

How to Help Victims of Human Trafficking

A Community Statement for the City of Tampa

The city of Tampa's proposed anti-trafficking ordinance is coming up to a second reading. As a coalition of advocates, policy analysts, lawyers, trafficking researchers, restorative justice researchers, and concerned citizens, we have sought the most restorative solution. The "bathhouse" ordinance is written from the mindset which tells us we must "rescue" them by arresting them (that may mean consensual workers and trafficking victims.) When in fact, criminalization in the sex trade only pushes the business underground, making victims of trafficking more vulnerable to abuse that they can not report without facing arrest. This gives predators a special kind of impunity, knowing they can prey on already vulnerable people without a chance of arrest.

The bathhouse ordinance threatens to impose strict regulation on workers in the spa business. Despite spa workers' existing state licensure, the city of Tampa will require an additional permit with an unheard of 10 day appeals process. Workers will now be subject to mandatory inspections by the police, who regularly harass workers in our local spas already with no warrant. The police are not educated on how to oversee professional regulations, the department of health already does this in the spa industry. Beyond that, TPD has consistently profiled and targeted "Asian" spa workers, demonstrating their need for far more cultural sensitivity. The current profiling of spa workers of color shows that the political will for enforcement is racially motivated. Trafficking victims in this business will be put out on the streets for inability to comply, or worse, arrested. This ordinance never actually mentions human traffickers nor penalty for them. The full impact of this ordinance will be felt by workers and trafficking victims alike.

How does this help human trafficking victims? The simple answer is that it doesn't. Our official proposal to the city of Tampa, to truly address human trafficking, is immunity for victims. Less than 50% of women in the US report to the police when they've been raped. On college campuses, 47% of rape victims who didn't report state their reasoning: "that they didn't want anyone to know." According to Amnesty International, victims are more likely to come forward when their identities are protected. The criminalization of human trafficking victims has unimaginable consequences. 80% report being unable to gain employment due to their convictions and 60% report being unable to find housing. 70% of victims of sex trafficking are unable to get their criminal records expunged even after establishing their victimhood, leaving them with no other options but to remain with their trafficker or starve. Perhaps equally startling, 44% of the victims surveyed cite never seeing their trafficker arrested, and even those who were arrested are seldom arrested for trafficking. The penalties on victims are already so high, our justice system leaves them even more vulnerable to their traffickers who can exploit them with relative impunity.

The city's ordinance addresses none of this, in reality it will serve only to enable potential human traffickers in the area by putting vulnerable workers out of business and limiting their employment opportunity.

However, on a city level, we *can* provide victims a lifeline, a truly victim-centric solution: immunity from arrest when reporting crimes of coercion, sexual assault, violence, etc. This should extend to all vulnerable members of our community. We know to do this in immigration with welcoming city resolutions. While our city could actively detain undocumented people, we all know that by welcoming them we are making our city safer, kinder, and more prosperous.

Many women know firsthand how difficult reporting crimes of sexual violence can be already. We can turn the current model upside-down by allowing victims to tell us who's victimized them, giving the city an honest opportunity to apprehend dangerous and violent predators. This restorative policy will empower victims of all types to report their attackers, knowing they do not have to put their lives, liberty, and dignity on the line to do so.

Co-signed

Restorative Justice Coalition

The Sex Worker Solidarity Network

Community Protection Coalition

Democratic Socialists of America