Reframe Health and Justice

Sex Workers' rights and Human Trafficking

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Campaign and Advocacy

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by Kate DAdamo

Despite a transformative moment which Angela Davis described as holding possibilities for change we have never before experienced, the anti-trafficking community has been largely silent on the blossoming conversation on police brutality and its entrenchment in anti-Blackness.(1) While some organizations have put out blanket statements about Black Lives Matter and racism, these few statements have not addressed the fields entrenchment with law enforcement, or the use of anti-trafficking to re-brand abusive police forces/tactics and expand the police state. This ultimately begs the question *can a field that relies on carceral (2) penalties and approaches even be saved from its pro-police roots?*

The history of the anti-trafficking field has revolved around the decision to take social justice problems and apply a criminal justice answer. (3) Neither healing from victimization nor fighting exploitation inherently involves law enforcement. This decision to include, if not center, law enforcement and criminal justice-based interventions was concretized through legislation which incentivized joint approaches between service providers and law enforcement and primarily defined success as convictions. Policy makers and advocates ignored both the history of structural racism in law enforcements inception and the impact of American policing and mass incarceration on marginalized communities. While the approach may feel natural after decades of investment and promotion, the decision to push out community stakeholders and de-prioritize broader root-cause work was deliberate, incentivized, and can be undone.

And with communities calling to dismantle the police and repair these legacies of white supremacy, it must be. Disentangling law enforcement from fighting exploitation must be structural and involve the same radical re-thinking of what safety means that communities are having. Confronting the ingrained nature of law enforcement, surveillance and punitive forms of justice is a long process of uncoupling institutions and unlearning assumptions about justice, intervention, victimhood, and control. And every day that we do not name and confront it, we are further entrenching it and creating another layer of complicity to it.

There are multiple ways in which the entrenchment and primacy of law enforcement is incentivized, reinforced, and in some cases outright required through funding and access to additional services. Grants for anti-trafficking funds may require joint applications from both a service provider and a law enforcement body, or require service providers to get a letter of support from law enforcement in their community. Vital supports, such as temporary immigration relief for undocumented victims require law enforcement cooperation for a person to avoid deportation. These constructions solidify the need for service providers to cater to law enforcement and prioritize those relationships over other parts of the community, especially criminalized and marginalized communities where most survivors of trafficking come from.

For service providers trying to be intentional about their interactions with law enforcement, many are trying to balance service to clients against these requirements. Many service providers have received the phone call that a sting on sex work is about to happen and are faced with a choice to either be part of the sting, or run the risk that no services are present and an identified victims needs go unmet. Those that choose not to participate because of the known harms such operations cause to the community then face lingering resentment from law enforcement which directly impacts newly identified survivors. Calling for change may mean those officers will retaliate by not signing off on a clients visa process, risking them deportation.

Beyond these difficult interactions and fraught relationships, the collective understanding of how to fight trafficking is rooted in the criminal legal system, not social justice. When the metrics of success prioritize law enforcement-based approaches, it disincentivizes other more effective and rights-based interventions. If progress is measured in arrests, cases initiated and prosecutions, we lose sight of alternative forms of justice or hesitate to call street-based policing of the sex industry as the state violence that it is.

But even as the country is taking a hard look at policing efforts, human trafficking is being treated as the exception. While there has been a re-thinking about the use of law enforcement and surveillance technology, human trafficking efforts are being exempted. While street-level policing is being recognized a threat to public health, one DA announced her plans to prosecute clients of sex workers under the false label of human trafficking. As mandatory minimums are being decried for drug-related crimes, they are frequently celebrated in anti-trafficking legislation. The field which bills itself as fighting modern-day slavery prioritizes the one system where slavery remains legal prison. These exemptions undermine serious, long-term work towards liberation. A field which presumes itself to be the exception from broader social justice work should be a screaming red flag that something is deeply wrong.

Can Anti-Trafficking be Rescued?

I dont know. Mainstream anti-trafficking approaches have relied on concretizing and expanding the relationship between law enforcement and direct service providers while moving the conversation from human rights to criminal-legal interventions. (4) Abolishing, defunding and divesting from American policing systems and reinvesting in community support and alternative structures fundamentally reverses this shift. Taking this work seriously in anti-trafficking would necessitate a complete re-envisioning with outcomes based in prevention and leadership based in community. It may also require a very hard conversation about what this history of complicity in state violence has led to, especially amongst sex working, policed, migrant and indigenous peoples.

Even if we truly believe that we can work towards a world where exploitation is eradicated, not all organizations are ready to do that work or have a desire to shift; many are comfortable calling for expanded policing and incarceration. This is also not to say that it wont take difficult internal conversations for some victims of harm, punitive and carceral responses are desired. But those conversations are part of a larger discussion about intentionality of the role and relationship of anti-trafficking in a law enforcement-led landscape, and not being intentional about that relationship is negligent.

For those who wish to honor the calls for defunding, divestment or abolition, there are tangible steps to take. It is not unfamiliar, nor impossible, to see service provider movements engage in self-reflection to the impact of carcerality, especially after taking seriously the concerns of women of color. (5) It is long past due for the anti-trafficking movement to do the same.

Current demands call for investing in a world that holds the same values of anti-exploitation work. Divesting from police means investing in communities. What would case management look like if every time you sought rapid, low barrier, long term housing it was a phone call away even if your only qualifying reason at that moment was that they had nowhere else to go? How would your caseload change if housing insecurity was not a vulnerability? What if every school replaced every safety officer with a guidance counselor? How would your clients life have been different? What if clients never came in with long histories of being arrested for basic acts of survival such as sleeping indoors when homeless (trespassing) or trading sex for rent money (prostitution, loitering for the purposes of prostitution) that had kept them from accessing public housing or education? We arent just dismantling, we are building.

Below are just a few of the tangible ways that the anti-trafficking field can begin to disentangle itself from, or at least begin to de-prioritize its reliance on, law enforcement. It is by no means exhaustive and is not a reflection on the priorities of your local Black, Indigenous and people of color communities, such as your local chapter of Black Lives Matter. It is simply some of the places where this relationship between anti-trafficking advocates and law enforcement manifest. I hope that it is, if nothing else, an addition to the conversation.

Support Holding Law Enforcement Accountable. Their Behavior Reflects on You.

Be Prepared to Change Your Enforcement Partners.

Engage in Organizational Self-Reflection.

Re-Define Partnership

Advocate For Legislative Change

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A collective of individuals dedicated to reframing the sociopolitical paradigms through which we understand race, gender, health, and justice.

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