



2015 SEX TRAFFICKING & EXPLOITATION MEDIA GUIDE





The media shapes public debate and discourse, playing a critical role in what type of policy is created on national, state and local levels. The Maine Sex Trafficking and Exploitation Network (Maine STEN), in collaboration with providers from across the state, developed these guidelines for reporting on human trafficking to provide clarity and support for journalists with the most up-to-date resources for readers and the Maine community.

Exploitation and trafficking exist on a spectrum; many exploitive behaviors may not meet legal definitions of trafficking. Related activities such as various forms of commercial sex, may be illegal under Maine law, and yet not entail exploitation or trafficking. This guide is intended to inform the reporting on cases where individuals are being trafficked or exploited through force, fraud, coercion, or manipulation, and to distinguish between those cases and all incidents of sex work. It is not an in-depth analysis of the dynamics of trafficking or exploitation. Finally, no conversation about these issues is complete without acknowledgement that for many individuals, commercial sex work is the result of structural barriers, such as poverty, lack of opportunity, and myriad forms of inequality.

Definitions

Sex trafficking

Definition: In Maine, “aggravated sex trafficking”¹ is a felony, perpetrated when an individual “compels” a person to enter into, engage in, or remain in prostitution. Compelling includes many different behaviors, including force, fraud, coercion, or any time an individual (the victim) is a minor or suffers from a “mental disability.” Human trafficking under federal law occurs when a person requires someone to engage in commercial sex via force, fraud, or coercion.² A “commercial sex act” as any sex act where anything of value is given to or received by any person.

How we talk about it: Sex trafficking is perpetrated when a third party benefits from the sale of a person for sex acts, through force, fraud, coercion, threats, and/or manipulation or when the person is a minor.

Additional considerations: Maine also has a non-felony sex trafficking statute, formerly known as “promotion of prostitution” that addresses any promotion of commercial sex. Many cases may include elements of compulsion, yet law enforcement officers charge the lesser offense due to investigative barriers. However, it can be difficult to know whether cases include compulsion or not.

Sexual exploitation

Definition: Abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including profiting monetarily, socially or politically from the sexual exploitation of another.³

How we talk about it: The exchange of sex or sex acts for anything of value where an individual is coerced or manipulated into the arrangement through addiction or desperation. A third party may not be involved and money may not change hands (e.g.: the exploiter requires sex acts in exchange for drugs or a place to stay). Not all sexual exploitation meets the legal definition of trafficking.

Commercial sexual exploitation of children

Definition: The use of a child for sexual purposes in exchange for cash or in-kind favors between a customer, intermediary or agent and others who profit from the trade in children for these purposes.⁴

How we talk about it: Commercial sexual exploitation of children is perpetrated when individuals buy, trade or sell sexual acts with a child.⁵

¹ 17 MRSA §852

² 22 U.S. Code § 7102

³ United Nations. (2003). *Secretary-General’s Bulletin: Special measures for protection from sexual exploitation and sexual abuse.*

⁴ UNICEF. (1996). Based on: *The Stockholm Declaration and Agenda for Action.*

⁵ National Center for Missing and Exploited Children. (2010). *Commercial sexual exploitation of children: A fact sheet.* Retrieved from: http://www.missingkids.com/en_US/documents/CCSE_Fact_Sheet.pdf

Statistics & Sex Trafficking in Maine

Maine providers indicate that existing data does not accurately reflect the scope of what we know to be trafficking or exploitation. Many behaviors which are exploitive do not necessarily constitute a trafficking situation. We know that sex trafficking and exploitation are closely linked with sexual violence, which is the most underreported violent crime in the United States.⁶ While awareness of sex trafficking victimization in Maine grows, underreporting and inconsistent screening, identification, and data collection contribute to a gap in Maine-based data. We are currently engaged in a statewide needs assessment on this issue, and more data will be available in fall of 2015.

All data from the resources below indicate that the vast majority of Maine trafficking victims are individuals who were born in Maine or the United States, rather than foreign nationals.

- Best available estimates indicate that between 70-90 percent of commercially sexually exploited youth are survivors of childhood sexual abuse.⁷
- Between 2007 and March 2015, the National Human Trafficking Resource Center hotline has received over 240 calls from Maine and identified at least 41 cases where trafficking was likely perpetrated.
- Of the 80 homeless and street-involved women and youth surveyed by Preble Street Teen Center in its 2012 study, 24 percent reported they had been offered drugs in exchange for sex with a stranger, and 26 percent reported they had been asked by someone to have sex with a stranger for payment.⁸
- Maine providers indicate that many more of their clients than previously believed are victims of sex trafficking or exploitation. In the first year of a federally-funded anti-trafficking grant in York and Cumberland counties, 64 individuals have been identified and provided with services as trafficking victims.⁹

Maine Law

Public policy is changing rapidly as we become aware of human trafficking, as we better understand the needs of victims, and as we identify potential victims through law enforcement and community-based partnerships. We keep our website updated with changes to Maine and national legal frameworks. Visit mainesten.org/state-laws for more information.

⁶ Truman, J & Langton, L. (2014). *Criminal victimization, 2013*. Retrieved from <http://www.bjs.gov/content/pub/pdf/cv13.pdf>

⁷ Murphy, P. (1993). *Making the connections: Women, work and abuse*. Paul M. Deutsche Press, Orlando, FL.

⁸ McLaughlin, T. and Cameron D. (2012). *Sex exploitation and trafficking among youth utilizing services at Preble Street Teen Center*.

⁹ Preble Street Anti-Trafficking Coalition 2014-2015 Service Statistics.

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**Visit mainesten.org/state-laws for
the most updated
information on Maine
sex trafficking and
exploitation laws.**

Language Considerations

Instead of...	Use...	Because...
<p>Child prostitute/ Underage prostitute</p> <p>Child prostitution</p>	<p>Commercially sexually exploited child</p> <p>Commercial sexual exploitation of children</p>	<p>Child prostitute/prostitution or underage prostitute/prostitution doesn't convey the severity of a commercially sexually exploited child's experiences. Commercial sexual exploitation of children accurately defines the alleged crime.</p>
<p>Prostitute</p>	<p>Trafficking victim (when force, fraud, or coercion are present or when the individual is a minor) or Sex worker (where force, fraud, or coercion are not present and when the individual is not a minor)</p>	<p>The term prostitute tends to "convey choice, agency, and criminality to the reader."¹⁰ In cases where there are charges related to trafficking, it's important to accurately reflect that the person (allegedly) trafficked is an alleged victim of a crime. Some individuals and organizations prefer "prostituted individuals" in instances of exploitation.</p>
<p>Rescue</p>	<p>In the vast majority of sex trafficking cases in Maine, there is no one single act of recovery or rescue. Use terms that describe a long-term process of recovery and healing.</p>	<p>Victims may not wish to be "rescued" from their situation and it may not be safe for them to leave. Perpetuating the idea that trafficking victims need someone to save them simplifies a complex crime, ignores conditions that could put a victim in serious danger, and ignores that leaving the situation is only the first step of a very significant recovery effort.</p>
<p>Slavery</p>	<p>Sex trafficking Human trafficking Sex exploitation</p>	<p>The term slavery has traditionally meant an institution or system of oppression, and implies a form of captivity that may lead readers to expect conditions that are only rarely reflected in Maine.</p>
<p>Pimp</p>	<p>Trafficker Exploiter</p>	<p>The use of the term pimp minimizes the crime allegedly perpetrated. Given its use in popular culture, it also promotes a culture that celebrates sexual violence.</p>
<p>Stock imagery containing chains, handcuffs, or other images connoting imprisonment.</p>	<p>Consider pull-out quotes or data points, charts or graphs, empowering images of individuals, or no images.</p>	<p>While some trafficking may involve physical captivity, in Maine it is more frequently characterized by coercive tactics such as emotional and physical abuse, addiction and social factors such as poverty. These images create a perception of captivity, and misdirect the public understanding of the issue.</p>

¹⁰ The Raben Group. (no date). *The use of the phrase "child prostitute" in the media: A critical examination and course for action*. Retrieved from: http://www.rights4girls.org/current-campaign/uploads/NoSuchThing_Report.pdf

Additional Considerations

Trafficking vs. Prostitution

These issues are complicated and often depend on how a victim identifies, how the law defines the acts allegedly committed, whether there is a trafficker involved, etc. In general, if sex trafficking or aggravated sex trafficking is charged in a case, assume that it is a case involving coercion or force. In cases where prostitution is charged, there may still be coercion or force at play, but law enforcement officers may not be aware of extenuating circumstances. Additionally, just because someone is charged with prostitution without the presence of coercion or force, does not mean we understand whether or not there is an element of exploitation. A lack of economic opportunity, marginalization, and the inability to access basic resources can contribute to a person's involvement in the sex trade.

Naming the Victim

Victims of sex trafficking, sexual exploitation and commercial sexual exploitation of children are victims of crimes, including sexual violence. As most news organizations agree, every attempt to conceal a sexual violence victim's identity should be made out of respect for the victim unless the victim wishes to be identified. This includes information that may identify her/him in a small community, and any photos of the victim. Sometimes a victim of sex trafficking may also have criminal charges related to their exploitation.

Policy Resources

National organizations can be important resources for background information and trends, however Maine's policy landscape is complex and it is best to rely on local expertise and information related to Maine law. When using out-of-state resources, connecting with local experts is essential to ensure that journalists are presenting the most accurate picture of Maine policies, local efforts and services.

Labor vs. Sex Trafficking

Federal law defines sex and labor trafficking in the same way: it is the use or obtaining of a person for the purposes of sex or labor through the means of force, fraud or coercion. There is a close relationship between sex trafficking and labor trafficking, and the two may

overlap. Though the identification of sex trafficking victims currently appears to be more prevalent in Maine, many experts agree that as we explore labor trafficking and exploitation in more depth, the known prevalence will likely rise.

Prevention

It's important to include prevention strategies when possible, especially when so much of the focus on trafficking tends to be about crisis response. Many factors make an individual vulnerable to trafficking, such as child sexual abuse, family trauma, and poverty. Programming that alleviates these vulnerabilities, such as child sexual abuse, sexual assault, and domestic violence prevention, as well as programming supporting at-risk youth, are preventative in nature. Additionally, providing targeted, education-based intervention with at-risk youth by trained clinicians, advocates and survivors is an effective means of prevention. Statewide and local resources are available to provide more information. Child sexual abuse and sexual and domestic violence prevention programs are also part of effective anti-trafficking efforts.

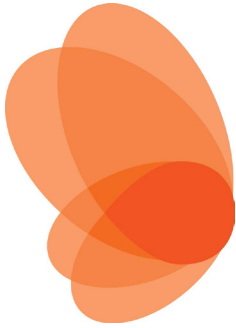
Shirttail

A suggested shirttail to include in articles related to sex trafficking and exploitation is:

To reach the National Human Trafficking Resource Center hotline call 1-888-373-7888 or text HELP to BeFree (233733). This free and confidential 24-hour service is accessible from anywhere in Maine and is a direct link to local services in Maine.

**“I am a survivor and I am in recovery.
I am living proof that people change
and life can be so much better than the
darkness so many live in.”
– Maine sex trafficking survivor**

Contact



The Maine Sex Trafficking and Exploitation Network provides training, technical assistance and resources to direct service providers engaged in anti-trafficking efforts in Maine, as well as community awareness and public policy support. The effort is supported by a statewide Sex Trafficking Provider Council, and it is a program of the Maine Coalition Against Sexual Assault. A call or email to the Maine Coalition Against Sexual Assault can connect you with information about current policy efforts and systems, as well as referrals to local multidisciplinary efforts serving trafficking victims in Maine.

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Resources

Maine Service Providers

There are numerous efforts arising in Maine to respond to the issue of human trafficking. Local multi-disciplinary teams are at the heart of the Maine service structure, and these teams may engage in tandem service delivery, creation of referral protocols, local resource guides, shared law enforcement procedures and training. Other efforts, such as the establishment of shelters and safe homes for victims, and a statewide response for minor victims through Child Protective Services, are underway. Visit mainesten.org/maineresources for a listing on Maine providers. The National Human Trafficking Resource Center Hotline - 1-888-373-7888 - is the single point of contact for all referrals for direct services in Maine.

Polaris Project

Polaris Project is committed to strengthening the anti-trafficking movement through a comprehensive approach. They provide client services, policy advocacy, a national human trafficking hotline, training and technical assistance, public outreach and communications, and fellowship and international opportunities.

National Center for Missing and Exploited Children

The National Center for Missing & Exploited Children is the leading national nonprofit organization in the U.S. working with law enforcement, families and the professionals who serve them on issues related to missing and sexually exploited children.



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