



# Freedom Network USA

## Freedom Network Urges Caution in Reforming the CDA

Freedom Network USA is the largest network of anti-trafficking service providers and advocates in the United States. Our 51 members from over 30 different cities include attorneys, social workers, case managers, researchers, and advocates all with direct experience serving over 1,000 human trafficking survivors per year. With this wealth of experience, we understand the best practices of anti-trafficking work. We write to urge caution in amending Section 230 of the Communications and Decency Act (CDA).

Any amendment to the CDA needs to both meaningfully empower victims and reduce trafficking without diverting resources away from the extensive services and support needed by survivors, and the investigation and prosecution of traffickers who intentionally exploit others for commercial gain.

Human trafficking is a horrible crime, and it is appalling that trafficking victims are being advertised online. However, the CDA (as it is currently written) allows federal prosecutors to go after websites and other third parties which actively participate in human trafficking. Prosecutors can, and should, identify any third parties that are collaborating with human traffickers, and prosecute them to the fullest extent of the law.

The current legal framework encourages websites to report cases of possible trafficking to law enforcement. Responsible website administrators can, and do, provide important data and information to support criminal investigations. Reforming the CDA to include the threat of civil litigation could deter responsible website administrators from trying to identify and report trafficking.

It is important to note that responsible website administration can make trafficking more visible - which can lead to increased identification. There are many cases of victims being identified online - and little doubt that without this platform, they would have not been identified. Internet sites provide a digital footprint that law enforcement can use to investigate trafficking into the sex trade, and to locate trafficking victims. When websites are shut down, the sex trade is pushed underground and sex trafficking victims are forced into even more dangerous circumstances. Street-based sex workers report significantly higher levels of victimization, including physical and sexual violence. This means that trafficking victims face even more violence, are less likely to be identified, with less evidence of their victimization.

Human trafficking survivors need increased access to comprehensive services and increased accountability for the traffickers who are masterminding this exploitation. And yet every year the US government provides services and support to only a fraction of the trafficking victims seeking assistance, while providers report waitlists. Survivors continue to be arrested for their victimization and mandated into counseling, while they struggle to find affordable housing and sustainable employment. Complex investigations into human trafficking networks are underfunded, human trafficking prosecutions remain woefully low, and prosecutions of labor trafficking are nearly nonexistent. We urge Congress to focus on addressing these gaps instead of misguided legal reforms which will not benefit victims or increase punishment of traffickers.

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