic corruption that our “carrot and stick” approach does not address. Investigations/prosecutions and convictions are all down.
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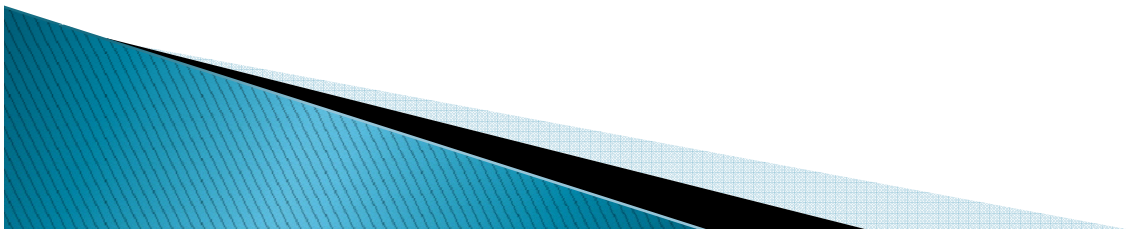
Moldova TIP 2008

- ▶ Govt acknowledged they had a trafficking-related complicity problem with officials but despite widespread corruption no prosecutions or convictions
- ▶ 247 cases initiated (decreased from 507)
- ▶ 127 prosecutions (decreased from 250)
- ▶ 58 convictions (down from 60)
- ▶ Govt gave 52K to IOM shelter in good faith effort to help victims
- ▶ Moved from Tier 3 to Tier 2 watch



Moldova NGO's: The other trafficking economy

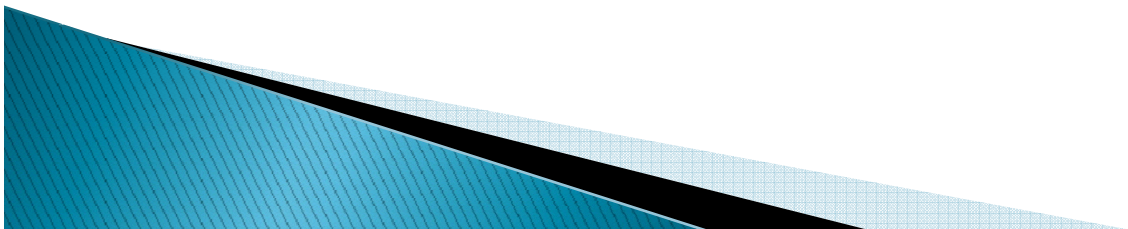
- ▶ ATNET: Moldova Anti-Trafficking & Gender Network www.atnet.md
- ▶ OSCE: Organization for Security and Co-operation in Europe
- ▶ CEELI: ABA Central European and Eurasian Law Initiative
- ▶ Partners for Commuity
- ▶ Association for Women in Law
- ▶ Save the Children
- ▶ UMCOR



Moldova NGO's (cont)

- ▶ ILO-ICMPD
- ▶ United Nations: office on drugs and crime
- ▶ ARIADNE
- ▶ UNICEF
- ▶ La Strada
- ▶ Multiple reports – millions of dollars in grants and assistance: a major economy all its own

?(who drives the best cars in the country?)



Passage of TVPA notes *

- ▶ In 1999 Congress heard the heartbreaking testimony of trafficking victims and requested an estimate of the numbers from the Dept of State
- ▶ TVPA was quickly passed in 2000 on the basis of a Dept of State Report that cited 50,000 victims were being trafficked into the U.S. annually. Millions were appropriated to support the TVPA's world wide efforts and establish the TIP office,
- ▶ That estimate has been reduced since the passage of the TVPA and **currently stands at 14,500 to 17,500**
- ▶ **QUESTION: Does that reduction in estimated numbers reflect a drastic drop in the number of victims reflecting a major success in the war on trafficking in the U.S.?**
- ▶ **QUESTION: Are those new numbers accurate?**

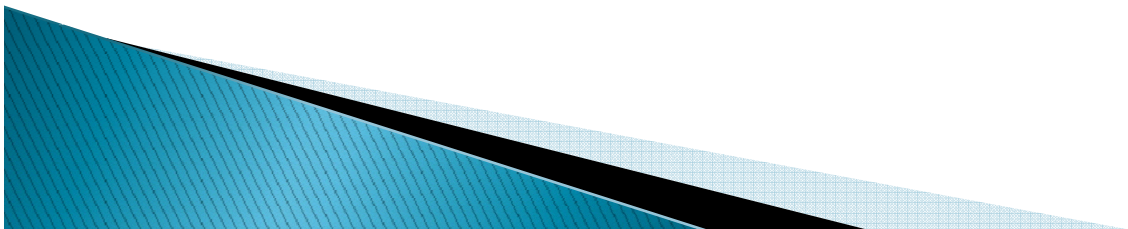
Policy 101 Review

- ▶ Was the TVPA based on sound Policy Development: planning and rational analysis of the problem, not on emotions; crises; dramatic incidents or untested sets of assumptions OR Politics.??
- ▶ What is the cost of poor planning, funding, implementation and little accountability?
- ▶ Where did the U.S. Dept of State figures that the TVPA come from? 50,000 slaves coming into the U.S. annually and subsequent data?
- ▶ Note: This is a multi-million dollar business and that does not even include the bad guys profit.



International Responses to TIP (cont)

- ▶ India rejects “judgmental” US report on human trafficking. “we reject judgmental prescriptive approaches by a foreign Govt”.
- ▶ Myanmar rejects US report on anti-human trafficking. “the US proposed action of economic sanctions is an unjust unilateral measure”.
- ▶ Report criticized for ignoring trafficking of Nigerian Women. “Nigerian advocates pointed out that the TIP report does not list the US among the 12 countries cited as destinations for trafficked Nigerians, in spite of several lurid cases involving Nigerians that have surfaced recently in the US.



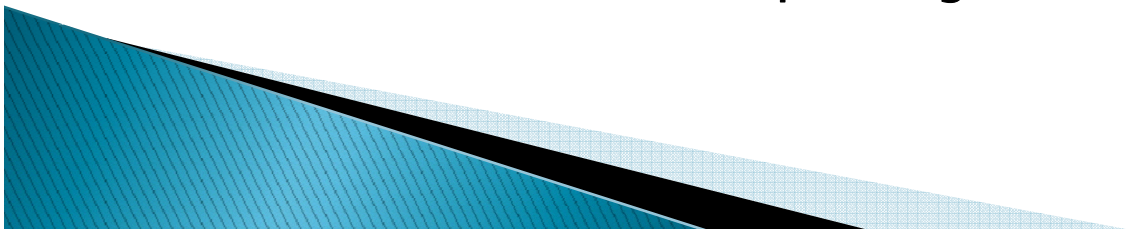
Anecdotal practitioner quotes *

- ▶ Chair of D.C. Task Force: “in spite of hours and hours of overtime interviewing victims in local brothels it has been very difficult to find any underlying trafficking”.
 - ▶ San Diego area: \$448,138 grant: “efforts have not resulted in increased prosecutions and officers are skeptical about the extent of human trafficking in the area”
 - ▶ Orange County Calif: 1 ½ Million in federal grants: Task force leader: “there were significant discrepancies between estimates and actual victims being identified”
 - ▶ Dallas Texas NGO: 125k for education and awareness “we have identified 3 victims in over a year”
 - ▶ DOJ funded Rand Corporation grant – Ohio 2003–2006: Only 15 cases identified during this time, “Policy makers and practitioners must carefully weigh their response to this crime relative to others...providing this amount of resources to any specific area limits what can be done to address others.”
 - ▶ L.C.S.O – HT detective – “this is a waste of tax-payers money
- ▶ *Where are the Victims? Intercultural Human Rights Law Review”:vol 4, 2008–0



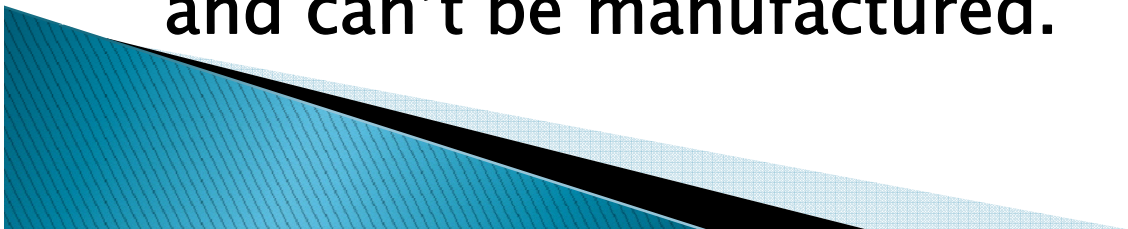
Case Study: Lee County Florida

- ▶ 2005 – \$450,000 DOJ grant to fund a Human Trafficking Task force. 2008: Continuation grant \$250,000–**Total: \$700,000**. Confirmed victims = 1 pending 3
- ▶ \$2000 per month of those funds went to a well known victims service provider who was also receiving an OVC sub grant in the amount of \$200,000 to assist victims. (1 confirmed victim)
- ▶ HSS = \$666.000 funding to this agency to increase awareness and build capacity. 1 million donated privately. **(2 million total)**
- ▶ OVC provider filed no tax returns in 3 years, the Task Force Partners (including U.S. Attorney. Strongly recommended to OVC that we change the Victims Service Provider
- ▶ OVC grant awarded **\$260,000** to a new provider designated by the LCTF : Catholic Charities.
- ▶ In spite of extensive awareness training 100's of professionals and first responders, multiple investigations by the S.O. (grantee). There have been no confirmed victims identified since the original victim was identified in 2005. 3 pending.



Paying to find the victims? A unique approach to criminal justice?

- ▶ When the vast numbers were not showing up **HSS** paid a New York PR firm **12 million dollars** to launch a marketing campaign to find victims. Rather unheard of and without precedent in the Criminal Justice system.
- ▶ **HSS** also provided additional **3.4 million** dollar funding in street outreach awards to multiple agencies nation wide to reach potential victims. Even after substantial training/outreach and awareness, relatively few victims are surfacing.
- ▶ Grantees are under pressure to justify their funding and find victims but many are very frustrated realizing that they may not be there and can't be manufactured.



Domestic Funding as of 2007 *

- ▶ OVC - 41 cooperative agreements = 31.7 mil
- ▶ BJA - 42 Human Trafficking TF - \$19.2 mil
- ▶ **Of the 8.5 million that went to the audited OVC programs only \$922,000 went to direct services to victims (10.9%) the majority went to support the NGO agency infrastructure.**
- ▶ 6/7 of the OVC programs audited had 1.5 million in unallowable funds

- ▶ * OIG report (08)

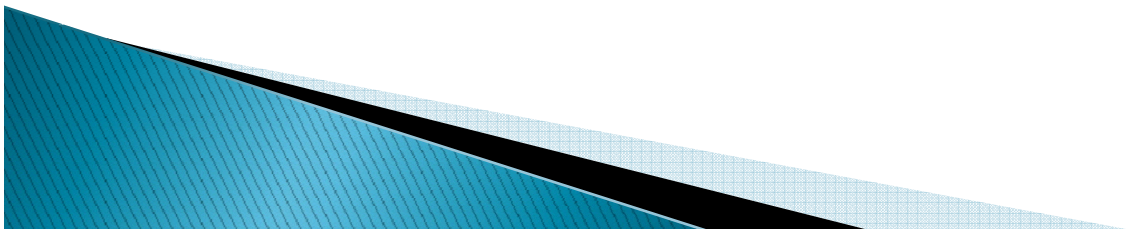


Victim Services Grants 03-07

FY Awarded	Agreements Awarded	Separate Service Providers	Amount awarded
2003*	13	12	\$13,071,711
2004*	10	9	\$9,366,599
2005	1	1	\$1,074,147
2006	14	12	\$7,169,468
2007	3	2	\$1,024,743
ALL YEARS	41	36	\$31,706,668
•Min Estimated Victims to US for FY 03-04 @16,000 yr	32,000	Actual served 03-04 = 480 Per Victim cost =	\$66,000

Examples of initial OVC victim cost per Service award grants (2004)*

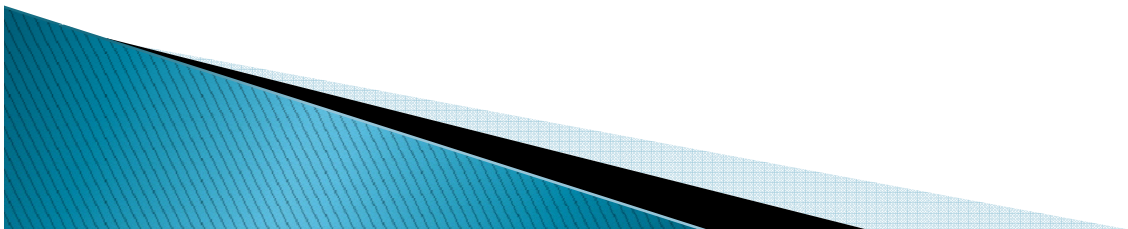
- ▶ Boat people Awarded \$1,896,535 – 100 victims to be served at a cost of \$18,965 per victim (40 served)
- ▶ Coalition against Slavery and Trafficking awarded \$1,000,000 to serve 30 victims at a cost of \$33,333.00 per victim
- ▶ International Rescue Committee awarded \$1,731,660 to serve 100 victims at a cost of \$17,317 per victim.
- ▶ All estimates and their projections were accepted at face value with no needs assessment or analysis done.
- ▶ OIG/DOJ audit




OIG audit comments on provider agreements *

- ▶ OVC generally accepted grantees word for victims to be served and did not make an independent assessment of cost effectiveness
- ▶ Needs assessment or analysis was not required as in most government grants
- ▶ Baseline data was not provided by any of the funded task forces for measuring compliance or program success

- ▶ OIG audit reports of DOJ trafficking grants (08)

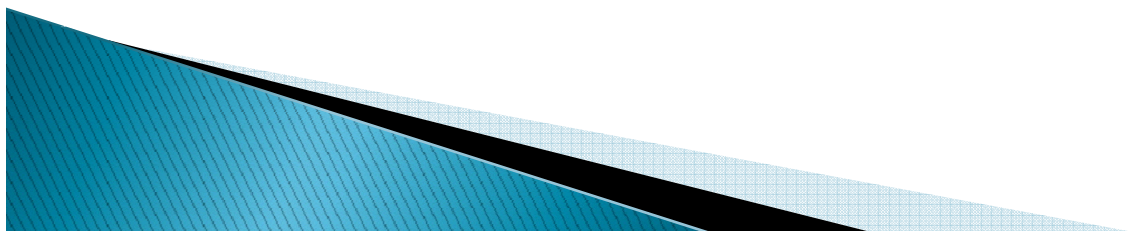


BJA Funded Task Forces 05-07

- ▶ 42 Task Forces Funded = \$19.2 Million
 - ▶ Est Trafficked persons to U.S. 05-07 @17,000 annual= 51,000 over 3 year period
 - ▶ Potential TF Victims identified 05-07 = 2,100
 - ▶ OIG audit revealed: no sustained increase in the numbers of identified victims annually & significant inaccuracies in the performance data reported by BOTH service providers and task forces.
 - ▶ HTRS (BJS): 01 /09 report: first 21 months of operation - 1442 potential victims!! (less than 10% confirmed)
- 

Continued Presence measure of Task Force effectiveness

FY	2005	2006	2007	2008
Requests for CP	160	117	125	239
Awarded	158	112	122	225
Withdrawn/denied	2	5	3	14
Extensions	92	80	5	101
Countries represented	29	24	24	31
With most victims	Korea, Peru, Honduras	Mexico, El Salvador, S. Korea	Mexico, El Salvador, China	Mexico, Philippines, S.Korea



Continued Presence Requests as of 2007

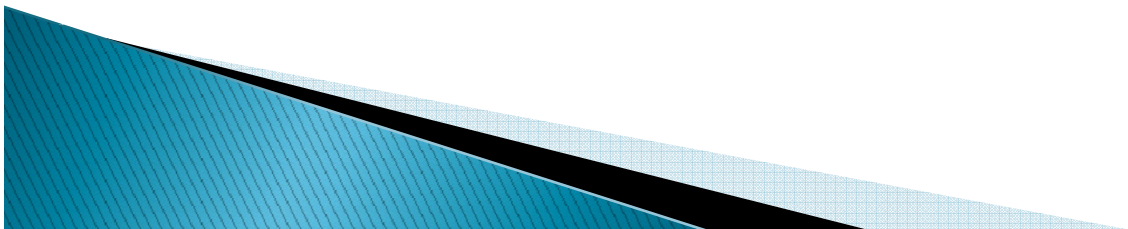
- ▶ 1 / 32 Task Forces that had been in effect for at least two years submitted NO applications for continued presence the first year of funding.
- ▶ 10 / 17 reported no applications for continued presence for the second full year (including Lee County Florida). The remaining 7 = from 2 to 8.
- ▶ IG conclusion: Task force operations resulted in few continuing presence applications and the majority were not meeting BJA's basic requirements (but were still receiving continuation funding)

▶ IG FINDINGS (08)




Other External Federal Agency comments and reports

- ▶ GAO 07-915: All of the estimates provided by the TIP and related agencies are questionable due because of methodological weaknesses.
- ▶ Transnational country data are generally not reliable and not suitable for analysis over time.
- ▶ There is a considerable discrepancy between the numbers of observed and estimated victims of human trafficking

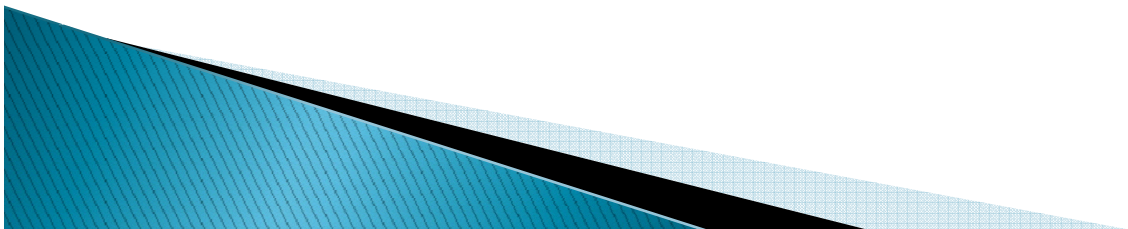


Other OIG findings

- ▶ All four of the annual reports to Congress by the AG's office as required by the TVPA were **inaccurate**. Overall for the service providers that were audited the Department **overstated** the number of victims served from calendar years 2003 – 2006 by **57 percent**.
 - ▶ The number of potential victims identified by the DOJ funded **Task Forces overstated** the number of potential victims reported by **225%**.
 - ▶ The actual % of funds for direct victims services is **10% of total OVC awards**
- 

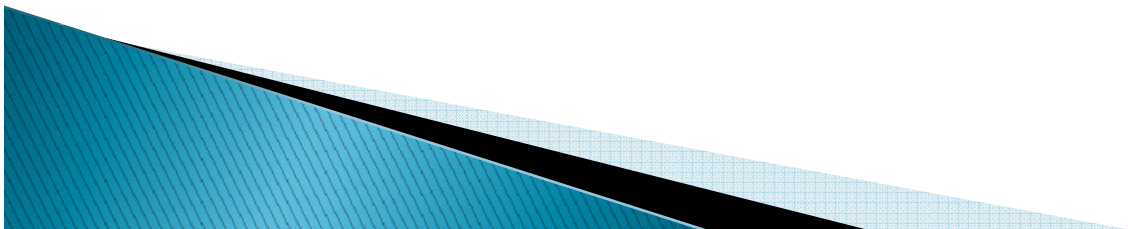
Overall Inspector General's comments

- ▶ OVC – Grantees have built significant capacities to serve victims, but have not resulted in significant numbers of trafficking victims being identified and receiving assistance
- ▶ 03–06 OVC records = 164 Verified by IG = 71
- ▶ BJA Funded task forces have not resulted in increases in the number of trafficking victims being assisted by the OVC service providers.
- ▶ 05–07 BJA records = 620 Verified by IG = 234
- ▶ There is a wide variance and seemingly no correlation in the amount of funds granted to service providers compared to identified needs or victims served.



Obvious conclusions

- ▶ TVPA was a prime example of great law but has been an extremely poor example of policy planning and implementation
- ▶ Millions of dollars in taxpayers money has been thrown at the horrific crime of Human trafficking, domestically and abroad with little valid assessment or accountability of effectiveness
- ▶ The carrot and stick approach to international HT funding results in politics over sound Policy.
- ▶ What is the danger of such external watchdog reports?



Summary and Conclusions?

- ▶ There is a major problem in the domestic sex trafficking of minors and sufficient funds should be reallocated to address this issue.
- ▶ Barriers between funding for foreign victims and domestic victims need to be removed. A victim is a victim.
- ▶ The current BJA/OVC/DHH grants should allowed to end until a sound TIP policy developed along with a sound implementation strategy based on real documented assessments with built in external accountability. We should not be leaving this to GAO/IG otherwise the whole movement will lose credibility along with funding.
- ▶ Will the baby will be thrown out with the bath water unless we begin to based HT efforts truth and facts not antidotes and passion

