



Judiciary Committee

Thursday, December 8, 2011

9:00 AM

404 HOB

Action Packet

**Dean Cannon
Speaker**

**William Snyder
Chair**

COMMITTEE MEETING REPORT

Judiciary Committee

12/8/2011 9:00:00AM

Location: 404 HOB

Summary: . No Bills Considered

Committee meeting was reported out: Thursday, December 08, 2011 11:29:40AM

COMMITTEE MEETING REPORT

Judiciary Committee

12/8/2011 9:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
William Snyder (Chair)	X		
Daphne Campbell	X		
Eric Eisnaugle	X		
Matt Gaetz	X		
Tom Goodson	X		
Bill Hager	X		
Gayle Harrell	X		
Shawn Harrison	X		
John Julien	X		
Charles McBurney	X		
Larry Metz	X		
Kathleen Passidomo	X		
Ray Pilon	X		
Ari Porth	X		
Elaine Schwartz	X		
Darren Soto	X		
Richard Steinberg	X		
Michael Weinstein			X
Totals:	17	0	1

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COMMITTEE MEETING REPORT

Judiciary Committee

12/8/2011 9:00:00AM

Location: 404 HOB

Presentation/Workshop/Other Business Appearances:

Workshop on Human Trafficking

Madden, Jim (Lobbyist) (State Employee) (At Request Of Chair) - Information Only
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee Florida undefined
Phone: 850-410-7001

Workshop on Human Trafficking

Bondi, Pam (State Employee) (At Request Of Chair) - Information Only
Attorney General
PL 01, The Capitol
Tallahassee FL 32399
Phone: (850) 245-0184

Workshop on Human Trafficking

Meggs, Willie (State Employee) - Information Only
State Attorney, 2d Circuit
301 S Monroe St
Tallahassee FL 32301
Phone: 850-606-6000

Workshop on Human Trafficking

Coonan, Terry (State Employee) (At Request Of Chair) - Information Only
Professor, Director, FSU Human Rights Center
426 W Jefferson St
Tallahassee FL 32301
Phone: 850-644-4550

Workshop on Human Trafficking

Silvas, John (At Request Of Chair) (General Public) - Information Only
800 SE Monterey Rd
Stuart FL 34994
Phone: 772-220-7066

Workshop on Human Trafficking

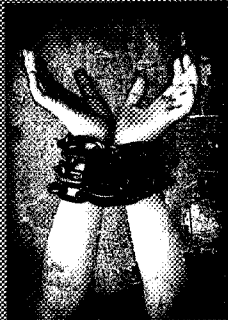
Koder, George (At Request Of Chair) (General Public) - Information Only
Lt., Clearwater Police, Human Trafficking Task Force
645 Pierce St
Clearwater FL 33756
Phone: 727-562-4492

Workshop on Human Trafficking

Hopkins, Sheila (Lobbyist) (At Request Of Chair) - Information Only
Associate Director, Florida Catholic Conference
120 West Pine Avenue
Tallahassee Florida 32301
Phone: 850-205-6826

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INVISIBLE CHAINS



WARNING SIGNS OF HUMAN TRAFFICKING:

- Signs of physical abuse
- Deprived of food, water, sleep or medical care
- Restricted communication
- A large number of occupants in one residence
- Always accompanied when outside their residence
- Outside locks on doors and windows
- Lack of identification documentation

HOW TO STOP HUMAN TRAFFICKING:

- Educate others on what we can do to end the trade of human beings.
- Pray for the rescue and restoration of victims, for the redemption of traffickers and for the protection of all human life.
- Look for activities announced at your local parish.

To report human trafficking, call
1-888-373-7888.

- Call 911 if there is immediate danger or a medical emergency.



Florida Catholic Conference
Human Trafficking Awareness Campaign

CADENAS INVISIBLES



SIGNOS DE ALERTA DE TRÁFICO HUMANO:

- Signos de abuso físico
- Restricción de comida, agua, sueño y cuidados médicos
- Restricción en la comunicación
- Alto número de ocupantes en una residencia
- Siempre se encuentra acompañado(a) cuando fuera de la residencia
- Candados en el exterior de las puertas y ventanas
- No poseen documentos de identificación

COMO DETENER EL TRÁFICO HUMANO:

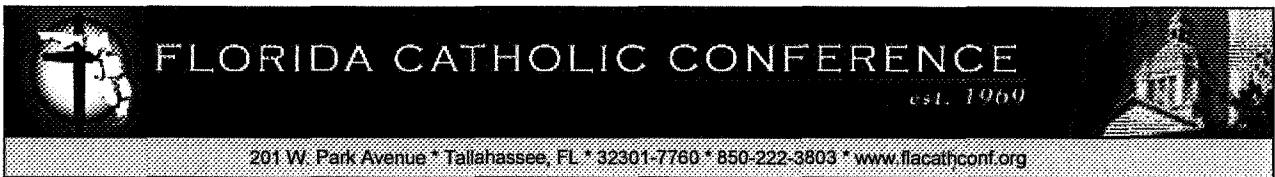
- Educar a otros en lo que podemos hacer para detener el tráfico de seres humanos
- Orar por el rescate y recuperación de las víctimas, por la redención de los traficantes y por la protección de todas las vidas humanas
- Ver las actividades anunciadas en su parroquia

Para reportar actividades de tráfico humano, llame al 1-888-373-7888

Llame al 911 si hay peligro inmediato o emergencia médica.



**Conferencia Católica de la Florida
Campaña de concientización del Tráfico de Seres Humanos**



**Bishops of Florida Call on Catholics to
Fight the Evil of Human Trafficking**
January 11, 2011
*Updated February 1, 2011**

On this tenth anniversary of the passage of the federal Trafficking Victims Protection Act (TVPA), we call upon the Florida faithful to be actively engaged in the fight against the evil of human trafficking. The Human Trafficking Awareness Campaign is intended to educate those who may come in contact with victims in churches, health care facilities, schools or the community so they can identify and report in order to rescue victims from their abusers.

The U.S. State Department estimates that 600,000 - 800,000 men, women, and children are trafficked across international borders each year and approximately 14,500 - 17,500 of them are trafficked into the U.S. annually, luring them with promises of money and then selling or using them in bondage*. Profit over people places at risk women and children forced into prostitution, pornography and sexual entertainment to meet the huge demand of customers. Florida, a prime destination for traffickers because of agriculture and tourism, also depends upon workers in the fields, hotels, and other labor intensive industries. This extreme exploitation destroys the mental, physical, emotional and spiritual health of the victims, leaving them scarred for life.

A troubling trend is the exploitation of minors in domestic sex trafficking. These youth, under age 18, are the runaway and throwaway children in society picked up on our streets and forced into sex acts in exchange for food and a bed. We grieve for the children whose innocence has been sacrificed in the name of greed and monetary gain, a shocking example of "man's inhumanity to man."

In a 2007 pastoral statement of the United States Conference of Catholic Bishops (USCCB) Committee on Migration, the bishops wrote: "Human trafficking is a horrific crime against the basic dignity and rights of the human person. All efforts must be expended to end it...to ensure that, one day soon, trafficking in human persons vanishes from the face of the earth."

As we reflect on our human bond with each other and the words from Matthew 25:40, "as you did it to the least of my brethren, you did it to me," we call on Catholics to become educated about the scourge of trafficking in society. Our vulnerable brothers and sisters, trapped by poverty or circumstances, are waiting for us to help free them from bondage so they may be made whole and restored to health.

Archbishop Thomas G. Wenski
Archdiocese of Miami

Bishop Victor Galeone
Diocese of St. Augustine

Bishop Robert N. Lynch
Diocese of St. Petersburg

Bishop John G. Noonan
Diocese of Orlando

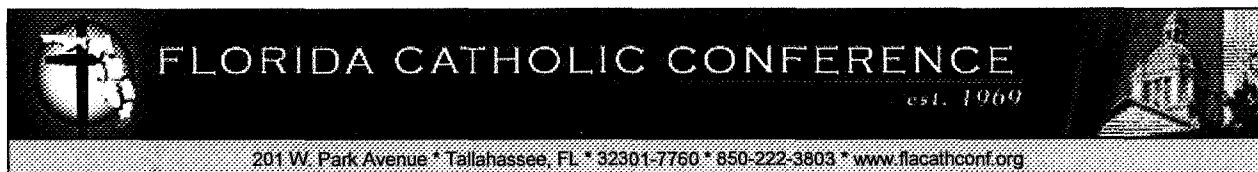
Bishop John H. Ricard, SSJ
Diocese of Pensacola-Tallahassee

Bishop Gerald M. Barbarito
Diocese of Palm Beach

Bishop Frank J. Dewane
Diocese of Venice

Auxiliary Bishop Felipe J. Estévez
Archdiocese of Miami

* This sentence revised per U.S. State Department estimates.



**Los Obispos de la Florida Hacen un Llamado a los Católicos a
Combatir el Mal del Tráfico Humano**
11 de enero de 2011
Actualizado 1 de febrero de 2011*

En este décimo aniversario de la aprobación de la Ley Federal de la Protección de las Víctimas del Tráfico / Trafficking Victims Protection Act (TVPA), hacemos un llamado a los fieles de la Florida a involucrarse de una manera activa en la lucha en contra del mal del tráfico humano. La Campaña de Concienciación del Tráfico Humano está dirigida a educar a aquéllos que pueden ponerse en contacto con víctimas en iglesias, instalaciones de asistencia médica, escuelas, o la comunidad, para que puedan identificar y reportar a víctimas para rescatarlas de quienes abusan de ellas.

El Departamento de Estado de los Estados Unidos estima que, cada año, los traficantes mueven entre 600.000 y 800.000 hombres, mujeres y niños a través de fronteras internacionales, y aproximadamente 14.500 a 17.500 entran en los Estados Unidos*. Los traficantes los atraen con promesas de dinero y, entonces los venden o los usan como esclavos. La ganancia sobre personas pone en riesgo a mujeres y niños forzados a prostituirse, a participar en pornografía y entretenimientos sexuales para satisfacer la enorme demanda de los clientes. La Florida, un excelente destino para los traficantes debido a la agricultura y al turismo, también depende de los trabajadores en los campos, en los hoteles y en otras industrias intensivas de trabajo. Esta explotación extrema destruye la salud mental, física, emocional y espiritual de las víctimas, dejándolas marcadas de por vida.

Una tendencia penosa es la explotación de menores en el tráfico sexual en el país. Estos jóvenes, menores de 18 años, son los niños escapados y botados en la sociedad, recogidos en nuestras calles y forzados a realizar actos sexuales a cambio de comida y una cama. Sufrimos por los niños cuya inocencia ha sido sacrificada en nombre de la ambición y de la ganancia monetaria, un ejemplo horrible de la inhumanidad "del hombre hacia el hombre".

En una declaración pastoral del Comité sobre la Emigración de la Conferencia de Obispos Católicos de los Estados Unidos (COCEU), los Obispos escribieron: "El tráfico humano es un crimen horrible en contra de la dignidad y de los derechos básicos de la persona humana. Todos los esfuerzos tienen que ser agotados para darle fin...para asegurar que, un día cercano, el tráfico de personas humanas desaparezca de la faz de la Tierra".

Al reflexionar sobre el vínculo humano de unos con otros y en las palabras de Mateo 25:40, "...cuando lo hicieron con alguno de los más pequeños de estos mis hermanos, me lo hicieron a mí", llamamos a los católicos a educarse acerca del azote del tráfico en la sociedad. Nuestros vulnerables hermanos y hermanas, atrapados por la pobreza o por las circunstancias, nos están esperando para que ayudemos a liberarlos de la esclavitud, para que puedan recuperar su integridad y restaurar su salud.

Arzobispo Thomas G. Wenski
Arquidiócesis de Miami

Obispo John G. Noonan
Diócesis de Orlando

Obispo Frank J. Dewane
Diócesis de Venice

Obispo Victor Galeone
Diócesis de St. Augustine

Obispo John H. Ricard, SSJ
Diócesis de Pensacola-Tallahassee

Obispo Auxiliar Felipe J. Estévez
Arquidiócesis de Miami

Obispo Robert N. Lynch
Diócesis de St. Petersburg

Obispo Gerald M. Barbarito
Diócesis de Palm Beach

**Esta oración fue corregida según cifras obtenidas del Departamento de Estado de los Estados Unidos.*

Current Trafficking Trends

Research conducted by the FSU Center for the Advancement of Human Rights between 2004 and 2010 reveals that human trafficking very much remains a Florida reality. Moreover, trafficking appears to be evolving in recent years. Based upon case research as well as FSU interviews conducted with law enforcement officials and service providers throughout the state, the following are discernible trends in trafficking here in Florida:

Labor trafficking is the most prevalent type of human trafficking that occurs in Florida. The largest number of trafficking victims identified in Florida between 2004 and 2010 involved persons exploited for forced labor, and debt servitude is often the preferred means of coercion. The two sectors of Florida's economy where forced labor appears most prevalent are **(1) the agricultural sector** and **(2) the tourism and hospitality industries.** Florida's agricultural sector has long been rife with labor exploitation. The pre-eminent farm workers' rights group in the state, the Coalition of Immokalee Workers, notes that human trafficking represents merely one extreme on an entire continuum of systemic farm labor abuses. Recent years have also witnessed the emergence of patterns of human trafficking in Florida hotels, resorts, and tourism venues. Unregulated temporary employment agencies are typically the actors responsible for this trafficking. One investigator in a Panhandle Sheriff's Office observes that exploitation and human trafficking appear to be the rule, rather than the exception, among Florida's unregulated "temp" agencies. Such companies routinely violate wage and hour law, use physical force and psychological coercion against employees, and refuse to pay medical treatment for injured workers. Traffickers also continue to prey on victims' vulnerabilities, for instance targeting workers who have histories of homelessness, substance abuse or mental illness.

It is common practice for contractors to rent a house, and then use that residence to house as many as 10-20 seasonal workers, often requiring them to sleep on the floor or two to a bed. The contractors typically deduct money from the workers' paychecks, charging them for housing fees, transportation fees, cleaning fees, uniform fees, visa fees, etc. Such deductions

invariably cause the hourly rate paid to the workers to drop far below the federal minimum wage, at times even resulting in workers receiving a net pay of zero. Workers who complain are often threatened with eviction or deportation.

Domestic Minor Sex Trafficking constitutes the other most prevalent and yet most under-reported and under-prosecuted human trafficking offense in Florida. While international victims of trafficking remain especially vulnerable in Florida, U.S. citizen minors exploited in prostitution and in Florida's adult entertainment industry potentially constitute the state's other very sizable victim population. Perhaps the most important step taken by the U.S. anti-trafficking community in recent years has been the gradual recognition that thousands of our own U.S. citizen children are in fact victims of trafficking. It is estimated that at any given moment, there are between 30,000 to 40,000 pre-teen and teenage runaways in Florida. As a group, they are tremendously vulnerable to exploitation by pimps or to abuses in Florida's adult entertainment industry. Advocates note that the "recruiting" of runaway or throw-away children for sexual exploitation is increasingly done on the street, at schools and in malls, online through Myspace and Facebook, and even outside juvenile courts.

When encountered by the law enforcement and judicial systems, many of these exploited children are often erroneously dealt with as criminals. Yet just as minors cannot consent to sex, neither can they legally consent to prostitution. Both state and federal law are clear that prostituted children are victims rather than criminals. Nonetheless, children under the age of 18 are at times still arrested for prostitution in Florida. There is, moreover, very little funding available for their care or protection. Two non-governmental organizations in Florida—Kristi House in Miami, and the KlaasKids Foundation in Pensacola—are among the leading organizations in the state to both care for U.S. domestic minor victims of sex trafficking and to call attention to their plight. Secure housing remains the most acute need for these children, as well as intensive recovery and support services.

Sex trafficking remains a scourge throughout Florida. Florida law enforcement continues to find and investigate sex trafficking schemes throughout the state. In contrast to earlier Florida sex trafficking cases (such as the 1997-1998 *Cadena* case), sex trafficking operations now rely much less on stationary brothels. Increasingly, they instead comprise “mobile brothels”—prostitution delivery services in which the women are driven to clients’ private residences or receive clients in rented hotel rooms. The utilization of mobile brothels appears to be motivated by more than the need to simply avoid law enforcement scrutiny. It is also an effort to avoid the armed robberies that have plagued the immigrant community in recent years in Florida. In addition to being mobile, Florida sex trafficking has also become a circuit. Victims appear to be moved frequently, often being brought in from out-of-state to a variety of Florida cities for short periods of time. One Florida detective notes that the internet has become the new “virtual street corner” for prostitution and sex trafficking. Whereas a few years ago prostitution might have been advertised primarily in the back pages of free community newspapers, it is now more frequently facilitated through websites such as Craigslist or Backpage.com.

A number of recent Florida sex trafficking schemes have relied on decidedly “low-tech” means of advertising in order to evade law enforcement detection. The *Melchor* and *Monsalve*¹ sex trafficking rings in north and central Florida depended on the distribution to local Hispanic males of small “business cards” which contained only the pimp’s cell phone number and a silhouette of a taxi or a nude woman. The same two cases also confirmed that Florida sex trafficking has very much become a multinational venture: while the perpetrators in these cases were almost exclusively Colombian, they lured and exploited victims from all over Latin America (including women from Guatemala, El Salvador, Honduras, Puerto Rico, the Dominican Republic, Nicaragua, and Colombia). Earlier Florida sex trafficking cases more typically witnessed the exploitation of women by their fellow foreign nationals. In its newfound diversification in Florida, sex trafficking once again appears to embody the dark underside of globalization.

¹ See pages 21 – 24 for a full description of these cases.

Sex trafficking is more complex and nuanced than perhaps previously thought. Early sex trafficking cases reported in Florida often involved very “black and white” scenarios of exploitation, in which the women exploited sexually constituted what are now termed “iconic victims.” That is, they were women who had unquestionably been deceived by false promises of jobs and then forced into prostitution by the brutal use of force or at times by threats of force against family members back in the victims’ home countries. More recent Florida cases do not always admit of such black and white characterizations. Brothel raids and prostitution investigations by Florida law enforcement are instead revealing cases now in which women who have willingly migrated for sex work are found alongside women who are being trafficked sexually against their will. Law enforcement officials are encountering scenarios that are much more complex because they involve both consenting and non-consenting participants in prostitution ventures.

Importantly, even women who have supposedly “consented” to prostitution may still be trafficking victims. The *Melchor* and *Monsalve* sex trafficking investigations identified a number of women who by their own admission had been smuggled into the United States knowing that they would pay off their smuggling debts through prostitution. They had not, however, consented to what actually awaited them: the requirement that they undergo 35-40 sexual transactions per night, a complete loss of their freedom of movement, and the confiscation of their identity documents by pimps. These women became trafficking victims notwithstanding the fact that they may have initially consented to prostitution.

This reality underscores how imperative it is that law enforcement investigators establish a relationship with the potential sex trafficking victims whom they interview. Victims often do not self-identify immediately, and will only disclose the complete details of their exploitation after a measure of trust has been established with their interviewer. The full magnitude and the complexity of commercial sexual exploitation may become discernible only after a more in-depth assessment of what may initially appear to be consensual prostitution. As always, victim-

centered investigations are absolutely imperative. Potential victims should be “interviewed” and not “interrogated.”

The psychological coercion exercised against trafficking victims assumes many forms and should not be underestimated by law enforcement investigators. One of the most formidable challenges facing law enforcement officials in Florida and throughout the country is the task of recognizing the multiple forms of psychological coercion (the “invisible chains”) that increasingly are used to control trafficking victims. Modes of coercion such as debt servitude, threats against the victim’s family, or threats of deportation are never immediately visible. Law enforcement officials not only need to be alert to indications of such coercion, but must also better credit the full effect of such threats upon victims.

Males are increasingly being identified as human trafficking victims in Florida. While women and children remain especially vulnerable to exploitation, male victims of human trafficking are increasingly encountered throughout the state. This includes U.S. citizen males (for example, the homeless men exploited for field labor in the *Evans* case in Palatka) and foreign national males (routinely exploited in the agricultural sector as seasonal migrant workers or as seasonal workers in the hotel and tourism industries). Secure housing remains a particularly acute problem for male victims after they are rescued. Even basic victim identification in cases involving males can prove difficult. For reasons of culture or learned gender roles, many men resist seeing themselves as “victims,” and instead merely refer to their exploitation as “bad jobs” from which they cannot escape.

After personal safety, housing remains the overwhelming need of human trafficking victims in Florida. While males face especially daunting challenges in finding housing after rescue or escape from trafficking situations, this is true to some degree for almost all trafficking victims in Florida. Many shelters have very strict limitations on how long residents may stay there, and long-term housing for trafficking victims is particularly difficult to secure. Because the

prosecutions in which trafficking victims may be involved as witnesses can stretch on for months—or even years—safe and affordable housing becomes even more vital.

Somewhat ironically, the housing needs of U.S. citizen victims can be even more difficult to meet than those of immigrant victims. The most critical need in this respect is for housing that is both secure and therapeutic for **domestic minor victims of sex trafficking**. Advocates for these U.S. citizen child victims point out that there is an almost complete dearth of housing that is appropriate for these minors. Because many have been victimized by pimps who continue to exercise great emotional control over them, a secure housing option that approximates a “lockdown” situation is virtually necessary when they are first encountered. On the other hand, such children are victims rather than criminals, and outright detention is therefore inappropriate. Group homes and foster care placements are not viable alternatives, because such teenagers comprise strong flight risks whose first instinct is often to return to their pimp. Kristi House in Miami has been a strong advocate of Florida adopting **“Safe Harbor” legislation** such as has been proposed in the California and New York legislatures. A Safe Harbor Act would result in the creation of short-term “safe shelters” in Florida for the care of sexually exploited children. These shelters would be secure facilities (much as a detention center would be) but would not duplicate the more draconian elements of actual detention facilities. They would instead comprise “home-like” environments where a sexually exploited child would be housed after having been encountered by law enforcement, juvenile detention officials, or professionals serving runaway or homeless youths. Unlike foster homes or group homes, such facilities would in fact be secured in order to preclude flight on the part of the child. While the child remains in residence, he or she would receive intensive therapy, counseling, and support services. As a secure facility, the safe harbor house would nonetheless preclude contact between the child and their exploiter (namely pimps). In addition to the child receiving very targeted therapeutic care during their stay in the safe harbor home, he or she would also be afforded the time to understand that their pimp is not a caregiver but rather a predator.

There is a need for proactive law enforcement work. Police and prosecutors alike throughout Florida noted that their roles in investigating trafficking cases have been almost exclusively reactive to date. That is, they have responded to trafficking cases when they encountered a victim or were referred a case by a non-governmental organization. A number of the prosecutors and law enforcement officials who were interviewed emphasized that in order to more effectively combat human trafficking, a law enforcement investigatory model that is proactive will be required. One officer urged that tools such as those utilized against organized crime and drug traffickers—wiretaps, paid confidential informants, and undercover work—should likewise be employed against human traffickers. A Florida prosecutor added that law enforcement should also begin gathering “intelligence” on hotels or growers who appear to be profiting from trafficking, and should utilize plea bargains with lower level offenders in order to successfully prosecute those higher up the “chain.”

A statewide intelligence database for Florida law enforcement officials regarding human trafficking leads and perpetrators is very much needed. State and local law enforcement officers interviewed for the Strategic Plan were almost unanimous in their call for the creation of a statewide database on human trafficking for law enforcement. They recognized that the very nature of human trafficking means that it is a crime that invariably crosses county lines and involves multiple jurisdictions, and that any number of local Florida law enforcement agencies might be simultaneously investigating the same case. State and local investigators suggested that the following be included in such a database:

- **Suspects**
- **Known pimps**
- **Businesses identified or being scrutinized for human trafficking**
- **Massage Parlors and their owners**
- **Addresses, telephones, and aliases of potential suspects**
- **Vehicles and license plates associated with potential suspects**
- **Networks of agricultural brothels**

- **Subcontractors in Florida agriculture, hospitality, or service sectors who appear to rely on labor trafficking or exploitation**
- **Current leads on cases**

This database, agreed all the law enforcement officials interviewed, should be confidential and secured for law enforcement use only.

The Florida Department of Law Enforcement has already assumed an important role in state investigations, and will be crucial for coordinating and supporting trafficking investigations on a statewide level. FDLE has assumed a central role in Florida trafficking investigations, and it is logical that they should continue this leadership. The creation and maintenance of a statewide database on trafficking would furthermore be a natural role for FDLE, which has tremendous expertise in this area. Another important contribution on the part of FDLE would be for the agency to post information about domestic minor sex trafficking on its Missing Endangered Person Clearinghouse website, underscoring the vulnerability of runaway and missing children to commercial sexual exploitation.

Training for veteran Florida law enforcement agents is still needed. While the Florida Legislature has mandated that all new Florida law enforcement recruits receive eight hours of training on human trafficking, there is no such requirement for officers already in the field. This could be accomplished through the institution of a mandatory four to eight hour training on human trafficking that all sworn officers in Florida would be required to complete within four years. FDLE has already created both a basic curriculum on human trafficking for training recruits, and an advanced 40 hour curriculum for Florida investigators. The agency is therefore optimally suited for developing a mandatory statewide training on trafficking for all active duty Florida law enforcement officers. Ideally this training would be available both as a live training module in Florida police academies and community colleges where ongoing training has traditionally been made available to active duty officers, and also through an online curriculum that could be completed in sections. In addition, Florida's Sheriff offices and police departments

could complement this longer training with shorter in-service trainings such as briefings and roll calls.

Training for Florida prosecutors is urgently needed. Florida has had state laws criminalizing human trafficking since 2004, but to date few cases have been prosecuted. There may be a number of reasons for this dearth of state trafficking prosecutions: the Florida law has yet to be “tested” in court, there is no case law to guide prosecutors, and prosecutors’ dockets are critically overloaded as a result of state budget cuts. Nonetheless, some state and local law enforcement officers report bringing cases to state attorneys that are not acted upon. Clearly training on human trafficking cases and on state law criminal statutes should be made available to the 20 State Attorney offices throughout Florida. It is almost always local law enforcement officers who encounter and recognize human trafficking crimes. Unless they are confident that their local prosecutor will pursue a case, they have little incentive to do so themselves.

The Office of the Statewide Prosecutor could play a critical role in Florida’s efforts to counter human trafficking. Just as FDLE’s statewide mandate makes it an optimal law enforcement agency to investigate trafficking, the Office of the Statewide Prosecutor is likewise ideally situated to prosecute trafficking cases that cross the boundaries of Florida’s judicial circuits (which means virtually every trafficking case in Florida). Moreover, Florida human trafficking cases bear all the hallmarks of other crimes that the Office of the Statewide Prosecutor has particular expertise in: **organized crime, money laundering, violent crime**, and—especially relevant to the recruiting of U.S. citizen minors for prostitution—**internet predators**.

Training for state agencies is crucial—and it pays off. Trainings that have been implemented to date for state agencies on human trafficking have borne striking results. In the first year after the Florida Immigrant Advocacy Center, under contract with the Department of Children and Families (DCF), the FSU Center for the Advancement of Human Rights and others designed and implemented the training for DCF Hotline workers, child protective investigators and community based care agencies on human trafficking, there were 156 trafficking investigations,

with 22 verified cases resulting from those investigations. In a similar vein, two weeks after completing the FDLE Advanced Investigative Training on Human Trafficking, a detective from the Pinellas County Sheriff's office broke the "Treasure Island" sex trafficking case that involved the exploitation of multiple U.S. citizen women in strip clubs and escort services in the Tampa Bay area. And in West Palm Beach, Department of Health nurses making a home call on an immigrant teenage mother alertly recognized that she was an ongoing victim of sex trafficking and were able to arrange for her rescue within 24 hours by the FBI. The trend is unmistakable: once provided training, Florida agencies can play a crucial role in identifying and combating human trafficking.

However successful enhanced law enforcement efforts are, ultimately human trafficking in Florida cannot be eradicated by employing only a "law enforcement approach." An increase in human trafficking investigations and prosecutions—especially by local law enforcement and by state prosecutors—is certainly crucial for reining in patterns of modern slavery. The role of the Florida Attorney General Office in prosecuting unfair trade cases and labor violations is also vital. However, given the pervasiveness and the sheer profitability of human trafficking in Florida, the criminal justice system alone will not significantly reduce human trafficking. State regulatory agencies that maintain licensing or investigative branches also have a crucial role to play in countering human trafficking. This includes the **Department of Business and Professional Regulation (DBPR)** — and particularly DBPR's **Division of Alcoholic Beverages and Tobacco (ABT)** and its **Farm Labor Contractor Program**, along with the Departments of **Financial Services (DFS)**, **Health (DOH)**, **Environmental Protection (DEP)** and **Agriculture and Consumer Services (DOACS)**. The role of such state agencies is especially vital in combating labor trafficking, through vigilant contract and licensing monitoring.

Moreover, licensing and regulatory officials enjoy routine access to sites where trafficking occurs but where sworn law enforcement officials might require a warrant to search. These include premises such as bars, massage parlors, restaurants, agricultural fields, construction sites and other places where trafficked workers can be found. And because they visit these worksites on such a regular basis, regulatory officials may provoke little to no suspicion on the

part of traffickers. In addition to their regulatory functions, such officials can therefore serve as the “eyes and ears” of their local community.

Some kind of “vetting” process for emerging community groups is now most likely necessary.

A host of new community and non-governmental groups are evolving in response to human trafficking in the state of Florida. Such groups play an increasingly important role in efforts to engage civil society in the battle against modern slavery. This trend, however, has not been without complications. Florida has witnessed a number of scams in recent years, often perpetrated by persons claiming to raise funds for human trafficking victims. Given the sensationalism of sex trafficking, many such schemes promise comfort and care for young women victimized by sex traffickers. Scrutiny of such groups often reveals that the only operative feature of their organization is the “Donate” link on their website. Some kind of regulation of emerging service providers is clearly needed, both for the safety of victims who these organizations purport to assist and for the general public so that it can safely rely on the organizations’ claims before donating money.

Well-meaning community organizations are also evolving with the mission of rescuing victims from human trafficking situations. In some instances they cross the line into the realm of law enforcement investigations, impeding or compromising professional law enforcement efforts to surveil and arrest traffickers. Non-governmental organizations should be very clear that it is the task of sworn law enforcement officers to provide armed intervention in cases involving human trafficking—and not that of well-intentioned civilians. Accomplished non-governmental groups such as the Klaas Kids Foundation and the Coalition of Immokalee Workers continue to set the standard for how private organizations can engage in successful rescue efforts that complement law enforcement roles and responsibilities.

IMPORTANT THINGS TO LEARN ABOUT YOUR STATE

Are child victims being arrested, charged, prosecuted, and jailed for prostitution? Is it common practice?

What is the process from arrest to detention for children in the judicial system?

What organization or agency will provide services if a child is referred there instead of prosecuted?

Who has jurisdiction over children exploited through prostitution but referred for services?

What legal authority is necessary to allow an agency to provide residential services to a child?

What services and shelters are available for commercially sexually exploited children?

How are child victims of human trafficking being handled? Is there a human trafficking law in your state?

A SAFE HARBOR LAW WILL PROTECT A CHILD'S RIGHTS.

Use the enclosed information to help support the passage of Safe Harbor laws in your state. State laws must send the message that children cannot consent to their own sexual exploitation under any circumstances. For more information on Safe Harbor, on commercial sexual exploitation of children, and on what you can do in your state, contact ECPAT-USA at ecpat@ecpatusa.org.

SUPPORTING SAFE HARBOR LEGISLATION IN YOUR STATE TO PROTECT CHILDREN EXPLOITED THROUGH PROSTITUTION

DID YOU KNOW THAT?

Despite international and federal laws that view children exploited through prostitution as victims, children are legally charged, prosecuted and incarcerated across the United States. How does this happen?

- Many people still believe that commercially sexually exploited children are committing crimes and should be punished.
- Because there are so few safe places for prostituted children to go, juvenile detention becomes their default shelter.
- Many officials mistakenly believe that locking a child in juvenile detention will convince her to testify against her trafficker/pimp.

Find out how your state treats prostituted children and join ECPAT- USA to advocate for Safe Harbor legislation.



ECPAT-USA
157 Montague St.
Brooklyn, NY 11201

Phone: 718-935-9192
Fax: 718-935-9173
ecpat@ecpatusa.org



WHAT IS A SAFE HARBOR LAW?

Several states have passed Safe Harbor laws that protect children from being treated as criminals. We need them in every state.

WHAT CAN A SAFE HARBOR LAW DO?

- It can protect and prevent any person under the age of 18 from being charged, prosecuted or incarcerated for prostitution.
- It can refer exploited children to special services and shelters that will support their recovery.
- It can require the training of law enforcement, judges and first responders.

WHY MUST WE PASS SAFE HARBOR LAWS?

- Unlike any other sex crime victims, sexually exploited children are frequently arrested for causing their own victimization. Children charged with prostitution can be plagued by a criminal record throughout their lives.
- Prosecuting and incarcerating children for prostitution re-traumatizes them and leads to increased recidivism rates.

CORRECTING COMMON MYTHS AND MISCONCEPTIONS ABOUT SAFE HARBOR

MYTH: States already have human trafficking laws that protect children.

FACT: State human trafficking laws do not adequately protect children. They define the crime of human trafficking and may create enhanced punishments for trafficking of children, but they do not change the laws that allow prosecution of children for prostitution. Law enforcement officers, prosecutors and judges often feel compelled to arrest and prosecute children and rarely exercise their discretion to dismiss those cases.

MYTH: Safe Harbor will decriminalize the prostitution of children, making pimps feel

safer to keep exploiting them.

FACT: Safe Harbor does not make it legal to exploit children through prostitution, stripping or any other sexual services. Safe Harbor laws protect children from being treated as law breakers. In fact, Safe Harbor is already being used to increase existing penalties against pimps, "johns", and profiteers of any kind. Removing children from arrest and prosecution should also remove the opportunity for pimps to play on young people's fear of police.

MYTH: Locking up a child acts as a deterrent to further acts of prostitution.

FACT: If anything, detention isolates and re-traumatizes children, making them even more vulnerable to exploitation and also to substance abuse. Safe Harbor laws should provide for comprehensive services and support children to rebuild their lives. Removing the child from the influence of a pimp is far more likely to encourage a child to cooperate with police.

MYTH: Safe Harbor removes law enforcement's role in keeping children safe.

FACT: Law enforcement is required to intervene to protect children. Safe Harbor does not eliminate this role. Arresting exploited children, however, is not the best way to keep them safe. Pimps often bail them out, and police officers are often not supportive. This negative experience leaves sexually exploited children with profound mistrust of the police and judicial systems. Safe Harbor laws should provide for the training of law enforcement officers to learn to properly treat this vulnerable population. They should also promote the creation of referral systems, enabling law enforcement to transfer children to experienced service providers, allowing them to focus on arresting those who buy and sell children.

MYTH: Some young people know just what they are doing and choose to be prostitutes; they deserve punishment.

FACT: Whether they are sold by a pimp or on

their own, children are victims, not criminals. They are developmentally incapable of foreseeing and understanding the lifelong effects of their decisions. Our laws already acknowledge this by setting age restrictions for consuming alcohol, driving a car, consenting to sex, and volunteering for military service. Prostitution has complex and traumatic repercussions. Our popular culture normalizes and glamorizes the sex industry effectively masking the dangers inherent in selling sex, especially for children.

JUVENILE JUSTICE TRENDS FAVOR SERVICES OVER LOCK-UP

States and municipalities across the U.S. are moving away from incarcerating children in juvenile detention for status and non-violent offenses. Instead, they are investing in alternative community-based programs that are focused on helping the child and keeping her close to school and the community. These programs are less expensive and more effective than detention lock-up.

WHAT YOU CAN DO TO HELP PASS A SAFE HARBOR LAW IN YOUR STATE

Seek out and bring together the right organizations. Partners integral to passing a good Safe Harbor law include:

- Local juvenile justice organizations
- Child advocates
- Public defenders' offices
- Key law enforcement figures
- Non-profit organizations whose focus is commercially sexually exploited children, sexual assault, or runaway and homeless youth
- State agencies such as the Department of Children and Families
- Human trafficking coalitions and alliances
- Legislators who are champions for children
- Legal advocates experienced in child welfare

PROTECTED INNOCENCE INITIATIVE

FLORIDA REPORT CARD

Florida's sex trafficking law requires the use of force, fraud or coercion to cause a minor to engage in commercial sex acts, unless trafficked by a parent, and traffickers convicted of sex trafficking are not required to register as sex offenders. Child victims have some protections but consistent identification and wrap-around services and shelter are critical deficiencies.

FINAL SCORE

71.5

FINAL GRADE

C



4.5

17

14.5

5.5

18

12

7.5

25

15

10

27.5

15

CRIMINALIZATION OF DOMESTIC MINOR SEX TRAFFICKING

Florida law separately addresses sex trafficking (1) of any age person with a requirement of force, fraud, or coercion used in the commission, and (2) of a minor under 18 by a parent, guardian or custodian without regard to the use of force, fraud, or coercion. Florida has several commercial sexual exploitation of children (CSEC) laws, including lewd or lascivious battery of person under 16 for prostitution, kidnapping and false imprisonment of a child under age 13 for prostitution, use of a child in a sexual performance, and procuring a minor for prostitution. The CSEC offenses do not refer to the sex trafficking statutes for prosecution or victim protection.

CRIMINAL PROVISIONS ADDRESSING DEMAND

The state sex trafficking law could be applied to buyers who “obtain” a child for commercial sex acts, following federal precedent, but only if the buyer has knowledge that force was used against the minor to cause the prostitution. The CSEC law on lewd or lascivious battery makes it a crime to engage a minor under 16 in prostitution, but the patronizing a prostitute statute does not distinguish between purchasing commercial sex acts with an adult versus a minor and would be used in cases of buying commercial sex acts with a minor 16 or older and when the buyer is not identified as a buyer of prostitution with a child. Buyers using the Internet to solicit a minor to engage in prostitution, among other sexual offenses, are subject to prosecution for computer pornography. The sex trafficking and CSEC laws are silent on mistake of age leaving open the possibility of this defense being asserted by a prosecuted buyer. Buyers must pay restitution to victims who suffer injury and face asset forfeiture for felony convictions. Buyers of sex with minors are required to register as sex offenders if convicted of lewd and lascivious battery or child pornography offenses, but not for sex trafficking offenses.

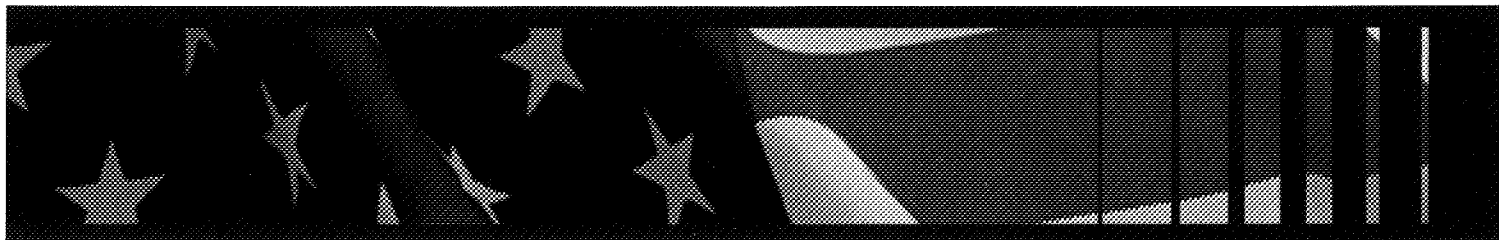
CRIMINAL PROVISIONS FOR TRAFFICKERS

Sex trafficking through force, fraud or coercion is punishable by up to 15 years imprisonment, or 30 years when the victim is under 14, the trafficking results in death, or a child is trafficked by a parent, guardian or custodian. Traffickers who obtain a minor for creating child pornography face up to 30 years imprisonment. CSEC crimes of lewd or lascivious battery, sexual performance by a child—which includes creating child pornography and is enhanced one higher degree if 10 or more images are found, at least one of which depicts certain types of abuse or very young minors—and procuring a minor for prostitution are punishable by up to 15 years imprisonment. Kidnapping a child under 13 for prostitution is punishable by life imprisonment and false imprisonment of a child under 13 for prostitution is punishable by up to 30 years imprisonment. All of these offenses carry a possible fine up to \$10,000. Traffickers may face racketeering and money laundering charges and asset forfeiture. Mandatory victim restitution will be ordered at sentencing. Traffickers using the Internet to solicit a minor to engage in prostitution, among other sexual offenses, are subject to prosecution for computer pornography. Registration as a sexual predator is required for many CSEC crimes, but not sex trafficking. Sex trafficking is not enumerated as a violent crime for which a trafficker’s parental rights can be terminated, however parental rights may be terminated if a trafficker is incarcerated for an extended period or is convicted of an offense as a habitual offender or for which registration as a sexual predator is required.

DEMAND | SELECTED COMMERCIAL SEX CRIMES

Crime (name of law abridged)	Classification	Sentence	Fine	Asset Forfeiture Available
Lewd or lascivious battery (minor under 16) (\$ 800.04(4))	Second degree felony	Max. 15 years	Max. \$10,000	●
Patronizing a prostitute (\$ 796.07(2)(i))	2nd degree misdemeanor (1st offense); 1st degree misdemeanor (2nd offense); 3rd degree felony (3rd offense)	Max. 60 days (1st offense); 1 year (2nd offense); 5 years (3rd offense)	Max. \$500 (1st offense); \$1,000 (2nd offense); \$5,000 (3rd offense)	●
Possessing child pornography (\$ 827.071(5))	3rd degree felony	Max. 5 years	Max. \$5,000	●

All criminal penalties are statutory; many states also have sentencing guidelines that are not codified which affect sentencing.



PROTECTIVE PROVISIONS FOR THE CHILD VICTIMS

Sex trafficking and CSEC victims are not fully protected under Florida's laws. Sex trafficking and CSEC laws (other than lewd or lascivious battery) do not prohibit a defense based on consent of the minor. Prostitution offenses are not limited in application to adults, leaving prostituted minors vulnerable to arrest and detention for prostitution. No specific protective provisions are statutorily mandated for CSEC victims. Victims could be classified as a delinquent child, a child in need of services or an abused child leading to different response protocols and placements, including detention. The definition of harm, for purposes of defining abuse in the child welfare statutes, includes sexual exploitation by prostitution or sexual performance; however, the definition of custodian does not clearly apply to a trafficker, possibly preventing a child welfare response in cases of non-familial trafficking. Crime victims' compensation is specifically mandated for victims of online sexual exploitation and child pornography identified through the National Center for Missing and Exploited Children's Child Victim Identification Program. Other CSEC victims may be eligible for compensation bodily or psychological injury or death, although several criteria may limit their eligibility. These include a bar to recovery if the victim participated or assisted in a criminal act and a possible bar if the crime is not reported within 72 hours (unless good cause is shown) and a claim is not filed within one year of the victim turning 18. Victim-friendly trial procedures are available to sex trafficking victims, including an appointed guardian ad litem and testify via closed-circuit television at the discretion of the court for victims of trafficking under 16. The "rape shield" law is limited to victims of sexual battery, leaving CSEC victim-witnesses unprotected from the trauma of cross-examination. A minor who successfully completed a diversion program or was not adjudicated delinquent may petition to expunge the juvenile record. Restitution to victims who suffer injury is mandatory and victims may bring various civil claims for injuries arising from trafficking. A prosecution for kidnapping a child under 13 may be brought at any time, while a four year statute of limitations applies to prosecutions of false imprisonment of a child under 13 and sex trafficking where the child is under 14 or the child is trafficked by a parent, and a three year statute of limitations for all other felonies. For civil claims based on damages from being trafficked, a three year statute of limitations begins to run after the later of the conclusion of the criminal case, notice to the victim of pornographic images, or three years after the victim turns 18.

CRIMINAL JUSTICE TOOLS FOR INVESTIGATION AND PROSECUTIONS

Training for law enforcement on human trafficking is mandated in Florida. Single party consent to audiotaping is permitted, and wiretapping is allowed in investigations for child pornography but not for sex trafficking or prostitution offenses. Use of a decoy to investigate prostitution of children is not expressly authorized. A defendant prosecuted under the law against computer pornography and travelling to meet a minor for lewdness including prostitution and solicitation of a child to participate in pornography may not raise a defense that the "minor" was in fact an undercover law enforcement officer and it is enough that that defendant believed the person to be a minor, making the Internet a valuable tool for these investigations. A statewide reporting and response system for missing children is in place in Florida and requires the reporting of missing and located children.

CRIMINAL PROVISIONS FOR FACILITATORS

The state sex trafficking law only applies to facilitators who assist or enable trafficking in which force was used. No CSEC crimes are applicable to facilitators but penalties may be available under racketeering and money laundering laws. Several laws make selling and promoting child pornography a crime, including acts in connection with obscene, lewd materials, punishable by up to 5 years imprisonment and a possible fine up to \$5,000 when the materials involve minors; the same penalty applies to computer pornography and transmission of pornography by electronic device or equipment but increases to 15 years imprisonment with a possible fine of \$10,000 if the defendant possesses 10 or more images, at least one of which depicts certain types of abuse or very young minors. Facilitators must pay restitution to victims who suffer injury and face asset forfeiture for felony convictions. Facilitators who allow use of their premises for sex trafficking face the loss of their property if declared a nuisance under criminal gang laws. No laws in Florida address sex tourism.

The Report Card is based on the Protected Innocence Legislative Framework, an analysis of state laws performed by the American Center for Law & Justice and Shared Hope International, and sets a national standard of protection against domestic minor sex trafficking. To access the Protected Innocence Legislative Framework Methodology, each completed Report Card, and foundational analysis and recommendations, please visit: www.sharedhope.org/reportcards.aspx.



PROTECTED INNOCENCE INITIATIVE

Florida State Facts

Criminalization of DMST

1. Florida has several sex trafficking laws. Force, fraud or coercion is a required element of trafficking even when the victim is a minor, except if the trafficker is a parent or guardian or the exploitation is through pornography or sexual performance.
2. Data collected by the Department of Children and Families since instituting a human trafficking maltreatment code for Florida hotline operators indicate that from May 1, 2009 through June 30, 2010, 156 trafficking incidents were reported. 22 verified trafficking cases resulted from these reports, most of which occurred in Broward, Hillsborough, Lee, and Miami-Dade counties.¹

Criminal Provisions Addressing Demand

3. Florida Attorney General Pam Bondi was one of 51 Attorneys General who signed a letter to Backpage.com calling on the company to disclose its efforts to identify and delete advertisements that facilitate sex trafficking, specifically of minors.²
4. Operation Blue Shepherd by the Pensacola police netted 25 men in one week for soliciting sex acts with children ages 12-14 in July 2011. The buyers are charged with several state commercial sexual exploitation of children (CSEC) crimes, including attempted lewd and lascivious acts on a minor 12–16 years old and using the Internet to solicit a minor.³

Criminal Provisions for Traffickers

5. Paul Aaron, a Haines City school bus monitor, was charged with sex trafficking under the state law in July 2011 for forcing minors into prostitution in his home and local clubs. Haines City police officer Demetrius Condry also faces charges he used his position as an officer to intimidate the victims and receive sexual favors “on the house.”⁴

¹ Florida State University Center for the Advancement of Human Rights, Florida Strategic Plan on Human Trafficking (October 2010), pg. 39. http://www.cahr.fsu.edu/sub_category/floridastrategicplanonhumantrafficking.pdf.

² <http://www.tn.gov/attorneygeneral/cases/backpage/backpageletter.pdf>

³ <http://www.examiner.com/sex-trafficking-in-national/child-sex-trafficking-florida-25-arrested-for-seeking-sex-acts-with-minors>

⁴ <http://www.cfnews13.com/article/news/2011/july/279070/Deputies-arrest-police-officer-bus-attendant-for-sexcrimes?cid=rss>

6. In May 2011, four girls ages 14-17 were rescued in Ft. Lauderdale after being held against their will, forced to dance nude and prostitute in their captor's home. Three people were charged with conspiracy to commit sex trafficking under the state law. Twelve other men were found in the home at the time of the rescue.⁵

Protective Provisions for Child Victims

7. Despite their status as victims under the state sex trafficking laws, commercially sexually exploited children may be identified as delinquents for prostitution related offenses that may prevent them from receiving treatment consistent with their status.
8. Since 2004, the FBI, with help from the Department of Justice and the National Center for Missing and Exploited Children, has recovered 147 children in Miami, Tampa and Jacksonville as part of the national Innocence Lost Initiative.⁶

⁵ <http://www.examiner.com/sex-trafficking-in-national/ft-lauderdale-is-hot-spot-for-arrests-convictions-of-sex-trafficking-of-minors>

⁶ http://www.miamiherald.com/2011/03/19/2124399_p3/a-walk-on-the-seamy-side-to-help.html

CONSEQUENCES TO A MINOR WHO IS ARRESTED OR CONVICTED

If Arrested (Even if Not Prosecuted or Found Guilty of the Delinquent Act), the Minor:

1. Will be Fingerprinted and Photographed.
2. Will Have His Fingerprints Submitted to the FDLE Database & the FBI Database. FDLE Sells Misdemeanor Arrest Information to the Public, While Disregarding Confidentiality Statute (985.04).
3. Will Not be Able to Seal or Expunge the Arrest Information in the FBI or in Private Databases.
4. May Have a Difficult Time Obtaining a Job Because the Arrest Record is Public and/or Incomplete.
5. May Face Media Exposure Because His Juvenile Arrest Record (Name, Photograph, Address, and Crime or Arrest Report) is Open to the Public if he Was Arrested for a Felony.
6. May be Required to Submit to an HIV Test.
7. May Be Questioned By Police Without a Parent or Attorney Being Notified or Being Present.
8. May Be Asked, During Intake, Private Personal Information Without a Parent Being Present.
9. Can Expect Some Private Personal Information Provided During the Intake to Department of Juvenile Justice's (DJJ) to be Viewable by the Prosecutor and the Judge Before the Minor is Convicted of a Crime.
10. May Have His School Notified of His Arrest and May be Suspended from School.
11. Can Expect Intake Information to be Included in the DJJ Database and May Not be Able to Remove it for 25 Years After the Youth's Final Referral to DJJ.
12. Will Have to Attend Another School, if Charged with Assault, Battery, Aggravated Assault or Battery on a School Employee.
13. May be Removed (Excluded) from the U.S., if not a U.S. Permanent Resident or Citizen.
14. May be Charged as an Adult (See Consequences of a Conviction as an Adult Below).

If Found Delinquent (Guilty) as a Result of a Trial or a No Contest or Guilty Plea, the Minor:

15. Who is Adjudicated on a Felony Will Have to Give his DNA for State's DNA Database.
16. Cannot Live with or Visit Someone who Lives in Public Housing or Section 8 Housing.
17. May Have His Learner's Permit or Driver's License Suspended, if Adjudicated of a Drug Offense.
18. May Not be Able to Serve in the Military, Depending on the Type and Number of Adjudications.
19. Cannot Serve in the Military, Become a Law Enforcement Officer or (Armed) Security Guard if Convicted of Domestic Violence (Misdemeanor or Felony) Against a Spouse or Significant Other, Minor or Dependent, in the Same Household.
20. Who is Adjudicated on Charge of Assault or Battery, Aggravated Assault or Battery on a School Official, or Bringing or Possessing a Firearm or Weapon in School, at a School Function or on Any School-sponsored Transportation, or Making a Threat or False report Will
 - a. Have His School Notified
 - b. To Attend Another School Because He Will be Expelled.
21. May be Subject to Indefinite Commitment in the Future if it Involved a "Sexually Motivated" Offense.
22. Who has an Adjudication of Delinquency for a Felony Offense Cannot Lawfully Possess a Firearm until He Reaches 24 Years of Age, Provided He is Not Convicted of Felony Offense as an Adult.
23. May Not be Able to Petition to Seal or Expunge the Juvenile Record.

If Convicted as an Adult, in Addition to Items 15 through 23 Above, the Minor:

24. Sentenced to State Prison, May Face Long Term Confinement after He Has Served a Prison Sentence if He Has Ever Been Arrested or Convicted of a Sex-related or Sexually Motivated Charge.
25. May be Removed or Deported from the U.S., if not a U.S. Permanent Resident or Citizen.
26. Will be Ineligible for State of Florida College Financial Aid (Bright Futures, Gold Seal Vocational & Academic Scholars) if Convicted of a Felony.
27. Will be Temporarily Disqualified from Receiving Federal Student Financial Aid (Grant, Loan, or Work Assistance) if Convicted of Possession or Sale of a Controlled Substance While Receiving the Aid.
28. Will Not Be Able to Petition to Seal or Expunge His Adult or Juvenile Arrest Record.

29. Will Never Have his Juvenile Record Automatically Expunged if Convicted as an Adult for a Forcible Felony Prior to Having the Juvenile Record Automatically Expunged.
30. Will Lose His Civil Rights (if Convicted of a Felony, and is **18 Years Old or Older**), Including the Right to Vote, Hold Public Office, Be a Juror, Own or Possess Firearm or Carry a Concealed Weapon.
31. Will Have to Register as a Convicted Felon or Sex Offender (if Applicable) if Convicted of a Felony.
32. Will Not be Eligible for Food Stamps if Convicted of Trafficking Drugs.
33. May Face Mandatory Prison Sentence on Future Felony Charges. A Prior Felony Conviction, Including Adjudications as a Juvenile, May Subject the Person to Longer Prison Term or Mandatory Sentence.
34. May Not be Able to Obtain Employment With:
 - the State or Municipality if he was Convicted of Drug Trafficking or Convicted of Felony or 1st Degree Misdemeanor "Directly Related" to the Job;
 - a County or Municipality (if the Job Is Critical to Security or Public Safety);
 - Law Enforcement or Correctional Agency or Agency That Works with Children or Elderly;
 - the Public School System, a Seaport or Airport.
35. May Have the Conviction Used Against Him if He Testifies, to Impeach or Undermine His Credibility.
36. Will Have his Photograph Posted on the Department of Corrections Website, if Convicted of a Felony and Sentenced to Probation or State Prison.
37. May Face Long Term Confinement after He Has Served a Prison Sentence if He Has Ever Been Arrested or Convicted of a Sex-related Charge.
38. Will Have Occupational License Revoked if Convicted of Selling Drugs, if His Civil Rights Are Not Restored.
39. May Be Denied an Occupational or Business License for the Following Professions, if Convicted of a Felony and His Civil Rights Are Not Restored:

Acupuncture, Alcoholic Beverage & Tobacco, Architecture, Asbestos Abatement, Athlete Agents, Athletic Trainers, Auctioneers Bail Bond Agents, Barbers, Building Code Inspectors Cardroom Business, Certified Nursing Assistants Chiropractic Medicine, Clinical, Counseling & Psychotherapy Services, Commercial Driving Schools, Community Association, Contracting Cosmetologist, Dental Hygiene, Dentistry Dietetics & Nutrition Practice, Dispensing Optical Devices & Hearing Aids, Electrolysis, Embalming Employee Leasing Companies, EMT/Paramedic, Engineering, Funeral Directing, Health Testing Services, Home Improvement Finance Seller, Hypnosis, Interior Design, Land Surveying & Mapping, Landscape Architecture, Language Pathology & Audiology Management, Massage Practice, Midwifery, Mortgage Brokerage,

Mortgage Broker, Motor Vehicle Retail Installment, Naturopathy, Notary Public, Nursing Home Administration, Nursing, Occupational Therapy, Optometry, Orthotics, Prosthetics, & Pedorthics, Osteopathy, Outdoor Advertising, Pawnbroker, Pest Control, Pharmacy, Physical Therapy Practice, Physician Assistant, Podiatric Medicine, Private Security, Private Investigator, Professional Geology, Psychological Services, Public Accountant, Radiologic Technology, Real Estate Broker, Salesperson & Appraiser, Repossession Services, Respiratory Therapy, Retail Installment Seller, Sales Finance Company Seller, Talent Agencies, Title Loan Lender, Veterinary Medical Practice, Wrecker Operator

THIS DOCUMENT IS INTENDED FOR EDUCATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE LEGAL ADVICE.
 (Revised October 19, 2006) Original Document Compiled by Carlos J. Martinez, Ruck Deminico, Kevin Hellman and Tamara Gray of
 the Law Offices of Public Defender Bennett H. Brummer.

WARNING SIGNS OF HUMAN TRAFFICKING

Signs of physical abuse

Deprived of food, water, sleep or medical care

Someone whose communication is restricted

A large number of occupants in one residence

Someone who is rarely seen outside the residence

Not allowed to socialize or attend religious services

Always accompanied when outside the residence

Outside locks on doors and windows to prevent someone from leaving the residence

No travel documents for identification, i.e. ID card, birth certificate, passport, VISA, social security card

KEY QUESTIONS TO ASK

Can you leave your job if you want to?

Can you come and go as you please?

Have you or your family been threatened?

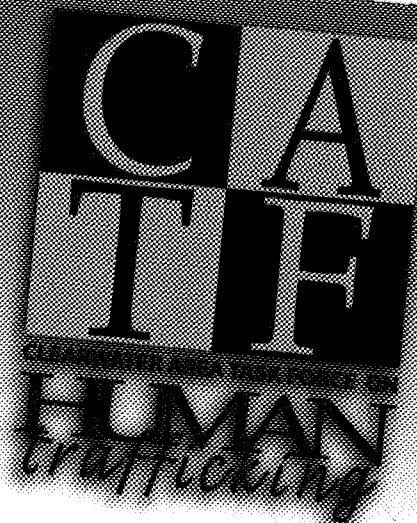
What are your working and living conditions like?

Do you have to ask permission to eat/sleep/go to the bathroom?

Are there locks on your doors/windows so you cannot get out?

Has your identification or documentation been taken away from you?

WWW.HUMANTRAFFICKINGFLORIDA.ORG



CATCH
THE
CLEAN UP THE HUMAN TRAFFICKING
HUMAN
trafficking

Report Tips to
(727) 562-4917
www.humantraffickingflorida.org

Understanding Child Victims of Human Trafficking

Understanding the needs of child human trafficking victims is important to helping them restore their lives.

Their reasons for coming to the U.S. vary, but commonly, children succumb to exploitation under the guise of opportunity—children may believe they are coming to the United States to be united with family, to work in a legitimate job or to attend school. Additionally, children may be subject to psychological intimidation or threats of physical harm to self or family members.

Child victims of human trafficking face significant problems. Often physically and sexually abused, they have destructive medical and psychological needs that should be addressed before advancing into adulthood. Fright by those who traffick them to law government officials—and in particular, law enforcement and immigration officers—they are often distrustful of the system.

Children have the most impressionable minds, and the road to recovery is long. Understanding their mindset and building trust through open dialogue is the first step to reaching and restoring their faith in a new beginning.

U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Administration for Children and Families



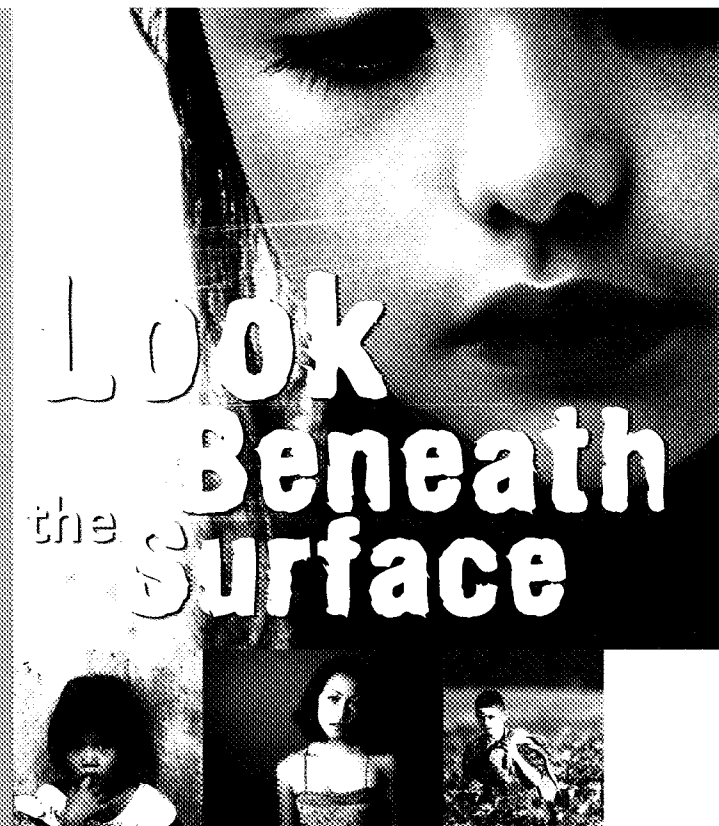
Support for Child Victims of Human Trafficking

If you suspect a child is a victim of human trafficking, call the National Human Trafficking Resource Center at **1.888.3737.888** to obtain information and to access supportive services through the Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA). The hotline will help victims safely and securely rebuild their lives by connecting them to basic services related to:

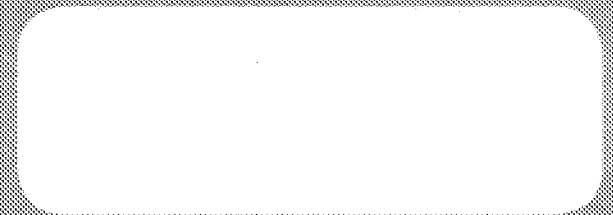
- Immediate shelter/purchasing foster care
- Health care
- Immigration assistance
- Food
- Legal assistance

Child victims of trafficking may be eligible for the T visa, which allows them to remain in the U.S. and may adjust their status to lawful permanent resident after three years. Through the U.S. Department of Health and Human Services (HHS), unaccompanied trafficked children also are eligible for the Unaccompanied Refugee Minors (URM) program, which provides a comprehensive range of services for children and places them in culturally appropriate foster homes, group homes, or independent living arrangements, appropriate to their developmental needs.

For more information about human trafficking, visit www.dhs.gov/trafficking.



Can you recognize child victims of human trafficking among the people you help everyday?



Human Trafficking is Modern-Day Slavery

Human trafficking is a modern-day form of slavery. Victims of human trafficking are subjected to force, fraud, or coercion for the purpose of sexual exploitation or forced labor. Victims are young children, teenagers, men and women.

Approximately 600,000 to 800,000 victims annually are trafficked across international borders worldwide according to U.S. government estimates. **More than half of these victims worldwide are children**, according to the U.S. Department of State.

Child victims of trafficking are often exploited for sexual purposes, including prostitution, pornography and sex tourism. They are also exploited for forced labor, including domestic servitude, sweatshop factory work and migrant farming.

Child victims of trafficking can be found in:

- Commercial sex
- Domestic servitude (servants)
- Sweatshop factories
- Construction
- Farming or landscaping
- Fisheries
- Hotel or tourist industries
- Panhandling
- Janitorial services
- Restaurant services

Identifying Child Victims of Human Trafficking

Children who are victims of human trafficking may be mistaken for prostitutes, runaway youth, migrant farm workers or domestic servants. By looking beneath the surface, picking up on the right clues and asking the right questions, you may uncover children who are being exploited.

- Children exploited for labor are often hungry or malnourished to the extent they may never reach their full height or they may have poorly formed or rotting teeth.
- Children exploited for sexual purposes may show evidence of untreated sexually transmitted diseases, including HIV/AIDS, urinary tract infections, and kidney problems.
- Children who are victims of trafficking can also be identified by environmental factors, including whether the child is living at the workplace or with an employer, living with multiple people in a cramped space, or not in school, attends school sporadically or has a significant gap of schooling in the U.S.
- Forced labor may expose children to physical abuse or leave signs such as scars, headaches, hearing loss, cardiovascular/respiratory problems and limb amputation. They may also develop chronic back, visual and respiratory problems from working in agriculture, construction or manufacturing.
- The psychological effects of exploitation include helplessness, shame and humiliation, shock, denial and disbelief, disorientation and confusion, and anxiety disorders including post traumatic stress disorder, phobias, panic attacks and depression.

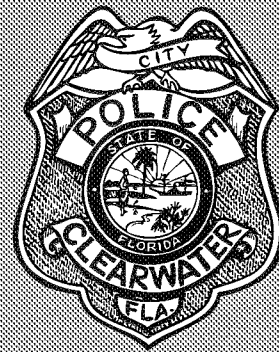
Communicating with Child Victims of Human Trafficking

When communicating with children who have been exploited, it is important to remember child victims have special needs and may assume what has happened to them is their own fault. Often, child victims of trafficking may not establish trust easily due to their experiences. They may have been coached to answer your questions in a certain way. With the guidance and involvement of a child welfare expert, asking some of the following questions may help you determine if you are dealing with child victims of trafficking:

- Why did you come to the U.S.? What did you expect when you came? Were you scared?
- Do you have any papers? Who has them?
- Are you in school? Are you working? Can you leave if you want?
- Where do you live? Who else lives there? Are you scared to leave?
- Has anybody ever threatened you to keep you from running away?
- Did anyone ever touch you or hurt you?

While these questions provide a beginning to a challenging dialogue, it is vital to remember that the child should be approached in a manner that reflects his or her age, development, culture, language and what is known about the nature of his or her experience.





Clearwater Police Department

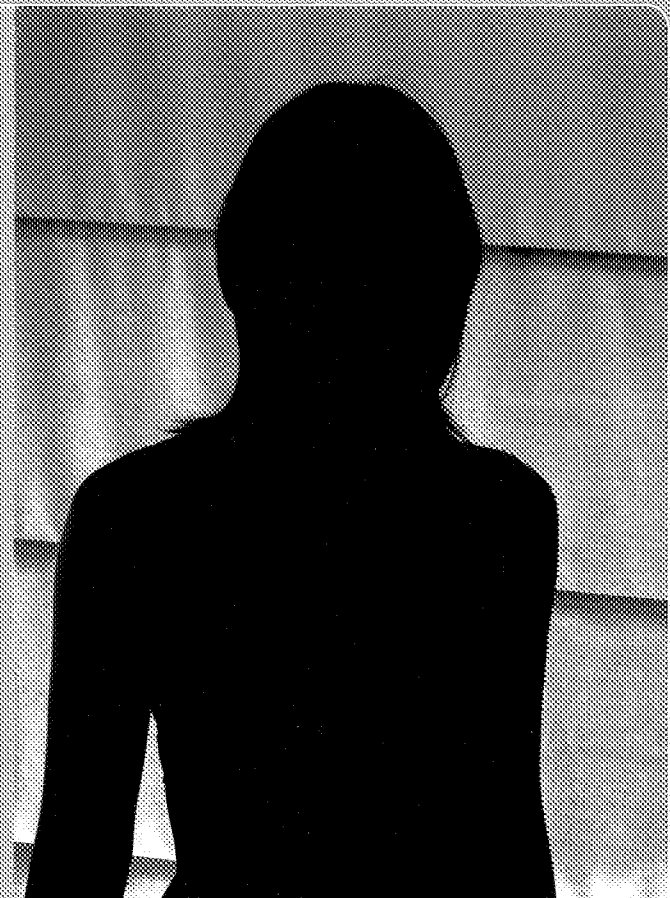
645 Pierce Street, Clearwater, FL 33756

(727) 562-4242 main line

(727) 562-4917 tip line

(727) 562-4917 línea de información

WWW.CATFHT.ORG



To report a suspected case of human trafficking in the Tampa Bay Area, to obtain information about the crime or to arrange for a presentation to your group or agency, contact:

James McBride

Task Force Detective

direct (727) 562-4916

fax (727) 562-4488

email james.mcbride@myclearwater.com

The opinions, findings and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice.

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**C A
T F**

**HUMAN
trafficking**

Constantly accompanied by a controlling person or boss, not speaking on their own behalf.

Lack of control over personal schedule, money, identification or travel documents.

Transported to and from work, lives and works in the same place.

Debt owed to employer/crew leader, unable to leave job.

Bruises, depression, fear, overly submissive.



If you think you have come in contact with a victim of human trafficking in the Pinellas, Pasco or Hillsborough County area, call the CATF Hotline at **(727) 562-4917**; other areas can contact the national Trafficking Information and Referral Hotline at **1-888-373-7888**.

These hotlines will help you determine if you have encountered victims of human trafficking, will identify local resources available in your community to help victims and will help you coordinate with local social service organizations to help protect and serve victims so they can begin the process of restoring their lives. For more information, visit www.catfht.org.



Human trafficking is the exploitation by force, fraud or coercion of vulnerable people – often immigrants – for forced labor, domestic servitude or commercial sex operations. Human trafficking has become a multi-billion dollar global crime impacting nations – and neighborhoods – around the world. **Florida is one of the highest destination states for women and children trafficked into the United States.** In the past five years, law enforcement and social service providers have identified multiple cases of human trafficking in the Tampa Bay area.

In October 2006, the Clearwater, Florida Police Department was awarded a Department of Justice grant to fund the creation of the Clearwater/Tampa Bay Area Task Force on Human Trafficking (CATFHT). The mission of the task force is to identify and rescue victims, create a coordinated law enforcement system to investigate and prosecute these crimes, and to deliver social, legal and immigration services to human trafficking victims in the Clearwater and Tampa Bay area.



Human trafficking also includes children and adults who are forced into unpaid labor in sweatshops, commercial agriculture, domestic servitude, construction, restaurant, housekeeping and other service industries in the US and abroad.

Clearwater Police Department

The US Attorney's Office for the Middle District of Florida
World Relief

The Regional Community Policing Institute

Hispanic Outreach Center of Clearwater

Religious Community Services

Pinellas County Sheriff's Office

Pasco County Sheriff's Office

Hillsborough County Sheriff's Office

Gulfcoast Legal Services, Inc.

The Florida Department of Law Enforcement

The Salvation Army

The Largo Police Department

The Social Security Administration

Immigration and Customs Enforcement (ICE)

The Pinellas Park Police Department

The St. Petersburg Police Department

The Federal Bureau of Investigation.

Florida State University *Center for the Advancement of Human Rights*

U.S. Border Patrol

The Florida Department of Health

The State Attorney for the 6th Judicial Circuit

Directions for Mental Health, Inc.



Clearwater/Tampa Bay Taskforce on Human Trafficking

Learn, Look & Report - End 21st Century Slavery

**Taskforce Email – humantrafficking@myclearwater.com
Taskforce Hotline – (727) 562-4917
<http://www.catfht.org>**