



“The Promise of A Better Life”

Simkhada (2008)

Health Care and Human Trafficking: Enacting Policy Communication

Dr. Julie L. Taylor

California State University, San Bernardino

Overview

- Public Policies
- Human Trafficking Policies
- Health Care Considerations
- Question & Answer

My Perspectives

Associate Professor, Communication Studies (CSUSB)

Community Based Research- 14 Years

Organizational Communication

Policy Communication

Why should you care?

Humanity

Globalization Increases Networks

Technology Increases Access

Public Health Concerns

Public Policy Defined

“Public policies are collections of texts, practices, and decisions articulated by an institutional system to solve problems involving people in society.”

(Canary & McPhee, 2009)





A yellow sports car, possibly a Ford Mustang, is shown in profile, moving from left to right. The background is blurred, suggesting high speed. The text "Policy-As-Practice" is overlaid in white, sans-serif font across the middle of the car's body.

Policy-As-Practice



POLICY TENSIONS

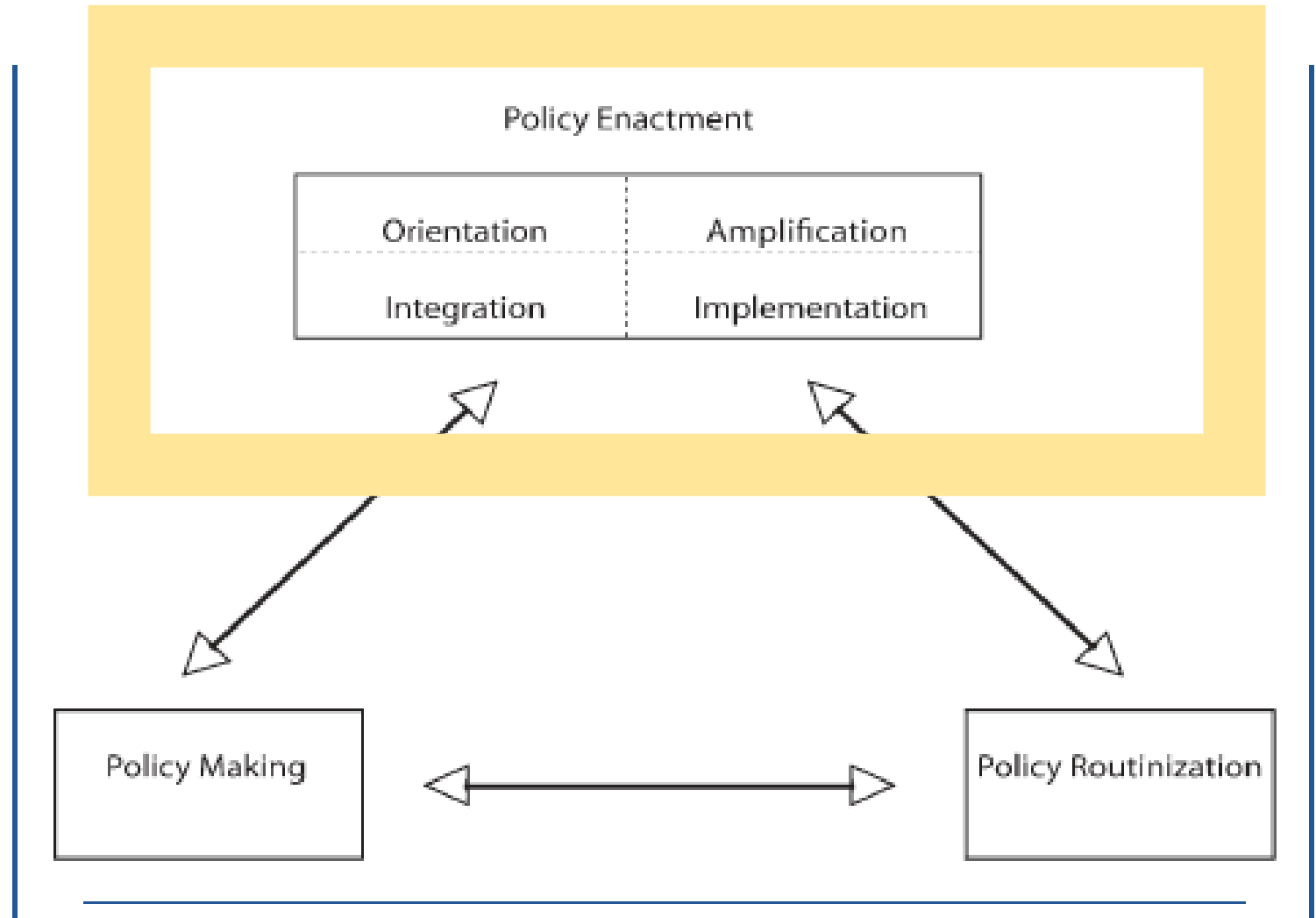




Authorship Matters

- Perspectives
- Life Experience
- Access to Write Policies

A Communication- Centered Approach to Policy



Policy Enactment

Frame	Processes	Communicative Outcomes
Orientation	Basic Information Dissemination	Identifying Policy Priorities Asking Questions Group/Online formal training
Amplification	Multiple Stakeholders Constructing Meaning	Clarifications and explanations Asking Questions Posing Potential Consequences Expressing Differences
Implementation	Constructing Meaning in Action	Asking Questions Clarifications and Explanations Expressing differences
Integration	Cross-Context Meaning Construction	Identifying Policy Priorities Seeking External Information Negotiation of Interpretations



Human Trafficking Policies

Federal Timeline

State Guidelines



Trafficking Victims Protection Act

2000

Human Trafficking Defined

The Act:

- Recruitment, transportation, transfer, harboring or receipt of persons

The Means:

- Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim

The Purpose:

- For the purpose of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labor, slavery or similar practices and the removal of organs.



**VICTIMS OF
TRAFFICKING AND
VIOLENCE PROTECTION
ACT OF 2000**

**TRAFFICKING IN
PERSONS REPORT**

JULY 2001

California Legislature

- Human Trafficking is "all acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor, or other debt bondage."

Federal Policies

Trafficking Victims Protection Act 2000 (TVPA)

Trafficking in Persons Report (TIP Report)

18 U.S.C. § 1584: Involuntary Servitude

18 U.S.C. § 1591: Sex Trafficking of child by force, fraud, or coercion

18 U.S.C. § 1589: Forced Labor

CA Policies

PC 236.1 (a): Human Trafficking

PC 236.1 (c): Human Trafficking of a Minor

PC 266H: Pimping

PC 266I: Pandering

PC 266J: Furnish/Transport Child for Lewd Purposes

PC 267: Abduction of Minor For Prostitution

PC 647B: Prostitution (and SB 1322, amendment)

PC 653.22: Loitering for Prostitution (and AB 1771, amendment)

PC 318: Place of Illegal Prostitution



PC 266a: Abduction for Prostitution

PC 266c: Consent to Sex Act Induced by Fear

PC 181: Slavery

PC 236: False Imprisonment

PC 261.5c: Unlawful Sexual Intercourse

PC 315: Keeping or Residing in Home of Ill-Fame

PC 269: Aggravated Sexual Assault of a Child

PC 288: Sexual Offense or Lewd Act against Child

PC 422: Criminal Threats

PC 207: Simple Kidnap

PC 208: Kidnap of Children

PC 667.61: One Strike Law: Sentence is life if you have a kidnap or multiple victims.

Key CA Legislation to Protect and Assist Human Trafficking Survivors

Assembly Bill 629: Crime Victims (2019)

Assembly Bill 1735: Evidence: Privileges Human Trafficking Caseworker-Victim-Privledge (2019)

Senate Bill 970: Employment: Human Trafficking Awareness

Assembly Bill 2034: Human Trafficking Notice (2018)

Assembly Bill 178: Provision of Incident Reports to Victims (2016)

Assembly Bill 2027: Victims of Crime- nonimmigrant status (2016)

Senate Bill 448- Sex Offenders- Internet Identifiers (2016)

Senate Bill 1064: Sexually Exploited Minors (2016)

Senate Bill 1322: Commercial sex acts: minor (2016)

Assembly Bill 1276: Child Witness Human Trafficking (2016)

Assembly Bill 2498: Human Trafficking (2016)

Senate Bill 823: Criminal Procedure (2016)

Assembly Bill 1761: Human Trafficking Victims (2016)

Assembly Bill 2221: Criminal Procedure, Human Trafficking Witnesses (2016)


Assembly Bill 1684: Civil Actions: Human Trafficking (2016)

Assembly Bill 15: Limitations of actions: human rights abuses (2015)

Assembly Bill 418: Tenacy: termination (2015)

Senate Bill 84: State Government (2015)

Questions About Policy Information?



Case Study Approach

- Interviewed victims and people who work closely with victims
- Recounted experiences with health care
- Opportunities for Intervention

Health Care Professionals
Play a Vital Role



SOAR

Stop

- Become aware of the scope of human trafficking

Observe

- Recognize the verbal and non-verbal indicators of human trafficking

Ask

- Identify and interact with a potential victim using a victim-centered, trauma-informed approach

Respond

- Respond effectively to a potential victim by identifying needs and available resources to provide critical support and assistance

Most Recent CA Legislation

AB 2034 Human Trafficking Education- Transit Employees

- At at least 20 min of training (by January 1, 2021).
- Training includes:
 - (1) The definition of human trafficking.
 - (2) Myths and misconceptions about human trafficking.
 - (3) Physical and mental signs to be aware of that may indicate that human trafficking is occurring.
 - (4) Guidance on how to identify individuals who are most at risk for human trafficking.
 - (5) Guidance and protocols for reporting human trafficking

SB 970: Hotel and Motel

- Currently through the California Fair Employment and Housing Act (FEHA) requires hotel and motel employers with 50 + employees to provide 2 + hours of prescribed training and education on sexual harassment, with the amendment 20 minutes of those two hours would be on human trafficking awareness. This would need to be implemented by January 1, 2020

Health Consequences

- Physical
- Reproductive Health Issues and Infectious Disease
- Psychological

Observing Body Language

- “I think [the] doctor can tell, you know, the body language...They can see the [difference]—I think my boss tell them that I’m her relative, but you can tell the difference between the way they dress, you know, they way they act. It’s very, very different. Most trafficking victim is scared, nervous, you know—very nervous and very scared. You can even see this in their eyes or in their face.” Victim

Identification and Management of Trafficking Victim

Domestic Violence vs Trafficking

Potential Warning Signs

Evidence of physical and/or sexual violence

Discrepancy between suspected and reported age

Self-inflicted injuries

Addiction use disorders

Chronic medical conditions

Multiple or recurrent STI's

Presence of controlling person (partner, employer, family member)

Reponses of PTSD

No access to valid identification

No verifiable residential address



If Warning Signs are Detected

- Trauma-informed care
- Trust (verbal and nonverbal)
- Most patients don't identify as being victims

Initial Communicative Moments

“She [the trafficker] didn’t ask me anything. She filled out everything, [when they called my name], she walked in with me. She called me her ‘auntie.’ [The doctor and nurse talked to her]. I couldn't even listen. I didn't speak English" Victim

“[I didn’t tell the nurse about my situation] because the man was like, around there, so we couldn’t really talk about our situation. He was outside, but he would walk in the hallway where we were, where we were at. He would try to find a way to see if they could listen in.” Victim

Screening and Physical Examination

1. Separate the patient from anyone accompanying them
2. Use a certified translator or translator phone service if there is a language barrier.
3. Ask the patient if they prefer male/female provider
4. Consider cultural backgrounds when patient is answering (e.g., the role of eye contact)
5. During sexual history—this may be uncomfortable—try to assess consensual and nonconsensual sexual experiences

Cultural Pressures

- “I was feeling guilty and shameful. I couldn’t think...[about running away escaping] because I kept thinking it would go to my family [and they] would hear something about this and It's going to be so shameful, and I was still having to...hoping to make money...and start to saving money and send it to my mom.” Victim

Sample Screening Questions

Tell me about your living situation

Has anyone ever asked you to have sex in exchange for money, food, shelter, or other items?

Has anyone ever threatened violence if you attempted to leave?

Has anyone ever threatened your family if you leave?

Additional Questions

Safety	Is it safe for you to talk to me right now?
	Do you feel like you may be in danger for speaking with me?
	Is there anything that would help you feel safer?
Fraud	What were you told about the job before you started?
	Have you ever felt you were deceived or lied to about your work or relationship?
Coercion	What would happen if you didn't do what you were told?
	Has anyone taken/kept your legal papers or identification?
Monetary	Do you have access to money?
	Do you owe money to anyone? Can you spend your money the way you want to?
Force	Are you able to access medical care?
	Are you allowed to leave the place you were living/working?
Sex	Has anyone ever pressured you to engage in sexual acts against your will?
	Have you ever been required to earn a certain amount of money/meet a quota?

Assisting Victims Vs Management

Assisting Victims

- Prioritize safety of the patient, practitioner, staff, and other patients
- Speak with the person alone
- Ask questions related to the symptoms to assess situation

Management

- Adhere to HIPAA and exercise discretion with private information
- Assess safety risks
- Provide resources
- Know state-mandated reporting laws
- Do not contact the authorities without consent or unless legally mandated
- Avoid making promises

Incident Leading to Visit

- “One time, I was cleaning a restroom, I was cleaning the wall and I was on a chair. And I slipped and I fell to the floor. It was a hard fall; it’s a cement floor. I couldn’t get up. I was very dizzy...for 10 days, I had some fluid coming from my left ear...I couldn’t hear. I had a lot of pain...[Then] her [trafficker] sister came from San Francisco visiting, and she insisted that they take me to the doctor.” Labor Trafficking Victim

Visit Rationale

Service Provider “She had a lot of acne problems and that’s mostly what she was worried about, mostly what she went to the doctor about. Because she worked in the front of the shop, the trafficker was concerned about her appearance. Also, she has arthritis really bad because of all the work she was doing. So she had back pain and hand pain, and so she would go in for pain medicine.”

Sonia “When she [the trafficker] got there, she spoke English with the doctor. He came in and asked me what was wrong, and I said my throat. And he started touching my throat and made me open my mouth and that was it. He only asked me how long has the pain been present, and I told him it’s been about a month that I’ve had this pain. And I was not able to say anything more because the lady was with me.” Victim

Potential Exam Findings Associated with Human Trafficking

System	Subjective Complaints & Objective Clinical Findings	Associated physical and psychological trauma
General	Evidence of malnutrition, weight loss, anorexia, fatigue, poor skin, nausea/vomiting	Poor nutritional status (starvation, malnutrition, dehydration, eating disorder), sleep deprivation, insomnia, infectious
Dermatological	Burns, bites, scratches, tattoos, contusions, scars, lacerations, ligature marks, track marks	Psychical trauma (slap, beat, kick, punch, burn, restraint), strangulation, confinement, torture, labor industrial injury/exposure, branding
Neurological	Headaches, dizziness, lightheadedness, tremors, numbness, tingling, concentration difficulty	Traumatic injuries, exposure to chemicals, isolation, anxiety, depression, complex trauma, PTSD
Cardiovascular	Cough, arrhythmias, fever, asthma, tuberculosis, hypertension	Unsanitary or crowded living conditions, industrial exposure, trauma, dehydration, infectious disease
Musculoskeletal	Fractures, back pain, joint pain, loss of extremities	Traumatic injuries (abuse assault), industrial injuries, stress, repetitive strain injuries
Reproductive	Pelvic Pain, labial/vulvar/vaginal/cervical trauma, mutilations, hematomas, untreated or recurrent STI's, UTI's, unintended pregnancies, multiple abortions	Sexual trauma, gang rape, nonconsensual sex, multiple sex partners, multiple or forced abortions

Debt Bondage

“It hurt so much, but the next day I did go to the hospital, but the next day I had to work because they told me the \$500 would be a liability to them and that would be added to my debt.” Victim

”[They took us to get the HIV test] but on the way there, we had to stop and work, to be able to pay for that.” Victim

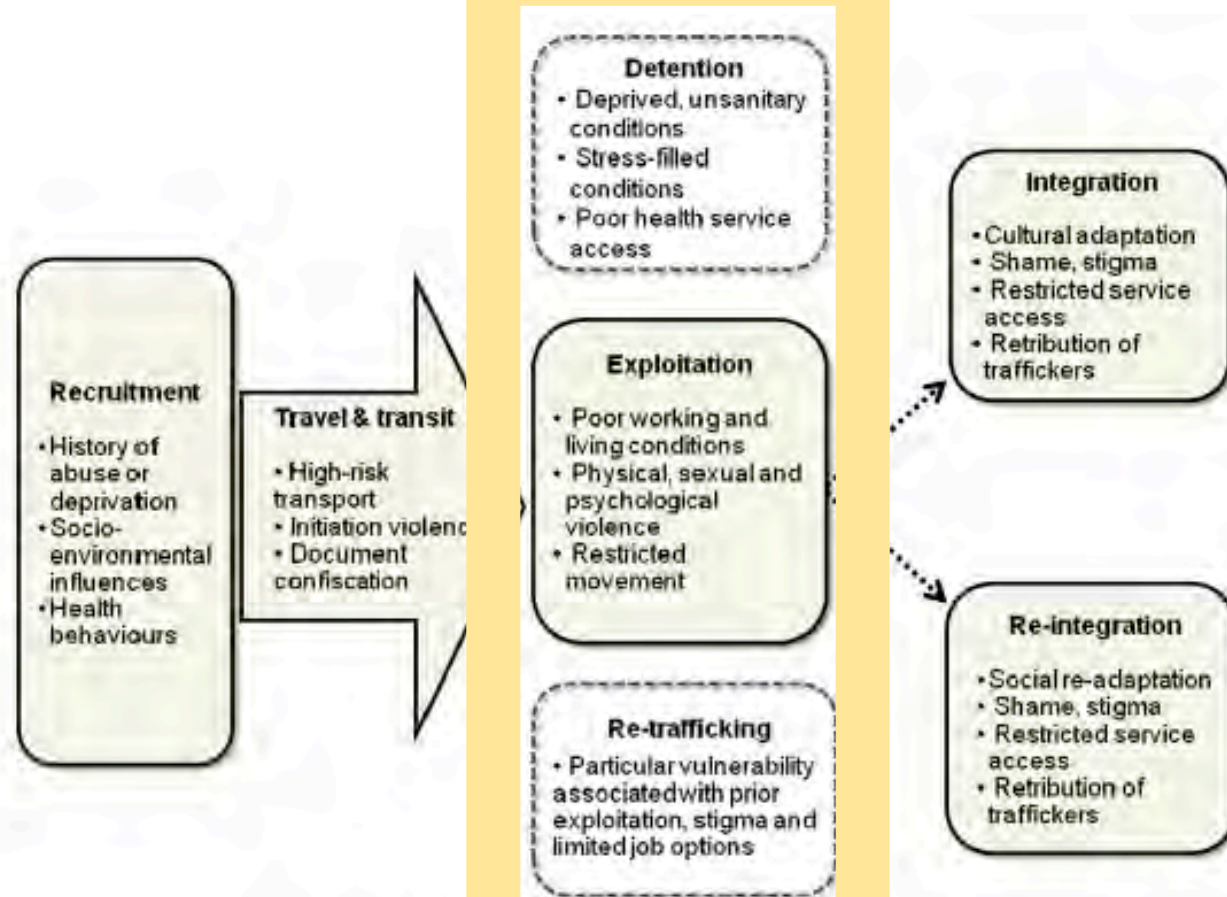


Fig. 1. Conceptual model: stages of the human trafficking process.

Understanding the Phases for Intervention

Policy Enactment Applied

Frame	Processes	Example
Orientation	Basic Information Dissemination	Human trafficking includes exploitation which means poor working conditions, lack of agency, and repeated violence.
Amplification	Multiple Stakeholders Constructing Meaning	Resources such as law enforcement, victim service providers, health care providers must work together to identify various resources and needs
Implementation	Constructing Meaning in Action	Questions like “Should we revise intake processes now?” or “will interpreters be available as needed?”
Integration	Cross-Context Meaning Construction	Pulling in external resources or policy experts to read through new protocols

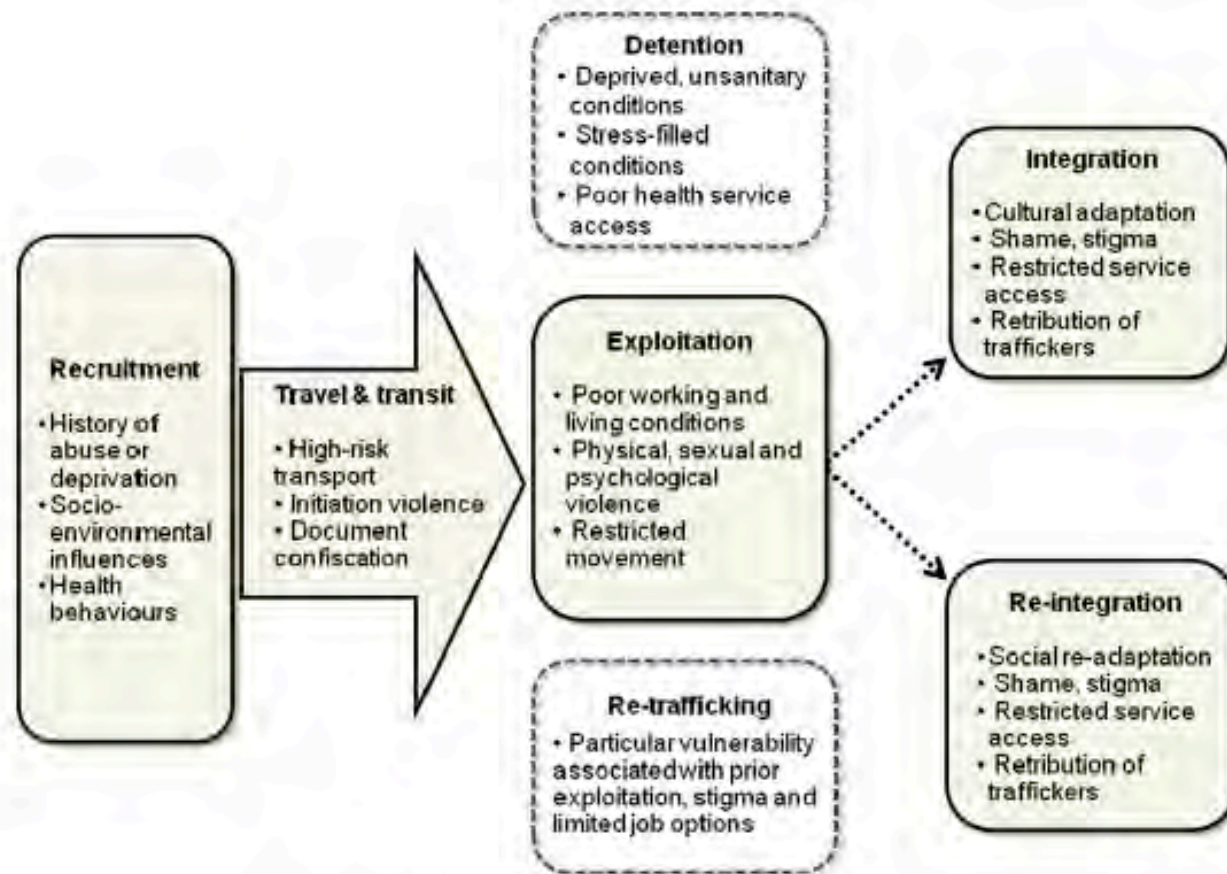



Fig. 1. Conceptual model: stages of the human trafficking process.

Understanding the Phases for Intervention



Strategies to Improve Identification of Human Trafficking Victims in Health Care Settings

- Train health care personnel
- Mitigate language barriers (provide interpreters)
- Interview or examine all patients privately at some point during medical visit
- Add social, work, home history, and domestic violence screening questions into routine intake
- Carefully observe body language and communication of patients and those who accompany them
- Learn about local resources

Human Trafficking Education and Referral Resources

Department of Health and Human Services

Local Police Department

Coalition Against Trafficking in Women

Polaris Project

Safe Horizon

Questions?

Dr. Julie L. Taylor

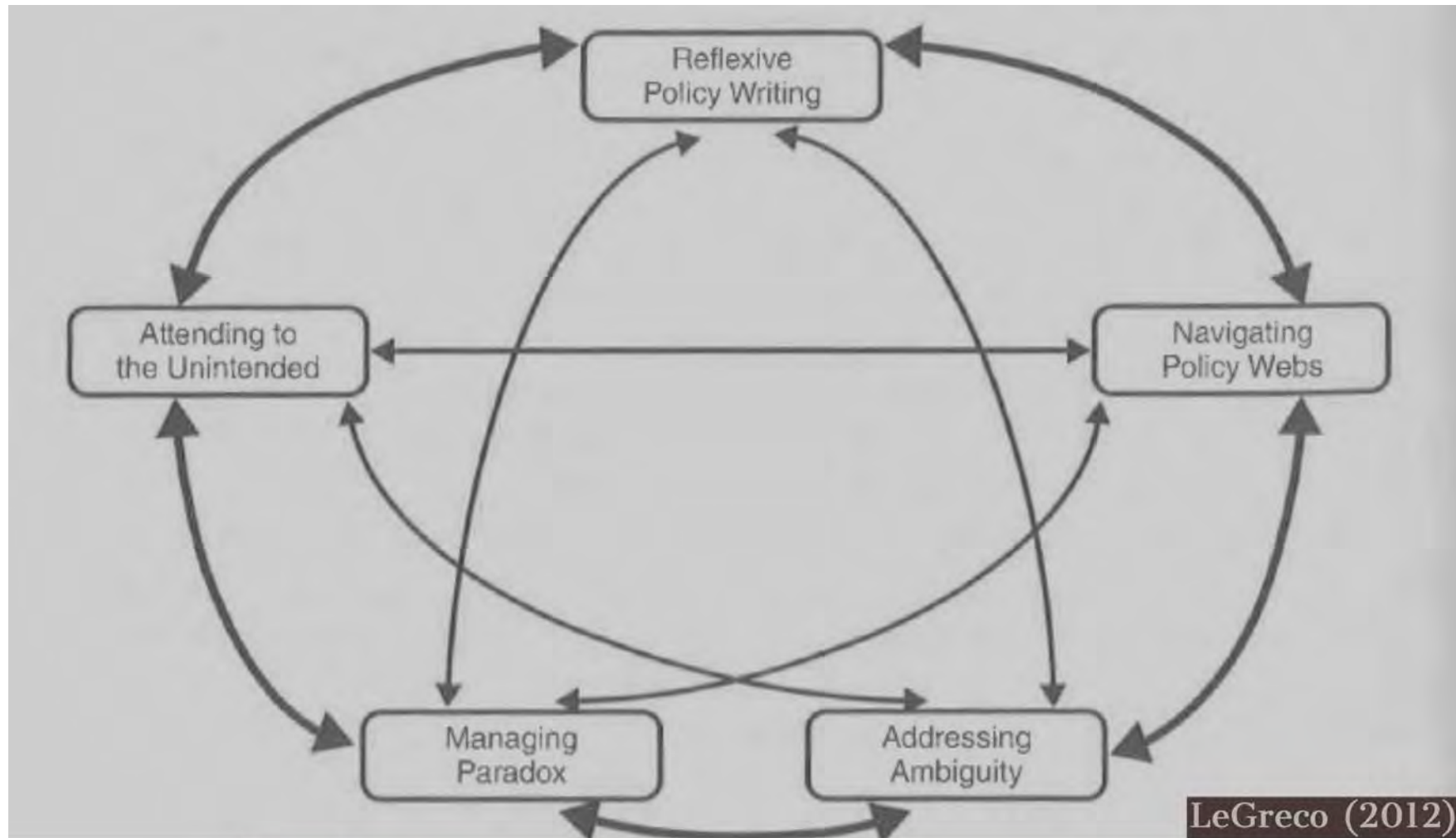
- Julie.taylor@csusb.edu

National Human Trafficking Resource Center

- 1-888-373-7888



Extra Material, if
needed for Q & A



Policy Communication Circuit