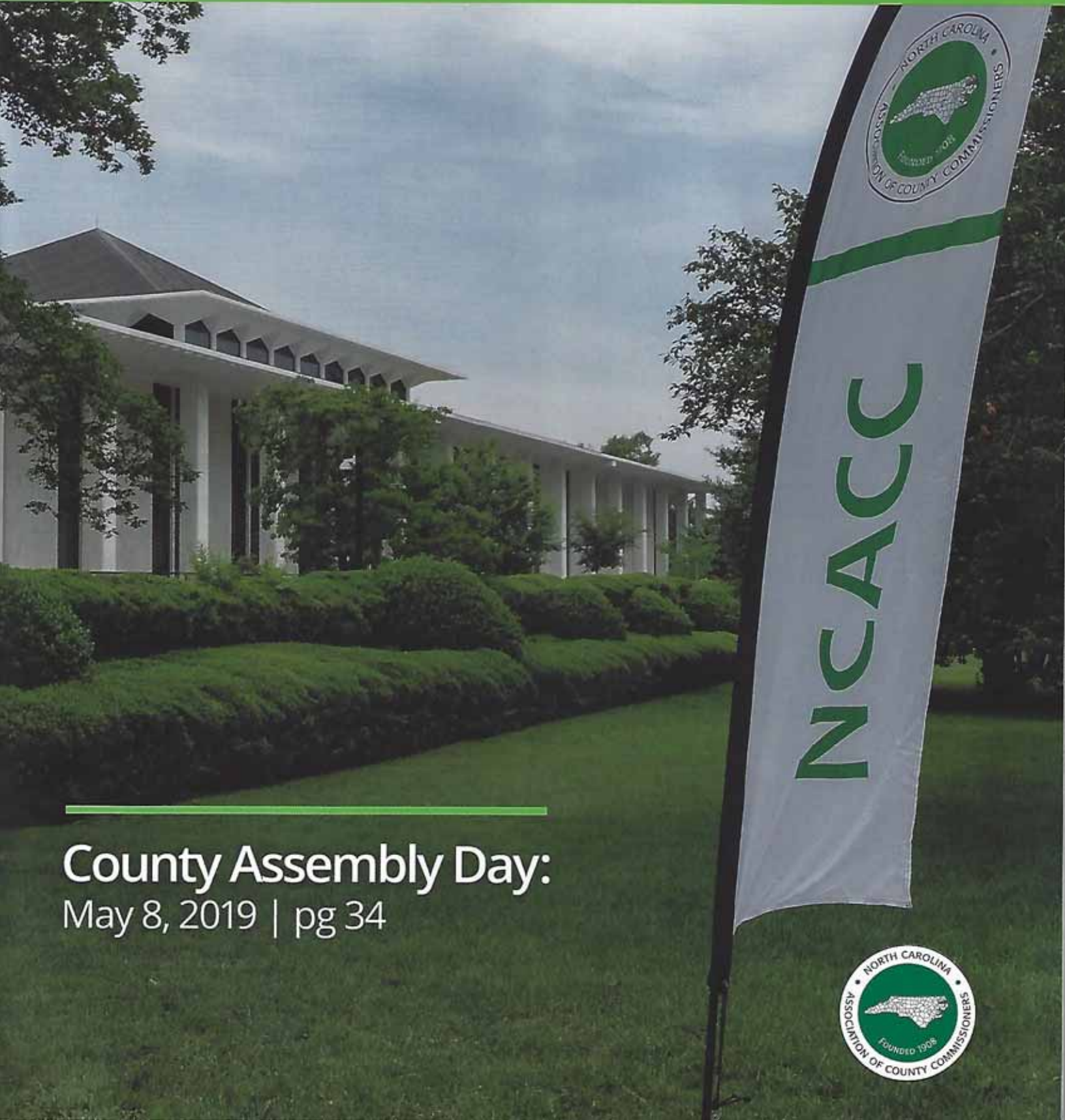


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The Federal Response

By Leslie Mozingo | *Stratagics Consulting*

Human trafficking, also known as trafficking in persons (TIP), is a crime under federal and international law; it is also a crime in every state in the United States. Under U.S. federal law, “severe forms of trafficking in persons” includes both sex trafficking and labor trafficking and is defined as follows:

Sex trafficking is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).

Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).

Human trafficking is a modern form of slavery and, tragically, there are many industries where trafficked persons may be present including but not limited to the commercial sex trade, illicit massage or beauty businesses, restaurant, food service, agriculture, construction, hospitality, manufacturing, recreational

facilities, and forestry.

Human trafficking has wide ranging policy implications for human rights, labor, the economy, organized crime, national security, migration, governance, and trade. Dating back to 1930, Congress has responded to this issue by passing laws to prohibit human trafficking, identify countries with pervasive labor abuses through reporting requirements, and limit trade and federal procurement with the offenders.

For nearly twenty years, the primary federal legislative vehicle to address human trafficking has been the Trafficking Victims Protection Act (TVPA), which was originally passed in 2000 and was subsequently reauthorized in 2003, 2005, 2008 and 2018. The law provides a three-pronged approach that includes prevention, protection, and prosecution. The most recent iteration of TVPA was signed into Public Law (P.L. 115-393) in December 2018. The reauthorization bill was also amended in January 2019 by P.L. 115-427.

The TVPA provides the legal foundation for the U.S. government to combat and prosecute human trafficking crimes, and it sets additional policy and provides essential resources to help prevent and respond to victimization.

to Human Trafficking



Historically, the TVPA and its reauthorizations have passed with broad bipartisan support. The same held true of this last reauthorization, which North Carolina's U.S. Senator Thom Tillis cosponsored.

Senator Tillis has long been a vocal advocate for fighting these crimes and discussed his efforts. "Human trafficking is one of most heinous crimes imaginable and we should do everything we can to stop human traffickers and give victims the justice they deserve. I am proud to have worked across the aisle to combat human trafficking, supporting bipartisan legislation like the Justice for Victims of Trafficking Act, which was signed into law by President Obama. The bipartisan law gives law enforcement vital tools they need to bring down human traffickers and the criminal organizations that enable their heinous activities. I also co-sponsored the Extending Justice for Sex Crime Victims Act, which clarifies that the statute of limitations for sex abuse and trafficking victims does not begin until the actual discovery of the violation or injury, and the Missing Children's Assistance Act, which increases the National Center for Missing and Exploited Children's (NCMEC) resources for parents and

communities to prevent and respond to child abduction and exploitation. These pieces of legislation are a step in the right direction, but more still needs to be done. I will continue to work with my colleagues on a bipartisan basis to ensure we are doing everything in our power to combat human trafficking," shared Senator Tillis.

The TVPA reauthorization contains a number of provisions aimed at addressing current policy gaps while continuing essential programming. In particular, the bill:

- increases the funding available for victim services;
- requires and sets standards for the training of certain front-line workers in industries like transportation;
- exempts restitution for trafficking survivors from federal taxes;
- modernizes standards to prevent trafficking of domestic workers brought to the United States by employers with certain diplomatic protections;
- bolsters efforts to keep goods made from forced labor from entering the United States, including a national report on goods made by child and slave labor;



↑ Senator Tillis speaking with attendees of NC Reception hosted in conjunction with the National Association of Counties' Legislative Conference held March in Washington, DC.

- increases support for the survivor-led U.S. Advisory Council on Human Trafficking; and
- strengthens the U.S. State Department's Trafficking in Persons Report, by ensuring countries are more accurately analyzed and ranked.

Also in the last Congress, the Abolish Human Trafficking Act (P.L. 115-392), set forth a variety of measures to address the prevention and punishment of human trafficking and to assist trafficking victims by:

- providing restitution for victims;
- funding investigations of offenses relating to sexual abuse of children;
- providing grants to states and localities and other entities for victim service assistance;
- providing training of health, victim service, and federal law enforcement personnel, including through the use of a victim screening protocol by the Department of Homeland Security;
- imposing penalties for slavery offenses, sex trafficking of children, and repeat convictions for transportation for illegal sexual activity and related crimes;

- combating travel for the purpose of engaging in any illicit sexual conduct;
- designating additional Department of Justice resources for prosecution and service coordination;
- enhancing penalties for offenses involving organized human trafficking, sexual abuse, sexual exploitation, or transportation for prostitution or any illegal sexual activity; and
- requiring studies of the physical and psychological effects of serious harm to victims.

Additionally during the last Congress, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act became P.L. 115-425. This law established new authority for, among other actions, local education agencies to establish programs to educate children on the dangers of severe forms of trafficking in persons.

There also continues to be new legislation introduced in the 116th Congress to combat human trafficking. For example, Human Trafficking Accountability Act (H.R. 509), Reducing the Demand for Human Trafficking (H.R. 467), Exposing the Financing of

Human Trafficking Act (H.R. 2149), and Human Trafficking Survivor Tax Relief Act (H.R. 619; S. 169), just to name a few.

It is estimated that upwards of 18,000 people, primarily women and children, are trafficked in the United States every year. North Carolina ranks #11 of all states, according to the most recent data collected by Polaris, a non-profit organization dedicated to ending human trafficking and assisting survivors. Therefore, NC counties should actively pursue knowledge on this crime, apply for competitive grants, consider weighing in on legislation addressing the issue, and bring forth to the North Carolina Congressional Delegation good ideas that would help our state's counties in particular. ■

Many human trafficking initiatives are backed by federal funding assistance in FY19 Department of Justice Appropriations. Please visit the DOJ grants page (<https://grantsnet.justice.gov/programPlan/html/solicitations.htm>) for more information on the status of those programs.



Look Who Found Albert Coates!

Congratulations to Brenda Reaves, Person County Clerk to the Board of Commissioners and Executive Assistant to the County Manager. She was the first to find Albert Coates in the Winter 2019 issue of CountyQuarterly. Reaves has worked in local government for nearly 13 years and was appointed Clerk in 2009. She is a member of the North Carolina Association of County Clerks. She achieved the International Institute of Municipal Clerks' (IIMC) designation for Certified Municipal Clerk in 2010, and Master Municipal Clerk in 2017, which is IIMC's highest certification for clerks. In addition, she achieved the North

Carolina Certified County Clerk status in 2011 and the North Carolina Master Municipal Clerk designation this March. Reaves has been married to her husband, Charles for 37 years. Together they have two daughters who reside in Person County - Kristi, an accountant, who is married with two sons; and Erica, a third grade teacher, who is also married with two sons. Reaves thoroughly enjoys being a grandmother. In her role as "Mimi," she spoils her grandchildren every chance she gets. She also enjoys traveling with family and friends and camping throughout North Carolina.