Sex Trafficking at the U.S. Borders:
Victim Characteristics

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Over the past few years, the United States has seen a powerful resurgence of concern regarding its border security. An intersecting issue within border security is that of human trafficking. Issues involving people moving through U.S. international borders and ports of entry are often seen and treated as immigration or human smuggling issues. Human trafficking, specifically sex trafficking of persons is separated from human smuggling with distinctive legislation, victim profiles, and available services.

Sex trafficking in and out of the United States has historically been big business. The trafficking of persons across the U.S. border for prostitution is estimated to be the third most significant source of revenue for organized crime syndicates, following the sale of drugs and firearms (Miko, 2000). All of this profit potential has proven to be a powerful motivator for both organized crime and small independent organizations alike to engage in the sex trafficking of persons (Hepburn & Simon, 2013; Schauer & Wheaton, 2006; Tiano & Murphy-Aguilar, 2012).

Currently, the prevalence estimates on the number of victims of sex trafficking at the Canadian and Mexican borders are outdated and not may not be exact. Due to the covert nature of sex trafficking, accurate prevalence estimates are difficult to establish. A 2003 study found that the United States is the second largest destination market country for sex trafficking worldwide (Mitzu, Moody, Privado, & Douglas, 2003), and the U.S. Department of State estimated in 2004 there were between 14,500 and 17,500 people that were trafficked into the United States. This estimate does not take into account those being sex trafficked in the United States who are U.S. citizens and may have come in and out of the country via other ways. In 2006, a National Institute of Justice human trafficking study approximated 25,647 females from eight countries
(Colombia, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Peru, and Venezuela) who were brought across the U.S.-Mexico border for the purpose of being sex trafficked (Clawson, Layne, & Small, 2006).

The United States Department of Homeland Security is working to build partnerships with Mexican law enforcement to actively find and arrest individual traffickers and human trafficking criminal enterprises that are operating on the U.S.-Mexican border (U.S. Department of State, 2018). In recent years, a collaboration of efforts to dismantle human trafficking at the border has led to the United States Department of Justice in securing eight convictions of transnational organized criminal sex traffickers (U.S. Department of State, 2018).

Pathways into the U.S. for foreign-born sex trafficking victims vary. Most identified foreign-born victims of sex trafficking are brought into the U.S. by using legal documents in illegal ways. Sex traffickers will take legal documents for entry into the United States from one victim and use it in the trafficking of other victims. Counterfeit documents, ‘fiancé visas,’ and illegal border crossings have also been identified as means of entry for sex trafficking victims. These diverse pathways of entry illustrate the complexity and scope of this issue and how identifying sex trafficking victims at the border is a challenge to law enforcement (Schauer & Wheaton, 2006).

This paper aims to use current literature to provide an overview of common risk factors of known sex trafficking victims who have been brought into the United States through the Canadian and Mexican borders. Moreover, existing literature on the response of these countries’ governments, including what laws are used to aid victims will be discussed.
Canada

The U.S.-Canadian border has become an increasingly popular site for crossings into the United States. Along with the greater crossing opportunities afforded by the northern border’s immense length, other factors exist that complicate the identification of sex trafficking victims. Most of the U.S.-Canadian border is in remote, un-marked, and sparsely populated areas. As a result, most of the northern border is monitored via sensors and there is little direct patrol. Another challenge to identification of sex trafficking victims at the U.S.-Canada border is that large portions of the border run along tribal land, giving the U.S. government no authority to monitor for potential sex trafficking (Nixon, 2016). These factors contribute to sex traffickers ability to bring an estimated 1,500 to 2,000 sex trafficking victims from Canada to the U.S. yearly (Riordan Raaflaub, 2006).

Research on sex trafficking victims brought through the U.S.-Canadian border has identified a number of risk factors found in the cases identified. Canadian sex trafficking victims often initially enter Canada from other countries as visitors, family class immigrants, refugees, temporary workers, or as erotic dancers (McClelland, 2001; Stewart & Gajic-Veljanoski, 2005). They are then transported to the United States via motor vehicle, boat, or on foot across the border to meet waiting cars on United States territory (McClelland, 2001). Canada is reportedly primarily a transit country for East Asian crime groups, with other large source countries of victims being from Russia, the Philippines, China, and Mexico (Davila, 2004; Eaves, 2014).

Historically the deportation of sex trafficking victims was a routine occurrence in Canada, as victims in Canada were viewed as illegal workers or prostitutes; therefore,
victims were offered no support services or ways to gain legal residency (Oxman-Martinez & Hanley, 2004). Canada has developed new policies which allow victims classified as such to apply for a temporary residency permit of 180 days or a long-term permit for up to three years, both of which can afford victims health care and a work permit (Riordan Raaflaub, 2006; U.S. State Department, 2017). Unfortunately, these permits are difficult to obtain if a victim is charged with a crime which is a common co-occurrence with sex trafficking victimization (Tiano & Murphy-Aguilar, 2012). Other sex trafficking victims are offered asylum on the basis of humanitarian need or compassionate consideration (Gozdziak & Collett, 2005).

Other services provided to victims vary significantly between Canadian provinces. Each provincial jurisdiction is responsible for its own delivery model; hence, this model provides little uniformity in care of sex trafficking victims and leaves decisions regarding providing government services up to law enforcement and immigration officials (The Future Group, 2006; U.S. State Department, 2017). Recent reports have also indicated that when health or mental health services are provided to sex trafficking victims, they are exceedingly difficult to access and are not trauma-informed, potentially causing greater distress and shock to victims (The Future Group, 2006; U.S. State Department, 2017).

A lack of comprehensive medical and psychological services leaves NGOs to provide for the victim’s needs, while varying levels of success depends on the financial support of each Canadian province (U.S. State Department, 2017). Similarly, NGOs are responsible in providing housing and shelters for sex trafficking victims. Despite the addition of two new trafficking-specific transitional housing facilities in 2016, only twenty-
four trafficking-specific beds are available in Canada (U.S. State Department, 2017). Caseworkers often report difficulty placing trafficking victims in homeless or domestic violence shelters, due to a lack of knowledge in addressing the needs of sex trafficking victims and the concerns of violence from traffickers (The Future Group, 2006; U.S. State Department, 2017).

Canada currently has outdated and fragmented data collection on sex trafficking, which does not allow for current incidence rates, prevalence estimates, and information on victim and sex trafficker typologies. A recommendation would be to implement a Canadian human trafficking hotline, one similar to the human trafficking hotline in the United States or a centralized system for data collection.

Mexico

Mexico is both a high source and destination country for sex trafficked persons (Goldberg, Silverman, Engstrom, Bojorquez-Chapela, & Strathdee, 2013; Still, 2017; Tiano & Murphy-Aguilar, 2012) and is believed to be the largest source country when trafficking across international borders (Gozdziak & Collett, 2005; Loff & Sanghera, 2004) and when trafficking into the United States (Cicero-Dominguez, 2005; Protection Project, 2010). The U.S. Department of State (2005) estimated that 70% of all sex trafficked persons are trafficked from Mexico to the U.S., 50% of which are minors who are trafficked for prostitution. Statistics such as these offer some justification for the vast amount of research conducted on sex trafficking at the Mexican border.

Established corridors and patterns of trafficking through Mexico has shown that the flow of victims is from most impoverished county to least or from South to North (Rocha-Jimenez et al., 2017; Tiano & Murphy-Aguilar, 2012). Following this pattern,
most sex trafficking victims brought to the U.S. via Mexico are from southern Mexico or Central America (Rocha-Jimenez et al., 2017; Servin et al., 2015; Tiano & Murphy-Aguilar, 2012), with an estimated one-third of all sex trafficked persons brought into the U.S. being from Central America (Ugarte et al., 2003). Other origin countries trafficked through Mexico to the U.S. include Eastern Europe, South America, Africa, the Caribbean, and Asia (Tiano & Murphy-Aguilar, 2012; U.S. State Department, 2017).

Although little data has been found describing the most common methods used to move sex trafficked individuals into the U.S. via Mexico, the vulnerability factors of these victims have been examined in depth.

Victims transported through the U.S.-Mexico border often have a combination of environmental and personal risk characteristics that increase their vulnerability to sex trafficking. In addition to the common risk factors of sex trafficking victims, such as economic and familial instability, addiction, marginalized sexual identity and gender identification, abuse, disability, and low education level (Dalla, 2001; Dalla, 2003; Hardman, 1997; Nadon, Koverola, & Schludermann, 1998; Roe-Sepowitz, 2012; Silbert & Pines, 1982; Simons & Whitbeck, 1991); individuals trafficked through the U.S.-Mexico border also face issues related to forced migration from countries in Latin America. Issues leading to forced migration including government instability, cartel violence, and internal conflict have also been particularly strongly linked with an increased risk of being sex trafficked (Ugarte et al., 2003).

Solo migration within Mexico and from the Central Americas has been correlated with increased risk of sex trafficking victimization by multiple research studies (Loza et al., 2010; Rocha-Jimenez et al., 2017; Ugarte et al., 2003). This is partially due to the
isolation and lack of physical family connection that can be experienced when a person migrates alone (Collins et al., 2013; Rocha-Jimenez et al., 2017; Zhang, 2011). This puts unaccompanied minors at a heightened risk because it combines the risk factors of young age, being alone, and being undocumented (Servin et al., 2015; Still, 2017; Tiano & Murphy-Aguilar, 2012; Ugarte et al., 2003). Often, when a person migrates to escape poverty, state instability, or societal oppression, they do so as an undocumented person (Still, 2017; Tiano & Murphy-Aguilar, 2012). Furthermore, using a smuggler to gain entry into a county illegally further increases the risk of being recruited into the life of sex trafficking (Schauer & Wheaton, 2006). This also increases the likelihood that a person will be deported, another similar risk factor to migration in that it creates instability and isolation (Collins et al., 2013).

Current policies exist to protect victims from deportation and prosecution but home immigration raids focus on arresting victims for illegal migration or prostitution (U.S. State Department, 2017). In a 2010-2011 study in Tijuana’s Zona Norte district of formerly trafficked female sex workers (n = 24), the study found that while social services, health services, and legal aid is technically available, a concerted effort to provide these services remains a low priority (Collins et al., 2013; U.S. Department of State, 2011; Zhang, 2011).

Though both repatriation services and an option for refugee status are feasible options for victims of sex trafficking, deportation of sex trafficking victims still occurs (Servin et al., 2015). The Mexican government has a limited record in offering support for physical and medical needs of sex trafficking victims. Although provisions are in place to provide temporary services, including medical care, food, shelter, and mental
health care, these services are largely provided by NGOs, and their availability is limited to a few areas (Collins et al., 2013; Servin et al., 2015; U.S. State Department, 2017). This lack of consistently available care while in Mexico puts victims at a higher risk of revictimization and even repeated trafficking (U.S. State Department, 2017).

**United States**

In recent years, the U.S. has made efforts to meet the needs of all trafficking victims through improvements in existing legislation and better funding for NGOs aimed at serving victims (The Future Group, 2006). Partially due to the faulty view of foreign-born sex trafficking victims as being foremost prostitutes and undocumented immigrants, the U.S. deports far more victims than they offer protection and immigration relief (Franssen-Tingley, 2017; Schauer & Wheaton, 2006).

The U.S. offers two main visas aimed at protecting and aiding foreign-born victims of sex trafficking. The T-visa is a trafficking-specific visa available for victims and qualifying immediate family which provides up to four years of a work permit as well as federal and state benefits equal to those afforded to refugees (housing and food assistance, medical care, etc.) (Franssen-Tingley, 2017; U.S. Citizenship and Immigration Services, 2018). This status can also be transitioned to permanent residency if certain qualifications are met (Franssen-Tingley, 2017). Approval for up to 5,000 T-visas per year has been granted, but only around 1,000 are typically used (Davila, 2004; Future Group, 2006; Still, 2017). This visa initially required victims to aid in the prosecution of their trafficker and demonstrate the severity and existence of their trafficking situation, but now they T-visa requires that a client must be willing to assist
law enforcement but the application no longer requires a law enforcement ‘approval’ (Franssen-Tingley, 2017; Still, 2017).

The second type of visa is the U-visa which provides temporary legal residency status for the sex trafficking victim, but does not provide the option of becoming a permanent legal resident of the U.S. or eligibility to receive work and health benefits (U.S. Citizenship and Immigration Services, 2018). The U-visa also requires the victim to be willing to aid law enforcement in the prosecution of their traffickers and requires law enforcement ‘approval’ for the application.

Victim Narratives

The following victim narratives are quoted directly from Ugarte, Zarate, & Farley’s 2003 article Prostitution and Trafficking of Women and Children from Mexico to the United States and the chapter entitled Borderline Slavery: Mexico, United States, and the Human Trade by Tiano & Murphy-Aguilar (2012). These examples are both of individuals trafficked into the U.S. through Mexico.

Guadalupe, Age 12 (Ugarte, Zarate, & Farley, 2003)

In an Immigration and Naturalization Service (INS) exit interview during the process of deportation to Mexico, this transgender youth stated that she had been trafficked into the United States for the purpose of prostitution by a criminal gang that operated in her hometown in Mexico. They had transported her to a number of cities on both US coasts, selling her on the gay/transgender prostitution circuit. In the INS interview where she was identified as a boy, she reported extensive family violence and abandonment at a young age by her father, at which time her mother permitted (and
probably took in money from) the child’s prostitution. Although it was not known whether she had been sexually assaulted by family and neighbors, her prostitution was child sexual abuse. The US Justice Department and DIF (Mexican Social Services) determined that Guadalupe should remain in the United States pending further investigation of her home environment. As with Sofia, many agencies in both the United States and Mexico were involved and the BSCC functioned as an advocate and coordinator of services for the child.

Guadalupe was traumatized as a preadolescent by a homophobic social environment in which she was surrounded with contempt and physical violence, including rape... In addition to being gay, Guadalupe openly expressed her identity as female, which resulted not only in social stigma but escalated to contempt and physical violence... At an emergency shelter Guadalupe was retraumatized by other children’s prejudice toward gay and transgendered youth. The humiliation and social isolation were intolerable and she ran away from the shelter.

Shortly afterward the US border patrol arrested Guadalupe as an undocumented minor, identifying her this time as a girl, unaware that she had been previously trafficked and prostituted. Guadalupe was placed in custody of Child Protective Services and deported to Mexico.

At that point her history of trauma, neglect, abuse, and trafficking was discovered. Out of concern for the child’s safety Guadalupe was returned to the United States. Angry that her child was out of her control, Guadalupe’s mother filed a complaint against DIF (Mexican Social Services) with the Mexican Human Rights Commission demanding the return of her son. Guadalupe was emotionally blackmailed
into silence by her mother and she denied her history of neglect, violence, and prostitution. Bowing to political and legal pressure, US and Mexican law enforcement agencies permitted Guadalupe to be returned to her mother in Mexico. Guadalupe ran away from her mother’s home to a large city in Mexico. At age 12, she obtained identification that listed her age as 18. She is currently working in a strip club as a female table dancer, which almost always involves prostitution (pp.152-154).

The Flores-Carreto Case (Tiano & Murphy-Aguilar, 2012)

The Victims

Documented cases involve nine women between 14 and 19 years of age. Poor, with little or no education, and suffering from low self-esteem, they hailed from various peripheral regions of Mexico. They had come to urban zones, Tenancingo, Tlaxcala and Mexico City, to look for a better way of life.

Modus Operandi

In some of these documented cases, Gerardo Carreto, Josué Flores Carreto, Daniel Pérez Alonso, and Eliú Carreto Fernández used seduction and deceit, partial or total, to recruit their victims and force them into prostitution. In other cases, kidnapping, rape and physical violence were used to keep the victims under control. Many times the traffickers had established intimate relations with their victims prior to trafficking them. Some even married their victims in order to obtain information about their families and to establish close relationships with the victims and their families.

The emotional and sentimental bonds to the victims facilitated the perpetrators’ ability to manipulate and threaten them. Once “hooked,” the victims were taken to live in
the house of Consuelo Carreto, Josué’s and Gerado’s mother, in Tenancingo, who along with her daughter-in-law María de los Ángeles Velásquez kept the women isolated and under strict surveillance. Velásquez took care of the children that some of the victims had with the traffickers. It was in Consuelo’s house that the women’s exploitation began, when they were raped, beaten, and forced to prostitute themselves. During the first phase of their exploitation, almost all the victims were forced to prostitute themselves in various parts of the country. Later they were taken illegally to Queens, New York, where they were forced to serve an average of 30 men a day. Although the charge was between $25 and $35 a client, the women could keep none of the money they earned. Upon threat of severe beatings if they refused, they gave part of their earnings to the brothel owners and the rest to the Carretos, who sent the money to Consuelo and other family members in Mexico...

The Investigation

Apart from the evidence presented by the nine victims who agreed to testify in this case, U.S. authorities had a “cooperative witness” who was intimately related to the family and had on many occasions watched over the victims and accompanied the accused traffickers during their operations. In addition, in January 2004, U.S. agents of the Immigration and Customs Enforcement (ICE) raided the two apartments that the Carretos and their victims shared in Queens, New York... Among the accusations leveled against the Carreto family were conspiracy, trafficking for sexual exploitation, forced labor, illegal trafficking for prostitution, conspiracy to import foreigners for immoral purposes, trafficking in persons and smuggling (pp.104-106).
References


