

woman? he asks. He is clearly grateful at me as a man, as a batterer. It has been so long since I was almost shuttled into the men's group that for a moment I am dumbfounded. I have a flash of embarrassment at his gender confusion, and then gail that this is what men may do with their batterers' group. No, I say and switch seats. He turns back to his form. I am back to wondering how my gender expression has affected my experience as a battered woman all along, not just in the waiting room of the domestic violence center.

custody but I have not lost him and he has not lost me. He is not so focused on being perfect anymore. In fact, he's been suspended from school twice for fighting with his classmates. But his therapist is seeing progress. Now I sit and batter with the receptionist. We share recipes and stories. I had surgery on my arm and she asks me about my recovery and how long I will be in a cast. I sit back with my magazine and a man is sitting next to me, listening to our interaction. When the receptionist focuses on another task, he quietly turns to me with a sly smile on his face. *Did you break your arm hitting your*

After a year of therapy, she left me for another woman. As much as I hated this other woman at the time, I don't know if I could have left her on my own. Years later, after four times a week therapy, anti-depressants, sleeping pills, and 16 weeks in the battered women's group, the receptionist at the domestic violence center knows who I am and that I am a woman. I sit there waiting for my son. I had to go to court to keep him in therapy since Mel was demanding he not go, but the judge agreed he should stay. We are still in court over

Domestic Violence and Human Trafficking: Connections, Advocacy and Support

efforts at the government level or else risk losing non-humanitarian US aid. The 2003 Reauthorization also created a civil cause of action for victims of trafficking. Other reforms, as well as the specific provisions of federal law can be found in the FCADV Advocate Handbook at: www.fcadv.org/trafficking%20handbook.pdf

The project's advisory board to this project has included representatives from six state domestic violence coalitions from across the US, a national domestic violence organization, and Florida-based programs such as the Florida Immigrant Advocacy Center (one of the partners in a key anti-trafficking program), legal services and the statewide sexual violence advocacy organization, governmental agencies and law enforcement. It has been important for this board to have members from the domestic violence and human rights communities. It has also been important to have other

been to build capacity among Florida's 41 domestic violence programs to assist victims of trafficking. This grant, now in its third year, is the only one of its kind in the nation, although the premise of the project is hardly unique. That is, it seeks to build on the experiences of advocates who assist victims of violence, conduct community outreach, lead public awareness campaigns, and who have created and sustained community networks.

This grant comes to Florida under the aegis of the Trafficking Victims Protection Act (TVPA) of 2000, and the Trafficking Victim Protection Reauthorization Act of 2003. In addition to funding programs to identify and support victims of trafficking, these Acts created new rights and relief for trafficked persons, as well as a number of very important new criminal laws to punish traffickers. The law also amended US policy to require nations of the world also to combat trafficking by passing new laws, prosecuting or undertaking other anti-trafficking

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Project and Jennifer Pace, Legal Program
Coordinator, Florida Coalition Against
Domestic Violence

Domestic violence and human trafficking: where do they come together and intersect? Where are they different? What have domestic violence advocates and those who understand domestic violence used to understand human trafficking better, and vice versa?

The Role of Domestic Violence Programs in Responding to Human Trafficking: The Florida Coalition Against Domestic Violence Anti-Trafficking Project

Background

The Florida Coalition Against Domestic Violence (FCADV) has been actively undertaking anti-trafficking work since 2002, when it received a federal grant from the Office of Refugee Resettlement, US Department of Health and Human Services. The goal of this project has

1. Contact the authors for a list of advisory board members.

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states at the table so as to draw from their experiences and perspectives on how domestic violence and human trafficking can or should be linked.

Can (or should) domestic violence programs assist victims of human trafficking? Aren't they already?

One domestic violence coalition-based Advisory Board member has answered "yes" to these questions and has outlined what many have expressed when, as busy and overburdened in domestic violence programs, they are asked to do "one more thing":

"At first, participating in a trafficking project just seemed like one more piece of work to fit on an already overflowing agenda. Nonetheless, thinking about women and children being trafficked, bought and sold for sex, and lost in a country that already has great biases against foreign-born people made it easy to take on "one more project."

Our first meeting on the Advisory Board included a discussion of whether this issue was common enough in the center of the country to warrant additional training, new training manuals, and dedicated staff time. It quickly became apparent from discussions with other advocates that whether we knew it or not, we were already serving women and children who were victims of trafficking. However, being from Kansas, I still had my nagging doubts.

It wasn't long after the first meeting that I got a call from a Kansas program asking for help in serving a woman. After listening to this story, I realized that trafficking was a likely piece of this woman's victimization. I would probably not have "named" it had I not just returned from the Florida meeting. Since then, the Coalition and Kansas programs continue to identify what appears to be victims of trafficking. Some of the programs in the most affected [areas] have come together for a quick

training on the topic. Law enforcement has begun to look at the issue. Programs are beginning to recognize the red flags that might mean there is a connection to trafficking. "Taking on "one more project" has meant that Kansas programs are providing better services and advocacy to victims of sexual assault, domestic violence, stalking and trafficking."

This reaction is typical of several domestic violence and sexual violence program staff. The reasons why are obvious: advocates and organizations are stretched thin; human trafficking is a relatively new phenomenon and so not much is known about it. Also, programs may not have the personnel, resources or access to human trafficking experts to work on these cases. But, once people are exposed to human trafficking and understand what those who are trafficked face, they have the "ah-ha" moment. They usually recall a woman who probably

"...ONCE PEOPLE ARE EXPOSED TO HUMAN TRAFFICKING AND UNDERSTAND WHAT THOSE WHO ARE TRAFFICKED FACE, THEY HAVE THE "AH-HA" MOMENT."

was trafficked, but they didn't know anything about trafficking to recognize it. Domestic violence advocates also see why they can deepen and improve current domestic violence assistance when they learn about human trafficking and incorporate this knowledge into their work.

During the first year of the FCADV project, we asked advocates and executive directors: "Have you seen victims of trafficking in your programs?" It was most common to hear two responses. Either: "We aren't sure, but think we have" or "It is possible but we don't know what we don't know." However, during the first in-depth conversation or training

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Second are those who are not currently at risk of domestic violence but who have a history of intimate partner violence (IPV), or domestic

sanctioned by the Board of Directors. or organizational bylaws and

here would be covered by the agency that might harm her later. Services

client so that she does not act in a way know how to present options to the

resources? The advocate must also know how to present options to the

for referrals and the available national the people in their community to call

domestic violence program must know shelter or provide services, that

trafficking and it is not possible to understand the basics of human

trafficking and it is absolutely crucial for a domestic violence advocate to

situations, it is absolutely crucial for a domestic violence advocate to

raped by her employer. In these situations, it is absolutely crucial for a

program, a domestic servant who was raped by her pimp. Or, in the case of a dual

a prostitute who was beaten and raped a prostitute who was beaten and raped

trafficked into the US, is forced to be might include a woman who has been

violence and human trafficking. This might include a woman who has been

violence and human trafficking. This might include a woman who has been

violence and human trafficking. This might include a woman who has been

violence and human trafficking. This might include a woman who has been

2. Joyce Grover, Kansas Coalition Against Domestic Violence, (email to authors, January 2005).
3. For instance, the Health and Human Services trafficking hotline number is 1-888-373-7888 and the Dept. of Justice complaint line number is 1-888-428-7581.

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violence. Consider the woman who is an indentured house servant. Perhaps she has not been sexually abused by her current employer, but is a survivor of adult domestic violence (which she is not at risk from her abusive husband now, she is endangered by the trafficker now. And, if she is deported, would face danger from her abuser.

The third category would be those who are not now nor have ever been victims of IPV. This could be a 16 year-old male migrant field worker. Most domestic violence programs may not be able to assist this category of victim directly. Bylaws or statute might limit services to only those who are currently or in the past been a victim of domestic violence. But, should these cases come to the attention of the domestic violence program, they should know about the programs to which they could refer trafficked persons.

Building on What We Know

Most programs already are assisting victims of trafficking, but they may not know it and these victims may not be receiving the referrals, benefits or help they need. In Florida, it is rare for a domestic violence program to assist a victim of human trafficking who does not also have other victimizations that include IPV.

Domestic and sexual violence advocates and programs have a leg up on understanding and assisting trafficked persons. The major tenets of effective victim advocacy are very much the same:

1. Understanding the impact of multiple victimizations. As with domestic violence, human trafficking victims will rarely have suffered one kind of injury, injustice or deprivation. For instance, consider the limited

2. Working with multiple systems. In this example, it is clear that this person would have a range of needs: interpretation, medical care, sexual abuse testing and perhaps counseling, a job and a safe place to live.
3. Victim centered advocacy. In both areas, victims must be seen as individuals and be empowered and supported with information and decision-making.
4. Confidentiality. As with domestic violence, confidentiality can mean life or death. It can also impact a victim's willingness to come forward and her openness.

"...COMMONALITIES HELP TO PROVIDE AN EXCELLENT STARTING POINT...TO BUILD ALLIANCES..."

5. Crisis response. Both domestic violence and human trafficking often require immediate and swift responses.
6. Safety planning. While different for victims of trafficking, the principles of safety planning apply.

Some of these also apply to domestic violence system allies: the health care worker and the law enforcement officer who understands domestic violence will also be able to apply and build on domestic violence knowledge to assist victims of trafficking.

Domestic Violence and Human Trafficking: Recognizing Differences and Similarities

The FCADV project has helped domestic violence advocates to see both the similarities and the

English-speaking woman who was an indentured house servant, deprived of medical care, food and who was both beaten and sexually abused in the US.

Trafficking victims are typically held in slavery-like conditions, imprisoned or restricted, beaten, threatened, sexually assaulted, intimidated, and isolated while forced into prostitution, domestic service, or other labor or situation. Exposure to these conditions can give rise to complex medical, psychological, immigration, legal, or social service needs that are not only intensive but also potentially long-term. Security risks can also arise within the trafficking context, as victims are involved in the investigation and prosecution of trafficking cases. Moreover, victims may face reprisals against themselves or their family members, or fear removal from the U.S. to countries where they can face additional hardships, retribution, or alienation.

A domestic violence advocate reading this description would immediately see similarities between what victims of trafficking and many domestic violence victims experience — particularly battered immigrant women who are abused by US citizen husbands. These commonalities help to provide an excellent starting point for those in the domestic violence movement to understand human trafficking and for those in the anti-trafficking world to build alliances with local and state domestic violence programs and coalitions.

The differences between domestic violence and human trafficking are also important for domestic violence advocates to understand. There are differences in applicable laws, with the federal Trafficking Victims Protection Act (TVPA) and state trafficking laws providing relief and rights specific to victims of trafficking. Under federal anti-trafficking laws, a victim of trafficking has to agree to cooperate with law enforcement to receive benefits — this type of agreement is

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in North Florida, where many of the farm workers are located.

Differences and Challenges

However, it is critical that domestic violence programs, as well as those who seek to place victims of trafficking at emergency domestic violence shelters, understand that domestic violence programs are not ready-made places for human trafficking victims. These differences include the following:

- Safety concerns are prominent for domestic violence and human trafficking clients, but because *organized crime* is very often seeking to recapture or harm them, victims of trafficking may be at greater risk of harm. Along these lines, domestic violence programs must make sure that their facilities and programs are very safe and secure for all residents and staff.

Victims of trafficking may need to stay longer than the maximum time in for domestic violence residents. This can take beds out of census, as well as make other residents curious about why some get to stay longer than they can. Shelters need to be prepared to answer these questions without revealing that the persons may be in the midst of escaping a trafficker. One advocate suggested saying: "everyone is different and just as I don't discuss your case with other residents, I'm not going to discuss any other residents' case with you. Everyone deserves this privacy."

Group work is not advisable for victims of trafficking. Not only are there significant safety and confidentiality issues involved, but if there is a federal investigation or prosecution pending, it could jeopardize the outcome should any matters relevant to that prosecution be revealed.

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death implications of confidentiality and the health care and many other needs facing victims. It makes sense that domestic violence shelters are

looked to for human trafficking service provision. In fact, in one of the most notorious human trafficking cases in Florida, more than a dozen survivors were housed together at a local domestic violence shelter for more than a year during the pendency of the federal trafficking prosecution. In this case, it was safer and less costly for the Federal government to house the victims at the domestic violence center, making it likely the federal government will continue to look to domestic violence programs for help with housing. The domestic violence center was also a more secure and hidden location than a hotel and safer than a homeless shelter. The domestic violence center was also able to know how to help the women deal with their victimization without re-

victimizing them.

Moreover, this Florida center has considerable expertise in working with diverse populations, particularly Hispanic populations, relevant here as the women had been brought to the United States from Mexico. There were staff onsite who were fluent in Spanish and familiar with the victims' culture. This is allowed the center to provide comprehensive and competent service to these women.

Domestic violence outreach programs also can be key to uncovering labor trafficking taking place in the farm worker communities. These programs have extensive outreach networks in Florida's many rural areas and work in the migrant farmworker community in various locales throughout the state. This further strengthens domestic violence centers' ability to reach out to victims of all forms of trafficking, not only to victims of sex trafficking. Florida is fortunate to have many domestic violence centers with Spanish-speaking staff that work with and have ties to these communities, not only in South Florida, where the largest Hispanic population resides, but also

not needed for domestic violence victims to receive most all social services and support.

There are other realities that make trafficking different for domestic violence service providers. There are a larger number of male victims of trafficking than there are male victims of domestic violence. Safety is another consideration: except perhaps in instances where a domestic violence program is sheltering the abused spouse of a drug kingpin, most domestic violence victims are in danger from only one perpetrator – as opposed to a trafficker's organized crime network. Finally, trafficking victims are most often victimized not only because of their vulnerabilities, but also because of their desperate need to work. They may suffer similar forms of torture as some domestic violence victims, but may also be from countries where they have never seen a physician, and where the poverty is rampant and extreme. While victims of domestic violence may be from other nations and also impoverished, it is likely the numbers are higher for trafficked persons. This makes it incumbent for any service provider to understand that victims of trafficking are unique from other victims of violence, and that while they will be able to build on their strengths in providing victim services, it is vitally important that they become educated about the differences and challenges that trafficked persons will present to them.

Housing and Other Services

There are over 1,700 domestic violence emergency shelters in the United States. There is one shelter for victims of trafficking in Los Angeles, run by the Coalition Against Slavery and Trafficking (CAST). Domestic violence programs are trained to address key needs that both victims of trafficking and domestic violence victims face including crisis response, safety planning, working with multiple systems, understanding the life-and-

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- Shelter managers and other residents will have to take care not to exploit victims of trafficking in shelter. These victims may be used to working 15 hours a day for little or no pay and they may agree to baby sit for free or take on more than their fair share.
- Women who have been trafficked together often wish to remain together in a secure shelter, thus making the domestic violence program address its capacity to shelter larger groups of people, as well as to include children. One group of victims included 12 persons, two of whom were in their mid-teens.
- Victims of trafficking come to the US to work, and thus domestic violence programs need to allow victims to work as well as advocate for work permits, etc.
- Federal law enforcement may wish to have reports on victims' movement and behavior, as well as have ready access to victims. Domestic violence programs need to address these matters *in advance* of sheltering a victim of trafficking and should make sure that the human trafficking advocates (which may include attorneys) are full partners in protecting the victims' interests.
- Counseling, case management and other services that are often needed in domestic violence situations may not be appropriate in cases of human trafficking, requiring flexibility and adaptation of current domestic violence center rules and policies.

The Basics: What a Domestic Violence Program Needs to Know

Federal and state laws exist that prohibit trafficking in persons. The Trafficking Victims

Protection Act (TVPA) of 2000 and the Trafficking Victims Protection Reauthorization Act of 2003 made major changes in the criminal penalties, benefits, immigration relief, and the US responses to trafficking worldwide. In addition, Florida has criminal laws against trafficking, sexual battery, kidnapping, battering, organized crime and racketeering, procuring prostitution, fraud and other crimes that are committed by traffickers. Restitution to victims of such crimes may also be available.

There are a wide range of benefits available to victims of trafficking including legal assistance, services from emergency shelter to case management and health screening, program services necessary for safety and life, food, shelter, crisis counseling and victim compensation. In addition to these benefits, certified victims are also eligible to receive food stamps, cash assistance, medical care, and other services under the TVPA.

It will be rare that someone will self-identify as a victim of trafficking. More likely, a person will come to your attention for some other reason. Therefore it is vitally important for advocates to have a heightened awareness of the possibility that a person may be trafficked. The sole purpose for an advocate to interview a client about human trafficking is to help determine the client's rights, benefits and possible relief. Before beginning you should make sure that you have established trust, explained your role as an advocate, and informed him or her on what will happen to the information he or she gives you. Questions must be asked with a great deal of sensitivity; asking about a person's immigration status can be intimidating and may discourage

that person from seeking help. Some topics that should be covered during an interview to determine if a person is eligible for benefits under the TVPA are safety issues, employment issues, social networks, origins and immigration status.

There are several main points to effectively providing services to victims of trafficking. Organizations working with victims should identify and screen for trafficking (if appropriate), determine service needs for trafficked persons, provide or refer victims to needed services; assess and provide for safety to clients, keep client communications confidential, understand special issues facing children, conduct training and be informed about human trafficking, network with other service providers and law enforcement, provide interpretation services, understand cultural contexts and client realities, and provide safety for staff.

Please refer to the FCADV Advocate Handbook for more detailed information on human trafficking and how advocates can identify and assist a person who is trafficked. Sample questions are provided to assist advocates with interviews. A resource guide with contact information for many organizations and agencies also assisting victims of trafficking is included as well.

Domestic Violence Programs and Resources

Despite these specific issues, and the obvious need for domestic violence advocates to learn about human trafficking, domestic violence programs can be successful options for housing victims of trafficking. Domestic violence programs are well established in many places and have linkages throughout communities is

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girls are also subject to very high rates of violence and coercion by customers, pimps, intimate partners and police officers.⁸ These findings are consistent with research conducted among prostituted women in San Francisco, revealing that 88% of the women had been physically threatened while in prostitution, 68% had been raped—with 48% having been raped more than 5 times.⁹ Among the women surveyed, 88% stated that they wanted to leave prostitution.¹⁰

In common with other trafficked women, prostituted women and girls face tremendous risks in finding safety and support for themselves and their children. Of the women surveyed in San Francisco, 78% said they needed a home or safe place, including 28% who wanted immediate physical protection from pimps.¹¹ The Chicago research also indicates that "to exit safely from prostitution, many women will need safety planning and a safe haven."¹² Rape crisis services and effective law enforcement responses to violence against prostituted women continue to be urgent needs for victims. Too often, a survivor's experience in prostitution is either used to blame her for the abuse she has suffered or to ignore it. As one survivor described her treatment by therapists, "I wonder why I keep going to therapists and telling them I can't sleep and I have nightmares. They pass right over the fact that I was a prostitute and I was beaten with 2X4 boards. I had my fingers and

advocates have formed, coordinated community responses where the key players from the justice system (judges, prosecutors, defense counsel, police, probation), social services (child protection, domestic violence shelters, health care/public health, welfare) and others (business and faith community, batterers programs) meet regularly and join forces to prevent, intervene in and advocate systemic reforms related to how the community, state and others respond to intimate partner violence. This recognizes that no one group can do the job and that to be most effective, the community must collaborate and coordinate the efforts of each of the individuals, organizations and systems.

Domestic Violence Programs and Prostitution, Trafficking and

Domestic violence center program staffs should also be aware that many (and probably most) women and girls in prostitution are victims of sex trafficking as defined by federal law. A 2002 survey of prostituted women in Chicago revealed that large percentages of the women were required to surrender money to someone else (pimps), and a large percentage of those women believed they would be harmed if they refused to relinquish the money. Among those women, a substantial majority felt they could not leave prostitution safely.⁶ Over 60% of the women and girls surveyed had been recruited into prostitution before the age of 18.⁷ Prostituted women and girls are also subject to very high rates of violence and coercion by customers, pimps, intimate partners and police officers.⁸ These findings are consistent with research conducted among prostituted women in San Francisco, revealing that 88% of the women had been physically threatened while in prostitution, 68% had been raped—with 48% having been raped more than 5 times.⁹ Among the women surveyed, 88% stated that they wanted to leave prostitution.¹⁰

Many domestic violence programs house and assist women who are victims of servile marriage or those who are trafficked into prostitution and then later come for services after their pimps batter them. The US Department of Health and Human Services recently announced that the national domestic violence hotline (1-800-799-SAFE (7233) 1-800-787-3224 (TDD)) is now going to be linked with the national anti-trafficking hotline (1-888-3737-8888) because of these obvious linkages and overlaps.

Public awareness and community organizing efforts of the domestic violence movement can help inform women and girls surveyed had been recruited into prostitution before the age of 18.⁷ Prostituted women and girls are also subject to very high rates of violence and coercion by customers, pimps, intimate partners and police officers.⁸ These findings are consistent with research conducted among prostituted women in San Francisco, revealing that 88% of the women had been physically threatened while in prostitution, 68% had been raped—with 48% having been raped more than 5 times.⁹ Among the women surveyed, 88% stated that they wanted to leave prostitution.¹⁰

5. Advisory Board member Margaret Baldwin contributed to this section.

6. See Jody Raphael & Deborah L. Shapiro, Sisters Speak Out: The Lives and Needs of Prostituted Women in Chicago 20—21 (2002).

7. *Id.* at 4

8. *Id.* at 5.

9. See Melissa Farley & Howard Barkan, Prostitution, Violence Against Women, and Posttraumatic Stress Disorder, 27 *Women & Health* 37 (no. 3 1998).

10. *Id.*

11. *Id.*

12. Raphael & Shapiro, at 31.

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toes broken by a pimp, and I was raped more than 30 times. Why do they ignore that?"¹³

centers to house and assist trafficked persons;

• Numerous workshops sponsored by domestic violence programs and FCADV;

• Full-day advocate training programs;

• Brainstorming sessions with domestic violence center executive directors and human trafficking programs such as the Coalition Against Slavery and Trafficking (CAST) in Los Angeles;

• Technical assistance to domestic violence center advocates on human trafficking; and

• Pilot program support for domestic violence services to victims of trafficking.

Illinois as well.

Creating a Response: FCADV Project Activities and Products

The main goal of the FCADV anti-trafficking project is to increase capacity of domestic violence programs to identify and assist victims of trafficking, and much has been accomplished, including:

- The creation and support of four regional domestic violence anti-trafficking hubs, strategically located around Florida to assist the domestic violence programs in their regions through technical assistance and mentoring and to provide direct services to victims of human trafficking;
- Production and distribution of over 5,000 copies of the "Domestic Violence and Sexual Violence Trafficking" Advocate Handbook on Human Trafficking;
- Creation and distribution of a protocol for domestic violence

Nationally, and in Florida, domestic violence programs are key places where victims of trafficking can find help and assistance not just because they can offer emergency shelter, but also because advocates understand the importance of confidentiality, safety planning, and staying victim-centered and they know that people have many issues, and so need help from multiple

persons. Violence programs are key places where victims of trafficking can find help and assistance not just because they can offer emergency shelter, but also because advocates understand the importance of confidentiality, safety planning, and staying victim-centered. One of the successes of the FCADV human trafficking project is the connection that advocates and domestic violence centers made as they have linked, affirmed and connected domestic violence advocacy with advocacy on behalf of trafficked persons.

Advocates do agree that whatever approach that is used must be "victim-centered." One of the successes of the FCADV human trafficking project is the connection that advocates and domestic violence centers made as they have linked, affirmed and connected domestic violence advocacy with advocacy on behalf of trafficked persons.

Thanks to the work and participation of domestic violence programs statewide and the expertise of our grant Advisory Board, the awareness among domestic violence and sexual violence programs on human trafficking has grown a great deal.

systems and people. FCADV has worked hard to help domestic violence centers and their community partners to see the similarities - as well as important differences - between domestic violence and trafficking victims, and to begin to learn how to work with women who have these and other victimizations.

For information about the FCADV program, please contact Robin Thompson, Project Director Anti-Trafficking Project at (850) 907-0693 or r-thompson@jennifer Pace, Legal Program Coordinator, at (850) 425-2749 or pace.jennifer@fcadv.org.

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