



# Freedom Network USA

The Freedom Network USA approach to combatting human trafficking centralizes a voluntary, non-judgmental assistance with an emphasis on self-determination.<sup>1</sup> Our advocacy is driven by our experience working directly with victims of trafficking, and focuses on policies that;

- *Address the root causes of trafficking,*
- *Guarantee the rights and protections of trafficked persons,*
- *Respect individual autonomy, and*
- *Mitigate unintended consequences such as arrest or detention for others who do not reach the legal standard of trafficking.*

With these core values as our foundation, we oppose anti-trafficking efforts which focus on “ending demand” through tactics of increased policing and criminalization of those patronizing individuals in the sex trade.



Within the anti-trafficking world, the term “End Demand” has come to describe efforts that focus on stopping trafficking in the sex trade by “ending demand” for all commercial sex. Two of the most common tactics employed to “end demand” are increased enforcement and criminalization for the purchasers of sexual services – which means more arrests and higher penalties for those commonly referred to as the “johns.”

These specific tactics are not effective or rights-based solutions, and do nothing to support victims. As explained below, rather than address the root causes of exploitation – lack of opportunity, histories of abuse, and obstacles of race, gender and immigration status – the emphasis on arresting and punishing johns diverts already scarce resources from more effective solutions, increases risk for those in the sex trade including trafficking victims, and ignores trafficking for any purpose outside of illegal commercial sex.

## **Ignores the Root Causes of Exploitation**

All of the time, resources, and funds spent on arresting and penalizing buyers does nothing to solve the one common factor that underlies all exploitation and trafficking – vulnerability. Whether it is the exploitation of someone’s undocumented status or the need for gender-affirming emergency shelter services, the arrest of someone patronizing the sex trade only shifts attention away from these persistent issues. This also disproportionately impacts youth who, because of their status which often requires dependency, face additional obstacles to finding affirming services. By focusing on improving and expanding services identified as necessary by those *vulnerable to* trafficking, including the dearth of emergency shelter services, adequate job training and opportunities, and access to a living wage --we can do more than simply prosecute trafficking – we can help prevent it.

## **Diverts Resources from Investigating and Prosecuting Traffickers**

Effective investigation and prosecution of trafficking cases is resource-intensive, and often takes extensive coordination between service organizations, advocates and government actors. Instead of focusing on policing and arresting the purchasers of sex, we believe resources for investigation should prioritize those who are actively engaging in exploitation, force, fraud or coercion – the traffickers that promise good jobs and then force an individual to work in a brothel to pay off a debt, or exploit

someone’s undocumented status to keep them from reporting victimization or violence.

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<sup>1</sup> For more information on a rights-based approach to trafficking, see Freedom Network: A Rights-Based Approach to Combatting Human Trafficking. <http://freedomnetworkusa.org/wp-content/uploads/2012/05/Freedom-Network-A-Rights-Based-Approach-September-2010.pdf>.

### **Increased Risk for Those in the Sex Trade**

While ending demand may sound like a victim-centered approach, the impact of increasing criminalization and policing often increases the risk of violence and exploitation for those in the sex trade, including trafficking victims. Increased policing increases a police presence for everyone and means more scrutiny on any interaction that look like prostitution. In our experience this casts a shadow on all involved, with those providing sexual services often bearing the brunt of the harm:

- Increased scrutiny on the sex trade increases the need for sex workers to rely on third parties to set up appointments, increasing their vulnerability to exploitation and trafficking.
- Fear of police and arrest for both johns and sex workers leads to less negotiation for things like condom use, physical boundaries, or compensation. Workers often are forced to take more risks and more clients, including those they might have previously turned away.
- Policing often focuses on specific neighborhoods or blocks, meaning workers are forced into more secluded, unsafe areas in order to find clients, putting themselves at higher risk for violence.
- Criminalizing and stigmatizing sexual transactions, even when only focused on buyers, drives the practice into the shadows where violence, extortion, and coercion are more likely to thrive. In situations like these, people do not feel safe in seeking legal protection out of fear of arrest, abuse, or humiliation.
- Increased policing also means that people are less likely to go to police when they have been victimized by anyone else, including a trafficker.

### **Focuses on only Trafficking in the Sex Industry**

Tactics which exclusively focus on the sex industry also ignore trafficking and exploitation in other industries. There is already a disproportionate focus on trafficking in the sex trade with respect to both attention and resources. Policies that focus on “end demand” will only exacerbate that divide, and pull scarce resources and attention away from agriculture, factory labor, domestic labor and other forms of service work, and away from the majority of trafficking victims in the United States, those in other forms of labor, including domestic and agricultural work.

The foundation of these tactics is that sex work and trafficking are one in the same, or so closely related as to require the elimination of the entire industry. In our work as service providers we simply have not found this to be true. Many sex workers, including youth, work independently or in peer networks, without anyone exerting force or confiscating their money. Some individuals in the sex industry choose to do sex work, while others find sex work to be the only way of supporting themselves and their families given their economic circumstances.

### **Recommendations**

- Support policies which address trafficking across all forms of labor.
- Support legislation which increases rights and protections of sex workers.
- Prioritize strategies which address the root causes of exploitation, including poverty and economic injustice, racism, gender-based discrimination, lack of enforcement of employment law protections, and restrictive immigration policies.
- Support comprehensive and robust services for youth, with special attention paid to the needs to LGBTQ and youth of color, including access to housing and shelter services, independent sources of income and education.
- Include the voices of directly impacted communities which may be facing levels of exploitation that do not reach the legal level of trafficking.
- Expand the “end demand” conversation to include the demand for low-cost, low-skilled, and easily replaced labor and services, which results from consumers’ tacit acceptance of exploitation.
- Prioritize education, job training, and employment programs that provide an opportunity for individuals to have control over their own lives.