

# The Intersection of Domestic Violence, Sexual Assault, and Human Trafficking

The vast majority of human trafficking victims experience multiple forms of abuse, such as domestic violence and sexual assault. This fact sheet helps justice system stakeholders understand the overlap between intimate partner violence and human trafficking, and offers advice for jurisdictions interested in planning or enhancing a court-based response.

## Defining the problem

Human trafficking, especially sex trafficking, often involves the same dynamics of power and control present in patterns of domestic violence and sexual assault. For justice system stakeholders, the first step in working with potential victims of sex trafficking is to recognize the complexity of their situation and that many have the same needs as victims of domestic violence and sexual assault, such as physical and emotional safety.

## Understanding the complexity of abuse

### *Coercion and control*

Individuals engaged in prostitution may be in an intimate relationship and have children with their pimp/trafficker, who may have threatened to or may have already used physical abuse, often as a mechanism to control and coerce the victim and to enforce silence when the victim comes into contact with the justice system. Emotional harm may be just as damaging to a victim. For example, threatening to “out” an LGBTQ individual to their community or family may mean the loss of social and economic support. Further, a pimp/trafficker who threatens to or actually discloses a person’s engagement in prostitution may put that person at risk of losing their children or exacerbate emotional and economic instability, while continuing to tighten their power and control over that individual’s life.

Whether an individual is sexually assaulted by a pimp/trafficker, or is forced to engage in sex work—in which case they may experience multiple sexual assaults by johns—victims often find these experiences difficult to talk about. Consider the sex trafficking victim who is forced by her pimp to have sex with his friends or gang members. The feelings of shame and stigma that are common in sexual assault cases are often compounded for those who are engaged in sex work and fear moral condemnation by the justice system or society at large.

### *Isolation and intimidation*

Feelings of intimidation and isolation are typical for victims of domestic violence and sexual assault and can complicate cases of sex trafficking. In abusive relationships, offenders often use isolation as a way to increase power and control over the victim. Such isolation, when paired with the difficulty of disclosing abuse by an intimate partner (due to minimizing, guilt, and other possible reactions), can make the prospect of leaving the abuser seem daunting or impossible.

### *Obstacles to using system resources*

For those encountering potential victims of trafficking through the justice system, the dynamics of force and coercion may affect victims’ ability to use system resources. As in cases of domestic violence or sexual assault, the fact that

an individual was coerced does not necessarily lessen the real or perceived blaming and stigma associated with trafficking.

This, in turn, makes victims even more vulnerable to further trauma and less likely to seek help, especially from justice system stakeholders whom they do not know nor trust.

### **Strategies to address victims' needs**

Recognizing the complexity of victims' experiences, justice system agencies—from law enforcement, to the courts, to community-based partners—can implement the following strategies to help improve outcomes for human trafficking victims:

#### *1. Assemble a multidisciplinary team*

By bringing together a team of judges, court administrators, prosecutors, defense attorneys, child welfare agencies, victim advocates and service providers, the justice system can develop protocols to enhance victim safety and improve access to services. Working together, team members can map existing community resources, identify service gaps, develop practices to identify and engage victims and link them to services, and strike a balance between the need to share information and protect confidentiality. While taking inventory of community assets, consider the following questions:

- Which agencies currently serve victims of domestic violence and sexual assault?
- What culturally-specific and gender-specific resources exist?
- What types of services are provided?
- What information is needed and how will it be shared?

#### *2. Forge cross-sector partnerships to build capacity*

Once the multidisciplinary team has taken inventory of available resources, it can consider ways to develop partnerships to enhance the justice system's ability to identify and serve victims. Examples might include: inviting service providers to train justice system stakeholders on trauma, victim needs, and engagement strategies;

developing formal agreements to connect justice-involved victims to services; co-locating victim service providers in the courts to help identify and assess victims; and enhancing traditional domestic violence and sexual assault agencies to better identify and serve trafficking victims.

#### *3. Design assessment tools to explore complex victimization and gender-specific needs*

Effective assessment is a critical component of any response to human trafficking. It is an opportunity for victims to not only reveal their salient needs, but also begin building trust and a rapport with justice system stakeholders and service providers. Before adopting or developing an assessment tool, it is crucial that whoever is conducting the assessment receive proper training on what questions to ask and how to ask them in a way that does not re-traumatize victims. In addition, assessments should be trauma-informed, gender-responsive, and language accessible. The University of Cincinnati's Women's Risk Needs Assessment, for example, explores the unique needs of women, including trauma and abuse, unhealthy relationships, and other gender-responsive factors.

#### *4. Examine current problem-solving initiatives for enhancement opportunities*

Because trafficking victims may appear in a range of settings—from petitioners in domestic violence or family court matters to criminal court defendants appearing in drug or mental health courts—justice system stakeholders might consider ways to build upon existing infrastructures that offer trained staff, collaborative partnerships, assessment tools, and services for victims. This could include additional screening options for law enforcement or prosecutor-led diversion projects, enhancing specialized court dockets to better address victim needs, or combining court dockets to maximize resources. In the Queens (NY) Criminal Court, for example, one judge presides over the misdemeanor drug, mental health, and prostitution diversion courts, which has helped to increase victim identification and streamline service delivery.

#### 5. *Integrate a trauma-informed response*

According to the Substance Abuse and Mental Health Services Administration (SAMHSA), a trauma-informed approach: 1) realizes the widespread impact of trauma and understands potential paths for recovery; 2) recognizes the signs and symptoms of trauma in clients; 3) responds by fully integrating knowledge about trauma into policies, procedures, and practices; and 4) seeks to actively resist re-traumatization. The approach is not just about linking victims to services, but also about adapting practices throughout the criminal justice continuum to emphasize concern and safety over fear and punishment.

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#### **Further reading**

*A Guide to Human Trafficking for State Courts*  
<http://www.htcourts.org/guide-chapter1.htm>.

*Identifying and Responding to Sex Trafficking: A Guide for the Courts*

<http://www.courtinnovation.org/research/identifying-and-responding-sex-trafficking-guide-courts>

*Community Courts, Specialized Dockets, and Other Approaches to Address Sex Trafficking*

<http://www.courtinnovation.org/research/community-courts-specialized-dockets-and-other-approaches-address-sex-trafficking-0>

*Women's Risk Needs Assessment*

<http://www.uc.edu/womenoffenders.html>

*Trauma-Informed Approach and Trauma-Specific Interventions*

<http://www.samhsa.gov/nctic/trauma-interventions>

*Domestic Abuse Intervention Project's Duluth*

*Model Trafficking Power and Control Wheel:* [www.theduluthmodel.org](http://www.theduluthmodel.org)

#### **For more information**

Contact Danielle Malangone at [malangoned@courtinnovation.org](mailto:malangoned@courtinnovation.org).

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