40th Annual InterCourt Conference

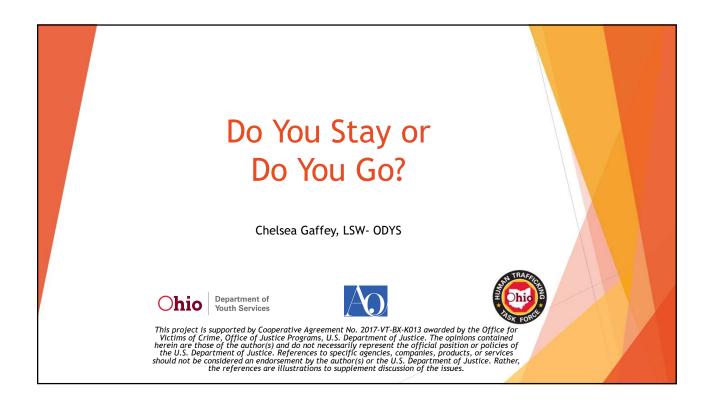


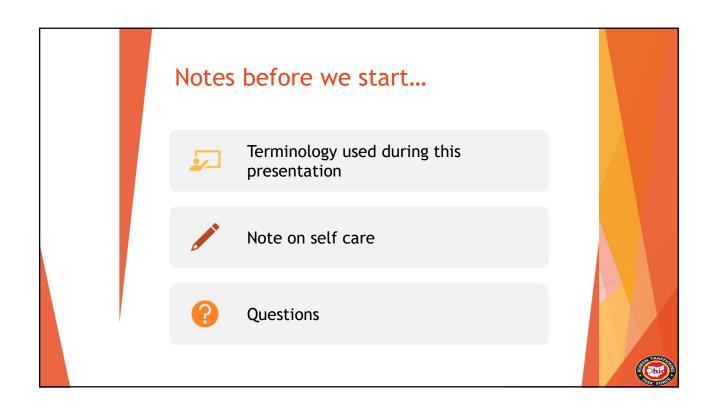
Session 1B: Do You Stay or Do You Go? Human Trafficking

Presenters: Chelsea Gaffey

March 14, 2024 10:45 a.m. - 12:15 p.m.







Overview of Federal and State Laws



Federal Legal Definition of Trafficking

As defined in the Trafficking Victims Protection Act (TVPA) of 2000, the legal definition of "severe forms of trafficking in persons" is:

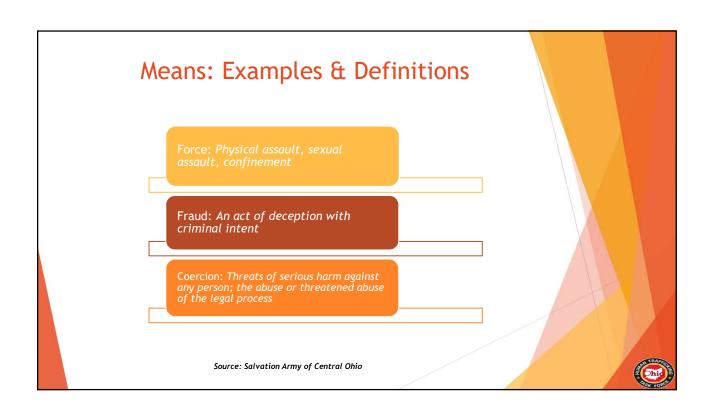
 a) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; -from 22 USC § 7102 (9)(A)

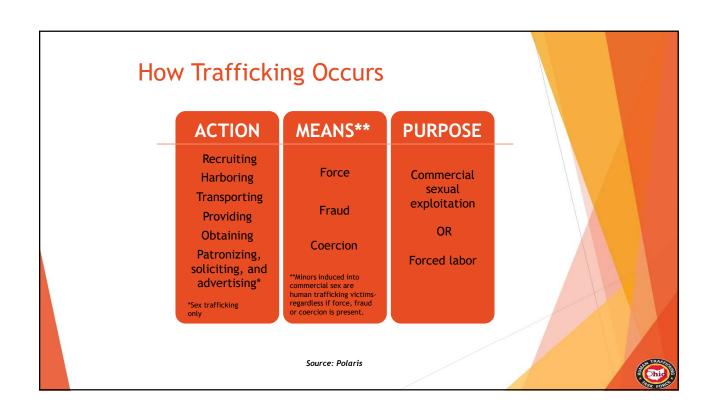
or

b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. -from 22 USC § 7102 (9)(B)

-The TVPA of 2000 was the first comprehensive federal law to address trafficking in persons. The TVPA was reauthorized in 2003, 2005, 2008, 2013, and 2017.







Ohio's Legal Definition of Trafficking

As defined by the Ohio Revised Code Section 2905.32 (Trafficking in Persons), Ohio's legal definition of human trafficking is:

"(A) No person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain...another person knowing that the person will be *subjected to involuntary servitude or be compelled* to engage in sexual activity..."

"...For a prosecution under division (A)(1) of this section, the element "compelled" does not require that the compulsion be openly displayed or physically exerted. The element "compelled" has been established if the state proves that the victim's will was overcome by force, fear, duress, or intimidation, or fraud."



Trafficking in Gangs

- Youth may become gang-involved due to elements of force, fraud, and coercion
 - Consider exploitation of needs
- Gang-involved youth may be compelled to engage in activities for the economic benefit of gang leaders
- In some instances, gang-involved youth fit the definition of a labor trafficking victim

Federal Bureau of Investigation

Rizen, C. M. (2015). Are juvenile gang members victims of labor trafficking? Children's Legal Rights Journal, 35(2), pp. 162-176. Retrieved from https://lawecommons.luc.edu/cgi/viewcontent.cgi?article=1087&context=clr]



Activity: Do You Stay or Do You Go?



How the Activity Works

- Presenters will read participants the background of a youth victim of domestic minor sex trafficking named Aaliyah.
- ► Each participant will do their best to imagine they are Aaliyah and will make decisions as if they are her.
- ▶ Presenters will read different scenarios to the participants, and each participant will make decisions based on each scenario, moving from location to location around the room.



Points

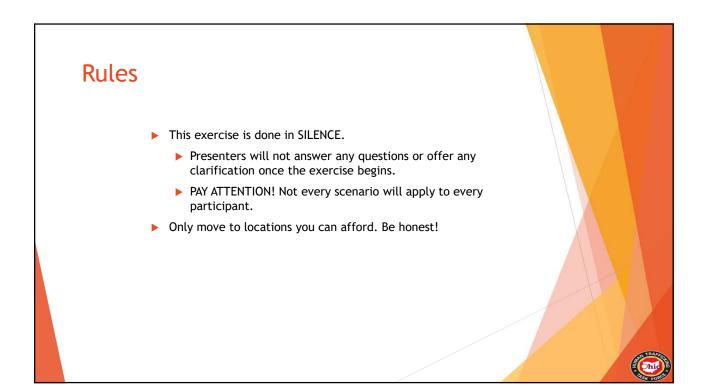
- ▶ All participants are given the same number of points:
 - ▶ 6 money points
 - ▶ 8 goodwill points



Locations

- After each scenario, participants will decide to stay at their current location or move to one of the other options.
- ▶ Once they choose a location, they remain there until given the opportunity to leave.
- Each location has a cost associated with it, and if participants choose to go there, they must deposit the associated money and goodwill points in the basket:
 - ▶ Jason's House No Cost
 - ▶ Shelter 1 Goodwill point
 - ▶ Aunt's House 1 Goodwill point
 - ▶ Friend's House 2 Goodwill points
 - ► Homelessness 1 Money point









- ▶ Do you stay or do you go?
- A: Stay at Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Become Homeless 1 Money



Scenario 2 -

Only for those who stayed at Jason's house

- ▶ Do you stay or do you go?
- A: Stay at Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Become Homeless 1 Money



Scenario 3 -

Only for those who did NOT stay at Jason's house

- ▶ Do you stay or do you go?
- A: Go to Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Become Homeless 1 Money
- F: Remain at Current Location No Cost



Scenario 4 -

Only for those who are at Jason's house

- ► Subtract 2 Money Points
- ▶ Do you stay or do you go?
- A: Stay at Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Become Homeless 1 Money



Scenario 5 -

Only for those at their Friend's House

- ▶ Subtract 1 Goodwill
- ▶ Do you stay or do you go?
- A: Go to Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Become Homeless 1 Money
- E: Remain in Current Location No Additional Cost



Scenario 6 -

Only for those who are homeless

- ▶ Do you stay or do you go?
- A: Go to Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Remain in Current Location No Cost



Scenario 7 -

For everyone who is NOT at Jason's

- ▶ Do you stay or do you go?
- A: Go to Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Become Homeless 1 Money
- F: Remain in Current Location No Cost



Scenario 8 -Only for those at Jason's House

- ▶ Do you stay or do you go?
- A: Stay at Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Become Homeless 1 Money



Scenario 9 -Only for those at Jason's House

- ▶ Do you stay or do you go?
- A: Stay at Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Aunt's House 1 Goodwill
- D: Go to Friend's House 2 Goodwill
- E: Become Homeless 1 Money



Scenario 10 Only for those at your Aunt's House

- ▶ Do you stay or do you go?
- A: Go to Jason's No Cost
- B: Go to Shelter 1 Goodwill
- C: Go to Friend's House 2 Goodwill
- D: Become Homeless 1 Money
- E: Remain in Current Location 1 Goodwill and 1 Money to help with groceries



Scenario 11 -For those only at the shelter

- ▶ Do you stay or do you go?
- A: Go to Jason's No Cost
- B: Go to Aunt's House 1 Goodwill
- C: Go to Friend's House 2 Goodwill
- D: Become Homeless 1 Money
- E: Remain in Current Location No Cost



Scenario 12 -

For everyone because life is unexpected

- If you cannot afford your current location, you must move to a different location you can afford.
- A: Jason's No Cost
- B: Shelter 1 Goodwill
- C: Aunt's House 1 Goodwill
- D: Friend's House 2 Goodwill
- E: Homelessness 1 Money





▶ Do you stay or do you go?

A: Jason's - No Cost

B: Shelter - 1 Goodwill

C: Aunt's House - 1 Goodwill

D: Friend's House 2 Goodwill

E: Homelessness - 1 Money

Your Friend's House Is No Longer An Option



Scenario 14 - For those who are homeless

- Subtract half of your remaining money.
- ▶ Do you stay or do you go?

A: Jason's - No Cost

B: Shelter - 1 Goodwill

C: Aunt's House - 1 Goodwill

D: Homelessness - 1 Money





▶ Do you choose to engage in commercial sex?

A: Yes - Gain 2 Money Points

B: No - No change



Scenario 16 -For those who chose to engage in commercial sex

- ▶ Lose all remaining money.
- ▶ Do you stay or do you go?
- A: Remain at Jason's No Cost
- B: Shelter 1 Goodwill
- C: Aunt's House 1 Goodwill
- D: Become Homeless 1 Money



Scenario 17 -For those who are at the shelter

- ▶ Lose 2 money points.
- ▶ Do you stay or do you go?

A: Stay at Jason's - No Cost

B: Go to Shelter 1 Goodwill

The Shelter Is No Longer An Option

C: Go to Aunt's House - 1 Goodwill

D: Become Homeless - 1 Money



Scenario 18 -

For those at your Aunt's house

- ▶ Do you stay or do you go?
- A: Go to Jason's No Cost
- B: Stay at Aunt's House 1 Goodwill
- C: Become Homeless 1 Money



Scenario 19 -

For everyone because life is unexpected

▶ If you cannot afford your current location, you must move to a different location you can afford.

A: Jason's - No Cost

B: Aunt's House - 1 Goodwill

C: Homelessness - 1 Money



Scenario 20 -

For those at your Aunt's house

▶ Do you stay or do you go?

A: Go to Jason's House - No Cost

B: Become Homeless - 1 Money

C: Remain at Current Location - No Cost



Scenario 21 -To Everyone

▶ Do you stay or do you go?

A: Jason's House - No Cost B: Aunt's House - 1 Goodwill C: Homelessness - 1 Money



Activity Debrief How did it feel to make those choices? Why was the exercise conducted in silence? What factored into your decisions to stay or go? What kinds of resources could your agency offer someone like Aliyah?

