GREATER CINCINNATI
HUMAN TRAFFICKING
REPORT

Sponsored by the National Underground Railroad Freedom Center
EXECUTIVE SUMMARY

Introduction
Human trafficking, in the form of both sex and labor trafficking, is recognized as a growing global and national concern, but is rarely acknowledged as a local concern. Yet it is a problem that must ultimately be identified at the local level. In the greater Cincinnati area, cases of human trafficking have been identified and investigated. However, few Cincinnatians are aware that it is a problem locally, and fewer know what to do about it.

The Greater Cincinnati Human Trafficking Report was designed to accomplish the following objectives:
• educate our city and community leaders about human trafficking
• encourage city and community leaders to take proactive measures to address it
• serve as a resource guide for those working on human trafficking in the greater Cincinnati area

The report summarizes research and analysis of laws, ordinances, and regulations applicable to human trafficking in greater Cincinnati. It also includes findings from an extensive survey of law enforcement officials, social service providers, healthcare providers, attorneys, city and county leaders, non-governmental organizations, media, and faith-based organizations. Finally, it recommends three first steps our city and community leaders may take to begin addressing human trafficking.

The Cincinnati area is relatively unprepared to deal effectively with human trafficking in the Midwest. Law enforcement officers, judges, attorneys and social service providers all acknowledge that human trafficking exists, but there is little specific law they can draw upon to stop the crime locally, and even less public knowledge of the issue.

Key Findings
The survey assesses level of awareness of human trafficking; ability to recognize human trafficking victims; ability to recognize likely traffickers; awareness of assistance available to human trafficking victims; and identifies barriers that hinder awareness, recognition, and assistance.

Among its key findings, the study shows that approximately 91% of interviewees are familiar with cases of human trafficking, and 41% believe that they or their organizations have encountered victims of trafficking. Most participants believe that their organizations have the capacity to serve victims, but also believe that the primary barrier in identifying or assisting victims is a lack of awareness and training.

Less than 40% were aware of the federal anti-trafficking law (the Trafficking Victims Protection Act or TVPA), and only 20% knew of state laws that criminalize human trafficking. Of

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1 Between July 2008 and February 2009, a team of trained volunteers conducted 137 interviews from southwest Ohio (70%); northern Kentucky (25%); and southeastern Indiana (5%). The breakdown of 137 participants by profession is as follows: law enforcement officers (56); attorneys (14); victim advocates (12); social workers (10); healthcare providers (9); judges (6); pastors (4); governmental leaders (3); interpreters (2); and reporters (2).
the 56 law enforcement officers surveyed, half rated local law enforcement’s knowledge of human trafficking either ‘poor’ or ‘fair,’ and the remaining plurality responded that they ‘did not know’ what the level of local law enforcement’s knowledge was. In Ohio, the lack of knowledge about human trafficking by law enforcement may be explained, in part, by the absence of a state law that makes trafficking in humans a crime.

Recommendations
Based on the findings from this report, it is evident that human trafficking is an issue that needs to be further addressed in greater Cincinnati through public awareness and technical training for first responders, through the organization and advancement of efforts to criminalize human trafficking in Ohio, and by learning from the programs that other cities and states have effectively implemented to address human trafficking.

Acknowledgments
This project was conducted under the direction of Kathleen Davis, Director of the Partnership for Human Freedom, and Julie Arostegui, Manager of the Partnership for Human Freedom, formerly a program of the National Underground Railroad Freedom Center. Deborah Lydon of Dinsmore & Shohl, LLP was the primary volunteer project coordinator. This report was edited by Christine Buchholz and Ann Michael and written by Julie Arostegui, Vanessa Bouche, Christine Buchholz, Kathleen Davis, Kurt Hunt, Deborah Lydon, and Gloria Sigman.

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A special thanks goes to Drew Bouche for generously providing the cover design for this report. Appreciation also goes to students of Mark Wiesner at The Summit Country Day School for submitting very creative designs for consideration (consistent with the school’s Peace and Justice Program). See page 30. Acknowledgement goes to Crossroads for generous support of this project.

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INTRODUCTION

Human trafficking is a form of modern-day slavery. It is the forced provision of labor, services or commercial sex through violence, threat of violence, or psychological manipulation. Whether it is forced labor on a farm or in agriculture, hospitality services, factories, homes or commercial sexual exploitation in a brothel, it is a heinous crime.

Human trafficking is the second most profitable criminal enterprise, generating over $32 billion annually.\(^2\) No country is immune to it, no matter its socioeconomic or political status. It is estimated that there are 27 million slaves worldwide today.\(^3\) The US Department of State estimates that 600,000-800,000 people are trafficked across international borders annually, of which 14,500-17,500 people are trafficked into the United States for forced labor and/or commercial sexual exploitation.\(^4\) Additionally, the United Nations estimates that 2-4 million people are internally trafficked within their country of origin.\(^5\) Additionally, each year, 100,000-300,000 American youth are at high risk of being trafficked for sex. It is estimated that one in three American children are lured into prostitution within 48 hours of running away or becoming homeless.\(^6\)

No state in the United States—including Ohio, Kentucky and Indiana—is immune to the crime of human trafficking. Because of various demographic features, Ohio is a supply, transit, and destination state for human trafficking victims. Cases have been identified and investigated throughout the state, involving sex trafficking and forced labor of both foreign nationals and U.S. citizens.

Recognizing that there are vulnerable victims of human trafficking in Cincinnati, the National Underground Railroad Freedom Center undertook this project to assess the knowledge of human trafficking in the greater Cincinnati area. A diverse team of volunteers from various disciplines worked on this project. The final report reflects an analysis of applicable laws, ordinances, and regulations in the area. It also includes a summary of an extensive survey of law enforcement, social service providers, healthcare providers, attorneys, city and county leaders, non-government organizations, media, and faith-based organizations. The survey assessed:

- the level of awareness of human trafficking
- ability to recognize human trafficking victims
- ability to recognize likely traffickers
- awareness of assistance available to human trafficking victims
- barriers that hinder awareness, recognition, and assistance.

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The areas surveyed include southwest Ohio (Hamilton, Butler, Clermont and Warren Counties, and municipalities therein), northern Kentucky (Boone, Campbell and Kenton counties and municipalities therein), and southeast Indiana. To date, 137 surveys have been conducted over a period of approximately nine months, beginning in July 2008. The survey analysis reveals all interviewees believe that human trafficking is present in the Greater Cincinnati area. Approximately 91% of interviewees have heard of cases and 41% believe that they or their organizations have encountered victims of trafficking. Most of the interviewees believe that their organizations have the capacity to serve victims, but also believe that the main barrier in identifying or assisting victims is a lack of awareness and training. The majority of interviewees also believe that knowledge of human trafficking among various public agencies, officials, and the general public is relatively low.

Based on findings from this report, it is evident that human trafficking is an issue that needs to be further addressed in greater Cincinnati through public awareness and technical training for first responders, advancement of efforts to criminalize human trafficking in Ohio, and learning from the programs that other cities and states have effectively implemented to address human trafficking.

This is a final report of data gathered to date. Additional surveys will hopefully be conducted and assessed. It is envisioned that the report will be updated annually in order to continue to assess human trafficking in the greater Cincinnati area.
SUMMARY OF NEWS ARTICLES

Human trafficking occurs in the greater Cincinnati area. It occurs in every metropolitan area in the United States. Unfortunately, due to the hidden and transient nature of the crimes, you will not often see the term “human trafficking” in the headlines. A review of newsprint and media articles originating in the greater Cincinnati area in the last five years has not revealed any that reported “human trafficking” had necessarily occurred. However, several articles reported situations that, on closer scrutiny of the facts, may have involved instances of human trafficking. This review was carried out via the Internet, using a combination of sources such as Google News, OhioLink Newsbank (through a local university library), Lexis and Westlaw legal searches, and the U.S. District Court system’s PACER network. The search terms used were: Cincinnati (or Cincinnati area), pornography, brothel, labor, immigrant, massage, pimp, prostitute, rape, sex, slave, sweatshop, undercover, undercover, and traffic(ing).

Several articles were located that relate to massage parlors in southwestern Ohio, northern Kentucky, and southeastern Indiana. The massage parlors were reportedly involved in prostitution. Many of the prostitutes/masseuses were of foreign national origin and it was unclear whether the individuals involved were in the country legally, and whether they were being held against their will.

In one Butler County case from 2004, two women who ran spas near Middletown, Ohio were arrested and pleaded guilty to promoting prostitution.10 They were each sentenced to three years of community control and a $1000.00 fine.11

In another massage parlor case in 2008, the leader of a prostitution ring admitted to driving 40,000 miles in seven months to deliver Korean women to massage parlors across the country that were fronts for brothels. She was arrested on a 23-count indictment (later expanded to 27 counts) that included charges of racketeering, conspiracy to engage in racketeering, conspiring to induce a person to travel in interstate commerce to engage in prostitution, transporting a person in interstate commerce to engage in prostitution, structuring a financial transaction, producing false identification documents, and filing a false return. Police stated they believed a number of the women had been forced into prostitution. The massage parlors involved in that case were located in Florence, Newport, and Burlington, Kentucky and five of the spas involved were located in Dearborn County, Indiana. At least 12 people were charged in Indiana with promoting prostitution, money laundering, and conspiracy to commit corrupt business influence.12 There were six additional arrests made in relation to the Kentucky parlors. Three of those people have already pleaded guilty to lesser charges and have been sentenced.13 One defendant was found guilty on 16 counts and sentenced to 57 months in prison and three years probation on March 11, 2009.14 A second defendant entered a plea agreement and is scheduled to be sentenced for racketeering on June 22, 2009. Another defendant was sentenced on March 11, 2009 to 48 months in prison and three years of probation.15

10 David Eck, Spas suspected of prostitution searched, Cincinnati Enquirer, Apr. 2, 2004, at 5B.
12 Jim Hannah, Arrest in massage-sex case, Cincinnati Enquirer, May 21, 2008, at 1A.
13 Jim Hannah, Massage parlor charges enhanced, Kentucky Enquirer, Aug. 15, 2008.
The ringleader of the prostitution ring pleaded guilty to racketeering and filing a false return, and is scheduled to be sentenced on June 22, 2009 in the U.S. District Court, Eastern District, Northern Division in Covington, Kentucky.\(^{16}\)

In May of 2006, four supervisors for a large residential home construction company, along with the owner and six managers for a subcontractor, were arrested for allegedly harboring illegal aliens. 76 immigrants were arraigned in groups of 10 and held without bond for entering the U.S. “without inspection and at a time and place other than a designated port of entry.”\(^{17}\) The charges against the supervisors were eventually dismissed without prejudice at the request of the U.S. District Attorney.\(^{18}\) However, the subcontractor’s owner, as well as his son, his daughter, and four longtime crew chiefs pleaded guilty to conspiracy to harbor illegal aliens, and were given sentences ranging from three years probation to 18 months imprisonment with three years supervised release plus fines.\(^{19}\) On its face, this could just be a case of hiring illegal immigrants. However, it was reported that the subcontractor provided housing to the illegal alien workers, and paid them a substantially lower wage than the industry standard.\(^{20}\)

In June 2006, the owner of a restaurant in Fairfield, Ohio was arrested for allegedly bringing in and harboring illegal aliens. It was reported that ICE agents suspected the restaurant was involved in a network to bring illegal workers to Ohio from New York.\(^{21}\) A superseding indictment was issued in November 2006, adding charges of money laundering, impersonating a citizen of the U.S., and loan and credit application fraud. The owner of the restaurant reportedly housed the illegal immigrants in his home and drove them to and from work “for the purpose of commercial advantage or financial gain.”\(^{22}\) He was sentenced to one year in jail and paid $100,000.00 in lieu of forfeiting the property where his restaurant is located.\(^{23}\) After being sentenced, the restaurant owner filed a motion to travel to New York for one week, and paid the $100,000.00 in lieu of forfeiting the restaurant prior to reporting for incarceration.\(^{24}\)

T.K. Logan, who authored “Human Trafficking in Kentucky,” writes of an instance where a Filipino woman was allegedly brought to Kentucky to work as domestic help for a family through a network that helps with employment. However, during her three years with this family, she reportedly worked 18 hours a day for an equivalent of fifty cents an hour. Her passport was said to have been confiscated by the family, and she was reportedly instructed not to speak to anyone outside the home. Logan describes how she had limited and monitored contacts with her family, and was told she was not allowed to leave until she had paid off the $8,000 paid to the network organization that brought her to America.\(^{25}\)


\(^{17}\) Paul Long and Shelly Whitehead, Cracking down on illegals-80 arrested after a two-year probe, Cincinnati Post, May 10, 2006, at A1.


\(^{20}\) Long, supra note 8.


\(^{23}\) Dan Horn, Bee’s Buffet owner gets year in prison, Cincinnati Enquirer, Aug. 29, 2007, at 2B.


\(^{25}\) TK Logan, Human Trafficking in Kentucky, at 8-9 (2007).
The articles represented here by no means account for all possible occurrences of human trafficking in the greater Cincinnati area. It is likely that numerous arrests involving the hiring of illegal immigrants, sexual assault, rape, kidnapping, prostitution, and pimping offenses could also involve violations of trafficking.

There have been several efforts made by local organizations to increase the awareness of human trafficking in the greater Cincinnati area. In November 2008, the National Underground Railroad Freedom Center held a free public viewing of a rockumentary film about human trafficking titled "Call + Response" by Justin Dillon.26 An article in the February 19, 2009 edition of CityBeat magazine informed the public of a March 5, 2009 presentation on human trafficking at the Isaac M. Wise Temple. Guest speakers at the presentation include Jean-Robert Cadet, a former Haitian child slave of national prominence, social worker Theresa Flores, who was a victim of human trafficking in her youth, and two members of End Slavery Cincinnati.27 An article from March 23, 2009 in the Cincinnati Enquirer featured four high school students who hosted a youth gathering focused on modern day slavery during the weekend of April 3-4, 2009.28 Guest speakers included Benjamin Skinner, author of "A Crime So Monstrous," Jean Robert Cadet, Justin Dillon, Given Kachepa, former slave from Zambia, and Thersa Flores.

There was nationwide press coverage of an FBI investigation called Operation Cross Country on February 23, 2009, which resulted in the rescue of 48 youths who had become prostitutes. While there were 18 arrests of adults in Lima and Toledo, no arrests were made in the Cincinnati area.29

26 Lori Kurtzman, Musician’s film is a call to end slavery. Cincinnati Enquirer, Nov. 17, 2008, at 1D.
29 Law & Order. Plain Dealer (Cleveland, OH), Feb. 24, 2009, at B5.
Human trafficking is a crime at the international, national, and state levels and is, by its nature, clandestine and difficult to investigate. For border cities like Cincinnati, enforcement can be especially difficult due to jurisdictional problems. However, relatively strong anti-trafficking provisions have been codified in federal law, and in the state codes of Kentucky and Indiana. Ohio, too, has recently passed a bill to address human trafficking.

Federal Laws
Federal law enforcement efforts against human trafficking saw a major boost in 2000 with the passage of the Trafficking Victims' Protection Act ("TVPA"). This Act was rooted in part in Congressional findings that current law was insufficient to deter human trafficking, that sentencing guidelines did not reflect the seriousness of the crime, and that "[e]xisting laws often fail to protect victims of trafficking." Title 22 of the U.S. Code now contains numerous trafficking-specific provisions.

Recruiting, harboring, transporting, providing, or obtaining a person for "forced labor" has been criminalized. "Forced labor" is defined as labor knowingly obtained by physical restraint, threat of serious harm, a plan to cause a person to believe refusal would result in serious harm or physical restraint, or abuse or threatened abuse of the law or legal process. Sex trafficking of children is also prohibited, and is defined as recruiting, enticing, harboring, transporting, providing, or obtaining a person under 18, knowing that force, fraud, or coercion will be used to make that person engage in a commercial sex act.

In addition to establishing separate trafficking offenses and amending the relevant sentencing guidelines, the TVPA also includes provisions for victim protection and restitution.

Federal law also includes numerous labor regulations that could be implicated by a trafficking scheme, such as maximum hours requirements and child labor provisions.

Ohio
State Laws
Ohio recently became the 40th state to pass legislation related to human trafficking. Limited anti-trafficking provisions were enacted into the Ohio Revised Code on January 6, 2009. While it does not create a separate crime of human trafficking, it does increase penalties and impose mandatory sentences when certain other crimes are committed with an intention to engage in human trafficking.

The law defines human trafficking as a "scheme or plan" to "compel a victim or victims to engage in sexual activity for hire, to engage in a performance that is obscene, sexually oriented, or nudity oriented, or to be a model or participant in the production of material that is obscene, sexually oriented, or nudity oriented." The trafficking scheme must consist of at least two felonies involving the underlying offenses of kidnapping, abduction, compelling prostitution, promoting prostitution, engaging in a pattern of corrupt activity, illegal use of minor in a nudity-oriented performance, or endangering children. A trafficking conviction would expose a person to a 3-10 year mandatory prison term, depending on the severity of the underlying felonies. Human traffickers who engage in a pattern of corrupt activity now face a first degree felony as opposed to a second degree felony.
The law also requires the court to impose a payment of restitution by the trafficker to the victim or any survivor of the victim, including the costs of housing, counseling, medical assistance, and legal assistance incurred as a direct result of the trafficking offense. Restitution may also include any other financial sanctions as authorized under Ohio law.

The law, while not making it mandatory, strongly encourages the Ohio Attorney General’s Office to create a study commission to review the problem of human trafficking in Ohio. This commission would determine the effectiveness of current law, and develop recommendations for future legislation.

Due to its recent passage, Ohio’s new anti-trafficking law has yet to be applied. However, its convoluted definition of human trafficking, requirement of a pattern of corrupt activity, and lack of labor trafficking provisions suggest the Ohio law will be somewhat more limited than the TVPA or laws passed by other states. Just as importantly, the new law does not provide for law enforcement training, agency reporting, or services for victims.

In addition to the newly enacted anti-trafficking provisions, Ohio law contains certain other provisions that may be relevant to situations of human trafficking.

Ohio’s Minimum Fair Wage Standards forbid employers from paying or agreeing to pay less than the minimum wage. Each week they do so constitutes a separate third degree misdemeanor, and may make the employer liable “for the full amount of the overtime wage rate, less any amount actually paid to the employee,” as well as costs and attorney’s fees.

Ohio also regulates agricultural labor camps—“one or more buildings or structures, trailers, tents, or vehicles . . . used as temporary living quarters for two or more families or five or more persons intending to engage in . . . agricultural or related food processing.” These camps are subject to licensing requirements that govern location, layout, sanitation, safety and other concerns.

State nuisance laws may also affect the treatment of human trafficking within Ohio. Pursuant to R.C. 3767.01 (C), any place in which “lewdness, assignation, or prostitution is conducted, permitted, continued, or exists” is defined as a nuisance. Nuisances may be abated by proper action, be the target of permanent injunctions, and result in any applicable lease being voided. A building may also be classified as a nuisance if, as is likely often the case in human trafficking situations, it is used as “a habitual resort . . . for persons who are conspiring or planning to commit . . . felonious conduct.”

Municipal Ordinances
In Cincinnati, law enforcement has a unique difficulty when it comes to fighting human trafficking due to the city’s geographic location. Cincinnati abuts Kentucky and Indiana, allowing traffickers to easily move across state and city borders where the laws and regulations on human trafficking differ.

Currently, Cincinnati has several local municipal ordinances that may be relevant to human trafficking. The city imposes basic licensing requirements on massage parlors, including submission of fingerprints and identification, and a record of all felony and misdemeanor convictions. Conviction of a felony or a crime of moral turpitude, which would include human trafficking, is grounds for license revocation. Cincinnati’s municipal code also forbids
massages for the purposes of sexual gratification, exposure of private parts during a massage, and any contact with a patron’s genitals during a massage. Violation of these provisions is a first degree misdemeanor.

In the context of escort agencies, the municipal code bans outright any “sexually oriented escort service regardless of license,” and bans working as a sexually-oriented escort. Violation of these provisions is a first degree misdemeanor.

Several other municipalities in the Greater Cincinnati area also have zoning ordinances and other regulations targeting industries related to human trafficking, including industries such as massage parlors and escort agencies. These provisions, examples of which are discussed below, may provide the underpinnings for closer local regulation and simpler local enforcement of state and federal anti-trafficking laws.

In Blue Ash, massage parlor licensing restrictions are identical to those of Cincinnati. They include treating a violation of the sexual contact provision as a first degree misdemeanor.

In Sharonville, massage parlor licensing restrictions are identical to those of Cincinnati and Blue Ash. Again, violating the sexual contact provisions is a first degree misdemeanor.

Lastly, Fairfield’s ordinances contain a very broad provision forbidding any person from massaging “another person of the opposite gender.” The Code then carves out specific exceptions including one for Ohio-licensed “massage therapists while used to perform the licensed profession.” An unlicensed “massage” between genders in Fairfield, therefore, could result in a third degree misdemeanor charge regardless of its sexual nature, unless the recipient “is at all times wearing his or her own clothing that completely covers his or her body from the underarms to mid-thigh area and the massage is performed in a space open to public view.” In addition, the Fairfield Municipal Code also creates a third degree misdemeanor for unlawful restraint where a person, without authority, knowingly restrains another. A second, seemingly repetitive provision, also creates a third degree misdemeanor for unlawful restraint where a person, without authority and with a sexual motivation, knowingly restrains another.

Kentucky
State Laws
Human trafficking is generally prohibited in the state of Kentucky. In 2007, Kentucky enacted a state human trafficking statute that prohibits criminal activity whereby one or more persons are subjected to forced labor or services (defined as labor or services that are performed or provided by another person and that are obtained through force, fraud, or coercion) or where persons are subjected to commercial sexual activity through the use of force, fraud, or coercion.

Commercial sexual activity means prostitution, participation in the production of obscene materials, or engaging in sexually explicit performance. For persons under the age of 18, commercial sexual activity does not need to involve force, fraud, or coercion in order to be considered human trafficking.

Force, fraud, or coercion may be accomplished by “[restricting] another person’s movements in such a manner as to cause a substantial interference with his liberty by moving him from one place to another or by confining him either in the place where the restriction commences or in a place to which he has been moved without consent. A person is moved or confined
“without consent” when the movement or confinement is accomplished by physical force, intimidation, or deception, or by any means, including acquiescence of a victim, if he is under the age of sixteen years, or is substantially incapable of appraising or controlling his own behavior.

A person may be guilty of human trafficking if he or she intentionally subjects one or more persons to forced labor or commercial sexual activity by force, fraud or coercion. Human Trafficking is a Class C felony. The penalty for a Class C felony in Kentucky is imprisonment of not less than five years and not more than 10 years. Additionally, a fine may be imposed on individual defendants in an amount between $1,000 and $10,000 or double the defendant’s gain from the commission of the offense, whichever is greater. In the case of a corporation, the fine imposed shall be $20,000, or double the defendant’s gain for the commission of the offense, whichever is greater. However, if the human trafficking involves serious physical injury to a trafficked person, it is a Class B felony. The penalty for a Class B felony in Kentucky is imprisonment for not less than ten years and not more than 20 years. The fine that may be imposed for a Class B felony is the same as that for a Class C felony.

Kentucky also has penalties for promoting human trafficking. A person promotes human trafficking if he or she “benefits financially or receives anything of value from knowing participation in human trafficking” or “recruits, entices, harbors, transports, provides, or obtains by any means, another person, knowing that the person will be subject to human trafficking.” Promoting human trafficking is a Class D felony and is punishable with a prison term of not less than one year and not more than five years. The fine that may be imposed for a Class D felony is the same as that for both a Class B and Class C felony. However, if the victim is under the age of 18, it is punishable as a Class C felony.

Where human trafficking involves a “criminal syndicate,” meaning more than five persons collaborating to engage in, promote or permit human trafficking, the person may be charged with engaging in organized crime, which is punishable as a Class B felony.

Municipal Ordinances
Boone, Kenton, and Campbell counties are the three Kentucky counties in closest proximity to Cincinnati and within the I-275 loop around Greater Cincinnati. Boone County includes, among others, the cities of Florence, Hebron, and Burlington, and is the location of the Greater Cincinnati/Northern Kentucky Airport. Kenton County includes, among others, the cities of Covington, Edgewood, Ft. Mitchell, Ft. Wright, Independence, and Taylor Mill. Campbell County includes, among others, the cities of Newport, Highland Heights, Fort Thomas, Alexandria, Bellevue, and Cold Spring.

None of these three counties or their constituent cities included in the research of this report has ordinances specifically directed toward human trafficking. Although a number of these counties and their constituent cities have passed laws to regulate industries closely associated with human trafficking, these laws, at least with respect to massage parlors, have largely been preempted by Kentucky State law.
Indiana
State Laws
The Indiana Code currently provides for the following trafficking-related offenses: (1) human trafficking—paying (or offering or agreeing to pay) money for a person whom the payer knows has been forced into forced labor, involuntary servitude, or prostitution; (2) promotion of human trafficking - knowingly or intentionally recruiting, harboring or transporting a person by force, threat of force or fraud, to subject the person to forced labor, involuntary servitude, marriage or prostitution; and (3) sexual trafficking of a minor—when a parent, guardian or custodian of a child under 18 knowingly or intentionally sells or transfers custody of the child for prostitution.

Indiana law also provides for victim restitution, creates a civil cause of action for victims, and sets forth “rights of alleged victims.” These rights are: (1) “may not be detained in a facility that is inappropriate to the victim’s status as a crime victim”; (2) “may not be jailed, fined, or otherwise penalized due to having been the victim of the offense”; and (3) “shall be provided protection if the victim’s safety is at risk or if there is danger of additional harm by recapture of victim by the person who allegedly committed the offense.”

Two anti-trafficking bills are currently pending in Indiana. S.B. 86 would categorize a person convicted under Indiana’s human trafficking laws as a “tier II sex offender” as part of a wider overhaul of Indiana’s sex offender requirements. S.B. 217 would broaden the definition of human trafficking to include circumstances when a person is forced to appear nude or engage in a performance that is obscene or harmful to minors. It would also apply the compelling prostitution crime to services that facilitate travel for the purpose of visiting a prostitute. Corporate liability for trafficking could be imposed if a corporate agent commits a human trafficking crime while acting in the scope of his or her authority. The bill would create a new criminal affirmative defense for “a person who engaged in prohibited conduct . . . because the person was a victim of a human or sexual trafficking offense.” Finally, the bill would create reporting requirements for “international matchmaking organizations”—businesses that either provide “a social environment” in a foreign country for an Indiana resident to meet a citizen of another country, or that help exchange contact or personal information between citizens of Indiana and foreign nations.

Municipal Ordinances
The city of Aurora, located in southeastern Indiana, is home to a major casino. Several studies suggest that casinos often attract sexually-oriented businesses such as massage parlors, strip clubs, and escort agencies. In response, Aurora has enacted zoning ordinances that require such businesses to be more than 500 feet from other sexually-oriented businesses, religious institutions, schools, public parks or buildings, or residential buildings. These special zoning ordinances also restrict how many such businesses can be operated, and when they can be open.

Dearborn County, which includes the city of Aurora, also regulates escort agencies and non-medical massage parlors as sexually-oriented businesses. The consequences of these categorizations are similar to those described above under the Aurora ordinances, but the distance between sexually-oriented businesses must be at least 1,000 feet.
THE ADEQUACY OF CURRENT LAW AND THE NEED FOR BETTER LEGISLATION

Survey Findings
The largest group of interviewees whose responses are represented in this report may be categorized as either legal or law enforcement; those most likely to be aware of and knowledgeable of the law. While overall, more than 90% of the 137 who responded said human trafficking is present in the Greater Cincinnati area, less than 40% were aware of the federal anti-trafficking law, the TVPA, and only 20% knew of state laws that criminalize human trafficking. Of the 56 law enforcement officers interviewed, half rated local law enforcements’ knowledge of human trafficking either poor or fair, and the remaining almost one-half of that group responded that they ‘did not know’ what the level of local law enforcement’s knowledge was. At least in Ohio, the lack of knowledge about human trafficking by law enforcement may be explained, in part, by the absence of a state law that makes trafficking in humans a crime.

Current State of the Law in Ohio
Perhaps the best way to describe the law that criminalizes human trafficking in Ohio is to say that there is no law. Although valiant efforts were undertaken by a few concerned lawmakers and advocates to embrace the national trend to stamp out this modern form of slavery, the watered-down version of Ohio’s answer to the TVPA leaves nothing but room for improvement.

Signed into law January of this year, Ohio’s Revised Code now contains certain enhancement provisions for sentences related to prosecutions for current crimes such as kidnapping or compelling prostitution. For example, when a kidnapping or abduction is committed and it is found to have been ‘in furtherance of human trafficking,’ the offender will face mandatory jail time. There are a few other enhancement provisions. However, there is no new offense of human trafficking, although several proposed laws were before our state legislators.

One promising aspect of the bill that was signed in January in Ohio is an encouragement to the Attorney General’s office to study and review the problem of trafficking in persons in Ohio. The Commission is to review the criminal law and develop recommendations for our General Assembly. Lacking though, is any funding, or a mandate that the study be undertaken and completed.

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10 There were 56 police officers, 14 attorneys, 6 judges and, 3 government leaders. Of the total of 137 that were interviewed, 79 or almost 60% of those interviewed fall into the ‘legal’ or law enforcement area. The majority of law enforcement officers that participated in the survey were from the State of Ohio.
11 Kentucky has a law that criminalizes human trafficking in forced labor or commercial sex, see KRS 529.010-100,110. Indiana also has an anti trafficking law which includes victim restitution and provides a civil cause of action for damages by a victim against a trafficker, Title 35 of the Indiana Code.
12 See Ohio Revised Code 2941.1422.
Effectiveness of Laws
Statistics since the inception of the federal anti-trafficking legislation are encouraging, even though the law has tough standards of proof, such as the 'fraud' and 'coercion' elements. The defense argues that the sex was consensual, and many victims have suffered repeated incidents of physical and/or sexual abuse which may result in their desensitization. Victims also face threats of retribution against them and their families who may be in other countries. Some who do not support criminalizing human trafficking believe it is an individual's choice if they want to be employed in commercial sex. In Ohio, the Executive Director of the Ohio Prosecuting Attorneys Association, when asked about the previously proposed anti-trafficking laws commented that, "we have all the laws we need."34 The Department of Justice has reported, however, that since 2000, "prosecutions under the TVPA have increased six-fold."35 There are some recent prosecution success stories that may pave the way for a stronger legislative stand against human trafficking in Ohio.

Florida
Reported in March of 2009, a task force of local Clearwater police, armed with a three-year $450,000 federal grant, indicted seven traffickers and identified six victims in a trafficking network that covered several Florida cities, and whose tentacles reached internationally. It all started with a tip of a brothel being run out of an apartment complex, and according to police, the task force goal from the beginning was not just one trafficker, but to take down the entire organization. One of the network’s leaders was sentenced to 20 years in federal prison.36

Missouri
Researchers have cited that the United Nations believes that profits from human trafficking are one of the top three financial resources used for organized criminal activity, along with weapons and drugs, generating billions of dollars a year.37 One Assistant United States Attorney has filed federal charges against sex trade “buyers” in an attempt to diminish the demand side of the big business of human trafficking.

The Assistant United States Attorney in Missouri described that to surround the human trafficking enemy, attacks were necessary on all fronts, including “prosecuting those who coerce...as well as...customers who create the demand.” The ‘buyers,’ men ages 22-47, face sentences ranging from 10 years with parole up to life without parole.38

New York
Last summer in Queens the first case of state trafficking charges was filed since that state’s law was passed in 2007. The defendant faced up to 25 years in prison, and the Queens District Attorney was quoted as stating that the accused was “participating in a modern-day version of slavery.” Prosecution of “sex and labor trafficking requires a ‘new way of thinking,’ and a willingness on the part of law enforcement to view sex cases as possibly something more than a routine prostitution, and a labor case as potentially something other than a labor law violation.” Investigation of human trafficking requires a different way of looking at crime...as our front line officers attempt to determine whether they are dealing with a promoting prostitution case or something far deeper and more insidious.” In New York, prosecution includes aid to the victims with immediate and essential services available.39

SURVEY FINDINGS

Survey Methodology
To evaluate perceptions about human trafficking in Greater Cincinnati, 137 interviews were conducted of diverse individuals expected to have had exposure with victims and/or traffickers. Volunteers underwent training by experienced leaders of the project team before conducting the interviews. A standardized survey form was designed by Freedom Center personnel. Vows of confidentiality were obtained from the surveyors, and confidentiality was promised to interviewees, particularly as to their identities.

Survey Goals
There were several primary goals in conducting the surveys (interviews). First, the team sought to assess the level of human trafficking awareness. Secondly, they hoped to assess the interviewees’ ability to recognize human trafficking victims. Thirdly, they attempted to identify likely traffickers by categories. Fourthly, they inquired about the breadth of assistance available to victims. Fifthly, barriers (such as lack of training) that might hinder awareness, recognition and assistance were to be identified. Lastly, the adequacy of current legislation was to be assessed.

Organizations Interviewed
A large variety of organizations provided the sources for the interviews. They included, but were not limited to, law enforcement offices, social service agencies, legal offices, healthcare organizations, non-profit agencies without direct services, churches, city/county offices and the media. From within those organizations, the following individuals were interviewed:

- law enforcement officers (56)
- agency administrators (19)
- attorneys (14)
- victim advocates (12)
- social workers (10)
- healthcare providers (9)
- judges (6)
- pastors (4)
- governmental leaders (3)
- interpreters (2)
- reporters (2)

PROFESSIONS REPRESENTED BY INTERVIEWEES
**Venues Surveyed**

Southwestern Ohio (96 interviews), northern Kentucky (34 interviews) and southeastern Indiana (7 interviews) were all represented.

For Ohio, interviewees were located in Hamilton, Butler, Clermont and Warren Counties, as well as the municipalities found therein. For Kentucky, individuals from Boone, Campbell and Kenton Counties were interviewed, as well as those from the municipalities therein. For Indiana, Dearborn County was the source of essentially all the interviews. All of the interviews of Indiana participants were conducted of law enforcement personnel. Approximately 80% of Kentucky interviews similarly involved law enforcement, whereas Ohio participants were far more diverse, with law enforcement constituting fewer than 25% of those surveyed.

**Expected Victims**

Individuals surveyed were asked to identify categories of people believed to most likely become trafficking victims. Responders believed that women are far more likely than men to be victims. They overwhelmingly believed children were more likely than adults to be trafficked. Nearly half of the respondents indicated foreign nationals (immigrants) were the most likely to become trafficking victims. Most of those surveyed did not believe racial minorities were most likely to become victims. Only one-third believed the poor or impoverished were the most likely to become victims.

**Trafficking Purposes**

Over 85% of the respondents believed victims are used for commercial sex. Approximately 80% felt victims are used for bonded labor. Twenty percent believed victims were used for other purposes.
Vulnerabilities
Survey respondents were asked to identify factors they believe can make people vulnerable to trafficking. Nearly two-thirds of respondents felt victims were vulnerable because they are poor. Fewer than twenty percent believe vulnerability was attributable to illiteracy or lack of education. Nearly, 10% attributed vulnerability to a lack of rights. Fear was identified by nearly 10% as well. One of the greatest factors identified (by nearly one-third of respondents) was the seeking of a better life or desperation. Other vulnerabilities were identified by the following percentages of respondents:

- being youthful (17%)
- having emotional instability (14%)
- being socially-isolated (13%)
- having cultural/language barriers (12%)
- having drug or alcohol addiction (10%)
- other reasons (7%)
- being abused (4)

Persons Thought to Be Traffickers (Perpetrators)
When asked who they believed to be perpetrators of human trafficking, survey respondents provided a wide variety of answers, without much consistency. The answer that was given by a larger percentage (24%) than all other answers was organized crime. The next most frequently-given responses were anyone (20%), profiteers (17%), corporations/industry (16%), pimps (14%), and individual criminals (12%). Those with money/power and the morally-corrup were tied as answers, coming from 9% of respondents. Less frequently-given responses were as follows: adult males (6%), businessmen (6%), foreign nationals/immigrants (4%), friends/family (2%), governments (2%), international travelers (1%). Five percent responded by simply stating they “don’t know” who the likely perpetrators would be.
Victim Recognition (Those Thought Most Likely to Have Been Victims)
As with the inquiry about persons thought to be perpetrators/traffickers, the inquiry about persons thought to be victims in Greater Cincinnati brought very diverse responses. The inquiry was open-ended, rather than providing options for answers. It also allowed for multiple answers to be given.

The overriding perception (reflected by 57% of respondents who answered this inquiry) is that foreign nationals (immigrants) are the main victims. That perception was followed in volume by the perception that women (referenced by 44% of respondents) and children/teenagers (referenced by 31%) are among the main victims. Other responses, in declining order, were as follows: racial minorities (19%), the impoverished (14%), others not specifically identified (7%), adults (4%), Americans (2%), and anyone (2%).

Because a majority of those surveyed believe victims are foreign nationals, there may be less interest on the state and local level to combat trafficking. However, given the fact that nearly one third believe children/teenagers are involved, greater interest may exist. The perception that immigrants are primarily involved may also cause Greater Cincinnatians to believe human trafficking is more of a problem for federal agencies to address than for local law enforcement or social agencies.

Types of Exploitation/Victimization
Respondents were asked to identify the type of exploitation most likely occurring in Greater Cincinnati. They were given the options of labor (e.g., domestic service, construction, landscaping, restaurant work, etc.), commercial sex (e.g., prostitution, stripping, pornography, etc.), and other. Both labor and commercial sex were identified by over 80% of respondents. Only two percent felt that other types are most likely occurring. (Some individuals surveyed declined to respond to this inquiry.)
Victim Encounters
The respondents were asked questions about their organizations’ knowledge of human trafficking, as well as whether the agency or organization had protocols in place for handling victims of trafficking. Interviewees also were provided the opportunity to give more narrative responses related to barriers to their organizations’ abilities to assist human trafficking victims, and whether their organization had actually encountered or referred a human trafficking victim in recent years.

Of the responses, 38% of the interviewees believed their organization had either encountered, served or referred a potential human trafficking victim in the last five years and 47% were “not sure.” Of those who responded to the question, 15% replied that they did not believe their organizations had encountered victims of human trafficking. The details of the responses positively indicating that their agencies had encountered human trafficking victims were analyzed and reveal the following information.

The interviewees were asked, following a “yes” response, to explain the number, age and gender of the victims encountered, and whether they were American or Foreign Nationals. By way of providing additional information, interviewees were asked to include how victims were assisted, or what services may have been directly provided by the agency or organization. A large percentage of the “yes” responders indicated that the assistance or service provided was in the form of a referral, while others who responded “yes” had no details to provide beyond their answer.

Of the 38% who answered yes, 12 responders indicated the victims were minors, and 22 answered the victims were adults. In terms of gender, 27 stated the victims were female while seven said the victims encountered were male. Twenty-two (22) respondents had been in contact with foreign national victims, and 10 agencies interacted with American victims.

In terms of whether victims’ assistance or services were provided relevant to the encounters, 11 did not provide an answer to that subsection, 10 indicated their assistance or service was by way of referral and 13 stated they provided direct services or assistance. Of those respondents who felt their organization were able to provide direct assistance or services, the responses may be grouped into the following areas: food/shelter/financial assistance; education and counseling; employment related services in terms of assistance with visas; and legal aid services.

Available Protocols
Among the numerous, diverse organizations surveyed, only 37% knew with any certainty that protocols existed at their specific organizations for assisting trafficking victims. Eight percent were unsure, with the balance indicating that no such protocols existed within their organizations. Of those with protocols, one-fourth indicated that no protocols beyond those for routine agency services existed. Sixty-three percent of those with protocols said the main protocol would be to “refer the case out.”
Organizational Experience Levels
Respondents were asked about three specific types of experience that might be helpful in the effort to assist victims of human trafficking: a) working with immigrant communities; b) working with minors involved in commercial sex; and c) having encounters with trafficking in the past five years. Nearly 75% of those who addressed their experience levels indicated they have experience working with immigrants. Over one-third indicated they had experience working with minors connected with commercial sex. Over 85% indicated they had either encountered trafficking (over 40%) or possibly encountered trafficking (over 45%).

Awareness
“Let us not look back in anger or forward in fear, but around in awareness.”
–James Thurber

Awareness of human trafficking is the first critical step towards an effective fight against it. Among the survey respondents, there was relative unanimity that human trafficking is present not only in the United States (99%), but also in their state (92%), and specifically in the Greater Cincinnati area (91%). By state, 92% of respondents from Ohio, 91% from Kentucky and 100% from Indiana believe that human trafficking exists in their respective state. Beyond merely “believing” that human trafficking exists in the tri-state area, 61% of respondents said they have heard of a trafficking case in this region. Specifically by state, 64% of respondents from Ohio, 56% from Kentucky, and 43% from Indiana had heard of cases in the tri-state area. Further, 41% said that their organization has actually encountered trafficking victims in the tri-state area in the past five years.41

40 Of those who said that they believe human trafficking is present in Greater Cincinnati, the vast majority believe that both labor (83%) and sexual exploitation (80%) are occurring in the region.

41 An additional 45% of respondents either did not know or responded “maybe” when asked if their organization encountered trafficking in the past five years; thus, it is possible that 41% is an underestimate.
Given the large numbers of respondents who believe trafficking exists in the tri-state, who have heard of trafficking cases in the tri-state, and whose organizations have encountered trafficking victims in the tri-state, a plausible assumption is that these individuals possess a relatively high level of awareness about human trafficking generally, how to recognize and assist victims, and the federal and state laws addressing the human trafficking issue. On the contrary, the survey results reveal that these individuals are not confident in their general knowledge of human trafficking, and they are even less confident in their organizations' knowledge of the issue.

When asked to rate their own general knowledge of human trafficking, 61% of respondents reported that their knowledge is only poor or fair. The majority of people (57%) received their information on human trafficking from the media, and of those reporting media exposure to the issue, 71% stated their general knowledge of human trafficking is only poor or fair. While media coverage of human trafficking is very important in raising general awareness about the issue, it does not appear to generate the level of awareness necessary for a deeper understanding of this multi-faceted problem, including knowledge about perpetrators, victims, laws, assistance and activism.

Respondents reported that their organizations' knowledge of human trafficking is even more deficient than their own. Over three-quarters (79%) of respondents said their organizations' knowledge of human trafficking is only poor or fair, despite the fact that 41% of respondents stated their organization has encountered trafficking victims. Given that the surveyed population includes potential first-responders to human trafficking, it is also troubling that less than three-quarters (70%) said they would know who to contact for assistance if they did encounter a victim. Only 37% of respondents are aware of organizations specifically addressing human trafficking in Cincinnati, and even fewer (31%) knew of End Slavery Cincinnati, the Rescue and Restore Coalition to combat human trafficking in Cincinnati.

Beyond general awareness about human trafficking, the survey respondents also knew very little about federal and state legislation on human trafficking. Fewer than half (40%) heard of the federal Trafficking Victims Protection Act (TVPA). Of the 56 respondents who had heard of the TVPA, more than half (59%) were law enforcement or legal professionals, and one quarter were from social service organizations. Of those who did know about the TVPA, only 5% knew exactly what the legislation does. Only a quarter of those who knew of the TVPA understood that it criminalizes trafficking and penalizes the offenders, while more than half knew that it protects the victims of human trafficking. Even fewer of the survey respondents, only 20%, were aware of state legislation addressing human trafficking in their specific state.

The perception of our respondents is that our city's leadership, judges and local prosecutors have very limited knowledge or ability to handle human trafficking cases in Greater Cincinnati. When asked about their knowledge and ability to handle human trafficking, the majority of respondents rated them as only poor or fair—specifically 96% respondents said that about local city council, 91% of respondents said that for judges and 85% of respondents said that for local prosecutors.
The survey results showed a surprising lack of awareness and knowledge of the issue of human trafficking, even among those most likely to encounter it. The general population in Cincinnati, therefore, is very likely to be even less aware. Although many survey respondents stated that they did not know the level of public awareness, a vast majority (77%) said that the general public’s knowledge of trafficking is only poor or fair. This comports with other studies that have shown that the general public lacks awareness of the issue.

How, then, do the professionals surveyed and the public, become more knowledgeable about human trafficking? How is awareness raised? One answer is through focused and comprehensive training programs.

Training

“It’s all to do with the training: you can do a lot if you’re properly trained.”

–Elizabeth II, Queen of Great Britain and Northern Ireland

First, it is important to note that 82% of survey respondents said that they would be interested in receiving training on human trafficking. 91% of respondents believe that labor and/or sex trafficking exists in the Cincinnati area, and 83% believe their organization is capable of assisting victims. Yet, the level of knowledge remains low, and questions abound as to who to contact, what the law states, and where to go for assistance.

The venue through which respondents received their information on trafficking had a marked affect on their level of knowledge about the subject. For example, the majority of those surveyed said they heard about trafficking through the media (57%). While this is better than not hearing about trafficking at all, of those who heard about trafficking from the media, 71% rated their knowledge as only poor or fair. Respondents are not receiving both a breadth and depth of knowledge about trafficking from media reports on the issue. This is in contrast to those who heard about human trafficking from a training session or conference. Not quite half (45%) of respondents said they heard about trafficking from a training session or conference, and over half of these respondents (53%) rated their knowledge of trafficking as either good or excellent. Of the respondents who did not attend a training session or conference on trafficking, 76% rated their knowledge of the subject as only poor or fair. Survey results indicate that trainings and conferences generate a much greater level of awareness than any other source, including the media.

On the other hand, survey results show that the way to achieve the highest level of awareness among the most people is not through conferences and training alone, but through a multi-pronged approach. Of those who stated that they heard about trafficking from at least three sources (any combination of the following: conference, media, worked with victim, co-worker, or other), 67% rated their knowledge of trafficking as good or excellent. In contrast, of those who heard about trafficking from only two or less sources, 68% rated their knowledge of trafficking as only poor or fair. These results show that the single most effective mode of learning about human trafficking is through training seminars and conferences; however, repeat

42 Not one respondent said the general public had either good or excellent knowledge of human trafficking.
43 A 2005 telephone survey conducted by the Center for Women Policy Studies revealed that only 23% of the general public in the United States were knowledgeable about international trafficking of women and girls into the United States (Center for Women Policy Studies, Report Card on State Action to Combat International Trafficking, May 2007).
exposure to the subject through media and other sources heightens knowledge even further.

The importance of training is amplified by other survey results, as well. Again, given that those surveyed are potential first-responders of trafficked victims, it is imperative that they know how to spot victims, and what the law states with respect to the perpetrators. Yet, more than half of the respondents within each of the organizational categories surveyed had not heard of the TVPA. This indicates that comprehensive training on the law is necessary for all groups that are likely to encounter trafficking (law enforcement, medical professionals, social workers, etc.).

While training on the law is important for all groups, it is particularly important for those groups most likely to encounter trafficking victims first. A majority of respondents (57%) said they believed that law enforcement is most likely to be the first to encounter trafficking victims. If law enforcement is indeed a first-responder, they must be knowledgeable and well-trained on the issue.

Yet, 48% of law enforcement respondents said that local law enforcement in the greater Cincinnati area has only a poor or fair knowledge of human trafficking. Only 13% of law enforcement respondents said that law enforcement has a good or excellent knowledge about trafficking. The rest of the law enforcement respondents said they did not know, which means it is quite possible that the majority of local law enforcement have only a poor or fair knowledge of the matter, even despite being a first-responder. In fact, 68% of law enforcement survey participants rated their own knowledge of trafficking as poor or fair.

The group just behind law enforcement considered to encounter trafficking first is medical professionals. 38% of respondents said that they believe medical professionals could be the first to encounter victims of human trafficking in Cincinnati. This is troubling because 77% of medical professionals surveyed said they had only a poor or fair knowledge of trafficking. Clearly, training on human trafficking is necessary for all groups surveyed, and acutely necessary for potential first-responders such as law enforcement and medical professionals.

Thus far, survey results indicate that training on general matters of human trafficking is necessary, not only because it is the single most effective form of information dissemination, but also because it is in high demand among survey respondents and potential first-responders.

Training would include how to spot a victim, who the likely perpetrators are, what organizations exist to assist with cases and victims, and what the law states on trafficking. Beyond this, however, training can also assist organizations with developing formal protocols to follow for how to work with victims and move a case after it is encountered. More than half of the respondents within each of the organizational categories said that their organization did not have a formal protocol to assist trafficking victims.

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44 The only exception to this was attorneys. A majority of attorneys surveyed (most of whom were involved with immigrants occasionally or regularly) had heard of the TVPA. This, of course, is not surprising, especially as compared to other organizations interviewed whose profession and expertise is not the law.

45 Again, the only exception was legal professionals. 57% of legal professionals said that they did have protocols for victim assistance.
Why are formal protocols helpful? First, organizational protocols are correlated with knowledge of human trafficking. Ninety-six percent (96%) of those who said they know who to contact for assistance with trafficking victims said that their organization has formal protocols, and of those who know whom to contact for assistance, almost half (46%) rated their knowledge of trafficking as good or excellent. In contrast, 79% of respondents who said they do not know whom to contact for assistance if they encountered a trafficking victim rated their knowledge of trafficking as only poor or fair. Protocols are correlated with knowing who to contact for assistance, which in turn is correlated with a general knowledge of human trafficking.

Furthermore, knowledge is correlated with victim assistance. Of the respondents who said their organization does not have protocols, 80% said that their organization does have the capability to assist victims. They are not assisting victims, however, because they lack the protocols and the knowledge. Of the respondents who said their organization can assist victims, 75% rated their organization’s knowledge of trafficking as only poor or fair. More problematic, 79% of respondents who said their organization have encountered victims also rated their organization’s overall knowledge of trafficking as only poor or fair. Training would provide the knowledge necessary to effectively assist victims and to help organizations develop protocols that will work for them.
Based on the findings from this report, human trafficking needs to be further addressed in greater Cincinnati. The following recommendations are first steps that our city should take to practically and proactively address human trafficking in the greater Cincinnati area.

Public Awareness and Training for First Responders
The study shows that approximately 91% of interviewees have heard of cases of human trafficking, yet less than 40% were aware of the federal anti-trafficking law (the Trafficking Victims Protection Act or TVPA), and only 20% knew of state laws that criminalize human trafficking. While training on the law is important for all groups, it is particularly important for those groups most likely to encounter trafficking victims first.

A majority of respondents (57%) said they believed that law enforcement is most likely to be the first to encounter trafficking victims. In fact, 68% of law enforcement survey participants rated their own knowledge of trafficking as poor or fair. If law enforcement is, indeed, a first-responder, they must be knowledgeable and well-trained on the issue.

The next key group of potential first-responders to encounter trafficking first is the medical profession. Nearly 38% of respondents said that they believe medical professionals could be the first to encounter victims of human trafficking in Cincinnati. Yet, 77% of medical professionals surveyed said they had only a poor or fair knowledge of trafficking.

While training on human trafficking is necessary for all groups surveyed, it is acutely necessary for potential first-responders. **We urge city and community leaders to support necessary training for law enforcement and medical professionals.**

Criminalize Human Trafficking and Strengthen Existing Laws
Since the inception of TVPA in 2000, according to the Department of Justice, “prosecutions under the TVPA have increased six-fold.” Federal resources alone cannot keep up with the volume of cases; furthermore, in order for local law enforcement to investigate these types of cases as first responders and provide local jurisdiction, state anti-trafficking legislation to criminalize human trafficking must be strengthened to include the prosecution, prevention of trafficking and protection of victims.

Neighboring states Kentucky and Indiana have codes that criminalize human trafficking and penalize the promotion of human trafficking (and Indiana also provides for victim restitution), but Ohio, as the 40th state to pass legislation related to human trafficking, has limited anti-trafficking provisions that were enacted in the Ohio Revised Code on January 6, 2009. The revisions include increased penalties and impose mandatory sentencing when certain other crimes are committed with an intention to engage in human trafficking. Quite simply, legislation in Ohio is needed to criminalize human trafficking.

**We urge state, city, and community officials to enact a comprehensive law so that local law enforcement officials can prosecute, prevent, and protect victims of human trafficking.** The Department of Justice’s Model Law based upon criminal sections of the TVPA 2000, Polaris Project’s Comprehensive Model Law, and Freedom Network’s Model Law can serve as models for rewriting legislation in Ohio.
Study Effective Models
Cities and states throughout the United States have been thoughtfully working to effectively combat human trafficking. Several cities have effective models: Boston, MA; Clearwater, FL; Houston, TX; Las Vegas, NV; and Spokane, WA; as do states such as Minnesota and Wisconsin. The greater Cincinnati community, still in its nascent stages in addressing human trafficking, should consider how best to implement programs to create public awareness; provide appropriate training for first responders; identify and serve victims; and work collaboratively with city, state, and federal officials by studying effective models throughout the United States.
CONCLUSION

The final report on Greater Cincinnati has highlighted that various interviewed groups believe that human trafficking is present in the area, and that they have likely come across victims. The report has also provided insight that more education and training is needed in identifying and assisting victims, and efforts to criminalize human trafficking and serve victims need to be advanced.

For more information about this report, please contact Paul Bernish or Deborah Lydon.

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Basics of Human Trafficking

Human trafficking is a form of modern day slavery that involves people who are required to provide commercial sex acts or other forms of labor or services through the use of force, fraud or coercion, in which they are unable to leave their situations voluntarily. Although human trafficking may involve physical force, it also often involves psychological coercion, where the trafficker controls his/her victim through threats (e.g. threats against family) and psychological manipulation that lead the person to believe he/she cannot escape without violent consequences.

Trafficking may involve situations of actual force, such as physical restraint, bodily harm, kidnapping, abduction, etc. It may also involve fraud, such as false and deceptive offers of employment, marriage, a better life, or misrepresentation of immigration laws. It often involves coercion, such as threats to the individual or his or her family, threatening to call the authorities or using an individual’s immigration status against him or her, and various cultural practices that may be seen as threats to the individual.

People can be trafficked for many purposes. Sex trafficking involves commercial sexual exploitation often involving prostitution, pornography, stripping, escort services and other types of erotic services. Labor victims are used in industries such as agriculture, construction, mining, landscaping, etc.; domestic service, where individuals work in private homes as nannies or maids and are kept in slave-like conditions; hotels and restaurants; factory work; janitorial work; peddling and begging crews on the streets; and any other services.

It is important to note that the crime of human trafficking is in the exploitation of the victim; movement or transportation of the victim is not requisite. It may or may not involve movement across borders, or no movement at all.

It is important also to differentiate between human smuggling and human trafficking. Smuggling involves a crime against borders, an unauthorized entry into the country, while human trafficking is a violation of human rights. Smuggling is when a person decides to enter the country without proper documentation, and pays someone to transport them; it is carried out with the immigrant’s consent. The smuggler’s control over the immigrant ends after the border is crossed. Smuggling may, however, become a situation of human trafficking where the smuggler retains control of the person after the border is crossed, forcing him or her into an exploitative situation.

Who Are the Victims?

Anyone lacking in financial security or social stability can become a victim of human trafficking. Human trafficking cuts across all demographic features, including ethnicity, gender, age, race, nationality and class. Victims include:

- men and women
- adults and children
- foreign nationals and US citizens
- documented and undocumented immigrants
- educated and illiterate individuals
Why Do People Become Victims?
There are many factors that contribute to people falling prey to traffickers; basically. These factors do not necessarily cause situations of human trafficking, but instead create a vulnerable environment that traffickers can easily exploit to obtain victims. Factors may include:

- poverty
- illiteracy
- lack of rights (e.g., gender discrimination, racism)
- unstable or abusive family life (e.g., sexual abuse, domestic violence)
- economic crisis (globalization impact)
- lack of employment and/or underemployment
- corrupt governments
- civil/political conflict
- natural disasters and/or health epidemics
- demand for labor and/or services

Poverty is a major contributor in human trafficking spreading globally. Those who live in poverty often search for better opportunities to improve their lives, allowing traffickers to target individuals with false offers of opportunity and hope.

Those who are illiterate are also especially vulnerable to being trafficked. They are generally unaware of their rights, and can easily be tricked by false information and contracts which they are unable to read. In addition, illiteracy often goes hand-in-hand with poverty, both factors which make individuals vulnerable.

Populations that suffer discrimination or lack basic rights are vulnerable to trafficking. For instance, people who suffer gender discrimination, racism, religious persecution, etc., will be more vulnerable, because they are disadvantaged people whose rights are not being protected. Government corruption is also a major factor in human trafficking globally. Not only do corrupt governments fail to protect their citizens adequately, but they themselves are involved in the offenses that are committed against individuals. Other factors that make individuals’ lives unstable and can lead to human trafficking including civil conflict, natural disasters and health epidemics, all situations that often leave people with devastated lives and little resources.

Unstable family life or abusive environments can be conduits for trafficking in that individuals coming from these situations have broken spirits, and can easily be lured by false promises of love, attention and opportunity.

These are just some examples of the “push factors.” It is the vulnerability of individuals, the huge profit that can be made from selling individuals, and the demand for sexual and labor services that make human trafficking a thriving business, and one of the fastest growing criminal enterprise in the world.
How are People Trafficked?
There are many ways in which individuals can be lured into becoming human trafficking victims. Many involve false promises of a better life. Methods may include, but are not limited to:

- recruitment through false promises of employment overseas; sham employment, marriage or modeling agencies; and solicitation by friends or acquaintances
- debt bondage: repayment of loans without a set duration of time through labor
- abduction and/or kidnapping
- sold by family members
- war spoils in areas of conflict
- smuggling: undocumented immigrants consenting to being brought into the country, then being forced into labor or service from which they are unable to walk away

Note: smuggling is not human trafficking, but is a separate crime. Smuggling can turn into trafficking when force, fraud or coercion is used to exploit the immigrant once inside the country.

For What Purposes are People Trafficked?
Trafficking victims may be used for many purposes, including, but not limited to:

- commercial sex: prostitution, pornography, stripping, and other erotic services
- hard labor: construction, agriculture, landscaping, mining, and forestry
- domestic service: childcare and/or upkeep of individual homes
- hospitality services: hotels, restaurants, janitorial services, etc.
- factory work: textiles, etc.
- peddling and begging networks
- military service (child soldiers) in areas of conflict such as Burma, Uganda, and the Sudan

What are Some Red Flags of Human Trafficking Victims?
The following are some red flags often exhibited by human trafficking victims:

- minors under 18 providing commercial sex (regardless of whether there is force, fraud or coercion)
- unable to speak English or language of the host country
- having no personal identification (e.g., passport, driver license, or social security card) or lacking control of one's own documents
- having few or no personal possessions (e.g., clothing, or family pictures) or financial records (e.g., bank account)
- lack of pocket money or control of one's own money
- lack of knowledge as to, or confusion about, where they are (e.g., city, state, or country) and claiming they are “just visiting”
- being unable to freely leave worksite or residence without fear of reprisal

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• employer or particular individual(s) providing daily transportation to/from work
• living and/or sleeping in their working environment
• isolation from family, friends, or ethnic community
• minors not attending school
• having excessively long working hours or odd tasks at odd hours
• demeanor appearing to be fearful, submissive, anxious, tense, nervous and/or restless
• appearing anxious or nervous around “interpreter” or “family member”
• reliance on one individual to speak for all the individuals
• signs of physical abuse, neglect, torture (e.g., cigarette burns, scars, bruises, broken bones) and emotional abuse
• signs of poor health and hygiene (e.g., underweight, malnourished, lice, excessive bug bites, bad teeth, etc.)
• signs of branding to show ownership by trafficker (e.g., tattoos and hot branding iron marks)
• signs of physical restraint, confinement and control
• having an escort at all times when out in public (e.g., when shopping or eating)
• inability to attend religious activities or gatherings, or being required to be escorted
• inability to make decisions on own without fear or approval
• rehearsed stories

What are Victims’ Needs Once They Have Left Their Situation?

The following are some of the resources a victim needs after they have been removed from a trafficking situation:
• crisis intervention
• housing, food and clothing
• medical/dental care
• mental health services
• substance abuse treatment
• protection
• legal assistance
• interpretation services
• transportation
• employment
• childcare
• life skills
• education

To report a tip or a concern about a possible situation of trafficking, call: 1-888-373-7888

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Resources

Greater Cincinnati Related Resources
Central Ohio Rescue and Restore Coalition www.centralohiorescueandrestore.org
Cleveland Rape Crisis Center www.clevelandrapecrisis.org
Collaborative Initiative to End Human Trafficking (Cleveland) Collaborative_initiative@yahoo.com
End Slavery Cincinnati Rescue and Restore Coalition esc@ywcain.org
Gracehaven (Shelter, not open yet) www.gracehaven.info
Ohio Attorney General: Missing Children Clearinghouse www.mcc.ag.state.oh.us
Ohio Criminal Justice Services www.ocjs.ohio.gov
Polaris Project Ohio http://www.polarisproject.org/content/view/59/79/
Rahab’s Hideaway (Safehouse, Columbus) www.rahabshideaway.org
Second Chance of Toledo (Shelter) www.secondchancetoledo.org
Southern Ohio FBI/US Attorney Human Trafficking Working Group

Greater Cincinnati Related Reports

National Human Trafficking Reports
Houston, TX: http://cahouston.org/
US Governmental Agencies
Department of Health and Human Services www.acf.hhs.gov/trafficking/
Department of Homeland Security www.ice.gov/pi/investigations/publicsafety/humantrafficking.htm#trafficking
Department of Justice www.usdoj.gov/whatwedo_ctip.html
Department of Labor www.dol.gov/ilab/programs/ocft/
Department of State www.state.gov/g/tip/

Non-governmental Organizations
Coalition of Immokalee Workers www.ciw-online.org
Coalition to Abolish Slavery & Trafficking (CAST) www.castla.org
Florida Coalition Against human Trafficking (FCAHT) www.stophumantrafficking.org
Free the Slaves www.freetheslaves.net
Girls Educational & Mentoring Services (GEMS) www.gems-girls.org
HumanTrafficking.org
International Justice Mission www.ijm.org
Polaris Project www.polarisproject.org
Protection Project www.protectionproject.org
Salvation Army www.salvationarmyusa.org/trafficking
Shared Hope International www.sharedhope.org
Designs created by the students of Mark Wiesner at The Summit Country Day School in Cincinnati.