

Amara's Philosophy:

Use of the Word "Trafficking" in the Provision of Direct Services to our Clients

At its inception, the Amara Legal Center described its work as "providing free legal services to domestic survivors of sex trafficking in the D.C. metro area." As a result of our experiences serving our clients and the input of other organizations in the field, we have recognized that using the word "trafficking" as the primary way to describe our clients can be detrimental to them. As a result, we have altered our description of our clients to "individuals whose rights have been violated while involved in commercial sex." Our hope is that this mission statement will demonstrate the inclusive nature of our services. Amara provides free legal services to anyone in our client population, regardless of whether they came to commercial sex by choice, coercion, circumstance or necessity. When serving individuals who have been coerced into commercial sex, we use the term "trafficking" to describe their situation when it is helpful to our clients. Below is a description of how the word "trafficking" is at times helpful and at other times harmful to our clients and our response to this dynamic.

How the word "trafficking" is helpful to survivors:

Under the Trafficking Victims Protection Act (TVPA), the term "severe forms of trafficking in persons" means "sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age." Most of our clients are U.S. citizens who meet this legal definition. We focus primarily on U.S. citizens as a result of a gap in legal services in the D.C. metro area for this specific population, but do not limit our services to U.S. citizens.

The word "trafficking" has been used to begin to create a shift from a culture that labels victims of sex trafficking in a derogatory manner and criminalizes them to a world that is starting to recognize trafficked individuals as victims and in need of assistance. The word can be used productively to counter prejudice and build avenues for support and healing for survivors. Because of the momentum built around the anti-trafficking movement, using the word "trafficking" attracts the attention of the public at large and supporters. This can lead to an outpouring of support from the public that results in greater resources for survivors.

However, the Amara Legal Center rejects the notion that all sex workers are victims of sex trafficking. Assuming otherwise can be damaging to both voluntary sex workers and survivors of trafficking. In our culture, sex workers are not only criminalized, but mistreated as inferior members of society and marginalized to the extent that crimes against them are tolerated. The Amara Legal Center fully supports the rights of all sex workers to be free from harm and mistreatment.

How the word "trafficking" is detrimental to survivors:

Harm from within the anti-trafficking movement: Some well-meaning supporters of survivors have used the word "trafficking" and the anti-trafficking movement in such a way that

further objectifies and traumatizes survivors. For instance, some individuals want to be in a “savior” role so strongly that they seek an idealized “victim” to “save.” The quest for an ideal victim can lead to rejecting victims who do not neatly fit into the desired role. Because of the psychological abuse that traffickers, or pimps, use to control their victims and the victims’ vulnerability and limited options, victims of trafficking return to their trafficker multiple times before they are able to break free.¹

Additionally, individuals may engage in “survival sex,” which is the exchange of sex for money by individuals who cannot find any other avenue to support themselves. Trafficking survivors who return to a trafficker or engage in survival sex may be rejected by some individuals in the anti-trafficking movement because they are not an “ideal” victim. Thus, survivors can be left with the impression that the anti-trafficking movement will only support them if they play a certain role. Forcing survivors into a particular idealized role fails to acknowledge the actual experiences of the survivor, the complex psychological factors at play, and the limited options that a survivor faces. Instead, it furthers a view of the survivor as an “object” rather than a complex individual who should be met with compassion regardless of her or his stage in the recovery process.

Harm from the criminal justice system: The criminal justice system has at times used the law of sex trafficking to do further damage to survivors. Disturbingly, victims themselves have been charged with trafficking on the state and federal level. For instance, some victims have been convicted as co-conspirators in their own trafficking. Moreover, some victims have been forced to testify against their traffickers at great cost to themselves. Notably, some victims are also forced to testify against their traffickers under threat of prosecution. Being forced to testify may lead to victims suffering from an acute PTSD attack, or worst of all, being the victim of violence or murder at the hands of their traffickers. As a result of these dynamics at play both within the anti-trafficking movement itself and within the criminal justice system, some survivors have learned that being labeled a victim of trafficking is at best not helpful and at worst very dangerous. Thus, some survivors may be averse to using the label to describe their abuse.

Additional barriers to using the word “trafficking” when providing direct services:

Even if a survivor has not had a specific negative experience with the word “trafficking,” she or he may have difficulty adopting the concept as a result of the psychology of abuse. Traffickers usually gain psychological control over victims by grooming them to believe that the trafficker is their boyfriend and protector. Initially, the trafficker will shower gifts on the victim and take her on dates to gain her trust. Violence, psychological abuse, and sex trafficking occur after the victim has become reliant on the trafficker. Acknowledging and accepting that the trafficker has exploited them can be very painful to survivors who are in the early stages of recovery. Forcing survivors to adopt the language of sex trafficking before they are ready to do so can be detrimental to recovery by heightening feelings of powerlessness and inflicting

¹ The Herald-Tribune’s Special Report “[The Stolen Ones](#)” by J. David McSwane describes the brutal psychology pimps use to break down their victims, resulting in a victim more often than not returning to the pimp after escaping. Kevin Donegan of Janus Youth Programs explained that “girls often return several times because the psychological attachment to their pimps is like domestic violence on steroids.”

additional trauma. Additionally, the word “trafficking” can result in confusion because it implies a movement of the person from one place to another, and some survivors or community members may assume that a person has not been trafficked if he or she has not been moved in the transaction. However, a person can be a victim of trafficking without leaving his or her home.

The Amara Legal Center’s response to use of the word “trafficking:”

Because the Amara Legal Center provides services directly to both sex workers and to survivors of sex trafficking, it is crucial to use language that avoids alienating or confusing our clients or forcing them to identify in a certain way if they are not comfortable doing so. Rather, we are committed to providing support and vital legal services to aid recovery without judgment or labels. Thus, our mission statement has been altered to describe our clients primarily as “individuals whose rights have been violated through commercial sex.” We do, however, use the word “trafficking” to describe clients who identify with the word. Furthermore, we use the word “trafficking” in our public outreach efforts, when appropriate, to join the movement of other voices who use the word productively to alter perceptions about survivors and to gain resources for our clients.

The Amara Legal Center’s Mission Statement:

The Amara Legal Center provides free legal services to individuals whose rights have been violated while involved in commercial sex.

Mission Paragraph: Amara recognizes that while there are many different paths that lead a person into commercial sex, many individuals face a common set of legal issues. Amara serves survivors of sex trafficking and any other individual whose rights have been violated while involved in commercial sex in the Washington, DC metropolitan area, regardless of whether the involvement was by choice, coercion, circumstance or necessity. We are committed to raising public awareness of the legal issues facing our clients, to connecting our clients with other vital social services, and to fighting tirelessly to provide excellent legal representation to all of our clients.