

Testimony of Cristian Eduardo

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Chairwoman Jackson Lee and Members of the Judiciary Subcommittee on Crime:

My name is Cristian Eduardo. I am a survivor of international and domestic sex *and* labor trafficking. I am a Latino immigrant, a member of the LGBTQ+ community, a person living with HIV, and a human being dealing with the life-long consequences of human trafficking. Due to barriers caused by the intersectionality of my identity, I was sexually and physically exploited when I was most vulnerable. **I am here representing myself *and* the thousands of voices that are too often silenced**—the voices of survivors of color, immigrants, people living with HIV, LGBTQ+ individuals, the voices of our communities, people exploited by pimps, brothel owners, and sex buyers—especially those being abused now, as we meet.

To be very honest, I sit here, doubting whether I should share my story because the consequences of trafficking do not end when you are free of exploitation. Telling my story can negatively impact my personal, academic, and professional path. There is no legal protection from discrimination based on what I experienced—what I survived. What if a future employer discovers the meaning behind the blank space on my resume? What is going to happen if my family and friends learn that I was constantly raped? What if my exploiters find out that I dare to tell the truth about my exploitation? What if the buyers—and all those who accessed my body—want to retaliate against me? Who is going to protect me? **Who is protecting all the survivors who raise their voices against the system of exploitation?**

Human trafficking is real, and I am here to remind you: I experienced it on my own skin. Despite the *Trafficking Victims Protection Act* being reauthorized several times, human trafficking is classified as a “nonviolent crime” in many states. Survivors continue to suffer from the trauma of exploitation until our last breath on this earth. Meanwhile, pimps, brothel owners, and especially sex buyers walk free as if the harm they caused can be erased. Survivors and victims around the country are constantly criminalized and incarcerated. This is happening due to the lack of understanding about trafficking, and the lack of empathy toward those engaged in the sex trade including street prostitution. We are the ones blamed for our own exploitation. We are the ones being sentenced to jail. **We are the ones with criminal records for actions committed under conditions of coercion, fraud, debt bondage, or force from our traffickers, the brothel owners, and sex buyers raping us day after day.**

I appeal to you: stop criminalizing victims and survivors! Stop blaming us! Stop putting us behind bars!

Under federal law, child trafficking victims do not need to prove force, fraud, or coercion yet in several states they are the ones being targeted by police as criminals. We must enforce the law

regarding the culpability of traffickers and patronizers while protecting the most vulnerable and decriminalizing victims and survivors. It's a legal approach known as the Equality Model or partial decriminalization.

I was trafficked in the United States, in the country where dreams come true. I was trafficked in this country, regardless of the TVPA. Some of the barriers that prevented me from escaping my situation (even while I feared for my life) included the criminalization of those engaged in the sex trade, a form of victim-blaming that allows exploiters to keep victims and survivors under control. I was afraid to call the police because of the potential consequences. My choices were: being deported as an immigrant, spending my life in jail, or ongoing emotional, physical, and sexual abuse.

While tens of millions of dollars are provided every year for services to assist victims of trafficking, I couldn't access any for a long time. Whether it was housing, legal services, education resources, or a place to feel safe, oftentimes providers minimized, ignored or missed my trafficking victimization because I did not look like what they thought a survivor should look like. I'm a male, an immigrant, I was unable to fluently communicate in English, and I seemed "okay." I didn't look distressed. I was high functioning on the outside but destroyed on the inside—just as, right now, you cannot identify my anxiety, depression, PTSD, or that I am living with HIV.

The expansion of required training to better identify victims of human trafficking is necessary for every single provider who interacts with marginalized communities and people in vulnerable situations. When I first approached a shelter, I was asked if I had ever engaged in sex for food/ shelter/ drugs, or money? My answer was yes, which was a strong indicator of trafficking, yet I was totally ignored: the service providers did not probe whether I was being criminally exploited.

While trying to access services in the community around immigration centers, LGBTQ+ centers, community organizations, and different NGOs, I was asked over and over the same question, without anybody caring about the answer or what was causing my isolation, pain, and re-victimization. **We are failing to identify victims and survivors.** We are failing our families. We are failing our communities. We must do better.

The system is particularly weak in the identification of male victims. I wasn't able to find services for males. I was denied services just because I am a male. While living at a men's shelter, I was constantly a victim of rejection, psychological abuse, and the fear of being abused again by males. I was not able to sleep, worrying if any of the males around me wanted to rape me. This insecurity was fueled by the staff: at 5:00 am after my first night at the shelter, a staff member came, turned on the light of a room housing more than 30 beds, knocked on the wall, and yelled, "Wake up and do something with your life!" This is not how victims and survivors of human trafficking should be treated; we deserve support, specialized services, and trauma-informed resources. The expansion of services is a need we must address: **We need more services for adults and for male survivors.**

Existing laws focus mainly on victims and traffickers. Too often, sex buyers are left out of the equation when they fuel the entire sex trafficking market. I appeal to you: Sex buyers should not roam free, preying on our children, on the most vulnerable, on people like me, who were in need of real help, not sexual abuse.

Does current legislation deter law enforcement, judges, and political authorities from becoming sex buyers? Sex buyers see us as commodities, as things to satisfy their pleasure. One time, I was severely abused, bleeding from my anus, not knowing what to do. Should I call the police? Should I go to the doctor? Should I ask for help? But what if these providers are sex buyers? The only thing that I could do was to hold my tears, numb my body, and wait for the next sex buyer to come. Sex buying is a harmful act that needs to be taken more seriously, and we must stop it. **If we really want to stop human trafficking we must stop the demand for bodies, the normalization of rape, and acknowledge that sex buyers are violent and harmful.**

In the 2015 *Justice for Victims of Trafficking Act*, Congress made it crystal clear that sex buyers are parties to the trafficking crime (“soliciting and patronizing” were added to the definition of sex trafficking). Yet the Attorney General never issued guidance directing law enforcement to focus on buyers, who cause harm and remain unaccountable. With weak federal guidance, local and state jurisdictions are left to address buyers in an ad hoc way—or not at all—ignoring a key prevention opportunity.

I am grateful that there is legal relief for survivors like me. TVPA allowed me to apply for a T-visa. However, the process is exhausting, requiring me to tell my story over and over, sharing details to *prove* my experience, which meant re-experiencing the rapes not only in my mind but feeling them in my body. While waiting for more than a year for an answer, I was constantly having nightmares, afraid about my uncertain future. Then, the answer I received was: We need more information, we need more proof. My fear became real. What my trafficker said would happen—that the judge and those in charge of my application would not believe me—became real. My traffickers’ words rang in my mind: Out there, everyone is against you. They don’t like immigrants. They don’t like Latinos and they are not going to believe you. This situation is your fault.

Compounded with the difficulty of accessing services and resources, we survivors do not want to go through this painful path, constantly being tossed around. As an immigrant unable to work until my relief was approved, how was I supposed to survive? Go back to selling my body? **We need to offer holistic solutions to avoid the need for victims and survivors to return to situations of exploitation.**

Even now, as a T-visa holder, I have been waiting for three years to apply for my residency. I have not been able to access all the resources that I need. I tried so hard to apply for college, only to discover that federal resources are limited. Regardless of all the pain, sexual exploitation, and psychological abuse that I have endured, somehow it is not enough to make me eligible for assistance. We need more funding for survivor services. **If you care about us, invest in us.**

Sometimes, when I did not receive or was denied basic help, I thought about just ending my life. What was the meaning of surviving a traumatic experience if the system did not see my pain?

Members of the Committee, Chairwoman Jackson Lee in particular, thank you for holding this oversight hearing. Thank you for listening to me.

To summarize my call to action, I recommend:

- Expanding training around identifying victims and survivors from marginalized communities
- Expanding services for adult and male survivors
- Ending the criminalization of victims and survivors
- Holding sex buyers accountable

You have the power to make these changes. You have the power to protect our communities. You have the power to stop sex and labor trafficking—especially by insisting on stronger implementation of existing law, better use of existing resources, and new provision of survivor services, for both international and domestic victims.