

Juvenile Justice Vision 20/20 Training Event
The Courts and Human Trafficking
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The session identified challenges of working with human trafficking victims in the court process, discussed some of the difficulties of prosecuting a human trafficking case, and identified some best practices for working with victims and other agencies to conduct a trauma-informed prosecution.

Providing services to juvenile victims is essential, but to end trafficking, offenders must be held accountable. States are struggling with successful prosecution of traffickers because they must do more than produce evidence of trafficking. The unique nature of trafficking cases requires that prosecutors work with numerous other agencies within and outside of the legal system. Navigating this multi-agency, multi-jurisdictional system and achieving effective collaboration is challenging. Further, prosecutors will generally need to bolster the juvenile's credibility by collaborating a juvenile's testimony in order to establish the elements of crimes charged against the defendant. Additional challenges include:

- Lack of victim cooperation and/or the unavailability of victims and witnesses
- Lack of precedent on human trafficking case law
- Lack of institutional support and funding
- The length and complexity of trafficking investigations and prosecutions

Use of creative strategies, including a victim-centered approach, could advance success. Some strategies discussed included seeking to introduce evidence that shows overt or subtle intimidation by the defendant to explain why victims are unwilling to testify against the defendant, utilizing specially-trained investigators to interview and gather evidence from victims, and seeking to locate and admit testimony from other victims to corroborate the victim's testimony. Introducing expert testimony to explain victim behavior and educate jurors on the dynamics of human trafficking of juveniles is an additional strategy.

A victim-centered approach places equal value on the identification and stabilization of victims, as well as the investigation and prosecution of traffickers, and is viewed as essential to the successful prosecution of traffickers. Cases against traffickers are much stronger when victims can tell their story and testify in court. Victims are often unable to do that unless they have been stabilized and have greater feelings of safety and security. A victim-centered approach:

- Links victims with treatment services to speed recovery from abuse
- Protects the juvenile's privacy
- Pays special attention to the "best interests of the child"
- Is mindful of cultural differences and of using age-appropriate language with juveniles
- Preserves the juvenile's safety
- Explores alternatives to live testimony by a victim
- Invokes the protection of rape shield laws where possible

- Maximizes opportunities to educate jurors on human trafficking and dispel myths about juvenile prostitution
- Collaborates with social services agencies
- Used expert testimony as a courtroom tool