



# **NEW JERSEY COMMISSION ON HUMAN TRAFFICKING**

## **2014 Annual Report**

The work of the New Jersey Commission on Human Trafficking is composed of examination, analysis, and recommendation.  
Please consult the New Jersey statutes in order to determine the law of the State.

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## **INTRODUCTION**

The New Jersey Commission on Human Trafficking was created by the Legislature in 2013, as part of its passage of the Human Trafficking Prevention, Protection, and Treatment Act (P.L. 2013, c.51; see N.J.S.A.52:17B–237). The Commission is composed of fifteen members from the fields of law enforcement, victim assistance services, health care and child advocacy, as well as members of the general public who have experience in, or who have a specialized knowledge of, human trafficking. As required by the enabling legislation, one Commissioner is a survivor of human trafficking. The Commissioners were nominated by either the Governor, or by the Governor upon the recommendation of leading members of the Legislature.

The Commission is charged with the duties of:

- a) Evaluating existing laws relating to human trafficking and making recommendations;
- b) Evaluating the enforcement of existing laws relating to human trafficking and making recommendations;
- c) Reviewing the cost, availability and organization of victim assistance services for victims of human trafficking and making recommendations;
- d) Promoting a coordinated response by public and private resources to assist victims of human trafficking;
- e) Developing mechanisms to promote public awareness of human trafficking;
- f) Reporting annually to the Governor and to the Legislature regarding the Commission’s activities, findings and recommendations.

The first meeting of the Commission was held in May 2014 and the Commission met monthly through April 2015. During the course of the first few meetings, the Commission decided to divide itself into the following three sub-committees whose responsibility it would be to concentrate on one discrete issue regarding human trafficking:

1. Public Awareness
2. Victim Services
3. Legislative

The following report is therefore divided into three sections, each section reflecting the sub-committee findings and recommendations listed at the end of the report. The Commission further determined that its first annual report, particularly in the area of Public Awareness and Victim Services, should develop a baseline “snapshot” of what currently exists in New Jersey. This approach provides for general recommendations in this initial report, with the intent of the Commission’s subsequent annual reports focusing upon future development in those areas.

New Jersey moved to the forefront of combatting human trafficking with the passage of its *Human Trafficking Prevention, Protection and Treatment Act (P.L. 2013, c. 51)* in 2013;

Key provisions of the law include:

- Establishment of the Commission on Human Trafficking;
- Establishment of the Human Trafficking Survivor's Assistance Fund;
- Increases the fine for first degree criminal human trafficking (recruiting or financing) to be at least \$25,000, which is for the Survivor's Assistance Fund to provide victim's services, promote awareness of trafficking, and support training and education;
- Addresses the sexual trafficking of minors by making a person liable for a crime of the first degree for holding, recruiting, luring, enticing, harboring, transporting, providing or obtaining, by any means, a child under 18 years of age to engage in sexual activity, whether or not the actor mistakenly believed the child was older than 18, even if that mistaken belief was reasonable;
- Makes conspiracy to commit human trafficking a first degree crime punishable by imprisonment of 10-20 years, and up to a \$200,000 fine, or both;
- Allows for expungement of criminal records relating to prostitution for those who are survivors of sex trafficking;
- Establishes a "Prostitution Offender Program" for those convicted of a disorderly persons offense for engaging in prostitution as a patron;
- Establishes a new civil action for human trafficking for the injured person to seek relief.

## **I. Public Awareness and Education**

To better understand the current efforts in New Jersey to raise public awareness about human trafficking, the sub-committee developed and disseminated a survey of key stakeholders across the state. The survey was sent to Commission members, health, child welfare, social service, faith-based and law enforcement organizations which have been involved in efforts to combat human trafficking in New Jersey. The results of the survey provide a preliminary picture about efforts to raise public awareness in New Jersey and will provide a basis for further work by the Commission.

### **A. Goals of the Subcommittee on Public Education and Awareness**

1. To assess the current level of education and awareness in the state, especially among key stakeholders and constituencies that may be affected by human trafficking, including both labor and sex trafficking. Are members of the general public and key stakeholder organizations aware that trafficking exists in New Jersey, what signs to look for to identify potential victims or perpetrators, and where to call for more information?
2. To examine the content and message being shared about trafficking, including efforts focused on raising “general awareness” about human trafficking to more specific training to educate professionals about the handling of and response procedures. Is the information being disseminated about trafficking objective and accurate? Are those involved in activities focused on prevention, detection and enforcement, and victim services receiving proper training to address these topics?
3. To understand about the scale and scope of current efforts. Are substantial percentages of key stakeholders and members of the general public being reached with needed information?
4. To identify strengths of current efforts and opportunities to build on. What is working well that should be continued or expanded?
5. To identify gaps which need to be addressed. What is not being done that is needed?
6. To begin to identify recommendations for the Commission to consider for a final report.

**B. Preliminary Findings and Analysis**

1. The survey: As of March 1, 2015, 90 surveys had been received and analyzed. Responses were received from a wide variety of stakeholders including:

Surveys Received

<b>Municipal police:</b>	<b>32</b>
<b>County Prosecutors:</b>	<b>3</b>
<b>Doctors, nurses and health organizations:</b>	<b>2</b>
<b>School/student-led organizations:</b>	<b>1</b>
<b>Higher education:</b>	<b>3</b>
<b>NJ-DCF:</b>	<b>3</b>
<b>County-based social services:</b>	<b>3</b>
<b>Advocacy organizations:</b>	<b>8</b>
<b>Runaway/homeless shelter providers:</b>	<b>1</b>
<b>Rape crisis, domestic violence providers:</b>	<b>7</b>
<b>Mental health treatment providers:</b>	<b>1</b>
<b>Broad-based social service providers:</b>	<b>15</b>
<b>Faith-based organizations and service providers:</b>	<b>10</b>
<b>Other (Foundation):</b>	<b>1</b>

As shown, the majority of completed surveys came from local police, social service providers, advocacy and faith-based organizations and agencies addressing sexual violence against women, including domestic violence and rape crisis organizations.

2. Catalyzed by attention surrounding the 2014 Super Bowl in New Jersey, the general message about human trafficking—that it exists here in New Jersey and can happen in every community in our state—appears to have reached a substantial percentage of key stakeholders in New Jersey, including law enforcement, schools, health and social services, and child welfare organizations. Hundreds of organizations involving stakeholders in the fight against human trafficking have shared information within their own organizations and with other members of their networks, with many integrating information about trafficking into their core mission and programs.

However, most responses about these efforts indicated that while important work had begun, the effort had not fully “saturated” the intended target audience and additional work was needed to sustain current efforts. And while it is not possible to describe the efforts of every organization which has played a significant role, we have described the efforts of several of the statewide leaders of efforts to raise public awareness about human trafficking in New Jersey in Appendix A.

Comments from Surveys: (these are selected excerpts from survey responses and do not necessarily reflect views of the Commission, or represent any type of recommendation from the Commission.)

- I believe the state has done an exceptional job of making people more aware of this issue.
- State awareness initiatives were very powerful.
- Awareness events have definitely made a big difference.
- Easier access to information about human trafficking is needed.
- More outreach to local colleges.
- Need for public service announcements on TV, radio and social media.
- Engage leaders in sports and recreation industries.

While the *general* message about human trafficking has reached a significant proportion of key stakeholders and the general public in New Jersey, more information needs to be gathered to better understand whether more targeted training efforts are having the intended impacts. For example, the Attorney General and other law enforcement organizations have now been trained about human trafficking and how it affects their procedures related to these cases, from dealing with victims, enforcement issues, as well as linking victims with support and services. Is the current level of training sufficient to accomplish the intended goals of the new legislation and rules? What additional training may be needed? Are there opportunities for further cross-training between human service providers (including child welfare) and law enforcement about working together to combat trafficking? What additional information needs to reach the general public about human trafficking? The Commission needs to continue its analysis surrounding these more specific topics, related to customized training for key constituencies, to identify strengths, gaps and recommendations.

Comments from Surveys: (these are selected excerpts from survey responses and do not necessarily reflect views of the Commission, or represent any type of recommendation from the Commission.)

- Funding for training has had a great impact.
  - Teachers should be mandated to take a webinar on human trafficking and trauma.
  - Anyone holding a license should be required to participate in a webinar as a licensing requirement.
  - The tourism community, they need to “buy in” as for them it is “whatever brings the money in” and they turn a blind eye.
  - Changing the perception from runaways/behavioral problems to victims.
  - More training needed among law enforcement to change attitudes and approaches about child and adult victims.
  - Greater communication and cross-training between the New Jersey Department of Children and Families and law enforcement.
  - More funding to engage other service partners such as substance abuse and mental health; required training for all human service providers.
  - Greater coordination with faith-based resources.
3. A number of surveys emphasized the need for additional work focused on educating males about their role related to human trafficking and the need for greater efforts to reduce demand.

Comments from Surveys: (these are selected excerpts from survey responses and do not necessarily reflect views of the Commission, or represent any type of recommendation from the Commission.)

- Law enforcement can try to save and prosecute survivors but by ending demand and having 0% tolerance, it will end.
  - Swedish law makes the act of purchasing sex a crime. This practice targets the demand and not the victim.
4. Information about human trafficking has begun to reach a large number of middle and high schools in New Jersey, but more work is needed to build the education as part of a core element in middle and high schools. A number of groups, including the Attorney General’s Office, Project Stay Gold, and Say Something, have engaged schools with information about human trafficking, the problem in New Jersey, warning signs, and how students can join in the fight to combat trafficking. Efforts are being made to incorporate education about human trafficking into core curriculum in some cases, either through history, health or physical education classes. However, to date, there is no requirement for schools to offer this education and existing efforts are fragmented and voluntary.

The Commission needs to examine how these programs can be fully integrated into every school's curriculum, recognizing issues of cost, staffing and administration.

Comments from Surveys: (these are selected excerpts from survey responses and do not necessarily reflect views of the Commission, or represent any type of recommendation from the Commission.)

- More efforts need to be directed at schools with the support of the New Jersey Department of Education.
  - We think a school curriculum should be adopted.
  - Deploying youth to deliver the message is effective.
  - I would recommend a movement for anti-trafficking education becoming a part of the health class curriculum.
5. Efforts to reach highly vulnerable populations of both girls and boys, focused on preventing youth from being recruited into human trafficking, have begun, and should be part of an overall continuum of strategies. With any effective public health campaign, prevention has played an important role as part of a comprehensive effort. Research shows that girls and boys who run away from home, live in out-of-home placements, are involved with alcohol or drugs, or have faced other childhood trauma are at higher risk for being recruited into human trafficking. Similar risk factors have been identified related to labor trafficking, largely focused on certain businesses and immigrant groups.

Comments from Surveys: (these are selected excerpts from survey responses and do not necessarily reflect views of the Commission, or represent any type of recommendation from the Commission.)

- Increased focus on the spectrum of trauma, vulnerability and risk factors.
  - Develop tools to help homeless and runaway youth before they are trafficked.
  - Having survivor voices and speakers and film documentaries is effective.
  - Include training for home visitation programs.
  - De-mystifying what a trafficking victim looks like. Unveiling the truth about prostitution versus glamorizing it for our students.
  - More efforts need to be targeted towards youth ages 11-14 and their parents.
6. Responses from the surveys indicate that the greatest focus has been on human sex trafficking, with substantially fewer groups involved in efforts addressing labor trafficking. More information is needed to better understand the efforts and strategies focused on labor trafficking and what more needs to be done.

However, from preliminary results, it appears that additional efforts are needed to raise awareness about this issue.

Comments from Surveys: (these are selected excerpts from survey responses and do not necessarily reflect views of the Commission, or represent any type of recommendation from the Commission.)

- Distribute prayer cards in Spanish for labor camp workers.
- Many people are aware of sex trafficking but fewer are aware of labor trafficking and our complicity in this through the things we purchase.

## **II. Victims Services Sub-Committee**

This section is submitted by the Victim's Services Sub-Committee of the Human Trafficking Commission. The content of the document was drawn from several sources. The first source was the minutes of the meetings of the Victim's Services Sub-committee on November 5, 2014; December 4, 2014; and January 8, 2015. Another source of information was drawn from the report entitled, "Population Specific Services for Survivors of Human Trafficking in the State of New Jersey," written by Kate Keisel-Caballero, Director of Polaris New Jersey, February 2015, and a member of the New Jersey Commission on Human Trafficking. These two sources combine to form a perspective on the types and availability of victim's services, and recommendations for the continued work of the Commission on Human Trafficking.

### **A. Scope of the Sub-Committee's Work**

The Victim's Services Sub-Committee has the charge of better understanding the scope and availability of services for victims of human trafficking in New Jersey. The sub-committee typically met prior to the full commission meeting. Several key areas of discussion identified that the scope of victims' needs spans across age ranges and intervention types.

### **B. Age range**

Regarding age-ranges, the sub-committee recognizes the obvious fact that both youth and adults are affected by human trafficking. The Sub-Committee further recognized the distinction between the terms "prostitute" and child victim according to the statute which defines the former as a person at or above the age of majority.

### **C. Scope of Service**

The Sub-Committee, through its discussions, identified that services can be conceptualized on a three-level prevention classification scheme: 1) primary prevention, 2) secondary prevention, and 3) tertiary prevention. Primary prevention is a term meant to convey that human trafficking-related concerns are eliminated or avoided. Secondary prevention is a term meant to convey that the effects of human trafficking are minimized. Tertiary prevention is a term meant to describe interventions that address the effects of human trafficking that have already manifested themselves among victims. These three prevention levels are useful because they help focus discussion and provide a common language when considering the scope of services for human trafficking in New Jersey.

The Sub-Committee also held discussions about the role of internet, other wireless, and social media technologies in the provision of services to human trafficking victims. Of particular note was the “Safe Night” initiative, which is an effort to track the availability of open beds on hand-held wireless devices (e.g., smartphones). The purpose of the initiative is to permit relatively quick identification and utilization of available beds for human trafficking victims. This initiative is in a relatively advanced state of development and is being implemented through identification of participating entities and trainings.

The Sub-Committee also concerned itself with clarifying the intention and utilization of victim services as codified in N.J.S.A. 2C:34-1. The statute includes language for the use of a victim services fund. But the Sub-Committee concluded that existing processes related to the flow of funds needs refinement to better utilize available resources.

#### **D. Service availability**

The Sub-Committee recognized early in its formation that a survey was needed to identify the types and patterns of services that are available to victims of human trafficking in New Jersey. In this regard, Polaris New Jersey spearheaded the effort. Specifically, Polaris New Jersey created a survey, disseminated it, analyzed the returned data, and reported on the findings.

The resultant report entitled, “Population Specific Services for Survivors of Human Trafficking in the State of New Jersey,” provided significant information. The entire report is attached to the commission’s full report. What follows is the summarization of the survey findings and conclusions. Twenty-three surveys with useful information were returned from an initial “mailing” of 52 surveys for a useable return rate of 44% (23 divided by 52). The findings from these data are tentative but point to trends that are informative. Only five agencies in the state are receiving funds specifically for survivors of human trafficking across all ages and trafficking types. Somewhat more favorable, however, is that twenty-three percent of respondents reported being committed to providing services to survivors. Fifteen of the twenty-three respondents reported that their service complements include housing or shelter services for victims.

The Polaris report also highlighted several trends in the data for housing. Only two agencies provided shelter services. Only one agency provided long-term housing options. None of the respondents reported having housing services dedicated to male survivors.

Many of the respondents (65%) indicated providing case management services, while smaller percentages were reported as having in-house legal, food and material assistance, and trauma-related psychotherapeutic services (i.e., 33%, 21%, and 28%, respectively).

These results together suggest that New Jersey has few services dedicated to human trafficking and that those services that exist seem to emphasize case management and sustainment. As stated in the Polaris report, the survey data are probably not all-inclusive and the return rate of approximately fifty percent—although encouraging—is probably not large enough to make sweeping generalizations (see full report for details).

- Increase services for male survivors;
- Increase the number of beds available to survivors in crisis, and increase the number of beds available to survivors in transitional and long-term stages of recovery;
- Capitalize on wireless and social media technologies to improve the provision of services in the field;
- Expand the scope of treatment services that are available to youth and adult human trafficking victims;
- Increase the number of respondents that contribute to surveys on human trafficking;
- Explore the extent and nature of the particular needs of LGBT survivors.

### **III. Legislation**

With a strong anti-trafficking law established in New Jersey, its implementation and effectiveness are the focus of the Commission. In particular, the Commission is interested in challenges or obstacles to the law's implementation as well as recommendations for strengthening it going forward.

Recognizing the law is still in its infancy, the Commission has been deliberate in carrying out its role to make legislative recommendations. However, the Commission wishes to put forth at this time the following recommendations for consideration.

#### **A. Sex Trafficking and Registering as a Sex Offender**

New Jersey's law regarding sex offender registration and community notification is commonly referred to as *Megan's Law*. The law was established in recognition of the danger posed by offenders who commit predatory acts against children and the importance of a registry that alerts the public to the presence of such offenders within their community.

Presently, New Jersey's statute includes in its definition of sex offenders, those who "knowingly [promote] prostitution of a child pursuant to paragraph (3) or paragraph (4) of subsection b. of N.J.S.A. 2C:34-1". See N.J.S.A. 2C:7-2b(2). Paragraphs 3 and 4 of N.J.S.A. 2C:34-1b refer to an actor who knowingly promotes prostitution of a minor.

The Commission recommends that the requirement to register as a sex offender should be extended to all persons convicted of human trafficking of a sexual nature pursuant to N.J.S.A. 2C:13-8.

By way of background, at least twelve states have provisions in their laws requiring traffickers and buyers of sex to register as sex offenders. Doing so is consistent with the federal *Sex Offender Registration and Notification Act SORNA* (Public Law 109-248, codified as 42 U.S.C.§16911), which is also referred to as the Adam Walsh Act. (Shared Hope International Protected Innocence Challenge Issue Briefs 2.1 and 2.10)

In general, support for the requirement of those involved in the sexual exploitation of minors to register as sex offenders recognizes that the activity by definition encompasses the sexual molestation and/or rape of a minor. It is the position of the Commission that the registration requirement for those who purposely engage in the sexual exploitation of minors should be the same whether the legal label for the behavior is sexual assault, human trafficking, or prostitution.

Another consideration is the need to change the culture and priorities with regard to the crime of sexual exploitation and trafficking. The Commission is aware of concerns that these actions often are downplayed and seen as vice crimes or quality of life crimes. When viewed as such, they may not get the attention they deserve given limited resources and high workloads of law enforcement and prosecutors. On the other hand, the Commission is well aware of the relationship of sexual exploitation and trafficking to other major crimes—including drugs and weapons. The Commission believes the requirement of registering as a sex offender reinforces New Jersey’s recognition of sexual exploitation and trafficking as a priority offense that New Jersey is committed to combatting.

It is felt that inclusion of the necessity to register as a sex offender can serve as an added deterrent in the work needed to prevent and deter sex trafficking in New Jersey.

It is the intention of the Commission on Human Trafficking going forward to consult with experts in the area of child abuse and exploitation to determine whether it would be advisable to recommend that the Legislature expand the scope of the statute that defines those who are required to register as sex offenders to include the following categories that are considered prostitution under N.J.S.A. 2C:34-1:

- An actor who purposely or knowingly engages in prostitution with a minor as a patron of prostitution;
- The actor who knowingly compels a minor to engage in prostitution;
- The actor who enters into or remains in a house of prostitution for the purpose of engaging in sexual activity with a minor;
- An actor who knowingly or purposely solicits or requests a minor to engage in sexual activity;
- An actor who knowingly or purposely engages in prostitution with a minor by personally offering sexual activity in exchange for something of economic value.

This issue regarding expansion of the scope of Megan’s Law to the buyer of commercial sex from a minor (as opposed to the trafficker) generated much discussion among Commission members and it was determined by the Commission that a greater foundation of research information is needed before any recommendation can be made.

## **B. Training for Law Enforcement**

The Human Trafficking Prevention, Protection, and Treatment Act makes two references for training of law enforcement with regard to human trafficking.

N.J.S.A.52:4B-47 was amended in 2013 to provide that the police training courses required under the police training law (N.J.S.A. 52:178-66 et seq.) shall include training on responding to the needs of victims of trafficking, on services available to provide assistance, and information on national, State, and local hotlines to report trafficking and provide assistance.

Furthermore, N.J.S.A. 2C:13-12 through -19 charges the Police Training Commission, in consultation with the Attorney General and Director of the Division of Criminal Justice, to develop and approve (as part of N.J.S.A.52:17B-66 et seq.) courses on handling, response, investigation, and prosecution of trafficking cases.

The Commission on Human Trafficking is charged with promoting training courses and educational materials for a number of constituencies and is also to be consulted on the expenditures of funds for such purposes from the Human Trafficking Survivor's Assistance Fund.

Within this context, the Commission has considered the issue of training for law enforcement. The Commission applauds the Office of the Attorney General for providing training for law enforcement through various modalities—including online training and individual workshops/training events. However, it may be appropriate to examine whether more training, and perhaps training of a broader nature, would be beneficial.

The Commission will be discussing its thoughts with the Police Training Commission. Specifically, the Commission on Human Trafficking is interested in ensuring that there is adequate training for all levels of law enforcement on human trafficking, both as an initial course as well as an ongoing “refresher.” Aside from the basic legal aspects of this crime, it is also important that training addresses this crime as it impacts both the victim and the community. Specifically, the Commission on Human Trafficking wishes to explore the amount and content of current law enforcement training.

While not making a specific recommendation for legislative action at this time; the Commission does intend to explore this further in the future.

## **C. Joint Efforts to Combat Trafficking**

### 1. Notification of missing/juvenile information – N.J.S.A. 2A:4A-60

N.J.S.A. establishes strict safeguards against the disclosure of records pertaining to juveniles who are adjudicated delinquent or found to be part of a juvenile-family crisis. Under current law, these records are not available to staff where the juvenile attends school.

The Commission recommends adding a new paragraph to N.J.S.A. 2A:4A-60 to permit law enforcement to disclose juveniles involved in a “Juvenile Family Crisis” to the Principal of the school where the child is enrolled for the purpose of maintaining order, safety, and, most importantly, to promote the planning of programs relevant to the juvenile’s social and educational development.

In many instances, school staff may be in the best position to offer support services or possibly even determine victimization of a student, but yet they are not often informed of significant traumatic events that took place in the child’s life. Such examples include the child running away (unauthorized absences from the home), serious conflict between the student and the parent, and an act which if committed by an adult would constitute prostitution.

Suggested language for N.J.S.A. 2A:4A-60a.(14). is as follows:

(14) The principal of the school where the juvenile is enrolled for use by the principal and such members of the staff and faculty of the school as the principal deems appropriate for maintaining order, safety, or to planning programs relevant to the juvenile's educational and social development, provided that no record of such information shall be maintained except as authorized by regulation of the Department of Education. Information that is considered solely a Juvenile Family Crisis [as defined in N.J.S.A. 2A:4A-22(G)] shall not result in school imposed discipline.

The Commission on Human Trafficking is aware that this measure may implicate privacy concerns, and must be duly taken into account.

It is the intention of the Commission going forward to explore possible recommendations regarding additional training for school personnel who would counsel students covered by the above language.

## 2. Federal Legislation Regarding Minors and Child Welfare

The Commission is aware of the *Preventing Sex Trafficking and Strengthening Families Act* of 2014. This federal law deals with the trafficking of minors, the role of child protection services, and working with law enforcement. The New Jersey Department of Children and Families (DCF) is the lead agency on the implementation of this law in New Jersey. As this Act is implemented over the next two years, the Commission will consider any corresponding changes that might be needed to New Jersey's legislation and make any applicable recommendations in consultation with the New Jersey Department of Children and Families.

### D. **Expansion of the Family Violence Option Waiver (FVO Waiver)**

Survivors of trafficking and domestic violence face many of the same challenges as they attempt to leave situations of abuse and control. One of the biggest challenges is to have some sort of income to help them with their day-to-day needs while they get on their feet.

Fortunately, the Legislature has responded to this need of domestic violence survivors by establishing the Family Violence Option Waiver which outlines specific ways that the survivor can be supported through services offered by the County Welfare Agency.

It is the recommendation of the Commission that consideration be given to further expanding the FVO to survivors of human trafficking.

### E. **Asset Seizure and Forfeiture/Confiscation**

The seizing of assets, and their subsequent forfeiture or confiscation, are tools being used by other jurisdictions in combatting trafficking, both as a deterrent and as punishment. For instance, the Civil Enforcement Unit of the New York Police Department has conducted "Operation Losing Proposition" which involved the seizure and forfeiture of the cars of "johns" as a means of reducing demand.

These practices underline the economic elements of trafficking, reinforcing the fact that it is a business where individuals profit—but not the victim. Thus, forfeiture/confiscation can play an important role in funding services that restore the victim, or make actual restitution to a survivor. In addition, some jurisdictions provide for a portion of what is recovered to assist with further law enforcement trafficking operations, training, public awareness campaigns, and similar initiatives.

Careful examination of legislation relating to seizure/forfeiture/confiscation is needed. Options involve whether it is applied in conjunction with sentences at the criminal level, or pursued in a civil action, or both. Likewise it can be applied to traffickers, johns in the case of prostitution, or others involved. Thus, consideration needs to be given to the extent to which collateral players in a trafficking operation should be subject to these penalties. New Jersey law already recognizes the role of the collateral players, and lesser but still significant imprisonment and fines can apply to them.

Maryland has a relatively new and specific law that was the subject of much consideration that may help inform New Jersey. Other jurisdictions also have practices, legislation and experience that can be important guides to the Commission as we delve into this area in the near future.

#### **F. Actions to Target Demand and Promote Deterrence**

Without question, trafficking is a business that is driven by profits, and the basic economic principles of supply and demand. Traffickers drive the supply side of the equation, but without “demand” for the product—be it sexual or labor—trafficking wouldn’t exist. Yet many anti-trafficking initiatives focus on the supply side of the equation.

Equal attention must be given to the demand aspect of trafficking. The laws of New Jersey make provisions for the arrest and conviction of those who are involved in the demand side of the equation. For example, N.J.S.A. 2C:13-9 establishes a crime for procuring a person for prostitution for himself or another, and N.J.S.A. 2C:34-1 makes it a crime to engage in prostitution as a patron. And, with regard to sex trafficking, New Jersey’s statute specifically provides for a Prostitution Offender Program which is in development and has had promising results elsewhere with regard to recidivism.

The Commission is interested in further understanding the rate of arrests/convictions for the buyers of trafficked individuals, and how the law is supporting or hampering these efforts. The next step for the Commissioners will be to analyze the data on arrests and convictions, and this may drive future legislative recommendations as well as the Commission’s work.

However, there is much more to do of a preventive nature to help avoid the need for arrests and convictions. **Prevention and deterrence should be the ultimate goal of any anti-trafficking efforts.**

As such, the Commission is particularly interested in seeing New Jersey’s anti-trafficking work include campaigns aimed at prevention and deterring demand.

There has been noteworthy work done by the New Jersey Coalition Against Human Trafficking on a grass-roots level. The Department of Children and Families has funded training programs for at-risk youth, both male and female, that target prevention and deterrence. Similarly, since 2013 the Attorney General's Office has been conducting school assemblies and making presentations to youth groups and student organizations. In addition, it conducted a Human Trafficking Train the Trainer program for New Jersey Child Assault Prevention Coordinators to assist with implementing human trafficking prevention in schools. The Attorney General's Office will continue to incorporate and emphasize prevention and deterrence methods in its anti-trafficking activities whenever possible.

There is definitely more work to be done, and we can build upon what New Jersey has already implemented, and learn from our counterparts in other States. New Jersey's Anti-Trafficking/Anti-Demand Kickoff in 2013 established a toll-free hotline (1-855-END-NJ-HT). The hotline, which continues to be staffed 24 hours per day, received tips from the general public about potential human trafficking cases, and provided human trafficking victims and the general public with a means to report traffickers and related activity to law enforcement.

The New Jersey Human Trafficking Website ([www.njhumantrafficking.gov](http://www.njhumantrafficking.gov)) was developed to share important news both locally and nationally on human trafficking. It is also an important resource tool with contact information for law enforcement, and for other state agencies, as well as the private sector and general public. It contains downloadable informational tools to help inform and educate about human trafficking.

The New Jersey Division of Criminal Justice created and launched its ongoing Human Trafficking Awareness Anti-Trafficking/Anti-Demand campaign "***Know it. See it. Report it***" in 2013. Using the public attention to the upcoming Super Bowl in New Jersey, the Office of the Attorney General and the Division of Criminal Justice mapped and executed a massive push to blanket the state with anti-trafficking/anti-demand information with the hotline and other valuable informational materials that can be used by anyone who may witness human trafficking activity. These initiatives included outdoor advertising at bus and train stations and shelters, including billboards and posters in English and Spanish, the internet and radio, diner placemats, handouts provided for distribution at police, EMT, and fire department stations, hotels, hospitals, schools, airports, restrooms, and other public locations.

The similar work being done by other states is worthy of review by the Commission on Human Trafficking for additional methods of increasing public awareness and reducing demand by deterrence, including online campaigns that target websites where sex is purchased.

One example is a 10-week deterrence and education “Johns School” program (Kings County, Washington State: “Stopping Sexual Exploitation: A Program for Men). The online approach to warning about demand and its harm as well as penalties is attractive, given the growth of this business on the web.

Other approaches are equally worthy of examination by the Commission are billboard campaigns that warn potential buyers of sex trafficking of the consequences if caught. (Cook County, Chicago “We’re Teaming Up to Bust You” billboard campaign), ( Atlanta, Georgia Buyer Campaign).

Some campaigns fall into the “shaming” category and can serve as both a deterrent for individuals buying sex, as well as punishment for those who do. One campaign did this in a prominent way, publishing photographs of convicted buyers (“Operation Flush the Johns”, Nassau County, New York). Other localities may publish arrests periodically in local newspapers or online. The use of “letters” is a similar approach. Letters of a “Dear John” nature (similar to the warning billboards) may be sent to the home address of those whose vehicle/license plate was seen in areas frequented for prostitution, or those were arrested.

#### **IV. Labor Trafficking**

In looking ahead, the Commission is aware that it also needs to devote its attention to labor trafficking on all levels: prevention, protection, prosecution and partnership. The trafficking law (N.J.S.A. 2C:13-8) makes it a crime of labor trafficking if a person knowingly holds recruits, lures, entices, harbors, transports, provides or obtains, by any means, another to provide labor or services:

- By causing or threatening to cause serious bodily injury or physical restraint against that person or any other person;
- By means of any scheme, plan, or pattern intended to cause the person to believe that the person or any other person would suffer serious bodily harm or physical restraint;
- by committing a violation of N.J.S.A. 2C:13-5 (criminal coercion) against the person;
- by destroying, concealing, removing, confiscating, or possessing any passport, immigration-related document, or other document issued by a governmental agency to any person which could be used as a means of verifying the person's identity or age or any other personal identifying information;
- by abuse or threatened abuse of the law or legal process;
- by fraud, deceit, or misrepresentation against the person; or
- by facilitating access to a controlled dangerous substance or controlled substance analog.

Additionally, a person commits the crime of labor trafficking if he receives anything of value from participation as an organizer, supervisor, financier or manager in a scheme or course of conduct of a violation described above.

Labor trafficking is reported to authorities much less frequently than sex trafficking. Interestingly, the States with the most cases reported to the National Human Trafficking Hotline in 2013 were on either the East or West Coasts (California, Texas, Florida, Virginia, New York).

The Commission plans to make an inquiry regarding any initiatives regarding labor trafficking that are underway that are supported by the New Jersey Departments of Labor, Community Affairs, or Treasury. This information will be used to inform the Commission's actions with regard to public awareness, training, and legislation.

Likewise, the Commission plans to monitor actions taken at the federal level with regard to its focus on the supply chain and government contracting provisions aimed at preventing trafficking. This may be an area of further legislative recommendations for New Jersey.

The Commission believes that anti-trafficking campaigns in New Jersey need to include labor trafficking. An example of one advertisement used in King County, Washington is below, and illustrates the point that it will be important for anti-trafficking campaigns in the labor realm to use the language of potential victims in their geographical area. Kings County, for example, has materials that include language for those in the U.S. from China, Korea, Philippines, Russia or Spanish speaking countries.

## **Recommendations**

- The Commission is particularly interested in seeing New Jersey's anti-trafficking work include campaigns aimed at prevention and deterring demand.
- Awareness of trafficking needs to reach all middle and high schools in the State, and consideration should be given to whether the topic should be a required part of class curriculum.
- More work may be needed focused on reaching especially vulnerable populations at risk of human trafficking and to prevent trafficking before it happens.
- Indications are that more work may be needed to raise awareness about labor trafficking.
- New Jersey has made great strides in raising general public awareness about trafficking. However, there are indications are that there are possible gaps in training for specific sectors (e.g., tourist industry, child welfare, law enforcement, judiciary, etc.) in how they respond to human trafficking incidents/cases. More information is needed to better identify the need for more training on these topics, and which organizations need the training, recognizing that New Jersey is still in a relatively early stage of addressing human trafficking issues.
- More efforts are needed to address the male roles in human trafficking, for both prevention and enforcement purposes.
- There is a need to increase services for male survivors.
- There is a need to clarify the intention and utilization of victim services as codified in N.J.S.A. 2C:34-1. The statute includes language for the use of a victim services fund, however existing processes related to the flow of funds needs refinement to better utilize available resources.
- New Jersey should increase the number of beds available to survivors in crisis, and increase the number of beds available to survivors in transitional and long-term stages of recovery.
- New Jersey should capitalize on wireless and social media technologies to improve the provision of services in the field.

- Expand the scope of treatment services that are available to youth and adult human trafficking victims.
- The extent and nature of the particular needs of LBGT survivors should be explored.
- The Commission recommends that the requirement to register as a sex offender should be extended to all persons convicted of human trafficking of a sexual nature pursuant to N.J.S.A. 2C:13-8.
- The Commission recommends adding a new paragraph to N.J.S.A. 2A:4A-60 to permit law enforcement to disclose juveniles involved in a “Juvenile Family Crisis” to the principal of the school where the child is enrolled for the purpose of maintaining order, safety, and, most importantly, to promote the planning of programs relevant to the juvenile’s social and educational development.
- It is the recommendation of the Commission that consideration be given to further expanding the county welfare agency *Family Violence Option Waiver* to human trafficking survivors.
- Increase the number of respondents that contribute to future surveys on human trafficking to guide the work of the Commission and others in New Jersey.

*Respectfully submitted by members of the New Jersey Commission on Human Trafficking:*

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Atlantic County Prosecutor

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# NJ COMMISSION ON HUMAN TRAFFICKING 2014 ANNUAL REPORT

## APPENDIX A

# New Jersey Human Trafficking Service Provider Survey

Dear Valued Partner:

Thank you for taking the time to complete this brief survey. Your responses will be utilized in the creation of a comprehensive map of services available for survivors of human trafficking throughout New Jersey. This information will be shared with the New Jersey Commission on Human Trafficking and the Safe Shelter Collaborative through Humanity United Partnership for Freedom.

Please answer all questions below. If your agency does not provide a particular service, please make sure to click the N/A option. The survey should take no more than five minutes to complete.

Sincerely,  
The Polaris New Jersey Team

**\* Required**

**Agency Name \***

**Type of Service Agency \***

- Domestic Violence
- Sexual Violence
- Youth
- Children and Families
- Refugee
- Human Trafficking
- Legal
- Workers Rights
- LGBTQII
- Other:

**Populations Served \***

Please check all that apply

- Sex Trafficking
- Labor Trafficking
- Males
- Females
- Transgender

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- Adult
- Minor
- US Citizens
- Foreign Nationals
- LGBTQII
- Other:

**Are you receiving funds to provide services to survivors of human trafficking? \***

- Yes
- No

**If yes, what funding sources support your agency? \***

Please check all that apply or select n/a

- HHS
- VOCA
- NTAC
- OVC
- VAWA
- Foundation Grants
- Corporate Support/ Grants
- Individual Donors
- N/A
- Other:

**What services does your agency offer survivors of human trafficking? \***

Please check all that apply

- Crisis Response
- Emergency Shelter
- Transitional Housing
- Case Management
- Food Assistance
- Trauma Focused psychotherapy
- Financial Support
- Material Assistance
- Transportation Assistance
- Legal Representation

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- Legal Advocacy
- T and U Visa Application Assistance
- Document Obtainment
- Vacating Convictions Assistance
- Counseling
- Translation Services
- Support Groups
- Drop-in Center
- Educational Assistance
- Employment Assistance
- Hotline
- Job Training
- Accompaniment
- Outreach
- Prevention
- ESL
- Mentoring
- Tutoring
- Medical Services or Advocacy
- Other:

### **Describe your shelter and Housing Services \***

Please check all that apply or N/A if you do not provide housing

- Emergency Shelter for Females Under 18
- Emergency Shelter for Females 18-21
- Emergency Shelter for Females 21+
- Emergency Shelter for Males Under 18
- Emergency Shelter for Males 18-21
- Emergency Shelter Males 21+
- Transitional Housing for Females Under 18
- Transitional Housing for Females 18-21
- Transitional Housing for Female 21+
- Transitional Housing for Males Under 18
- Transitional Housing for Males 18-21

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- Transitional for Males 21+
- Long-Term Supportive Housing for Females Under 18
- Long-Term Supportive Housing for Females 18-21
- Long-Term Supportive Housing for Females 21+
- Long-Term Supportive Housing for Males Under 18
- Long-Term Supportive Housing for Males 18-21
- Long-Term Supportive Housing for Males 21+
- Human Trafficking Specific Shelter
- Domestic Violence Specific Shelter
- Homeless Specific Shelter
- Foster Home
- N/A
- Other:

### What is the length of stay for your housing? \*

Please select n/a if you do not provide housing.

- 30 Days
- 60 Days
- 90 Days
- 6 Months to 1 Year
- Over 1 Year
- N/A
- Other:

### Geographic Region for Services \*

Please check all that apply

- Statewide
- Northern New Jersey
- Central New Jersey
- Southern New Jersey
- County Specific - Enter County as Other
- Other:

### Languages Spoken \*

Please check all that apply

- English

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- Spanish
- French
- Korean
- Portuguese
- Arabic
- Mandarin
- Russian
- Thai
- Ukrainian
- Other:

**How long has your program been funded to provide services to survivors of human trafficking? \***

Please enter N/A if you don't receive HT specific funding

**Other Relevant Services Provided \***

Please check all that apply

- Domestic or Sexual Violence Services
- Refugee Services
- At-Risk Youth Support
- Children and Family Services
- Workers Rights Services
- Art Therapy
- Leadership Programs
- N/A
- Other:

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**New Jersey Commission on Human Trafficking 2014 Annual Report**  
**Appendix B: Agencies Providing Services to Survivors of Human Trafficking in the State of New Jersey**

Geographic Scope	Organization											
		Sex Trafficking	Labor Trafficking	Females	Males	Transgender	LGBTQII	Adult	Minor	US Citizen	Foreign National	Specific HT Funding
Monmouth County	180 Turning Lives Around											
Southern NJ (Cumberland, Gloucester and Camden)	Center for Family Services											
Bergen County	The Center For Hope And Safety											
Southern NJ	Community Treatment Solutions											
Statewide	Covenant House											
Central and Southern NJ	Crossroads Programs											
Northern NJ	DASI											
Warren County	Domestic Abuse and Sexual Assault Crisis Center of Warren											
Morris County	Jersey Battered Women's Service, Inc.											
	Jewish Family and Children's Services											
Statewide; Central NJ	Love True											
Statewide	Manavi											
Northern NJ	Polaris New Jersey											
Statewide	Prevent Child Abuse New Jersey											
Burlington/Ocean Counties	Providence House											
Paterson, NJ	RENEW Life Center											
Essex County	The Safe House											
Hunterdon County, Central NJ	Safe in Hunterdon											
Middlesex County	Women aware											
Statewide	The Women's Center											
Gloucester/Salem County	Youth Advocate Programs (Gloucester/ Salem County)											
Northern NJ	Youth Advocate Programs (Morris/Sussex County)											
Northern NJ	Youth Consultation Services											
	<b>Totals</b>	<b>23</b>	<b>18</b>	<b>23</b>	<b>18</b>	<b>16</b>	<b>19</b>	<b>18</b>	<b>15</b>	<b>18</b>	<b>17</b>	<b>5</b>