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A Comprehensive Approach to Combating Human Trafficking in San Francisco

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Table of Contents

Executive Summary	1
Introduction: Anti-trafficking efforts stem from massage parlor raids	2
Scope of human trafficking in San Francisco difficult to ascertain	3
Current anti-trafficking efforts face limitations, challenges	5
Limitations, challenges of general efforts to combat human trafficking	6
Limitations, challenges in San Francisco	6
Opportune time to expand anti-trafficking efforts	7
City of San Francisco should broaden approach to combat trafficking	8
Recommendation: Train staff to recognize and respond to trafficking	8
Recommendation: Publicly report trafficking-related data	9
Recommendation: Launch anti-trafficking public education campaign	10
Informational advertisements	10
“Human billboards”	11
Media coverage	12
Recommendation: Pursue more aggressive prosecution of traffickers	12
Recommendation: Provide safe place, housing for trafficking victims	13
Safe Place Alternative (SPA)	13
Safe housing	13
Modify massage parlor inspections, oversight to increase effectiveness	14
Increase Public Health inspections	14
Increase undercover police operations	15
Remind inspectors that massage workers maybe victims, include more women on Task Force .	15
Develop response to new state law changing licensing requirements	16
Conclusion: Collaboration, consistent effort needed	16
Appendix A: Cases of human trafficking	18
Appendix B: State, federal trafficking victims protection acts	19
Appendix C: Estimating the number of trafficking victims	20
Appendix D: Victim demographics	23
Appendix E: Sex trafficking and prostitution	25
Appendix F: City of San Francisco departments with role related to trafficking	26
Appendix G: Massage establishment data	27
Appendix H: San Francisco Police Department arrests	28
Appendix I: San Francisco minimum wage bus advertisement	29
Appendix J: San Francisco labor law bus shelter advertisement	30
Appendix K: City of Atlanta “Dear John” poster	31

Appendix L: San Jose Police Department anti-trafficking poster	32
Appendix M: U.S. Department of Health and Human Services anti-trafficking poster	33
Appendix N: San Jose Police Department anti-trafficking logo.....	34
Appendix O: Alameda County Human Exploitation and Trafficking data	35
Appendix P: Selected California penal codes pertaining to human trafficking.....	36
Appendix Q: Contacts.....	40
Appendix R: Works consulted	41
Appendix S: Interviews	45
Appendix T: Other data sources	47

Executive Summary

For the past five years, the City of San Francisco has aggressively targeted local massage parlors that illegally operate as brothels. It has established tighter restrictions on when and where such facilities can operate and increased the number unannounced visits by law enforcement and City inspectors. In the years since, the City has closed dozens of massage parlor for various illegal activities.

The impetus for the City's efforts came during Mayor Gavin Newsom's second year in office when federal and local law enforcement broke up a massive sex trafficking ring that operated out of several cities including San Francisco. The 2005 investigation, dubbed "Operating Gilded Cage," found 100 women performing commercial sex acts at 10 local massage parlors. Some of the women, who had been brought into the United States illegally, had been lured to the country on the false promise of jobs as waitresses and hostesses.

These women were victims of human trafficking, or the recruitment of a person by force or coercion for the purposes of exploitation. Human trafficking, a crime under both federal and state laws, was first made illegal in the United States with the abolition of slavery in 1865. Yet thousands of individuals are still held captive and forced to labor against their will in this country. The exact number of individuals currently trafficked in San Francisco is unknown, but local non-governmental organizations report serving hundreds of individuals who have been trafficked at some point in their lives.

Earlier this year, the City of San Francisco sponsored a forum on human trafficking and joined with non-governmental organizations to form the San Francisco Collaborative Against Human Trafficking, the first local partnership of its kind. The City's leadership in the group has prompted the City to seek additional ways in which to prevent and reduce trafficking locally.

The City of San Francisco's early efforts have primarily focused on preventing sex trafficking, such as that experienced by the women rescued from the local massage parlors. As the City moves forward, it should consider broadening its approach to target other forms of trafficking, educate the public and aid victims in their recovery. Given the City's \$522 million budget deficit, the City is limited in its ability to direct significant resources to the issue. This analysis offers five main recommendations that can be implemented at low-cost or with possible federal or state funding.

The City of San Francisco should establish a more comprehensive approach to trafficking by:

- **Expanding staff training.** Train police officers and individuals who may interact with trafficking victims – such as public health workers, restaurant inspectors and labor investigators – to identify and respond to signs of trafficking.

- **Broadening dissemination of trafficking-related data.** Publish human trafficking and pimping/pandering arrests in the Police Department’s CompStat report and publish human trafficking and pimping/pandering prosecutions and convictions on the District Attorney’s Web site. Regularly report statistics on massage parlor violations to the Mayor and Board of Supervisors.
- **Engaging the public as information sources.** Establish an ongoing public education campaign that encourages citizens to recognize and report possible cases of trafficking.
- **Creating deterrence.** Pursue a more aggressive approach to prosecuting traffickers.
- **Expanding victim services.** Work with local non-governmental organizations to fulfill victim needs that are currently unmet, such as housing.

Although this analysis is primarily concerned with *new* actions the City of San Francisco can take to broaden its anti-trafficking efforts, it also includes recommendations for modifying the City’s efforts to oversee massage parlors to better locate and rescue trafficking victims.

Introduction: Anti-trafficking efforts stem from massage parlor raids

Kings Massage in San Francisco paid to have two Korean women smuggled into the United States and transported to the Jessie Street massage parlor. For four months, the massage parlor forced the women to work as prostitutes, collecting and controlling all of the money they received, until the costs of their travel were paid in full.

The San Francisco massage parlor was one of 10 raided at the end of a nine-month federal and local law enforcement investigation into sex trafficking. Nearly 100 women were found to have been engaging in commercial sex as part of a sex trafficking ring. In a 2005 statement announcing charges filed against two men associated with Kings Massage, a U.S. assistant attorney general called the crime of human trafficking “repugnant and morally reprehensible.”

“That this kind of conduct occurs in the 21st Century – in the United States no less – is simply unconscionable,” he said.

Human trafficking in the United States has existed since the country’s founding when slavery was legal. Now, it is a federal and state crime. (See Appendices A and B for background information on trafficking.) The United Nations defines human trafficking as:

“The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

It has long persisted in the San Francisco, but the City increased its efforts to reduce and prevent trafficking in the wake of the 2005 massage parlor raids.¹ In the five years since then, Mayor Gavin Newsom has convened a Task Force² of law enforcement and City inspectors to specifically target those establishments suspected of illegal activity.³ The Police Department has conducted undercover operations at massage businesses suspected of engaging in commercial sex. And the City of San Francisco has tightened its oversight of massage businesses through local regulation authored by Supervisors such as Carmen Chu, whose Sunset district is home to a number of massage establishments. Ordinances have limited where massage businesses can locate and when they can operate, among other restrictions.

Between 2006 and 2009, the City closed 46 massage parlors and issued 254 citations to such establishments for various reasons. (See Appendix G for a detailed breakdown by year.) Today, there are 174 massage businesses and 1,851 massage practitioners licensed by the City of San Francisco.⁴ But Department of Public Health staff, who oversee the licensing and regulation of massage practitioners and businesses, suspect there are unlicensed massage parlors operating in the city that engage in illegal commercial sex and possibly trafficking.

Scope of human trafficking in San Francisco difficult to ascertain

The actual scope human trafficking in San Francisco is unknown. Data on the number of trafficking cases in the city is limited, and the data this is available provides varied estimates. Some service providers, for instance, report handling hundreds of cases a year, while City departments report handling just a dozen or so annually.

Most trafficking victims are hidden can cannot be easily counted. Therefore, the estimates provided by researchers and local non-governmental organizations only count known victims and exclude those who have not been identified. (See Appendices C and D for a discussion on estimating the number of trafficking victims.) Their estimates for the trafficking population in San Francisco range from a few dozen to a few hundred a year. Table 1 compares the estimates.

¹ The leader of the trafficking ring, Young Joon Yang, pleaded guilty to charges of alien harboring and money laundering. Federal prosecutors dropped two counts of sex trafficking.

² The Task Force is comprised of inspectors from Public Health, Planning, City Inspection and Fire, as well as members from the City Attorney's Office and the Police Department. (See Appendix F for a list of departments who have a role in anti-trafficking efforts.)

³ Public Health employs one inspector to visit all massage businesses and check for health code violations. While the inspector can cite businesses and practitioners for violating the City's health code, he cannot arrest individuals suspected of illegal activity. Facilities that the inspector suspects of prostitution or trafficking are visited by the Mayor's Task Force.

⁴ As of April 27, 2010.

Table 1: Trafficking Victim Estimates

Source	Victim Estimate	Time Frame	Annual Estimate⁵
Human Rights Center, UC Berkeley	191	1998 – 2003	38
Asian Anti-Trafficking Collaborative	250	Unknown ⁶	NA
The SAGE Project	800 ⁷	Annually	800

If these estimates accurately identify known victims, the true size of San Francisco's trafficking population could be much larger since the number of unidentified victims is unknown.

City arrest and conviction data suggest the scope of trafficking in San Francisco is much smaller. (See Appendix H for a breakdown of arrest data.) The Police Department and District Attorney's Office reported three human trafficking arrests and convictions between 2006 and 2009, an average of one case a year. They reported more cases of pimping and pandering;⁸ the Police Department recorded an average of about 12 such cases during each of the past three years. Tables 2 and 3 compare arrests and convictions in San Francisco for trafficking and pimping/pandering.

Table 2: City of San Francisco Human Trafficking Arrests and Convictions

	Arrests*	Convictions
2007	0	0
2008	2	1
2009	1	2
Three-year totals	3	3

Sources: Police Department, District Attorney's Office

*Suspects were arrested under other charges and rebooked for trafficking.

⁵ I recognize that the actual number of trafficking victims varies per year, but I provide annual estimates to better compare such data to the number of trafficking arrests and convictions the City has made each year.

⁶ Asian Pacific Islander Legal Outreach, one AATC member, could not provide the year of the collaborative founding. The 250 victim estimate is the approximate number of individuals served over the course of AATC's operations.

⁷ Not all individuals were identified as trafficked when they sought service but many experienced trafficking or early childhood sexual abuse in their past.

⁸ Pimps may be considered traffickers if they force a minor to perform commercial sex or if they physically or psychologically force an adult to perform commercial sex. I include pimping and pandering arrests and convictions to account for additional cases of trafficking that may not have actually been prosecuted as such. See Appendix E for a discussion on the distinction between sex trafficking and prostitution.

Table 3: City of San Francisco Pimping/Pandering Arrests and Convictions

	Arrests	Convictions
2007	14	3
2008	10	4
2009	14	3
Three-year totals	38	10

Sources: Police Department, District Attorney's Office

It is unlikely that the Police and District Attorney can arrest and prosecute a trafficker for every victim identified by service providers, but the disparity in the number of trafficking cases identified by local service providers and those identified by the City warrants an explanation. This analysis has identified at least three possibilities. First, victims may be hesitant to come forward and report their cases to law enforcement, fearing retribution from their perpetrators, deportation or prison sentences for engaging in illegal activity, such as prostitution; such individuals would appear in service provider estimates but not in police reports. Second, non-governmental organizations may be serving individuals who were trafficked outside of San Francisco or who were victims in the past; again, those victims would not appear in police data. Finally, the City's efforts to proactively identify trafficking cases may have uncovered only a small percentage of the actual number of cases that exist.

Table 4: Annual Victim Estimates, Average Police Arrests Compared

Annual Victim Estimate (Range)	38 - 800
Annual Average Trafficking Arrests*	1
Annual Average Pimping/Pandering Arrests*	12

*From 2006 - 2009

Further research is necessary to more accurately explain the difference in the number of trafficking cases identified by local service providers and the City. However, the uncertainty surrounding the true size of the trafficking population in San Francisco should not prevent the City from moving forward with its anti-trafficking efforts. While knowing the true number of victims might affect the scale of City efforts, it would not change the specific recommendations made in this report. The actions recommended here can be implemented regardless the size of the trafficking population.

Current anti-trafficking efforts face limitations, challenges

The City of San Francisco's anti-trafficking efforts face a number of limitations and challenges. Below, I highlight those limitations and challenges that affect efforts to combat trafficking in general and those that affect San Francisco in particular.

Limitations, challenges of general efforts to combat human trafficking

Location of victims typically unknown. Victims are often imprisoned, hidden from public view. Law enforcement cannot simply rescue them because they do not know where they are.

Escape may be difficult, if not impossible. Victims may be physically captive, watched by guards or surveillance cameras. In some cases, traffickers psychologically abuse their victims and threaten to harm relatives if they escape. Victims may believe they have no options other than to remain with the traffickers. In addition, some victims suffer from Stockholm syndrome and stay with their traffickers even when escape is possible.

Victims often hesitant to cooperate with law enforcement. In order to prosecute traffickers, law enforcement needs the cooperation of victims. But victims may be too afraid of their perpetrators to agree to testify against them.

Lack of understanding. Many people do not know what trafficking is or how to recognize it. Trafficking is often confused with domestic violence, prostitution and other crimes. Members of the public may come across instances of trafficking but not spot the signs and fail to report the cases.

Competing priorities. Trafficking is one of a number of human rights issues and crimes competing for government and public attention.

Effectiveness of efforts difficulty to quantify. Because the number of trafficking victims and traffickers are unknown, it is impossible to say with any certainty if the amount of trafficking overall is increasing or decreasing. It may be difficult to quantify the effectiveness of any particular anti-trafficking strategy.

Limitations, challenges in San Francisco

Constrained resources. The City faces a budget deficit of \$522 million and does not have significant funds for increased anti-trafficking efforts.

Limited effort to combat labor, other forms of trafficking. The Department of Labor Standards Enforcement has investigated few human trafficking cases. Yet local services providers report that their clients have been victims of forced labor and domestic servitude. There are likely cases of trafficking that do not involve commercial sex or massage parlors that the City could locate and investigate.

Sporadic staff training. There are a number of City departments that may interact with trafficking victims, but staff may not know how to recognize the signs of trafficking. While police officers may be able to spot sex trafficking, they may not recognize the signs of other

forms of trafficking, such as labor and domestic servitude. In addition, labor investigators, restaurant inspectors and public health care workers may not receive training.⁹

Minimal public outreach. While the City has generated media coverage when lawmakers pass new massage parlor ordinances or law enforcement raid such establishments, it has not proactively educated the public about trafficking on a consistent and long-term basis. The City launched a month-long public awareness campaign in January to mark its new community partnership, the San Francisco Collaborative Against Human Trafficking. But outside of this campaign, which ended mid-February, the City has no other ongoing public awareness efforts in place.

Lack of deterrence. Given the few convictions of traffickers in San Francisco, perpetrators may not be deterred from taking individuals captive.

Few victim services. San Francisco has few housing options for trafficking victims. Victim cooperation is essential to the prosecution of traffickers, but many are afraid to testify against their captors. A lack of services for victims, such as a safe living environment, may hinder their recovery and prevent them from cooperating with law enforcement.

Opportune time to expand anti-trafficking efforts

Despite the challenges facing the City's anti-trafficking efforts, recent events make this an opportune time to explore how its anti-trafficking approach might move forward.

In January, the City announced that it had joined with non-governmental organizations to form the San Francisco Collaborative Against Human Trafficking. SFCaHT aims to increase awareness about trafficking and anti-trafficking efforts through community education and outreach. The organization published the City's first Directory of Anti-Trafficking Services earlier this year. As part of the launch of SFCaHT, the City participated in a month-long awareness campaign. The Department on the Status of Women and the Human Rights Commission organized and publicized several events, which included public appearances by the Mayor, District Attorney and Chief of Police.

The Police Department and District Attorney's Office have recently appointed new staff to handle human trafficking investigations and prosecutions. The Police Department is currently working to reconvene the North Bay Task Force and schedule its first meeting since Summer 2009. It has also applied for a grant from the California Emergency Management Agency to fund investigations and operations, a part-time crime analyst and victim services.

The City is also seeking federal funding for additional anti-trafficking efforts, such as data collection, victim services and law enforcement.

⁹ The Department of Public Health's Newcomers program, which provides health care to immigrants and refugees, has treated victims of trafficking, but employees have not received training on how to identify such individuals.

Finally, there are a number of bills before the State Legislature that would increase the penalties for trafficking if passed.

City of San Francisco should broaden its approach to combat trafficking

Having spent the past five years targeting sex trafficking at illegal brothels, the City of San Francisco should expand its anti-trafficking efforts. The next actions that the City undertakes should address the limitations and challenges currently facing the City and accomplish the following objectives:

- Increase opportunities for locating and rescuing victims of trafficking.
- Investigate other forms of trafficking, such as domestic servitude and labor.
- Raise awareness of trafficking among City employees, lawmakers and the public.
- Punish traffickers and those that aid them.
- Aid victims in recovery.

The following sections detail five recommendations the City should consider to expand its trafficking efforts and meet the above objectives. In addition, I offer recommendations on how the City might modify its oversight of massage parlors to accomplish some of the stated objectives. These recommendations are not mutually exclusive and can be implemented simultaneously.

Recommendation: Train staff to recognize and respond to trafficking

The City should educate relevant staff about trafficking so they can identify victims and connect them to the appropriate law enforcement and services.

All patrol police officers – not just those specifically assigned to trafficking – should receive some training on the subject. Officers responding to other kinds of crimes may come across victims of trafficking and should know how to recognize and respond to the signs. If officers cannot attend the two-hour training offered by the state Commission on Peace Officer Standards and Training, the Department should provide all officers with a copy of the state guidelines for law enforcement response to human trafficking.¹⁰

The Department should also provide all officers with a written standard “protocol” for handling trafficking cases. The South Bay Coalition to End Human Trafficking, for instance, has a document that outlines the process for contacting law enforcement and service providers when a victim is found.¹¹ San Francisco police should work with its partners in the North Bay Task Force to develop and disseminate a protocol that is appropriate for the San Francisco region. While police officers should be given discretion to respond to trafficking cases as the situation warrants, it may be helpful to have a standard model that

¹⁰ The guidelines can be found at http://lib.post.ca.gov/Publications/human_trafficking.pdf.

¹¹ The protocol is available at <http://www.sbcteht.com>.

can serve as guidance. This may also allow law enforcement and non-governmental organizations that serve victims to better understand the roles and responsibilities of each.

In addition to training all patrol officers, the City should provide training for other employees that may interact with trafficking victims, such as health care providers, restaurant inspectors and labor investigators. Once current staff is trained, future trainings should take place when staff turnover or other developments warrant. The police or a local non-governmental organization that specializes in the subject could conduct the training. Since there are already many educational resources available through the government, non-profits and academic institutions, the City would not have to spend much effort developing training materials.

Recommendation: Publicly report trafficking-related data

The City should regularly report and publicly release data on the number of human trafficking cases, arrests, prosecutions and convictions as well as data on massage parlor citations and closures.

Crime data, such as trafficking and pimping/pandering arrests, could be included in the Police Department's weekly CompStat crime reports, which are available to the public online. Each report notes how many violent and property crimes and arrests took place by police district.¹² While the crime reporting categories are generally broad, the report includes data on some specific crimes like domestic violence, child abuse and order violations. Since there are likely fewer trafficking cases than more common crimes, such as theft, the Department may not want to include such statistics in each weekly report. But it could be included in the Police Department's quarterly report at a minimum. This would enable police to share information through the Department, monitor trends and deploy resources accordingly. It would also signal to officers that finding and pursuing human trafficking cases are a priority.

The District Attorney's Office should also publish statistics on human trafficking and pimping/pandering prosecutions and convictions. While the Office reports statistics for serious felony conviction rates on its Web site, it does not include data related to human trafficking. The Office should make such information more easily accessible to other City departments and the public so the City can better track efforts to prosecute traffickers.

In addition, the Department of Public Health should generate regular reports on the number of massage parlor citations and closures and distribute them to the Mayor and Board of Supervisors. Such information should be made available to the public as well. As with the crime data, such reporting would enable the City to track progress over time.

¹² Violent crime statistics break out homicide, rape, robbery and aggravated assault. Property crime statistics break out burglary, auto theft, burglary theft from vehicle, arson and personal/other theft.

Regularly reporting and disseminating various forms of trafficking data will reinforce the presence of the problem for City staff, lawmakers and the public. The City should already be tracking such data, so while it will require staff time to generate reports, it should not necessitate considerable resources.

Recommendation: Launch anti-trafficking public education campaign

The City of San Francisco should establish a consistent and long-term public education campaign that encourages citizens to recognize and report suspected cases of trafficking.

Community members are important informants in uncovering the location of trafficking victims. Many known cases of trafficking have come to light after a citizen reported something suspicious to the authorities. But most people do not understand what the term “trafficking” means or know that forced labor occurs in the United States. The public education campaign should inform the public that trafficking exists locally, explain how to identify trafficking victims, and advertise how to obtain help.

Below, I outline three approaches the City should consider to increase public awareness of trafficking. These approaches are not mutually exclusive; if possible, the City should pursue all three.

Informational advertisements

The City should develop and distribute advertisements that help the public understand and identify trafficking. It could follow the approach already used by the City’s Department of Labor Standards Enforcement, which has run public education campaigns about San Francisco’s labor laws.

At the beginning of each year, Labor purchases advertising space inside local buses to publicize San Francisco’s minimum wage, which is higher than federal and state minimums. The Department’s advertisement notes the current minimum wage in large numbers and includes a phone number to call for more information. All text appears in English, Spanish and Chinese. (See Appendix I to view the advertisement.)

The City could develop similar advertisements for trafficking and place them in buses. Like the minimum wage advertisements, those designed for trafficking should be written in simple and direct terms that the general public can understand. For example, advertisements could include a question designed to help people identify trafficking victims (“Are you or someone you know able to come and go from the workplace at will?” “Do you know someone whose identification or documents has been taken away?”) with a telephone number to call for more information.¹³

¹³ Some jurisdictions, such as Alameda County, have established their own anonymous tip lines and email addresses. But there already exist several national toll-free trafficking hotlines. Unless San Francisco has the resources to set up and regularly monitor its own

Running advertisements on local busses would be relatively low cost. Labor paid \$1,600 for 800 interior bus cards printed by the City's Reproduction and Mail Services and \$6,500 for a four-week advertisement run on all Muni busses.¹⁴

If the City sought to conduct a broader ad campaign, it could consider placing advertisements on bus shelters, the outside of buses or billboards. Labor launched another educational campaign with bus shelter ads to explain several of the City's labor laws. (See Appendix J.) The City of Atlanta conducted a "Dear John" campaign against child exploitation with television and print ads. (See Appendix K.) And the City of San Jose displays small posters in multiple languages at local hospitals. (See Appendix L.) A larger ad campaign likely would be more expensive than the interior bus advertisements. Labor paid for its bus shelter advertisements and other educational materials with a one-time funding of \$150,000.

If costs prohibit San Francisco from producing its own advertisements, it should, at a minimum, contact federal agencies that currently produce such ads and lobby them to display them in the city. The U.S. Department of Health and Human Services, for instance, runs a campaign called "Look Beneath the Surface." Such ads features pictures of restaurant workers and other laborers who may be victims of trafficking. (See Appendix M.)

"Human billboards"

San Francisco could consider a less formal approach to educating the public by launching a "human billboard" campaign that encourages members of the public to spread anti-trafficking messages on their clothes and accessories.

The San Jose Police Department created its own "Stop Human Trafficking" logo and printed it on T-shirts, tote bags and pins. (See Appendix N for logo.) Officers distribute the items at public awareness events and law enforcement trainings. Since introducing the campaign a year ago, it has given away an estimated 1,000 items at a cost of about \$40,000. Stop Modern Slavery, a Washington, D.C., community organization, also has its own logo – a handprint stamped on the image of the world – and prints it on T-shirts and other items.

Enlisting individuals to disseminate information about trafficking encourages people to become engaged in an issue to which they might have no personal connection. Many other advocacy groups have used this approach with success, such as join(RED), which sells red-colored products to raise money to fight AIDS in Africa. San Francisco could develop its own anti-trafficking logo that is specific to the local community. Or, if there are not funds for such an undertaking, it could potentially use one of the logos that have already been

hotline, it should use one of the already existing hotlines. The national Polaris Project hotline, for instance, connects callers to the appropriate local law enforcement.

¹⁴ Design costs for the original advertisement were additional.

created. The San Jose Police Department has not copyrighted its image and is willing to share with other law enforcement agencies.

Media coverage

The City should develop its relationships with local print and broadcast media – particularly ethnic language media organizations – to generate regular coverage of trafficking.

Labor employees have appeared on some of the Bay Area’s Spanish and Asian-language radio stations to discuss labor issues and educate the public on worker rights. Human trafficking, which is a form of labor violation, could be the subject of future programming. The City could also pitch stories about its trafficking efforts and latest trafficking statistics (such as arrests and prosecutions) to reporters.

Of the three types of public education campaigns proposed here, this one is the most likely to reach trafficking victims. Since most victims are held captive, they will not likely see advertisements on the street. However, they may listen to local radio, watch television or read a local publication. This may be one method to break through their isolation and inform them that help is available.

Recommendation: Pursue more aggressive prosecution of traffickers

The City of San Francisco should aggressively target traffickers to deter others from committing similar crimes. While the District Attorney’s Office can only prosecute those cases that the Police Department brings to it, it can pursue tougher consequences for trafficking defendants. Since the City cannot modify state or federal law which determine prison sentences for crimes, it should consider adopting or modifying the approach taken by the Alameda County District Attorney’s Office: Charge trafficking defendants with multiple crimes to increase the length of their prison sentences.

When appropriate, Alameda County prosecutors charge suspected traffickers with human trafficking *and* crimes like kidnapping, burglary and extortion, some of which carry a life sentence. They also charge “enforcers” and other individuals who aid in trafficking with felonies. The County convicted 109 individuals of trafficking-related crimes over between January 2006 and January 2010.¹⁵ (See Appendix O for more detailed data.) The deputy

¹⁵ There are differences between San Francisco and Alameda County that could explain why Alameda has so many more convictions. First, Alameda County is larger with roughly 1.47 million people, compared to 808,000 in San Francisco. Second, Alameda County reports more trafficking cases involving the commercial sexual exploitation of youth. Since teenage prostitutes typically work on the street where police can easily spot them, these cases may be easier to find and prosecute, resulting in the County’s higher prosecution rate. San Francisco, in comparison, has focused its efforts on trafficked massage parlor workers, who may be more difficult to locate; this may explain the City’s lower conviction rate.

district attorney who oversees trafficking cases reports that this approach has prompted defendants to plead out rather than go to court, for fear of receiving even longer sentences.

Alameda County is preparing a “blueprint” of its approach for other law enforcement agencies to use; it is expected to be available this summer. The San Francisco District Attorney’s Office should determine if a similar approach could be used locally. An aggressive approach would signal to traffickers that the City considers trafficking to be a serious crime and potentially deter other individuals. In addition, more victims might come forward and cooperate with law enforcement if they know that their traffickers could spend considerable time in prison.

Recommendation: Provide safe place, housing for trafficking victims

If funding becomes available, San Francisco should direct money to services for trafficking victims. Resources will help victims recover from their trauma and resume normal lives, becoming productive members of society. It may also increase victim cooperation with law enforcement. Many victims do not work with police out of fear of retribution from their traffickers. If they can be made to feel safe and secure, they may be more willing to help police and prosecutors.

Given the City’s budget deficit, services to victims will most likely be provided in collaboration with non-governmental organizations, rather than by the City itself. Below, I outline two services the City should consider developing in San Francisco.

Safe Place Alternative (SPA)

Individuals who have escaped from trafficking need a safe place where they can rebuild their lives. Alameda County has opened a Safe Place Alternative, or SPA, in Oakland at the Family Justice Center that provides comprehensive services to domestic violence and other victims. In addition to case management, the SPA provides educational and social activities to engage youth and keep them off the streets.

Alameda County funds its SPA through a special county tax approved by voters.¹⁶ San Francisco would have to locate a source of funding to open a similar center on its own.

Safe housing

San Francisco has little housing for trafficking victims. Many victims are currently served by local domestic violence or homeless shelters. While domestic violence shelters provide security, homeless shelters do not. When the domestic violence shelters are full, services

¹⁶ Voters approved Measure Y in 2004, which instituted a parcel and parking lot tax to fund violence prevention.

providers must find another location – such as a motel or low-income housing – to place the victim. However, funding to pay for such shelter is limited.

At least two local safe housing projects are being developed, and the City may be able to access such resources for its residents. A non-governmental organization is raising funds to open Freedom House, a shelter for human trafficking victims, just outside San Francisco. In addition, Alameda County is opening a safe house in a rural part of California. The City should support such efforts and collaborate with organizers so that San Francisco victims can benefit from them.

For housing within the San Francisco city limits, the City could establish a funding source to provide rental subsidies. The subsidy – which could cover move-in costs, security deposit and several months rent – would allow victims to remain in the city despite its high cost of living.¹⁷ Individuals could apply for the subsidy through local service providers and case managers. Similar funding sources already exist for domestic violence victims to help them transition from a shelter to permanent housing. The rental subsidy for trafficking victims could possibly be modeled after such programs.

The City should also explore opportunities for obtaining federal support. For instance, the U.S. Department of Housing and Urban Development has priority lists for its Section 8 housing program; perhaps trafficking victims could be given priority for such housing.

Without additional funds, the City would need to redirect money from another source to provide a local rental subsidy. In addition, placing trafficking victims on a priority housing list may delay other needy individuals from obtaining housing. But both of these options take advantage of the housing supply that already exists locally and would not require the City to build new facilities for trafficking victims.

Modify massage parlor inspections, oversight to increase effectiveness

This analysis is primarily concerned with actions San Francisco can take to broaden its anti-trafficking efforts. But through the course of my research, I observed aspects of the City's approach to massage parlors that could be modified or enhanced to better address trafficking.

Increase Public Health inspections

As noted earlier, the Department of Public Health employs one staffer to inspect all 174 massage businesses for health code violations. Due to time constraints, this staffer can visit each massage parlor only about twice a year, unless code violations require additional follow-up visits. He does not have the time to inspect other establishments that may not be

¹⁷ Victims who have family or other ties to the area may chose to remain in San Francisco rather than move to another city.

licensed and illegally conducting massages, such as nail shops and hair salons.¹⁸ In addition, this staffer has recently been assigned to inspect tattoo parlors as well, potentially reducing the time he can spend on massage parlors.

Given the current budget deficit, it is unlikely that the Department of Public Health will have the funding to hire an additional inspector. But if resources do become available, the Department should consider conducting more random inspections, particularly of unlicensed facilities where potential traffickers may be hiding illegal operations.

Increase undercover police operations

The Public Health inspector is limited in his ability to detect and investigate criminal activity for a number of reasons. First, such inspections typically take place during the day, when the massage parlors have few customers.¹⁹ Second, the massage inspector is well known to establishment owners, some of whom have surveillance cameras and front doors that are locked from the inside. Finally, if the inspector actually comes across criminal activity, as a Public Health employee, he can only report his observations to the police.

In addition to increasing the number of health inspections, the City should increase undercover police operations. Such operations may better expose trafficking. Police posing undercover as customers can enter massage parlors at any time without raising suspicions or tipping off workers that they are being inspected. In addition, police have the ability to investigate and arrest individuals for criminal activity. This may be more effective at rooting out illegal commercial sex and trafficking. The Police Department may be able to pay for such investigations if it obtains the state grant for which it has applied.

Remind inspectors that massage workers may be victims, include more women on Task Force

A typical inspection by the Mayor's Task Force includes staff from at least six city departments. On a late March inspection, employees from Planning, Building Inspection and Fire examined the massage businesses for code violations while an employee from the City Attorney's Office took photographs for evidence. The Public Health inspector checked that the facilities and the practitioners had the appropriate licensees with the help of a Chinese language interpreter and two police officers.

The unannounced inspections often surprised the workers, and interactions between workers and City staff occasionally became tense. In one case, a woman was performing a massage without a license; she claimed to have been trying out for a masseuse job. When the massage inspector notified her that she would be cited, she became emotional and begged him not to report her. A man at the establishment claimed to be a friend of the

¹⁸ For instance, during an unannounced visit to one unlicensed Chinatown hair salon in February, the inspector found three massage rooms – and a naked man.

¹⁹ While accompanying the inspector on his rounds one afternoon, I observed possible indications of prostitution – lingerie in locker rooms, personal hygiene items such as toothbrushes in bathrooms, wall-sized mirrors in the massage rooms. However, it would have been impossible to prove that prostitution – let alone trafficking – was taking place based on those observations alone.

absent owner but became visibly agitated when police took the women outside for questioning. It was unclear if the woman at this particular establishment was working under force or if she was participating willingly in the illegal massage operation. However, the chaotic nature of that encounter might deter women who are trafficking victims from coming forward.

The City should consider reminding all City staff who participate in such raids that the women working at such facilities may actually be victims, not criminals, and encourage staff to use a more sensitive approach when appropriate. The City might also consider adding more women to the Task Force; of the nine staff on the March inspection, eight were men. Both modifications would follow best practices that many police departments already employ when interviewing female victims of sexual assault. Officers, whether men or women, are trained to be sensitive and professional when communicating with victims, and some police departments assign female officers to meet with victims to increase comfort.

At a minimum, the City should consider asking a victim's advocate from a local non-governmental organization to join the Task Force each month.

Develop response to new State law changing licensing requirements

A new California law enables massage practitioners to obtain their license from either the State or the City.²⁰ The head of Public Health has recommended that San Francisco eliminate its practitioner licensing program and instead refer all local practitioners to the State program. This would mean that all massage practitioners in San Francisco would be licensed by the State. Since State-licensed massage practitioners would not be subject to local ordinances, the City would lose substantial regulatory control over the massage parlor industry if it were to follow this recommendation.

However, the City may still lose some control if local practitioners choose on their own to seek licensing from the State. The City must determine how it will maintain oversight of the industry if a substantial number of practitioners opt for the State license. It may consider lobbying State lawmakers for a legislative change that would modify the new law and allow for more local control.

Conclusion: Collaboration, consistent effort needed

Since the actual number of trafficking victims in San Francisco is unknown, it is impossible to project at this time how many individuals might be served by the City's expanded efforts. But City officials do not need such specifics to proceed. Human trafficking exists in San Francisco; that is certain. Given how morally repugnant the crime is, rescuing even a few victims would be worth the City's effort.

²⁰ Both individual massage practitioners and massage parlor establishments must obtain licenses to operate. While practitioners can obtain a license from either the City of San Francisco or the State of California, establishments can only obtain a license from the City. The State license requires practitioners to undergo more training but it allows practitioners to work anywhere in California; the City license is only valid in San Francisco.

Many of the recommendations included in this analysis can be implemented at relatively low cost. The City should implement them as funding permits. If the City uncovers that the size of San Francisco's trafficking population is even greater than current estimates, it can scale its efforts accordingly.

While individual departments can implement some of the recommendations on their own, I would encourage the various departments that work on trafficking to collaborate and share information. There are more than a dozen City departments that already have or could have a role in anti-trafficking efforts. There may be efficiencies and knowledge that staff could acquire by increasing collaboration. Some departments are already part of the San Francisco Collaborative Against Human Trafficking and the North Bay Task Force. Those that are not members should consider joining.

The City of San Francisco should also coordinate with other local city governments to develop regional anti-trafficking efforts. (See Appendix Q for contact information.) By taking a more comprehensive approach to trafficking, the City may reduce instances of the crime within its borders, but traffickers may simply move their victims to another nearby city. The City and its neighbors must work together to have a broader impact.

Finally, the City must take a long-term approach. Preventing and reducing human trafficking in San Francisco will require continued attention and work. The City under Mayor Newsom has devoted considerable resources to fight this crime during the past five years. Now lawmakers and staff should recommit themselves to combating human trafficking for the foreseeable future.

Appendix A: Cases of human trafficking

Traffickers often rely on deception to lure victims. In one common practice, the trafficker promises the victim a seemingly legitimate job in the United States and arranges travel, providing documents that may be illegal. (In such cases, the victim may not know that the passport and travel Visa are false.) A member of the trafficking ring will either accompany the victim into the country or meet the victim upon arrival in the United States and take her to the boss. Once captive, the individual learns that there is no legitimate job.

I provide the brief examples below to better illustrate how victims enter trafficking.

Sex trafficking and debt bondage

Deep in credit card debt, You Mi, a 22-year-old South Korean, responded to an ad for a high-paying hostess job in California. She traveled to Mexico City with a passport and plane ticket provided by a broker. There, she met another member of the trafficking ring, who accompanied her across the U.S. border with false documents. Once inside the United States, her traffickers told her she owed them \$12,000 for bringing her into the country. Fearing for her safety, she worked for the ring's outcall service, performing sexual acts for money (May, 2006).

Domestic servitude

Kahi arrived in California legally under the sponsorship of another Thai woman who had promised her a job so she could send money to family in Thailand. When Kahi arrived at the woman's home, the woman took her passport and kept her captive, forcing her to work as a domestic servant (Tuller, 2005).

Forced labor

Recruited from Mexico, Juan harvested asparagus at a California farm. He received little pay for his work; the employer deducted "debts" the workers had supposedly incurred from their paychecks. Though other workers escaped from the farm, Juan remained because the work foreman knew where his family lived and threatened to harm them (Tuller, 2005).

Appendix B: State, federal trafficking victims protection acts

California Trafficking Victims Protection Act

Year established: 2005

Purpose: Established human trafficking as a crime punishable by state law. Permitted trafficking victims to bring civil action against traffickers for damages. Provided restitution and punitive damages for victims. Established victim-caseworker privilege.

Criminal sentencing guidelines: Three to five years in state prison if the victim is an adult. Four to eight years if the victim is under the age of 18.

Definition of human trafficking: “Any person who deprives or violates the personal liberty of another with the intent to effect or maintain a felony violation ... or to obtain forced labor or services, is guilty of human trafficking.”

United States Trafficking Victims Protection Act

Year established: 2000

Purpose: Increased penalties for traffickers and expanded the scope of activities for which the government could prosecute, such as psychological coercion and the seizure of documents. Provided benefits and services to certified trafficking victims and established the T Visa, which provides victims with temporary U.S. residency and the ability to apply for permanent residency.

Criminal sentencing guidelines: Up to 20 years for peonage, enticement into slavery, sale into involuntary servitude, forced labor and trafficking. Up to life in prison for sex trafficking of children under the age of 14. Up to 20 years in prison for sex trafficking of children older than 14 but younger than 18.

Definition of human trafficking: “The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery” or “Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.”

Appendix C: Estimating the number of trafficking victims

Various governments including the United States have published estimates for the number of trafficking victims worldwide, but there is no standard methodology for obtaining an estimate. In addition, the accuracy of such estimates is unknown. Since most trafficking victims are hidden, they cannot be easily counted. Below, I describe some of the local and national efforts to determine how many individuals are victims of trafficking

Scope of trafficking in San Francisco

Local researchers and services providers have attempted to quantify the scope of human trafficking in San Francisco, however their efforts only count known victims and exclude those that have not been identified. In addition, victim estimates vary widely, from a few dozen a year to a few hundred.

The Human Rights Center at the University of California, Berkeley, identified a total of 191 individuals who had been trafficked in San Francisco between 1998 and 2003. Researchers based their count on newspaper articles, government reports and a telephone survey of California service providers, among other data sources. They noted, however, that their count likely reflects reporting biases and does not account for trafficking victims whose cases were not reported (Tuller, 2005).

The Asian Anti-Trafficking Collaborative, which consists of four San Francisco non-profits, reports that it has served about 250 human trafficking victims since its founding.²¹ Meanwhile, The SAGE Project, another San Francisco non-profit, estimates that it serves about 800 individuals on an annual basis; not all of those individuals may have been trafficking victims at the time they sought services, however they may have been victims of trafficking or child abuse in the past. Since individuals are not tracked on a unique basis, it is possible that some may have been served by both organizations and are duplicated in the counts. In addition, such counts only reflect those individuals who sought assistance from the organizations; trafficking victims who obtained help from other providers are not included.²²

The San Francisco Collaborative Against Human Trafficking has developed a survey for local service providers and law enforcement agencies to obtain its own estimate of the number of trafficking victims in the city. The survey is expected to be conducted later this year.

²¹ AATC could not provide a date for its founding.

²² In interviews, staff at San Francisco domestic violence and homeless shelters reported serving human trafficking victims on occasion. However, they do not maintain records of the number of such visits.

Scope of trafficking in the United States

The U.S. State Department estimates that between 14,500 and 17,500 individuals are trafficked in the country annually. However, the Department has not provided its methodology for obtaining that estimate and the U.S. Government Accountability Office has criticized the Department for not providing more transparency.

At least one researcher has created a model for estimating the number of trafficking victims entering the country from South America and Eastern Europe. This model estimates the number of women at risk of being trafficked for sexual exploitation in 22 countries; based on that estimate, the model then estimates the number of women trafficked for sex. But the researcher notes that her work was not intended to generate specific estimates (Clawson, 2007). Other researchers have not duplicated the model to test its assumptions.

Additional research is needed to develop a model to better estimate the number of trafficking victims. The following table compares the various estimates for trafficking victims globally, nationally and locally.

Table 1: Estimated Human Trafficking Victims

	Victim Estimates	Time Frame	Source	Methodology
Worldwide	600,00 – 800,000	Annually	United States Department of State	Unknown
United States	14,500 – 17,500	Annually	United States Department of State	Unknown
California	559	Dec. 2005 – March 2007	United States Department of Justice	Estimate is for potential victims identified by four California Task Forces
California	554	1998 – 2003	Human Rights Center, University of California Berkeley	Telephone survey, interviews with informants, review of newspaper articles and government reports
Bay Area²³	238	1998 – 2003	Human Rights Center, University of California Berkeley	Telephone survey, interviews with informants, review of newspaper articles and government reports
San Francisco	191	1998 – 2003	Human Rights Center, University of California Berkeley	Telephone survey, interviews with informants, review of newspaper articles and government reports

²³ Based on cases in Berkeley, Daly City, Palo Alto, San Francisco and San Jose.

Appendix D: Victim demographics

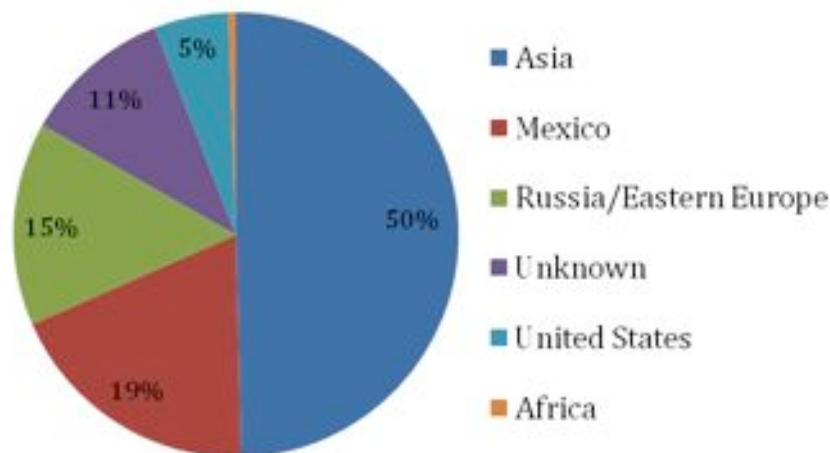
Women and men of all ages and nationalities are victims of human trafficking. As with victim estimates, actual victim demographics are difficult to obtain. The information that is available is based on individuals who have been identified by researchers and service providers as trafficking victims.

Demographics

The Asian Anti-Trafficking Collaborative reports that it has served victims ranging in age from 9 to 69. Victims originated from more than 15 countries in Asia, Africa, the Middle East, Central America and Eastern Europe, among others.

The Human Rights Center at the University of California, Berkeley identified victims from 18 countries, including the United States, in its study of trafficking in California between 1998 and 2003. Most of the victims originated from Asia.

Figure 1: National Origin of Victims*



Source: Human Rights Center, UC Berkeley
*Based on 554 individuals.

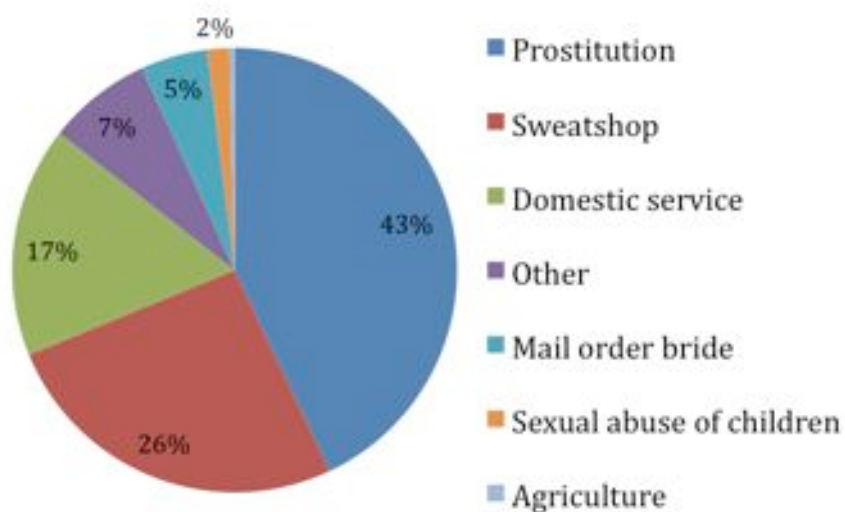
As the Human Rights Center study highlights, Americans can be victims of trafficking. Though such trafficking can take various forms, in the San Francisco Bay Area there have been a number of cases in which American teenagers were trafficked by an adult for commercial sex.

Types of trafficking

The Asian Anti-Trafficking Collaborative reports that more than half its cases involve forced labor other than sex trafficking. Such cases included domestic servitude, servile marriage, restaurant work, nursing and teaching.

More than 40 percent of the individuals identified in the Human Rights Center study were involved in sex trafficking. The remaining victims were forced to perform a variety of other work, such as domestic service and sweatshop labor.

Figure 2: Types of Trafficking*



Source: Human Rights Center, UC Berkeley

*Based on 554 individuals.

Appendix E: Sex trafficking and prostitution

While sex trafficking and prostitution are related, they are not the same. An individual who performs commercial sex under physical or psychological enslavement is trafficked. An individual who performs commercial sex without such enslavement is not. A prostitute may be trafficked if she has a pimp who threatens her physically or psychologically to engage in commercial sex.

A woman who is trafficking for sex is by definition a prostitute; a woman who works as a prostitute is not necessarily trafficked. Researcher Melissa Farley describes the differences among individuals performing commercial sex through “Prostitution’s Hierarchy of Coercion.” In this hierarchy, the top 2 percent – called the “sexually exploited elite” – serve a few men for a lot of money. They are prostitutes for only a short period of time and eventually leave prostitution. Those in middle 38 percent are often poor and have limited economic options; they become prostitutes in order to survive. Many in the bottom 60 percent are forced into prostitution.

The distinction between sex trafficking and prostitution is particularly pertinent in San Francisco, where sex workers sponsored a measure in 2008 to legalize prostitution; the measure failed. Some proponents of legalizing prostitution view any efforts to combat trafficking as opposing the rights of sex workers.²⁴ But even if prostitution were legalized in San Francisco, some individuals would still be forced to engage in commercial sex against their will; trafficking would persist. Trafficking should not be conflated with the prostitution debate.

Figure 1: Prostitution’s Hierarchy of Coercion



Source: Prostitution Research & Education

²⁴ During the launch of the San Francisco Collaborative Against Human Trafficking, a local organizer of sex workers attended the City Hall event to protest.

Appendix F: City of San Francisco departments with role related to trafficking

Department/Commission	Division	Role
Board of Supervisors		Legislation
Building Inspection		Massage inspection
City Attorney		Massage inspection
District Attorney	Criminal Investigations	Prosecution
	Office of Victim Services	Victim services
Fire		Massage inspection
Housing Authority		Victim services
Human Rights Commission	San Francisco Collaborative Against Human Trafficking	Community involvement
Juvenile Probation		Law enforcement
Labor Standards Enforcement		Labor law enforcement
Mayor's Office		Advocacy, Legislation
Planning		Massage inspection
Police Department		Law enforcement Massage inspection
Public Health	Environmental Education	Massage inspection
	Health Education	Victim services
Status of Women		Advocacy

Appendix G: Massage establishment data

Table 1: Mayor's Task Force Inspections

Year	Inspections	Citations
2006	NA	53
2007	NA	120
2008	32	35
2009	49	46

Source: Department of Public Health
 Note: 2008 data only through June 30

Table 2: Massage Establishments Closed*

Year	Closures
2006	9
2007	14
2008	12
2009	11

Source: Department of Public Health
 *By the Department of Public Health or City Planning

Appendix H: San Francisco Police Department arrests

	2007	2008	2009	Three-Year Totals
Human Trafficking*	0	2	1	3
Pimping/Pandering	14	10	14	38
Adult victim	6	8	12	26
Juvenile victim	8	2	2	12
Lewd act on a child**/Statutory rape	1	3	2	6
Loitering for purpose of pimping	4	8	8	20
Loitering for the purpose of prostitution (Juveniles arrested)	22	18	10	50
Soliciting (Juveniles arrested)	12	5	3	20

Source: San Francisco Police Department

*Suspects were originally arrested under other charges and rebooked for trafficking.

**"John" arrested for sex act involving a prostituted minor.

Appendix I: San Francisco minimum wage bus advertisement



2010 SAN FRANCISCO MINIMUM WAGE
SALARIO MÍNIMO EN SAN FRANCISCO PARA 2010
2010 年三藩市最低工資

For more information, call:
Para más información, llame al:
詳情請致電:
(415) 554-6292

 **OFFICIAL NOTICE**
OFFICE OF LABOR STANDARDS ENFORCEMENT


\$9.79

PER HOUR / POR HORA / 每小時
EFFECTIVE 1-1-10 / VIGENTE A PARTIR DEL 1-1-10 / 2010年1月1日生效

***printer to insert
Union logo here***

Source: Department of Labor Standards Enforcement

Appendix J: San Francisco labor law bus shelter advertisement



Healthy WORKERS.
Healthy ECONOMY.

**SAN FRANCISCO WORKERS,
KNOW YOUR RIGHTS:**

MINIMUM WAGE ORDINANCE
You must be paid the 2009 San Francisco
Minimum Wage rate of **\$9.79/hour**

PAID SICK LEAVE ORDINANCE
You are entitled to Paid Sick Leave

HEALTH CARE SECURITY ORDINANCE
If you work 8 or more hours per week in
San Francisco and your employer has at least 20
employees, your employer is required to spend a
minimum amount (set by law) on your Health Care

All San Francisco workers are entitled to these rights
regardless of immigration status. It is against the law for an
employer to punish an employee who asks for these rights.
For more information or to file a complaint, contact the
Office of Labor Standards Enforcement.

WWW.SFGOV.ORG/OLSE

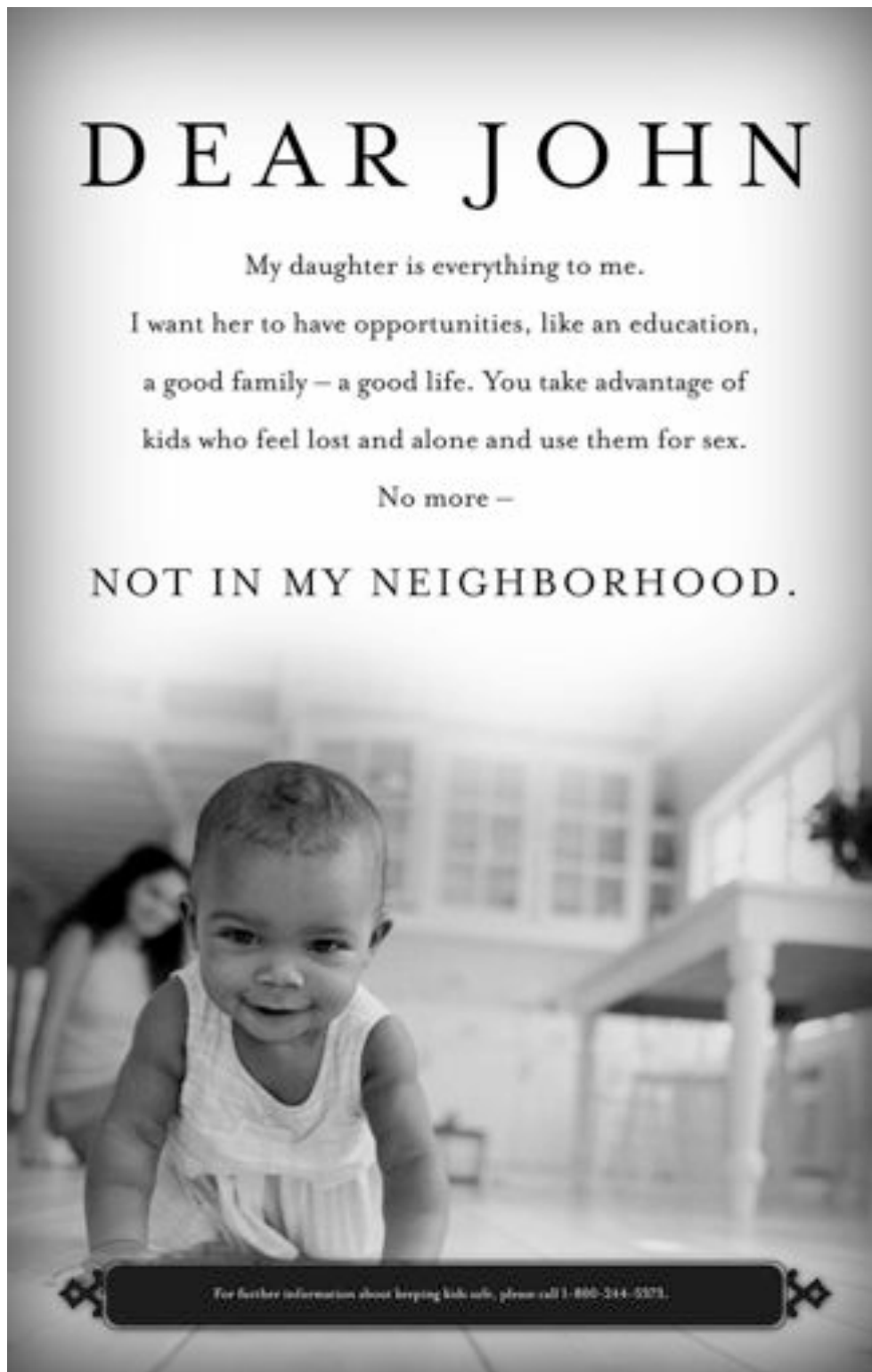
415-554-6292 (Minimum Wage)
415-554-6271 (Paid Sick Leave)
415-554-7892 (Health Care)



Office of Labor Standards Enforcement
City Hall Room 430
San Francisco, CA 94102

Source: Department of Labor Standards Enforcement

Appendix K: City of Atlanta “Dear John” poster



Source: City of Atlanta

Appendix L: San Jose Police Department anti-trafficking poster



WHAT IS HUMAN TRAFFICKING?

A FORM OF MODERN-DAY SLAVERY.

VICTIMS WHO ARE FORCED, DECEIVED, OR COERCED IN SUCH AREAS AS:

- MIGRANT FIELD LABOR - PROSTITUTION - DOMESTIC SERVICE
- RESTAURANT WORKERS - EXOTIC DANCING - PORNOGRAPHY
- GARMENT FACTORY SWEETSHOPS - STREET PRODLING

SOME EXAMPLES OF COERCION:

- ONE CANNOT BE FORCED TO WORK BY THREATS OF SEPERATION
- ONE CANNOT BE KEPT CONFINED AND FORCED TO WORK IN A RESTAURANT OR SWEETSHOP
- ONE OR ONE'S FAMILY CANNOT BE THREATENED AS A WAY TO BE FORCED INTO PROSTITUTION
- ONE'S IDENTIFICATION PAPERS CANNOT BE TAKEN AWAY AND FORCED INTO DOMESTIC SERVICE

VICTIMS OF TRAFFICKING MAY HAVE ACCESS TO:

- INFORMATION ASSISTANCE PROTECTION
- ACCESS TO TRANSLATION INTERPRETERION
- FREE OR LOW-COST LEGAL SERVICES
- IMMIGRATION RELIEF
- FEDERAL AND STATE BENEFITS

THE 13TH AMENDMENT TO THE U.S. CONSTITUTION OUTLAW'S SLAVERY AND INVOLUNTARY SERVICE. THERE IS HELP AVAILABLE.

IF YOU SUSPECT THAT YOU OR SOMEONE YOU KNOW IS A VICTIM, PLEASE CONTACT:

- 1-866-443-6733 (SAN JOSE POLICE DEPARTMENT HUMAN TRAFFICKING TASK FORCE)
- 1-888-779-3115 (SOUTH BAY COALITION TO END HUMAN TRAFFICKING)
- 1-888-428-7381 (DEPARTMENT OF JUSTICE HUMAN TRAFFICKING COMPLAINT LINE)
- 911 (YOUR LOCAL POLICE DEPARTMENT)
- OR VISIT OUR WEB SITE AT WWW.SPJPD.ORG/STOPHS FOR INFORMATION

Spanish Language

¿Qué es el Tráfico Humano?

-Una forma de esclavitud actual.

-Victimas que son obligadas, con engaños o forzadas en áreas tales como:

- migración para labores de campo
- prostitución
- servicios de baile
- trabajos de restaurantes
- indusrias de entretenimiento
- pornografia
- fabricaci3n de ropa de explotaci3n
- venderse ambulantes de casa en casa

Algunos ejemplos de coerci3n:

- no se le puede obligar a uno a trabajar por medio de amenazas de separaci3n
- no se le puede mantener y obligar a uno a trabajar en un restaurante o tienda de explotaci3n
- no se le puede amenazar a uno si la familia de uno suena forma de ser obligada para la prostituci3n

- Los documentos de identificaci3n de uno no se los pueden quitar y ser obligada a servirlos en el extranjero

Victimas de Tráfico Humano pueden acceder a:

- informaci3n, asistencia y protecci3n
- acceso a traducci3n e interpretaci3n
- servicios legales gratis o a bajo costo
- ayuda con migraci3n
- beneficios federales y estatales

LA ENMIENDA DECIMOTERCERA DE LA CONSTITUCI3N DE LOS ESTADOS UNIDOS DECLARA ILLEGAL LA ESCLAVITUD Y LA SERVIDUMBRE INVOLUNTARIA. - HAY AYUDA DISPONIBLE -

Si usted sospecha que usted o alguien que usted conoce es una victima, por favor contacte a:

- 1-866-443-6733 (Departamento de Policia Municipal Grupo de Trabajo de San Jose)
- 1-888-779-3115 (Coalici3n del Sur de la Bahia para acabar con el Tráfico Humano)
- 1-888-428-7381 (Departamento de Justicia Linea de Carga de Tráfico Humano)

911 (Su Departamento de Policia Local)

© 2014 El Departamento de Policia Local

© 2014 El Departamento de Policia Local para informaci3n por computadora



Appendix M: U.S. Department of Health and Human Services anti-trafficking poster

The poster features a photograph of a young man in a white chef's uniform, leaning over a counter in a kitchen. He is looking directly at the camera with a serious expression. The background shows kitchen equipment and a clean, professional environment.

LOOK BENEATH THE SURFACE

**HUMAN TRAFFICKING IS
MODERN-DAY SLAVERY**

A victim of trafficking may look like
many of the people you see everyday.

Ask the right questions and look for clues. You are vital because you may be
the only outsider with the opportunity to speak with a victim.

There are safe housing, health, immigration, food, income, employment, legal
and interpretation services available to victims, but first they must be found.

If you think someone is a victim of trafficking, **call 1.888.3737.888**
For more information about human trafficking visit www.acf.hhs.gov/trafficking.



Appendix N: San Jose Police Department anti-trafficking logo



Source: San Jose Police Department

Appendix O: Alameda County Human Exploitation and Trafficking data*

	Defendants	Cases
Charged	148	123
Convicted	109	
Pending	10	
Probation Violation	11	
Parole Violation	1	
Dismissed	11**	
Acquitted	1	
Deferred to Federal Prosecution	1	
Forfeiture Proceedings	1	
Outstanding Warrant	1	

Source: Alameda County District Attorney's Office

*From January 1, 2006 through January 11, 2010.

**Includes two recharged cases

Note: Statistics only track adult traffickers who have been charged with violating Penal Code Sections 236.1, 266h, 266i, 266j, and 209(a) where the purpose of the kidnap is the use of the female body for financial gain. Statistics do not differentiate between child and adult victims; most of the H.E.A.T. victims are U.S. minors who have been trafficked domestically. They do not include juveniles who have been arrested for trafficking in their capacity as pimps, bottom girl or enforcer.

Appendix P: Selected California penal codes pertaining to human trafficking

209. (a) Any person who seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away another person by any means whatsoever with intent to hold or detain, or who holds or detains, that person for ransom, reward or to commit extortion or to exact from another person any money or valuable thing, or any person who aids or abets any such act, is guilty of a felony, and upon conviction thereof, shall be punished by imprisonment in the state prison for life without possibility of parole in cases in which any person subjected to any such act suffers death or bodily harm, or is intentionally confined in a manner which exposes that person to a substantial likelihood of death, or shall be punished by imprisonment in the state prison for life with the possibility of parole in cases where no such person suffers death or bodily harm.

236.1. (a) Any person who deprives or violates the personal liberty of another with the intent to effect or maintain a felony violation of Section 266, 266h, 266i, 267, 311.4, or 518, or to obtain forced labor or services, is guilty of human trafficking.

(b) Except as provided in subdivision (c), a violation of this section is punishable by imprisonment in the state prison for three, four, or five years.

(c) A violation of this section where the victim of the trafficking was under 18 years of age at the time of the commission of the offense is punishable by imprisonment in the state prison for four, six, or eight years.

(d) (1) For purposes of this section, unlawful deprivation or violation of the personal liberty of another includes substantial and sustained restriction of another's liberty accomplished through fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person, under circumstances where the person receiving or apprehending the threat reasonably believes that it is likely that the person making the threat would carry it out.

(2) Duress includes knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or immigration document of the victim.

(e) For purposes of this section, "forced labor or services" means labor or services that are performed or provided by a person and are obtained or maintained through force, fraud, or coercion, or equivalent conduct that would reasonably overbear the will of the person.

(f) The Legislature finds that the definition of human trafficking in this section is equivalent to the federal definition of a severe form of trafficking found in Section 7102(8) of Title 22 of the United States Code.

266h. (a) Except as provided in subdivision (b), any person who, knowing another person is a prostitute, lives or derives support or maintenance in whole or in part from the earnings or proceeds of the person's prostitution, or from money loaned or advanced to or charged against that person by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, or who solicits or receives compensation for soliciting for the person, is guilty of pimping, a felony, and shall be punishable by imprisonment in the state prison for three, four, or six years.

(b) Any person who, knowing another person is a prostitute, lives or derives support or maintenance in whole or in part from the earnings or proceeds of the person's prostitution, or from money loaned or advanced to or charged against that person by any keeper or

manager or inmate of a house or other place where prostitution is practiced or allowed, or who solicits or receives compensation for soliciting for the person, when the prostitute is a minor, is guilty of pimping a minor, a felony, and shall be punishable as follows: (1) If the person engaged in prostitution is a minor over the age of 16 years, the offense is punishable by imprisonment in the state prison for three, four, or six years.

(2) If the person engaged in prostitution is under 16 years of age, the offense is punishable by imprisonment in the state prison for three, six, or eight years.

266i. (a) Except as provided in subdivision (b), any person who does any of the following is guilty of pandering, a felony, and shall be punishable by imprisonment in the state prison for three, four, or six years:

(1) Procures another person for the purpose of prostitution.

(2) By promises, threats, violence, or by any device or scheme, causes, induces, persuades or encourages another person to become a prostitute.

(3) Procures for another person a place as an inmate in a house of prostitution or as an inmate of any place in which prostitution is encouraged or allowed within this state.

(4) By promises, threats, violence or by any device or scheme, causes, induces, persuades or encourages an inmate of a house of prostitution, or any other place in which prostitution is encouraged or allowed, to remain therein as an inmate.

(5) By fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, procures another person for the purpose of prostitution, or to enter any place in which prostitution is encouraged or allowed within this state, or to come into this state or leave this state for the purpose of prostitution.

(6) Receives or gives, or agrees to receive or give, any money or thing of value for procuring, or attempting to procure, another person for the purpose of prostitution, or to come into this state or leave this state for the purpose of prostitution.

(b) Any person who does any of the acts described in subdivision (a) with another person who is a minor is guilty of pandering, a felony, and shall be punishable as follows:

(1) If the other person is a minor over the age of 16 years, the offense is punishable by imprisonment in the state prison for three, four, or six years.

(2) If the other person is under 16 years of age, the offense is punishable by imprisonment in the state prison for three, six, or eight years.

266j. Any person who intentionally gives, transports, provides, or makes available, or who offers to give, transport, provide, or make available to another person, a child under the age of 16 for the purpose of any lewd or lascivious act as defined in Section 288, or who causes, induces, or persuades a child under the age of 16 to engage in such an act with another person, is guilty of a felony and shall be imprisoned in the state prison for a term of three, six, or eight years, and by a fine not to exceed fifteen thousand dollars (\$15,000).

267. Every person who takes away any other person under the age of 18 years from the father, mother, guardian, or other person having the legal charge of the other person, without their consent, for the purpose of prostitution, is punishable by imprisonment in the state prison, and a fine not exceeding two thousand dollars (\$2,000).

311.4. (a) Every person who, with knowledge that a person is a minor, or who, while in possession of any facts on the basis of which he or she should reasonably know that the person is a minor, hires, employs, or uses the minor to do or assist in doing any of the acts described in Section 311.2, shall be punished by imprisonment in the county jail for up to one year, or by a fine not exceeding two thousand dollars (\$2,000), or by both that fine and imprisonment, or by imprisonment in the state prison. If the person has previously been convicted of any violation of this section, the court may, in addition to the punishment authorized in Section 311.9, impose a fine not exceeding fifty thousand dollars (\$50,000).

(b) Every person who, with knowledge that a person is a minor under the age of 18 years, or who, while in possession of any facts on the basis of which he or she should reasonably know that the person is a minor under the age of 18 years, knowingly promotes, employs, uses, persuades, induces, or coerces a minor under the age of 18 years, or any parent or guardian of a minor under the age of 18 years under his or her control who knowingly permits the minor, to engage in or assist others to engage in either posing or modeling alone or with others for purposes of preparing any representation of information, data, or image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disc, data storage media, CD-ROM, or computer-generated equipment or any other computer-generated image that contains or incorporates in any manner, any film, filmstrip, or a live performance involving, sexual conduct by a minor under the age of 18 years alone or with other persons or animals, for commercial purposes, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years.

(c) Every person who, with knowledge that a person is a minor under the age of 18 years, or who, while in possession of any facts on the basis of which he or she should reasonably know that the person is a minor under the age of 18 years, knowingly promotes, employs, uses, persuades, induces, or coerces a minor under the age of 18 years, or any parent or guardian of a minor under the age of 18 years under his or her control who knowingly permits the minor, to engage in or assist others to engage in either posing or modeling alone or with others for purposes of preparing any representation of information, data, or image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disc, data storage media, CD-ROM, or computer-generated equipment or any other computer-generated image that contains or incorporates in any manner, any film, filmstrip, or a live performance involving, sexual conduct by a minor under the age of 18 years alone or with other persons or animals, is guilty of a felony. It is not necessary to prove commercial purposes in order to establish a violation of this subdivision.

(d) (1) As used in subdivisions (b) and (c), "sexual conduct" means any of the following, whether actual or simulated: sexual intercourse, oral copulation, anal intercourse, anal oral copulation, masturbation, bestiality, sexual sadism, sexual masochism, penetration of the vagina or rectum by any object in a lewd or lascivious manner, exhibition of the genitals or pubic or rectal area for the purpose of sexual stimulation of the viewer, any lewd or lascivious sexual act as defined in Section 288, or excretory functions performed in a lewd or lascivious manner, whether or not any of the above conduct is performed alone or between members of the same or opposite sex or between humans and animals. An act is simulated when it gives the appearance of being sexual conduct.

(2) As used in subdivisions (b) and (c), "matter" means any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disc, or any other computer-related equipment or computer-generated image that contains or incorporates in any manner, any film, filmstrip, photograph, negative, slide, photocopy, videotape, or video laser disc.

(e) This section does not apply to a legally emancipated minor or to lawful conduct between spouses if one or both are under the age of 18.

(f) In every prosecution under this section involving a minor under the age of 14 years at the time of the offense, the age of the victim shall be pled and proven for the purpose of the enhanced penalty provided in Section 647.6. Failure to plead and prove that the victim was under the age of 14 years at the time of the offense is not a bar to prosecution under this section if it is proven that the victim was under the age of 18 years at the time of the offense.

518. Extortion is the obtaining of property from another, with his consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right.

Appendix Q: Contacts

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Appendix R: Works consulted

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Appendix S: Interviews

Asay, Greg. Personal interview. 25 March 2010

Berg, Katharine. Personal interview. 11 March 2010

Bock, Sharmin. Telephone interview. 25 March 2010

Brantley, Nola. Telephone interview. 3 March 2010

Caper, Lisa. Telephone interview. 17 March 2010

Dotzler, Jennifer. Telephone interview. 1 April 2010

Echeveste, Maria. Personal interview. 2 Feb. 2010

Erwin, Patricia. Telephone interview. 25 Feb. 2010

Eto, Susan. Personal interview. 12 Feb. 2010

Fukushima, Annie. Personal interview. 27 Feb. 2010

Hwang, Andrew. Personal interview. 18 March 2010

Kayhan, Dariush. Personal interview. 11 March 2010

Levitt, Donna. Personal interview. 17 March 2010

Liou, Cindy. Personal interview. 5 Feb. 2010

Marshall, Laura. Personal interview. Multiple occasions

Murase, Emily. Personal interview. 17 Feb. 2010

Miller, John. Personal interview. 16 Feb. 2010

Ojo, Johnson. Personal interview. 4 Feb. 2010

Petrie, Mary. Personal interview. 18. Feb. 2010

Ring, Mollie. Personal interview. 27 Feb. 2010

Utari, Hediana. Personal interview. 25 Feb. 2010

Vanderbilt, Arlin. Telephone interview. 1 April 2010

Walsh, Ed. Personal interview. 4 Feb. 2010 and 18 Feb. 2010

Appendix T: Other data sources

Public Health message parlor inspections, 18 February 2010

Train the Trainer workshop, 15 March 2010

Mayor's Task Force message parlor inspections, 25 March 2010