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Control and Protect: Collaboration, Carceral Protection, and Domestic Sex Trafficking in the United States by Jennifer Musto

Brittnie L. Aiello

Merrimack College, aiello@merrimack.edu

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Control and Protect: Collaboration, Carceral Protection, and Domestic Sex Trafficking in the United States. By Jennifer Musto. Berkeley and Los Angeles: University of California Press, 2016. Pp. xx+229. \$34.95 (paper).

Brittanie Aiello
Merrimack College

Jennifer Musto's careful, nuanced study of efforts to combat domestic sex trafficking is a welcome addition to critical scholarship of the state. The book, *Control and Protect: Collaboration, Carceral Protection, and Domestic Sex Trafficking in the United States*, is based on four years of participant observation and interviews with individuals involved in antitrafficking efforts—police, judges, and social workers—as well as victims of trafficking. Musto examines what she calls *carceral protectionism*, a network of anti-trafficking efforts that blends punitive measures with those intended to help victims of trafficking. Carceral protectionism is marked by a shift away from automatically prosecuting victims of domestic trafficking for prostitution and includes collaboration between state agencies and nonstate entities like NGOs and private citizens whose goal is to rescue victims of trafficking. In theory, this is a departure from past practices of criminalizing victims, but as Musto asks, “Do collaboratively focused, victim-centered anti-trafficking interventions truly mark a wholesale departure from the more punitive methods of the past?” (p. xiii).

In the introduction and chapter 1, Musto explains the relatively new legal practices pertaining to trafficking. She charts the expansion of the legal definition of “victim” that came with the passing of the Trafficking Victims Protection Act (TVPA) in 2000. With this legislation, Congress expanded the definition of trafficking to include domestic victims of forced or coerced commercial sex. The TVPA paid particular attention to young people, and provisions of the law do not require coercion to be present when youngsters are engaged in the commercial sex trade. The new concept of victimhood includes a trafficked young girl who does not necessarily identify as a victim. This notion—that victims do not understand their own position and are brainwashed by their pimps—undergirds the use of punitive measures in the name of protection.

In chapter 2, Musto describes how carceral protectionism works with illustrative examples that highlight her skills as an interviewer and ethnographer, especially given the secretive nature of antitrafficking efforts. Law enforcement is concerned with apprehending traffickers. For the most part, the agencies that work with victims are in service to police. They provide access to victims and encourage them to cooperate with investigations; they manage victims so police can focus on the investigation. In turn, social service agencies rely on criminal justice processes like arrest and incarceration to ensure victims don't run away or return to their pimps. All of this is aided by technology and social media, which provides evidence and valuable information about pimps' social networks via investigations into the girls' so-

cial media and cell phone use. The apprehension of a pimp named “Tru” provides a step-by-step look at how police mine victims’ social media accounts to investigate and arrest the pimp. As Musto points out, this is most often done without a search warrant. In the following chapter, she further demonstrates how technology is changing the landscape of investigating sex traffickers and victims, whose privacy is routinely violated as technology evolves more quickly than case law.

Carceral protectionism is characterized by inconsistency and competing goals. For victims, this means occupying a status somewhere between victim and offender. Victims of sex trafficking end up at the crossroads of punitive encounters and protective measures. Nowhere in the book is this better illustrated than in chapter 4, “The Switch Up.” This chapter follows several young women on their paths to Dreams and Destiny, an unlocked shelter for girls who have been trafficked. Musto interviewed nine girls housed at the shelter. All had experiences with law enforcement whereby they may have been officially designated as victims but arrest always loomed as a possible, if not likely, outcome of interactions with the police. Musto argues that while contact with police may not result in an official, documented arrest or other official sanction, the contact itself may be punitive. Such contacts included “being stopped and questioned, handcuffed, placed in a juvenile detention facility without charges against them, having cell phones searched, and feeling used, disrespected, and manipulated by law enforcement” (p. 102). Encounters like these, combined with police pressure to participate in investigations against their pimps, led most of the girls to feel manipulated by the police. Musto’s interview data and analysis reveal that the young women in her study have an understanding of victimization, and the punitive processes that they have been subjected to, that is far more sophisticated than carceral protectionism suggests.

Finally, Musto unpacks a lasting effect of victimization: the criminal record. Again, we see that despite legislative moves toward recognizing trafficked people as victims, the reality is that many victims have been arrested and prosecuted and have criminal records for prostitution and other charges that result from trafficking situations. Through interviews with attorneys, advocates, and former victims, Musto demonstrates just how far-reaching the burden of a criminal record can be, as criminal background checks are increasingly common for housing, jobs, and entry to educational institutions. While postconviction relief is possible, it’s incredibly difficult, expensive, and time-consuming, and the burden of negotiating a criminal record falls entirely to those victims, most of whom are unlikely to have the resources to see the process through.

Musto’s conclusion contends with the question, “If not carceral protectionism, then what?” (p. 143). She argues that *less* criminal justice is ultimately the only way to divorce assistance from punishment. *Control and Protect* is a powerful example of how the expansion of the criminal justice system rarely does more good than harm. Although the diffusion of anti-trafficking efforts is complex, the drive to address trafficking through puni-

tive means is shortsighted. Helping victims is far more complicated than arresting their pimps, but, as is often the case, to fully aid victims and address the causes of trafficking would require an overhaul of the neoliberal ideology that drives social policy in the United States.

Incarceration Nation: How the United States Became the Most Punitive Democracy in the World. By Peter K. Enns. New York: Cambridge University Press, 2016. Pp. xiii+192. \$99.99 (cloth); \$24.99 (paper).

Becky Pettit
University of Texas, Austin

There is no debate that the United States is the most punitive democracy in the world. Despite two decades of crime declines and more than a decade of effort directed at criminal justice reform, the size and reach of the criminal justice system has barely budged from its peak in the first decade of the 21st century. Nearly 2.2 million Americans are behind bars in federal, state, and local prisons and jails. Another 4.6 million are under the surveillance of probation and parole agencies. Estimates suggest 70 million American adults have an arrest record. The United States permits the death penalty; it is authorized in 32 states, and just last year, voters in three states affirmed its use. In *Incarceration Nation: How the United States Became the Most Punitive Democracy in the World*, Peter K. Enns observes these and other facts about the American criminal justice system and asks whether and how public opinion shaped mass incarceration.

In *Incarceration Nation*, Enns engages a long-standing debate about the causes of mass incarceration, drawing attention to the effects of public opinion. He writes, “Mass incarceration in the United States reflects, in large part, a political response to the public’s rising punitiveness” (p. 12). He acknowledges that this perspective is a bit out of step with existing explanations for mass incarceration; in his words: “This view is by no means conventional wisdom” (p. 12). But he proceeds to make a case for how the public’s views about the death penalty, public spending priorities, and public safety may shape mass incarceration. Enns builds his argument around a trove of evidence from decades of opinion polls on punishment and related issues; archival research from presidential campaign materials, position papers, and speeches by Barry Goldwater, Lyndon B. Johnson, and Richard Nixon; and statistical analysis of over-time and across-state variation in the relationship between measures of public opinion and the incarceration rate. The evidence seems overwhelming at times, and the case for public opinion is intuitively a strong one.

A naïve reader of *Incarceration Nation* might be led to conclude that the uniquely American form of punishment—and mass incarceration—built over the last 50 years was a rational response to a public perception of the threat of increasing crime rates in the 1960s, consistently disproportionately