

Carissa Phelps, JD/MBA

Founder and Chief Executive Officer, Runaway Girl, FPC

House Committee on Foreign Affairs

November 4, 2013

["Regional Perspectives in the Global Fight Against Human Trafficking."](#)

### **Story of Runaway Girl, FPC**

I hold a joint Juris Doctorate and MBA from UCLA, I pursued my degrees based on an interest I had in community economic development. In 2007, I was on a path to working in the financial industry, when I learned that children were being arrested and charged with prostitution and solicitation in Los Angeles County. Having survived trafficking at the age of twelve, I knew, from my own experience, that each time victims were stopped by police or treated like criminals; they were pushed closer to their trafficker. Whether victims were being questioned, booked, or even released on the spot, the failure to protect a child from their trafficker is where the harm was being done --- not only to the child, but also to our communities. I felt a sense of urgency to speak out, and search for ways to end this re-victimization of youth, not only in Southern California, but across the country. Between 2007 and present, I have brought the issue of arresting victims to community groups, social services, nonprofit organizations, media outlets, educators, doctors, lawyers, police, elected officials, rotaries, foundations, business leaders, and most recently to bus drivers and janitors on behalf of San Joaquin County Office of Education. In 2011, at the request of the State Department, I traveled overseas to share my message with countries searching for ways to address human trafficking in all of its forms. In 2012, I published a memoir, *Runaway Girl: Escaping Life on the Streets One Helping Hand at a Time*. In an effort to increase penalties for traffickers, I also became an outspoken supporter for Proposition 35.

In 2012, I returned to my interest in finance and community economic development, by founding Runaway Girl, FPC a California Flexible Purpose Corporation that offers survivors a chance to create and sustain their own initiatives. Runaway Girl, FPC offers survivor facilitated trainings in Human Trafficking. Our 1-Day training is an effort to reach out to wide community groups, who wish to build a Community Protocol for Response [CPR] to human trafficking. Our 2-Day Empowerment Model Training [EMT] is an opportunity for those who work more closely with victims and survivors of trafficking to develop empowerment models, within their organizations. In addition to building a sustainable pipeline of survivor leaders, Runaway Girl, FPC also offers career development opportunities to survivors of human trafficking. Runaway Girl, FPC supports survivor led initiatives and businesses by compensating survivors, who give their time and resources to the issues of human trafficking. Runaway Girl also promotes businesses led by survivors, such as Neet's Sweets, a Charlotte, NC based baking

business founded by Antonia "Neet" Childs, a social entrepreneur and survivor of human trafficking.

### **Protection for Victims of All Forms of Human Trafficking**

We must create clear mandates for local governments, near and far, by strengthening and enforcing legislation that protects victims of human trafficking. Slavery in the United States was abolished; however, nearly 150 years later, human trafficking in its many forms persists and is widespread. Under section 2 of the Thirteenth Amendment, Congress enacted a statute by which it prohibited anyone from "holding, arresting, or returning, or causing or aiding in the arresting or returning, of a person to involuntary servitude."<sup>[1]</sup> The business of human trafficking enjoys protections from local governments that criminalize and fail to protect victims of human trafficking. By arresting or not assisting someone who has been victimized, we are in effect "causing or aiding in the ... returning of a person to involuntary servitude." The failure to protect and mistreatment of victims of human trafficking continues to be the biggest challenge to ending all forms of modern day slavery.

### **Recommendation #1**

When a victim of human trafficking is in contact with any agency that receives federal funding, all actions should be in accord with existing federal legislation. Victims should be offered services and protections. Victims of human trafficking should never be arrested or charged with crimes related to their being trafficked.

### **Specific to Victims of Sex Trafficking**

Arresting victims of sex trafficking violates state and federal law, and has proven to be a highly ineffective approach to ending the demand for sex trafficking. Autumn Burris, a long time leader in the fight against sex trafficking, says "victims are targeted for arrest, while buyers of exploited individuals oftentimes remain invisible." Buyers make sex trafficking possible. In order to formulate an effective strategy, buyers need to be held accountable for their role in sex trafficking. In order to deter buyers, penalties must hurt. According to a 2011 study by Dr. Melissa Farley, one hundred percent (100%) of sex buyers said they would be deterred from buying sex if a month jail term were imposed and ninety percent (90%) said they would be deterred if a \$1,000-\$2,000 penalty were imposed.<sup>[2]</sup>

### **Recommendation #2**

End sex trafficking by arresting and fining buyers, who drive up the demand for commercial sex.

### **Survivor Voice in Combating Labor Trafficking**

As a member of a community of survivors of all forms of human trafficking, my goal in testifying is to offer solutions that are as broad as the picture of modern day slavery. According to the California Department of Justice, "fifty-six percent (56%) of victims who received services through California's task forces were sex trafficking

victims. Labor trafficking is under-reported and under-investigated as compared to sex trafficking. Yet, data from other sources indicate that labor trafficking is 3.5 times as prevalent as sex trafficking worldwide.” [3] Congressman Royce’s proposed legislation H.R. 3344-Fraudulent Overseas Recruitment and Trafficking Elimination (FORTE) Act introduced last week proposes protections and remedies for foreign workers in the recruitment process to combat the potential for labor exploitation. I have learned from training alongside Kanthi Salgado, a member of the CAST [Coalition to Abolish Slavery and Trafficking] Survivor Caucus, that there is a great need for education and outreach to potential victims who are recruited by employment agencies to work overseas. Experts like Kanthi, who have survived human trafficking, have earned a seat at the table, and are prepared to lead education and outreach initiatives that will support the FORTE Act.

### Recommendation #3

Invest in survivors both individually and in groups, and support their global leadership in the fight against human trafficking.

### Conclusion

Traffickers attempt to keep victims down, and keep them divided. Survivors have shown that they can and will rise above; however, this requires an investment in services and protection. Basic needs must be met, as survivors of trafficking overcome severe emotional, financial, and physical challenges. Creating opportunities for partnership, and uniting survivors in their fight against slavery, also requires planning, action and investment. The result will be survivors leading the way, and a greater understanding of how trafficking happens today. Survivors are the key to developing timely, relevant and appropriate responses to all forms of human trafficking. Empowering survivors to lead in the United States will have a global impact on abolishing human trafficking, as we enjoy the rights, freedom, liberties and protections that allow us to move out of a life of victimization and to a role of leadership.

---

[1] Upheld in *Clyatt v. United States*, 197 U.S. 207 (1905); and see *United States v. Gaskin*, 320 U.S. 527 (1944). See also 18 U.S.C. Sec. 1584, which is a merger of 3 Stat. 452 (1818), and 18 Stat. 251 (1874), dealing with involuntary servitude. Cf. *United States v. Shackney*, 333 F.2d 475, 481-83 (2d Cir. 1964).

[2] <http://www.prostitutionresearch.com/pdfs/Farleyetal2011ComparingSexBuyers.pdf>

[3] CA Department of Justice, “The State of Human Trafficking in California” , 2012. <https://oag.ca.gov/sites/all/files/pdfs/ht/human-trafficking-2012.pdf>