

Bad Neighbor: Tracing U.S. Benevolent Governance, Neo-Colonialism, and Anti-Trafficking  
Initiatives in Latin America and the Latinx Diaspora

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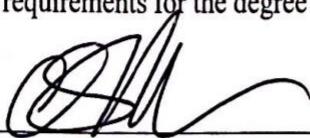
Bad Neighbor

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In Loving Memory of Rafael Tejada Gil

To Calixta Tejada-Tavarez and Adela Tejada Rosario Gil - the two women who I cherish deeply and showed me the value in education and perseverance

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Bad Neighbor: Tracing U.S. Benevolent Governance, Neo-Colonialism, and Anti-Trafficking Initiatives in Latin America and the Latinx Diaspora

**Chapter 1: The Genesis of the Contemporary Anti-Trafficking Movement: Analyzing Key Actors and Laws Central to the Construction of Modern-Day Slavery**

**Setting up the Stage: The Genesis of the Contemporary Anti-Trafficking Movement**

“**Question:** How do sanctuary cities and that whole issue, hinder your efforts to try to address this situation and help the victims because it seems to me that this is another argument for... you know a boundary, a wall, whatever you want to call it, and increased vigilance on illegal immigration?

**Bradley Myles, CEO of Polaris:** Thank you for the question. I think there are lots of people debating how to deal with this. One of the things I don't think is in the debate enough is how often victims from other countries come to the U.S. on legitimate visas. Let's say we have a legitimate visa for farm workers, they fly into the U.S., and land at one of the major airports, start working on the visa, then they are held in debt bondage. There are structural challenges with those visas. You are not allowed a lawyer. If you focus exclusively on the foot traffic coming across the border, a wall would block that foot traffic for example, you are not addressing the majority of the ways the victims get into the U.S., which is flying in on these legitimate visas. I

think the conversation is more complex than just looking at the southern border and what is coming over on foot. That also does not take into account all the U.S. Citizen victims who are victims of trafficking, who are not immigrants. U.S. citizens kids who grew up in abusive homes, are in foster care, and then get abused out of foster care. We have to talk about U.S. Citizen victims and immigrants. And then when we only focus on immigrants, we have to make sure we talk about the foot traffic piece and flying in piece. The wall would not address the majority of the trafficking that comes in, which is coming in on airplanes. I think people are trying to figure out how to deal with this because it is a complex issue. How are the states dealing with this? The states are laboratories, they are trying very different things.”<sup>1</sup>

In this televised interview with C-Span, Polaris Project CEO, Bradley Myles, passionately speaks of the horrors of human trafficking for both U.S. citizens and immigrants. In his two-minute response, Myles highlights several key issues in rapid fire: immigration, the U.S.-Mexico Border wall, visas, debt bondage, trafficking, legality, and the U.S. citizenship. Throughout the response, he repeatedly calls on the general public to not forget about the U.S. citizen when speaking of the immigrant, in addition to discussing the legality in which some immigrants come into the United States, focusing on the entry of migrants into the United States through legal means, such as through acquiring visas that authorize temporary work, study, or travel.

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<sup>1</sup> “Bradley Myles on Human Trafficking in U.S. | C-SPAN.Org,” accessed April 19, 2019, <https://www.c-span.org/video/?457057-5/washington-journal-bradley-myles-discusses-human-trafficking-us&start=925>.

The issue of human trafficking then encompasses the entirety of these processes: of migration, forced migration, abuse, legality, and finally, the all-encompassing transnational exchange of bodies under a late capitalist and neo-colonialist system that is present in an increasingly globalizing world<sup>2 3 4</sup>. Human trafficking, also phrased “modern day slavery,” has been cited by many as a particularly abhorrent crime, drawing upon rhetoric of the transatlantic slave trade. Scholars, non-governmental organizations (NGOs) and governments position trafficking as a much more sophisticated crime than that of the transatlantic slave trade, more advanced due to hyper-globalization and capitalism. Kevin Bales, renowned scholar of human trafficking and author of several award-winning books such as *The Slave Next Door* and *Disposable People*, beautifully captures the tone-deaf statement in a view that captures typical thought processes common in the anti-trafficking sphere:

“Most Americans’ idea of slavery comes right out of Roots - the chains, the whip in the overseer’s hand, the crack of the auctioneer’s gavel. That was one form of bondage. The slavery plaguing America today takes a different form, but make no mistake, it is real slavery. Where the law sanctioned slavery in the 1800s, today it’s illegal. Where antebellum masters took pride in the ownership of slaves as a sign of status, today’s human traffickers and slaveholders keep slaves hidden, making it all the more difficult to locate victims and punish offenders. Where the slaves in America were once primarily African and African American, today we

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<sup>2</sup> Elizabeth Bernstein, “Carceral Politics as Gender Justice? The ‘Traffic in Women’ and Neoliberal Circuits of Crime, Sex, and Rights,” *Theory and Society* 41, no. 3 (2012): 233.

<sup>3</sup> Eithne Luibhéid, “Sexualities, Intimacies, and the Citizen/Migrant Distinction,” *Citizenship and Its Others*, 2015, 126–44, [https://doi.org/10.1057/9781137435088\\_13](https://doi.org/10.1057/9781137435088_13).

<sup>4</sup> Janie Chuang, “Beyond a Snapshot: Preventing Human Trafficking in the Global Economy,” *Indiana Journal of Global Legal Studies*: Vol. 13: Iss. 1, Article 5.

have “equal opportunity’ slavery; modern-day slaves come in all races, all types, and all ethnicities. We are, if anything, totally democratic when it comes to owning and abusing our fellow human beings. All that’s required is the chance of a profit and a person weak enough and vulnerable enough to enslave.”<sup>5</sup>

This perspective on “modern day slavery” has led to a proliferation of non-governmental organizations who dedicate themselves to combating human trafficking, which these organizations refer to as the illegal selling of humans. In order to combat this modern slavery, many anti-trafficking organizations establish initiatives dedicated to solving the epidemic of trafficking. Empirically, this thesis project focuses on the 2016 “*Sex Trafficking from Latin America* initiative,” housed under Polaris Project, a prominent U.S. anti-trafficking organization. The Sex Trafficking from Latin America initiative, as will be examined in depth, focuses on combating the sex trafficking of Latina migrants who cross into the U.S.-Mexico border for the purposes of being sold into the commercial sex trade.

The genesis of the contemporary anti-human trafficking movement, as well as the birth of the notion of “modern day slavery”, in addition to the subsequent founding of many anti-trafficking organizations, is derived from the establishment of the 2000 United Nations Palermo Protocols to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, which supplemented the United Nations Convention against Transnational Organized Crime. The Protocol was the first international treaty ratified that called upon nation-states to combat the issue of trafficking. Equally as instrumental, was the establishment of a universal definition of trafficking:

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<sup>5</sup> Kevin Bales and Ron Soodalter “*The Slave Next Door: Human Trafficking and Slavery in America Today*” (Berkeley, UNITED STATES: University of California Press, 2010)

“Trafficking in persons shall mean 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”<sup>6</sup>

This definition has been the basis with which human trafficking has been evaluated globally and as such, is the definition that will be employed throughout this project. In order to critically examine anti-trafficking organizations and initiatives, I present the foundational laws that are central to the mission of anti-trafficking organizations and central to constructing the anti-trafficking movement.

The Palermo Protocol brought about an era of trafficking initiatives and laws aimed at globally combating the problem of trafficking. In particular, it birthed two organs instrumental to the United States’ role in combating trafficking globally: The Trafficking Victims Protection Act, also known as the TVPA, and the U.S. Department of States’ Trafficking in Persons (TIP) report. The Trafficking Victims Protection Act is the premier U.S. federal human trafficking

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<sup>6</sup> UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000

legislative act designed to prosecute traffickers, prevent human trafficking, and protect victims of trafficking. In addition to establishing a catchy moniker of the “3 P’s” - which are prosecution, protection, and prevention - the act establishes human trafficking as a federal crime, and introduced the T-visa, which allows victims of human trafficking, and their families to become temporary U.S. residents and eligible to become permanent residents after three years.<sup>7</sup> The TVPA became the instrumental precursor to establishing the TIP report, which is defined to be:

“The U.S. Government’s principal diplomatic tool to engage foreign governments on human trafficking. It is also the world’s most comprehensive resource of governmental anti-trafficking efforts and reflects the U.S. Government’s commitment to global leadership on this key human rights and law enforcement issue. It represents an updated, global look at the nature and scope of trafficking in persons and the broad range of government actions to confront and eliminate it. The U.S. Government uses the TIP Report to engage foreign governments in dialogues to advance anti-trafficking reforms and to combat trafficking and to target resources on prevention, protection and prosecution programs.”<sup>8</sup>

The development of these main organs in the U.S.’s mission to fight anti-trafficking exist in a bed of neo-imperialist notions, mechanized through an annual “Trafficking in Persons Report”. Foreign governments are obligated to report on their advancements on combating trafficking to the U.S. The standards for which global anti-trafficking initiatives for foreign

<sup>7</sup> Christopher Smith, “H.R.3244 - 106th Congress (1999-2000): Victims of Trafficking and Violence Protection Act of 2000,” webpage, October 28, 2000, <https://www.congress.gov/bill/106th-congress/house-bill/03244>.

<sup>8</sup> United States Department of State, *2018 Trafficking in Persons Report - United States of America*, 2018

countries are suggested to develop are standards outlined in the TVPA. Countries are ranked based on a tiered system: countries who successfully comply with the minimal requirements set forth in the TVPA, requirements that are established, maintained, and overseen by the United States government, are ranked in Tier 1. Countries that are noncompliant with minimal requirements but are making significant attempts to do so are ranked in Tier 2, and countries that are noncompliant with TVPA standards and are not making efforts to do so are ranked in Tier 3.

<sup>9</sup> Amendments to the TIP report resulted in the inclusion of the Tier 2 Watch List, which is a designation in which countries that demonstrate that foreign governments have taken tangible steps to combat trafficking but fail to meet the minimum standards are placed.<sup>10</sup> “The Watch List serves as a warning to nations that are liable to be demoted to the third and lowest tier.”<sup>11</sup> For countries ranked in Tier 3, they face economic ramifications in the form of sanctions for non-compliance, more specifically, “Tier 3 countries will face opposition from the United States in obtaining support from financial institutions, such as the World Bank and the International Monetary Fund (Gallagher, 2006).”<sup>12</sup>

## Literature Review

There is a pool of standardized scholarship that is essential when undergoing pedagogy regarding trafficking studies. This pool of literature is formed at the foundation of the Trafficking Victims Protection Act and the UN Palermo Protocol, particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children. The

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<sup>9</sup> Alese Wooditch, “The Efficacy of the Trafficking in Persons Report: A Review of the Evidence,” *Criminal Justice Policy Review* 22, no. 4 (December 1, 2011): 471–93, <https://doi.org/10.1177/0887403410386217>.

<sup>10</sup> Daphna Hacker, “Strategic Compliance in the Shadow of Transnational Anti-Trafficking Law,” *Harvard Human Rights Journal* 28 (2015): 54.

<sup>11</sup> Hacker, “Strategic Compliance in the Shadow of Transnational Anti-Trafficking Law.”

<sup>12</sup> Wooditch, “The Efficacy of the Trafficking in Persons Report.”

literature of the TVPA and UN Palermo Protocol is essential to any trafficking literature that examines the legal aspect of trafficking regimes, as both of these documents were the genesis to the modern-day anti-trafficking regime. In analyzing the TVPA, it is the instrument to which U.S. federal government is able to reinforce its role as the global sheriff, as many foreign governments are required to adhere to standards placed forth in the TVPA in order to achieve a favorable ranking in the highly political, albeit termed diplomatic, Trafficking in Persons (TIP) report. Much of trafficking literature, including that of critical trafficking studies, begin with an introduction that includes that TVPA and UN Palermo Protocol as foundational to trafficking studies. In following the path of scholars before me, I similarly introduce this scholarship through the TVPA and UN Palermo Protocol as foundational to trafficking, as both are instruments that proved to be the genesis to contemporary anti-trafficking movements.

The designation that the U.S. is the enforcer of global anti-trafficking efforts, demonstrates the upholding of the role of the U.S. as the global sheriff.<sup>13</sup> The fundamental basis with which the TIP report functions under, demands that foreign governments comply with domestic legislation of the United States, lest they are punished with economic sanctions that drastically impact the functionality of said governments. As noted by scholars in conjunction with organizations, “some tier determinates have been suspected of being political in nature (U.S. DOS, 2006a, 2006b) as certain Tier 2 countries ‘clearly do not meet the minimum standard, several among them have not been threatened with Tier III and the loss of foreign assistance that accompanies that status’ (International Justice Mission, 2007; *italics added*).”<sup>14</sup> Tier determinates are not solely political in nature, they are racialized as well. The notion that

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<sup>13</sup> Janie Chuang, “The United States as Global Sheriff: Using Unilateral Sanctions to Combat Human Trafficking,” 27 Mich. J. Int'l L. 437 (2006).

<sup>14</sup> Wooditch, “The Efficacy of the Trafficking in Persons Report.”

foreign governments must comply with U.S. federal legislative standards ignores pre-existing cultural norms. As stated by Agustín, “The US federal government's annual trafficking report relies on CIA, police and embassy guesstimates of situations that are not understood the same way across all cultures and social classes. Some figures for trafficked victims refer to all migrants who sell sex, while others require proof that the victims knew nothing about what was happening. To prove a case, investigators must focus intensively and at length; knowledge of multiple cultures, political contexts and languages are required.”<sup>15</sup>

The literature on trafficking, has failed to consider how other historical forms of benevolent imperialism have shaped U.S. interaction with Latin America, and my work aims to contextualize these histories.

### **A Benevolent Government - The Role of the U.S. In Policing Trafficking Initiatives**

I argue that the tiered ranking of the TIP report is rooted in historical legacies of interventionist U.S. policing of non-Western countries. The blanketed requirement that countries are to follow the domestic legislation of the U.S., without consideration of socioeconomic and cultural factors of foreign countries, implies that the U.S. is strategically more knowledgeable and equipped to handle anti-trafficking efforts, as well as upholding the U.S. as the global sheriff of morality. The surveillance and accountability measures upheld in the main instruments of anti-trafficking initiatives of the U.S. allow for the portrayal of non-Western countries as oppressive, backwards regimes that allows for the proliferation of the savage crime of human trafficking. This phenomenon is exceptionally visible in the tiered ranking system of the TIP report, as many

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<sup>15</sup> Laura Agustín, “Laura Agustín: Government Proposals for Sex Workers Do Little to Tackle the Problem of Human Trafficking,” *The Guardian*, November 19, 2008, sec. Opinion, <https://www.theguardian.com/commentisfree/2008/nov/19/humantrafficking-prostitution>.

countries in Tier 1 have been historic violators of human rights, however due to their allyship with the United States, are able to escape lower ranking. Particularly interesting, is the U.S.’s ranking in Tier 1, as their mass incarceration rates and instances of labor rights violations, might suggest that their ranking should be lower. The tiered system of the TIP report allows for the U.S. to maintain an imperialist grip on countries that are found to be rogue and underperforming in combating human trafficking, what legal scholar Janie Chuang has labeled as the “global sheriff” problem.<sup>16</sup>

The usage of economic sanctions is required to note in constructing a critique against the U.S. government’s role in policing governments on their trafficking standards. Foreign countries that are at risk of failing to comply with U.S. trafficking standards receive a full scale of punishment, as they are cut off from non-trade, non-humanitarian assistance as well as opposition from seeking funds from the IMF and World Bank.<sup>17</sup> The U.S. is able to use economic coercion in order to enforce domestic policy. While the use of sanctions under the TIP report has not been widespread, Wooditch points to an interesting phenomena, “In 2007, President G.W. Bush sanctioned only 5 out of the 15 Tier 3 countries; all of which were already under some form of sanctioning unrelated to the TIPs (U.S. Department of Treasury, 2008).”<sup>18</sup> The Tier 3 placements<sup>19</sup>, unsurprisingly include countries that have systematically been deemed “enemies” to the United States, due to historical legacies of U.S. intervention.

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<sup>16</sup> Janie Chuang, “Beyond a Snapshot: Preventing Human Trafficking in the Global Economy.”

<sup>17</sup> Susan Kneebone, “Trafficking and the Global Sex Industry. Edited by Karen Beeks and Delila Amir.,” *Journal of Refugee Studies* 20, no. 3 (September 1, 2007): 539–42, <https://doi.org/10.1093/jrs/fem026>.

<sup>18</sup> Wooditch, “The Efficacy of the Trafficking in Persons Report.”

<sup>19</sup> “Tier Placements,” U.S. Department of State, accessed March 21, 2019, <http://www.state.gov/j/tip/rls/tiprpt/2007/82802.htm>.

ALGERIA	EQUATORIAL GUINEA	NORTH KOREA	SUDAN
BAHRAIN	IRAN	OMAN	SYRIA
BURMA	KUWAIT	QATAR	UZBEKISTAN
CUBA	MALAYSIA	SAUDI ARABIA	VENEZUELA

(Table 1 demonstrates Tier 3 Placement Countries)

The usage of sanctions demonstrates the inherent political nature of the usage of economic coercion in pushing countries to adapt to U.S. anti-trafficking initiatives. It is also interesting to note the utilization of dual sanctions of certain countries- said countries were already being sanctioned, however the Bush administration sanctioned them once more due to failures to adhere to TVPA protocol and reduce trafficking. This demonstrates the usage of punishment in order to control foreign governments the U.S. considers rogue. Kamala Kempadoo observes this phenomenon as well, “The ranking thus constitutes part of continued US policy to demonize and isolate the Cuban government.... all of which fall into US categories of ‘rogue’ or ‘non-compliant’ states. Unlike Cuba, countries such as Belize and Jamaica are, in

principle, seen as cooperative with the US and hence in a position to move out of Tier 3 and save themselves from economic sanctions.”<sup>20</sup>

In analyzing human trafficking, specifically sex trafficking - which will be the focus of this thesis project, one cannot establish an argument without inclusion of the insidious role the U.S. government plays. Policy and law are central to the anti-trafficking sphere. It is then that these non-governmental institutions, NGOs with good intentions and systemic influence, collaborate and lie in bed with a host of other institutions that purport to combat sex trafficking, but instead actively perform more harm to marginalized communities that have been affected by this anti-trafficking apparatus. These institutions that collaborate within the confines of a hegemonic trafficking ideology and praxis, which strip away the rights and agency of marginalized populations in order to enact a benevolent governance. The construction of a benevolent governance is constructed through the benevolent mission of the ending the epidemic of trafficking, all the while utilizing sanctions and controlling the standards of combating trafficking of foreign governments.

The institutions at the forefront of this benevolent trafficking praxis include: the American federal government, specifically bipartisanship in the form of the Conservative and Democratic Parties, anti-sex work feminists, the police state - with specific focus on border officials and ICE, religious groups, white abolitionists, the well-meaning vigilante citizen, upper middle class, college educated folks who perpetuate white saviorism through a desire to help out those who are marginalized by structures of oppression, in addition to a host of NGOs that have propped up in order to combat the issue of sex trafficking.

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<sup>20</sup> Kempadoo, Kamala. “The War on Human Trafficking in the Caribbean.” *Race & Class* 49, no. 2 (October 2007): 79–85. doi:10.1177/03063968070490020602.

As prominent human trafficking scholar Elizabeth Bernstein states, this strange coalition of bedfellows,<sup>21</sup> have come together and increasingly encroached upon the rights of marginalized communities through anti-trafficking awareness campaigns and initiatives, in addition to the sponsorship of invasive anti-trafficking laws that purport to combat trafficking through the persecution of traffickers, the protection of trafficked persons, and the prevention of the act of trafficking. However, what this coalition of non-state actors and the government accomplishes is a racialized and gendered surveillance and prosecution of migrants that has done more harm under the guise of combating trafficking. These anti-trafficking NGOs push for carceral intervention, increased border surveillance and police state militancy in order to rescue trafficked persons, willfully ignoring the lived realities of police brutality experienced at the hands of marginalized communities, due to expectations that just the right amount of human trafficking and cultural sensitivity training will free these “modern day slaves”. In addition to increased partnership with the violent police state, these human trafficking NGOs then build upon a legacy of U.S. intervention under the guise of combating trafficking. This builds upon centuries of altruistic U.S. intervention of Third World countries, and mimics many of the sentiments present during the height of U.S. intervention, which then culminated in the period of Good Neighbor Policy, in which then President Roosevelt stated, ““No state has the right to intervene in the internal or external affairs of another”<sup>22</sup> as well as, “The definite policy of the United States from now on is one opposed to armed intervention.”<sup>23</sup> The U.S. has been a bad neighbor, perhaps the worst neighbor, to the Latin American region. Historically the U.S. has been the main force behind overt, violently armed interventions, particularly in Central America and the Caribbean,

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<sup>21</sup> Elizabeth Bernstein, “Militarized Humanitarianism Meets Carceral Feminism: The Politics of Sex, Rights, and Freedom in Contemporary Antitrafficking Campaigns,” *Signs* 36, no. 1 (2010): 45, <https://doi.org/10.1086/652918>.

<sup>22</sup> Earl R. Beck, “The Good Neighbor Policy, 1933-1938,” *The Historian* 1, no. 2 (1939): 110–31.

<sup>23</sup> Beck, “The Good Neighbor Policy, 1933-1938.

under the guise of establishing democracy in the Global South.<sup>24</sup> These armed interventions rest upon notions of a benevolent U.S. helping out the backwards, poverty-stricken Third World countries through the establishment of puppet democracies. I argue that the domain of anti-trafficking, led by powerful multi-lateral, multimillion-dollar organizations, executes a pattern of benevolent governance that builds upon legacies of violent, armed intervention. Polaris's Sex Trafficking from Latin America initiative, formerly Sex Trafficking from Mexico, demonstrates this phenomenon during a particularly turbulent political administration under Trump, coupled during an era of hyperglobalization. In conjunction with the *More than Drinks for Sale* report published by Polaris, in addition to the collection of vast data through the National Human Trafficking Hotline, and the deployment of a Sex Trafficking from Mexico media awareness campaign in partnership with dozens of Mexican NGOs and social and civic organizations, Polaris has executed a non-armed intervention that ends up devastating and reinforcing oppressive norms through the exporting of trafficking policy and carceral paradigms central to the anti-trafficking sphere.

### **The Anti-Trafficking Corporation Nexus - The Intersection between Neoliberalism, Capitalism and Anti-Trafficking Organizations**

To begin constructing the argument, I describe the genesis and path that led Polaris Project to achieve prominence as an anti-trafficking organization. Polaris was founded in 2002 by two Brown University students, Derek Ellerman and Katherine Chon. Seniors at Brown university at the time, both Ellerman and Chon were shocked to hear of a situation of forced labor which exposed how six South Korean women were forced to work at a brothel in

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<sup>24</sup> Lisa Lowe, *The Intimacies of Four Continents* (North Carolina, UNITED STATES: Duke University Press, 2015).

Providence, Rhode Island<sup>25</sup>. Ellerman and Chon, along with a group of other Brown University students then conducted a raid of the brothel, attempting to go rescue Asian women who were employed at the brothel in downtown Providence. As a result of the discovery and subsequent raid, Chon and Ellerman founded the Polaris Project, now named Polaris, for which they named for the North Star, which holds significance as the North Star helped Harriet Tubman guide slaves from the U.S. South northward along the Underground Railroad.<sup>26</sup> Ellerman and Chon developed a business plan for a Web site that would offer assistance to victims of human trafficking, which they then submitted their idea to Brown University's annual entrepreneurship competition. Despite its nonprofit status, the project won the \$12,500 second prize. Chon and Ellerman moved to Washington, D.C., in 2003 to establish an office<sup>27</sup>. Myles joined the organization a year later and was promoted to CEO after Chon left the organization to pursue a career at the Department of Health and Human Services.<sup>28</sup> The rest as they say is history.

Polaris' mission statement states:

“Polaris is a leader in the global fight to eradicate modern slavery. Named after the North Star that guided slaves to freedom in the U.S., Polaris systemically disrupts the human trafficking networks that rob human beings of their lives and their freedom. Our comprehensive model puts victims at the center of what we do – helping survivors restore their freedom, preventing more victims, and leveraging data and technology to pursue traffickers wherever they operate.

Founded in 2002, Polaris is currently in a period of rapid growth in order to

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<sup>25</sup> “Katherine Chon and Derek Ellerman: Fighting Human Trafficking,” October 20, 2012, <https://web.archive.org/web/20121020134114/http://www.america.gov/st/democracy-english/2009/March/20090309102700ebyessedo0.7852594.html>.

<sup>26</sup> “Katherine Chon and Derek Ellerman.”

<sup>27</sup> “Katherine Chon and Derek Ellerman.”

<sup>28</sup> “Leadership,” Office on Trafficking in Persons | ACF, accessed April 17, 2019, <https://www.acf.hhs.gov/otip/about/leadership>.

achieve a bold vision for an increased global presence and the introduction of new programs aimed at strategic interventions to disrupt human trafficking where it is occurring and to restore freedom to survivors.”<sup>29</sup>

Polaris’ structure and mission operates under initiatives that aim to eradicate human trafficking through a variety of methods, particularly consciousness raising campaigns about the issue of human trafficking, promotional materials, data collection through the National Human Trafficking Hotline, as well as the publication of various reports based off of aforementioned data. The initiatives housed under Polaris are the *Sex Trafficking from Latin America (Trata Sexual desde América Latina) and the Illicit Massage Business.*<sup>30</sup> Through the *Sex Trafficking from Latin America* campaign, Polaris has constructed a national cry for action on the issue of human trafficking across the border, particularly in the area of trafficking on young Latina women into the United States for purposes of commercial sex. The Sex Trafficking from Latin America initiative states that the problem to be:

“Every day in Latin America and in U.S. Latino communities, young women and girls are preyed on and recruited into human trafficking networks that sell sex in residential brothels, in bars or cantinas, through escort services, and in other venues across the U.S. Criminal networks and individual traffickers target vulnerable young women and girls, often struggling with poverty, a history of sexual or physical abuse, or a lack of opportunity, and exploit them for profit.

These victims are deceived and enticed with false promises of romantic

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<sup>29</sup> “About,” Polaris, October 28, 2015, <https://polarisproject.org/about>.

<sup>30</sup> “Initiatives,” Polaris, accessed April 17, 2019, <https://polarisproject.org/initiatives>.

relationships, good jobs, or safe passage to the U.S., and are forced to engage in commercial sex.

Often without immigration status, money, or English language skills, and facing extreme threats of violence to themselves or their families in their home countries, these women become trapped in modern-day slavery. Polaris's work to end sex trafficking from Latin America focuses on understanding and disrupting these networks while simultaneously bolstering the regional safety net for survivors.”<sup>31</sup>

Polaris then goes on to state the solution:

“Unfortunately, sex trafficking is still an extraordinarily high-profit, low-risk enterprise. To eradicate these networks and stop them from recurring, we must flip this equation for traffickers by disrupting the business model while also ensuring a strong safety net for survivors. However, a comprehensive response to this form of human trafficking must also take into account a nuanced understanding of migration, gender norms, and cultural context. We must respond to victims effectively and immediately with an eye toward individual empowerment and economic sustainability. Key stakeholders and communities must be equipped to recognize human trafficking and be elevated to play a central role in the solutions. Law enforcement in both the U.S. and Mexico must reinforce rule of law and hold traffickers accountable. Finally, public outreach

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<sup>31</sup> “Sex Trafficking from Latin America,” Polaris, accessed April 17, 2019, <https://polarisproject.org/initiatives/sex-trafficking-latin-america>.

must focus on awareness-raising activities that will identify more victims and prevent further victimization.”<sup>32</sup>

Essential to the *Sex Trafficking from Latin America initiative*, is the *More than Drinks for Sale* report published by Polaris, which outlines various scenarios and situations in which commercial sex trade and sex trafficking operations feature prominently in the border states of Mexico and the United States. The report again calls for action through a rallying cry:

“Thousands of Latina or Hispanic women are prisoners of the sex trafficking industry in bars and cantina-type establishments across the United States. They are recruited and controlled by criminal networks, business owners, or individual traffickers. They are deceived and enticed with the promise of romantic relationships, good jobs, and safe passage to the U.S. Other women and girls are forced to sell sex by their parents, family members, or intimate partners.”<sup>33</sup>

In addition to the *More than Drinks for Sale* report, which went hand in hand with the initiative, the *Sex Trafficking from Latin America initiative* also promoted a partnership with Mexico-based civic and social organization, Consejo Ciudadano. Consejo Ciudadano is social services organization based in Mexico City whose mission states, “Contributing to the recovery of security and promotion of law enforcement in the capital and in the neighboring municipalities of Mexico City.”<sup>34</sup> This partnership and initiative culminated in the multi-million-dollar ad

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<sup>32</sup> “Sex Trafficking from Latin America.”

<sup>33</sup>“More Than Drinks for Sale: Sex Trafficking in U.S. Cantinas and Bars,” accessed April 17, 2019, <https://polarisproject.org/more-drinks-sale-sex-trafficking-us-cantinas-and-bars>.

<sup>34</sup> “Conócenos | Consejo Ciudadano,” accessed April 19, 2019, <http://consejociudadanomx.org/con%C3%B3cenos>.

campaign that aimed to “raise awareness” of the issue of sex trafficking throughout Mexico, in addition to the establishment of Mexico’s very first National Human Trafficking Hotline. The campaign, broadcasted throughout radio stations and television channels, features Mexican celebrity Eugenio Derbez pleading with the public to come together in order to stop the crime of sex trafficking and the “sale” of thousands of young Latina women.



*Fig.1 Únete a la Solución Campaign Poster.*

Essential to the establishment of initiatives of this variety and to the maintenance of non-governmental organizations dedicated to combating trafficking, is the United States government. Anti-trafficking organizations receive millions in funding from the U.S. government in order to establish and run their trafficking initiatives. During the genesis of the contemporary anti-trafficking movement during the 2000s, which coincided with the passing of multiple international and domestic trafficking laws, such as the aforementioned UN Palermo Protocol and the TVPA (Trafficking Victims Protection Act). The genesis and rise of the anti-trafficking movement coincided under the Bush administration, in which an estimated \$259 million was distributed to various law enforcement, non-governmental organizations, and international

governments for the purposes of combating trafficking.<sup>35</sup> <sup>36</sup> Conditional to receiving funding from the government, and central to many hegemonic trafficking discourses, is the pledge that organizations that receive funding must explicitly become in agreement with the anti-prostitution pledge, that is to say that these organizations must pledge that they do not support sex work in any capacity, such examples including the prohibition of disseminating condoms and other supplies to sex workers, lest they are not permitted to receive funding.<sup>37</sup>

I argue that this funding is central to the Anti-Trafficking Corporation Nexus. I define the term as anti-trafficking organizations who receive and profit millions of dollars in order to fund their organizations and initiatives. This funding and the subsequent profit garnered by these anti-trafficking organizations demonstrate the neoliberal capitalist system under which trafficking organizations are able to expand hegemonic trafficking discourses into all sectors of society, such as the legal and policy sphere, the private sphere, and the government. This phenomenon is not particular to the anti-trafficking sphere, it is referred to as philanthrocapitalism. Philanthrocapitalism refers to the solving of public problems, in this context the public problem of sex trafficking, through private means, referring to the funding of initiatives through millions

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<sup>35</sup> Human Trafficking: A New Form of Slavery

<sup>36</sup> “Striving For A Safer World Since 1945,” Federation Of American Scientists, accessed April 17, 2019, <https://fas.org>.

<sup>37</sup> “Anti-Prostitution Pledge | U.S. Foreign Policy & Funding | The Issues | CHANGE,” accessed April 17, 2019, [http://www.genderhealth.org/the\\_issues/us\\_foreign\\_policy/antiprostitution\\_pledge/](http://www.genderhealth.org/the_issues/us_foreign_policy/antiprostitution_pledge/).

of dollars in monetary capital.<sup>38</sup> Scholars such as Bernstein,<sup>39</sup> Chuang,<sup>40</sup> Leigh,<sup>41</sup> and Shih<sup>42</sup> have all noted the intersections of philanthrocapitalism and anti-trafficking regimes, demonstrating the pervasiveness of monetary capital in response to social injustices. The intersection of neoliberalism and capitalism is deeply entrenched in the anti-trafficking regime and is central to much of the argument I construct. In moving solutions to human trafficking into the hands of the non-governmental organizations and away from the state, I argue that the state effectively removes its responsibility as a participant in the cause of the trafficking epidemic. In channeling all of this monetary capital to anti-trafficking organizations, the United States government moves the solution to human trafficking from dismantling institutional systems that causes the arising of trafficking, such as poverty, into the persecution and incarceration of individual traffickers. Much of this funding is then drawn away from social services, such as adequate housing and healthcare into funding a moral panic concerning human trafficking. In addition, much of this monetary capital as stated before, is contingent on notions of morality through the anti-prostitution pledge, effectively upholding control over women's bodies and agency. Chuang highlights how philanthrocapitalist involvement in the trafficking field have, "refashioned "trafficking" as "modern-day slavery"—an umbrella concept intended to encompass all forced labor, trafficking, and slavery practices,"<sup>43</sup> in which I glean that through

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<sup>38</sup> Matthew Bishop and Michael Green, *Philanthrocapitalism: How Giving Can Save the World* (Bloomsbury Publishing USA, 2010).

<sup>39</sup> Elizabeth Bernstein, "Redemptive Capitalism and Sexual Investability" In *Perverse Politics? Feminism, Anti-Imperialism, Multiplicity*. Published online: 31 Mar 2016; 45-80.

<sup>40</sup> "Giving as Governance? Philanthrocapitalism and Modern-Day Slavery Abolitionism," UCLA Law Review, September 1, 2015, <https://www.uclalawreview.org/giving-governance-philanthrocapitalism-modern-day-slavery-abolitionism/>.

<sup>41</sup> Carol Leigh, "Anti-Trafficking Campaigns, Sex Workers and the Roots of Damage," openDemocracy, accessed April 19, 2019, <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/antitrafficking-campaigns-sex-workers-and-roots-of-damage/>.

<sup>42</sup> Elena Shih, "The Anti-Trafficking Rehabilitation Complex: Commodity Activism and Slave-Free Goods," openDemocracy, accessed April 19, 2019, <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/antitrafficking-rehabilitation-complex-commodity-activism-and-slavefree-goo/>.

<sup>43</sup> Janie Chuang, "Giving as Governance?"

philanthropic capital, trafficking is then able to reinforce hegemonic discourses of labor, sexuality, and migration through funding of anti-trafficking campaigns and policy that equate sex work with sex trafficking. Bernstein similarly notes this phenomenon, in which philanthropic endeavors, which she terms “redemptive capitalism,” merge definitions of sexual labor and trafficking due to hegemonic trafficking discourses that have promoted the sex work hysteria that conflates sex work with sex trafficking.<sup>44</sup> I argue then, that monetary capital, through government funding and private donor donations, strengthen hegemonic trafficking discourses in the policy realm, as well as in social norms, constructing notions of what is appropriate and moral labor under a late capitalist system.

It is at this intersection, between government funding and anti-trafficking organizations whose revenue consists of millions of dollars, that I examine the agenda of rescue of sex trafficked Latina migrants. In upholding neoliberal, capitalist agendas, the trafficking state receives funding from the government in order to prosecute individual traffickers and rescue Latina trafficked migrants, all the while critically disengaging with violent actions of the state in persecuting migrants at the U.S-Mexico border. Notions of philanthrocapitalism are magnified through the anti-trafficking regime, as many of these organizations, such as Polaris, do not directly help survivors, rather referring them to social service organizations. Anti-trafficking organizations instead act as an intermediary between the trafficked person and social service organizations. Through this anti-trafficking corporation nexus, I posit that anti-trafficking organizations profit off of the image and rhetoric of the Latina trafficked migrants, able to collect funding in order to combat trafficking, all the while maintaining inaction towards resolving the structural systems that cause vulnerabilities in being trafficked to arise.

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<sup>44</sup> Elizabeth Bernstein, “Redemptive Capitalism and Sexual Investability.”

How does an NGO, a prominent one at that, with the best intention of combating trafficking reinforce structural oppression? Polaris is the prototypical savior organization, a pillar of neoliberal ideology with a mix of carceral intervention and abolitionist feminism.<sup>45</sup> All of these praxes inform their mission. Common in a hyper globalized, neoliberal world order, Polaris has taken on, sponsored, and backed numerous anti-trafficking laws and policies that pass through the U.S. government. Many of these laws and policies, informed not only by Polaris's good intentions but also their faulty data, caused irreversible and grave harm to sex worker communities. In examining the Sex Trafficking from Latin America initiative, especially when placed in the context of the Trump administration, which has surveilled and persecuted the Latinx migrant population, Polaris does not critically engage as a trafficking organization with the causes of these exploitative trafficking situations, preferring to take a neoliberal approach in surface level action to end trafficking. However instead of solving the trafficking epidemic, Polaris, and numerous other institutions combating trafficking transnationally, dangerously reinforces tighter border control, migrant surveillance, police and ICE brutality, as well as a paternalistic approach to trafficking that continues a Third World narrative of backwardness and pervasive crime that is in need of U.S. intervention, in this case that of non-armed intervention.

Ending trafficking has become the rallying cry in the contemporary era to surveil and control migrant bodies and their actions. As will become evident, there is a critical dearth in the examination and subsequent dismantling of structural systems of oppression, those such as poverty and sexism - which are critically involved in higher incidences of trafficking - instead anti-trafficking organizations prefer a neoliberal approach that patronizes and demonizes Third World countries and pressures them into conforming to U.S. trafficking laws, such as the TVPA.

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<sup>45</sup> Elizabeth Bernstein, "Carceral Politics as Gender Justice?"

This conformation substantiates the role of the United States as a global sheriff, policing the ways in which foreign states, particularly Third World countries, respond to epidemics of trafficking.

Through this dynamic, one can glean multiple conclusions, the hypocrisy regarding the role the United States plays in the global trafficking sphere. Many countries ranked into Tier 2, Tier 2 Watch List, and Tier 3 placements and critiqued for their role in combating trafficking are usually facing high levels of poverty due to legacies of U.S. colonialism, and as many scholars note, poverty is an indicator of a high push factor that leads to vulnerabilities in migration and trafficking situations.<sup>46</sup> <sup>47</sup> It is then interesting to note, the role in which the United States, and anti-trafficking NGOs play in combating trafficking transnationally. These institutions raise millions of dollars on awareness campaigns in foreign countries to better educate them on trafficking, almost always in a paternalistic sense, yet do not directly provide services to those trafficked and in many cases conflate situations in order to better fit the trafficking agenda. Many of these institutions willfully ignore the role the U.S. has played in colonial roots lending to high incidences of trafficking. Even more insidious, is many of these institutions perpetuating the police and carceral state transnationally, invoking notions of the prison and military industrial complex in order to push for a United States based view of solutions to trafficking.

These trafficking institutions purport to want to rescue victims and stop trafficking. They purport to “do good” and have high class expertise, yet what many of these institutions fail to realize is that their organizations and the U.S. policies they push for transnationally leave a path

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<sup>46</sup> Lauren Copley, “What Does Policy Have to Do with It? The Political Economy of Latino Sex Trafficking in the United States,” *Crime, Law & Social Change* 62, no. 5 (December 2014): 571–84, <https://doi.org/10.1007/s10611-014-9542-6>.

<sup>47</sup> Sally Engle Merry, *The Seductions of Quantification: Measuring Human Rights, Gender Violence, and Sex Trafficking*, Chicago Series in Law and Society (Chicago: The University of Chicago Press, 2016).

of violence in its wake. During this political administration, what anti-trafficking NGOs and other anti-trafficking adjacent institutions accomplish is the mass deportations of migrants, even the trafficking victims they so wish to rescue, prosecution of brown people, what they deem to be violent traffickers, increased border control, and tighter immigration standards. This project critically examines the role of anti-trafficking NGOs play in advancing an anti-trafficking regime that critically fails to critique the violence of the U.S. government on Latino migrants. Instead, these institutions push for what Agustin deems a “soft side of imperialism”<sup>48</sup>, a more direct involvement of the U.S. police state on border cities and transnationally, and increased surveillance of Latino migrant populations on the border under the guise of combating sex trafficking amongst Latina migrant populations. Instead of rescuing the Brown subjects, what white savior institutions accomplish is increased violence on these populations and the upholding the complex of a First World paternalistic savior onto Third World communities.

## **Methodology**

During the summer of 2017, I was a Sex Trafficking from Mexico Fellow at Polaris, formerly known as Polaris Project. I applied through an interest in the organization following its introduction through a course taught by Professor Elena Shih of Brown University entitled “The Anti-Trafficking Savior Complex.” The course critically analyzed contemporary anti-trafficking regimes with a focus on Professor Shih’s research on moral panics and evangelical anti-trafficking groups in Thailand and China. The course introduced the history of Polaris, as an organization founded by two Brown University alum and spoke to the criticism many scholars and advocates have stated against Polaris, its active role in harming sex workers through its

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<sup>48</sup> Laura Agustin, “The Soft Side of Imperialism,” CounterPunch.org, accessed April 19, 2019, <https://www.counterpunch.org/2012/01/25/the-soft-side-of-imperialism/>.

savior policy backing. I applied out of sheer curiosity as to what it would be like to intern at such a prominent institution, a strong desire to understand the inner workings of an NGO tasked with combating - what Polaris states to be - an estimated billion-dollar industry.

During my time at Polaris as a Sex Trafficking from Mexico Fellow, I engaged in participant observation research. Through the months of June-August, I would write down fieldwork notes everyday concerning my tasks and experiences at Polaris. However, I was required to sign a confidentiality agreement due to what higher operating officials deemed safety reasons. For that reason, much of the information I critically examine throughout this project is what is publicly available through Polaris and their website. Much of the critique I engage with throughout the project is not specific to the tasks that I was assigned to as a Fellow, but rather the role of an anti-trafficking NGO in expanding the arm of the U.S. benevolent intervention and soft imperialism.

What inspired me to undergo this ethnographic research was through a phenomenological lense. What a phenomenological study purports to do is to, “describe the meaning for several individuals of their lived experiences of a concept or a phenomenon.”<sup>49</sup> Through reflection upon my research and existing literature, my thesis project chose not to undergo the effects of anti-trafficking initiatives on Latina sex trafficked migrants. There is an expansive mass of literature dedicated to the research of the Latina sex trafficked population. I chose to utilize the phenomena of “researching up”, researching these institutions that amassed critical power and are integral to the uphold of structural systems of oppression.

Polaris is a powerful institution, it is a multi-million dollar, what I like to refer to as “anti-trafficking corporation”, spending millions of dollars on expansive initiatives and campaigns that

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<sup>49</sup> John W. Creswell, *Qualitative Inquiry and Research Design : Choosing among Five Traditions* / (Sage Publications, 1998).

serve to persecute migrant bodies of color, all the while willfully ignoring and not actively trying to dismantle aforementioned systems of oppression, such as that of poverty. The ethnographic participant observation research in which I underwent during my time at Polaris reinforced the arguments put forth during this project. It was a transformative experience; however, it was extremely evident during my time there that Polaris embodies the passionate, liberal savior, unintentionally leaving a path of violence for marginalized communities that do not adhere to the trafficking paradigms adopted in mainstream society.

I had reached out to Polaris continuously since my time there, in order to engage in triangulation of data that I had collected. However, no matter the numerous times I contacted them, I was given no response. My supervisors that I had worked with during my time there ended up leaving, so I had difficulties contacted them as well. I am unsurprised at this turn of events, as my time at Polaris involved my personal heavy critiques of the organization, and I frequently brought up harm done by Polaris unto sex worker communities, only to be met with resounding assurances that Polaris trains and advises police officers not to arrest prostitutes. I acknowledge that I am a researcher with bias, and there is significance in the lack of response from Polaris and how it impacts the conclusions and arguments drawn from my thesis project. However, there is a critical dearth in literature that critically examines institutions such as Polaris and its role in harming Latina sex trafficked bodies. In examining paternalism amongst institutions, I wanted to avoid the common pitfalls of ethnographic research in shying away from examining the already heavily surveilled migrant Latina body.

### **Research Conclusions Drawn from Findings**

Central to this project is the ethnographic research I participated in while at Polaris. The Sex Trafficking from Latin America initiative, the subsequent Unete a la Solucion campaign,

which aimed to bring awareness to sex trafficking to communities in Mexico, as well as the More than Drinks for Sale report, all elements that I engaged with during my time at Polaris, are equally instrumental to the arguments put forth in this project. From these elements, what is constructed is the need for examination into the dynamics between the powerful white savior institution that amasses millions of dollars in support in anti-trafficking awareness money, in addition to intellectual capital and power - able to influence domestic U.S. trafficking law, and the Third World migrants from Mexico that migrate to border cities, focusing specifically on the Latina sex trafficked migrant and the transnational focus on U.S.-Mexico relations in regard to trafficking. As Polaris establishes partnerships with Mexico-based NGOs, such as Consejo Ciudadano, in order to establish trafficking regimes, Polaris exports dominant trafficking ideology that is pervasive in the U.S. state - an ideology focused on carceral feminism, neoliberal market solutions to trafficking, and an increased role of law enforcement agents and surveillance on migrant bodies of color. Through attempting to save Latina trafficked migrants, Polaris is in proximity to state-sanctioned violence.

What this project will examine, is the aforementioned dynamic present between white savior anti-trafficking institutions exerting influence transnationally, causing harm and marginalization to Latina migrants under the guise of combating sex trafficking from Mexico into the United States. As continuously mentioned, these anti-trafficking institutions engaged in a soft imperialism, exporting U.S. trafficking ideology into Mexico, one that perpetuates police brutality and surveillance on migrant bodies of color. I argue that one must contend with socio-legal concept of anti-trafficking law and its derivatives, how trafficking regimes reinforce the role of the U.S. global sheriff and imposes a paternalistic approach to ending trafficking in foreign countries. In addition, I argue that one must examine the role of these savior institutions

in willfully ignoring and reinforcing the role of the police state in perpetuating violence against migrants. The racialized and gendered dynamic between these prominent white institutions and the migrants of color they so desperately wish to rescue reinforces paternalistic and racist notions of saving, critically disengaging with work that actively works to dismantle vulnerabilities to trafficking - such as poverty - instead choosing to focus on the extremities of trafficking situations in order to raise millions in trafficking awareness capital. This thesis project examines the anti-trafficking corporation, the U.S.-Mexico established trafficking dynamic and the racialized and gendered legacies of the colonial U.S. state in perpetuating the Latina trafficked migrant as a symbol for white salvation.

## **Chapter 2: Constructing Migration in Anti-Trafficking Initiatives and Discourses**

"ICE investigates a wide array of crimes, but the trafficking of women and girls for prostitution is among the most sinister," said ICE Director John Morton. "Few crimes so damage their victims and undermine basic human decency. Our fight against this evil must be relentless, both here and abroad."<sup>50</sup> <sup>51</sup>

### **Intersections of Migration and Human Trafficking**

As defined by the 2000 UN Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, human trafficking is determined to signify:

"Trafficking in persons shall mean 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or

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<sup>50</sup> Lauren Copley Sabon, "Force, Fraud, and Coercion—What Do They Mean? A Study of Victimization Experiences in a New Destination Latino Sex Trafficking Network," *Feminist Criminology* 13, no. 5 (December 2018): 456–76, <https://doi.org/10.1177/1557085116676886>.

<sup>51</sup> "ICE Busts Significant Sex Trafficking Ring Operating from Florida to North Carolina," accessed February 4, 2019, <https://www.ice.gov/news/releases/ice-busts-significant-sex-trafficking-ring-operating-florida-north-carolina>.

services, slavery or practices similar to slavery, servitude or the removal of organs.”<sup>52</sup>

Through analysis of this definition, one can glean that migration is inherent to the process of human trafficking. Criminologist Alexis Aronowitz argues in favor of this point, stating that “Human trafficking often occurs within the context of migration—whether it is internal migration from rural to metropolitan areas within a country, or external migration from developing and countries in transition to more industrial nations.”<sup>53</sup> Various scholarship addresses the fact that migration leads to increased vulnerabilities in the rates of being trafficked. However, what much scholarship, policy, law and other standard legal doctrines and documents fail to confront while combating trafficking, is the glaring lack of addressing migratory patterns that intersect with cases of human trafficking. Instead, many initiatives dedicated to combating the issue of trafficking undertake a carceral framework intersecting with punitive migratory policy, employing law enforcement officials as well as USCIS ICE (Immigration and Customs Enforcement) agents. The utilization of carceral frameworks supplement panics of undocumented migrants, specifically migrants of color who originate from Mexico, Central America, and the rest of Latin America. Scholarship from various academics points to this phenomena, Sabon succinctly states, “A central issue for the legal recognition of trafficking victimizations is the exclusion of many of those experienced by undocumented immigrant,”<sup>54</sup> while Lerum addresses global migration issues relating to trafficking during the early 2000s as, “On a domestic level anti-terrorist efforts were ramping up of efforts to capture and deport

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<sup>52</sup> “OHCHR | Protocol to Prevent, Suppress and Punish Trafficking in Persons.”

<sup>53</sup> Alexis A. Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings*, Global Crime and Justice (Westport, Conn: Praeger, 2009).

<sup>54</sup> Sabon, “Force, Fraud, and Coercion—What Do They Mean?”

undocumented immigrants, now under the guise of anti-trafficking efforts. They also emerged in the midst and the heels of the largest set of anti-globalization protests in recorded history.”<sup>55</sup>

While Nawyn et al. similarly discusses issues surrounding migrants relating to state-sanctioned regimes in the form of citizenship rights:

“ International migrants, at least those who are not or cannot naturalize, often do not have access to the same legal rights as citizens. They may also be discursively outside the boundaries of social citizenship rights (Nawyn 2011), and thus not viewed by the local populace as deserving of full rights. For migrants who lack legal authorization to reside or work in a given country, their fear of law enforcement is also likely to be heightened, compared to victims who have legal authorization. Therefore, studies of human trafficking should consider migration status and not treat migrants and non-migrants as undifferentiated trafficking victims.”<sup>56</sup>

However, in examining literature pertaining to trafficking studies and their relation to migration studies, particularly those that focus on the U.S.-Mexico border, there is a critical lack and understanding of the relationship between trafficking and migration, specifically in the context of the racialization and state-sanctioned violence of migrants. That is not to say scholarship does not exist pertaining to these areas, however dominant trafficking literature has

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<sup>55</sup> Kari Lerum, “Saints, Sinners, Serpents, & Supermen: How Biblical & Hollywood Tropes Fuel Carceral Anti-Trafficking Policies,” *Conference Papers -- American Sociological Association*, January 2016, 1–22.

<sup>56</sup> Stephanie J. Nawyn, Nur Banu Kavakli, Tuba Demirci-Yılmaz & Vanja Pantic Oflazoğlu (2016) Human Trafficking and Migration Management in the Global South, *International Journal of Sociology*, 46:3, 189-204, DOI: 10.1080/00207659.2016.1197724

constructed a typology regarding trafficking and migration, which features a stark distinction between the processes of trafficking and smuggling. Much of this dominant trafficking literature constructs a narrative in which trafficking exists apart from the processes of migration that exist in a different world than smuggling. For much of the trafficking literature that pertains to the U.S.-Mexico border, trafficking exists in a vacuum outside of the processes that lend to smuggling. In addition, much of the scholarship regarding trafficking on this border do not confront the violence inflicted upon migrants on part of ICE and USCIS border officials. This is due to the ingraining of the police state inherent to which the Anti-Trafficking Industrial Complex has established itself upon. There is an extreme and insidious irony to which many of these scholars of trafficking speak of the role of the police state relating to the border. Many of these scholars encourage and advocate for an increased role of border officials and advocate for trainings that will “help identify” trafficked persons. This is a phenomenon this is only apparent in literature regarding to trafficking on the U.S.- Mexico border. In much of the scholarship regarding migration in relation to the U.S.-Mexico border, there is a more apparent critical lense of the role of U.S. state sanctioned violence - through border officials and anti-immigration law- that is lacking in dominant trafficking literature.

The lack of discourse surrounding violence at the border in relation to migrants is not miscalculated on part of trafficking scholars. While definitions of trafficking, trafficked persons, and cases of human trafficking deeply involve and intersect with prominent issues of migration, the noticeable lack of discourses relating to a migration in human trafficking is due to the implementation of carceral and punitive frameworks. These frameworks are propagated by the state, with many state officials and those in governmental and non-governmental positions of power promoting strict migratory control practices, such as harsh border policies as well as

restrictions amongst visa and naturalization applicants. Just as central to the punitive practices employed by the state, are the actors behind these practices: law enforcement officials, as well as border enforcement officials. For anti-trafficking initiatives, the role of the police state is deeply entrenched due to various protocols that call for the persecution and protection of traffickers and trafficked persons, usually pertaining to carceral intervention.

For newly constructed initiatives that center migrants of the U.S.-Mexico border, most notably the Sex Trafficking from Latin America Initiative undertaken by Polaris, there is now a focus on the entrenchment of ICE and USCIS within the paradigms of combating trafficking, due to the prominence with which these actors are present within the space of the borderlands. However, within these spaces, these Latina sex trafficking initiatives, in addition to prominent figures of power in the anti-trafficking sphere, there is an insidious lack of engagement pertaining to the violence in which these border officials enact upon these migrants. What is decided in engaging with these violent actors, is the notion that human trafficking training will help them better “spot” trafficked persons, in addition to a cultural sensitivity training that is purported to educate these officials on the racial dynamics of a Latinx migrant. In addition to the lack of resistance against the violence of these border officials, there is no critical engagement as to the racialized and gendered dynamics present within the construction of migrants and the processes of migration in relation to trafficking. There is almost a fervor to which the anti-trafficking state attempts to rescue Latina migrants sold into the commercial sex trade, one that is unseen regarding Latino migrants who are trafficked into forced labor conditions. Especially considering that there are higher incidences of labor trafficking into the United States, rather than those who are trafficked into the commercial sex industry.

Pertaining to the introduction of these Latina sex trafficking initiatives, the border remains a space of violence for many migrants, however the lack of discourse around the politics of the border on part of anti-trafficking organizations is deafening. It is here within the space of the U.S-Mexico border in which state-sanctioned violence is permitted, and on part of the Anti-Trafficking Industrial Complex, co-signed as well. State-sanctioned violence against migrants will not be solved through human trafficking trainings, contrary to what the Anti-Trafficking Industrial Complex believes. The violence these migrants face at the border is inherent to migration processes and central to the history and contemporary politic of the United States. In a lack of critically engaging with border violence on part of the police state, in addition to constructing a dichotomy which typifies a smuggled migrant versus trafficked migrant, anti-trafficking organizations actively participate in rampant violence at U.S.-Mexico border and strengthen policies which aim to strengthen borders and demonize migrants based on legal versus illegal dynamics.

### **Anti-Immigration Violence Perpetuated by the Anti-Trafficking Industrial Complex**

Violence against migrants of the U.S.-Mexico border under the anti-trafficking regime is rooted in historical anti-immigrant and colonial sentiments pertaining to the tumultuous and violent relationship between the U.S. and Mexico relating to the borderlands. Under the anti-trafficking regime, what I argue is that violence against migrants is three-pronged: through restrictive law that is based off of rescuing trafficked migrants and persecuting traffickers, which in turn allow for the passage of law that increased border restrictions, through the entrenchment of ICE and Customs officials within the anti-trafficking regime, and the deportations of migrants who do not adequately meet standards of being considered trafficked. In the context of the proliferation of trafficking between U.S. and Mexico, violence against migrants, even those who

are considered to be trafficked, is rampant and calculated due to anti-immigrant sentiment which is proliferated by the United States government in addition to deafening lack of critical engagement with these systems of oppression on part of anti-trafficking organizations.

As stated previously, migration is central to the issue of trafficking and intersects nearly every facet of policy and law both domestically and abroad. What is equally as central is anti-immigrant sentiment and violence perpetrated against migrants, violence that is enacted upon through controlling and restrictive law, in addition to deployment of ICE and Customs officials. Policies and laws are inherently political, mirroring societal and governmental viewpoints of migration. As Wendy Chapkis expertly notes, “The question, then, is what motivated the near unanimous support for abused migrants and prostitutes under HR 3244 (Trafficking Victims Protection Act 2000) by legislators otherwise hostile to immigrants and poor women, especially those engaged in commercial sex?”<sup>57</sup> Violence is inherent to the processes of migratory law within the context of the U.S.-Mexico border, there are punitive measures undertaken in order to curb “illegal” and undocumented migration. The anti-trafficking regime then provides a path for politicians and the U.S. government, actors that have historically enacted violence upon migrants, to pass restrictive laws under a guise of protection and rescue.

In the context of the United States, Mexico, and greater Latin America, trafficking law has become the catalyst in which anti-immigration law, policy, and discourse proliferates and is enacted upon. Sabon points to this exact phenomenon, “Criminalization of the problem takes the approach that the only way to fight this ‘barbaric industry’ is to arrest criminals, tighten borders, and increase state security. This approach informs the US Trafficking Victims Protection Act (TVPA) (HHS 2000, 2003), the Protocol to Prevent, Suppress and Punish Trafficking in Persons

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<sup>57</sup> Wendy Chapkis, “Trafficking, Migration, and the Law: Protecting Innocents, Punishing Immigrants,” *Gender & Society* 17, no. 6 (December 1, 2003): 923–37, <https://doi.org/10.1177/0891243203257477>.

of the United Nations Convention against Transnational Organized Crime (UN, 2002).”<sup>58</sup> Foundational laws in the area of trafficking, the TVPA and the Palermo Protocol against Trafficking in Persons, which inform Tier placements and decisions about foreign state actors and their commitment to fighting trafficking, are based on notions of border security and shrouded in rhetoric that criminalizes migration. In combating human trafficking, many initiatives and policies that are pushed are political, deploying rhetoric that involves “tightening borders” and “increasing state security”. Such statements are at the center of the criminalization of migrants.

When examining the historical and contemporary relationship between Mexico and greater Latin America and the United States in the context of immigration, one cannot be surprised at the pervasive anti-immigration rhetoric that is propagated. Berman demonstrates this:

“While openly anti-immigrant rhetoric may have some political purchase, allowing politicians to claim that they are protecting and securing the homeland by keeping people out, the trafficking narrative provides receiving countries with more palatable grounds on which to do so. By claiming to combat trafficking in women, they can achieve a similar result – keeping people out – but with a beneficent stance.”<sup>59</sup>

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<sup>58</sup> Sabon, “Force, Fraud, and Coercion—What Do They Mean?”

<sup>59</sup> Jacqueline Berman, “Biopolitical Management, Economic Calculation and ‘Trafficked Women,’” *International Migration* 48, no. 4 (2010): 84–113, <https://doi.org/10.1111/j.1468-2435.2010.00615.x>.

In a country that has expressed centuries of anti-immigrant sentiment, dominant trafficking law has allowed another avenue under which the United States can institutionalize an anti-immigration stance under the notion of helping poor, trafficking Third World women and children, while also incarcerating traffickers that have been established to be evil, Third World men. In constructing a benevolent government that seeks to help migrants who are trafficked across the border, there exists an insidious underpinning which claims that the tightening and surveilling of the U.S.-Mexico border will aid in the combating of trafficking.

Equally as ingrained to the processes of anti-immigration law pertaining to trafficking is the deployment of ICE, Customs, and USCIS officials to the border under the guise that they will assist in identifying victims of human trafficking. There is a plethora of literature on the part of anti-trafficking organizations that call for the increased participation of border officials, due to a pervasive belief that once these border officials participate in human trafficking and cultural sensitivity trainings, they will be adequately equipped to engage with situations of purported trafficking. There is a deafening lack of critical engagement on part of these anti-trafficking organizations in situating ICE and USCIS as continuing violence against migrants. While calls for active on part of anti-trafficking organizations of ICE officials, what occurs to migrant children demonstrates the violence to which migrant children face at the hands of ICE and USCIS yet goes unrecognized by anti-trafficking organizations.

“Migrant children are held in detention centres, which are widely recognized as unsuitable for children; there have been reports of police violence against migrants in detention, including attacks against children and of children being beaten with batons and electrical cables, held in ‘punishment cells’ for up to a week without adequate bedding and sometimes without access to a toilet; of

children locked in for 22 hours a day and denied access to education; of children dying as a result of lack of medical treatment, fires, and suicide (HRW, 2002; Bloch and Schuster, 2005; IRR, 2006; Fekete, 2007)”<sup>60</sup>

Instead of a statement regarding ICE detention centers and violence against migrants, statements regarding immigration officials and their interactions with trafficked migrants are as follows:

“Due to the low amount of data on victim-immigration enforcement interactions, it is impossible to estimate which outcome is more common. It is nonetheless important to recognize that the outcomes of these interactions can be either highly negative or highly positive, and to develop strategies to tip the balance in favor of positive outcomes for victims of trafficking.”<sup>61</sup>

“Immigration officials should increase the capacity of their agents to identify potential human trafficking of women and girls apprehended at the U.S.-Mexico border through enhanced staff training”<sup>62</sup>

The carceral paradigms central to trafficking evolved from the engagement of domestic law enforcement in cases of trafficking, into the engagement of these border officials pertaining to cases of trafficking of Latinx migrants who cross into the border, due to trafficking initiatives

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<sup>60</sup> Julia O’Connell Davidson, “Moving Children? Child Trafficking, Child Migration, and Child Rights” accessed April 17, 2019, <https://journals.sagepub.com/doi/abs/10.1177/0261018311405014>.

<sup>61</sup> “More Than Drinks for Sale: Sex Trafficking in U.S. Cantinas and Bars.”

<sup>62</sup> “More Than Drinks for Sale: Sex Trafficking in U.S. Cantinas and Bars.”

that established and brought attention to Latinx trafficked migrants. Instead of critically engaging with the violence of border officials, anti-trafficking organizations push for their engagement, believing them to be integral to the surveillance of the border for the purposes of identifying trafficking persons. That is not to say there is not violence on the part of domestic law enforcement. Anti-trafficking organizations build their initiatives off of punitive and carceral measures, so it comes as no surprise to see the transfer of domestic engagement of the police state to engagement with border officials as a solution to trafficking across the border.

The engagement of border officials is perverse and violent, particularly relating to a field so heavily entrenched in racialized and gendered dynamics such as trafficking. With the increasing engagement of anti-trafficking organizations on part of Latinx trafficking from Mexico into the United States, such as the Sex Trafficking from Mexico initiative spearheaded by Polaris, there is a sickening nature to which violence perpetrated by ICE and Customs has been erased.

“Human trafficking is an affront to our country's most cherished values of individual freedom and individual dignity. But, equally important, this crime represents a serious threat to our nation's security. The criminal organizations and physical routes that provide the infrastructure for these trafficking networks could just as easily be exploited by terrorists or dangerous criminals to gain illegal entry to the United States.

One of our missions at ICE is to restore integrity to our nation's immigration system, to ensure that terrorists and criminals cannot exploit the system to do

harm to our country or our people. Shutting down these trafficking networks is a central component of that mission.”<sup>63</sup>

“Our progress will be limited if we do not secure our porous border and put an end to the human trafficking and humanitarian crisis that is taking place at the southern border. It is indeed a crisis. And you know, we have right now an invasion. If you look at what's going on with the caravans, it's an invasion. There are three caravans heading our way. If we had a wall, it wouldn't even be a problem. But we've sent 2,500 military down to help Border Patrol and law enforcement. And I have to say, the military has done an incredible job, including helping us with some walls and some fences, which are very nice to say.”<sup>64</sup>

It is here with the engagement of border officials, where we note the violence against migrants perpetuated through the anti-trafficking regime. In invoking popular trafficking discourse, border officials encourage anti-immigration sentiment through the tightening of borders, in addition to inciting moral panic over dangerous criminals that threaten national security. Notions of national security, tightening borders, and the wall, is all rhetoric that serves to demonize migrants who cross the border - no matter if they are trafficked or not, as evident through the above border officials’ statement regarding the migrant caravans. Anti-trafficking organizations and initiatives relate to the plights of the trafficked Latinx migrant then participate

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<sup>63</sup> John P. Woods, “U.S. Immigration and Customs Enforcement: At the Forefront of the Fight against Human Trafficking Symposium: Invisible Chains: Breaking the Ties of Trafficking In Humans - November 12, 2004,” *Intercultural Human Rights Law Review* 1 (2006): 67–72.

<sup>64</sup> “Remarks in a Meeting on Human Trafficking at the Mexico-United States Border and an Exchange With Reporters,” *Daily Compilation of Presidential Documents*, 2/1/2019 2019, 1.

in the violence these migrants face at the border. In inciting and encouraging border officials to engage in trafficking situations, they are active in the policing of the border. There is no amount of human trafficking or cultural sensitivity trainings that undo the violence at the hands of these border officials, it is an institutionalized violence that anti-trafficking initiatives do not work to dismantle, or even speak of.

USCIS also plays a direct role in the violence of trafficked persons, directly contradicting anti-trafficking organizations in their plight to save trafficked person. Under a guise to improve national security under the Trump administration, as stated by USCIS Director L. Francis Cissna, applicants of the T-visa, a visa specifically made for foreign-born migrants who are trafficked, could be denied acceptance of the application and subsequently be deported if they do not adequately prove that they are victims of trafficking. Director Cissna then goes on to state, "It allows USCIS "to support the enforcement priorities established by the president, keep our communities safe, and protect the integrity of our immigration system from those seeking to exploit it." While the United States estimates that 50,000 people are trafficked into the country every year, the acceptance of the T-VISA applicants remains pitifully low, with the numbers having dropped significantly during the Trump administration.<sup>65</sup>

Regarding migrants and the violence, they face by the U.S. government, it its dependent upon colonial and racialized notions of migration and migrants themselves. The anti-trafficking regime has established a violence against these migrants in conjunction with the U.S. government. Notions of protecting national security directly feed a rhetoric that creates a dichotomy between migrants, those who are trafficked and deserving of protection by the U.S.

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<sup>65</sup> Martin de Bourmont, "New U.S. Policy Raises Risk of Deportation for Immigrant Victims of Trafficking," *Foreign Policy* (blog), accessed April 19, 2019, <https://foreignpolicy.com/2018/07/09/new-us-policy-raises-risk-of-deportation-for-immigrant-victims-of-trafficking-immigration-visa/>.

government, and those who are economic migrants that are classified as illegal law breakers who are taking advantage of a porous border. Even migrants who are possibly trafficked, have to prove that they are being trafficked, lest they face deportation. At the center of the carceral paradigms embedded within anti-trafficking remains a racist, gendered system that actively works towards criminalizing migrants. In the context of the U.S.-Mexico border, the U.S. government is able to use anti-trafficking rhetoric in order to protect national security through violent processes. Anti-trafficking organizations actively participate in the violence through the belief that these institutions are capable of being trained away their racism towards migrants, instead of dismantling the structures that aid in their oppression. This is calculated, as many anti-trafficking organizations receive millions in funding from the U.S. government in order to establish these initiatives. In receiving this funding, anti-trafficking organizations operate off of the oppression and violence they claim to desire rescuing migrants from.

### **The Trafficked Versus Smuggled Migrant Dichotomy - A Space of Anti-Immigration Sentiment**

Sex trafficking discourse is predicated upon a dichotomy between migrants which rescues those who cross the border due to potentially being trafficked into the commercial sex trade, while those who cross the border under as economic migrants are criminalized under law breaking due to the illegal border crossing. Those who are exploited through trafficking during migration, generally portrayed to be women and children, are granted the title of protection of being a “trafficking victim.” They receive benefits such as the possibility of applying for a T-VISA and other protective measures. Then there are those who crossed here through

undocumented means, placing them at the center of blame for misfortune and at risk for punitive and carceral measures due to their illegal border crossing.

The trafficking versus smuggling dichotomy features prominently in discourses surrounding human trafficking at the borderlands. Kempadoo notes an instance in which Bales, prominent trafficking scholar, states, “Trafficking is simply a process by which a person is placed into slavery. If they don’t end up in slavery in the end, it’s not called trafficking, it’s called smuggling.”<sup>66</sup> Additionally, during a human trafficking training held in Smithfield, RI, in which I was a participant observing and taking fieldnotes, the presentation (doctored by Polaris) prominently featured a slide which contained the statement, “Trafficking is not synonymous with forced migration or smuggling.” Furthermore, in an edited volume regarding human trafficking across the border, numerous scholars made sure to distinguish between trafficking and smuggling including statements, such as “One cannot speak of human trafficking on this or any binational border without making a clear distinction between human smuggling and human trafficking,”<sup>67</sup> and “Human smuggling is an activity in which the victims have consented to participate - in fact they pay for assistance in the (illegal) act of crossing the borders without papers or inspection - even though the smuggling often involves degrading or dangerous conditions, such as those present in the hot Arizona desert.”<sup>68</sup> Aronowitz similarly details a distinction between smuggling and trafficking: “This Supermarket model, based on large-scale supply and existing demand, aims at maximizing profits by moving the largest number of people. In order to do this, the price for the trip must be kept low. U.S.-Mexican smugglers may charge

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<sup>66</sup> Kamala Kempadoo, “The Modern-Day White (Wo)Man’s Burden: Trends in Anti-Trafficking and Anti-Slavery Campaigns,” *Journal of Human Trafficking* 1, no. 1 (January 2, 2015): 8–20, <https://doi.org/10.1080/23322705.2015.1006120>.

<sup>67</sup> Tony Payan, “Human Trafficking and the U.S.–Mexico Border : Reflections on a Complex Issue in a Binational Context,” *Borderline Slavery*, April 8, 2016, <https://doi.org/10.4324/9781315569727-9>.

<sup>68</sup> Payan, “Human Trafficking and the U.S.–Mexico Border : Reflections on a Complex Issue in a Binational Context,”

as little as several hundred dollars for the trip to entice large numbers of people to make use of their services. In most cases the smuggler releases the illegal migrants after having gotten them (safely) across the U.S.-Mexican border—sometimes with fatal results.<sup>106</sup> While this low-cost, high-volume model is most applicable to the smuggling of illegal migrants, it is also applicable to the trafficking of persons.”<sup>69</sup>

However distinguishing smuggling and trafficking becomes as unstable as definitions and statistics regarding trafficking. Payan directly contradicts his previous assertion through the statement: “Human smuggling can turn into human trafficking if the person being smuggled decided to withdraw his or her consent to the arrangement or to end the relationship with the coyote, who is acting as a paid ‘guide,’ and the latter in response utilizes coercive, deceptive, or abusive tactics to exploit the vulnerability of the smuggled individual for the coyote’s financial gain.”<sup>70</sup>

As noted by Gabriella Sanchez, prominent migration and trafficking scholar, through an informational interview, these distinctions are unnecessary.<sup>71</sup> Indeed, the trafficked-smuggled migrant dichotomy serves as a measure to distinguish migrants deserving of white benevolence and rescue versus undocumented migrants who willingly participated in breaking the law and illegal border crossing. Sabon notes this phenomenon stating, “A central issue for the legal recognition of trafficking victimizations is the exclusion of many of those experienced by undocumented immigrants.”<sup>72</sup> Undocumented migrants then face marginalization and violence at the hands of the anti-trafficking regime. The rhetoric in which trafficked migrants are exploited involves an unspoken sentiment that these trafficked migrants would never willingly cross a

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<sup>69</sup> Aronowitz, “Human Trafficking, Human Misery.”

<sup>70</sup> Payan, “Human Trafficking and the U.S.–Mexico Border.”

<sup>71</sup> Gabriella Sanchez (researcher) in discussion with the author, March 8<sup>th</sup>, 2019

<sup>72</sup> Sabon, “Force, Fraud, and Coercion—What Do They Mean?”

border, consensual and knowing border crossing a notion that is undisputedly shrouded in criminality. In positing migration under legal versus illegal paradigms, the anti-trafficking regime subsequently reinforces a criminality of undocumented migrants who chose to cross the border.

It is herein which coercive laws are enacted that frame the trafficking debate between vulnerable young girls who are unwittingly trafficked into the United States and undocumented migrants who are here because they “broke” the law by entering the country with assistance from smugglers or coyotes, the Spanish term for smugglers. Human trafficking discourse, specifically sex trafficking discourse, thrives on the image of the young, vulnerable Latina migrant who is determined to be “at risk” for sexual exploitation and trafficking. This image is predicated on portraying migrants as without agency, with many anti-trafficking NGOs and initiatives purposefully glossing over structural, systemic reasons for migration across borders, as well as purposefully ignoring reasons for heightened rates of exploitation and being trafficked due to border violence and police presence.

### **Gendered and Racialized Dynamics in Depicting the Trafficked Latinx Migrant**

“Thousands of women and girls from Latin America — particularly Mexico, Central America, and parts of the Caribbean — are forced into the underground sex economy in bars and cantina-type establishments across the United States. Powerful criminal networks or individual traffickers recruit vulnerable women and girls directly from Latin America, or from Hispanic or Latino communities within the United States and exploit them for profit. Often underage, lacking legal immigration papers, isolated by language barriers, or facing threats to themselves

and their families, these victims of sex trafficking are trapped in terribly violent and manipulative situations.”<sup>73</sup>

“In February 2002, law enforcement authorities raided a brothel in Plainfield, New Jersey, where they discovered four young Mexican girls - some as young as 14 years old -- held captive and forced to work as prostitutes. ICE agents uncovered the human trafficking ring that had brought the girls to the United States and were holding them captive. The girls had been promised a better life in America -jobs, marriages. Instead, they found themselves isolated and confined as virtual prisoners, forced to engage repeatedly in sexual acts, threatened, beaten, and coerced.”<sup>74</sup>

Throughout this project, what is central is the racialization and gendered dynamics that exists concerning the relationship between a Latinx trafficked migrant and these anti-trafficking organizations. The sensationalized narrative as posited above, is the typical rhetoric pushed when discussing the trafficking of Latina migrants into the United States. Through the above, as well as select personal accounts from trafficked survivors, the image of the migrant Latina becomes one in which benevolent white concern is mapped onto, stripping away the agency of the migrants throughout this process. White benevolence is the channel that brings about discourse and law for state collusion in migration matters, all the while ignoring structural systems that bring about exploitation for those who cross borders and are exploited into trafficking situations. In addition to the portrayal of the migrant as an agent without agency in trafficking contexts, the

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<sup>73</sup> “Sex Trafficking from Latin America.”

<sup>74</sup> Woods, “U.S. Immigration and Customs Enforcement.”

trafficker is rendered a faceless criminal enterprise, one that is Employing Teju Cole's theory of the White Savior Complex, "There are serious problems of governance, of infrastructure, of democracy, and of law and order. These problems are neither simple in themselves nor are they reducible to slogans. Such problems are both intricate and intensely local,"<sup>75</sup> while many anti-trafficking initiatives are eager to name Mexico and greater Latin America as the site of illicit bodies and the border as a space of heightened trafficking risk, many do not name the vast and complex reasonings for border crossings, as well as reasonings for exploitation and heightened rates of trafficking at the border.

Much of the racialization and gendered rhetoric that is prevalent in anti-trafficking initiatives can be traced historically to moral panics concerning migrant sex workers who migrate into the United States,<sup>76</sup> in addition to greater American moral panics concerning migrants of color who entered the United States. This moral panic has established immigration law that restrict entrance into the United States of migrants. As Chapkis notes, "Indeed, the first federal immigration law in the United States, the Page Law of 1875, specifically barred entry by Asian women believed to be entering the country for "lewd and immoral purposes."<sup>77</sup> Indeed, many scholars of critical trafficking studies noted the racialization and gendered dynamics present within anti-trafficking initiatives, a dynamic that is contingent upon the rescue of women of color within perceived trafficking situations. Much of the rhetoric around "modern day slavery" is entrenched within racialized notions of abolitionism and saviorism. Historically, the roots of the racialization of anti-trafficking initiatives roots can be found in the Mann Act, also known as the White Slavery Traffic Act. The roots of this legislation can be traced to a moral

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<sup>75</sup> Teju Cole, "The White-Savior Industrial Complex," *The Atlantic*, March 21, 2012, <https://www.theatlantic.com/international/archive/2012/03/the-white-savior-industrial-complex/254843/>.

<sup>76</sup> Elizabeth Bernstein, "Militarized Humanitarianism Meets Carceral Feminism."

<sup>77</sup> Chapkis, "Trafficking, Migration, and the Law."

panic concerning innocent girls being sold into prostitution, so much so that a committee was appointed in 1907 in order to investigate instances of migrant sex workers being brought into the United States, in addition to investigating instances of immigrant men luring American girls into prostitution.<sup>78</sup> The Mann Act, a predecessor to the TVPA, made it illegal for the transportation and harboring of women across state lines for “immoral and lewd purposes.”<sup>79</sup>

An abundance of trafficking literature is predicated upon notions of rescuing young women and girls from gross sexual exploitation.<sup>80</sup> The statements above, made by Polaris in their More than for Sale publication and the other by an ICE official, demonstrate the infantilization and moral panic concerning Third World women and their relationship to the commercial sex trade. Many anti-trafficking initiatives and legislation around trafficking are predicated on notions of controlling female sexuality and the fear of migrants entering the United States, on a basis of immorality and lewdest. As stated previously, these anti-trafficking initiatives and organizations, institutions of the white savior, have an obsession with rescuing young women and girls under the guise that there are no willing participants in the commercial sex trade, predicating itself upon radical feminist theory established by prominent feminist scholars such as Catherine McKinnon who argue that all prostitution is inherently exploitative under a patriarchal society.<sup>81</sup> Anti-trafficking organizations then employ neoliberal strategies of control, as theorized by Elizabeth Bernstein, in order to quell a moral panic surrounding the participation of women in the commercial sex industry. In the context of Latina sex trafficking initiatives, these panics

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<sup>78</sup> History.com Editors, “Congress Passes Mann Act,” HISTORY, accessed April 13, 2019, <https://www.history.com/this-day-in-history/congress-passes-mann-act>.

<sup>79</sup> Editors, “Congress Passes Mann Act.”

<sup>80</sup> Chapkis, “Trafficking, Migration, and the Law.”

<sup>81</sup> Catharine A. MacKinnon, “Gender - The Future,” *Constellations: An International Journal of Critical & Democratic Theory* 17, no. 4 (December 2010): 504.

surrounding female sexuality are then magnified, due to the central figure of the Latina sex trafficked migrant.

The notion of intersectionality is then central, as these Latina sex trafficked migrants experience the processes of racialization and gendering through a colonial, white gaze dependent on abolitionist and benevolent sentiment.<sup>82</sup> However this benevolence is predicated upon a notion of innocence that separates these trafficked migrants from evil traffickers and economic migrants, all imagined to be men of color who breaks laws due to their criminality. Many anti-trafficking initiatives centered around Latina sex trafficking construct Mexico and Latin America as a Third World space of abject poverty and criminality, a space in which organized crime networks run amok trafficking women and girls into sexual exploitation. In this configuration, the First World anti-trafficking organization is a necessity in order to rescue Third World women from exploitation of the commercial sex industry. In constructing Latin America as a space of criminality and rampant trafficking, anti-trafficking organizations are silent to the roots of U.S. imperialism and contemporary hyper-globalization which has lent to high incidences of poverty and emigration to the United States in order to procure cheap labor.<sup>83</sup> Kempadoo also notes this phenomena, “The contemporary problem of slavery is thus transferred to “developing” nations, absolving the West from complicity in sustaining contemporary conditions of exploitation, force, and violence in labor markets.”<sup>84</sup>

Inherent to the process of abolishing slavery in anti-trafficking initiatives centered around Latina sex trafficking, is the process of racialization of Latinidad and the process of racialization of slavery and abolition itself. In constructing a modern day slavery, a plethora of anti-trafficking

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<sup>82</sup> Kempadoo, “The Modern-Day White (Wo)Man’s Burden.”

<sup>83</sup> Copley, “What Does Policy Have to Do with It?”

<sup>84</sup> Kempadoo, “The Modern-Day White (Wo)Man’s Burden.”

organizations and scholars engage in discourse stating that modern day slavery is inherently more sinister and occurring on a scale larger than the Transatlantic Slave Trade, a preposterous claim that erases much of the violence African slaves experienced.<sup>85</sup> However, the construction of a contemporary slavery, enables Western abolitionists to divulge in a white guilt in order to rescue Third World women from the horrors of sexual exploitation. In contextualizing Latina sex trafficking initiatives, white guilt is mapped onto a Brown, not Black body. While Blackness is employed in rhetoric surrounding contemporary slavery, Black bodies are not viable for salvation under the anti-trafficking regime.<sup>86</sup> Latinidad is constructed through the paradigms of innocence on part of the trafficked and evil on part of the traffickers. Latin America is constructed as a place of immorality and backwardness, and in the context of Mexico, these Latina sex trafficking organizations place importance on ending the slave trade due to relations to the border. As Kempadoo notes, many Caribbean countries, primarily Black, are judged harshly regarding their placement on the TIP report, many of those countries exhibiting lower Tier placements than that of Mexico.<sup>87</sup> However, it is Mexico and the Latin American region which has been chosen prominently by many anti-trafficking organizations, including Polaris which has established the Sex Trafficking from Latin America initiative as a pillar of its organization.

I argue that Latinidad and these actors in the Latinx sex trafficking rhetoric are constructed as monolithic entities needing of rescue and prosecution at the hands of the anti-trafficking regime. White abolitionists are then able to absolve their guilt of slavery, through the rescue of a Brown girl, while fulfilling racist ideology through the continued incarceration of

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<sup>85</sup> Bales and Soodalter, “The Slave Next Door.”

<sup>86</sup> Lyndsey P. Beutin, “Black Suffering for/from Anti-Trafficking Advocacy,” *Anti-Trafficking Review*, no. 9 (September 21, 2017), <https://doi.org/10.14197/atr.20121792>.

<sup>87</sup> U.S. Department of State, “2018 Trafficking in Persons Report.”

Brown men. The construction of a criminal Mexico and Latin America then aids in rhetoric centered around securing borders for national security under the guise of combating trafficking.

### **Chapter 3: The Institutional White Savior and Brown Subjects, Examining the Race, Rescue and Policing Present in Anti-Trafficking Initiatives**

#### **Sex Trafficking from Mexico (STFM) and Latin America**

“Every day in Latin America and in U.S. Latino communities, young women and girls are preyed on and recruited into human trafficking networks that sell sex in residential brothels, in bars or cantinas, through escort services, and in other venues across the U.S.

Criminal networks and individual traffickers target vulnerable young women and girls, often struggling with poverty, a history of sexual or physical abuse, or a lack of opportunity, and exploit them for profit. These victims are deceived and enticed with false promises of romantic relationships, good jobs, or safe passage to the U.S., and are forced to engage in commercial sex.

Often without immigration status, money, or English language skills, and facing extreme threats of violence to themselves or their families in their home countries, these women become trapped in modern-day slavery.

Polaris’s work to end sex trafficking from Latin America focuses on understanding and disrupting these networks while simultaneously bolstering the regional safety net for survivors.”<sup>88</sup>

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<sup>88</sup> “Sex Trafficking from Latin America.”

Introduced in the Introduction, The Sex Trafficking from Latin America initiative, formerly the Sex Trafficking from Mexico initiative, is Polaris's foray into combating the supposed billion-dollar industry of sex trafficking that underground criminal networks and traffickers in Mexico and greater Latin America have tapped into. Within the following chapter, I present aforementioned quotations from the Sex Trafficking from Latin America initiative and situate my argument within the paradigms of racialized policing undertaken by anti-trafficking organizations. The above passage represents what Polaris posits is the problem concerning the epidemic of sex trafficking into the United States from Mexico and Latin America. Polaris then presents the solution as engineered by them:

“Unfortunately, sex trafficking is still an extraordinarily high-profit, low-risk enterprise. To eradicate these networks and stop them from recurring, we must flip this equation for traffickers by disrupting the business model while also ensuring a strong safety net for survivors.

However, a comprehensive response to this form of human trafficking must also take into account a nuanced understanding of migration, gender norms, and cultural context. We must respond to victims effectively and immediately with an eye toward individual empowerment and economic sustainability.

Key stakeholders and communities must be equipped to recognize human trafficking and be elevated to play a central role in the solutions. Law enforcement in both the U.S. and Mexico must reinforce rule of law and hold traffickers accountable.

Finally, public outreach must focus on awareness-raising activities that will identify more victims and prevent further victimization.”<sup>89</sup>

Which is then followed by action steps that are outlined and undertaken by Polaris as a way in which to combat sex trafficking in Latin America:

“Through Polaris’s work to end sex trafficking from Latin America, we are focused on analyzing and dismantling the networks that target vulnerable women and girls from the region while simultaneously bolstering the international safety net.

To this end, our work is centered on three key priorities:

Responding to the unique service and protection needs of survivors and supporting them through the prosecution process;

Increasing awareness and community-driven efforts to identify more victims, prevent recruitment, and reduce demand; and

Ensuring law enforcement in both the U.S. and Mexico reinforce the rule of law and hold traffickers accountable while practicing victim-centered, trauma-informed policing. Robust partnership with civil society, government, and law enforcement is critical to any successful effort to combat human trafficking and is at the heart of Polaris’s work focused on Latin America.

A key example is Polaris’s ongoing partnership with Mexican civil society organization Consejo Ciudadano to support Mexico’s first national human trafficking hotline. Between Consejo’s new Línea Nacional Contra la Trata de

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<sup>89</sup> “Sex Trafficking from Latin America.”

Personas (001-800-5533-000) and the Polaris-operated National Human Trafficking Hotline (1-888-373-7888), we are strengthening the regional safety net so that victims and survivors can seek and receive help, no matter where they are.

Together, Polaris and Consejo will be able to coordinate cases across the border and have already begun sharing key trend data and insights about human trafficking to ensure an effective and coordinated bilateral response for victims.”

The scope of the sex trafficking epidemic, solutions, and actions are clearly outlined and highlighted by Polaris in their combat against sex trafficking in Mexico. The Sex Trafficking from Latin America initiative also features a multimedia campaign entitled, *Únete a La Solución*, or Unite for the Solution. The multimedia campaign, in partnership with La Red Hispana, broadcasts a minute and 30-second-long video that features prominent Mexican actor Eugenio Derbez. During the awareness advertisement, spoken entirely in Spanish, Eugenio Derbez highlights the problem of sex trafficking that is occurring in Mexico and how the community must unite in order to save their girls from the harmful grasp of predators <sup>90</sup>. In addition to all of the factors highlighted, there also remains the publication of the *More than Drinks for Sale* report, which represents the effects on the U.S. side of the border - how the Latina migrants trafficked from Mexico and Latin America are then inducted into the commercial sex trade, which Polaris located to be in clandestine cantinas and bars most prevalent in the border states.

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<sup>90</sup> “Eugenio Contra La Trata En EU,” YouTube video, 1:20, from *Únete a la Solución* campaign, posted by “LucesdelSiglo,” October 19, 2017 accessed April 17, 2019, [https://www.youtube.com/watch?v=wc6\\_-e-o8Hk](https://www.youtube.com/watch?v=wc6_-e-o8Hk).

The Sex Trafficking from Latin America initiative represents the robust initiatives placed forth by anti-trafficking organizations. A multilayered approach, Polaris targets all areas - media sector, local and international government, and scholarly publication, under the guise of raising awareness about the issue of sex trafficking from Latin America. In critically engaging with the plethora of material that has emerged from this campaign since its inception, as well as drawing upon fieldwork observation notes as a participant of the initiative, there are many points of contention that must be examined through a critical trafficking lense.

I argue, that the Sex Trafficking from Latin America initiative represents a benevolent, yet insidious intervention upon the Third World by a First World white savior that is represented through Polaris, other U.S. based anti-trafficking organizations and the United States government. In establishing transnational partnerships with anti-trafficking organizations in Mexico, Polaris has exported hegemonic trafficking ideology predicated on carceral and state interventions that actively marginalize and prosecute migrants. As examined by multiple scholars engaged in critical trafficking studies, hegemonic trafficking ideology is predicated on an anti-sex work framework, one in which the consent and agency of women and those engaged in the commercial sex trade is forgotten and actively discarded in favor of a politic that is centered around biopower and control over female sexuality. For migrant women, and those who are centered in the Sex Trafficking from Latin America, which Polaris puts forth as a young Latina woman - most probably brown, this dominant ideology present in anti-trafficking initiatives is then magnified. What is magnified is the extent to which anti sex work ideology along with pervasive notions of immigration control intersect in order to surveil and “protect”, in a carceral sense, the bodies of these migrant women under anti-trafficking purposes.

What is central then in examining the construction of the trafficked person, or as many anti-trafficking initiatives deem “slave” or “sex slave”, is the critical engagement with the ways in which the benevolent First World savior, with vast expertise, has been employed to rescue the Third World victim.<sup>91</sup> This dynamic has reproduced state-sanctioned violence against these migrant women, a common theme that is pervasive in trafficking. The intersection between hegemonic trafficking ideology, anti-trafficking NGO participation, in addition to the violence perpetuated at the hands of the state create what I term a “trafficking-sanctioned violence”, in which anti-trafficking initiatives push for interventions through carceral and militarized paradigms that actively harm those they attempt to rescue and protect.

Trafficking-sanctioned violence encompasses the mass deportation, detention in migration centers, police brutality, anti-immigration sentiment, and other phenomena that anti-trafficking organizations do not adequately engage with. It is not merely a byproduct of corrupt police agents or border officials, or a lack of awareness regarding sex trafficking from Latin America, or a lack of human trafficking to governments and police. Trafficking-sanctioned violence is the systemic disposal of persons, specifically migrants, who do not uphold or even fit into the trafficking regime’s narrative of a “perfect” trafficking victim. Trafficking-sanctioned violence is a system, that has resulted from the Anti-Trafficking Industrial Complex, a phrase coined by sex worker and activist Carol Leigh. Trafficking-sanctioned violence is the systemic violence faced by those who are marginalized and are at the mercy of state-sanctioned interventions due to hegemonic ideology that is prevalent in anti-trafficking movements. Trafficking-sanctioned violence against migrants is permissible, due to the intersection of rampant anti-immigration propaganda that is disseminated by the state and trafficking agendas

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<sup>91</sup> Kamala Kempadoo et al., “Cross-Border Movements and the Law: Renegotiating the Boundaries of Difference,” *Trafficking and Prostitution Reconsidered*, December 3, 2015, <https://doi.org/10.4324/9781315636269-8>.

that are predicated on maintaining a hegemonic narrative that casts away bodies who do not position themselves adequately enough within the boundaries of the trafficking victimhood narrative.

### **The Trafficking-State Apparatus and its Intersection with the Police State and the Policing of Migrant Bodies**

I argue that the Sex Trafficking from Latin America initiative represents a form in which the U.S. government in conjunction with trafficking organizations sought about a manner in which to surveil and persecute Latina migrants, while also reinforcing anti-immigration and border tightening rhetoric. Through popular trafficking narrative, the role of the carceral and police state is ingrained pointing to colonial legacies in the ways in which migrants are surveilled and persecuted due to racialized and gendered dimensions. The particular point of contention that is to be grappled with, in regards to the Sex Trafficking from Latin America campaign, are the points outlined by Polaris: “Ensuring law enforcement in both the U.S. and Mexico reinforce the rule of law and hold traffickers accountable while practicing victim-centered, trauma-informed policing,”<sup>92</sup> as well as “Robust partnership with civil society, government, and law enforcement is critical to any successful effort to combat human trafficking, and is at the heart of Polaris’s work focused on Latin America.”<sup>93</sup> It is here in which violence against Latina migrants is perpetuated. In calling upon carceral and state interventions, in addition informed policing, there is blatant ignorance in the severity of systemic brutality against migrant bodies at the hands of the police state - trauma informed policing is a paradox. In the *More than Drinks for Sale* report,

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<sup>92</sup> “Sex Trafficking from Latin America.”

<sup>93</sup> “Sex Trafficking from Latin America.”

Polaris describes various instances of interaction between migrants, potential trafficking victims and the police state. Polaris then similarly advocates for U.S. Law Enforcement and Immigration Officials:

“Law enforcement agents and officers need ongoing, high-quality training, support, and information-sharing to help them recognize the signs of human trafficking and effectively pursue cases. They should be equipped with the resources and tactical intelligence that will enable them to take a victim-centered approach when building cases and identifying victims. They should collaborate closely with service providers so that survivors can be quickly connected with appropriate social and legal services.”<sup>94</sup>

Interventions founded through a carceral paradigm are common among trafficking initiatives. Through ethnographic observation at Polaris, I noted the ingrained partnership between trafficking organizations and the police state. This relationship can be traced through colonial roots, however can more contemporarily be found in one of the stipulations placed forward by the Trafficking Victims Protection Act (TVPA). One of the pillars of the TVPA is the persecution of traffickers, inherently codifying police intervention in trafficking situations into an established practice permissible by law. Hegemonic trafficking ideology allows for rampant police intervention under the guise of persecuting traffickers, exemplified through the routine

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<sup>94</sup> “More Than Drinks for Sale: Sex Trafficking in U.S. Cantinas and Bars.”

instances of police detaining under age, possible trafficking victims in order to receive testimony in order to prosecute traffickers.<sup>95</sup>

In addition, there is a critical lack of accountability on the hands of trafficking organizations in dismantling, or even acknowledging, police brutality of Black and Latinx migrant bodies, instead preferring to hold the police state accountable through human trafficking and cultural sensitivity trainings, which anti-trafficking organizations tout as a manner in which to educate police officials on adequate actionable steps to be taken in identifying and following through in a potential trafficking situation with a possible victim of trafficking. I argue that what these trainings accomplish in actuality, is the reinforcement of the police state in trafficking initiatives, in addition to perpetuating violence, as these trafficking trainings rest on the employment of racialized and gendered rhetoric in order to surveil migrant sex worker bodies.

### **White Savior, Brown Lives - The Rescue Industry Between Latin America and the U.S.**

Another point of contention, as mentioned previously is the ways in which the First World savior, Third World victim dynamic, prevalent in anti-trafficking initiatives, reproduces legacies of colonial violence. What I argue to be the legacies of colonialism present in the First World savior/Third World victim dynamic omnipresent in anti-trafficking initiatives, is the imparting of benevolent governance under a guise of controlling a backwards, uncivilized government. There is a plethora of literature in critical trafficking studies that examines the colonial ties present in initiatives that are pushed by anti-trafficking organizations in the contemporary era. Kempadoo points to this phenomenon present:

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<sup>95</sup> Jennifer Musto, *Control and Protect : Collaboration, Carceral Protection, and Domestic Sex Trafficking in the United States* (Oakland, California: University of California Press, 2016).

“Non-whites and non-Westerners are, in the campaigns, most commonly positioned as in need of rescue or education, as the modern “slaveholders,” especially in Asia and Africa, and as “survivor leaders” and tokens. Or as with Siddharth Kara, they may be identified as integral to white supremacy, as “part of a larger colonial tradition that (mis) places the blame for third-world woes on culture,” with “bad culture” defined as the source of the problem of sex trafficking (Parreñas et al., 2012, p. 1023).”<sup>96</sup>

Similarly, Kempadoo points to a fascinating phenomenon earlier within the same scholarship:

“Europe’s commitment to anti-slavery included self-congratulatory efforts to differentiate between ‘civilized’ and ‘uncivilized’ peoples, and, as such, helped to legitimate imperial expansion between 1850 and 1914,” with anti-slavery becoming a “hallmark of European civilization” (2009, p. 78). Similarities with present-day campaigns are remarkable. For example, in the twenty-first century, white middle-class or elite men — American, British, Australian — dominate the anti-slavery campaigns. They are the founders of the majority of the international abolitionist organizations today, populate the executive boards and directorships and possess the resources and cultural capital to produce books, news items, and films on the subject.”<sup>97</sup>

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<sup>96</sup> Kempadoo, “The Modern-Day White (Wo)Man’s Burden.”

<sup>97</sup> Kempadoo.

Benevolent governance, white expertise on trafficking, and principles of white guilt that can be traced to modern abolitionist sentiment, all collide in order to impart a soft imperialism on Latin America. In regard to sex trafficking in Latin America, the movement is clouded in rhetoric that establishes hidden organized crime syndicates, lecherous boyfriends, and violent smugglers, who all target an underaged, unassuming, young Brown Latina. There is a plethora of scholarship put forth by popular trafficking hegemony that regurgitates similar evidences of rhetoric - these are the established evils and victims of the trafficking movement. As Chapkis states succinctly, "From this perspective, the abuse of migrants becomes fully the fault of "traffickers" who must be stopped, not the by-product of exploitative employment practices, restrictive immigration policies, and vast economic disparities between rich and poor nations."<sup>98</sup>

Under the ideology of the First World white savior, there is a glaring lack in acknowledgement of globalization forces under capitalism, in addition to the phantom of the U.S. colonial enterprise that has rendered a situation in which the traffic of bodies from Latin America into the United States has abounded. U.S. intervention of Latin America and the subsequent tightening of borders and deportation of migrants under the guise of combating sex trafficking is permissible and allowed. This due to the fact that ending trafficking abroad is a "good" mission to undertake and allows a form of intervention that serves the hegemonic trafficking-state apparatus. The First World savior, in this instance anti-trafficking organizations and the U.S. government, blatantly ignore the role of the U.S. empire in reproducing a space in which the trafficking of persons has become a rampant issue. Instead mirroring previous rhetoric underlining U.S. intervention abroad and benevolent governance, in which white expertise and the U.S. policing of migrant bodies has become the enforcer and solution to which Latin

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<sup>98</sup> Chapkis, "Trafficking, Migration, and the Law."

America must look towards as a source in which to combat the issue of sex trafficking. The U.S. exemplifies a bad neighbor, constantly knocking down the door of Latin America, under the guise of doing good, however ultimately ending in violently persecuting Latinx migrants.

Institutions that are predicated on notions of white salvation, do not critically engage with the ways in which their expertise enables state sanctioned violence against migrant bodies. In examining this dynamic, what I utilize is the framework employed by Ratna Kapur:

“The trafficking initiatives are also characterized by racial and gendered dimensions. The discourse often reproduces a First World and Third World divide, with the assumption that the problem exists over ‘there’ in the Third World, or postcolonial world, and proposes strategies that reinforce the image of a truncated, seriously batter, culturally constrained, and oppressed subject that needs to be rescued and rehabilitated by a civilizing West (Mohanty 1991). Both governmental and non-governmental initiatives reinforce images presented in the media that promote stereotyped construction of the trafficked victim as foreign, innocent, and ignorant (Doezema 2001). Simultaneously these images vilify Third World governments and single out alien criminal gangs.”<sup>99</sup>

The alliance formed between anti-trafficking organizations and the U.S. government is predicated upon the rhetoric of the broken, vulnerable, trafficked person of color. One must contend with the ways in which anti-trafficking organizations shape popular perception of the sex trafficking phenomena abroad. What Polaris, the U.S. federal government and a variety of

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<sup>99</sup> Kempadoo et al., “Cross-Border Movements and the Law.”

other actors accomplish is drawing upon feelings of compassion and benevolence, engaging upon heavily racialized and gendered dynamics in order to promote a hegemonic viewpoint of trafficking transnationally that erases the agency and consent of migrants, increases border controls, and reinforces anti-immigration sentiment, which is then upheld in legal arenas.

Evidently then, what needs to be examined is the distinct racialized dynamics that are entrenched in the anti-trafficking sphere, which are pervasive. There exists a hierarchy within the anti-trafficking arena, these powerful multi-million-dollar anti-trafficking organizations and the U.S. federal government, are all figures that have legacies and roots in notions of whiteness, more specifically notions of benevolent whiteness. Benevolent whiteness is utilized to signify the historic white abolitionist, which equally implies legacies of white supremacy. Furthermore, there has then been increasing attention towards the trafficked victim as a figure of color. Historically the trafficked victim, or what many anti-trafficking advocates refer to as a “modern day slave”, has been a young white woman, due to historical legacies of the Mann Act, also known as the White Slavery Act<sup>100</sup>. However, the contemporary figure of the trafficked victim, or rather the modern-day slave has become that of a young woman of color.

In the utilization of rhetoric that depicts the slave as being a young woman of color, anti-trafficking organizations directly position themselves as modern day abolitionists who rescue enslaved people of color. These modern-day abolitionists then, support carceral and punitive measures that protect these enslaved people through detention. It is here where one can note the colonial legacies that are rooted in contemporary anti-trafficking movements. In attempting to achieve modern day abolitionism, anti-trafficking initiatives rely upon colonial notions of enslavement, while engaging with the police state in order to rescue these trafficked migrants

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<sup>100</sup> Editors, “Congress Passes Mann Act.”

under a guise of benevolence and combating trafficking. What is achieved through these modern abolitionist tactics that employ carceral paradigms is a violence that persecutes these trafficked migrants under notions of “freedom” and “freeing slaves”, all the while deploying institutions, such as the militant police state, that have marginalized these communities since colonial times.

**Conclusion: The Story of Maya Morena**

As a participant observer, I witnessed and took down fieldwork notes concerning two events on the topic of human trafficking. The first of which was held by the Rhode Island Human Trafficking Task Force, a human trafficking training held at the Smithfield, Rhode Island Police Department. The second, was a round table discussion on Human Trafficking held by the Flushing Quaker Friends in Flushing, New York. Both events, could not have been more different in terms of scope, rhetoric, and demographics of the speakers.

**Commercial Sexual Exploitation of Children (CSEC)/Human Trafficking Training -  
Smithfield, Rhode Island: At the Site of Intersection Between the Non-Profit Industrial  
Complex, The Police State, and the Anti-Trafficking Rescue Industry**



### Join us for community trainings on Human Trafficking!

The Rhode Island Human Trafficking Task Force is hosting six educational trainings open to the general public. These trainings provide an overview of the Commercial Sexual Exploitation of Children (CSEC)/Human Trafficking and provides definitions, statistics, and other information about this global, national, and statewide problem.

Learn about the techniques used by traffickers to recruit and target victims as well as possible signs that someone might be a victim of trafficking. The training ends with an outline of the local resources and the statewide protocol on how the task force and various providers handle CSEC cases.

**4/3/19**

**4:00 - 6:00 PM**

Smithfield Police Department  
215 Pleasant View Avenue  
Smithfield, RI

*Fig. 2 Poster for Human Trafficking Training*

Through a collaboration between Day One, a non-profit organization based in Providence, Rhode Island, who “is the only agency in Rhode Island that is specifically organized to deal with issues of sexual assault as a community concern,”<sup>101</sup> and the Smithfield, Rhode Island Police Department, they sponsored educational human trafficking trainings throughout the month of April, during one of which I was an observer. The human trafficking training was presented by the director of Day One, a police officer, and a former Director of a liaison between Day One and the Smithfield Police Department, all of whom were white. Amongst the small group of individuals who chose to attend this training, 2 of which were interns with Day One, one was a member of Bikers Against Child Abuse, and another was a worker at the Rhode Island Department of Children, Youth, and Families.

<sup>101</sup> “Mission & What We Do | Day One,” accessed April 19, 2019, <https://www.dayoneri.org/about-us/mission-what-we-do>.

The presentation, with many slides and much of the information having been disseminated by Polaris, employed much of the hegemonic discourse pervasive in discussion on human trafficking. As the training spoke on CSEC (Commercial Sexual Exploitation of Children) and Human Trafficking, much of the material presented spoke solely of domestic sex trafficking of minors in the United States. However, typical of hegemonic trafficking discourse, elements covered spanned carceral intervention for minors, ways to surveil minors who are perceived to be in trafficking situations, and featured predominantly, the intersection between sex work and human trafficking. Exemplary of the anti-trafficking regime, the presenters similarly held ideas common towards dominant trafficking ideology: sex work is inherently sex trafficking.

Two events occurred during the human trafficking training in which I engage with critically through this conclusion. During a noteworthy moment - a vivacious dialogue erupted between one of the Day One interns and the police officer, during which while both were passionately discussing the woes of sex work and the exploitation these workers face, they repeatedly stated “Who would willingly want to be a prostitute?” and “No one actually want to be a prostitute?”<sup>102</sup> In a similar situation when discussing the Pawtucket raid of massage parlors that had occurred that weekend, the Day One director stated that while the massage parlor workers had stated that they were not trafficked through interpreters, the Day One director stated, “We don’t believe these girls when they tell us they are not being trafficked. They are not aware that they are in a trafficked situation.”<sup>103</sup> In a moment of clarification, I questioned the language of “girls” and reiterated a previous statement made by the director in which she stated that the

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<sup>102</sup> Dayana Tavarez, “Ethnographic fieldnotes,” April 3, 2019

<sup>103</sup> Dayana Tavarez, “Ethnographic fieldnotes,” April 3, 2019

massage parlor workers were majority older South Korean and other East Asian migrants in their 50's-60's.<sup>104</sup>

In examining these events, what becomes evident is the extent to paternalistic notions of rescue on part of anti-trafficking organizations in conjunction with the police state violently harm and marginalize migrants. Carceral paradigms undergird anti-trafficking initiatives in order to rescue perceived victims of human trafficking. The police raid that occurred in Pawtucket, Rhode Island that weekend was presented in a manner as to flush out perceived networks of sex trafficking in massage parlors. No comment was provided as to the condition of the workers in the aftermath of the violent police raid. In addition to the evidence of carceral methods being utilized through the deployment of police raids, evident was the contempt the presenters held for sex work. The human trafficking training provided ample evidence to witness the extent to which the anti-trafficking regime violently employs morality and notions of appropriate women's work in order to push a narrative of trafficked persons. Statements such as "who would willingly want to be a prostitute", point to the lack of critical engagement of systems of oppression, such as racism, classism, and sexism, on part of anti-trafficking organizations, initiatives, and their partnerships with the police state. Furthermore, statements on the part of the director of Day One, "we don't believe these girls when they tell us they are not being trafficked. They are not aware that they are being trafficked," demonstrate popular rhetoric utilized in hegemonic trafficking discourse, which actively erases consent and agency on part of the migrant massage parlor workers. Racialized and gendered dynamics were abounding, particularly at the employment of language that referred to these workers as "girls", even though previous statements pointed to the demographics of these women being older, East Asian migrant women in their 50s and 60s.

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<sup>104</sup> Dayana Tavarez, "Ethnographic fieldnotes," April 3, 2019

The human trafficking training held in the Smithfield Police Department showcased perfectly the established partnership between the Non-Profit Industrial Complex, the police state, and the Anti-Trafficking Industrial Complex. In examining the intersections of all three, and the partnerships established within, I glean that all three institutions act as instruments of the U.S. government in order to export a benevolent governance, all the while deploying violent carceral measures against migrants of color, particularly those who engage in sex work, these migrants are those who are not considered to be “perfect” trafficking victims. Under the guise of combating trafficking abroad and domestically, anti-immigration laws and rhetoric that imply tightening borders and increasing national security against traffickers are employed in order to showcase a benevolent government that is concerned with the plight of trafficked migrants, while actively persecuting undocumented migrants. In conjunction with a prevalent anti-immigration sentiment, anti-trafficking initiatives purposefully employ a neoliberal strategy of social control. Bernstein argues this phenomenon as well, “In the neoliberal context of a devolving state apparatus, practices of governance increasingly rely on a coalition of state and nonstate actors rather than on the state itself,” it is through this coalition between the Non-Profit and Anti-Trafficking Industrial Complexes, that the U.S. government is able to individually persecute and incarcerate these migrants.

Neoliberalism is the basis of much of the anti-trafficking regime and is essential to the U.S. mission to combat trafficking domestically and abroad. In the context of fighting sex trafficking of Latinx migrants, these neoliberal procedures place the epidemic of trafficking amongst individual actors, such as traffickers and organized crime networks, and solutions to trafficking in the hands of non-governmental organizations. In divvying trafficking amongst individual actors and organizations, the state is effectively absolved of institutions and systemic

structures that contribute to the proliferation of trafficking in Latin American countries. U.S. imperialism, from the colonial time period to contemporary interventions under the guise of building democracy, uprooted many Latin American societies, leaving in its path poverty, destruction, and Western hegemonic ideals concerning race and gender that persist to this day. It is unsurprising then, to witness the mass migration from Latin America into the United States either for economic purposes or to escape violence that has been constructed due to interference by the United States in these Latin American countries. There then is an insidious violence that must be contended with on the part of anti-trafficking organizations to the extent that here is a lack of critical engagement with institutional violence committed against migrants by the United States. Furthermore, there is blood on the hands of these anti-trafficking organizations who deliberately partner with the police state, such as those organizations who are intimately intertwined with the Department of Homeland Security, which houses ICE. In choosing to rescue a few “perfect” trafficking migrants, anti-trafficking organizations reinforce racist contempt towards migrants.

Even the construction of rescue of trafficked Latinx migrants, on part of these Non-Profit and Anti-Trafficking Industrial Complexes, in addition to the police state, are established upon racialized and gendered dimensions of paternalism on the part of these institutions. Carceral and punitive measures taken against trafficked migrants are employed for the “own good” of said trafficked migrants. Through the examination of the Director of Day One’s comments concerning the extent to which the Asian massage parlor workers knew of their trafficking situation, while simultaneously employing Bernstein’s argument, “the evidence indeed suggests that U.S. anti-trafficking campaigns have been far more successful at criminalizing marginalized populations, enforcing border control, and measuring other countries’ compliance with human

rights standards based on the curtailment of prostitution than they have been at issuing any concrete benefits to victims (Chapkis 2005; Chuang 2006; Shah 2008),”<sup>105</sup> demonstrates the extent to which notions of white superiority and salvation, particularly in the context of anti-trafficking initiatives, marginalize and violate the rights of migrants of color. As Kempadoo notes, “When steeped in neoliberalism, it (white supremacy) can express a longing for the presence of, or a desire to help, the Other, neither of which unsettle unequal racialized relations of power (hooks, 1995, p. 185),”<sup>106</sup> at the intersection of anti-trafficking initiatives, white savior desire to do good, and marginalized Latinx migrants, it is where one can actively critique the hegemonic discourses common of combating trafficking in persons and the benevolence governance of the United States when it comes to combating the trafficking of persons from Latin America.

As these anti-trafficking organizations export trafficking law and dominant hegemonic trafficking paradigms, such as the utilization of carceral and punitive measures, to Mexico and greater Latin America, under the guise of ending sex trafficking of Latina migrants, - all the while the United States government actively deports and detains migrants and migrant children who attempt to cross the U.S.-Mexico border. Anti-trafficking organizations uphold the neoliberal capitalist regime, gaining millions in funding from the government in order to execute these anti-trafficking initiatives that purport to end trafficking in Latinx migrants. Without critical engagement with the institutions that cause trafficking epidemics, anti-trafficking organizations profit from the detainment and persecution of the migrants they state to want to rescue. The human trafficking training held in the Smithfield Police Department acts as a

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<sup>105</sup> Elizabeth Bernstein, “Militarized Humanitarianism Meets Carceral Feminism.”

<sup>106</sup> Kempadoo, “The Modern-Day White (Wo)Man’s Burden.”

microcosm in examining how these popular hegemonic trafficking discourses cause an increase in migrant persecution and detainment under the guise of combating trafficking.

### **Ending Human Trafficking - Sex Work, Migration, and Solutions to Human Trafficking**

“The Peace & Social Action Committee (PSAC) of Flushing Meeting invites you to participate in a roundtable discussion on the impact of human trafficking in our community and how we can address this form of modern-day slavery on Sunday, April 14, 12:30pm, at our historic meetinghouse located at 137-16 Northern Boulevard in Flushing NY 11354.

Our guest speakers will include Maya Morena, undocumented immigrant from Honduras, domestic violence survivor, and sex worker; Kate Zen, labor organizer with Red Canary and Butterfly, former massage worker, and policy researcher at NSWP; and, Aya Tasaki, Manager for Policy and Advocacy, Womankind (formerly New York Asian Women's Center).”<sup>107</sup>

Held at the Flushing Quaker Meeting House, the Roundtable Discussion on Human Trafficking was initially supposed to have a vastly different viewpoint than that of which I participated. Days before the discussion was to be held, two of the organizations designated to speak, The Partnership for the Eradication of Human Trafficking (PEHT) and Mentari, dropped out. The following statement presented is a partial quotation of an email sent out regarding the withdrawal:

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<sup>107</sup> John Choe, “Roundtable Discussion: Human Trafficking,” accessed April 14th, 2019, <https://www.facebook.com/events/618170608596356/>

“This morning at 10:07am, Kathleen Moran (Chairperson of PEHT) called me to say the Partnership (affiliated with the United Nations Association) would be withdrawing all their speakers (including Shandra (founder and director of Mentari - a anti-trafficking organization)) because Flushing Meeting is ‘including an undocumented migrant’ in our list of participants and the Partnership did not want to be ‘associated with any illegal activity.’ Despite this setback, we are going to move forward with this conversation about an important issue affecting our community and ask for your support, advice, and guidance. Any suggestions would be greatly appreciated. Thank you!”<sup>108</sup>

The reorganized discussion featured a change in the name of the discussion from Roundtable Discussion on Ending Slavery to a Roundtable Discussion on Human Trafficking. As I walked into the Flushing Quaker Meeting House, I was confronted with a crowd of older white folk along with a couple of older Asian women and a couple of older Black women all from the Flushing Community all of whom expressed excitement about being able to learn more on the subject of human trafficking. Many of the attendees also expressed excitement in meeting Maya Morena and listening to her presentation. I spoke briefly with one of the organizers of the event, before entering into the congregation area in which the discussion took place.

The speakers: Maya Morena, an undocumented, Honduran sex worker and activist, Kate Zen policy researcher at National Sex Worker Project (NSWP) and former massage parlor worker, and Aya Tasaki, Manager for Policy and Advocacy at Womankind - a social services organization, were all women of color who were deeply dedicated to sex worker activism. Each presenter had the chance to speak.

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<sup>108</sup> Maya Morena, Twitter post, April 10th, 2019, 10:25 am.  
<https://twitter.com/babecolate/status/1116029551644217344>

Maya highlighted personal experiences regarding migration to the United States and critiqued various anti-trafficking organizations fight to combat trafficking, while receiving millions in funding. Notable, was Maya's critique of Polaris and their partnership with the Department of Homeland Security, which houses ICE. Maya also pointed out several laws in place such as Prevention through Deterrence that have violently impacted migrants as they cross the U.S.-Mexico border. She then spoke of her experiences in sex work and the ways in which the anti-trafficking regime supported laws, such as FOSTA/SESTA, that directly harmed sex workers safety.<sup>109</sup>

Kate Zen followed and spoke to the foundation of trafficking policy being rooted in acceptable and moral notions of women's work. Kate highlighted that much of what is considered to be women's work relates to the domestic, private sphere: such as caretaking, domestic labor, familial labor and how "unpaid women's work is slavery". Kate took care in unraveling many of the myths associated with the hegemonic trafficking discourses through an explanation of economic processes that have led people to pursue sex work and migration, as well as historic laws that have set a precedent in persecuting and marginalizing migrant sex workers. Kate framed most of the conversation around wage exploitation and finished by stating that decriminalizing sex work was the pathway to ending "slavery".<sup>110</sup>

Aya spoke to the role of social service organizations in sex trafficking and sex work cases. She stated that massage parlor workers had their own network of resource available, and organizations should strive to gain enough trust with these massage parlors in order to make it onto their network of resources. Many attendees asked what steps they should take when they

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<sup>109</sup> Dayana Tavarez, "Ethnographic fieldnotes," April 14th, 2019

<sup>110</sup> Dayana Tavarez, "Ethnographic fieldnotes," April 14th, 2019

perceive a trafficking situation, and Aya reiterated several times not to call the police on these massage parlor workers and restated that they were aware of the resources they had available.<sup>111</sup>

The roundtable discussion on human trafficking proved to be salient not solely to my scholarship, but also provided solutions to the epidemic of sex trafficking: centering sex workers and decriminalizing sex work. However, that is not to conflate sex trafficking and sex work, an ideology that is pervasive in trafficking discourses. In centering sex workers, one centers the experiences they face as a marginalized community that continuously has their voices and narratives erased by anti-trafficking organizations. Decriminalizing sex work is the best harm-reduction policy for sex workers, in doing so, one is able to move away from the prosecution and incarceration measures that are taken up against them and criminalize them. Decriminalization provides the avenue through which to protect sex workers from economic exploitation and violence. Hegemonic trafficking discourses solely incite violence against sex workers, with a vast majority of sex workers having been incarcerated on prostitution related charges due to police raids on brothels and massage parlors. Said hegemonic trafficking discourses that speak to sex work, are dependent on moral notions of what is considered to be acceptable women's work, with many anti-trafficking organizations, such as PEHT and Mentari, offering sex workers rehabilitation programs that involve jewelry making for these organizations, which are then sold. While these organizations make upwards of millions on the profit of this jewelry, former sex workers are paid far less than the profits made by these organizations and far less from what they profit off of sex work.

I critically examine the withdrawal of PEHT and Mentari and the subsequent reasoning for doing so in conjunction with the roundtable discussion. The withdrawal of these

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<sup>111</sup> Dayana Tavarez, "Ethnographic fieldnotes," April 14th, 2019

organizations, on the basis that they do not support “illegal activity” referring to the undocumented status of Maya, directly points to the contempt and hypocrisy of anti-trafficking organizations regarding migrants. Maya discussed that her experiences, when lined up with the UN Palermo Protocol definition of human trafficking, points to her as a trafficking victim. It is at this point in which I then ask: who are these anti-trafficking organizations then purporting to rescue? Who is considered to be then, the “perfect” trafficking victim? PEHT and Mentari reinforce hegemonic discourses of migration and are a testament to anti-immigration rhetoric that undergirds much of anti-trafficking discourses and initiatives. In describing their withdrawal as not wanting to be associated with illegal activity, PEHT and Mentari uphold notions that undocumented migrants are criminals that have willingly broken the law, which then signifies that they are deserving of carceral and punitive measures taken up against them, such as detention.

PEHT and Mentari are the prototypical anti-trafficking organizations that are deeply embedded in the neoliberal capitalist system. As stated previously, these offers rehabilitation programs that have former sex workers participate in what is considered to be “appropriate” women’s work - PEHT’s program states that through their empowerment strategy:

“Economic empowerment is critical for a survivor’s recovery to be sustainable. Our social enterprise includes a pet product retail company initiative, LOVE YOUR PET, CHANGE THE WORLD, that manufactures and sells products hand-crafted by trafficking survivors and by women whose economic vulnerability makes them potential targets of international traffickers. Based on the highly successful program of our sister organization, Thistle Farms, in

Nashville, TN, residents and graduates of **PEHT**'s restoration program will be given vocational opportunities within this enterprise along with other jobs within the pet industry, one of the fastest growing business sectors in the United States."<sup>112</sup>

While Mentari's website did not provide adequate descriptions on any of its programs, featured prominently on its main page was its Culinary Arts program, along with a short statement from a woman that described her gratitude towards Mentari, "for guiding me with skills not only good for a professional kitchen, but for mentorship in everyday life."<sup>113</sup>

Under the guise of economic empowerment and providing mentorship, these anti-trafficking organizations reinforce the neoliberal capitalist system of the anti-trafficking regime, in addition to upholding notions of appropriate women's work. PEHT directly profits off of the labor of former sex workers through the selling of handmade jewelry, generating six million dollars in revenue, while paying these workers a vast amount less. In examining the culinary arts program and the jewelry making, both organizations uphold gendered dynamics of domesticity and morality through these rehabilitation programs. In engaging with these neoliberal strategies that purport to provide economic self-sufficiency to former sex workers and survivors of trafficking, these organizations effectively remove the responsibility of welfare and economic well-being, which falls under the state, and effectively places the burden onto the individual, all the while profiting off of the labor of these former sex workers.

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<sup>112</sup> "About PEHT," PEHT, accessed April 19, 2019, <https://peht.org/pages/about-peht>.

<sup>113</sup> "Mentari USA – Human Trafficking Survivor Empowerment Program," accessed April 19, 2019, <http://mentariusa.org/>.

It is then here where I critically examine the role of anti-trafficking organizations in combating trafficking against efforts put forth by sex workers. While the previous iteration of the roundtable discussion included ending slavery, I am left to ponder how it is that PEHT and Mentari would have led a discussion on ending slavery, while profiting off the labor of former sex workers and garnering millions in revenue. The subsequent withdrawal of both organizations and their reasoning for doing so, point to the violence in which anti-trafficking organizations allow to pervade regarding migrants and sex work. The anti-trafficking regime operates on the binaries of legal and illegal, the moral and the immoral- reinforcing hegemonic trafficking discourses that incite a moral panic around the epidemic of sex trafficking, which is to say inciting a moral panic around sex work and migration. While anti-trafficking organizations partner with the state, sex workers are at the intersection of violence by the government and the police state. Efforts put forward by sex workers unravel the neoliberal capitalist system which underlies the anti-trafficking regime and directly challenge the carceral paradigms employed by anti-trafficking organizations. Sex workers work to combat trafficking through a lense of wage exploitation and working conditions. Sex workers, particularly migrant sex workers fight consistently against a system that persecutes and incarcerates them. In ending trafficking, one must contend with the violence that is inflicted upon this marginalized population at the hands of the state. Through the withdrawal of PEHT and Mentari, Maya, Kate, and Aya were able to deconstruct popular myths of hegemonic trafficking discourses and educate a community, while centering and uplifting sex workers.

**Maya Morena - Undocumented/Honduran/Sex Worker/Migrant/Activist**

Scholars of critical trafficking studies have centered sex workers and their activism as central to solutions to trafficking. Following in their path, I highlight Maya Morena's work as an

activist and sex worker who has critically examined the faults in the anti-trafficking regime. Through her lived experiences and labor, Maya has witnessed the extent of violence faced by migrants at the hands of anti-trafficking organizations who have pledged to “rescue” these trafficked migrants. Much of her work is centered in Flushing, New York, deemed a sex trafficking hot spot due to the concentration of massage parlors and massage parlor workers in the area. Her activism towards anti-trafficking movements involves critical examination of the role of carceral paradigms in trafficked migrants, such as the violence faced by migrants at the border due to ICE and USCIS officials. Much of her work critiques hegemonic trafficking discourses that merge sex work and sex trafficking into one manner. Maya engages in these discourses through a lense of migration, race, gender, and class, speaking critically to the ways in which the neoliberal capitalist system has created a system of wage exploitation and debt bondage.

I spoke with Maya during two occasions, the first of which was at the roundtable discussion on human trafficking held at the Flushing Quaker House, in which I participated in ethnographic observation. The second instance was an informal call, in which I asked Maya various questions related to her participation in sex worker activism.

Maya’s lived experiences have been deeply integral to her work as an activist and participant in sex work and subsequent sex worker activism. Her work began when she was asked to speak at a human trafficking teach-in by Red Canary, an organization that supports grassroots organizing of migrant sex workers<sup>114</sup>. The human trafficking teach in, was a protest against Peter Koo, Councilman of New York’s 20th district and active in the crackdown of

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<sup>114</sup> “Butterfly,” accessed April 19, 2019, <http://www.butterflynyc.org/>.

Flushing massage parlors<sup>115</sup>. When asked what motivated her to continue in this work, she replied with a profound statement that freedom is what drives her. In contrast with hegemonic trafficking discourses, her notions of freedom are radical and related to her narrative, growing up as an undocumented migrant from Honduras in the United States, she is well aware of the limitations and restrictions placed on her by the state and in many instances her family. Freedom, as an undocumented migrant sex worker of color, is a concept that is not permitted for her. The state is an active participant in limiting her freedoms - undocumented migrants are routinely silenced and deported for their mere existence in a country that has been established upon anti-immigration sentiment and only intensified during the Trump administration. In addition to the state, Maya includes that her family has also limited her freedoms, their fear of her undocumented status and their fear of possible deportation, tangible and pervasive, has left her with feelings of restriction.

“The world was not meant for me,”<sup>116</sup> at the intersection of sex work, sexuality, race and documented status, Maya faces marginalization at the hands of the state and non-governmental organizations, institutions established upon white supremacy that purport to rescue and protect those whose identities bare similarities to Maya’s. Maya states that she has “no choice”<sup>117</sup> in pursuing her activism, as her lived experiences have led her to experience marginalization at the hands of these institutions who speak over her and insist that their white expertise is essential to ending human trafficking. As a survivor of domestic violence, Maya has been told numerous times by law enforcement officials that she was a trafficking victim. However, in the face of this

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<sup>115</sup> Caroline Lewis, “Sex Trafficking Or Sex Work? Crackdown On Flushing Massage Parlors Gets Pushback From Advocates,” Gothamist, accessed April 19, 2019, [http://gothamist.com/2019/04/01/sex\\_trafficking\\_or\\_sex\\_work\\_flushin.php](http://gothamist.com/2019/04/01/sex_trafficking_or_sex_work_flushin.php).

<sup>116</sup> Maya Morena (sex worker activist) in discussion with the author, April 17th, 2019

<sup>117</sup> Maya Morena (sex worker activist) in discussion with the author, April 17th, 2019

revelation, Maya revealed to me that there was critical inaction on part of these law enforcement officials. Their action stopped at telling Maya her experiences were aligned with that of a trafficking situation, with no conclusive follow up. Her experiences have led her to become critical of these institutions that claim expertise over human trafficking. Maya details that these anti-trafficking organizations train law enforcement officials and shelters, who then claim expertise over human trafficking, but in actuality conflate trafficking with situations of domestic violence.

Maya's critique of these anti-trafficking organizations and their deployment of carceral paradigms is centered around her reclamation of her identity as an "illegal" migrant<sup>118</sup>. These institutions do not want her to exist. Her existence and activism undermine the mission of these anti-trafficking organizations in claiming to protect migrants, but in actuality uphold violence and anti-immigrant sentiment. She breaks down the binary between legal and illegal through her notion of "living authentically"<sup>119</sup> - remaining true to herself and to her work, in spite of the dangers of protesting an authoritative state and anti-trafficking regime that seek to restrict her freedoms and livelihood.

To conclude this project, I would like to wholeheartedly thank Maya Morena and all of the migrant sex workers who live authentically and pursue freedom from restrictions placed on them by the state and society. They are radical scholars who are the backbone of critical trafficking studies. Maya and migrant sex worker communities exist and live authentically in spite of a neoliberal capitalist trafficking regime which seeks to restrict their livelihoods and existence under the guise of rescue and protection. In uplifting and centering these migrant sex workers, one gleans freedom and perseverance in their activism and work as they protest the

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<sup>118</sup> Maya Morena (sex worker activist) in discussion with the author, April 17th, 2019

<sup>119</sup> Maya Morena (sex worker activist) in discussion with the author, April 17th, 2019

infringement of their rights by institutions. Centering migrant sex workers centers their pursuit of human rights, women's rights, and labor rights. Without their work, much of this project and existing scholarship would not exist without them. The story of Maya Morena demonstrates that these institutions must be critiqued and dismantled in order to provide migrant sex worker communities with the opportunity to live authentically and freely.

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