The Thirteenth Amendment of the United States Constitution prohibits slavery and involuntary servitude, but Massachusetts has not yet adopted legislation making human trafficking a crime, and there is no officially-sanctioned agency that maintains records on the prevalence of the crime.

**Human Trafficking**

**Ethan Davis ’11**  
**Mark Garibyan ’11**

**The Bill**  
Final Draft S827: “An Act Relative to the Commercial Exploitation Of People”

**Elevator Speech**

Hello Representative [Name], it is great to see you again! I'm glad I ran into you because I know that you are an ardent supporter of human rights issues, and human trafficking is a despicable violation of these rights. Right now Massachusetts has a human trafficking problem and these egregious human rights violations are occurring every day. I think we can all agree that basic human rights are something that all people deserve to have and that these rights should be protected. Many of those being trafficked currently, and at risk in the future, are children who are defenseless against these predators. I know that you are opposed to involuntary servitude, both sexual and for labor, and this is an issue that you have an opportunity to help fix. There is no current state law on human trafficking, making Massachusetts just one of only five states to not adequately provide effective laws to help law enforcement prosecute human traffickers. Law enforcement officials do not have the necessary tools to prosecute the criminals with sentences befitting the crime, and police cannot currently differentiate an innocent trafficking victim from a willing prostitute, and the true victims are often originally seen as criminals by the state. Unfortunately, this problem is under the surface and not many people in the Commonwealth are even aware that these human rights violations are taking place within the state.
Legislation is needed in order to protect human trafficking victims from prosecution, and to give law enforcement the necessary tools to apprehend and punish these heinous criminals. This bill would help replace the current archaic laws in place and enable stricter repercussions for criminals to keep them off the street for longer at a minimal financial cost to the Commonwealth. Additionally, it will create a restitution fund to help victims get back on their feet, and this fund will come from the criminal's seized assets, not the state's coffers. Please support S827, “An Act Relative To The Commercial Exploitation Of People,” by helping it get to the floor for a vote and then voting yes. Also, please e-mail your constituents to show them human rights violations are something that you take very seriously and want to put an end to!

Op-Ed Piece

Imagine being taken against your will and held captive while forced to commit sexual acts or work involuntarily in inhumane conditions: this is a harsh reality that far too many people currently face in Massachusetts. Human trafficking is a very prominent form of modern day slavery. It is a human rights issue that many people don’t believe affects us right here in Massachusetts. However, Massachusetts Attorney General Martha Coakley passionately believes that human trafficking is “not just overseas, not just across the country, but right here in Massachusetts.” Trafficking victims are repressed against their will and lose the basic freedoms all of us have come to cherish while living in this country. Although this manipulation should outrage everyone, unfortunately it doesn’t. The degradation of innocent human beings cannot be tolerated any longer, and it is time that Massachusetts takes a stand on this critical and pressing issue.

Involuntary servitude represents a disgusting exploitation of fellow human beings. Most of the victims of human trafficking are women and children, and they include both foreigners trafficked into Massachusetts and children being kidnapped within the state itself. In the U.S., 244,000 American youths are thought to be at risk of sexual exploitation. Additionally, the National Human Trafficking and Resource Center received 77 calls from Massachusetts relating to human trafficking in 2009. These calls came from 26 different cities and towns in the Commonwealth. These are the facts. Unfortunately so is this: Forty-five states have taken a proactive approach to curbing human trafficking by passing state legislation in an attempt to combat the problem. Massachusetts is not one of them. Although 77 calls may not seem like a high enough number that would necessitate immediate government action, it is the nature of the crime, not the quantity, that makes it especially heinous.

The passage of an anti-human trafficking bill will provide law enforcement with more effective tools to combat the problem, and they will be better equipped to apprehend and penalize the criminals while helping protect the real victims. A large number of people support this bill publicly, including Attorney General Martha Coakley, prominent legislators including Judiciary Committee House Chairman Eugene O’Flaherty, Boston Police Commissioner Ed Davis and various DAs across the Commonwealth.

Besides the criminals themselves, no one supports human trafficking. So why then has nothing been passed in the Commonwealth to help protect the helpless victims and put in place more stringent punishments for the criminals? Stunningly, apathy is the common answer. Many people have argued, including the Attorney General herself, that the reason no law has previously been passed in Massachusetts to help combat this egregious human rights violation is that there are more pressing issues, and legislators have not had the motivation to work on this concern. According to Laurie Myers, president of Community VOICES, a group advocating for stricter restrictions against sex offenders, “the issue of human trafficking is known to those who work with sexually abused and exploited children, but has never been a priority on Beacon Hill.” Tell that to the victims. Human trafficking is a form of modern-day slavery and time is extremely important. The faster the legislature takes necessary action, the quicker Massachusetts can crack down on this atrocity.

This issue needs to become paramount within the walls of the State House. One person who gets it, Senator Mark Montigny’s General Counsel Thomas Brophy, believes that “this is the single most important piece of legislation that this legislature will pass this session.” Since the anti-human trafficking bill was initially filed, the number of legislators in support of it has doubled. We can, and need, to put an end to the State Legislature’s apathetic stance. Contact your legislators and inform them of this dire issue and urge them to support S827 in the Senate and H2850 in the House. We, as free Americans, can no longer tolerate turning a blind eye to the persecution of so many innocent people.
Excerpts from Campaign Journals

Ethan

I felt that my preparation for the meeting was extremely important. Going into the meeting, I knew that they both respected my opinion, but it was clear after the opening minute of my speech that they respected me as an authority figure on the topic. The meeting was mutually beneficial: I was helpful to her by providing her information about a bill she did not know a lot about, and after hearing a comprehensive assessment of the bill she was eager to help support it. Although by this point it was too late to sign on to the bill as a co-sponsor, she nonetheless emailed Eugene O’Flaherty, House Chairman on the Judiciary Committee, offering her support. This made me feel like I had a tangible effect on the legislative process, and definitely boosted my confidence in public speaking and my ability to “be an expert” on this piece of legislation. I don’t think this meeting could have gone any better from either of our perspectives; it gave me what I wanted (another legislator signing on as a supporter of the anti-human trafficking bill), and she received a bill that she could sign on to as a hero opportunity.

Mark

Siddartha Kara is a Fellow at the Harvard Kennedy School’s Carr Center for Human Rights Policy. He sought to implement his thorough understanding of how businesses operate to better analyze the illegal practice of trafficking in humans, since – according to him – it is a business like any other. Profit maximization, the chief purpose of business, is thwarted when a risk factor is involved with the activity, since risk either deters consumers and suppliers or introduces an additional cost which lessens overall profits. To curb the heinous practice of human trafficking, countries must intervene against both the supplier and the consumer by injecting a greater risk factor into their behavior. Currently, since Massachusetts does not have specific human trafficking laws, the risk factor of this illegal industry is not enough of a deterrent. Therefore, since both consumers and suppliers are “rational economic agents,” they act in accordance with a very generous business vogue – low prices, low risk, and large supply.

Kara’s economic perspective has reframed the lack of human trafficking laws as a ‘risk’ factor associated with that behavior. We found that the concept of ‘risk’ as a deterrent helped our listeners to better understand why human trafficking is happening in Massachusetts (no risk translates into a highly lucrative business model), and why the proposed legislation – the risk factor – has to be passed in order to mitigate human trafficking. After the end of the meeting, Ethan and I had the chance to speak with the attendees and increase support for the bill. Our pitch was highly congruent with what we all heard, and it sounded like this: “think of the risk factor that Siddarth was talking about as a functioning legal system. If penalties for a certain crime are high, a criminal will think twice before committing it, and perhaps be completely deterred. When there are no penalties, coupled with the alluring monetary reward of human trafficking, this human rights violation will continue to persist.

Update (May 2011)

An Act Relative to the Commercial Exploitation of People is currently in the Joint Committee on the Judiciary. So far, no hearing has been scheduled. On May 23, 2011 [Missing Children’s Day], Senate President Therese Murray promised advocates of missing children that lawmakers would pass legislation targeting human trafficking.

For more information

The Polaris Project

www.dreamcenter.org