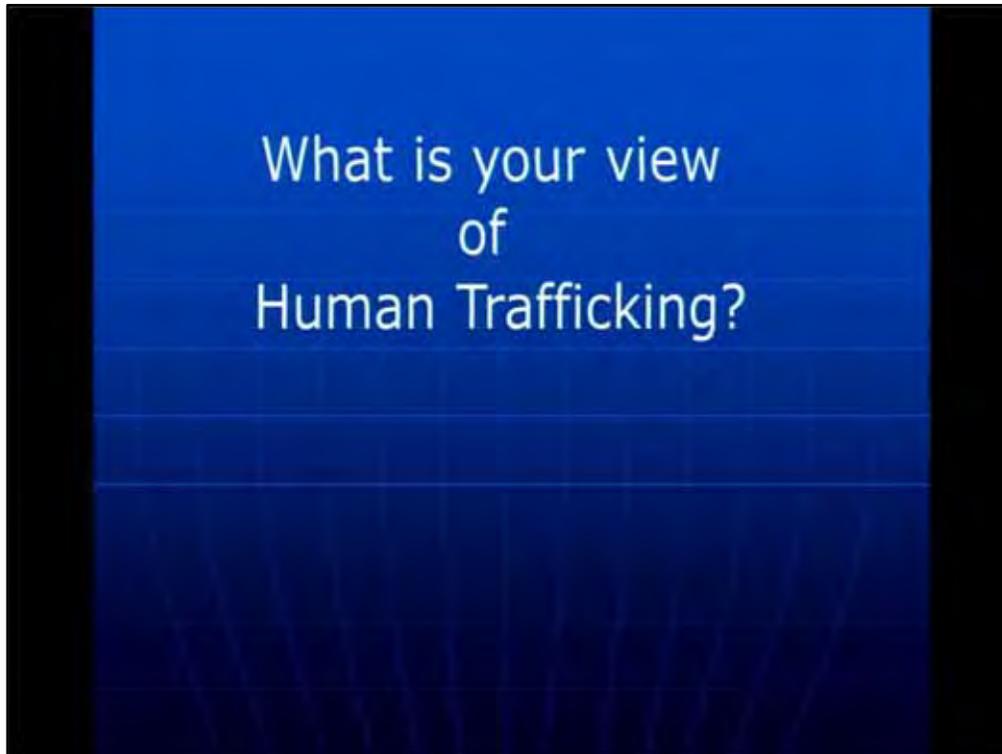


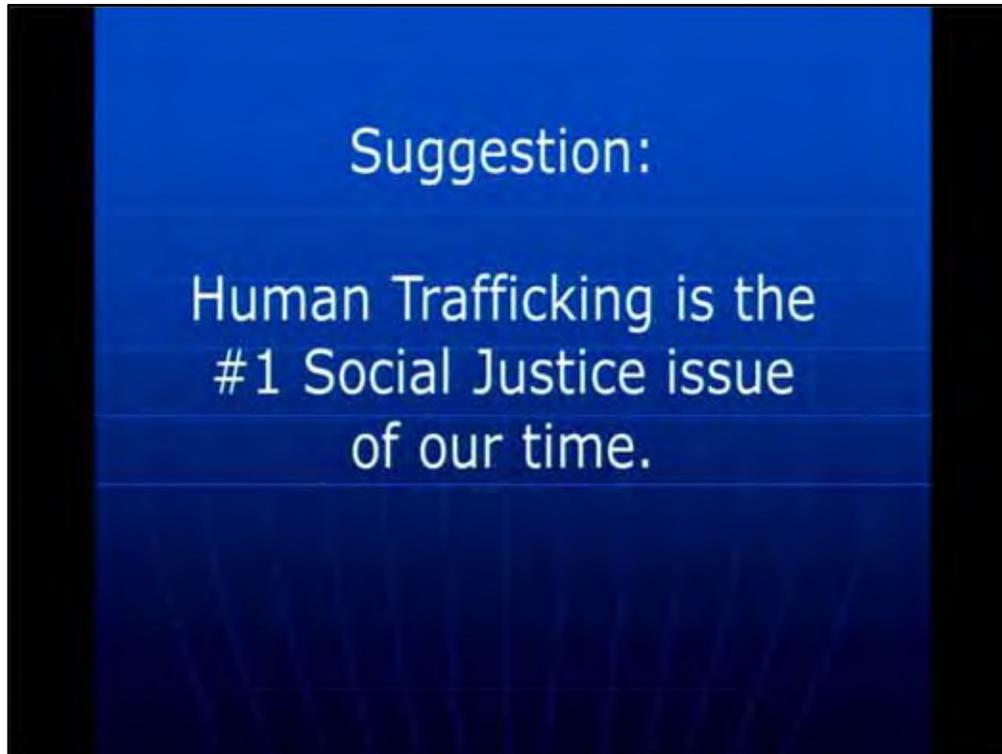
Moderator: Our first speaker today who we're very excited about having is John Vanek. He's retired from the San Jose Police Department after 25 years of service. From 2006 to 2011, John managed the Anti-Trafficking Task Force comprised of local and federal law enforcement agencies and victim services [inaudible]. John now consults on anti-trafficking issues and collaboration. In addition, he teaches a workshop on human trafficking at the Monterey Institute of International Studies. So, let's all welcome John, and I'll turn it over to you.

[Applause]

John Vanek: Thank you very much. I first want to say thank you Anya and the STOP club for inviting me to be here. I love having the opportunity to engage with university students and community members about this issue because I think you're going to see in a little while this is a pretty passionate subject for me and obviously for you. I thank you for taking your time to join us today.



My goal in the next 45 minutes to an hour or so is to help you view human trafficking a little bit differently. It's my presumption on my part because you all bring in different views and levels of awareness or knowledge about the subject, but I really profoundly hope that I can change the way you view this issue in just a little bit of time. So, my first question to you is asking you to take just a moment for yourself and think what is your view of human trafficking. You may view human trafficking as an issue that only impacts people in some other country, in some other culture. It's something that happens outside the United States. You might view human trafficking as an issue that happens only in places like New York or Los Angeles, San Francisco, Oakland, a narrow strip, a narrow street like International Boulevard. You may view trafficking as something that only impacts children. Maybe it only impacts women. You might view it as something that seems so obvious that as slavery we should be able to stop it. After all we have laws that say that slavery, nor involuntary servitude shall not exist in the United States. Right? The 13th Amendment. So take a moment just ask yourself what's your view of human trafficking right now and let's see where we end up in just a little bit here.



I would suggest though that you try to look at human trafficking as a social justice issue which impacts everybody and by everybody I mean everybody in this room, everybody in Chico, everybody in California, everybody in the entire world because what we do how we live our life is impacted by slavery in some way, shape or form and how we live our life impacts slavery in some way, shape or form. I happen to view this as the number one social justice issue of our time and maybe I'm incorrect on that, but it's my view, let me give you just a little bit of information why I have this view.



First off you're probably aware of this. It is an estimate that up to 27 million people are in slavery worldwide as we sit here today. That's a lot of people.



How about the fact that slavery is the second most profitable criminal enterprise in the world with revenues estimated to be in an area of \$32 billion a year or more? Now \$32 billion is a lot of money. You might have a hard time trying to grasp exactly what that is. Perhaps later on if you remind me we'll look at the business model of a very, very small operation and it might give you an idea of how much money can be made by trafficking here in California.



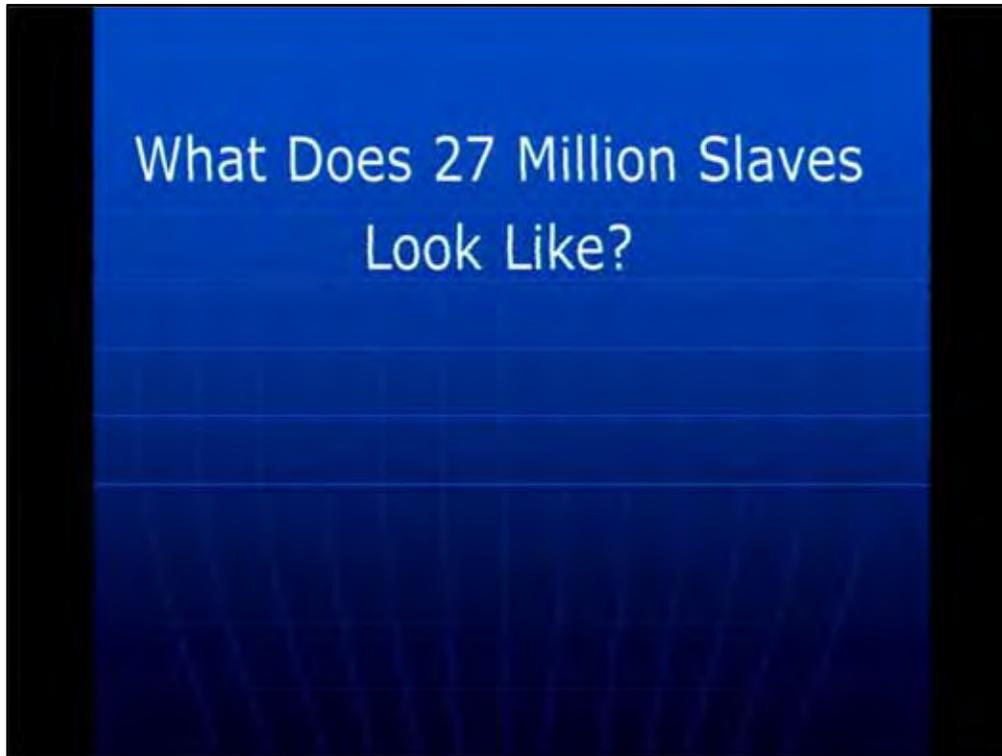
This is scary. Up to maybe even more than 200,000 children in the United States are victims of human trafficking. This view comes from changing the way we view the commercial sexual exploitation of children or what we often refer to as CSEC. Sometimes we also refer it as DMST for the domestic minor sex trade. Very closely tied to homelessness, life on the streets, alcohol, drug abuse, physical abuse in the family.



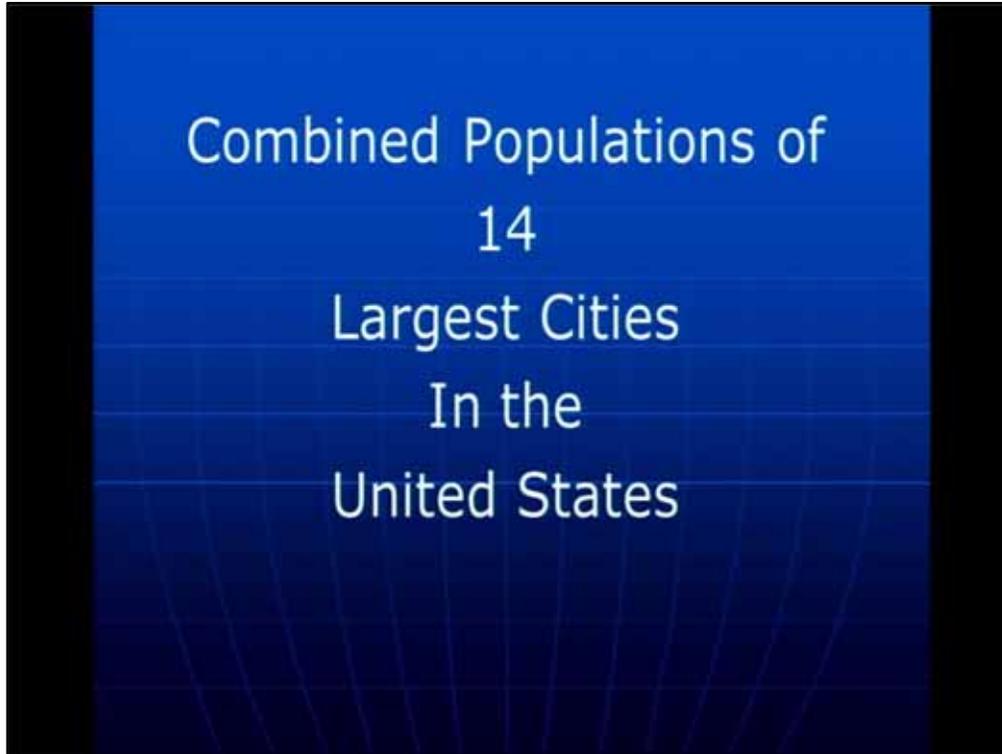
How about the idea that trafficking victims have been found in every single state within the United States?



How about the fact that it's been found in every single country on the globe with one exception? Greenland. Okay, so either they're not looking hard enough or it's an exceptionally safe place to live.



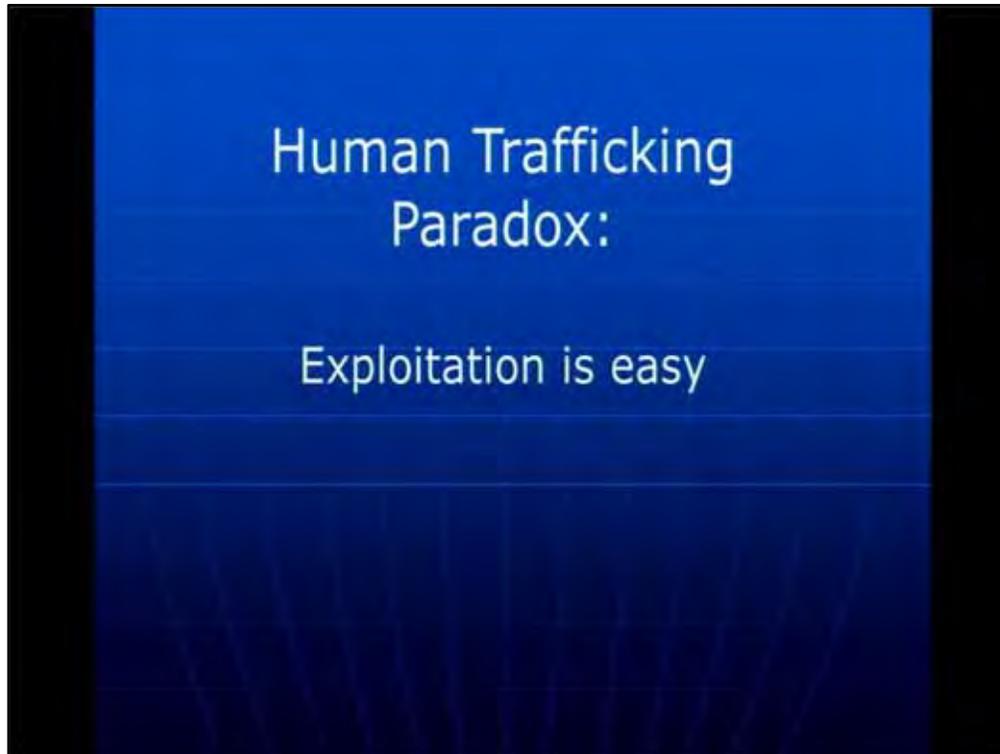
Let's look at this number for just a little bit. Let's try and give you some context what 27 million people could look like.



If we took all of the residents of the 14 largest cities in the United States, that would equal 27 million people. If we could take all of the slaves in the world today and bring them to California right now,

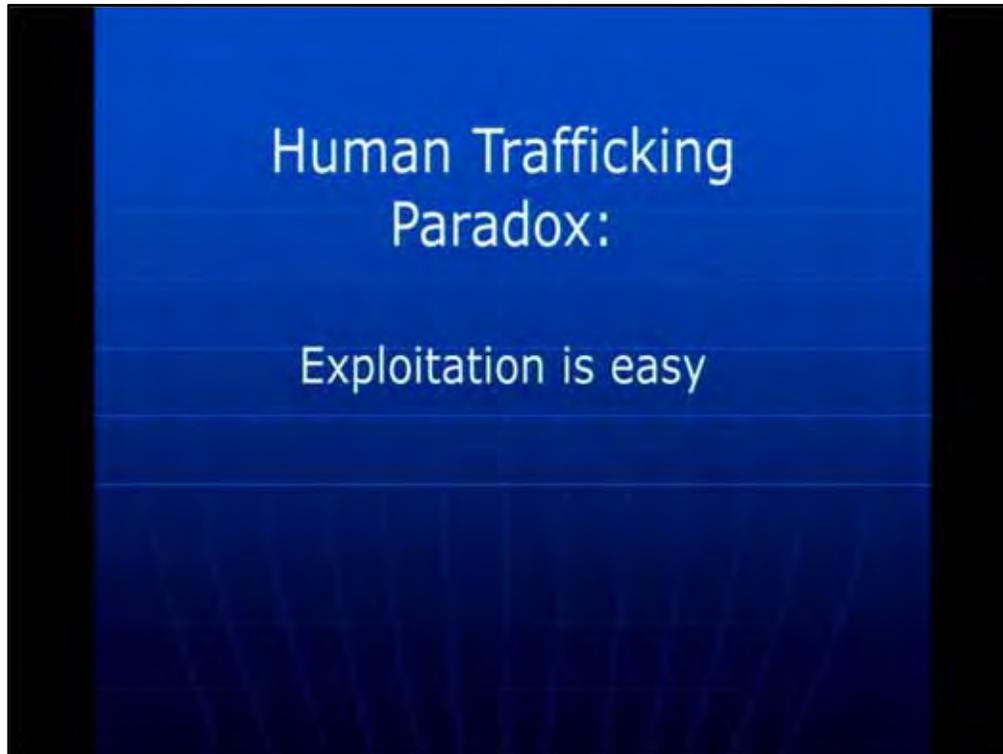


7 out of 10 of those people in California would be slaves. So, if there's maybe 30 people here 3 or 4 of us would be the slave owners, the rest of you would be slaves in some way, shape or form.

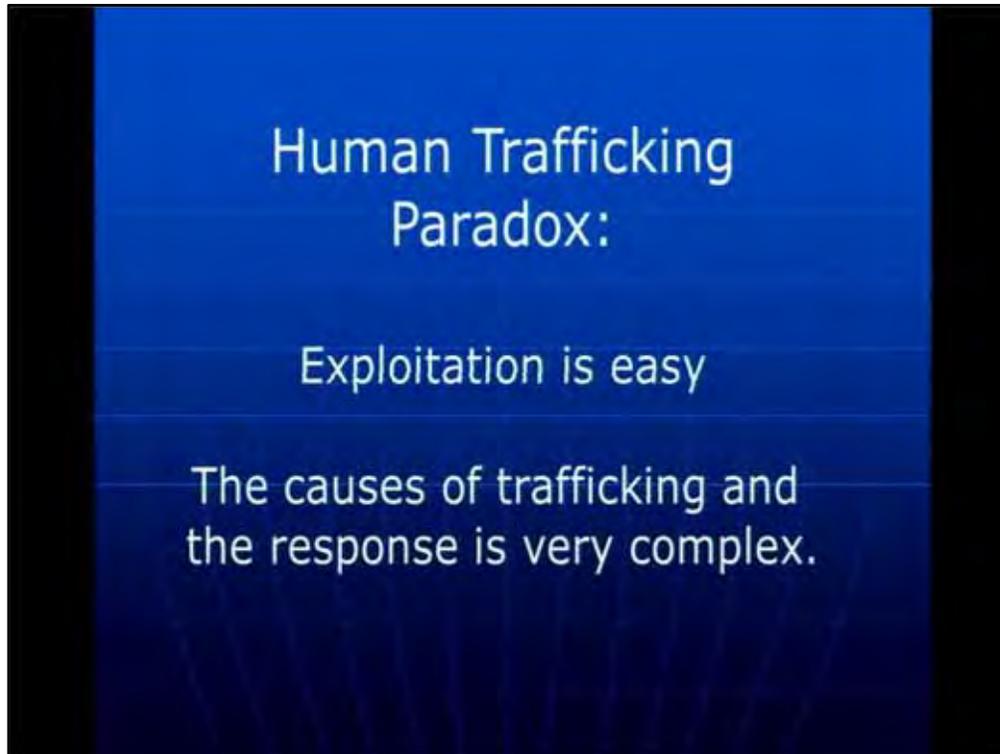


There's a paradox of human trafficking which is very important we understand and it's really sort of the core of my message to you today. It is this: that the exploitation of another human being is actually very, very easy to achieve. The simplest way to exploit somebody is simply to offer them the opportunity for a job. If I offer you the chance for employment, for income, for a better life, for a way out of your abusive family, a way out of a country you live in that has economic oppression, violence, conflict, and you take that opportunity for a job, you've entrusted me with your future to a very large degree. If I can take you to a place where you have no support system, if I can take you to a place where you don't speak the language, if I take you to a place where you don't trust the people there or you don't trust the police, you don't trust society to take care of you, you are now mine. Basically at that point I can probably do just about anything I want with you whether it is to put you into the sex trade on the street, in a brothel, have you work in my home, have you work in a sweat shop, have you work in the fields picking fruits or vegetables, have you herding sheep in the Pacific Northwest, which exists. Many of us don't know we have sheep herders up in Idaho and some of those sheep herders are there with the promise of a job, not being paid and they are afraid to leave. They feel incapable of leaving. That makes them a victim of human trafficking.

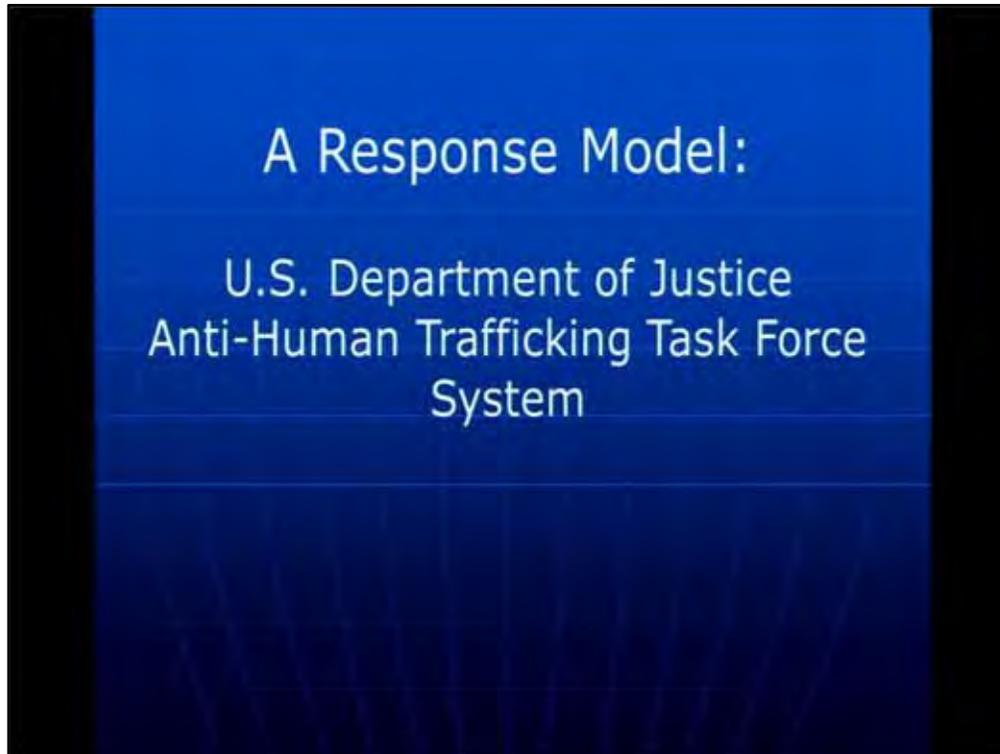
Once I have control of you to profit from you or nothing else to alleviate my need to pay you money as if you are my house servant and you keep my house really clean and I never pay you for that, that's kind of a pretty good situation for myself, right? I can put you into a brothel and I can make tens of thousands of dollars from you cash



free every month for me and maybe I share some of that with you, maybe I don't. It's depending on the business model of how I decide to run that business. So, the exploitation of another human being is remarkably simple. Particularly if I can tap into your lack of self-esteem, your lack of understanding how you should be treated and your fears of what's going to happen to you. It's remarkably easy. This is the story of victims and I'm going to share some stories later on. You're going to see these people were not abducted off the street, they were not held in chains, they were in the community having engagement with people like you every single day of their lives yet they never left slavery until circumstances changed for them. So where's the paradox? The exploitation is easy.

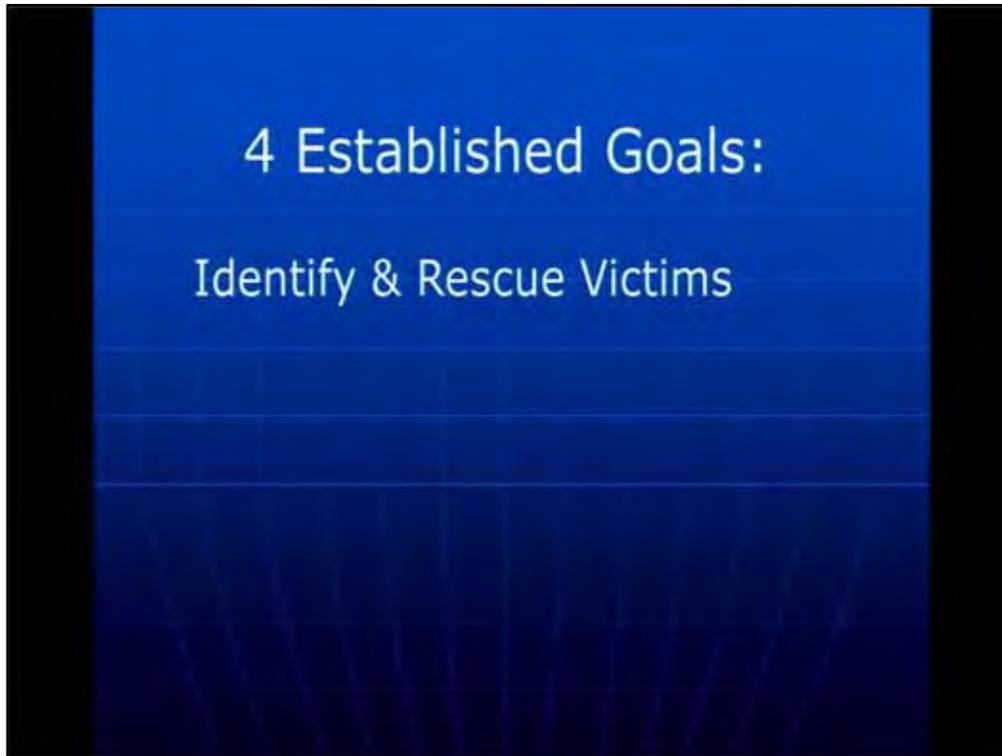


The cause of trafficking and the response is exceptionally complex. This morning I had an opportunity to have breakfast with some of the professors here and we were talking about a lot of different things to do to combat modern day slavery and none of them really, none of the things we talked about were really about what causes slavery, what causes human trafficking, what causes people to fall into this horrific world. It was how do you coordinate a response? How do you get different aides to the different people who do different things? How do we track convictions? How do we track victims? How do we look at laws? There is so much to this subject that it is really, a really difficult thing to get our hands around, but the upside is that we have a lot of people here today that obviously have an interest in this and a key to move forward is this understanding of how complex trafficking can be.



So let me talk to you about one specific response model to address human trafficking and this goes back, I'll give you a little bit of history if you're not familiar with it, but in 2000 US Congress passed a Trafficking Victim's Protection Act, what we commonly refer to as TVPA. The TVPA did several things, which we'll talk about. It talked about different concepts of how we treat victims, it defined what we view as human trafficking, it established different federal protocols and some laws, but that was where our national attention to human trafficking begins is in 2000.

In 2003, Congress had to reauthorize the act essentially to put more money into the response and the decision was made we needed to have a national anti-trafficking system. That task was given to the United States Department of Justice and they created the Anti-trafficking Task Force System and this was launched through a grant program, which funded local law enforcement agencies like the San Jose Police Department and our local victims' services providers. We were asked to come together and look at this topic and provide a response.



Now we were given four main goals. One, was to identify and rescue victims of trafficking. That is what we are all about; that's our core mission, but US Department of Justice and the people who advised them understood that there was more to that, we needed more direction so they gave us a couple of other directions to go.



Of course, we need to prosecute offenders. We have options. We can prosecute offenders under federal law, we can prosecute them under state law. It seems pretty straightforward to get the US attorney's office working with you as part of your task force, you get a local prosecutor working with you as part of your task force and it should be easy. Perhaps.



Third goal was to train local law enforcement. The Federal Government does not have the resources to have the FBI, ICE or anybody else come into a community like Chico and address human trafficking and frankly they don't want to be in that role either. That is why they've gone to local agencies to create awareness and to put together this framework to where we can combat trafficking whether it's in San Jose, Chico or anywhere else in the United States.



Our fourth main goal was to raise public awareness of human trafficking. Now, would you agree that these sound pretty straightforward? Yeah. The problem is that each of these issues has tremendous complexity. Let me give you just a couple of examples.

Identifying and rescuing victims. Victims of human trafficking do not self-identify. They do not go to the police with a couple of very rare exceptions to say, hi, I'm a victim of human trafficking. They don't end up in the hospital and say, hi, I'm a victim of human trafficking. They don't end up in domestic violence shelters saying hi, I'm a victim of human trafficking because they don't know they're a victim of this law. Most people don't understand that there is a law against human trafficking and human trafficking is kind of a vague term anyway. They don't walk in and say, hi, I'm a slave. When we help them understand how their conditions have made them a slave, then the light goes on and they understand, wow, okay, this is the way I've been victimized in addition to however I was victimized before I got here. We can't just walk into a community and say all of the human trafficking victims or slaves raise your hands, tell us who you are so we can help you out. It's not as easy as it sounds.

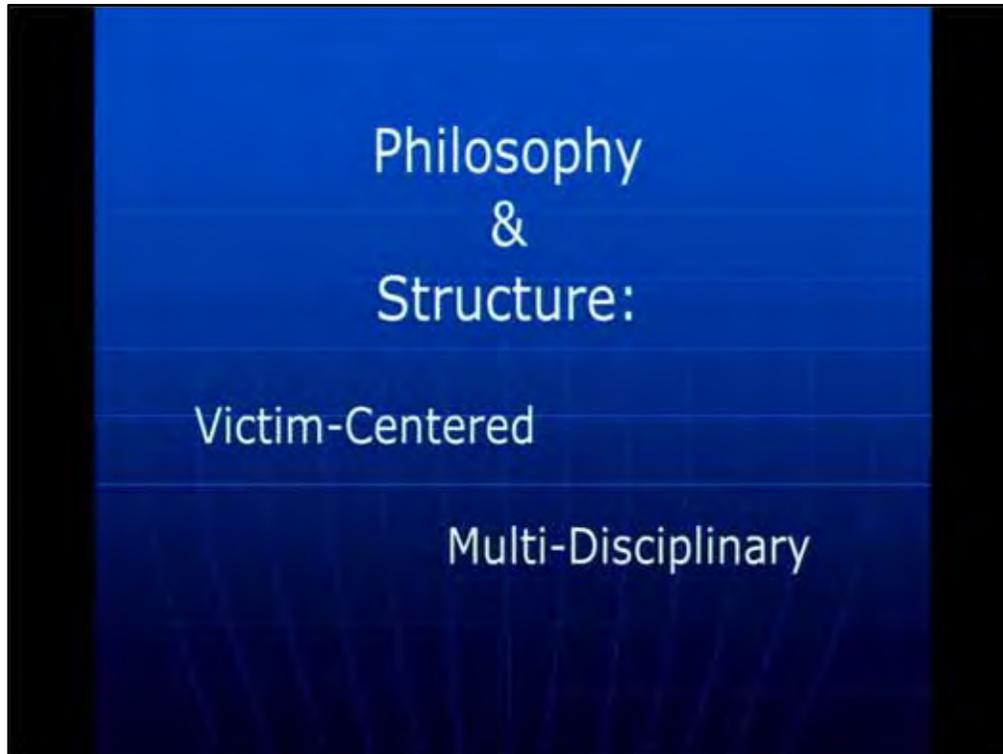
Prosecuting offenders should be pretty easy. Let's prosecute the bad people. That's what prosecutors do, that's why they live, they're professional people, they love it, put the bad people behind bars, right? We created new laws. At the time this program was created in 2004-2005 many states, including California, did not even have state laws that we could use regarding human trafficking. California law did not



come into effect until January of 2006. It's also a new law. You have to train the prosecutors on the new law, you have to help them understand the dynamics of where victims come from, what their experience is. Sometimes we have victims who, what we refer to as international victims. Maybe they're foreign born and so they're probably best treated by the Federal Government being prosecuted in US Court; other times cases are more appropriately charged at the local level. Another layer of complexity.

Training enforcement is extremely difficult because law enforcement agencies have limited time and funds to allow their officers to be trained on anything and the state is kind enough to come in and tell every single law enforcement agency in California topics of which you absolutely have to be trained on every year. A big barrier for us to address.

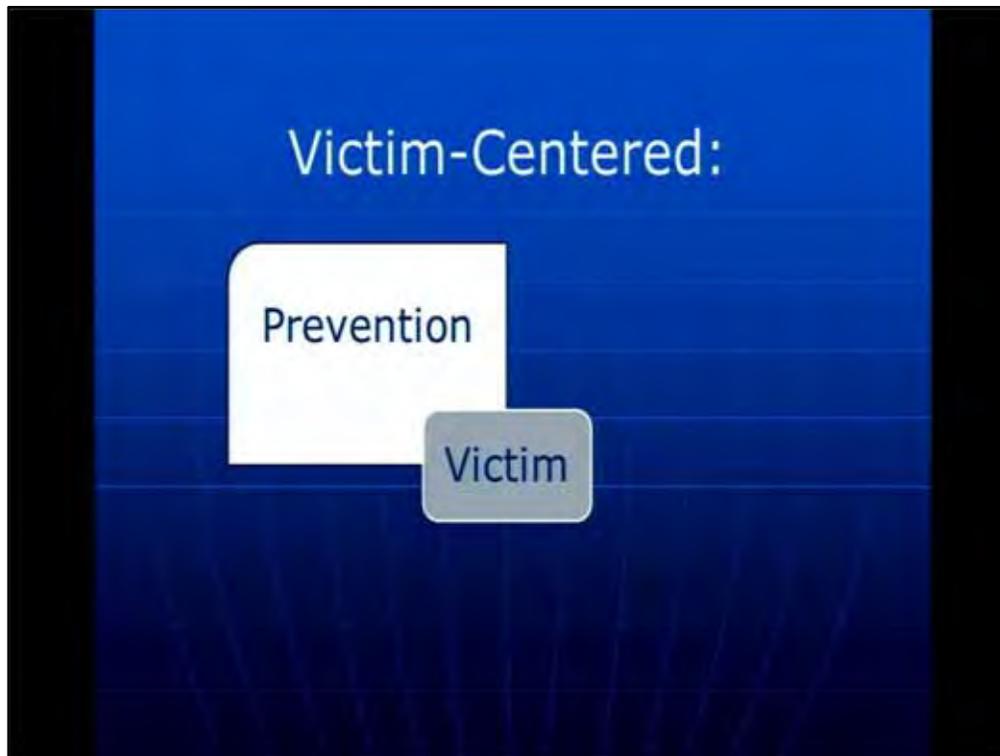
And this last idea of raising community awareness nobody had taken on a social justice issue like this in the United States and said, okay, how are we going to train the community and what role does the community have? There's a couple of examples there.



We had a philosophy in structure that was presented to us. These were philosophies that were incorporated in the initial Trafficking Victims Protection Act. First is victim centered and the second part of our task force is being multidisciplinary. Let's look at this for a second.



What does victim centered mean? We put the victim at the center and everything revolves around the victim ideally. The Trafficking Victims Protection Act also developed a paradigm for this approach which they refer to as the 4 P's.



Prevention. So how do we prevent people from being victimized as human trafficking victims in the first place? How do we keep them out of slavery.



How do we create our prosecution?



How do we protect victims once we had found them?



Lastly, partnership, which really refers to the partnership among the other three pieces and primarily between the protection, which are victim services providers and the prosecution because when a victim is identified we have a couple of tracks we need to look at. First off we treat them as a victim regardless of circumstances. If we are confident their circumstances make them a victim of trafficking, they are eligible for a variety of rights under both federal and state law and we put them on that path. At the same time we have to look at their situation and say is this a criminal case that we can pursue whether it's the local police department or the Federal Government, FBI, ICE. Sometimes there is a criminal case we can pursue; often there isn't. If there isn't, they stay sort of in that protection corner, but if it's being prosecuted, then the prosecution, the investigators they have to be in constant contact with the people that are protecting that victim as long as the process goes on. Trafficking cases take a long time to come to court; much longer than your other types of violent crime like murder, rape, robbery. So, it creates additional stress on that partnership.

When we look at how to prevent trafficking, things like today, how can we do that if we don't have representatives from prosecution or protection from partnership coming and talking? Coming up with ideas for creating bumper stickers, t-shirts, movies, videos, all these ways to try and help people understand that this exists and people are victimized and also looking at the potential victims and helping them understand how to prevent it.



I have a theory, this is my idea that we need a fifth P at the risk of having too many P's, one more P in soup is okay. [laughter] Just one and that is we need to have a P for public because the public runs through all of these four other P's. Let me give you the classic example of why the public needs to be aware this is going on because prosecutors will not prosecute offenders for human trafficking charges if they are not confident the public understands what human trafficking is. Somebody want to give me an idea on why I say that? Who are the potential jurors in a criminal case?

Audience Member: [inaudible].

John Vanek: Thank you, sir, citizens of the area. Absolutely. Prosecutors want to go to court and get a conviction. There's a risk for them that they need to bring a new definition of a new crime before a jury because now not only do they have to show the guilt of the offender they have to teach you about the crime at the same time. That can be a huge hurdle for a lot of prosecutors. Quite often particularly when we look at sex crimes, particularly when we look at sex crimes prosecuted at the local level, at the county level, it is much easier to prosecutors to come in and prosecute other types of crimes. The problem there then being that we don't have an idea that this person went to jail for human trafficking because they went to jail for pimping of a minor. We might view that pimping of a minor as commercial sexual exploitation of a child, we might view that as trafficking, but we don't have a way to track that particular case as something that we can later on define as slavery or human



trafficking. So, the public is key. The public is also important in influencing local policy, local law enforcement. You have an engaged police officer from the Chico Police Department in the audience today. He's been here all week. I can tell you right now –

[Applause]

Which is good because a lot of times they're not here, not Chico, but the local law enforcement agencies they're not in the room with you. If the public gets together and says we want this to be an important topic for the Chico Police Department he'll make it an important topic for the Chico Police Department training and investigative bureau.



What's multidisciplinary mean? Well, we have a whole lot of people all coming to the table in these task forces. How about local law enforcement? So in San Jose we received a grant that was our job to kind of help put this multidisciplinary program together, coordinate things and get money to support it. We didn't have just the San Jose Police Department. We had Santa Clara County Law Enforcement involved, we had officers coming from other agencies within the county.



We were working closely with federal law enforcement, FBI and ICE came to meetings all the time [inaudible]. US Department of Labor, another key component.



Our victim's services providers. Now, in some of these models in this system, you might have one agency that did everything. Santa Clara County South Bay Coalition for Human Trafficking they're set up a little bit differently. We have several different service providers at the table providing legal counsel, providing housing, providing a variety of types of relief from victims of trafficking. So that created a big, you know, more of a partnership and collaboration issue for us because we have so many people at the table.



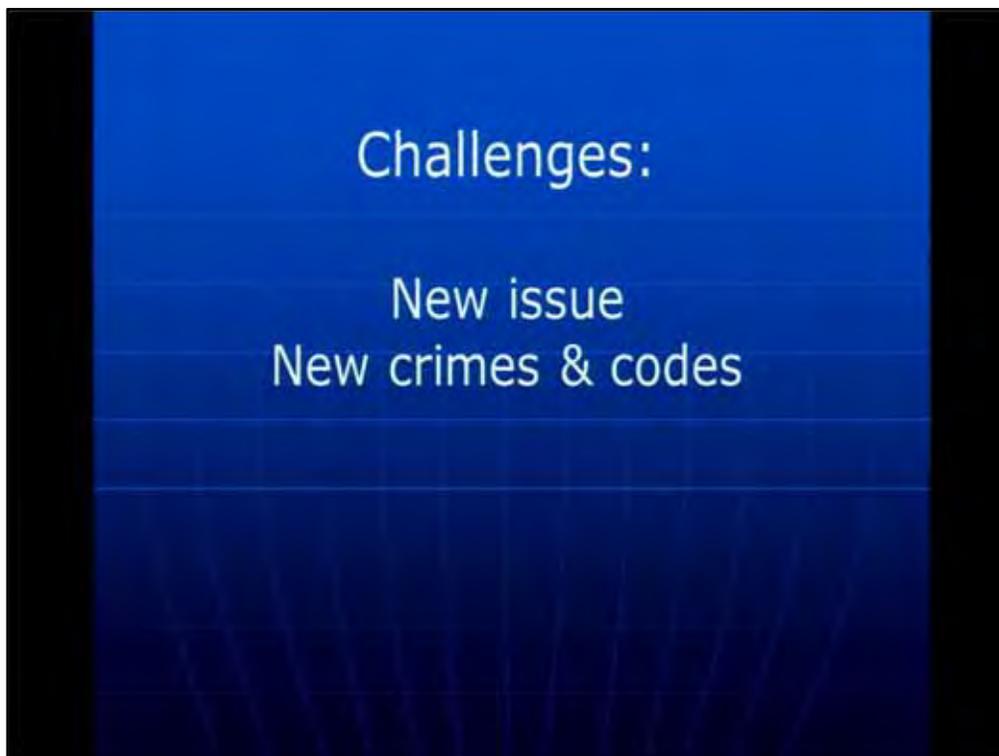
We, of course, had federal prosecutors from the US Attorney's Office. We would get a case and we'd have to say, hey, is this something better prosecuted by Santa Clara County or by US Attorney? How did they work together?



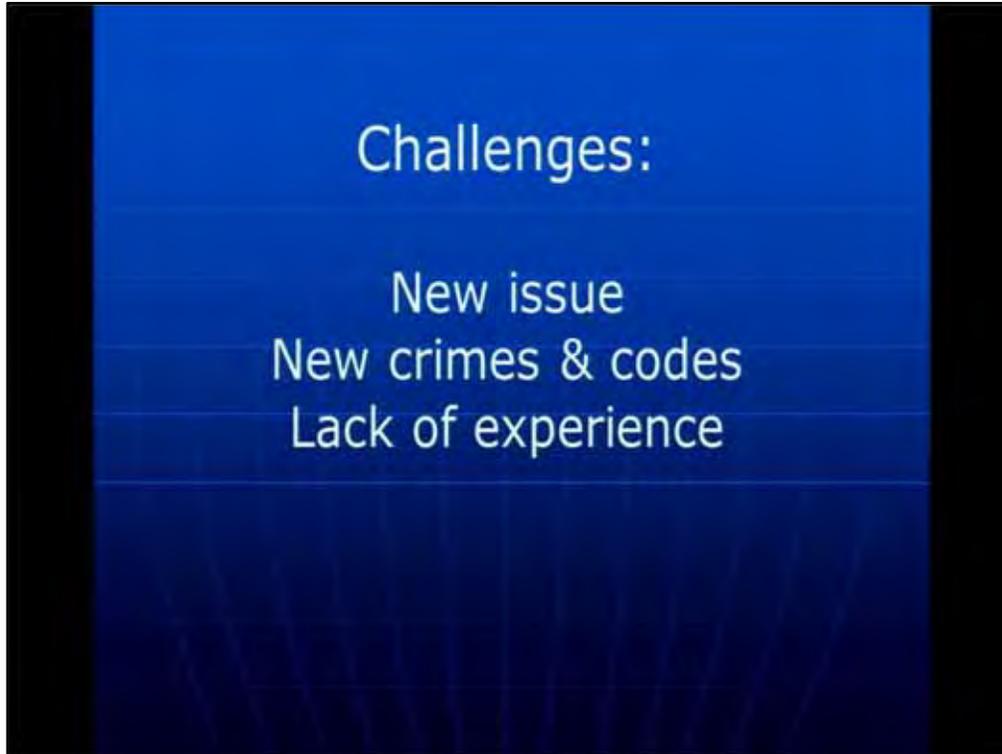
Local prosecutors. We mentioned a little bit about that. There is also one other piece of this when you talk about multidisciplinary nobody saw coming and it is a group of organizations that [inaudible].



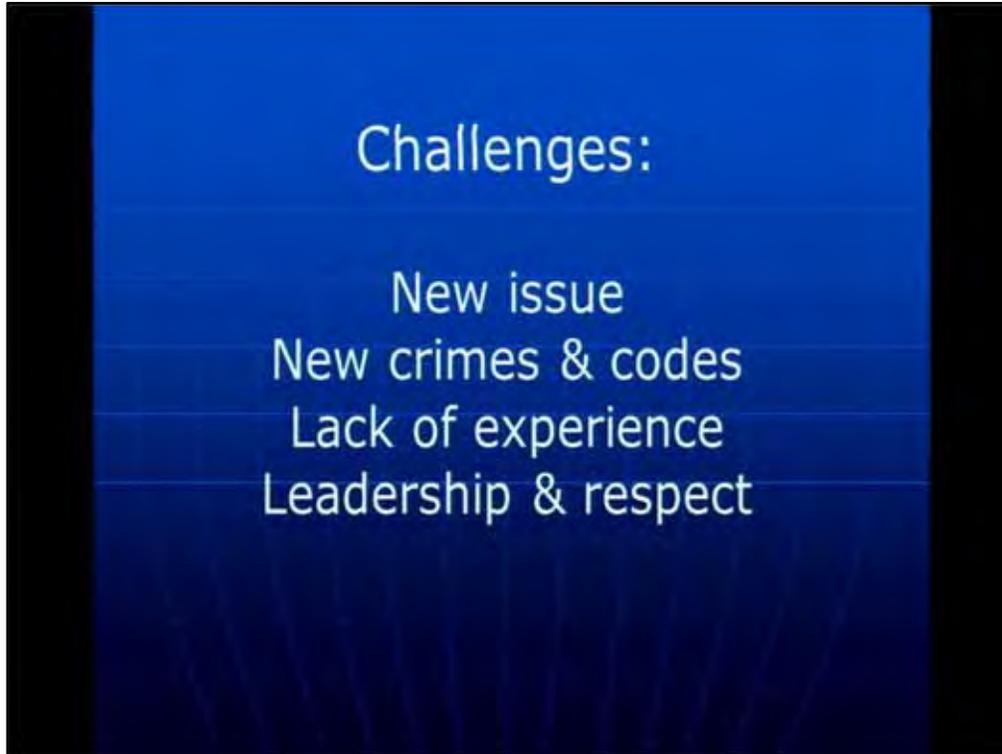
We refer to them as MANGOs, actually it's on this slide I think.



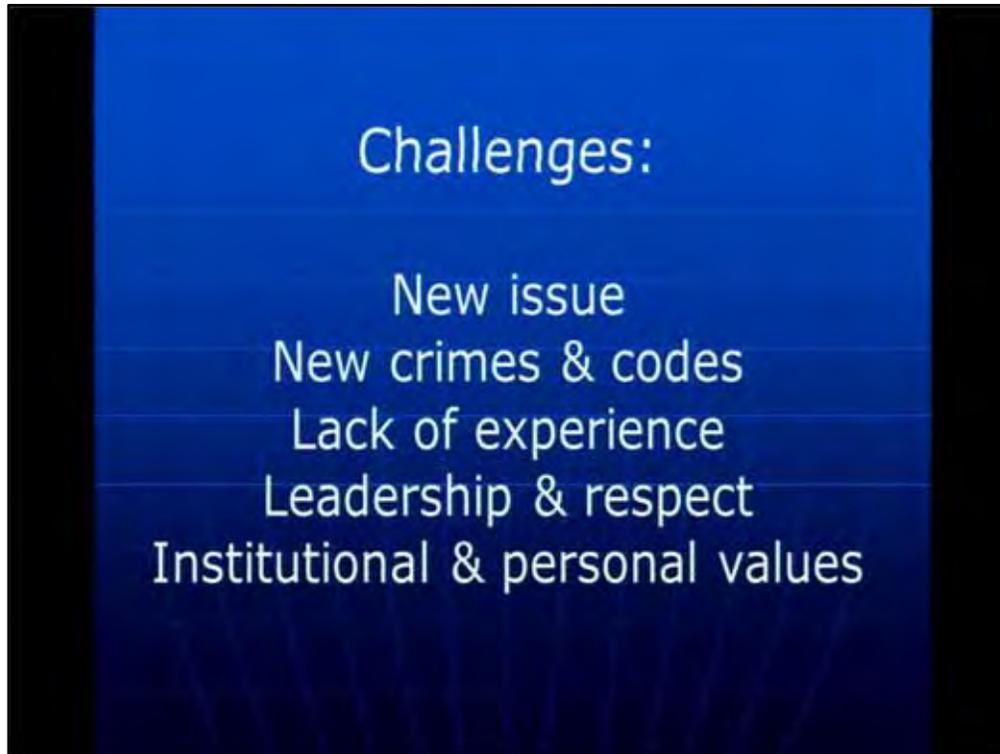
Our challenges here, let's recap, new issues, new laws, new crime.



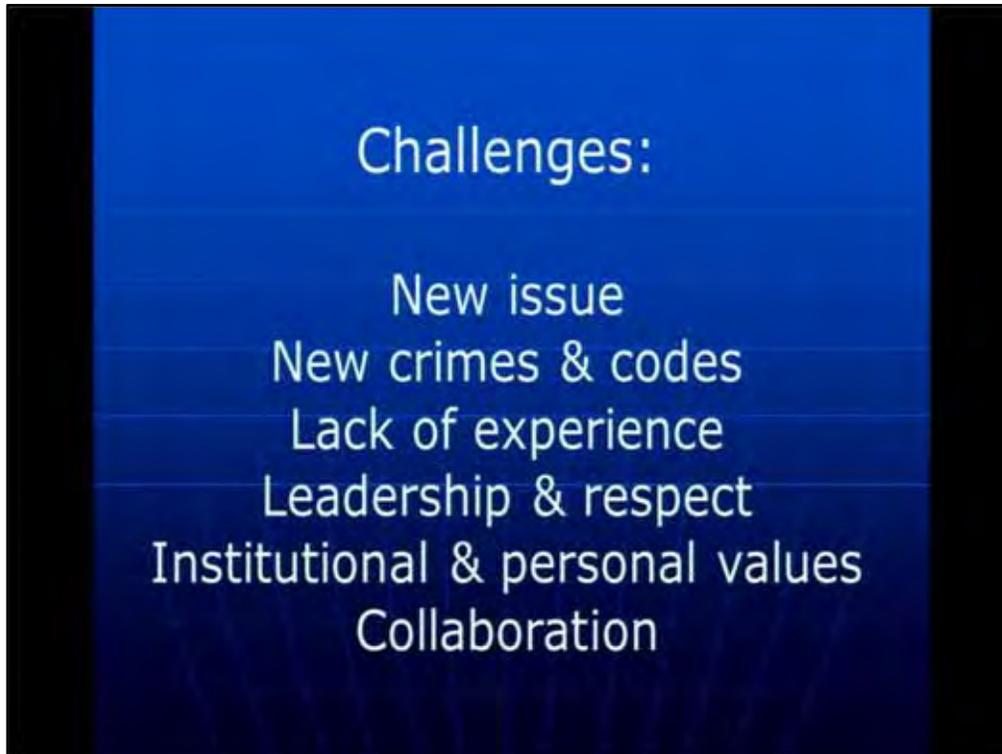
Lack of experience among investigators and prosecutors and victim service providers in meeting the needs of human trafficking victims.



Leadership and respect because let's get real there are institutional rivalries. Maybe it's the local police versus the federal, maybe it's FBI versus ICE, and that is not, we can view it as institutional but often what it really gets down to is the people sitting across the table from one another. I've got great colleagues with different agencies and I've had experiences with other colleagues from the exact same agency. That's life, right? But it's an area that we have to work on.



It touches on the institution of personal values. What you do is you take somebody and tell them you're responsible for representing our agency in this multidisciplinary collaborative environment about this thing called human trafficking and you really don't give a rip about people being enslaved. You'd rather be off investigating terrorism or you'd rather be off investigating financial crimes. If you don't have the right people in the right seats you have a lot of problems.



Collaboration touches on all of these.



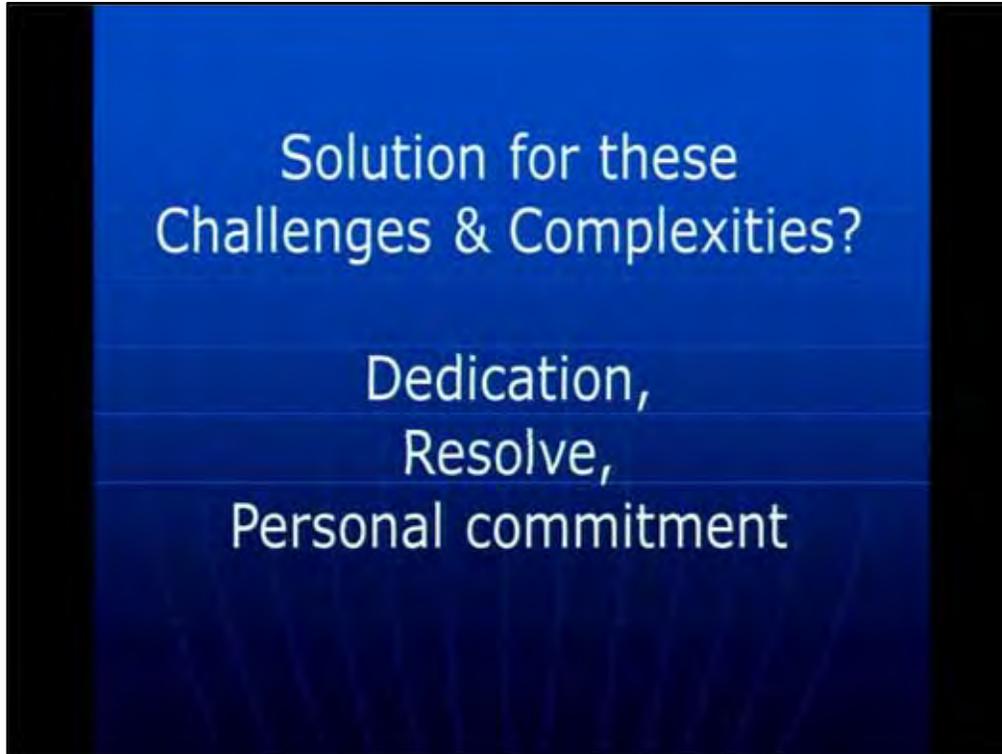
This last P let me explain what I mean by MANGOs. So we use the term NGOs for Non-governmental Organizations and usually when we use that term we're talking about service providers, but you have a group of organizations that a colleague of mine started referring to as advocacy and mobilization non-governmental organizations. These are non-profits NGOs that don't provide a direct service for victims. They don't support investigations or prosecution but are out in the communities raising awareness calling for mobilization of forces and many of these organizations are quite large, quite well funded. In her discussion, she realized that instead of calling them advocacy mobilization groups and changed it to mobilization and advocacy then you have MANGO, which spells MANGOs. [laughter] So, here's a whole other group.



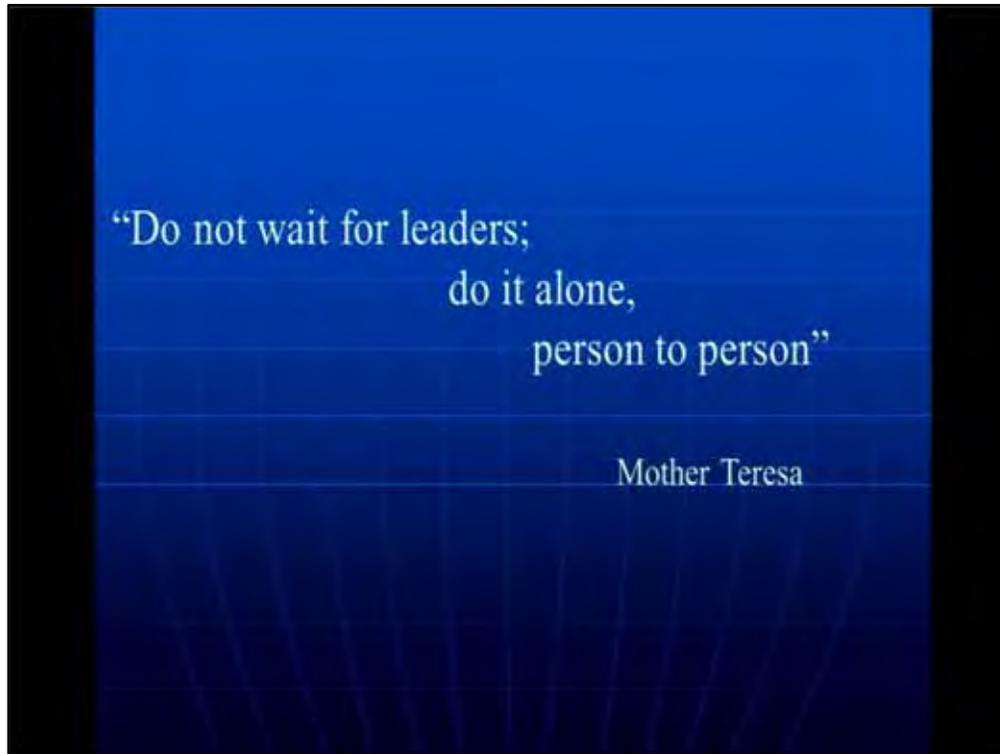
So, what I would ask you to see is the way we create a response to trafficking, it's going to take years to evolve. It's going to take a long, long time. I don't want that to sound depressing or sad because meanwhile we are rescuing people on a regular basis. We are helping victims on a regular basis and we are improving the way we investigate and prosecute offenders on a regular basis but we need dedication.



We need resolve that this is an important issue for us, it's an important issue for our community, our country and our world.



And we need to focus on personal commitment.



I love what Mother Theresa said. This really speaks to the work that is done day in and day out to address slavery throughout the world. Yes, we have these institutions involved, yes, we have these large government agencies, yes, we have a lot of funding sometimes, no funding other places, but the work is being done on a one-to-one basis. And that is what all of us can bring to this issue because our own little piece of commitment and dedication to address this issue of slavery, you know, a couple of very simple ways that maybe are applicable to maybe many of you here in the room.

At the most basic level everybody here needs to be treated with respect. I might say that all the women in here do not be lured into the sex trade, but that I would be missing a fact that young men are lured into the sex trade. Everybody here needs to remember that you all have a sense of dignity and respect. Nobody should infringe upon it. Now, primarily to the men in the room, one way we can choose to be committed is to really think about how we treat women. Ask ourselves do we need to pay for sex? Should we pay for sex? What are the rites of passage that men go through? Is that something maybe we need to step away from and advocate to our friends that they should maybe lead their lives a little differently? Two small ways of what we can do person-to-person.



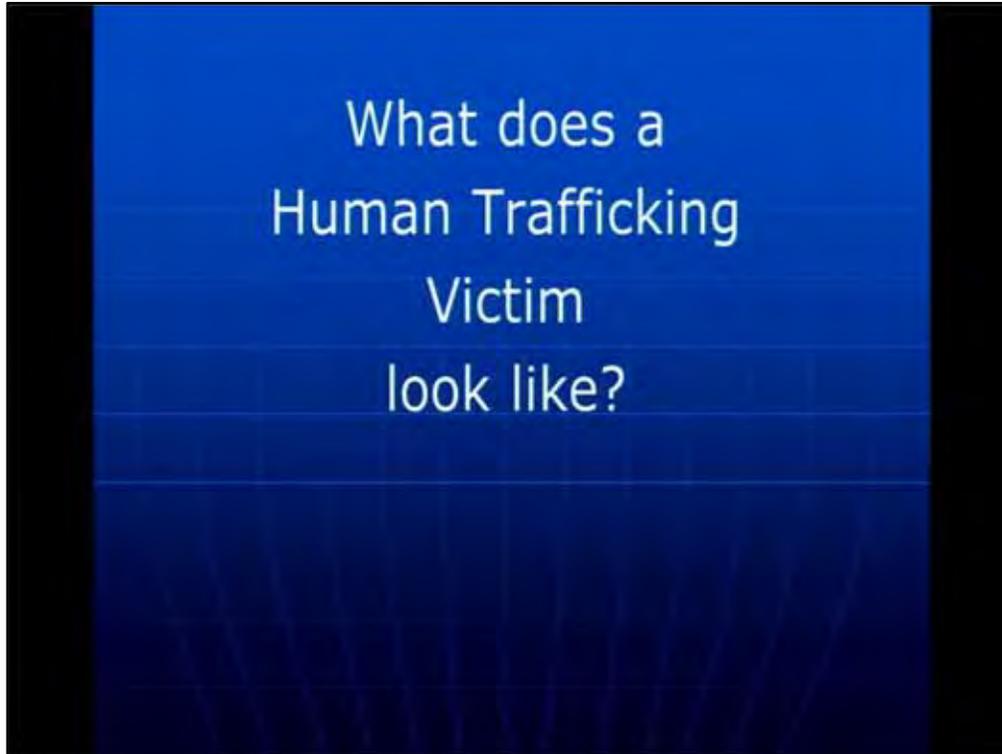
Let's drill things down to the local level here. If you are not looking for trafficking -- excuse me -- if you're not finding human trafficking is because you're not looking for human trafficking. It occurs everywhere. A couple of days ago preparing to come up here I thought you know what let me check and see what I can find on the computer for Chico. You go to backpage.com and Google or -- excuse me -- search massage Chico. Ads come up. I'll tell you right now that virtually 100% of those ads involve women who are trafficking victims. The number of women who are involved in the commercial sex trade that are not controlled by somebody else, they're not giving a portion of their money to somebody else, they are truly free agents up only working by and for themselves is about 2% of the people involved in the sex trade.

Audience Member: [inaudible].

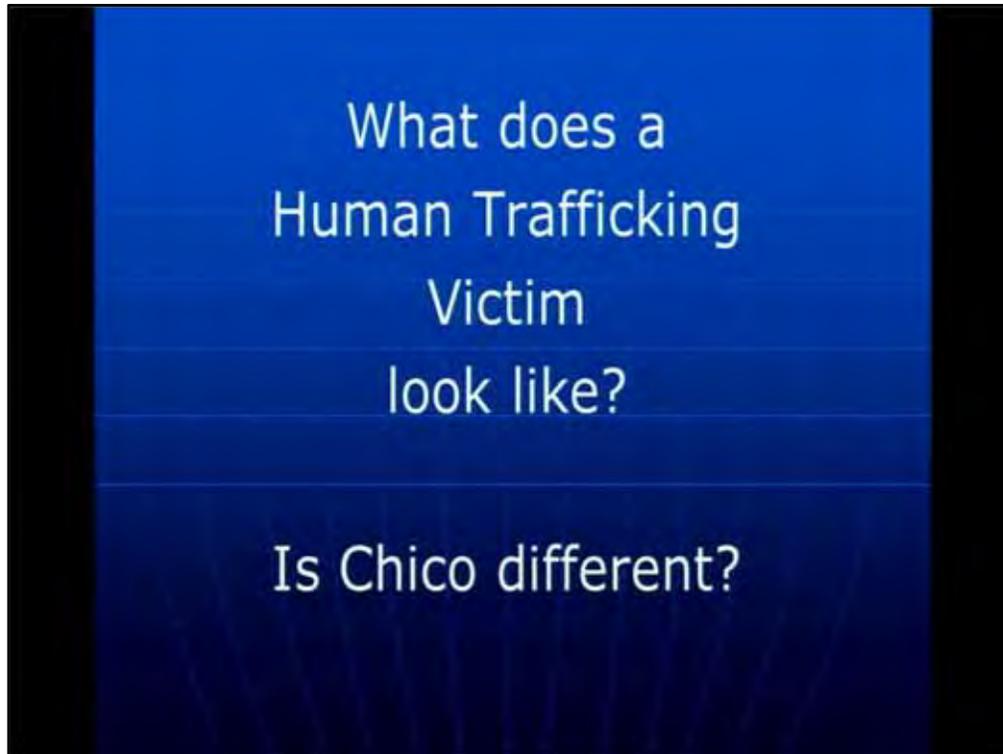
John Vanek: Many of them do. Absolutely. Many of the people [inaudible] 2%. Yes?

Audience Member: [inaudible]

John Vanek: Yes, sir. Yes, sir. The gentleman is saying that there are commercial sex workers who do advocate for their own business for their right to conduct business in that arena. Absolutely they're in that 2%. We're not talking about the 2%. We're talking about the 98%.



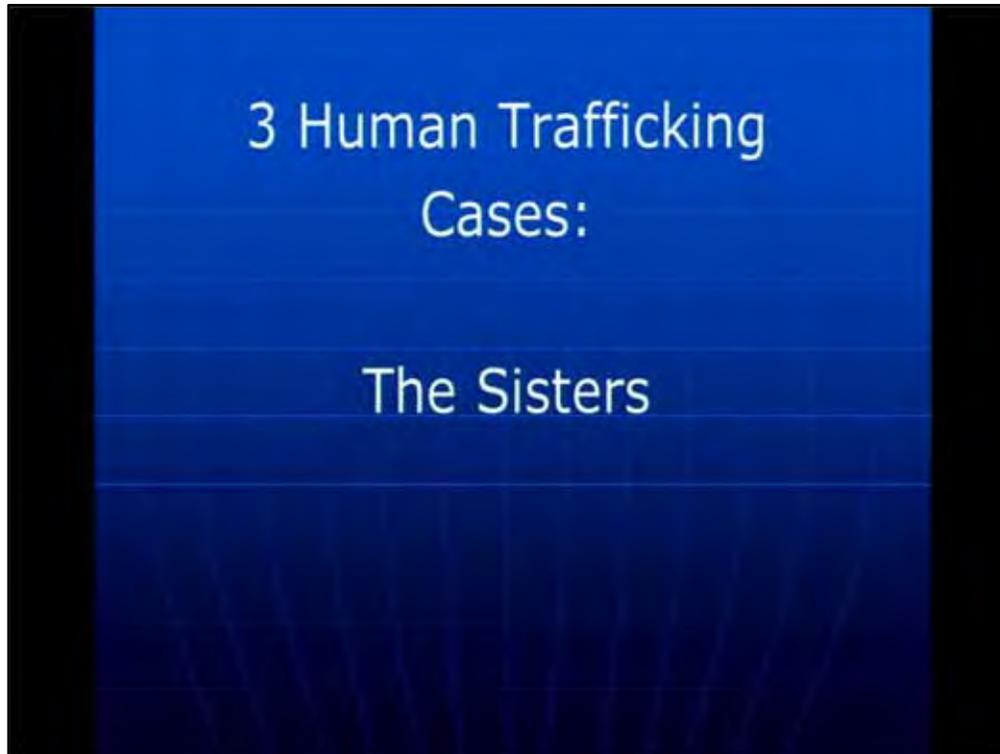
So, what does the human trafficking victims look like? Well, you know what look at your neighbor. There you go. Thank you. Some of you are listening; you're good students, right? [laughter] This is what human trafficking victims look like in Chico. Go to another city another country where maybe skin is a little different, your appearance is a little bit different, the socioeconomics of our community is different. We might look a little different, but anybody in this room has the potential to be a human trafficking victim.



Chico is no different.

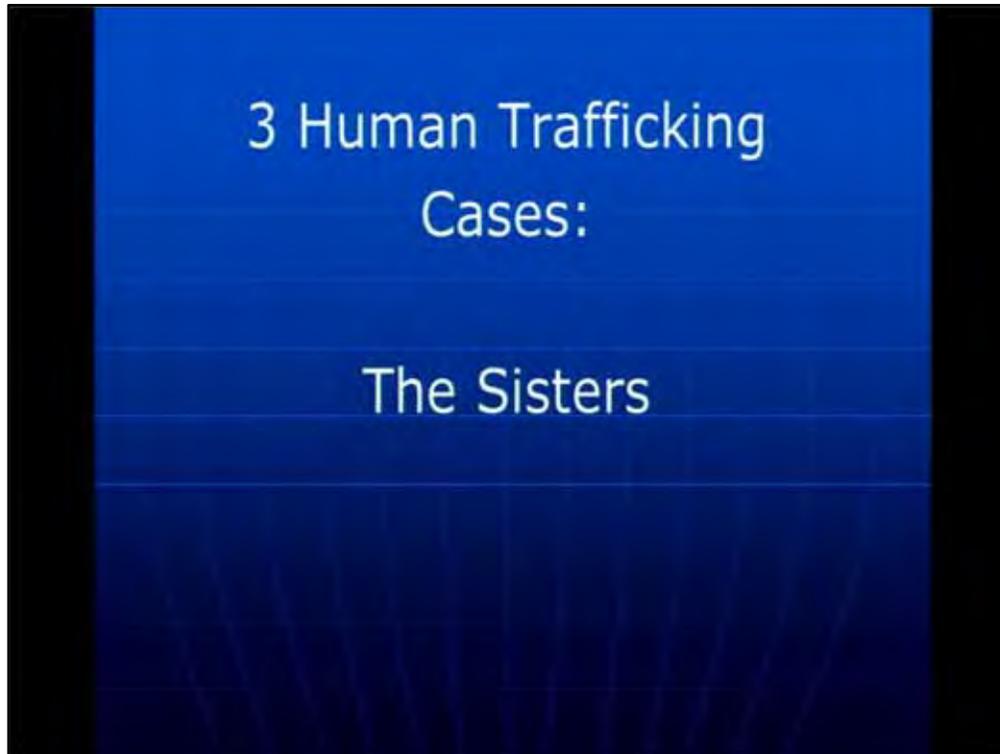


Let's talk about 3 cases here.



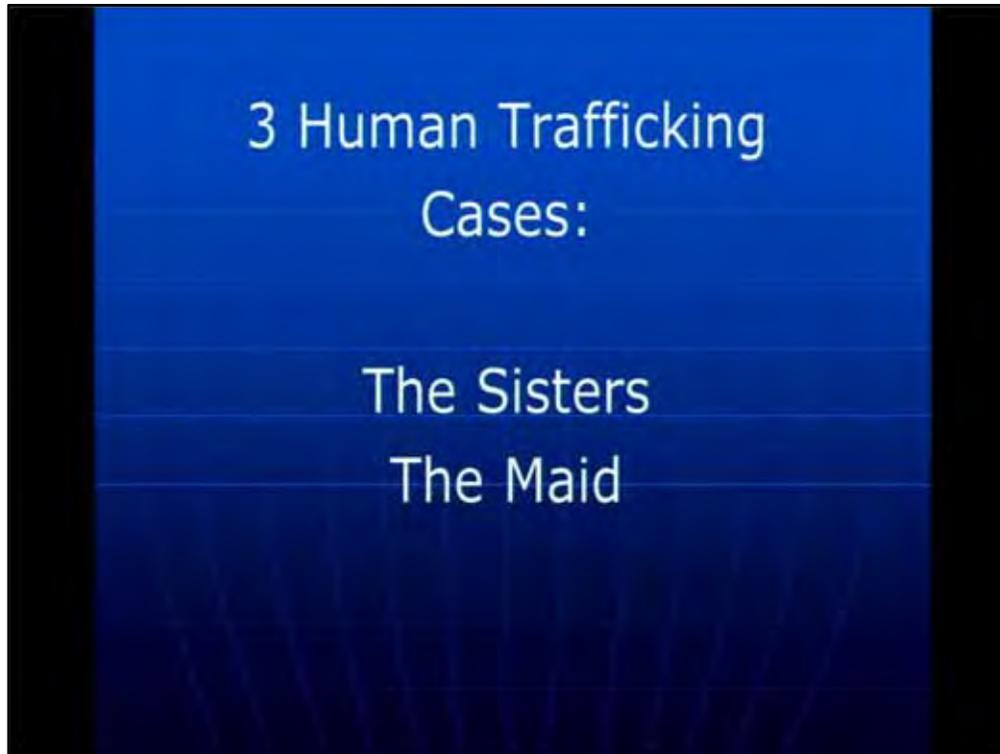
Let me first tell you about two sisters. This was a case it eventually ended up prosecuted in the County of Santa Clara. It was our first conviction on actual human trafficking charges. The penal code section, the criminal section in California that addresses human trafficking is Penal Code Section 236.1. Look it up and you'll see the definition. These two young ladies they lived in the eastern part of California and they thought it would be really cool to hang out with this guy. So they hop in a car, they take off and this guy is what we refer to as a guerrilla pimp. A guerrilla pimp is someone who ends up treating his women with a heavy hand and a lot of violence. That is their primary means of controlling women in the sex trade. The other in that is what is often referred to as the Romeo pimp. The guy who seduces somebody through love, admiration and then exploits them.

These two young ladies they went for a ride, they're partying and they're doing some things that probably, you know, some of us might think are really appropriate to be doing, but they're adults, they're not minors. Along the way the guerilla pimp becomes the pimp that starts having the two sisters sell themselves on the street. They do this in several cities throughout California. The parents of these two girls report their daughters missing. They've had no contact with their daughters. Now, one point along the way gorilla pimp #1 sells the girls for cold, hard cash to gorilla pimp #2. I ask you if you sell a human being for cold hard cash what is that? Slave trade. Thank you very much. They were treated no differently than if I were selling you my car or any other possession.



At this point they end up in Santa Clara and one of the girls is able to escape. You think at that point maybe you dial 9-11, but no, she decides to text her parents. Dad is smart enough to figure out where they are and eventually Santa Clara Police Department rescues this girl, rescues her sister and the two criminals are off and gone. They are identified, search warrants are obtained, they're tracked down, they're arrested and they are brought back to Santa Clara County. These two young ladies, which would match the demographic of most of the women in this room today, never thought they'd be victims of human trafficking. They never thought that they would be sold as property for \$300.

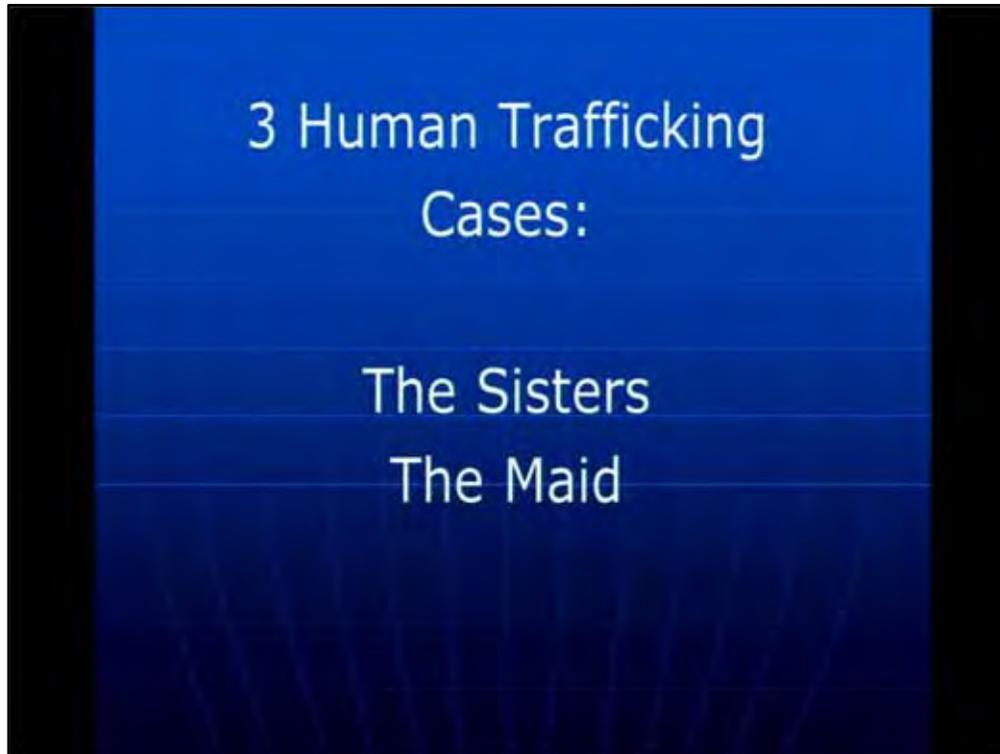
The good news is that our prosecutor, our task force prosecutor, looked at this case and said this is a case that I can clearly take to jury as a human trafficking case because while the jury might wonder why did these girls get into the car in the first place, yeah, they were partying with this guy, and yeah, they were having consensual sex with this guy, at the moment they were sold they became clearly slaves. That was a really easy point to make in court and it was for fear of going to court and conviction at the end of the jury trial that both of these gentlemen opted to take a plea on human trafficking charges. One was sentenced for 6 years, one for 3 1/2 years in state prison but it's the first criminal conviction in Santa Clara County on actual 236.1 human trafficking charges.



The first federal conviction of human trafficking in the northern district of California occurred in 2009 and the story here is a young woman living in Peru. She meets a woman via the Internet who wants her to come from Peru to Walnut Creek area and take care of her house, take care of her children. They conspire for this woman to come to the United States on a tourist visa and she's actually going to go to work. That is a violation of our immigration laws. At that point the two of them are co-conspiring to break the law together.

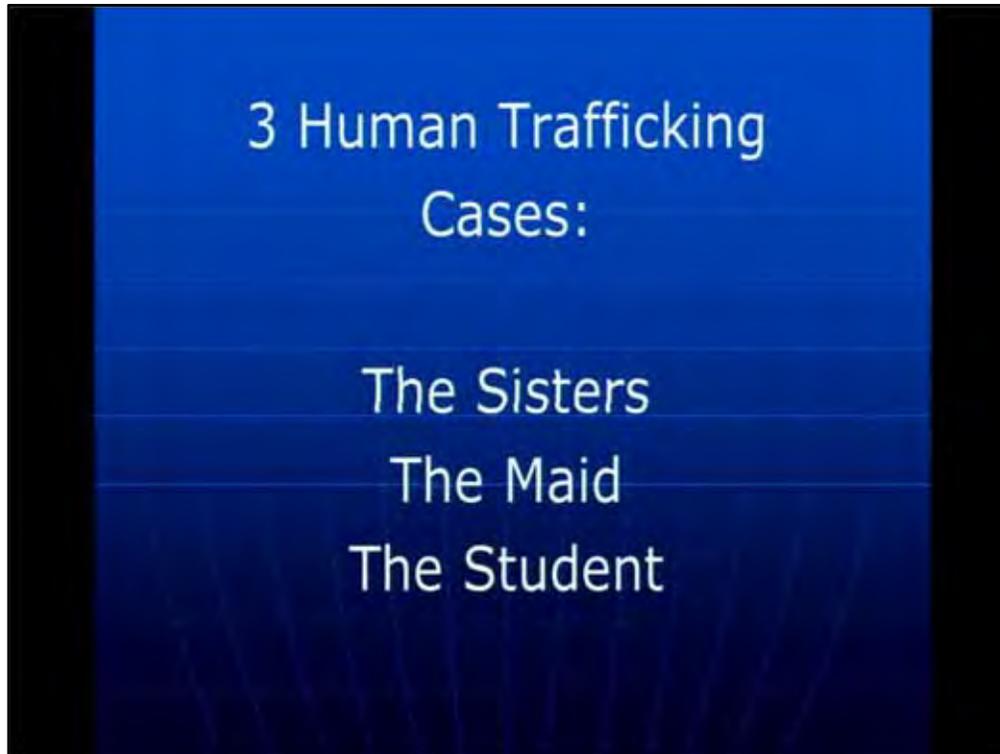
In any case, the woman comes to Walnut Creek and finds out then that the living conditions have changed. Instead of this grand house, the suspect here has separated from her husband, she's now living in a small apartment and she has these kids to take care of. She can no longer afford to pay the woman from Peru. She tells the woman from Peru she's overstayed her visa, you are now in the country illegally, if you report me, you will be arrested and then you will be deported, you will be shamed in front of your family. So the woman stays not getting paid afraid to leave taking care of the children and cleaning the house.

One of the tasks was to take the two kids to school every day. So, everyday she's walking down the street taking the kids to school. She's talking to the teachers at the school. Going back in the afternoon to pick them up. There were no chains, no locked doors to keep her as a slave. Her slavery was her state of mind, her fear of leaving. Ultimately, the maid, tells her story to some of the people at the school and they take



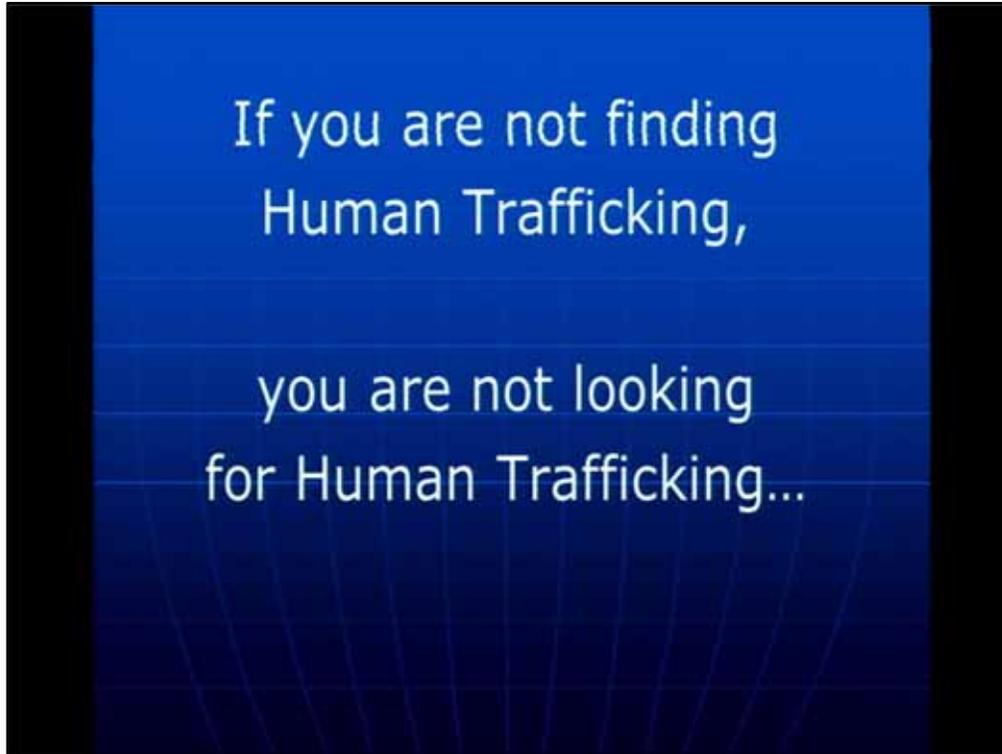
the initiative. They call [inaudible], which is an advocacy group for Latinos, they call ICE. ICE opened the investigation and in this case [inaudible], suspect ended up being convicted to federal prison for three years for having a slave.

Point being again that Miss Pena did not have bars on the doors or windows, she was not locked in, she was out and about. It's an interesting thing to note trafficking does not occur in a vacuum. The coalition to abolish slavery in trafficking in Los Angeles has been in this arena for a long, long time. It helped many victims and survivors of trafficking. Their research helped them understand that most trafficking victims come into contact with at least 9 people who could have reported them as a victim of slavery had that person know what to recognize which speaks to the importance of community awareness and outreach, training law enforcement and training other potential first responders, people in the medical field, people in schools.

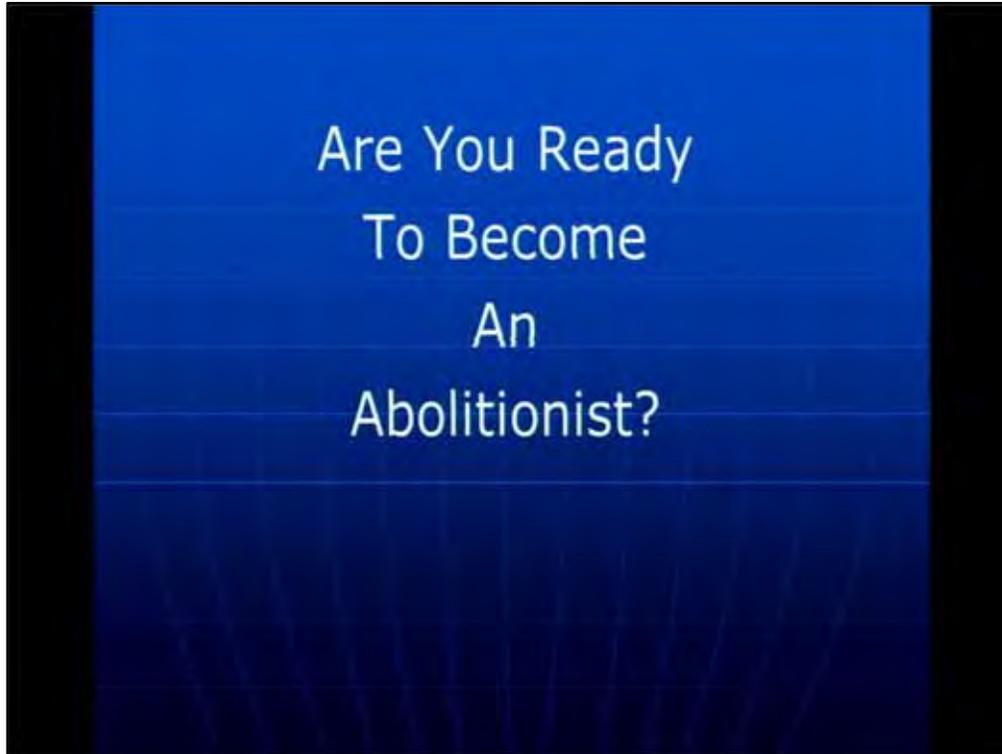


Last story. Young woman, very much like many of the women in this room today right now, attending an institution of higher education here in the State of California. Have to be a little vague because this case is still under investigation, but in this case the young lady meets a guy, they start dating. Somewhere along the way he becomes violent with her, which at that point becomes domestic violence. You don't have to be married to somebody to be a victim of domestic violence. After that he started pimping her to other students on their university campus. At that point she became a sex slave.

This case came to light when somebody saw the domestic violence and reported it to police and the police discovered it, it was referred to the domestic violence unit and they looked at it and when they heard her story, they realized she was also a victim of human trafficking. I could take both of these people and put them in this room they would look just like everybody else here. You could not pick them out of a crowd. So what we need to take from that is that we can be touched in this way, our friends could be touched this way. Trafficking occurs everywhere.



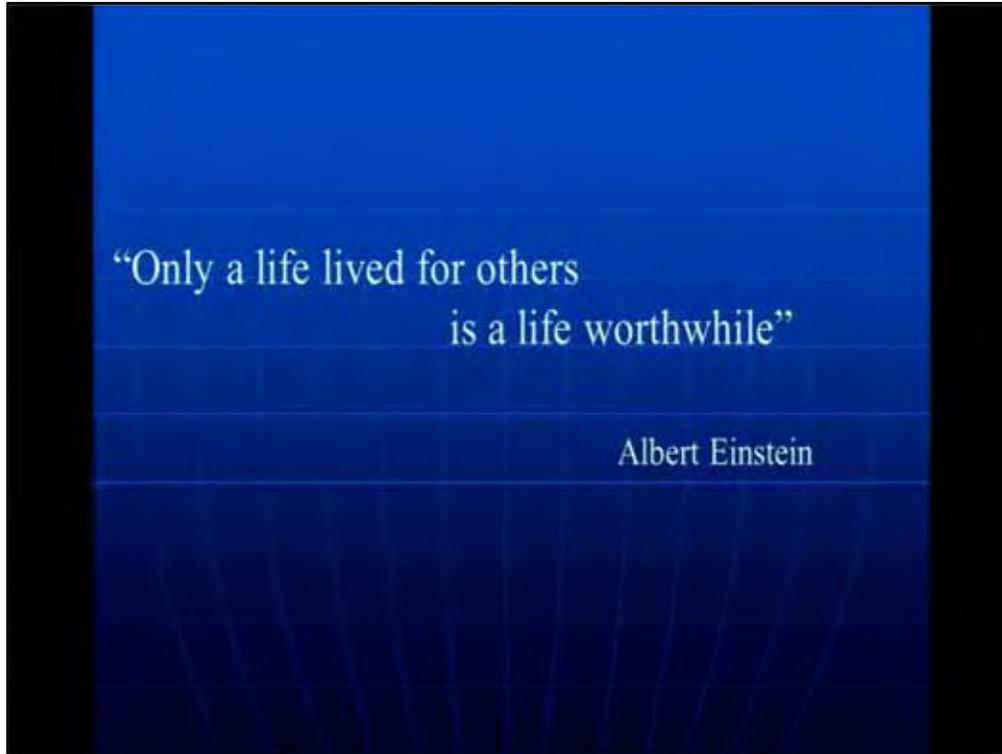
If you're not finding it, it's because you're not looking for it or not you're aware of it.



So my question to then, one, are you ready to be an abolitionist? That doesn't mean you have to make it your career. It doesn't ask a whole lot of you. It asks are you ready to do the little things in your life that will impact slavery? Be treated correctly. Don't treat others poorly and do a little bit of research into where your goods and services come from. It's not that difficult to figure out where the cotton is coming from that's in your clothing. Some jean manufacturers source their cotton better than others. What chocolate bars are you buying? It's not difficult to find out which chocolate companies source their chocolate a little bit better. It's about thinking of yourself as being a piece of our global community and working towards a better world.



Three things you could do today. One, is to put the human trafficking hotline in your cell phone so if you ever need help or you suspect somebody else needs help for potential trafficking, you know who call. They're open 24 hours a day, 365 days a year. Read a book. Three of my favorites Not For Sale by David Batstone; The Slave Next Door by Kevin Bales; A Crime So Monstrous by Ben Skinner. Three excellent books. The last thing you can do, you know, just to help you feel good subscribe to my blog. Okay? You know I just try to impart my view of different aspects of trafficking and there's [inaudible] trafficking. I think I've built a little piece that isn't easily available. So, you know what just check it out. I'll give you the address in just a second.



I'll leave you with this. We're not working to make life better for the slaves in the world. What sort of world does that say we're willing to live in? It's something to think about. Thank you very much for your time. I hope that the last 40 minutes or so I've been able to change the way you view slavery and I'm more than happy to take your questions or comments.



[Applause]

Audience Member: [Inaudible]

John Vanek: So how do we come back to indentured servitude?

Audience Member: [Inaudible]

John Vanek: That's a great question. So, the gentleman is asking, is describing a situation a few decades ago here. A pillar of this community having indentured servant in the home taking care of their home and they were successful, a lot of money, and your question is who is going to go after the pillar of our community? Law enforcement will and they are. Great photographs just hit the web late last week. Do a search New York a woman who has a 30,000 square foot mansion in New York was found to have her house slave from India who has been unpaid for over two years. She was indicted in federal court after I believe it was an FBI investigation. Two doctors, husband and wife in Michigan several years ago by the name of Klineman [phonetic] were found to have a domestic servant in their home. This young lady had come from the Philippines when she was 17 years old. She had been a domestic slave for 18 years; more than half her life had been spent cleaning the home and raising the children of these two doctors. Both husband and wife went to federal prison for 5 years.



When we look at these types of situations, there's always a nexus between the oppressors and the oppressed and it's generally culture, language, nationality and an idea that there's a cast that allows me to be the oppressor and that means that there's someone in the other cast that says my role here is to be the oppressed and not realize that we don't do business that way in the United States. So, that is an example of why you want to call the human trafficking hotline. Say you know what I got this neighbor down the street I think they have a slave living there. The hotline works very closely with the task forces and the task force system eventually reached a maximum of 42 task forces. It's dropping down but still has its network throughout the country. The hotline calls the task force like San Jose and says, hey, here's a lead on a case. We'll go out and we'll investigate that case because nobody is above the law. Yes?

Audience Member: [Inaudible]

John Vanek: You bet. So the question is do I think the penalties addressing the human trafficking are [inaudible] the example being given that if you were a slave and if you were a slave for 10 years and there's 10 years of your life that you lost and if you were forced to sleep with one man or hundreds of men over those 10 years or forced to clean floors at the point you're liberated should somebody go to jail for only 3 or 5 years? Because California law if you are an adult the standards for human trafficking are 3, 4 or 6 years. The thing you need to understand about the way crimes are



charged is that there is a bit of a process when a new crime is prosecuted. For instance, the Klineman family even though it's very sad, yes, the suspects go to jail for 3 years where this woman spent 18 years of her life as a slave. But we're seeing greater sentences as more and more cases have been prosecuted.

It's also important to understand that usually there's not just the single crime of human trafficking. There are other types of crimes. So, if you were forced in the sex trade and we prosecute this as forced sex trade, [inaudible] we can charge burglary, we can charge extortion, there's a wide variety of things you can charge that person with and the sentencing is going to be much higher. There's not going to be that minimum standard. My feeling is the law right now though is that, and again, the laws vary from state to state. That is not the thing that is preventing cops from finding more victims or properly investigating or prosecuting the cases we are trying. It's the awareness and training that we need to work on and educating prosecutors and giving them the resources they need to understand how they can go before the public and understand what trafficking is and prosecute that case very aggressively. Yes?

Audience Member: [Inaudible]

John Vanek: So the question is what about mail-order-brides? Is that something that can be trafficking and is investigated? Yes, it is. I actually investigated a case describe as a mail-order-bride. Let's come back to a working definition of trafficking so you



understand it. Under the Trafficking Victims Protection Act trafficking is defined as obtaining a person and then through force, [inaudible] or coercion obtaining services for sexual exploitation. Now under that federal definition if I was to investigate a new case of someone coming over from another country and marrying someone the question I have to ask is first of all is there labor for service? Okay, if I were to ask you to be my wife and bought you from wherever and you're cooking dinner for me, there's the labor. The question becomes then is there force and coercion that they force them to use to stay in this relationship? That force could be physically beat you up. That fraud, we would describe fraud if I took your passport. It could be coercion if I tell you, look, if you leave me you're going to get arrested and deported and you don't want that to happen, that's coercion. So, yes, absolutely, bride selling can be human trafficking and it falls again on the ability for prosecutors to understand how we find that coercion and how we present it.

Audience Member: [Inaudible]

John Vanek: Yes.

Audience Member: [Inaudible]

John Vanek: Yes, sir. So this gentleman brings up the PACE initiative which is sponsored by [inaudible] against slavery and I'm pretty familiar with their initiative.



Where it is right now is they're collecting signatures and trying to put it on the ballot. It's actually their second or third attempt to put it on the ballot. Frankly, I think they're taking the sledge hammer to a situation where we just need some screw drivers to fix this. The main thing that it does that will cause potential problems is that it will take a tremendous amount of discretion out of the prosecutor's hands. If I'm a prosecutor and I look at the totality of this case and I think that you know what here's real world folks. Real world is that if I tell someone, look, dude, you're going to jail for 15 years that guy is going to fight. When I go to a jury, the jury might look at him and say wait a minute. The guy does nothing wrong. It's not worth 15 years. Maybe it's worth 5 or 6 or 7. The law takes the ability away from the prosecutor to say you know what if you go to trial I'm going to be asking for 15. That is the way criminal prosecution works in every type of crime and that ability is taken out of the hands of the prosecutors. In cutting deals, that's how we would say it, cut them a deal, but you know what I don't want that to sound as if we're letting them off. That's the reality of the situation.

I have tremendous respect for the founder and executive director. I have tremendous respect for all their staff, but the reason we are not, the reason we are not seeing more prosecutions and convictions on the existing 236.1 has nothing to do with the sentencing scandals. It has to do with prosecutors being unfamiliar with the law, unfamiliar with the subject and many of them not willing at this point to take those cases before a jury as human trafficking. What most of them are doing, so if I say



that, I don't want you to think the cases are not being prosecuted. What most of the good prosecutors in the state are doing are saying you know what I'm not going to charge the 236.1, I'm going to charge forced labor. I'm going to charge pimping and pandering of a minor. I'm going to charge burglary. Why do you think burglary? When you think of breaking through a door. Burglary is defined as entering a house or a dwelling with the intent to commit a felony. Pimping a minor is a felony, which means I can use burglary, I can charge them with extortion. There are prosecutors who want to add an element of a gang enhancement to the penal code section. That would be very effective. So, people are not getting off right now because the sentencing standards under 236.1 are seen to be on the lower side. Another problem with the existing law, which I do believe should be fixed is a probation eligible crime. So, at the end of the day a judge could say you know what I could sentence you to 5 years in state prison but you know what I'm just going to give you probation. Now, you have a slave, you should go to jail; do not be granted probation. I gave more than I needed on that [inaudible]. [laughter] Yes?

Audience Member: [Inaudible]

John Vanek: Is there a statute of limitations on trafficking? Very good question and the answer, one, I'm not an attorney, okay, all right, a better answer is, no, there is not for a couple of reasons. First off we have to look at if we're going to, statute of limitations first off only refers to the prosecution of the criminal case. As a victim of



trafficking, we have assisted numerous victims of trafficking who were what we refer to as historical victims. We find out about the situation, we realize that trafficking was occurring sometime in the past. You believe their story and there's no way you're ever going to be able to investigate the case. They still receive all rights and reliefs as a trafficking victim. The prosecution typically in California it's going to be 7 years, which our law only dates back to 2006. So, we can't prosecute for something that happened prior to the law but we can help the victims. So, federally we have up until, we can go back to 2000 depending on the underlying crimes. So, that is not an issue we're running into yet that we are past the [inaudible]. Yes?

Audience Member: [Inaudible]

John Vanek: Excellent. There's a case more complicated when ICE is involved. It depends what ICE we're working on. ICE has two components. One side says they're deportation and removal and the other side is now referred to as HSI, which is Homeland Security Investigation. Their investigators investigate victims of crimes. So, typically task forces are working with the HSI investigators and I've got great relationships with ICE agents in the San Jose area and other parts of the state because they get this. ICE gets a bad rap because ICE is painted as this institution that doesn't get human trafficking or that they only deport and remove people. When we need their assistance, they are right on.



So, what it really gets down to is which ICE agency am I talking to just as it is important to ask whom am I working with at the FBI and who am I working with within the San Jose Police Department if it's my own agency? Or the Santa Clara Police Department right next door or the Chico Police Department here. If I call up Chico and say, hey, you know, what I need help on trafficking investigation and someone says, hey, we don't handle that, we don't care, you're on your own, it doesn't help me out, but now I've got a business partner [inaudible] so. [laughter]

Then lastly you asked me about the [inaudible]. So under the Trafficking Victims Protection Act we created a device that's called a T visa. It's a special type of visa for trafficking victims. There's another visa that we also use for victims of violent crime that's sometimes is easier and more applicable, but in this case the victim received the T visa and she is now here in the country. She is legally here and, in fact, she could have the possibility of becoming a US Citizen should she receive that. So, with a victim who was foreign, foreign national victim and if they are in the country on a legal visa, ICE is a critical component so you cannot do this work without them. None of us have the ability to address this issue without the other players. We could spend the whole afternoon talking about collaboration. Any other questions? Yes?

Audience Member: [Inaudible]

John Vanek: Okay, so how much time do we spend working with the victim's services agencies and then you asked especially if they are foreign born. Foreign born,



domestic doesn't matter, okay, the question is how closely are we working with the service providers and I can tell you in our case it's exceptionally close. In the San Jose area, South Bay, we have wonderful, wonderful relationships because just by virtue of luck I would say a lot of passionate people all came to the table and remained at the table showing that dedication, commitment, and resolve. On sort of a day-to-day basis the way it works is if we had to identify a victim, we'd call up our contact with our service providers and since we work actually with a variety we have [inaudible] point of contact and call that individual and say, hey, here's a person who needs this sort of help, we believe they are a trafficking victim. Are they a US citizen? No, they're not. They're foreign born, they're here legally, they're here without documentation whatever, they say great and come and get them and away they go.

If they need immigration assistance, we have a staff attorney who is an expert on immigration law and the T visa we work very closely with. That individual is with the community law center, which is a part of University of Santa Clara. They actually find the majority of our trafficking victims. More often than not we're getting a phone call from them, hey, somebody came in looking for immigration assistance and we screened them for a variety of situations and one of the things they specifically screened them for showed up. They say, hey, this person appears to be [inaudible]. We set up an interview, investigator goes over and sits down and talks with them and walks out and at the end of that time they're like, ah, yeah, this person was a victim and there's no case for us to prosecute but we're going to sign a piece of paper that says we will either [inaudible] this paper assists in getting T Visa or continued



presence or stay in the country legally while it's being addressed. Or we say hey you know what we need to start investigating this case. Maybe we'll do it, maybe the FBI, maybe ICE, maybe the roundtable can figure it out. So, really it depends [inaudible]. I should tell you a lot of this happens in the background in our collective in San Jose since 2003 we have identified and rescued right now about 200 victims. Yes, ma'am?

Audience member: Two questions. When you say we have discovered that, yes, they are a victim of human trafficking but we can't prosecute there's no case for it, I don't understand that. And then also would you say that most of the traffickers are working individually or there's a huge network underground.

John Vanek: Very good question. Okay, so first example of the question is it's not clear when I say we find the victim and there's no case to prosecute. So, let me give you a case that we had in San Jose. A young woman comes in to the community law center and says I'm here from Mexico, I've been here for about four years, I've never had any papers, came across the border, but I want to see if there's a way that I can be given some immigration assistance. So she is screened and we get a phone call from the attorney, hey, this woman was a victim of trafficking, she was brought across the US/Mexican border in the stereotypical way [inaudible] brought her across but then she was placed in a brothel. She worked in that brothel and eventually she was able to leave the brothel. She got pregnant. Pregnant women aren't very marketable in brothels. Had the baby, and was looking for some immigration [inaudible].



At this point I believe the child was 3 or 4 years old. The location of the brothel was shut down, you know, she knew the guy was gone, right? There's no place for us to go and investigate, but you talk to enough people who are victims of a crime you can tell if they're being honest with you or not. We have ways to try and verify their stories. That's what victim centered is. It's like as a cop I don't go in there and say, hey, it's not my problem, there's nothing to investigate here. I say, no, speak to the victim first. Do I believe this woman was a victim of human trafficking? If I believe she was, it is my responsibility to say, yeah, to stand up for her and all that means for me at that point is I signed a piece of paper for the feds saying I've interviewed this woman and I believe she's a victim of human trafficking and I give that back to the attorney and now the attorney can use that and simplify it a little bit in the process for her trying to get a T visa as a victim of trafficking for this woman. Understand like this woman the maid. She conspired, well, one point in time she is just as much a criminal as the woman who brought her into the country. The way we've created the laws once you've become a victim of trafficking, we forgive that immigration of violations and treat you as a victim of violent crime.

Sorry, your second question was? Oh, yes. That's a really great question. We're really trying to sort it out. All these things are contextual. You have to look at the context of where you are. If we go to parts of Europe, we go to parts of Asia, parts of the United States, yes, there can be a real threat of what we review as organized crime. Big gangs, multi-national, transnational crime, but just last year in Oceanside, which is



down near Carlsbad, 28, 29 guys were indicted in US court for operating a human trafficking sex trafficking ring. These guys were all older or current members of the Crips and what do we view the Crips as? A street gang primarily involved in the cocaine traffic and trade. That's a very, very violent background.

I'll leave you with this thought because I think I'm running out of time. The Crips like many criminal organizations like many individual criminals realize that the sex trade is high profit, low cost and low risk. Low violence. You want to talk about a business model change for the Crips. They recruited these women about 30 women who were minors. The women were recruited via Facebook, Twitter and other social media. They actually worked out a deal with the owner of a Travel Lodge Hotel. The owner and his son, in fact they were Indian descent, they were also indicted. So, essentially you've got like this group of young Black women all tied to the Crips and these two guys who were in the hotel because they were being paid extra to not report the prostitution that was going on in their hotel, but by going into the second trade you don't have to worry about how do I get my cocaine? How much do I pay for my cocaine? How do I lock up my cocaine? Who do I get to sell it on the street and fight over it? There's a limited amount of cocaine. All right? There's a whole lot more women on the street than there are sources of cocaine.

So, I don't think we can say majority of traffickers are tied into some type of gang or not. How do you, you know, I think there's a difference also if one pimp has one or



two or three women working on the street corner. He is a trafficker just as the doctor or the dentist or the person in the 30,000 square foot mansion has a slave. It speaks to the complexity. So, with that we're going to take a break. Thank you for your time. You had great questions. I hope I've been able to help you out a little bit today. Thank you for your time and effort.