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Black Women and Girls and Sex Trafficking: An Examination of Lived Experiences

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The United States enacted its first federal law to combat human trafficking in 2000 with the Victims of Trafficking and Violence Protection Act, best known colloquially as the Trafficking Victims Protection Act (hereafter TVPA). The TVPA defines "severe forms of human trafficking" as:

Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (TVPA 22 U.S.C \$ 7102)

Since its inception, the TVPA has been used as a skeleton law for states to create their own anti-trafficking statutes (Spohn, 2014), with all 50 states having their own anti-trafficking laws by 2015 (Farrell et al., 2016). Federal and state laws notwithstanding, the scope of human trafficking statistics have historically been difficult to capture; however, there have been prevalence studies done on individual counties and states.

Texas implemented its anti-trafficking law in 2003 and created the Texas Human Trafficking Prevention Task Force in 2009, though data is difficult to report because the statute does not require law enforcement to report statistics as human trafficking, but may instead report as something ancillary, such as reporting sex trafficking under a sexual assault statute (Human Trafficking Courts, n.d.). A 2016 report by the Institute on Domestic Violence and Sexual Assault at the University of Texas at Austin conducted a prevalence study on human trafficking and estimated that there were 313,00 victims of human trafficking in Texas, with 79,000 them being youth who are sex trafficked (Busch-Armendariz et al., 2016).

This report aligns with estimations given by the National Human Trafficking Hotline—a non-profit that works with Texas law enforcement and is the best gauge for annual statistics available for the state—report that Texas is the second highest recorded signals (reports) for suspected human trafficking in 2020, behind California (National Human Trafficking Hotline, 2022). Texas currently only has 4 federally-funded human trafficking task forces (Houston, Dallas-Fort Worth, San Antonio, and Austin) though training is prevalent throughout the state, law enforcement officers report being unaware of trafficking occurring in their area, further complicating correct statistics (Busch-Armendariz et al., 2016; Human Trafficking Courts, n.d.).

Available statistics for the state are also not disaggregated for Texas, but nationally, research has found that there are racial disparities in victim vulnerability for trafficking, with Black women and girls being the second highest group targeted for trafficking after Native American women and children (Banks & Kyckelhahn, 2011; Rights4Girls, 2017). For example, one report from the Bureau of Justice Statistics (BJS) found that of the total confirmed sex trafficking victims, 40 percent of them were Black, with Whites comprising 26 percent (Banks & Kyckelhahn, 2011). Adding to this disparity is that Black girls had younger ages of onset of sex trafficking compared to their peers of other races (Grace & Sherman, 2011).

Black women and girls are also disproportionately incarcerated for their victimization. According to the FBI, Black girls represented 53 percent of arrests for juvenile prostitution, a percentage that was higher than any other reported group (Rights4Girls, 2017). Los Angeles County in California identified that 92 percent of sex trafficking victims involved in the juvenile justice system were Black girls (Boxall, 2012). Statistics compiled by the non-profit Rights4Girls—an anti-exploitation social organization—report (2019) that Black girls accounted for over 50% of child sex trafficking victims in several counties in the states of Washington, California, Oregon, and Louisiana. A 2014 Urban Institute report found that pimps chose to exploit Black women because they believed the possible penalties (that is, arrest and sentencing) would be less severe for Black women victims (Dank et al., 2014).

The aforementioned studies demonstrate that there are unique interactions and vulnerabilities for Black girls and women with sex trafficking. Despite this acknowledgement, the vulnerabilities of Black women and their experience with sex trafficking and the criminal justice system are understudied. This research examines the lived experiences of Black women survivors of trafficking recounting their vulnerabilities to sex trafficking, their perceptions of the criminal justice system and how their race and gender shaped their impressions. Given the unique vulnerability for Black women and girl sex trafficking victims to be criminalized, this research will enhance our knowledge of how race and gender negatively impact victim identification for Black women and girls who are sex trafficked and how to rectify this disproportionality.

Literature Review

Research has confirmed several common "root causes" and vulnerabilities of sex trafficking that increase the likelihood for individuals to be exploited. Sex trafficking can occur when poverty and economic deprivation persist, vulnerable people have a history of trauma and/or addiction, neglectful welfare systems, a history of early sexual abuse, and natural disasters; these structural and individual factors provide opportunity for traffickers to prey on disenfranchised people due to displacement and/or desperation (Hepburn & Simon, 2010). Concentrated structural disadvantage has also been correlated to sex trafficking (Mletzko et al., 2018). The Texas prevalence study also found that sex trafficking victims reported past histories of abuse, including childhood instability, involvement with Child Protective Services, and other at-risk statuses contributed to onsets of trafficking (Busch-Armendariz et al., 2016).

Previous experiences of abuse—sexual, physical, and childhood —has been identified as a vulnerability for trafficking exploitation, and other risk factors include homelessness, parental and self-substance abuse, family abandonment, and limited skills for employment (Connell et al., 2015). As is common with most gender-based victimization, trafficking victims usually know their traffickers who can be intimate partners, people in positions of trust, and family members (Reid et al., 2015). Fedina et al. (2019) found that youth having family members who were in prostitution, having friends who paid for sexual services, and having experiences of childhood abuse contributed to the likelihood of being sexually exploited, as well as running away from home. Duncan and DeHart's (2019) study on providers who serve sex trafficking survivors in southern states found that girls were commonly introduced into trafficking through the "Romeo pimp" method, wherein a trafficker used a romantic ruse to lure them into prostitution. The second pathway into sex trafficking began with survival sex, or the trading of sexual services for food, shelter, money, or other material needs.

Research into the role of race and pathway vulnerability are limited, but they demonstrate the interlocking nature of sexism, racism, and susceptibility for trafficking and the difficulty Black girls and women experience have with attaining the victim label rather than being criminalized. Reid (2011) found that in her sample of Black women who survived childhood sexual assault, twelve percent of them were also prostituted as minors, an act that all federal and state laws define as child sexual exploitation or child sex trafficking. Black women are less likely to report their victimization and, almost predictably, less likely to receive support from community and health professionals when they do manage to disclose the violence they experienced (Long et al., 2007). A study by Farrell and colleagues (2010) found that victim perception by law enforcement and prosecutors can be influenced by race, gender, and socioeconomic biases, which inform victim identification.

In the study titled Girlhood Interrupted: The Erasure of Black Girls' Childhood (2017), the Georgetown Law Center on Poverty and Inequality researchers found that adults generally viewed Black girls as older than their White peers. Specifically, the report found that:

Across all age ranges, participants viewed Black girls collectively as more adult than white girls...participants perceived Black girls as needing less protection and nurturing than white girls, and that Black girls were perceived to know more about adult topics and are more knowledgeable about sex than their white peers. (Epstein, Blake, and Gonzalez, 2017, p. 8)

The participants in this study focused on girls between the ages of five and ten, then ten to fourteen, and overall viewed them as older and more mature than White girls the same age. In other words, the *Girlhood Interrupted* study found that Black youths in the age ranges of five (toddler) to fourteen (teenager) were viewed as knowing more about sex, being sexually active, and sexualized as adults. These age brackets are significant because research on entry into sex trafficking of youth overlaps with these results, specifically between the ages of twelve and thirteen are the ages children are most vulnerable to be targeted for sex trafficking (Epstein et al., 2017), yet this study illustrates how that age vulnerability manifests differently for Black girls.

Methods

This is an exploratory research project guided by three research questions: (1) How do Black women sex trafficking survivors understand their experience with exploitation? (2) How do Black women trafficking survivors navigate the criminal justice system before, during, and after exploitation? (3) How does the criminal justice system interact with Black women (and girls) who have been trafficked? These questions were crafted with the intention to understand how survivors' gender and race influence the framing of their experiences and their conditions of being victims as they encounter agents of the justice system working in anti-trafficking. The study was granted IRB approval in January 2020 and ran from February 2020 to December 2020. The interview questions were reviewed by a mental health care advocate who specializes in racial and sexual violence traumas—she provided feedback on phrases or wording that may have been stressing from a service provider's standpoint and approved the final draft of interview questions that were submitted to the IRB.

To qualify for this study, participants met three criteria: (1) identify as a Black woman, (2) be at least 18 years old at the time of the interview, and (3) no longer be involved in the sex trade. Participants were compensated \$50.00 for their time. Potential participants were recruited from trusted anti-trafficking networks and leaders, primarily from social service agencies and nonprofit organizations who distributed flyers advertising the study's call for participants. Participants were provided with an Informed Consent form that detailed what the interview would entail and their right to end the session at any time. Interviews were semi-structured with a short demographic survey and eighteen questions on the participants' childhoods, how they understand their experiences with sex trafficking, and their relationships with the criminal justice system. Due to the onset of the COVID19 pandemic, recruitment was limited, and interviews took place over Zoom. Interviews ranged from 34 minutes to over two hours. All participants were paid \$50. Though this was an exploratory case study, this research is limited by the small sample size (13)—however, research with trafficking victims has many difficulties (Bosworth et al., 2011).

Data Analysis

This study uses the methodological approach of grounded theory, which is a "general methodology for developing theory that is grounded in data systematically gathered and analyzed" (Strauss & Corbin, 1994, p. 273). Theory is developed throughout the research process. In this way, grounded theory views "generating theory and doing social research [as] two parts of the same process" (Strauss & Corbin, 1994, p. 273). With grounded theory, the researcher derives their analytical categories from the data collected rather than applying preconceived hypotheses, where the categories "reflect the interaction between the observer and observed" (Charmaz, 1995, p. 32). Further, the observer's "disciplinary assumptions, theoretical proclivities and research interests" are reflected in the data collected and are used as a point of departure for developing their analysis (Charmaz, 1995, p. 32). Grounded theory's viability is known in anti-trafficking research, with scholars urging for studies using it to analyze human trafficking (Jordan et al., 2013). Ultimately, grounded theory generates narratives that explain the sociocultural phenomenon and individuals' experiences with them. Because the goal of this research was to understand how Black women understood their experiences as with their race and gender as victims, grounded theory was helpful to capturing their perspectives as sex trafficking survivors.

The average age of participants at the time of the interview was 34 years old, with the youngest being 20, and with the eldest narrator being 61. Most participants described themselves as middle class at the time of interview (n=8) followed by lower-income (n=5), but most of the participants describe their childhoods as lower income or poverty-level (n=10). Eight participants had multiple traffickers while five participants recounted only one trafficker. Finally, the participants were trafficked across and within multiple states, with the majority being trafficked in California as listed in Table 1. Note that due to trauma and age, not all interviewees were able to recall each state they were trafficked in during the interview. One participant, *Cherie, was also trafficked internationally in a west African country.

Table 1 - States Participants Were Trafficked

States	Trafficked
Arizona	3
California	10
Colorado	2
Florida	3
Kansas	1
Maryland	1
New Mexico	1
Oklahoma	1
Oregon	1
Tennessee	1
Texas	2
Virginia	1
District of	
Columbia	2

The grounded theory analysis revealed two patterns: (1) the participants onsets of trafficking aligned with previous trafficking research of atrisk status, child abuse, and CPS involvement and; (2) the participants felt their race and gender are barriers to being labeled as victims of trafficking by criminal justice agents, especially those who were criminalized for acts they performed while being exploited by traffickers. The participant's lived experiences illustrate the difficulties victims of trafficking can have in the criminal justice system, the impact of racial barriers, and the importance of early intervention into abuses that create susceptibility for trafficking, which none of the participants reported receiving. The participants narratives provide a companion to studies cited earlier in the reports on disparity in victim identification and its potential ramifications for sex trafficked Black women and girls.

Trauma and Onset of Trafficking Vulnerability

Of the thirteen participants, ten described their childhoods as somewhat unstable, including being poor or lower income, family strife, and violence in their households, their communities, or experiences. One described her childhood as stable and financially middle to upper class but reported traumatic events outside of her home that contributed to her onset of trafficking. Two reported some financial and home instability growing up but did not qualify it as poor or poverty status. As detailed in Table 2, sexual violence was described as the most significant pathway into sex trafficking, though all participants state it was a combination of multiple forms of trauma that created vulnerabilities for their traffickers to prey upon, both for children and adult trafficking survivors.

Table 2 -Catalysts for Forced Entry and Re-Entry into Prostitution

Catalysts for Entry and Re-Entry	Trafficked
Economic Desperation (work in other illicit economies)	2
Trauma	
Abusive Relationship	2
Sexual Violence (Child)	5
Sexual Violence (Adult)	2
Violent Household	3
Difficult Household (No Violence)	2
Early Contact with CPS	5
Other Traumatic Event	2
Kidnapping	3
Drug Use (Self)	4
Drug Use (Family/Spouse)	2
Early Sexualization/Activity	3
Family Involved in Prostitution	3
Already Engaged in Prostitution	2

Participants recount physical and/or sexual abuse in the home that would put them in contact with child protective services but found that this contact would worsen the violence experienced at home. A survivor of adult and child sex trafficking, Leticia, shared her history of what she believed was insufficient social service intervention when her father began sexually and physically abusing her when she was 11. According to Leticia, her teachers had called CPS, but their investigation did not result in removal from her father's house, though she is unaware of the reason why. She indicated that she remembered telling CPS workers that her father was abusive but does not know why she was not removed during the first investigation.

Leticia shared that she was eventually removed from her father's home and entered a foster home, where she eventually ran away at age 13. Leticia described how her trauma and running away led to a cycle of drug addiction, homelessness, and selling sex for survival. In her words, Leticia described being homeless and engaging in survival sex as "better to me than living in the system and getting touched by different people." Leticia discussed how she did not start off with a trafficker, but her age, past trauma, and new drug addiction created a vulnerability for men and women to prey on:

I just ended up running into those type of guys. And someone might be like, "oh, this guy wants to talk to you, or this [other] guy wants to talk to you." We'll be hanging out and we'll probably have a stripper party or just drinking, and it'll always be cash. Some guys would be like, "oh, I'll take care of you, put you in a hotel" and stuff like that.... A lot of it was just to have a roof over my head until the addiction and stuff got back to where I lived on the streets and that was how I had to survive.

Leticia described how she remained in a cycle of addiction, homelessness or transiency, and prostitution-engagement until she was 28 years old but an encounter with a violent predator facilitated her final exit:

I was scared that I wasn't gonna make it out alive because he tried to choke me, but thank God, he couldn't choke me 'cause my hands was up. But after being in his car, being held for about three hours, telling me all kinds of bad stuff about myself, spitting on me and all this stuff, I was like, "I can't live like this." I didn't know what to do 'cause I felt like I had already ruined myself again and I didn't know how [to leave prostitution].

It was after this violent event, Leticia contacted an organization that had previously reached out to her. Leticia began working with this organization and with their support began her final transition out of prostitution: "I stayed, and I've been here, on this path, since then."

Leticia's description of childhood experience of abuse and lack of effective intervention and support was shared by other participants when describing their onsets of trafficking. Another participant, Zora described how she was trafficked as a teenager while she lived in a diversion program for juveniles. Zora discussed how she and her twin sister were living with an abusive mother before running away and being reprimanded to a youth shelter for habitual truancy. Zora had been recruited by a trafficker through an acquaintance:

I was staying with a friend and her mom eventually found out that I wasn't going home. She took me to her uncle's house, and he told me that I have to come up with some money, I couldn't live there for free. And that was my introduction into the sex life.

Zora described the staff as overburdened, and the center extended beyond capacity. Zora credited their lack of intervention when staff became aware she was being trafficked to this overburdened status, especially since she was not the only youth that was trafficked while in residence there, stating, "I was a dime a dozen; they seen this [explicit] every day, it was nothing special about what I was going through or what was happening to me." Zora did not assert this claim with animosity; rather, it was her observation and while she describes a troubling pattern of not being "special," she is also typical in that child sex trafficking victims do often have contact with CPS or have been in a juvenile care facility (Reid, 2011). Zora's observations described an overloaded juvenile court system wherein some of the girls fell through its metaphorical cracks, and she was one of them.

Because of her age, Zora shared she was recommended to a diversion program and placed into a group home shortly after her incarceration in a juvenile offender facility. Zora's history of abuse and running away from group homes created a vulnerability to be re-trafficked or enter prostitution for survival:

I had told myself I was going to stop doing that [prostitution] and I was just really broken. I needed some money, and as soon as I got out [of] there, I was arrested—this is while I was living in L.A.

Zora discussed how she was recommended for a diversion program, but no one at the juvenile offender detention center or the assigned program at her group home talked with her about trafficking or asked if her experience was child sex trafficking. According to Zora, this was her second time to be held in jail and go through the court system without anyone screening her for trafficking, stating that those that knew about her exploitation avoided discussion and did not offer her additional therapy for this specific trauma.

Many participants share similar experiences as Leticia and Zora, with similar narratives across regions and ages. However, participants trafficked as children described additional violence as well as intervention failures when they attempted to disclose their exploitation. Dynah, who stated she was trafficked by multiple men as a child and an adult, described outcrying multiple times about her first trafficker —her stepfather—when he kidnapped her from Tennessee to Dallas, Texas at age 11. Dynah shared her story of the first time she asked a police officer for help:

I walked into traffic to kill myself, but there was a police car, he stopped and asked me why I was walking in the middle of the street. And I told him, because nobody would believe that I was just a little girl, and that I had a pimp.... He put me in the back seat of the car, and we pulled up to a 7/11, and my pimp was right there, and he gave me back to him. And then [the officer] said keep a close eye on me, 'cause I was going to get him in trouble.

Dynah shared that she had four traffickers throughout her lifetime starting with age 11 and through her mid-20s even after being incarcerated for second-degree murder after killing her second trafficker in self-defense. She stated she was trafficked twice more after being released from prison by two different men. Dynah refused to answer clarifying questions on her stepfather or other traffickers.

Among the 13 participants, there were 18 identified traffickers, but for participants who had multiple traffickers, they only described the most memorable ones. Of these 18, only five would be incarcerated, and only one would be for trafficking-related charges, the rest were for drug and gun possession. Some of the participants recalled being arrested and charged with equal charges as their traffickers and being considered complicit in trafficking other victims. Amina described how she was charged with kidnapping a fellow victim because her trafficker made her the "bottom"— meaning, he put Amina in charge of monitoring his other victims and collecting the money—and she was charged with kidnapping a woman he forced her to manage:

It wasn't just like some prostitution charge; it was like pimping and prostitution and pandering and kidnapping and false imprisonment and there's all like all this stuff. I was just like, "but I didn't kidnap nobody," I didn't understand, but the way that the laws are written, you tell somebody "Naw, you can't go nowhere," that's kidnapping. I had no idea that you could be charged with kidnapping by telling somebody they couldn't leave.

Amina accepted a plea deal for prostitution and kidnapping charges in exchange for five years in prison and some years on probation. Her trafficker, to her knowledge, was never charged with anything related to her or other victim's exploitation.

All the women in this study endured more repercussion for the violence inflicted upon them than their traffickers and participants faced some form of criminal justice actions whereas their traffickers and buyers largely did not. When asked about their experiences with trafficking and with the criminal justice system, all participants shared that they believed that their race and gender had some degree of influence in their treatment by social services and criminal justice agents, especially those who attempted to disclose their victimization.

Perception of Race and Gender as Barriers to Victim Identification

Participants believed that their race and gender as Black women made them more vulnerable to trafficking predation and created barriers to victim labeling. Adult trafficking survivor Imani described her observations as a victim when law enforcement encountered groups of women on the street:

African American women tended to get targeted more because we're not viewed as victims of human trafficking. They just view us as prostitutes, unfortunately, because we have glorified the life, the pimping and hoeing life for so long. We have the stigma of this is something that we choose to do.... They [non-Black women and girls] would tend to get question more like, "are you okay, are you safe? Do you need any help?" But [attitude from police officers to Black women and girls] of like, "Oh, you need to get the [expletive] outta here, get off the street" demeanor.

Imani described being incarcerated for five years in California for kidnapping and exploitation charges after she was arrested in a car with her trafficker and two other victims. Imani stated that she was accused of working with her trafficker to exploit the sole White victim in the car, but not the other Black woman who, for reasons unknown to Imani, was not charged with any crimes.

Imani believed her status as her trafficker's "bottom" and having his name tattooed on her, made her look complicit as a partner, and not his victim. Imani shared that the prosecutor showed advertisement pictures her trafficker put online to sell her, including nude photographs which she described as further traumatizing. Despite her defense team's argument that she was also a victim, Imani was found guilty by a jury that had no Black jurors, stating:

I didn't even [think] that I was gonna go to prison, especially not having an extensive criminal record. I was shocked when the verdict came back guilty on all charges.... [I was convicted by] jury of not my peers.

A survivor who was trafficked as a child and adult, Maya, echoed similar sentiments with this statement, "they don't care about Black women on the street when it comes to this [sex trafficking]." Maya stated she works in a nonprofit advocating for trafficking victims and revealed she still believes this sentiment to be true but did state she believed improvements are being made with trainings for firstresponders, including with potential racial biases and advocated more for more collaboration with victim advocates. However, Maya believed that most racial bias training focuses on men, not women, so the vulnerabilities of Black women and their experiences of trafficking and bias are not included, hindering potential victim identification. Dynah held a similar perspective and connected the multiple times she reported being a victim and ignored by police officers as a continuance of her multiple trafficking experiences:

When I first got started, that's all I would see, would be other Black girls. I just feel like when White girls started getting trafficked, it changed when it went outside of Black women, it changed. People started paying more attention as far as listening [learning about] human trafficking. I think if I was a White girl when I was 11 and I told the police officer the same thing as a White girl, I think life would have been different if someone would have believed me and helped me. I've always thought that. It was different for me as a Black girl being trafficked.

Participants' exploitation ended in two ways; they either went to jail or prison, thereby giving them necessary space away from their traffickers to get access to services or defense attorneys who advocated on their behalf; or forcefully disassociating themselves from their traffickers on their own by fighting them or running away.

At the time of interview, five of the participants were currently advocating to have their criminal records expunged due to new federal and state laws allowing trafficking victims to seal their records for charges that occurred while they were being exploited. Across all exits, participants felt they were ignored as victims and that the systems designed to help victims of trafficking were never utilized for them. Participants overall believed that racism rendered their victimization to be invisible and possibly be criminalized as complicit with their traffickers. Though most of the participants did not provide optimistic or favorable views of the criminal justice system due to their experiences, their narratives did provide insights that can be useful to improve anti-trafficking efforts.

Discussion

This study detailed the life experiences and victimizations that created opportunities for traffickers to prey on Black women and girls for sexual exploitation. Moreover, the narratives included herein indicate that across ages, regions of the United States, and differing circumstances, the participants shared similar experiences of violence and criminalization while they were being trafficked. Participants felt that if they had had effective intervention for their first reports of abuse before trafficked, they may not have had vulnerabilities for their traffickers to exploit. All participants reiterated how their criminalization ultimately supported an internalized belief that they were not worthy of being labeled "trafficking victims" which is why they did not receive vital aid ideally given to people who are sex trafficked. Finally, the participants, including ones who now work with or alongside the system itself, do not have faith in the criminal justice system to treat Black trafficking victims fairly or properly identify them.

Though not all the participants were trafficked in Texas, their experiences can still be used to generate recommendations for advancing policy. The first recommendation is to establish a uniform data collection and reporting system to create an accessible database for human trafficking statistics, which the state currently does not have (Human Trafficking Courts, n.d.). Having reliable and accessible data is an effective antitrafficking step because it demonstrates prevalence which can combat misconceptions about trafficking being nonexistent or insignificant in areas. Further, this database should also collect disaggregated data to identify patterns of vulnerabilities that may be unique to specific populations in specific areas for a better tailoring for police and victim advocate responses.

Second, participants found victim service agencies to be more helpful in responding to their victimization, and were more forthcoming with disclosures—as such, one recommendation comes directly from one participant (Maya) that argues for more collaboration on suspected human trafficking cases, including referrals and establishing trust between victims and responding officers. Participants also reported multiple encounters with various workers in the criminal justice system but did not receive holistic services for trauma and other immediate needs until after they were jailed or incarcerated. To remedy this, it is recommended for there to be a policy review for reporting and referral procedures for systems and workers who encounter at-risk populations and the available resources available. Lastly, participants reported believing that their race and stereotypes about Black women choosing prostitution to be barriers to their victim identification. Trainings for frontline workers in anti-trafficking should also include biases that include intersection of race and gender and patterns in victim susceptibility to address disparities in sex trafficking and criminalization, like the work that the organization Rights4Girls (referenced earlier) does in anti-trafficking. These trainings may be effective in addressing causes of criminalization of victims and improve victim identification, especially for Black women and girls.

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