

Sex Trafficking of Girls

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Speakers:

John Kamm, Dui Hua Founder & Executive Director

Joshua Nederhood, Dui Hua Programs & Development Officer

Susan Breall, Judge, Superior Court of San Francisco County

Nicholas Krisof, Journalist & Political Commentator

Antonia Lavine, Coordinator, San Francisco Collaborative Against Human Trafficking; Executive Director, National Council of Jewish Women San Francisco

- Beginning of Recording -

Joshua Nederhood: [00:00:02]

All right. Today's webinar is part of the International Symposium on Girls in Conflict with the Law. This Symposium is the work of the following organizations: The Dui Hua Foundation is a nonprofit organization that brings clemency and better treatment to at-risk detainees through dialogue; Patricia Lee, the managing attorney of the juvenile unit of San Francisco public defender's office; Penal Reform International is a non-governmental organization working globally to promote criminal justice systems that uphold human rights for all and do no harm. The final partners are the Center for Criminology and the Center of Comparative and Public law of the University of Hong Kong.

We have some sponsors that make this Symposium possible. Those include dedicated grants and gifts from the Canada Fund for Local Initiatives, the Ministry of Foreign Affairs of the Kingdom of the Netherlands and two private funds, the Alice Lam Memorial Fund and Mark Headley & Christina Pehl. In addition, the Symposium has been aided by funding that supports Dui Hua's core work from Dui Hua's special program development fund, Denmark's Ministry of Foreign

Affairs, Sida—the Swedish International Development Cooperation Agency—and the Norwegian Ministry of Foreign Affairs.

I would like to turn things over now to Mr. John Kamm. John Kamm is the executive director of the Dui Hua Foundation. John, can you turn on your video?

John Kamm:

All right, there we go. Thank you, Joshua and welcome to all for joining us on this 10th webinar in a series of webinars that together make up the first International Symposium on Girls in Conflict with the Law. Joshua has already listed the partners, the organizations, and individuals that have made this possible, for which we are very grateful. This is a three-year effort to put this together. We have overcome many obstacles. Initially this Symposium was to be an in-person event taking place in Hong Kong in April of 2020.

Well, that proved to be impossible for various reasons, the civil unrest, and, of course, the pandemic. Then we were switching it to San Francisco and that too had to be delayed and transformed into this virtual series. It's been extremely challenging working across so many time zones. We have presenters and audience on five continents. So, here we are today. Today's session is being joined by people in North America, South America, and Asia, but I do want to stress, all of these webinars are recorded and put online.

Eventually, they will be put into our dedicated website, which will be made public, we hope, on March 8th, which is International Women's Day. Now, you can look here at the past Symposium events to get some idea of what we looked at. We've looked at how girls are treated in Africa, the Middle East, Hong Kong, South China, as I said, Africa, the Middle East, but also, very interesting, how Indigenous girls have been treated in Canada and in Hawaii. Next slide.

Again, the next one, the 11th will be on March the 2nd. Now, let me quickly introduce the speakers. Today we'll be hearing from Judge Susan Breall and Antonia Lavine, both are leading members of the San Francisco Collaborative Against Human Trafficking. Judge Breall, in addition to being the co-chairperson of the collective is the founder and created the first girls' court in San Francisco, which handles all cases involving girls at risk of sexual exploitation and trafficking.

Antonia Lavine is a lawyer, advocate, community leader. She is also the coordinator of the San Francisco Collective. She, in addition to talking a bit about her work in San Francisco, will also be addressing how girls have been treated in Eastern Europe. She was formerly a prosecutor and criminal law expert in Eastern Europe, Bulgaria. She will be addressing that situation. We haven't had anyone speaking about the situation of girls in Eastern Europe, so this is very welcome.

Finally, my old friend, Nick Kristof. I met Nick more than 30 years ago in Beijing. He has won two Pulitzers, a number of humanitarian awards, and he has distinguished himself in recent years as a fierce opponent and advocate for justice for girls trafficked. So, without further ado, what I will do now is turn this over to Judge Breall and Antonia Lavine to say a few things about their work here in San Francisco and in Eastern Europe. Susan, Antonia, the floor is yours.

Susan Breall:

Thank you so much. I want to welcome everyone and thank you, John Kamm, Patty Lee, and all the sponsors of these amazing conversations about girls in conflict with the law. It's really a privilege to be here as part of this global conversation regarding sex trafficking of girls. I want to begin by mentioning a saying we have at the National Council of Juvenile and Family Court Judges, which is, "there is no such thing as a child prostitute." What we mean by that is that it is really incorrect or improper to classify or label a girl or such a child as anything other than a survivor of commercial sexual exploitation because, to do otherwise, often promotes a young person, a young girl, to label themselves and to consider themselves as only a prostitute.

I had a young girl who came back into my courtroom and I said, "I'm so glad to see you back. I've been worried about you. Where were you?" She said, "I was CSECing." CSEC is a term that stands for Commercial Sexual Exploitation of Children. She had turned that into a verb. That's what she told me she had been doing. I have to say that, for too long, courtrooms around the United States, courtrooms such as my own, have had a great deal of difficulty engaging young girls between the ages of 12 and 18 who have been commercially sexually exploited, and too many young girls have not been helped by our court systems, and it's through no fault of judges, but judges are really not trained. Even when they are trained, they have a great deal of difficulty engaging young girls and getting them safe and back into care.

Girls go missing in many jurisdictions around the country. Sometimes finding those girls is only perfunctory by the authorities, the local authorities, and the girls have not gotten back into care. Many of these girls are not in school. Many of them have high rates of teen pregnancy, lack sexual health services, and haven't addressed their trauma. When I say "trauma", not just the trauma of being exploited, the trauma that they experienced in their homes of origin, which sometimes have caused them to leave home and be recruited into a life of exploitation and trafficking.

A courtroom model I implemented to try to reengage these young survivors is a harm reduction model. It's a team approach to handling these cases. I really feel that it's incumbent upon judges and tribal courts to have a multidisciplinary team approach when handling girls who are commercially sexually exploited. The team I have is comprised of advocates from a nonprofit called Huckleberry House, an amazing organization that has a unit and program called the Heart Program which has experience in precisely these kinds of situations and these clients. Also on my team is a child protective services worker, a social worker, an attorney that the court appoints for each girl, a government attorney, also known as a city attorney, and then a CASA, or a Court-Appointed Special Advocate.

The goal of my multi-disciplinary team approach is to help reengage these girls into services they're absolutely entitled to, such as safe housing, such as education and therapy. The model I

have includes intensive discussion with the Collaborative, the team, before the girl comes into the courtroom, whether it's a virtual courtroom or the actual courtroom, and then another intensive discussion with the girl herself. When these girls fail to show up, and they often do or sometimes they go missing again, we work hard to find them. We do find them.

They are not detained. They are not incarcerated. We want them to be safe. We work with these girls to come up with their own individual plans, their own individual goals. Many goals are the same, they want to stop running from place to place. Some of their goals are to graduate from high school. One young girl has a goal to learn how to cook, and we're trying to get her a scholarship to the Culinary Academy. When the goals are achieved or even partially achieved, each individual girl is rewarded. Again, the rewards are survivor-centered, they're the goals and rewards that they devise for themselves.

Many girls want gift cards as their reward, but one girl just wanted a pair of false eyelashes, and another girl wanted a pair of warm slippers. We don't force these girls to do anything. Our goal is to reengage them in services but, when they are forced, when a judge issues an order, a mandate, then sometimes this can be very triggering for the youth and the youth won't reengage. Most of all what they want is a regular home. They don't want to go into a group home, they don't want to go into a shelter.

These are some of the challenges. I can't say that all of them have been reengaged with services. I can tell you how wonderful it is when they do reengage. I had about seven girls today in my enhanced calendar and I'd say four of them were doing pretty well. That's 50%, maybe more than 50%, but I want to ask you, Antonia, you have been to my court, you've seen my enhanced calendar, and we call it the enhanced calendar, we don't want to label it a trafficking calendar, I'm wondering your thoughts on that, and I'm wondering if you can talk about whether there are any models similar in Eastern Europe or what's going on in Eastern Europe with girls involved in sex trafficking?

Antonia Lavine: [00:13:43]

I want to start with thanking the organizers, John and everybody else that worked on this incredible conference, for including me. I am very honored to be on a panel with such distinguished speakers. Judge Breall and Nick, thank you so much. Then I was very honored to be invited then to have the opportunity to attend procedures at Judge Breall's court. The ambience in this court is incredible. I think that this is exactly what the survivors of human trafficking need, especially when they are children, a warm welcoming adult who is willing to understand their challenges in life, their struggle in life and offer them friendly, in many cases, advice and mentoring but also being interested in what they have to say, what they see important in their life and offer also some discussion, even, on the issues.

Thank you, Judge Breall for all the work with girls, and not only girls. It's incredibly important in their life to be viewed as individuals and be given an opportunity to play a role in determining their future. An incredible experience. When I think of the courts in Europe, and we can include even Britain, the procedures are very similar. When we speak about children and, in our case today, about girls, many experts are being invited to these court procedures. The law in most of the European countries requires experts, psychiatrists, psychologists to attend mandatory the conversations of the court with children survivors of trafficking and perpetrators because we know, from our experience, that very often, unfortunately, children involved in sex trafficking, also perpetrate variety of crimes.

I want to point out one important difference when we compare the United States. It's very hard to make its procedures, including human trafficking, but we know legal area's uniform to the extent this is possible if we pay attention to sovereignty of the countries. What's helpful in the case of Europe is, first, the extensive body of law focusing on human rights, the work of the criminal justice system and the court system as a whole and, of course, the European Court of Human Rights ruling on daily basis. Some cases, including survivors of human trafficking, sue the countries, governments, for violations of their human rights.

Based on this legislation and court precedent, the countries, just by the virtue of being members of the European Union or working under the umbrella of the Organization for Cooperation in Europe, developed their own legislation. They are required, literally, to comply with this legislation and to comply with the international treaties signed by the members of the European Union. If they do not comply, they receive respective rulings by the European Court. What follows as a logical result of the fact that such legal framework and court precedent framework is provided to the countries, is the day-to-day, the operative level of cooperation.

When we speak about children, and particularly girls, what the survivors of human trafficking, of sex trafficking, girls, benefit from is this cooperative mechanism. Europe has a name, the National Referral Mechanisms and inter-European referral mechanism for survivors of human trafficking for victims. A very extensive part of this referral mechanism is focused on children. As we know, mostly girls are involved in sex trafficking, not only girls but predominantly. This is a gender sort of violation of human rights and crime.

Under these referral mechanisms, there are de facto protocols on how the variety of agencies working with children under abuse or whose rights are violated, including by the family—all these agencies play in the work, similarly to what we do in the United States but also the countries between them are able to work on repatriation of a victim safely and ensuring that that big team moving from Bulgaria to Belgium or from Belgium to Moldova will receive the same amount of services and protections of their rights.

Just because we are advancing in time, I will give an example with Bulgaria. Bulgaria has a national commission on combating human trafficking with regional commissions in several places, a law which prescribes the procedures, how specifically you work with children and, particularly, with girls. There is a specialized shelter for children. Europe requires children to be in specialized shelters, not mingling with adult survivors of human trafficking.

Then the protocols prescribe how the agencies, the child protection agencies, the criminal justice system, and law enforcement refer the victims to services that are appropriate for them. One very new, because John mentioned how important is that, very new directive of the European Union focuses – the Organization for Cooperation and Security in Europe refers to COVID-19 and the new challenges to survivors of human trafficking. It's a guidance to the countries on how to work and how to approach these challenges, but I am very interested about the challenges in San Francisco. I wanted to ask Judge Breall how the pandemic and all the limitations around the pandemic affected the work of your court with girl survivors of human trafficking.

Susan Breall:

First of all, trafficker exploiters are operating a bit differently now. They are not putting girls out on the street to recruit buyers. A lot of the business is going onto the internet for commercial sexual exploitation and trafficking. There are a lot more young girls who are advertising themselves on the internet, both the regular internet and something called the deep web, which is a deeper kind of internet that I don't quite understand but it's a way to hide the girls and exploit them even further but it's also much more difficult to engage young girls who have come into the courtroom, who – as a judge, I would get off the bench, I would give the girls a hug. I would give them a gift card. I would smile. I didn't have to smile through my mask, I would smile directly at them, they knew my face.

It's a little bit more difficult when we have a virtual courtroom because of the pandemic and we're operating on a Zoom-type platform called BlueJeans, which is much more confidential. Still what impresses me is, many of the young girls are still engaging in the virtual courtroom process, but it is more difficult. A smile without a mask goes a long way when you're talking about a young person who's been through a horrendous experience, a hugely traumatic experience, not to mention the original traumatic experience that caused them to end up in my courtroom to begin with.

It's 180 degrees different in some ways because there's not that direct connection, but, in other ways, you're still making a connection, hopefully, that's a good connection with the young person. What I found interesting, Antonia, is what you talked about in terms of uniform laws in Europe, which is really a wonderful thing because we don't exactly have uniform laws throughout the United States. In California, it is no longer a crime for a child to engage in a commercial sex act, often termed prostitution. That is not a crime anymore in California, but it is still a crime and a young person under the age of 18, sometimes under the age of 21, can be charged with prostitution in other states. So, it's really wonderful to have uniform laws in a lot of ways.

Antonia Lavine: [00:26:33]

Well, a country like Britain or Germany, for example, would have different general legislation from countries like Romania and Bulgaria but through use of their local legal concepts, each of the countries ensures that they are able to comply with the requirements of the European Convention on action against trafficking human beings. It's also very helpful that most of the countries, but Britain, all of them have the civil law legal system which allows between countries to just reach this uniform approach to the procedures.

Britain has adopted many of the legal instruments of the civil-law system countries but also, because of the United States expert help in many of these countries, of the European countries, they started to adopt legal concepts from the legislation. In terms of the challenges in Europe, and especially in Eastern Europe, countries like Bulgaria, Romania, other neighbor countries, the biggest challenge is, of course, poverty and lack of opportunities. It's all vividly exposed now by the pandemic. They increase and, because of that, people turn more and more to exploiting. Of course, girls, children, are most vulnerable to exploitation.

The law enforcement, the government agencies are overwhelmed currently because of the pandemic and the traffickers find a way to find these loopholes in the system which allow them to manipulate more children and involve them in trafficking.

Susan Breall:

Believe it or not, Antonia, there's a lot of poverty here in the United States as well. It's hard to know the root causes of violence, abuse and sexual exploitation. I am wondering, Nick, if you can talk about the state of things in Asia and the state of girls and girls being trafficked in Asia.

Nicholas Kristof:

Thank you very much. My hat's off to Susan and Antonia. You guys are actually doing the heavy lifting, I'm like the guy with the lighting in the corner who's lighting the folks on the stage, but thank you for the work you're doing on the frontlines of this. It's strange for a *New York Times* columnist to be writing about an issue like this. Let me explain how it happened because it was really by accident.

I wrote in 1996 what I thought was going to be one article about trafficking and I went to the Philippines and Cambodia. In particular in Cambodia, I couldn't believe what I was seeing. I visited a village where were very young girls who had been kidnapped, who were being sold for their virginity. It just felt like a slave market. Then I went to a brothel in Phnom Penh and spent an afternoon interviewing two girls, a 15-year-old and a 16-year-old – or no, 14-year-old and a 15-year-old. The 14-year-old had been sold by her stepfather and the 15-year-old had been kidnapped by a neighbor and sold to this brothel.

They explained that, if they had tried to run away, that the police would have caught them and handed them right back to the brothel. Then they would have been chained inside and in a room. That had happened next door, there had been a fire and the girl had died in chains in that room. Then the 15-year-old mentioned that, just a week earlier, her mother had found her in that brothel. I said, "What happened?" She explained that her mother, when she went missing, had

searched all over Cambodia to try to find her. When your teenage girl goes missing in Cambodia you look in the red-light districts.

So, just a week before, the mother had gone into that red-light district, into that brothel and had found her. They had this joyous reunion. I said, "Why didn't your mother take you away?" She said, "The brothel owner," the brothel owner was a woman, she said, "The brothel owner said that she paid good money for me and my mother would have to buy me back and my mother didn't have the money." I just could not fathom that this was happening. I wrote that one article, but then I couldn't really get it out of my head.

Later, when I became a columnist, I began to return to the issue. I went back to Cambodia. I did something that raised a lot of eyebrows in the journalistic community. I ended up actually buying two girls from their brothels, getting written receipts, as like getting a title to a car or something and taking them back to their families. Then, when I moved back to the States, I was curious about the situation in the US and began reporting on trafficking in the US Of course, a lot of the trafficking in the US is of homegrown American girls, an enormous amount.

This kind of exploitation, often girls who were in a – neglected girls who were in a pipeline toward trouble, we don't support them until it's too late, but there are also a lot of both Asian and Latina women who are trafficked into the US It's a different business model in each case. The Latina women tend to be recruited by somebody who pretends to be their boyfriend or wants to marry them, brings them to the US and then they're locked up in a brothel catering mostly to Latino low-income men. The Asians, mostly from China or from Southeast Asia, tend to be promised jobs in the US.

Sometimes they're told that it will be a job in the sex industry. Sometimes they're told that it was going to be a job in a restaurant or some other kind of a job. Then, when they arrive in the US, their passport is taken, they're told that they've incurred \$5,000.00 in debt and that that will have

to be – or more than \$5,000.00, and that'll have to be paid back, that, if it's not paid back, then gangs will go beat up their parents, or kidnap their younger sister, or whatever else.

These women feel incredibly vulnerable, they don't know anybody. They're often here in the US illegally. They don't speak the language. Sometimes they are raped and feel shamed and humiliated, valueless. One case, I talked to a woman who, because she had resisted, the gang in New York raped her, filmed the assault and threatened to send this video back to all her family and friends in Guilin province in China and would tell people that she was working in the sex industry in New York. She was so horrified at that that she agreed to be coerced into actually working for this gang. Then, all of a sudden, after two years, the gang leader was arrested and she was on her own.

One of the misperceptions of Americans who see some, either American or foreign national who is in a massage parlor or, perhaps, is on the street, or posting an ad on the Backpage, or one of the more modern equivalents is that, because when he sees them and because they're smiling or waving, whatever, that there must be a consent. One of the things you will learn is that, boy, it's so much more complicated than that. Absolutely there are some people who are doing this for money, know what they're doing and have consented but there are an enormous number who have not.

It's just about impossible for somebody looking at an ad or talking to somebody to know which is which. It may be that the woman is afraid that, if she doesn't meet her quota for that day, she's going to get beaten up. There is a misperception that coercion involves somebody being chained to a radiator in a dark room somewhere. That's not how it works. It's intimidation. It's a fear. It's loss of self-esteem. That's a similar pattern for both foreign nationals and for a lot of homegrown girls.

In terms of policy, how we address this, there've been a lot of models all over the world. I'd say, frankly, that nothing has worked perfectly, all the models are imperfect. Human beings are

complicated, but we've also learned, over time, that we have to change the target from prosecuting and going after these girls, that they are the victims and they need help and social services. I once talked to a family who had – their daughter was, I think it was in Michigan and she'd gone missing. They finally found her being advertised on Backpage.

They contacted the authorities, and the authorities used the phone number to locate where this girl was being held. It was a hotel room along with another underage girl. They did a raid, and they arrested the pimp, but they also arrested that girl. Now, that was some years ago. In most jurisdictions that wouldn't happen today but there is – we still, as a country, need to move beyond a way of thinking that often sees these girls having more agency than, in many cases, they do.

I mentioned that one of the – that I ended up buying these two girls and getting receipts in Cambodia. I learned a lesson from that about what works. With one of the young women it worked out, things worked out right from the beginning. The other one, her name was Sriman, she had been in the brothel for seven years and she got back. Her family had thought she was dead. They were so happy to see her, she was so happy to be with her family. Then, a week later, she ran back to the brothel. It turned out that she was addicted to meth. The brothel had gotten her addicted as a way of controlling her and the brothel would give her that meth.

She craved it and she just couldn't break that. We tried a couple more times to help her start over, which she desperately wanted to do. Each time, because of that addiction, she ended up going back to the brothel. I thought that that was it, I thought she was going to die of AIDS in that brothel but, as it happened, because of the work of NGOs, because the issue was getting more attention, because the US has an annual report that rates countries, and Cambodia was feeling under pressure. It wasn't that anybody actually closed that brothel down, but the police began to demand more in bribes to look the other way.

That interfered with the business model of that brothel, and the brothel owner found that she could make more money not kidnapping rural Cambodian girls and selling them for sex but stealing motorcycles and selling them for parts, or pirating videos, or doing whatever else. So, she closed down the brothel and opened up a grocery store that, I'm sure, was a front for some other kinds of nefarious activity. It underscored to me the degree to which this is a – trafficking is an issue of raising the costs for offenders and, if we increase the likelihood that they will be prosecuted or that customers will be prosecuted, if we make it more costly and less lucrative, then we can really interrupt that business model.

I'm sure sex will continue to be sold for decades to come but I really think that we can reduce the number of 14 and 15-year-olds who are brutalized and coerced, whether they be homegrown American girls or foreigners who are smuggled into this country. There's often a kind of hopelessness about policy. It's complicated. It's hard. It's imperfect. There is no magic wand to wave, but can we do better? Yes, I really think we can.

Susan Breall:

I totally agree with you, Nick, and especially about what you said about social services. I think **we have to shore up our torn and inadequate social safety net**. This is a business model. I shouldn't be shocked about you receiving two receipts for these two girls, I'm wondering how much you paid for these two girls to get them out of the life.

Nicholas Kristof:

I paid, it was \$150.00 for one and about \$300.00 for the other. When they give you a formal written receipt, it just breaks your heart. Of course, that's what makes the model useful for trafficking women to the US, if you can buy a woman from a brothel for \$150.00 or \$300.00 and then sell her to somebody in the US who's going to exploit her and use her as an ATM, then that's

a pretty attractive business model. What do you think about the idea, Susan, of going after pimps and raising the cost to pimps? I'm sorry, to Johns, to discourage Johns?

Susan Breall:

I absolutely think they should be prosecuted, and I think the pimp exploiter should be prosecuted more. Many district attorneys' offices don't charge them because they think this is hard to prove. In the '90s we had hard no-drop policies on domestic violence offenses. There probably should be hard no-drop policies for Johns and pimp exploiters. Many of these young girls feel like a commodity. In fact, there's a young woman now who is a spokesperson about domestic child sex trafficking. She goes by T and she's a spokesperson for the organization Rights for Girls. She said that she would go from dependency placement to placement, and she knew that these out-of-home placements were getting paid to house her.

She figured, "Well, I might as well make a little money on the side and make money for my pimp exploiter rather than making money for the group home." When she would go missing she said, "No one was really looking for me. There was no picture of myself on a milk carton." She felt like a commodity. Many of these exploiters, when you interview them, or if we could get some *New York Times* Pulitzer-Prize-winning journalist to interview the pimp explorers, they'll say, "It's really lucrative. Girls are much more lucrative than chop-shops with cars or robbing people because we can just use a girl, then wipe them clean, and use them again." It's, in their mind, a reusable commodity, which is pretty horrifying, but I can't get the idea of a receipt for a human being out of my mind **because that truly is slavery.**

Nicholas Kristof:

You mentioned CASA earlier, I'm a huge fan of CASA. For those people who are watching, who might want to wonder how to engage, it's C-A-S-A, Court-Appointed Special Advocate. It's a great way for people to volunteer and to support people who – really those kids who desperately need

a voice. The foster care system in the US has been a catastrophic failure and, in many ways, disastrous. CASA often supports these kids. If people are looking for a way to volunteer, I'd really encourage it.

Susan Breall:

Absolutely. The problem though is that many of these children had to be taken out of their homes because of horrendous violence and abuse to the child in the home. Then you're stuck, you don't have an option other than to put a child in foster care. Then the child gets recruited from foster care. The first line of defense is to take a child out of the situation where they've been molested by a father, or burned, or beaten, and put them with a relative but if they have no relative, then what are you left with? I know, Antonia, you work with CASAs and San Francisco Collaborative Against Human Trafficking involves CASAs, do you want to talk about that?

Antonia Lavine:

CASA brings us to a very important issue. First of all, I want to say that I represent also the National Council of Jewish Women in San Francisco. This is the organization that co-created CASA, not only in San Francisco but all over the country. One of the main reasons was preventing exploitation and violence against girls and boys in such a vulnerable situation due to de facto missing family and family care for these children. This brings us to a very important dilemma, which is not a dilemma at the end. Yes, this is a criminal market, commercial cycle. We have to address the demand. We have to address the fact that the demand the buyers fuel, they supply the fuel for this market but, on the other hand, this is at the end of the cycle. We have to look at the root causes of human trafficking.

We will not be successful if we only punish those that accelerate the market, organize the market, **we have to look at the vulnerability**. This is where we are totally. I will always remember, I speak for us as society. We're in progressive Bay Area, we are supposed to be one of the best, taking

care of people that are vulnerable. I remember the Swedish professors speaking at our event and listing all the services that they provide to survivors of trafficking, especially to children. A question of one of our colleagues, “How do you fund all these services? How did you find funds?” His answer was, “We don't need to. This is available to all people in Sweden, including immigrants, including children. Just everybody.”

That is why it's so hard to work against human trafficking because a huge part of the work is prevention. When we speak about pimps and also buyers of services that are associated, these are also people without opportunities. We have to realize that many boys, girls, women, and men in our communities use this as a business because they have no other opportunities. It's like a communal disease. It's just disease. It's like pandemic that happens to all of us, unfortunately. I appreciate Nick's observations that we have to go from both sides. He spoke, he was so – he described so well the problems on both sides, the poverty, why people do that to their own children and then why the market works. It works because we have people paying for the market to continue.

Nicholas Kristof:

I would say that, right now – the US has always accepted child poverty rates that are just among the highest in the industrialized world. That's because children don't vote. It's the same reason we have healthcare for the elderly but not for children, but now we do. Biden has proposed the first really serious anti child-poverty program by a president in at least 50 years. There are some signs of Republican support for similar ideas. This isn't going to solve the problem of trafficking, it's really complicated but if we can – some of these estimates are that it would reduce child poverty in half. If we could reduce child poverty in half, boy, that would make a real dent in some of these underlying causes, underlying pipelines. I just hope that we, as a country, will be able to move forward on that as just about every other advanced country has managed to do.

John Kamm: [00:52:54]

Look, this has been an extraordinary session and I thank you all. Very moving. The first question, of course, that comes to mind is, what more can be done? Nick, Antonia, Susan, every year the state department puts out a report on human trafficking. Should it be differentiated, more dedicated to the situation with girls? What more can be done? Frankly, I'm just shocked by some of the things that we heard today. What more can be done? Nick, let me start with you.

Nicholas Krisof: [00:53:47]

The first thing would be to address these broader inequities. One in seven American kids is living with a parent with a dependency problem, with addiction. Those kids are going to be vulnerable. Yet only 20% of Americans with addictions get treatment. Provide more treatment. Provide more social support for kids. Provide more home-visiting programs. That all helps at the prevention end. At the point of trafficking itself, it's a combination of going more aggressively after pimps and after Johns.

Susan mentioned, a lot of police and DAs haven't really traditionally gone much after pimps. It's a harder case to prove often because the girl, probably, isn't going to want to testify against him so you need to go through texts, get hotel records and financial records. It's more complicated but it can be done. It's best done, not at the federal level but at the city and state level, which means it has to be a priority and that citizens have to speak up to their DAs, their police chiefs and not see this as a nuisance issue but as a fundamental justice issue. Then the hardest thing politically is to go after Johns and not just the pimps.

Right now, if you are a John, there is, essentially, no risk that you are going to be arrested. You might as well be hit by lightning. If there were a small chance that you might be arrested, some tiny chance, then there would be an awful lot of men who would not buy sex from these women. The idea that you can distinguish who is trafficked and who isn't, is a pipedream. One of the more practical ways of reducing the scale of the problem is to arrest Johns to a greater degree than we

do and put a certain amount of fear in them that they might get arrested. That would reduce demand considerably. That's my guess.

John Kamm:

Thank you very much, Nick, for that but I was just wondering whether you, or Susan, or Antonia might say something about this. Right now the US and China are, of course, as you know very well, Nick, in a very delicate period. The two countries are talking about areas they can cooperate in. What do we have? Climate change, pandemic, economic recovery. How about sexual trafficking as an area where the two countries can work together to deal with this issue now? What do you think?

Susan Breall:

It's a lovely idea. I'm not sure it will happen, if these two countries can agree on anything else, really, but it is certainly a lovely idea. I also agree with Nick that we have to see more of the consumers, and that's what they are, that's what the Johns are, penalized, but it's to the countries cooperating, it's important. I also think that we need to not have limits on T visas, which are visas that allow trafficking survivors to help in the investigation of these cases and have a lawful pathway to a lawful immigration status if they're helpful. I think there are quotas on T visas, I know there are, and there are quotas on U visas that will also apply to survivors of human trafficking.

A lot of them are afraid to cooperate. As Nick said, people are terrified who are survivors of this crime. I had one young girl who would call my courtroom and whisper into the phone because she wanted help but she was that afraid that her pimp exploiter was going to hear her and that she would then be beaten. It's complicated to talk about the countries collaborating, cooperating with each other and investigating these international cases together, whether it's China or the United States, but it's a wonderful idea. What do you think, Antonia?

Antonia Lavine:

One, it's a wonderful idea and it's not our idea. We were not the first thinking about this. With, pretty much, help from our law enforcement, in Europe was created a network for collaboration between the law enforcement, which helped to eradicate corruption because each of the countries has officers in their embassy or consulate in the other country assigned specifically to human trafficking. If in a country with corrupt government an investigation is not started on time or it goes in not a good way, the other country has already opened an investigation as well via their representative in the consulate, the law enforcement.

This helped, for example, in Bulgaria, even diplomats of foreign countries to be caught in operating the circle, a ring, for trafficking of girls to very established European country. This diplomat was sent back home, we couldn't investigate him. Well, we couldn't convict him, but he was sent back home. This is just an example of many instruments that have been developed, including in Asia, like database, for example, of court decisions across Asia, and many other useful tools to collaborate.

However, speaking of international collaboration, we've been champions in human trafficking, to be honest. United States started the effort, was observer to all international instruments that were developed, implemented in the United States in the federal legislation, helped to implement it in so many countries. I, as a Bulgarian Ministry of Justice official reported annually to the US government, and it made us to adopt group legislation. However, look back at United States, we're the only country in the world, in the United Nation system, that did not adopt the child convention. How we can fight human trafficking if we're the only country – the last to adopt was China, speaking of China, but they adopted this, they ratified the convention.

We have not ratified the child convention, and we are the only one. Speaking of girls, we are, with three more countries, failed governments, in this company the only country from the

developed world that did not ratify the women convention, the basic international treaty protecting women. Well, this is where we need to start. We just need to adopt. I know many, including me, before I started working here, believe that we don't adopt, we don't ratify but we do have these regulations in our domestic legislation.

Do you know what the truth is? We don't. That is why our children are exploited so easily and our women are discriminated and exploited. So, as a community, we have to believe in this policy level of work which, after that, gives us an opportunity to go to court and assert our rights as the European scale, including from the poorest European countries. This is where I see, I really think, that we have to, each of us, have to contribute to policy change in addition to the direct circumstance we do day-to-day, by voting, voting in a good direction, at least.

Joshua Nederhood: [01:04:10]

We have a question from Patricia Lee, maybe direct it to Susan Breall. "Do you feel it's important to have a female judge handle the enhanced calendar for traffic girls?"

Susan Breall:

It's a question that I've discussed with my colleagues around the country. I really think it's important to have a good judge, not necessarily a female judge but a sensitive judge. It could be male. It could be me female judge. It could be a transgender judge. We need to have a great judge handling these cases. That's the answer I would give.

Joshua Nederhood:

We have another question from Valerie Barra. It's asking, "What can be done to put pressure on law enforcement to not look the other way, especially in cases when local law enforcement might be complicit or participate in this type of exploitation?"

Susan Breall: [01:05:25]

There needs to be more of a public awareness campaign so that law enforcement won't turn away but a different kind of public awareness campaign, not just posters in the bathrooms of airports. Comparing this to the Domestic Violence Movement in the '90s, there started to be a no-excuse for domestic violence. When I said earlier there were hard no-drop policies, what I meant was, if there were the elements of the crime, then it was incumbent upon a prosecutor to prosecute the crime, whether the evidence changed in the sense that the survivor no longer wanted to participate. That's what led to evidence-based prosecutions.

I'm not sure that that model was a great model when it came to domestic violence prosecutions because the voice of the survivor got lost. If this trafficking survivor wants a prosecution but doesn't want to participate, there has to be an emphasis the way there was with the Domestic Violence Movement on mandating police to do their jobs, investigate these cases and mandating prosecutors to prosecute these cases, not just the pimp exploiters but also the John consumer.

Antonia Lavine:

One thing that I find very helpful as a former prosecutor as well, we really need to empower the victims and **stop marginalizing them by criminalizing them** constantly or at least to avoid the stigma, provide them with paths to get back into community with benefits to achieve, as a result, empowering of these people. They're totally manipulated, marginalized. Many of them don't believe that they are worth anything. In order to have them report the many cases of corruption, which affect their lives and lives of many, we have to have empowered individuals, people that believe that they will be helped, that they will be viewed as worthy by this community and supported.

This is one of the goals of our collaboration. This is how we help, not only the investigations by having this victim testify or collaborate but also they tip us about corrupt police activities and law enforcement – not only police, I don't want to single them out, corruption on all levels, which can go all over the system. The second incredibly productive way is collaboration. It's the main pillar of the work against human trafficking. Judge Breall, and I know both my colleagues here on the panel know very well how helpful is collaboration with everybody.

If you have the anchors, the journalists involved in the work of the collaborations, you have the publicity. If you have the judges, you have another public procedure that cannot be hidden and all the information gets to the court again. If you have the law enforcement involved, they react. The higher positions, the positions that have the power to change things in the law enforcement, they react adequately, and they feel part of a community that fights for a certain cause. We did have cases in Bay Area.

Susan Breall:

I agree with you, Antonia, there has to be collaboration and there has to be a coordinated community response but, by saying that, I mean the real community, not the law enforcement and government community. We have to involve the village elders of the community, the respected religious community members, the tribal community, the people who are normally outsiders but they are members of the community where the survivor comes from to help eradicate this. There needs to be a multidisciplinary approach and a coordinated community response that's spoken of in the Violence Against Women Act, but the community needs to be a different model of community.

Antonia Lavine:

Yes. We work with the interfaith community. We have an interfaith committee at the San Francisco Collaborative Against Humans Trafficking with the Catholic, Jewish, Asian, Muslim

communities represented. This goes up to the federal level where the president, Obama as president had this, and we hope, again, we'll have this interfaith council advising the president on human trafficking.

Joshua Nederhood: [01:11:26]

All right. I know we're going a little over time, but it looks like most of our audience is still there. If, maybe, we could just get one or two more questions. This one's from Lindsay Ernst at the University of Hong Kong. "The idea that Nick raised of a business practice is important for reflection by the legal system. How can the legal system more effectively disrupt this sort of business model, the supply and demand? What has the legal system failed in doing up to this point or how can it be encouraged or forced to be more mindful and intentional in thinking about its role in this business system?" Nick, do you want to start on that?

Nicholas Kristof: [01:12:08]

The problem was that, traditionally, this was really seen as a public nuisance issue. A shop, a store would call up the police and say, "There are some streetwalkers outside my business. Can you go arrest them?" Then the police would oblige, they'd go and arrest them and then kick them out of town. Nobody was really interested in whether they'd been trafficked, or what their story was, or who the pimp was, it was just a matter of solving an immediate problem.

The way one disrupts that business model, Susan mentioned earlier, and I think this is exactly right, that there are a lot of lowlifes who think, "How can I make easy money? I can deal in drugs but that's going to be quite dangerous if I'm in a turf war over selling drugs and I might get shot. Meanwhile, trafficking girls is more lucrative, less dangerous and I'm much less likely to be arrested and prosecuted." If we make it more likely that they will be prosecuted, then they'll find other things to do, hopefully not drugs, but, hopefully, something else.

We did, to some degree, see that with federal prosecutions that some US attorneys are much more aggressive in going after traffickers than others. It seemed that the pimps, when they were taking women from city to city, they learn to avoid those districts where US attorneys were more aggressive in pursuing these kinds of prosecutions. Basically, it's something that has to be pursued at the local level, not with federal prosecutors, but we can make this less lucrative and a higher risk and then, hopefully, they will go into stealing motorcycles instead.

Susan Breall: [01:14:18]

There's also the big-time trafficker who hung himself in the New York prison. I forget his name, the famous guy. I only bring him up because there are ways to get restitution from those big-time exploiters. Many of the survivor victims of his exploitation, some of them who had business relationships with clients who were fairly well known, there's a movement to get restitution for every single one of them. So, restitution is also a way to, maybe, give back some money to the survivors.

Antonia Lavine: [01:15:11]

The international community started the effort for the international, the United Nations protocol against human trafficking as part of the broader effort to combat organized crime, and particularly human trafficking. One of the main ideas was exactly this idea shared by Nick that, if you want to stop the market, you must make it not productive, not bringing – you have to make sure that the benefit is outweighed by the danger of being prosecuted and by what you pay for the business to work. That is why the international efforts started to create the convention against organized crime.

Unfortunately, not the human rights efforts, not the human rights movement, succeeded to gather the international community but rather the governments in an effort to get the money from this lucrative business and make it less profitable. This seems to me a very good concept

actually. It's very important in the anti-trafficking field in the international seizure and confiscation of assets and, of course, the use of this asset to compensate and reparate the victims of human trafficking.

Joshua Nederhood:

All right. Maybe just one more question. This is the International Symposium on Girls in Conflict with the Law, but there are some male victims of sex trafficking. Maybe just some final thoughts from each of you on, maybe, gender-informed ways of dealing with this issue, how to, maybe, differently deal with boys or girls who are being trafficked. Then we'll wrap things up. Maybe starting with you, Judge Breall.

Susan Breall:

Certainly, there are absolutely male survivors of domestic child sex trafficking. In fact, at the San Francisco Collaborative Against Human Trafficking Symposium last year, our keynote speaker, which was Judge Lung, he was from Colorado and he was a survivor as a child of sex trafficking. His trafficker was his own father. I don't know how to engage more of the boys but my court, just to be clear, is not a gender-specific court. My dependency court, my enhanced calendar is for both young men and young women but, interestingly enough, it's the young women who have mostly been recruited by the traffickers and somehow end up in my court, but it's not to say that there are not survivors of trafficking who are male.

Antonia Lavine:

San Francisco was pioneering in working with male survivors of human trafficking. Say, our prominent organization that, unfortunately, collapsed a few years ago started one of the first programs in the country working with male survivors of human trafficking. We at San Francisco Collaborative collaborate with survivors, male survivors of sex trafficking. They have been

consulting us, speaking at events. One very important aspect when we speak about gender is addressing the LGBTQ community. The stigma is worse in this community. The service is lacking, not many organizations work.

The problem is that it's very hard to identify victims when you have such a high level of stigma and the marginalizing that we spoke about, but it's a very important issue. Even though sex trafficking is viewed as gender-based violation and many, as Judge Breall said, are actually the girls, boys are not immune. We had seen many such cases as well.

Nicholas Kristof: [01:20:21]

I would just add that, whether it's boys or girls, that the pattern for teenagers is often quite similar and it involves a boy or girl who is in a situation that is intolerable at home. Maybe it's somebody abusing them, maybe somebody neglecting them. They run away and they go to the bus station. The only person looking out for kids like them at the bus station is a pimp, gives them food and a place to stay. If it's a girl, he tells her that he loves her and then he controls her. We should be able to compete with pimps in providing social services at bus stations. We can, try harder with that around the country, whether with boys or with girls.

Joshua Nederhood: [01:21:18]

Thank you so much all of you panelists for that really rich question and answer session. John, did you want to make any quick comments on our upcoming events and then we'll wrap things up.

John Kamm:

There we go. Thank you, Joshua, and thank you for all of you for contributing to this exceptional session. Moving forward, we have another event on March 2nd in these series of webinars. I hope you all will join. Bear in mind that all of these sessions will be and are taped and will be available

on a dedicated website for the girl symposium. Thank you very much, and, Joshua, close it down.
Thank you.

Joshua Nederhood:

All right. Just want to make one more comment that, yes, we'll try to get a recording of this to you all in a follow-up message in the next day or so in case you weren't able to make it to the full event today. I've already included in the chat a link to register for next week. I hope to see most of you there again. Thank you all so much for joining and, hopefully, we'll see you in the next one. Goodbye, everybody.

- End of Recording -