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Reintegration from Sex Trafficking: Chinese Women in Flushing, NY

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This article attempts to provide a comprehensive analysis of the needs for reintegration from sex trafficking and the gap of current social services provided to foreign national victims in the United States by focusing on Chinese female victims in Flushing NY. Through the research, the author understands the safe long-term housing ranks first among all the victims' needs for social services in the process of reintegration, which hasn't been sufficiently addressed yet. Although the U.S. Congress passed the Trafficking Victims Protection Act (TVPA) to protect and assist international victims, and made T-visas available, the laudable goal of protecting and restoring foreign national victims of sex trafficking has not been adequately accomplished. Despite the gaps and shortcomings, some feasible practice has been applied and made breakthrough in the anti-trafficking field.

Keywords: sex trafficking, Chinese immigrants, social services

Human trafficking and modern slavery—as a great violation of human rights—have been used to conceptualize the “act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the means of force, fraud, or coercion” (U.S. Department of State, 2015). The United Nations (2004) defines “human trafficking” as:

“[T]he recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (United Nations, 2004, p. 42).

Although the definition the United Nations gives is slightly broader, the term “trafficking in persons” is essentially the same. No matter what definition is applied, an individual becomes a victim of sex trafficking when the person engages in a commercial sex act, such as prostitution and filming pornographic videos, as the result of force, fraud, coercion or any combination of such means. The Trafficking Victims Protection Act (TVPA) categorizes sex trafficking into one of the most severe forms of human trafficking because it causes physical and emotional harm, loss of liberty, and loss of self-determination (Schauer & Wheaton, 2006; U.S. Department of State, 2015). Mizus, Moody, Privado, and Douglas (2003) present that after Germany, the U.S. ranks as the world's second largest desti-

nation or market country for women and children trafficked for purposes of sexual exploitation in the sex industry. The Department of State has estimated that between 700,000 and 1 million women and children are trafficked every year worldwide and that as many as 50,000 are trafficked into the U.S. annually (U.S. Department of State, 2003). However, it is notable that there is currently no standardized methodology or tool among different institutions to accurately assess the number of trafficked individuals each year. Thus, based on a conservative estimate, there are approximately 18,000 persons trafficked into the United States each year, with 96% being women (Mizus et al., 2003). Therefore, women dominate the victim group of sex trafficking in the U.S., which serves as an indicator of the pervasive gender-based violation.

More than 75,000 new immigrants streamed into Queens over a recent three-year period—the biggest influx of all new immigrants in New York City (Salinger, 2014). Among those, Chinese immigrants comprised 13% of the borough, making up the largest group of new immigrants (Salinger, 2014). In total, Chinese individuals occupy 9% of Queens' total population, with over 200,000 residing there (U.S. Census Bureau, 2010). Flushing, a neighborhood in the north-central part of the borough of Queens, is predominantly occupied by Chinese immigrants. The past two decades witnessed a spike in the Asian population in Flushing, which increased from 22.1% in 1990 to 52.4% in 2000, and eventually to 69.2% in 2010. The vast majority of Asians in Flushing are Chinese, making up 67.8% of the whole Asian population (Berger, 2013).

Based on the statistics kept by Judge Serita's Human Trafficking Intervention Court (HTIC) within the Queens Criminal Court, a majority of the defendants are either Latin American women or, even more often, older, undocumented immigrants from Asia between 30 and 50 years old (Robbins, 2014). Asian defendants represented 27% of the cases in 2010; the percentage rose to 40% in 2014 (Robbins, 2014).

Based on these data, Asian women are at a higher risk of being trafficked in Queens. An analysis of the prevalence and outcomes of the problem, as well as the effects of current programs, will help us better understand the needs of this population, generate more effective and efficient solutions to deal with sex trafficking, and optimally promote these Chinese survivors' reintegration and well-being.

Factors of Vulnerability

Studies have revealed that coercion, fraud, and force commonly exist in the process of sex trafficking. For the international victims of sex trafficking, the push factors leading to their immigrations include the lack of economic opportunities in their home countries and the desire of a better life (Weitzer, 2011). In China, some travel agents promise clients that they can assist them in entering the U.S. and finding legitimate jobs with attractive pay and benefits. Deluded by the concept of the "American Dream," a number of poor and undereducated people are desperate to come to the U.S. to experience an increased quality of life. Without convincing reasons and sufficient proof of assets, it is not easy to receive approval for a working visa in the U.S., so smuggling becomes a common alternative. Over 100,000 Chinese are smuggled abroad annually, and New York City is often a common destination (Migration News, 2000). Those undocumented immigrants usually have to repay smuggling fees often with excessive or arbitrary rates of interest during a certain period, which can be as high as \$75,000 (Archibold, 2010; U.S. Department of State, 2015). Before paying off that debt, these individuals might have their passports or other documents taken by brokers, placing them under their control (U.S. Department of State, 2010). The so-called "debt bondage" is a subtler condition of human trafficking and is pervasive in New York's Asian communities (Migration News, 2000; Salinger, 2014).

Without working papers, an individual is unable to obtain legal employment. Many of the female undocumented immigrants are forced by the smugglers to prostitute themselves in venues, such as massage parlors, brothels, and hotels. According to Restore (2014), a nonprofit organization whose mission is to end sex trafficking in New York and restore foreign national

victims, 97% of the women the agency served were trafficked into the illicit massage business. At the same time, there is another common scenario: female victims become stuck in a situation that forces them to become prostitutes. Instead of being controlled by their smugglers, a great number of victims become controlled by their bosses. Some women are misled by the deceptive recruiting advertisements in newspapers, which are full of compelling words promising high salaries with no necessary skills, even in the absence of usually sought after trainings. Once they arrive for the interviews, their passports are taken away, and they end up in the same situation as they originally were (Chin & Finckenauer, 2012; Robbins, 2014.)

There is silence surrounding sex trafficking. Unless the victims are arrested by police with charges of unauthorized practice or prostitution, they are difficult to find. Whether out of fear of deportation or shame, the mostly undocumented women find that they often do not define themselves as having been trafficked. Because of this, they do not seek help actively, which decreases the possibility of identification and further intervention.

From a feminist lens, race, ethnicity, and culture intersect with class, gender and global economics and politics to affect the experiences of female victims of sex trafficking (Desyllas, 2007). This problem is clearly multifaceted, with many forms of subordination and power imbalance, where the traffickers have social and economic privilege, forcing the victims to act like sexualized objects. When people pay attention to which women are most at risk of being trafficked, the connection between the risk of racial and social marginalization and immigration status becomes clear (Batsyukova, 2007; Rieger, 2007; Weitzer, 2011). As Nelson (as cited in Armaline, Glasberg, & Purkayastha, 2011) argues, racism keeps the victims trapped in the sex industry by limiting their alternatives and paths to safely exit the trade, which makes minority women more sexualized and culturally subordinate, and more vulnerable to sex trafficking. Asian women, typically stereotyped as being willing to do anything to please men, are in demand by sex traffickers (Armaline, Glasberg, & Purkayastha, 2011). Thus, their subordinate social status is not only identified by the social norms, but also internalized by these Asian victims, impeding their escape from the nightmare that is human trafficking.

The Gap Between Needs and Services

Survivors of sex trafficking face multiple challenges when trying to transition and reintegrate after being identified as victims, with great needs in medical, legal

and social services. A failure to meet these needs increases the likelihood of several negative consequences, such as re-trafficking, physical and psychological complications, social isolation, substance abuse, unemployment, poverty, and suicide (Maney et al., 2011). Because these survivors are psychologically traumatized and often lack working skills, they cannot function independently or successfully in American society (Shigekane, 2007). As disclosed by Rieger (2007), 40% of the women sexually exploited in the U.S. have no English-language proficiency, with 33% having very little ability to speak or understand English. Therefore, for these Chinese immigrants, the language barrier and cultural differences make their reintegration into society even more difficult because they also have to deal with acculturating simultaneously.

The former studies have explicitly addressed the needs of the international victims of sex trafficking. One of the most crucial needs is safe housing, which unfortunately is difficult to meet (Doran, Jenkins, & Mahoney, 2014). Lifeway Network indicates that a great number of survivors would benefit more from long-term or transitional housing than from emergency housing, but the current available housing resources are far from satisfactory (Maney et al., 2011). For example, although the consensus suggests that trafficking survivors need the sustained provision of multiple services by highly trained staff in a closed, secure environment, less than 4% of survivors have their needs met (Maney et al., 2011; Restore, 2014).

As previously mentioned, a large number of victims come to the U.S. with a personal idea of the “American Dream” which prioritizes legal services and employment as their primary needs (Clawson & Dutch, 2008). Recognizing that the vast majority of sex trafficking survivors are undocumented—limiting their access to social welfare services—Congress passed the Trafficking Victims Protection Act (TVPA) in 2000, which is aimed to protect and assist international victims in the U.S. The law makes housing, education, health care, job training, and other federally-funded social service programs available to survivors (Maney et al., 2011; Rieger, 2007).

However, even after the passage of the TVPA, the laudable goal of protecting sex trafficking survivors in the U.S. has still not been sufficiently accomplished. In order to receive benefits under the TVPA, especially T visas, which allows victims of human trafficking to remain in the United States temporarily, victims must cooperate and be involved with the prosecution of their traffickers, which is one of the most problematic provisions of the TVPA. Many survivors become ineligible for the TVPA’s benefits because they will not come forward; their fear of testifying outweighs whatever

benefits they would receive (Rieger, 2007). Bernat and Zhilina (2010) note that the fear of being punished by traffickers or the stigma surrounding prostitution often hinders the survivors from aiding law enforcement. Despite the fact that up to 50,000 women and children are trafficked into the U.S. every year for sexual exploitation and the legislation only allows 5,000 T visas to be granted, only approximately 1,300 trafficked T visas were granted as of 2010 (Pollock & Hollier, 2010).

Fortunately, there are also some feasible services for survivors to access in the Queens area. New York City Courts have made a breakthrough to help identify and better serve survivors of sex trafficking by launching a specialized court called Human Trafficking Intervention Court (HTIC). Besides redefining the arrested women, whose charges are either prostitution or unauthorized practice, as survivors of a horrific ordeal rather than criminals, HTIC offers a beneficial deal, especially for those still in the process of legitimating their stay in the U.S. Essentially, if a survivor agrees to participate in a set number of counseling sessions and is not arrested again within a six-month period, then the case will be dismissed and she will have no record. This means that her future immigration and employment opportunities will not be impacted. Even though there might not necessarily be a connection between prostitution and sex trafficking, Judge Serita of HTIC hopes that women will perhaps feel comfortable disclosing the conditions that lead them to prostitution to their counselor within a safe working alliance (Robbins, 2014). The Court’s original intention corresponds with Outshoorn (2005): no woman would truly consent to prostitution, and a woman who engages in prostitution is a victim who needs help to escape sexual slavery (Outshoorn, 2005). The HTIC also maintains a partnership with three agencies in NYC that provide Mandarin-speaking services to help the survivors obtain services, such as assistance with housing, counseling, immigration consultation, drug treatment, health care, and education and job training to keep the survivors from returning to the sex trade (Rashbaum, 2013).

Like New York City, San Francisco is a popular destination for immigrants, which forces the city to come up with some solutions for the sex trafficking problem. According to a report on human trafficking in San Francisco, the District Attorney’s Victim Services offers case management, advocacy, and legal assistance for trafficked survivors. Trained advocates help victims navigate the criminal justice system by assisting with crisis intervention, victim compensation program claims, court escort, case status, transportation, resources, and referrals (Lim & Kandel, 2015). Since San Francisco also has a large Chinese population and

they consider cultural and lingual competency to be important, Mandarin services have become accessible (Lim & Kandel, 2015).

Discussion

Since sex trafficking results in a tremendous violation of human rights, and the U.S. is the second largest market in the world, actions must be taken to promote victims' identification, and provide further social services to assist victims' reintegration. Based on the practices currently employed in New York City, a huge gap exists between the available services and the needs of the survivors. Further research is needed to understand the survivors' needs to ultimately improve social services geared at helping this population.

As Shigekane (2007) points out, a greater emphasis should be placed on the development of long-term support and advocacy services, including finance management, counseling, transitional and affordable housing, and employment assistance, with an ultimate goal to increase a survivor's chance of living independently and to minimize the risk of becoming homeless or re-victimised. Since sex trafficking is a multidimensional problem, different stakeholders should be involved in anti-trafficking actions. Identifying survivors, clarifying their specific needs, providing appropriate services, and avoiding re-trafficking are the crucial elements in the battle against sex trafficking, which requires cooperation across different parties.

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