

**The Bill Blackwood  
Law Enforcement Management Institute of Texas**

---

---

**Human Trafficking**

---

---

**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**

---

---

**By  
Toby Hecker**

**Harris County Constable Precinct 4  
Spring, Texas  
May 2015**

## **ABSTRACT**

Human trafficking is the cruel and vicious practice of transporting human beings for the purpose of labor or sexual exploitation. It is one of the least understood crimes in the United States. Human trafficking is a widespread, highly profitable violent crime, which is largely hidden from the general public. Due to human trafficking being a hidden crime, traffickers are often able to fully exist unnoticed and the victims of human trafficking are not likely to identify themselves or report to law enforcement officials (Secure Solution and Design, n.d.).

In 2014, The National Human Trafficking Resource Center reported 452 cases of human trafficking in Texas (National Human Trafficking Resource Center, n.d.). However, this same publication states that less than 1% of all human trafficking victims are ever rescued (National Human Trafficking Resource Center, n.d.). In order to raise this number and truly impact the heinous crime of human trafficking, law enforcement officers, prosecutors, and society should realize that human trafficking is not an independent crime but one that encompasses several others. By recognizing these other crimes as potential human trafficking indicators, more human trafficking victims will be rescued.

## TABLE OF CONTENTS

	Page
Abstract	
Introduction.....	1
Position.....	3
Counter Position .....	6
Recommendation .....	11
References .....	13

## INTRODUCTION

Human trafficking is defined as “organized criminal activity in which human beings are treated as possessions to be controlled and exploited (as by being forced into prostitution or involuntary labor)” (Meriam-Webster's, n.d., para. 1). Law enforcement has a different definition. It is often defined as, “the recruitment, harboring, transporting, or procurement of a person for labor or services for the purpose of involuntary servitude, slavery, or forced commercial sex acts” (Texas Department of Public Safety, 2014, p. 6).

Human trafficking is a violation of basic civil liberties that are guaranteed under the United States Constitution, particularly the right to freedom. Persons who are trafficked have lost this freedom as they are transported from place to place to be forced into manual labor, debt bondage, or commercial sex acts (Texas Advisory Committee, 2011). All 50 states and the federal government have laws against the trafficking of persons; however, human trafficking continues to grow not only in the United States but also in Texas (Texas Advisory Committee, 2011). As this threat grows, law enforcement officers, prosecutors, and society in general should realize that human trafficking is not a stand-alone crime but one that encompasses several others. Crimes such as compelling prostitution, promotion of prostitution, sexual exploitation, forced labor, and human smuggling are just a few of the crimes that incorporate human trafficking into its core.

The Victims of Trafficking and Violence Protection Act was signed into federal law in the year 2000 (Farrell & Pfeffer, 2014). In 2003, Washington and Texas were the first two states to author specific human trafficking laws (Farrell & Pfeffer, 2014). Texas,

like the federal law, introduced the conditions of force, fraud, and coercion for forced labor and commercial sex acts or required a victim to be under the age of 18 and engaged in a commercial sex act in order for the suspect to be charged with trafficking of persons (Texas Penal Code §20A, 2011).

The term human trafficking is relatively new but the problem is not. In 1910, G.S. Ball compiled 33 articles into a book, which he titled *Fighting the Traffic in Young Girls or War on the White Slave Trade* (Ball, 1910). This book addressed the issue of human trafficking for the commercial sex trade in America over 100 years ago. White slave trade was first used by Josephine Butler and other feminists at the end of the 19th century in order to bring a name to the involuntary prostitution of white women. The first worldwide agreement to address the problem of white slavery, or forced prostitution, was drafted in Paris in 1902 (Gozdziak & Collett, 2005).

Because the term human trafficking and its definition is fairly new, it brings challenges to law enforcement and to the community. If the police and the community do not fully understand what human trafficking is and how to identify it, they are unable to allocate the resources needed to combat it. The words used in trafficking charges, particularly force, fraud or coercion, brought new challenges to law enforcement and prosecutors as they attempted to define what these words mean and to prove that meaning in a legal setting (Farrell & Pfeffer, 2014).

Law enforcement has been somewhat successful in the last few years on bringing the problem of human trafficking to the forefront of not only the public's attention but also to the attention of officers working the streets. This has been accomplished by focusing on what the officers and the public already were familiar with,

namely prostitution. A police chief said, “Sometimes when you say human trafficking people get confused and it seems like this big thing that is hard to understand, but not if you talk about it as things that people have seen for a long time, you know, prostitution” (Farrell & Pfeffer, 2014, p. 51). Texas has mandated training of all its officers in human trafficking (Texas Commission on Law Enforcement, 2013). This training has been instrumental in teaching officers that human trafficking is not just foreign victims being brought into the United States for forced labor or commercial sex acts but also includes victims from their own home towns. To stop the growth of human trafficking and rescue the victims, law enforcement officers and prosecutors should realize that human trafficking encompasses several laws.

## **POSITION**

Sex trafficking is growing rapidly throughout the world and Texas is no different. In 2012, the National Trafficking Resource Center reported that nearly 10% of all the calls it received were from Texas. These calls were from 187 cities throughout the state (“Human Trafficking in Texas,” 2013). Although the trafficking of persons laws are relatively new, the crimes committed by traffickers are not. It is important that law enforcement is able to recognize these crimes committed by traffickers and investigate them thoroughly, while looking for signs of trafficking.

Many law enforcement officers and society in general have confusion when it comes to distinguishing between human smuggling and human trafficking. A key difference is that those who are smuggled freely choose to do so while those who are trafficked do not freely make the choice. Smuggling always involves crossing an international border while trafficking does not (Gozdziak & Collett, 2005). With this

being said, it is very important for officers who are called to investigate human smuggling to do so thoroughly. When completely investigated what appears to be human smuggling may in fact be human trafficking.

Several smugglers are hired to bring sex slaves into the country. Another common tactic with smugglers is what begins as a mutual agreement between the smuggler and the victim changes when the smugglers change the price agreed upon and hold the victims until they are able to work off the new debt (Texas Department of Public Safety, 2014). These victims are sometimes held at stash houses where they are not free to leave. They are held for ransom and some are forced into prostitution in order to pay off the smugglers (Texas Department of Public Safety, 2014).

In November of 2012, two Mexican citizens plead guilty for holding several hostages in a stash house in Houston, Texas. The victims were forced to undress and were advised that they had been sold and were not free to leave the house until family members paid a ransom ("2 Mexican Nationals," 2012). In another case in Houston, suspects had paid smugglers to bring in several undocumented citizens from Mexico and Honduras, as young as 14 years old, for the sole purpose of prostitution (Texas Department of Public Safety, 2014). These two examples illustrate how the line between smuggling and trafficking can become blurred. Both of these examples began as smuggling cases, but when looked into deeper, they were both cases of human trafficking.

It is estimated that as many as 100,000 illegal immigrants, including 10,000 children were illegally brought into Texas in 2013 by smugglers. These illegal immigrants soon became victims of human trafficking (Texas Department of Public

Safety, 2014). A lot of times, these types of crimes are handed over to immigration enforcement officers and are never investigated as possible human trafficking cases (Texas Department of Public Safety, 2014).

The sexual exploitation of children includes various crimes, such as sexual assault or enticement of a child or any crimes related with child pornography. These crimes are often not associated with human trafficking, but they may evolve into human trafficking cases. Many cases exist to prove that the suspects in these cases are also involved in sex trafficking, either as sex traffickers or those looking for juvenile prostitutes (Texas Department of Public Safety, 2014). For instance, in 2013, a Texas man was charged with 24 counts of enticing a child and one count of possessing child pornography. From 1999 to 2007, this man took photos of juveniles engaging in sexually explicit conduct. This man was able to persuade the juveniles to do as he wished in order to get the photos he wanted ("Possession," 2013).

If the investigating officers were able to prove that these photos were sold to fulfill a sexual desire, then it would have met the criteria of trafficking of persons. This case may have met the criteria of human trafficking in Texas by the mere fact that he was able to coerce a child to take photos, which he kept in his possession for sexual satisfaction, and these photos were deemed to be child pornography.

Compelling prostitution is a crime in Texas that is defined as causing another by force, threat or fraud to commit prostitution or causes by any means a person younger than 18 to commit prostitution. (Texas Penal Code § 43.05, 2011) By definition, this charge is human trafficking, and it is important to note that the Texas Penal Code allows the suspect to be charged with both crimes (Texas Penal § Code 20A, 2011).



Prostitution is the crime that most people will think of when they hear human trafficking, but the majority of officers fail to look past the initial crime and investigate rather the prostitute is a victim of human trafficking. Unless the prostitutes are juveniles, it is usually a low priority crime. Many victims of human trafficking are arrested for prostitution on numerous occasions before they are identified as trafficking victims (Farrell & Pfeffer, 2014).

## **COUNTER POSITION**

Opponents to the term human trafficking believe prostitution is a victimless crime and a vast majority of prostitutes have chosen to be prostitutes and are therefore not being trafficked. This is a common argument of those who profit from or participate in the commercial sex market. Prostitution leads to the physical and psychological abuse and exploitation of women and, therefore, it is not a victimless crime (Hayes-Smith & Shekarkhar, 2010). Several research studies have stressed the link between abuse and prostitution (Cobbina & Oselin, 2011).

Two models have been proposed to help explain why females enter into prostitution. The first is a susceptibility model. In this model the combination of psychological problems, such as feeling worthless and alone, and tragic events, such as sexual assault, make women more vulnerable to entering prostitution.

The second model is called the exposure model, which is that women are introduced into prostitution from others (Cobbina & Oselin, 2011). A common thread between juveniles entering into prostitution is that they were victimized as children. Crimes such as sexual assault, physical assault, molestation, and incest were common in juveniles who ended up as prostitutes. These crimes often led to the juveniles

running away from home where they were quickly preyed on by traffickers (Cobbina & Oselin, 2011). MacDonald (2009) stated, "1 in 3 runaway children will be approached by traffickers/pimps within 48 hours of being on the street with purpose of sexually exploiting them" (p. 6).

One teenage prostitute advised, "I used to run away because my father beat us. I met this guy. He said, well I'm not gonna beat you. Call me daddy. He used to buy me anything I wanted, no matter how much it was" (Cobbina & Oselin, 2011, p.320). It was not long before she was forced into prostitution by this guy.

An 18 year old female advised that she was recruited into prostitution by a trafficker and it all started as a friend request on Facebook. She stated, "He sold me the biggest dream in the world. I thought he really did like me and we were going to live this fairy-tale life together" (Fink & Segal, 2013, para. 5).

Human traffickers use several techniques to control their victims. This is referred to as "conditioning," and its sole purpose is to break the victims down and make them easier for the traffickers to control. Some of these conditioning techniques are 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 their victims by revealing their activities to their family ("Human Trafficking in Texas," 2013).

The Harris County Precinct 4 Constables Office investigated a case where an 18 year old female was convinced from a friend she had recently met to travel from a small Texas town to Houston in order to work as a hostess. This new friend told her that she would buy a bus ticket for her and a friend would pick her up from the bus stop in Houston. Upon arrival at Houston, this female was picked up by two males. These

males transported the female to a motel where she was told that she would be working for them as an escort. When she asked what she had to do she was told not to worry about it because they were going to buy her all the clothes and things she needed to do the job and that they would take care of anything she wanted. When the female was told she was going to be a prostitute, she told them that she did not want to do that. The males then became upset and said they had already spent a lot of money on her. They threatened to kill her and her family if she did not do as they said. The males took her to a local hair salon where they cut and colored her hair. The female was then transported to a motel where she was not free to leave. The female was held hostage at this hotel and not fed for three days. The female was told that she would be fed once she began to see clients ("HC14-6797," 2014).

Studies have been conducted that have identified the five most common forces that pimps use to condition their victims. These are love, debt, addiction, physical might, and authority (Marcus, Horning, Curtis, Sanson, & Thompson, 2014). Love was found to be the most common force used by pimps to entice girls, especially juvenile girls (Marcus et al., 2014). Marcus et al. (2014) also advised that love was the weakest as the girls eventually see through this scam. However, some do not come to this realization for quite some time. In fact, some see their pimps/traffickers as their boyfriend and believe that they still love them (Marcus et al., 2014). Marcus et al. (2014) stated, "Coercion and authority are less common but much more enduring and abusive. The term Gorilla Pimp refers to someone who routinely resorts to violence to control the girls they traffic" (p. 236). Even more concerning are prostitutes who are

forced to remain in the sex business by a guardian, friend, spouse and even a parent (Marcus et al., 2014).

In April of 2014 The Harris County Precinct 4 Constables Office was dispatched to an apartment in Spring, Texas in reference to a 17 year old female who was acting suicidal. Responding deputies determined that the female was not suicidal but was very depressed. While inside the apartment, the deputies observed a notebook that had several men's names written down. Next to the names were dollar amounts and notes. The deputies recognized this as potential evidence in a prostitution case. Detectives from the agency were called in to follow up. The detectives discovered that the 17 year old girl was being forced to work as a prostitute by her mother. Her mother had placed several advertisements on internet sites advertising the services of her daughter. When clients would show up at the apartment, the mother would meet them at the door, take the money, and escort the clients to a back bedroom. Once in the back bedroom, the 17 year old would begin to massage the clients and would eventually perform sexual acts for a fee with the clients. The mother was controlling all the money ("HC14-53507," 2014).

These are only a few examples that illustrate how prostitutes are victims of human trafficking among other crimes. Victims of human trafficking suffer physical and mental abuse. They have their psyches destroyed and feel as though they have no self-worth. Most become isolated, losing ties with families and friends they had before they were forced into prostitution (Texas Advisory Committee, 2011). A study was done on the sex trafficking victims in New York City and Atlantic City, and among other things, the study "did not encounter one sex trafficking victim who came to engage in

sex work out of what one might call a fully realized choice in every case their agency was constrained” (Marcus et al., 2014, p. 243).

A second common argument is that by making prostitution legal it would virtually eliminate all of the commercial sex trafficking. A study was conducted that analyzed data from 116 countries (Cho, Dreher, & Neumayer, 2012). This study was conducted to determine the relationship between human trafficking inflows into countries and the legalization of prostitution. They also performed case studies in Denmark, Germany and Sweden (Cho et al., 2012). These countries were chosen because Sweden criminalized all prostitution in 1999, Germany legalized prostitution, and in 2002, legalized third party involvement in prostitution, and Denmark decriminalized prostitution in 1999. This means that prostitution is legal as long as the prostitutes are self-employed but prostitution in places such as brothels is still illegal (Cho et al., 2012).

What they discovered was that when Sweden outlawed prostitution the inflow of human trafficking victims into the country greatly decreased. Denmark, a neighboring country to Sweden, was found to have four times more sex trafficking victims than did Sweden. This is interesting because not only are the countries next to each other but their socio-economic make up is very similar. When Germany legalized prostitution, it increased the demand for prostitutes in the country. This demand was not met by willing workers; therefore, the void was filled with victims of traffickers. The number of sex trafficking victims in Germany was found to be 62 times greater than in Sweden (Cho et al., 2012). The researchers discovered that when prostitution is legalized, it increases the demand for prostitutes within the country. This increase in demand

increases the number of trafficking victims brought in to the country to meet that demand (Cho et al., 2012).

Not only did the study find that countries with legalized prostitution have more trafficking victims than countries where prostitution is illegal but that the number of human trafficking victims are greater in higher income countries. They also discovered that democracies have a slightly higher probability of human trafficking victims than do non democratic countries (Cho et al., 2012).

## **RECOMMENDATION**

Victims of sex trafficking can be women, girls, or boys, but the vast majority are women and girls. It is conservatively estimated that there are 14,000 to 17,500 human trafficking victims in the United States alone. Of this number, 82% were involved in sex trafficking and nearly half of that number were victims under the age of 18 (Carol, 2014).

The Texas Department of Public Safety (2014) stated that “Sex trafficking is the fastest growing business of organized crime and the third largest criminal enterprise in the world” (p. 2). Sex trafficking is a 32 billion dollar a year business worldwide (Grant, 2013). Victims of human trafficking cost their traffickers approximately 1,895 dollars a year to keep but on average generate 29,210 dollars annually for their traffickers (Carol, 2014). Sex trafficking has the unique characteristic of being a renewable resource. Unlike drugs, which are only sold once, sex trafficking victims are sold over and over, which enables the traffickers to make a large amount of money on one victim (Texas Department of Public Safety, 2014). This potential to make large amounts of money is the driving force causing the number of trafficking victims in Texas and throughout the world to grow.

Territo and Glover (2013) stated that “The goals of traffickers are three fold: keep the victim under control, make money and lower the victim’s credibility in the eyes of law enforcement and the community, so they are not believed when disclosing information about the exploitation” (p.114). In order to combat this increase in human trafficking, law enforcement officers, prosecutors, and community organizations should recognize that human trafficking is not a single crime but a number of crimes that keep their victims from their greatest civil liberty - freedom.

To properly recognize, investigate, and prosecute traffickers law enforcement agencies, prosecutors, and the community in general must work together. Law enforcement must work to inform the citizens of their community how to recognize possible human trafficking victims and be willing to work with local church and other human trafficking support groups. These citizens must report possible trafficking victims and locations to law enforcement agencies. The law enforcement agencies must not only thoroughly investigate the leads they get from the community but also look beyond crimes such as smuggling, prostitution, and child pornography in order to find trafficking victims. Prosecutors must then prosecute the traffickers to the fullest extent of the law. When law enforcement, prosecutors, and the community can positively do this then, and only then, will the victims of traffickers be rescued and rehabilitated. These freed victims will then be able to help other victims overcome their traffickers and eventually bring the heinous crime of human trafficking to an end.

## REFERENCES

- 2 Mexican nationals plead guilty in hostage taking/harboring case. (2012, November 29). Retrieved from [www.ice.gov/news/releases/2-mexican-nationals-plead-guilty-hostage-takingharboring-case](http://www.ice.gov/news/releases/2-mexican-nationals-plead-guilty-hostage-takingharboring-case)
- Ball, E. A. (1910). *Fighting the traffic in young girls or war on the white slave trade*. Chicago, IL: G.S. Ball.
- Carol, T. (2014, January 2). Does legalized prostitution increase human trafficking? Retrieved from [www.journalistsresource.org/studies/international/human-rights/legalized-prostitution-human-trafficking-inflows](http://www.journalistsresource.org/studies/international/human-rights/legalized-prostitution-human-trafficking-inflows)
- Cho, S.-Y., Dreher, A., & Neumayer, E. (2012). Does legalized prostitution increase human trafficking? *Poverty, Equity and Growth in Developing and Transition Countries: Statistical Methods and Empirical Analysis*, 2-33.
- Cobbina, J. E., & Oselin, S. S. (2011, August). It's not only for the money: An analysis of adolescent versus adult entry into street prostitution. *Sociological Inquiry*, 81(3), 310-332.
- Farrell, A., & Pfeffer, R. (2014, May). Policing human trafficking: Cultural binders and organizational barriers. *The ANNALS of the American Academy of Political and Social Science*, 653(1), 46-63.
- Fink, E., & Segal, L. (2013, February 27). *Pimps hit social networks to recruit underage sex workers*. Retrieved from: [www.money.cnn.com/2013/02/27/technology/social/pimps-social-networks/](http://www.money.cnn.com/2013/02/27/technology/social/pimps-social-networks/)
- Gozdziak, E., & Collett, E. (2005). *Research on human trafficking in North America: A review of literature*. Malden: Blackwell.



Grant, M. G. (2013, March). Unpacking the sex trafficking panic. *Contemporary Sexuality*, 1,2-6.

Harris County Precinct 4 Constable's Office. (2014). *HC14-6797*. Houston, TX: Author.

Harris County Precinct 4 Constable's Office. (2014). *HC14-53507*. Houston, TX: Author.

Hayes-Smith, R., & Shekarkhar, Z. (2010). Why is prostitution criminalized? An alternative viewpoint on the construction of sex work. *Contemporary Journal Review*, 13(1), 43-55.

Human Trafficking. (n.d.). In *Merriam-Webster.com*. Retrieved November 3, 2014, from <http://www.merriam-webster.com/dictionary/human%20trafficking>

Human trafficking in Texas. (2013, Summer). Retrieved from [www.lwvtexas.org/Facts%20and%20Issues/Human%20Trafficking/Facts\\_&\\_Issues\\_Human\\_Trafficking\\_2013.pdf](http://www.lwvtexas.org/Facts%20and%20Issues/Human%20Trafficking/Facts_&_Issues_Human_Trafficking_2013.pdf)

MacDonald, K. L. (2009, October). *Human trafficking: A service providers guide to recognizing and assisting victims of modern day slavery*. Paper presented at the North American Association of Christians in Social Work Convention, Indianapolis, IN.

Marcus, A., Horning, A., Curtis, R., Sanson, J., & Thompson, E. (2014, May). Conflict and agency among sex workers and pimps: a closer look at domestic minor sex trafficking. *The ANNALS of American Academy of Political and Social Science*, 653(1), 225-246.

National Human Trafficking Resource Center. (n.d.). Texas statistics. Retrieved from <http://www.traffickingresourcecenter.org/state/texas>

Possession of child porn lands alicia man in federal prison. (2013, April 16). Retrieved from [www.justice.gov/usao/txs/1News/Releases/2013%20April/130416%20-%20Perez.html](http://www.justice.gov/usao/txs/1News/Releases/2013%20April/130416%20-%20Perez.html)

Secure Solutions and Design. (n.d.). Human trafficking/slavery awareness. Retrieved from <http://secureresolutionsdesign.com/downloads/Human%20Trafficking%20Capabilities%20Statement.pdf>

Territo, L., & Glover, N. (2013). *Criminal investigation of sex trafficking in America*. Boca Raton: CRC Press.

Texas Advisory Committee. (2011). *Human trafficking in Texas*. Austin: Author.

Texas Commission on Law Enforcement. (2013, June). Human trafficking. Retrieved from [www.tcole.texas.gov/content/human-trafficking](http://www.tcole.texas.gov/content/human-trafficking)

Texas Department of Public Safety. (2014). *Assessing the threat of human trafficking in Texas*. Austin: Author.

Texas Penal Code, Texas Statute §20A (2011)

Texas Penal Code, Texas Statute §43.05 (2011)