676

Mon, 6/21 7:41AM 1:00:53

SUMMARY KEYWORDS

human trafficking, victims, labor trafficking, prostitution, cases, trafficker, law, study, minors, labor, san diego, sex trafficking, gangs, deal, fraud, united states, biases, area, trafficking, exploitation

00:00

Well, this is this is great, great to be at the law library. The last time I was here was a Saturday. So it's nice to be here during the week and not on a weekend. I'm summer Stephen, I serve as chief deputy district attorney and a little bit about my qualifications to provide this program. I've been a prosecutor for 27 years. And sometime around 2003, I was able to create some of the special victims units at the DS office for sex crimes. And sometime around 2004. towards 2005. There was a report that you're going to hear about that place San Diego on the top 13 cities for child prostitution. And because I'd already had pioneered a sex crimes Special Victims Unit, I was looking for where those victims are, and why aren't they being handled in sex crimes. So at that time, I learned that people viewed those cases as prostitution cases and not as child abuse, sex crimes cases, which of course made no sense. And so after going around and around, we figured out that these should be should come to the sex crimes division. But it was again clear that what resources we had legally to deal with these cases because it was mostly organized crime and gangs that were prostituting these young girls really needed a higher level of enforcement. So we found that the federal government had a federal law that dealt with human trafficking. And I'm going to go through it in a little bit more detail. But we did not have a California state law that dealt with human trafficking. We push to have that law come about, and I was part of that push through the California days Association, and the law passed. So since since 2005, to now I'm probably the person that has the longest history with the state human trafficking law in our state. Till now we've been and I'll explain to you our journey and where the legal community fits in and the the laws that affect this area. Your timing is really good, because if you are really interested in this topic, we are providing a specific training for pro bono civil lawyers to take on a human trafficking victim case on May 18. So you'll you're able to follow up and do more training now that you'll have these basics here. I serve on the national District Attorneys Association as the chair of the women prosecutors on this section, and I co chair the California DS Association human trafficking committee, I'm also the chair of the county's Advisory Council on human trafficking. So

we report to the board of supervisors as to the blueprint that San Diego goes through. So through that I've provided a ton of trainings to the medical field, the legal field, on this topic to teachers, nurses, students, social workers, everybody under the sun. So that's a short cut to what qualifies me to give you this training. In addition, I've worked with eyeballed supervised cases and handled human trafficking related cases myself, so. So that's a little bit about my background.

03:47

So why is human trafficking a priority? Why are we talking about it? So it's one of the few areas where usually you come to a legal training, and all you're hearing about are the laws. But this is very different in human trafficking, and that human trafficking is one of the unique things that is both intersects with the law as a legal violation. But it also is considered a human rights violation through the United Nations and through all of the organizations that deal with human rights. So what is really neat about it, and I think the thing that makes it so exciting for professionals in the legal field, is that that intersection, that when you're dealing with a human trafficking case, you're really dealing with history and with dignity and with dealing with a human rights violation. The other thing that makes it huge is that it is considered a form of modern day slavery. And actually, sadly, despite how much our civilizations have moved forward, most agencies that report on this issue Jews say that we have more people in slave today, that and then any other time in history. So that means we've taken a step forward. But we've taken steps back to so this this is a real issue is an issue that I'm hoping more and more lawyers get engaged to end because lawyers have a way to define society and to define societal values, and to actually lend help directly to victims of human trafficking. It is one of the most profitable industries. And I think that is what drives it. What drives this is that it's the second most profitable criminal industry in the world, the United States and in San Diego. So with that, it's it's really big numbers. So I don't know if they're giving you elimination of bias credit, but but one of the scores does qualify, usually for elimination of bias, because the bias that exists in our perceptions of what human trafficking looks like, is really one of the factors that drives human trafficking. So we have biases and negative misconceptions and stereotypes about how human trafficking looks like what makes somebody human trafficking victim, what makes someone a human trafficking perpetrator. We imagine a lot of scenarios that look like the movie taken, where you're kidnapped, you're put in the back of a car, and you're transported across international lines. By doing so these biases and misconceptions actually allow us to miss most of our victims and most of our cases. So their biases that have huge negative consequences. The bottom line effect of our biases and misconceptions are that the victims themselves because we don't see them as victims, they do not see themselves as victims. So this drives the fact that unlike robbery, or burglary, or any other crime, where victims are reporting to police, by calling 911 victims of human trafficking are not reporting not in this country and not in any other country. They simply don't report about human trafficking because not only because they fear what may happen, but they also don't report because they don't see themselves as victims due to the bias and the lens by which society thinks they should look like.

So

07:54

we have some misconceptions there are really deep in our DNA deep in what we've seen on television and in media and in society. And those misconceptions deal with the idea that we view prostitution, which is the number one form of sex trafficking as a consensual crime as something consenting thing between two adults, when in fact, most prostitution starts out with the person being a minor, the age of entry is usually as a teen. And so it can never be transformed into a consensual act, because where they begin is in, in in their youthful years where they can't legally consent. We also assume that human trafficking requires some physical restraint. And it doesn't. But and actually 80% of our cases do not have physical restraint. They are psychological chains that are very tough for our victims to break. And the United States is a tier one human trafficking country, which means that we have human trafficking, but that we put forth systems to deal with the human trafficking countries are rated based on their acknowledgement of human trafficking and putting forth a way in a system to deal with it and to detect it. So some countries when they are labeled a tier two or three country, it really affects their tourism and other things. And so sometimes they try to work very hard during move those categorizations. California though, is considered within that tier one adopt for destination for both labor and sex trafficking. And San Diego, like I said, is on the top 13 cities and here's the map of the different cities. And you can see that almost every large city from Chicago, Dallas, Detroit, Las Vegas, all the way down to Washington, DC, St. Louis, Louis Tampa, is on this list. So it's not that we're unique. But what is unique is that we're the only state that has three different regions on this map of high prostitution. That's probably one of the reasons that California is in the top four destination. What does it mean to be a high intensity child prostitution area, this was mapped out by the FBI, they mapped out the National Center of Missing and Exploited Children, the number of children that are encountered in prostitution, all different factors were weighed in to put the cities on this map. But essentially, this map should just give us the conclusion that this is so rampant in the United States, and so profitable, that it happens in any big city where there are people that buy people. So where did we start with our journey? So we started years ago thinking that we ended slavery through President Lincoln, who, obviously, you know, ended slavery. But slavery didn't end because if it had, we wouldn't need a law in the year 2000 that addressed human trafficking. And a lot of people ask if this has been going on all these years, how come we didn't have a law that directly dealt with it till the year 2000. And it's my experience and conclusion that it's because we truly thought that this is an issue that happens elsewhere, that it happens in other countries, that doesn't happen here in the United States. So why would we pass any new laws, if it's not happening right here. And so, it was until the year 2000, that Congress, US Congress passed the trafficking victims Protection Act, which is a victim centered law that addresses human trafficking. And again, it wasn't till the year 2005, that California passed our version of the United States law.

12:29

And then in the year 2012, proposition 35, passed, that proposition made the California laws consistent with the federal laws. So in terms of punishments, in terms of definitions, our laws, both the US laws, and the California laws are very similar, very interesting that both sets of laws provide for civil right of action when it comes to human trafficking. So not only does human trafficking have a criminal enforcement, it also has a civil remedy to be able to recover damages for victims of human trafficking. That civil remedy is way underutilized. And the reason is, again, because victims don't identify as victims. And those cases are very difficult to put together even on the criminal side. So I think it's a challenge for civil practitioners as well. But it's important to know that there is that civil remedy, and we should try to use it. So what are the definitions of human trafficking under the law, as, as you know, and as I really love repeating, Dr. Martin Luther King really put it best when he said that laws cannot make another man's heart Love me. But laws can protect me from the Heartless. So what these laws try to do is to take these vulnerable enslaved people without a voice and put some simple logical laws in place to protect them. So when you look at human trafficking, usually it's broken up into two categories, labor trafficking, and sex trafficking, although we see a lot of cases that intersect. And I'll give an example of one such case soon. So with sex trafficking, I guess the way the word the phrase that is the simplest to wrap your arm around, is the phrase of that is about the exploitation of vulnerabilities. So whether those are economic, whether they're socio economic, whether they're based on prior child abuse, prior neglect, prior sexual abuse, That makes someone vulnerable to the trafficker or to the trafficking conditions. So in sex trafficking, the most common forms of sex trafficking are prostitution, and pornography, child pornography, those are the two most common forms. In labor trafficking, which is the exploitation of somebody for labor, the most common forms, and now I'm addressing more California, and specifically San Diego, the most common forms are in janitorial hospitality services. Also, in construction crews, it used to be that we would find a lot of these forms in agriculture, and we still do find it in agriculture. But some of the reforms that were put together through Cesar Chavez hoped some of the agricultural labor get a little bit of a voice and a protection against this vulnerability. But it remains very heavy in hospitality and in construction crews. Now, if you have somebody over the age of 18, remember how I talked about an exploitation of vulnerable people, you need some additional elements, in addition to just plain old greed and exploitation. Those elements are called in both federal and state law, force, the use of force, or the use of fraud, or the use of coercion. So when people roll them together, they usually say force fraud or coercion. Everything that everyone hears is just force, they're stuck at searching for these cases at the end of the word force, when in fact, more than 80% of our cases rely on our proven through fraud, or coercion, fraud, the offer of a job that doesn't turn out to be So

17:17

fraud, such as threats, that the person is going to be in trouble themselves, because they're

prostituting fraud in that there's a psychological threat, that pictures that show compromising positions are going to be released into the school or into the different social environment of the of the children, all of those things. Every kind of deceptive method you can think of is used in this field. We've even had cases where cultural myths are used against immigrants, for example. In other countries, there is something called debt bondage, meaning you can be potentially imprisoned, or your liberty taken for having a debt. We don't have that in the United States, we don't have prisons for debt bondage that was removed years ago. But a lot of the traffickers use that myth. So they don't have to use force or anything. They use that fraud, that coercive method of implying that if the person doesn't pay their debt, which is usually on average, about $6,000, to immigrate to this country, that they are going to be facing that debt bondage that they're going to be imprisoned. So this is why our victims don't recognize that they're victims because it's not like somebody's just taking a stick to them, or putting them in chains or in a box, where people can recognize that they're victims, it's a lot more subtle and a lot more manipulative.

19:10
with

19:12
children under the age of 18. After the year 2012, the elements of force, fraud or coercion, are no longer needed when it comes to sex trafficking. They are still needed. So if you're over 18, or under 18, and you're being labor trafficked, we still need to show force or fraud or coercion. However, if you're dealing with a minor, then the force, fraud and coercion are commensurate with their age. That's one of the factors but if you're dealing with sex trafficking, the use of somebody under the age of 18 for prostitution or pornography The elements of force, fraud or coercion are no longer needed. Simply utilizing when a gang member or a trafficker or organized criminal, or any person, a boyfriend, uses a minor under the age of 18, to draw profit out of prostitution, that can become a human trafficking case. One big change of the law that if you represent anyone that is a mandatory reporter, I'm really surprised that this law is not getting advertised enough. It's very, very important that you're aware of this law that only passed in the year 2016. So very recent, you can see we're making a lot of very important changes in the laws to help uncover our victims, you'll see a trend in this, this law is helping to uncover victims. So they can run the mandatory reporting laws before the year 2016, which are under Penal Code Section 1116 5.1. c, did not include commercial sexual exploitation as a mandatory reporting crime. So an example, if you're a doctor, you're a counselor, you're a teacher, you're in any profession, where you are a mandated reporter. And you learn or suspect that a child is being sexually abused by let's say, a stepfather or an uncle or a teacher, you are a mandated reporter, you have to report. But if you suspect that a child is engaged in commercial sexual activity, that being prostitution, all of those people that are supposed to protect our kids, were not mandated to report because it was considered

commercial, as if that somehow removed it from the protection of being a Sexual Abuse Act. Now, the mandatory reporting laws include specifically commercial sexual exploitation. This is why there is a retraining being done for all of the medical, all of the teachers, the nurses, the counselors, so that they are fully aware of this duty, because obviously, it's also a crime to not fulfill your mandated reporting duty.

22:49

That reporting duty, they don't have to prove it's happening. But for example, we did a training recently for school nurses and and, and mandated reporters, and they often would suspect that a child is engaged in commercial sex, they're seeing that the child has items that they shouldn't have items of wealth that don't aren't consistent with their family upbringing. They're seeing, for example, that hotel key cards are dropping out of the purse, which because hotels and motels is the number one place of business, when hotel key cards are dropping out, that's a sign that the kid is engaged in commercial sexual activity, prostitution. But the feeling isn't because people don't care. But the feeling was this isn't my business is not my area. But now it is under this law. There are other new laws that have come about just this year 2017. One is that the prostitution statute, we have a prostitution statute and that 647 b now separates the buyers of sex from the sellers of sex. And the reason there's this separation is in order to signal that the two groups sit in different positions. One group the buyer apart is often engaged in furthering the exploitation because this is a supply and demand this he The reason is the second largest criminal industry is there are people who by the seller, if we acknowledge the studies, we know that they've entered into this business as a miner. So even though they're now an adult and potentially can make choices, they are in a different category that needs our system of justice, to provide them with services and other things similar to addiction services and other areas where we can help them. We also have decriminalized minors and prostitution, which means that if somebody is a minor since the law says that this is a child abuse, this is a mandatory reporting crime. So minors cannot be arrested for a prostitution charge. In San Diego, we were already well ahead of this. And we, it was the arrest of minors for prostitution was the very last resort. It's something that you only did temporarily for the safety of the child from until you found them a safe place to go. So the challenge now is to find a safe place for these minors because and to find other productions for them. Because unfortunately, sometimes they are so brainwashed, that the trafficker is considered their boyfriend, they consider him their protector, and they will run back to the trafficker. So we have to find ways and we are working on and pretty much habit a rapid response, where we with child welfare and victim survivors that have become survivors, we try to surround the miner with the right services to make sure they're not endangered. The last one is one that a lot of the pro bono class is going to be focused on on May 18. And that's that there is now a path to vacate convictions that came as a result of being a human trafficking victim.

26:50

So if by clear and convincing evidence, a human trafficking victim committed certain crimes like prostitution, like theft, like drug use, or or transporting of small drugs to buyers, etc, because of the fact that the person was being used that way by their human trafficking cartel or person who's controlling them. If that can be proven by clear and convincing evidence, then they have a path to vacate their convictions, which then allows them to really rejoin society and be able to get retrained. Because oftentimes, this is all they've done since age 13. And they have no other skill set in order of vocational training, educational training, and other things. It doesn't Of course, apply to violent offenses. This study confirms what I've been telling you, which is that the biggest obstacle to us solving the human trafficking issue is that human trafficking victims don't identify themselves as victims. So we need a system by which we identify them. That system can be in introducing this kind of education. I did an education for all the family court practitioners because they actually intersect with a lot of foster care kids, a lot of kids at risk a lot of kids that come into the family court system because of child abuse, neglect and other things. They're in a position to spot signs of human trafficking. Legal practitioners have are in a position just to spot those signs. But in addition, we're using tools, actual screening tools, medical screening tools that social services are using that probation is using that we're using on all juvenile hall. inmates that may be not there for prostitution, but maybe they're for other things where they're committing crimes, and we're able to find out through the screening tool that they have been exploited sexually. So so it's it's very important to have to acknowledge that this is the biggest gap. So my thinking in life was that you can't really effectively combat something that you can't measure. So since I showed you the slide that we can't measure it because people aren't reporting the way we measure. The depth of a problem. A law enforcement problem in San Diego is mostly by measuring the 911 calls. Who's reporting how many deaths in this region? How many homicides how many are related to gang crime, how many are domestic violence But in human trafficking because victims aren't reporting, how do we measure those things? And so we had to invest in intelligence driven information to really figure out what are our numbers in San Diego.

30:20

We did this through the human trafficking Advisory Council that was commissioned in 2011. That I currently chair. That Advisory Council has multiple arms, law enforcement, survivor voices, victim services, it has community, but it also has and you're going to see a slide on it coming up a research and data arm. That research and data arm led by Point Loma, Nazarene and USD, we were allowed to commission a study that I'm going to talk about soon that we were able to get a half a million dollar grant for and that grant allowed us to really become the place that's considered the blueprint on how you attack and combat human trafficking, because we were able to measure it. So we started with this study that we didn't love. It didn't tell us enough information. It came out in 2014. They studied eight different cities, including San Diego. And it gave us some helpful information, but it didn't have enough reporting for us to really get a real size of this issue.

Also, in 2012, San Diego State University, Dr. Zheng studied labor trafficking in San Diego. And he found that in labor trafficking, almost all of the labor trafficking victims were immigrants to this country, as compared to the study of the eight cities of sexual exploitation where most of the victims were domestic victims, United States victims so we see a disparity between exploitation when it comes to labor, human trafficking and sex trafficking. His study showed that we have somewhere around 36,000 victims of labor trafficking in San Diego County. Like I talked about in restaurants, construction janitorial. So how does it happen in hospitality in janitorial? Let me give you a recent example. You may be saw in the news, the case with the very fancy hotels that were treating their employees just fine. their employees were not labor trafficking, nor labor abuse victims. But like most big hotels, they subcontracted their janitorial work out. The subcontractors had just a portion of the employees on the books. The other portion was not on their books. So they weren't paying workers comp for their health. They weren't paying them hardly at all. They were stealing basically their wages there were there were doing a lot of things that were fraud. They were in the fraud category, that case bordered on labor trafficking. And it's still under investigation for that because for example, there is at least one employee that was really subtly threatened to not seek medical care for a condition that he got at the work premises for fear that it will be discovered that he doesn't have worker workers comp insurance. So you see how complex this is. labor trafficking is not something that you go, aha, this is a labor trafficking case. It's on a continuum between labor abuses, to you add force or fraud or coercion, like I explained, and you end up with labor trafficking. Does that make sense? So it's not like an aha moment where that's why it's such a difficult field.

34:30

Very important, if any lawyers work with employers, because more and more laws are now coming about to make it a strict liability to the employer. There's something called transparency in the chain that really affects businesses more like Apple that deal with millions of dollars of business. But still, this is the trend, that you're responsible for any labor trafficking that happens or human trafficking in your chain, meaning companies can't hide anymore and just say, I just subcontracted out it's not my fault that the subcontractor was shady, and was abusing the employees, or was using child labor or was using really despicable work conditions, was stealing money from their employees or were threatening threatening them by holding on to their h1, h2 visa, and threatening to get them deported or other things by letting their visa expire by holding on to it. So it's a way to make for more accountability at the top. So we're seeing a trend in the laws in that regard. So if you advise companies, you have to do more advising about them really being careful of subcontractors, and doing more vetting so that they're not also responsible, not only for human purposes, because it's the right thing to do. But because there may be legal liability as well. So, this study in 2015, by you, UCS 2014, about understanding the organizational operation of labor trafficking in the United States. This is the study that showed that 71% of the laborers, labor's the that are being used for labor trafficking came to this country on a proper

work visa. But the visa was allowed to expire, because again, talking about stereotypes, there was a stereotype that only undocumented immigrants get subjected to labor abuses or labor trafficking, but in fact, even properly documented, and more so 71% of documented immigrants, still, their documentation is used by shady traffickers by holding on to it in order to exploit their workers. There was a 2015 study and this study is pretty horrific. It actually studied not the United States but Tijuana, but had so many comparisons to United States, Dr. Silverman did this study on prostitution and HIV. And he found that a lot of the prostitution in Tijuana, even though the group he studied were adults, pretty much. Many of them began as minors in prostitution. Again, it was vulnerabilities that were exploited vulnerabilities that were economic, or vulnerabilities through falling for a Romeo that turns out to be really a trafficker. The same methodology that's used on this side of the border. All also showed that with miners, the HIV rates are much higher. And that's because the traffickers and the buyers convinced the miners because they don't know how to say no, do not use any production. And so it causes their rates of disease and other medical issues to go up more than the adults being exploited, who kind of learn a little bit how to stand up for themselves. This is the study I told you about about labor that by the time even though in this is all labor trafficking, even though they enter this country with these visas, which tells us and this is why I'm working with one assembly person on providing more information to the workers when they come with a visa so that they in the language they speak so that they kind of know what their rights are. So they understand that they have the right to hold on to their own documents that the employer only has the right to keep a copy, not the originals, so that we can do more protections in this area. By the time they escaped 69% of them were no longer authorized.

39:19

This is the groundbreaking study that I told you about it was actually published in 2016 was written up in 2015. But it took a long time for the National Institute of Justice to vet it and to decide that this is an excellent study is being called the groundbreaking study of on human trafficking in the country. And what it showed was that San Diego's just sex trafficking underground industry as is at $810 million. So that places it squarely so now we have numbers. Remember what I told you about Talk is cheap and just saying that San Diego has an issue is not enough to then devote the resources that we need to defeat this problem. We discovered that, in fact, this is an issue is the second largest criminal industry at $810,000,000.80 5% of it is gang controlled, with multiple gangs of all ethnicities engaged in this Hispanic, white black gangs. And a small portion of Native American gangs is engaged in this but that traffickers what's missing from this graph is the Asian gangs. And the researchers will tell you that the reason it's missing is because they did not study the illicit massage parlors. And the illicit massage parlors is where most of the Asian gangs are operating. So that we're gonna try to do a second study for that. But what is important about this graph, if you stop and look at it, and if you think, to the images that you have on television, of what those gangsters look like, oftentimes, it invokes the idea of an African American black pimp, that's doing this when in fact that when you remove those biases,

and you just do a pure study, that's objective, you see that all the gangs are engaged in this, that this is not about color, it's about profit, and criminal activity. So the number one business of gangs is to make money and to, to exploit fear and other things. They do that very well. And so with, with this population of either, mostly young girls, and some boys, it's very easy to do that, and very easy profit. Also, the victims now I'm only talking this study is only about sex trafficking. As you can see, 80% of the victims in San Diego county of sex trafficking, are united states citizens, there are girls that grew up in our communities, only 20% are international, which is also consistent with my experience. In these cases, the reason is that it is so easy to recruit and use a runaway local girl or a foster care kid or a group, home kid. So easy to do. So why go through the trouble of having an international operation, there's no reason because you can do it all locally. And, and that is what we're seeing. Again, when we talk about the ethnicity of the victims, we wanted in this study to really unravel biases to really look at objective data. And again, we see that the girls are represented as well in all of the races. Now, if you really study this graph closely, you'll see that the the African American Pie is a little bit higher proportionately than it should be for our population. But other than that, I mean, it's represented everywhere. Also found that the average age of entry is 16 years old.

43:44

15 to 16. And they landed after the complete vetting by the ni j at 16.1. So barely entering the 16 year old age 20 schools were studied across the county of San Diego and 90% of them had confirmed cases of sex trafficking, which is consistent with our experience. We also found that these schools cover the homes we tried to track the homes of the victims and you can see they're everywhere. From Fallbrook, Oceanside, all the way down to the border with a little bit more concentration in the city of San Diego. The number of victims yearly of sex trafficking somewhere between 30 480 100 victims. This is pretty prevalent. This is a large victimization group. And one big issue that we face is there are only 33 beds in the county that are specific to human trafficking victims. And we know that these victims have different issues than domestic violence and sex abuse victim They do intersect. But they have a little bit more complex trauma, their trauma is a repeated trauma as opposed to a one incident trauma. So it's actually considered more in line with the kind of trauma that the veterans suffer when they return from active duty. The top 10 recruitment risk factors are for against sex trafficking a runaway kid, but really more like an in and out of the home disappearing kid, somebody whose parents doesn't know where they're coming, where they're going, they disappear for a weekend, then they return. And then the second one is the involvement with an older boyfriend. Almost every case I touch with sex trafficking involves the trafficker posing as an older Romeo boyfriend, and initially doing the carer to routine before the stick comes out the gift, that tension, all of that comes out and then the stick comes out. Now somebody may ask How can this happen? The reason it can happen is because most of our victims have suffered some kind of sexual abuse before the age of eight. They've seen domestic violence at home, they've seen nothing about healthy relationships, they've only seen

destruction. So when the trafficker offers their own brand of love, they buy it. And once they buy it, they are held in their own cycle of shame. And shame is the hardest chain to break. We know that from sexual abuse from domestic violence, people are trapped by shame, they never want to tell anybody what happened to them. One big factor that this list doesn't expose, but I can tell you from our work in this area is is we're seeing a higher proportion of our victims coming from a background of learning disabilities, another vulnerability that the traffickers preying on, you're not very good in school, but you are really good as a sexual object for sale. You're making a lot of money for us. So believe it or not, this combined with what the social media puts out there, about pretty woman and all those things that make it look like a glamour life, the kids buy into it. And once they're deep in it, they don't know how to get out. And they don't know that there's hope for them in getting out.

47:53

Again, this kind of what we hear the favorite line is do this just this one time. One of the first cases I did the guy, the trafficker tool, she didn't know he belonged to a gang that he was sharing money. Not none of that. But she just knew him as her boyfriend. He also didn't know that he had three other girls that he was using. But what he told her was that his car was in impound. He needed to get it out in and the only it was towed. And the only way to get it out quickly or else he is going to lose the car, which is 1000s of dollars under transportation is if she did this one act of prostitution. Once she did it for him, she couldn't stop doing it because he now told her that she is the most lowest person on earth that no one is going to want her but he is willing to accept her now that she is basically a prostitute. So you can see the manipulation, the psychological deviance that happens and this is why these cases are so difficult. fraudulent job offers we see that in labor trafficking tremendously and in sex trafficking. This is a good point for me to talk about a case that crossed into both areas. We had a case where we'll call her Maria. She was brought over to her uncles and aunts house from Mexico. She was 12 years old. She was in that house. The neighbors saw that she never went to school. She was just a domestic servant. And then as she got to be 14, that wasn't enough that she worked at home and cleaned and did everything for their family. They took her to the restaurant to wash dishes. So she would then start washing dishes at night. Then when she got to be about 15 they started to sell her to the customers for sex. So this is a case that cross is between labor and sex trafficking. And, you know, unfortunately this case, we did we did criminally very well. But it would have been also nice to see some civil enforcement, civil action that could have brought some money in for this young girl in a trust fund, or somewhere so that she can pick up her life after that. That's what we're trying to build is that union. Again, large percentages of homelessness and foster care homelessness intersects with so much of this area as well. The violence is really high with especially with young kids and like I explained about truancy, learning disabilities, that Ewing is a common thing. I don't know if you saw this special that aired a couple of days ago that I did with Kimberly hunt, where we visited a tattoo shop that actually specializes in covering up these kind of tattoos because it's

very hard to remove them, but they try to redesign them. So they don't look like ownership tattoos, like you're being branded, so they transform them into something more beautiful. It was a really interesting, special on channel 10. hotels are the number one place it hides in plain slot site. If you're at a hotel, you will be seeing it you'll see an older guy that doesn't look like he belongs with a young girl, you'll see a girl that's not with a suitcase. But with things in a plastic bag, you'll see a girl that doesn't know where she is because she's been moved from hotel to hotel. The last one we rescued was 13 years old from Fresno, so they just kind of move them around across the county to hide from police. But we've we placed one fake ad and 98 unique buyers called on that ad. So it is a supply and demand and for as long as there is a demand, the supply will keep coming.

52:11

These are just in your packet, there are questions of how we talk to someone that we suspect is a victim. We don't ask them. Are you a victim of human trafficking, we asked them if they ever had sex for items for food, shelter money, we we asked them simple questions because they don't know that they're victims of human trafficking. And this is the same things you need to follow in your practice. I gave you two questions that are validated meaning they've already been studied as reaching an effective answer. And the same with labor. There are questions that are validated. key concepts for legal professionals are to follow a trauma informed care approach. Meaning you have to really, really be careful about the safety of the person, the client you're talking to. You have to establish trustworthiness more than any other type of victim. They've been lied to all their life. So just tell them the truth and really do exactly what you promised to do with them. This is what we do in my unit, no matter what, whether it's there's no excuse. If we tell a victim we're going to call. We call if we tell a victim that she gets a choice between A and B we give that choice. Very important. There are a lot of warning signs isolation, tattoos, items, like I told you about being in a relationship with an older boyfriend. But this is our combat formula that's working. It's a formula. As you can see, prosecution is only a part of it. It involves prevention in the school's production of our victims, prosecution and partnership with the entire community. This plan is working. We measured it recently, and we over a three month period. We saw San Diego's reports go up by 27% of human trafficking. And as well then we thought it's a fluke, it can't be that we're doing that. Well. We compared it to the rest of the country and the rest of the country. It only went up by point 08 percent. What we did is the high level 33 million impression campaign called the ugly truth campaign. And we also at the same time did some high level enforcement's using the task force and education and prevention and it yielded a result that we measured through the National Human Trafficking hotline. Our combat strategies involve the San Diego human trafficking advisor Every council that I told you about, we have a blueprint on how we move forward. It involves the Human Trafficking Task Force and the human trafficking division. It involves like this operation, reclaiming rebuild, really publicizing that we're coming after traffickers and buyers through high level enforcement. But that's not enough. If we don't also do

prevention and resilience building with our kids and with our immigrant populations on the labor side, we're working with child welfare. Since we know a lot of our victims intersect with child welfare. We have a specialized unit, we've done partnerships with hotels and motels where we've trained 59 hotels and motels on what to look for. But we needed to be across every hotel and motel. So if you work with hotels and motels encourage them to get the free online training that can be provided the training of all professionals, including legal medical parents, judicial and community training, that's been very effective and very important. The lawyers club has taken a big role in the training of pro bono lawyers, including immigration lawyers and lawyers that that deal with family law and every area. Civil remedies are important. We have to look at that more closely. This is some of the examples of the ugly truth awareness campaign that we did. These are just some websites of places to go for more information. And I'll end with this slide. Are there any questions?

56:55
Yes. So you may have answered this someone already, which is, you know, what percentage of the sex trafficking prosecutions in your office involve minors, versus the miners. So.

57:12
So I would say, about 30% of our cases involve miners. But most of our cases, involve someone that tells us they started as a minor. But when we encounter them, because also the study showed that it takes about three years to uncover. And my experience with this is that the traffickers actually keep a closer eye on their victims when they're younger. And they sort of let them go when they're older. And so that's why we are able to encounter more of them when

57:50
they're older. Yeah. I'll go there. And they'll come back to your second question.

57:58
So I am very involved in you know, women's networks, and local community in my town council, for example, what would you recommend for someone like me who's in the position like I am recommend spread this information as far as like, very targeted approach to education, and prevention.

58:18
So you know, you're trained yourself now. So you should look for an opportunity because this is an

hour because it's a legal training, but a half hour is enough to give the community enough information to act. And the community education looks a little bit different. It involves making sure they entered the National Human Trafficking hotline number that they know the resources. And this year, I mean, I'm privileged, I won the Phil embedd Award, because because of some of the work in your community, and actually my counterpart in the Philippines is incredible. She has moved that country from a tier three to tier two to a tier one like the United States. And what she's done is she's really cracked down on a lot of the things and she's working on. Remember the visas I talked about? That happens a lot in the Filipino community. They're coming here on work visas, where they think they're going to be nurses, and they end up being really house slaves working 20 hours a day. So this is this is really important for your community. So my few minutes of talk with them is not enough. We need a lot more training. So you can contact me and it may not be me, but we have a whole team that can work with you to bring the right training to your community. Yeah.

59:48

I'll go back to you. And the other part is labor trafficking, prosecuted through the same unit with the DHS office. Okay,

59:57

it is but but we do a different Because labor trafficking is even harder to detect is on this continuum. We look at the cases with the human trafficking da from that division, and an insurance fraud da because it always involves wage theft. And you know, somebody who's dropped labor driving is not going to be paying full wages. And so because of that, we said we don't do double reviews. We try to review the cases together that we suspect to have. And sometimes we end up where we say we don't have enough for labor trafficking most of the time we say that, but we ended up with a good case for a good prosecution for labor abuses. Yeah. Any other questions? Good. We ended right on time. Thank you so much, everybody, for coming.