

HUMAN SEX TRAFFICKING: A MODERN FORM OF SLAVERY TOO OFTEN TOLERATED



By Matthew A. Peluso, Esq.

When the Super Bowl was held in New Jersey in 2014, the increasing epidemic of human sex trafficking became front-page news at the state and national level. In the lead-up to the big game, there was significant media coverage given to sex-slavery associated with large sporting events like the Super Bowl, the soccer World Cup and even the Olympics. Politicians, law enforcement agencies and non-governmental organizations (“NGOs”) joined forces to raise awareness among the public regarding the reality of sexual slavery in our state, and even in the vicinity of Met Life Stadium, where the game was being played. Experts and survivors of trafficking went into the communities and advised citizens how to identify victims and their abusers.

The 2014 Super Bowl was 10 years after Peter Landesman wrote about a particularly horrific case of sexual slavery in a non-descript suburban neighborhood in Plainfield, NJ. In *“The Girls Next Door,”* (*N.Y. Times*, January 25, 2004), Mr. Landesman wrote about a raid that found four illegal Mexican girls between the ages of 14 and 17 being used as sex slaves. As Mr. Landesman described: “The police found a squalid, land-based equivalent of a 19th-century slave ship, with rancid, doorless bathrooms; bare, putrid mattresses; and a stash of penicillin, “morning after” pills and misoprostol, an antiulcer medication that can induce abortion. The girls were pale, exhausted and malnourished.” Neighbors had seen young girls from the house, as well as cars and men arriving and leaving the house day and night. Despite the suspicious comings and goings, no one allegedly knew, or wanted to know, what was going on at the house.

Human trafficking can be any type of forced labor that uses violence, threats

and fraud to entrap and coerce young girls (and boys), as well as adults, into sexual slavery. The victims are usually poor and often tricked into believing that they were being hired for legitimate work. The traffickers are dominated by organized crime syndicates. Once the victims are under the control, and at the mercy, of the traffickers, their money and identification are taken so they can't leave. They are then imprisoned as sex-slaves in brothels, where they are physically and sexually assaulted. Forced drug and alcohol use are also used to further denigrate and control the victims through their dependency. The end-result of sexual slavery is physical and psychological traumatization of the victims, and ultimately addiction, disease and death.

Polaris, an NGO, operates the National Human Trafficking Resource Center hotline, which received 3,598 reports of sex trafficking cases in the country in 2014. Also, in 2014, the National Center for Missing & Exploited Children estimated that 1 out of every 6 runaway children reported that they were victims of sex trafficking. The International Labor Organization estimates that there are 4.5 million people trapped in forced sexual exploitation globally.

There has been an increase in human trafficking as the result of the world economic crisis that began in 2008. The last several years has seen the greatest increase in income disparity since the Great Depression of the 1930's. The increased poverty caused by the economic crisis has led to significant financial desperation and made millions of more children and young adults vulnerable to human trafficking. Also, the economic crisis has deteriorated worker's rights in general, and has increased abuse of human beings world-wide. In addition, the extremely wealthy can now

indulge their sexual whims and fantasies with unbounded perversion.

However, there are several international, federal and state laws that prohibit human and sexual trafficking, provide broad investigative powers and prosecutorial remedies, and permit enhanced criminal penalties. The *“Protocol to Prevent, Suppress and Punish Trafficking in Person, especially Woman and Children”* (also referred to as the *“Trafficking Protocol”*) is an international agreement adopted by the United Nations in 2003 under the UN *“Convention Against Transnational Organized Crime”* (“CTOC”). The *Protocol* declared “that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights.”

At the federal level, Congress passed the *“Trafficking Victims Protection Act of 2000”* to “combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.” 22 USC 7101, *et seq.* As the Act states: “The degrading institution of slavery continues throughout the world. Trafficking in persons is a modern form of slavery, and it is the largest manifestation of slavery today.” *Id.* at Section 102(b)(1). “Many of these persons are trafficked into the international sex trade, often by force, fraud, or coercion. The sex industry has rapidly expanded over the past several decades. It involves sexual exploitation of

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persons, predominantly women and girls, involving activities related to prostitution, pornography, sex tourism, and other commercial sexual services. The low status of women in many parts of the world has contributed to a burgeoning of the trafficking industry." *Id.* at Section 102(b)(2).

More recently, in 2014, the U.S. House of Representatives passed the "Justice for Victims of Trafficking Act of 2014" (H.R. 3530). This bill amended several others federal acts, including, but not limited to, the "Victims of Crime Act of 1984," the "Trafficking Victims Protection Reauthorization Act of 2005" and the "Victims of Child Abuse Act of 1990." The United States Senate is currently debating the "Combat Human Trafficking Act of 2015" (S. 140). This bill is intended, among other things, to reduce the demand for sex trafficking and to strengthen the rights of sex trafficking victims.

In New Jersey, the New Jersey Division of Criminal Justice created a statewide Human Trafficking Task Force in 2005. The New Jersey Human Trafficking Task Force is comprised of state and federal law enforcement agencies, state regulatory departments, advocacy groups, and social service providers. The goals of the Task Force are to: (1) train and assist law enforcement in methods of identifying victims and signs of trafficking in order to disrupt and interdict this activity; (2) coordinate statewide efforts in the identification and provision of services to victims of human trafficking; and (3) increase the successful interdiction and prosecution of trafficking of human persons. According to statistics cited by the Task Force, sexual slavery accounts for approximately 46% of all human trafficking.

The Task Force is premised upon the belief that a cooperative, multi-disciplinary approach is the most effective way to prevent and punish human and sex trafficking in New Jersey. According to the Task Force: "Providing law enforcement with information and education on trafficking and trafficked victims, together with a collaborative, coordinated response to victims' needs, should increase the ability of federal and state prosecutors to

successfully prosecute individuals who engage in trafficking of persons."

Assistant New Jersey Attorney General Tracy M. Thompson has stated that New Jersey is a "hub for human trafficking, we are easily accessible via Interstate 95, and the proximity to major tourist destinations like Atlantic City and New York City makes us more vulnerable and susceptible," she said. Ms. Thompson also opined: "Our diversity is what makes it so great to be part of this state, but traffickers prey on (people of) their own ethnicity. It makes is so hard for law enforcement to penetrate these activities."

Being on the front line every night, active duty law enforcement officers in New Jersey know the reality of sex trafficking in this state. They see the tragedy, damage and horror caused by human and sex trafficking. However, law enforcement officers also know the tremendous satisfaction that comes from stopping sex trafficking. As Bharathi A. Venkatraman, a Federal Prosecutor and Special Counsel for Trafficking in Persons, Civil Rights Division, U.S. Department of Justice wrote: "Investigating and prosecuting trafficking cases are enormously rewarding, both professionally and personally. Successful investigations not only send the worst kind of criminals to jail for a long time but also transform the lives of victims, many of whom are destitute and defenseless when we liberate them yet go on to lead productive lives after the case is over. Trafficking investigation success stories include numerous examples of poor, illiterate, violently brutalized, and sexually abused victims learning to read, write, speak English, and earn a college degree and generally becoming confident, law-abiding members of society. The gratitude and respect that victims feel for

the investigators who liberated them, and the lifetime bond that can develop as a result, are deeply rewarding. As anyone who has worked a successful trafficking investigation will attest, the rewards far outlast the life of the case."

It is this motivation and sense of duty that inspires law enforcement officers to seek out, and prevent, human and sex trafficking in this state. The public is now also increasingly aware of human and sex trafficking, and are playing their own part in the protection of abused children. Through this combined effort, there is every reason to believe that the criminals who engage in human and sex trafficking will be caught, stopped and punished for their exploitation and abuse of the most vulnerable people in our country.

Matthew A. Peluso, Esq. is an attorney based in Princeton. He has over 20 years of experience in numerous types of complex litigation, including employment, insurance and business law.



Mr. Peluso has successfully represented police officers in employment and contract disputes involving wrongful termination, failure to promote, race, gender and age discrimination, hostile work environment and whistleblower actions. Mr. Peluso is a graduate of the University of Miami School of Law and George Washington University. He can be reached at: 609-306-2595. His e-mail address is: mpeluso@live.com. His experience can be reviewed on [LinkedIn.com](https://www.linkedin.com) and on his firm website: <http://mpeluso@live.com>. The opinions expressed by Mr. Peluso in his article are not intended to provide legal advice. Anyone interested should consult a qualified attorney prior to making any significant employment or legal decision.



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