

Human Trafficking and Prostitution Defendant/Victim Paradigm Shift Judge Paul Herbert

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Prostitution is a crime for anyone to engage in sexual activity for anything of value. It is a misdemeanor rather than a felony, and is punishable by up to 6 months in jail and a maximum fine of \$1,000.00. Most people receive much less punishment. Many are given 30, 60, 90 days in jail with probation and treatment ordered. We are now considering a new separate crime in Columbus, one traditional charge for those who sell the sex and a new separate charge for the person who buys the sex. Since the criminology is so different for each of those and the punishments and treatments need to be different. This is very exciting.

About CATCH Court

CATCH¹ Court is a Special Court for people who are charged with selling sex or are charged with other offenses while being a victim of human trafficking. It is a voluntary 2 year program for women who want to exit this vicious and often deadly life. It started in 2009, when I realized that traditional sentences and probation had **NO effect** in lowering the prostitution rates in Columbus. We were spending \$5.4 million dollars per year just to arrest and jail our prostitutes in Columbus. There are four phases of the program and each varies in length.

¹ The term "CATCH" means "Changing Actions to Change Habits"

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My research indicated that prostitution was completely different than what I thought. I thought it was like the Hollywood movies...that it was a woman's choice, a chosen profession...or I thought women became drug addicts and had no other choice but to sell their bodies to support the drugs. I was wrong. One third of all women enter prostitution before 15 years old and 62% enter prostitution before they are 18 years old. What do most of them have in common? They were sexually abused as children and betrayed by people they trust. This leads to the **NUMBER ONE** issue they face...TRAUMA. They are being beaten and controlled by horrible people who are making a lot of money off selling them. Almost all of them are using drugs because they do not know how to deal with the horrible trauma of early child sexual abuse and multiple-complex trauma. Also, it is different than combat trauma or PTSD as we know it. They face a unique type of trauma when you add in they have shame/guilt/single parent/homeless/no job skills as well as traumatic brain injury from the beatings. I was so upset when I learned that prostitution is really another form of crimes against women, and it was always referred to as the "World's Oldest Profession" It should be referred to as the "World's Oldest Oppression."

The participants of CATCH Court

We use the Readiness for Change model to start as an assessment tool to see if a woman is ready to exit the life. We also use the ACE "Adverse Childhood Experience" test, as well as a human trafficking/trauma component. Each woman costs about \$25,000 per year to treat, so we need to make sure they are ready. But that is about the same cost as to keep them in jail. We are looking for women with a history of prostitution and trauma who gives all the indications she is ready to leave the lifestyle. We recognize that there is a cycles or phases of a woman's journey in the sex trade but at some point the negative consequences start to outweigh the *perceived* benefits. Unfortunately some do not realize it. 34 years old is the average life expectancy of a woman in prostitution.

Criminal Justice Professionals and volunteers in CATCH Court

Weekly court sessions are with the Judge and Staff. It is a big day of praise, affirmation for achievements, and accountability. The Judge talks with each woman for at least 5 minutes in court and has notes prepared by treatment staff about good and bad things going on in their life. It is very powerful for these women to have a person who is such authority to take an active role in their success healing and recovery. Volunteers and Mentors bring lunch every week and the women are fed a meal and have social interaction for an hour before the court starts. The judge usually socializes with them as well which is important. The Court celebrates the days they have free and sober. I ask for each person's number of days clean from drugs. They graduate phases, programs, and get other incentives. Some of them have never graduated from any school so these are important steps in their growth.

Trauma Treatment

The defense attorney is important because they refer the cases to CATCH Court and it can be any charge. But they first talk to the client and have training recognizing the signs of trauma and abuse and then they contact the court CATCH Staff who does an initial interview. If that person is appropriate then they go through the assessment process which takes a couple hours per person. Once in CATCH Court they receive a treatment plan and residential treatment the treatment includes trauma treatment as well as drug treatment. For heroin we use Vivitrol as a medically assisted treatment. The trauma treatment is a combination of "Seeking Safety" model and individual and group therapy, plus EMDR for trauma when the client is ready to continue deep trauma work. We find they do much better when they rid themselves of that horrible memory. The mentors are women of the community who volunteer their time to become friends and advisors to each woman. We assign those people by matching personalities. We also have a special probation officer that is part of the team that also has trauma informed training.

CATCH Court as the Trauma-Informed Court

Trauma-Informed Court is the key to the 62% success rate. If anyone in the process treats them like traditional corrections based approach they will run away and be unsuccessful. You must build a trust relationship where they know that you genuinely only want what is best for them. They are very smart, know how to survive, and will recognize a fake right away. Also, because of their trauma, when they are in court or in front of your staff, or with police officers. They will have trauma reactions such as dissociation, anxiety, hyper-vigilance, withdraw, etc. You will not be able to build a relationship or even effectively talk to them when they are experiencing a trauma reaction. CATCH Court is very specific to women with complex trauma. It is such a unique blend of issues that cannot possibly be addressed in the other courts. Even if you just have a drug court I recommend you split it up into a gender specific female only drug court. There is something unique that happens when you take the men out of the equation. The women will start to get better. What I have found out is that our justice system has a high percent of women who have experienced trauma and trauma affects women differently than trauma affects men.

Evaluation on CATCH Court

I admit our data gathering needs improvement to show more accurate results but of the 202 women who have signed up for the CATCH program 62% have not received a new charge in 6 years. The statistics indicate that the longer a participant spends in treatment the more effective the recidivism rate becomes but while that is essentially saving on bottom line costs like jail incarceration. We have a longer view of success...are you able to go to school, get a job, and take care of yourself and no longer require any government assistance? Are you also reunited and taking care of your children and parents? Are you becoming a part of this bigger picture of helping other pioneering survivors? Only 14% of women complete the full 2 year program, but of those who do are leading remarkable

lives. Also, the qualitative analysis of the Romanoff study² is phenomenal!!! The women feel safer, more cared for, less depressed, and have a restored vision of society.

How we treat our women is critical to the long term success

Sweden in 1999 created the Victim-Centered Demand-Oriented approach to the sex industry. It is brilliant. They created an exit with social services for women to safely leave the sex industry, and they prioritized the arrests of the people buying the sex and those who were profiting from human trafficking...that is exactly what we are trying to do in Columbus, Ohio. Having a culture that realizes that how we treat our women is critical to the long term success of our society is necessary. You should all read the book "Half the Sky." It was the book that inspired me and changed my whole perspective. We need to be a man that serves and protects the women of our community and I need to encourage all men to serve and protect the women of our community. I guarantee you it will have a powerful impact on South Korea and the whole world.

A place where no one wants to buy/sell a woman or a girl

If you want to curb this problem make up your minds that with your laws and support systems that women are valued and safe. They do not like any part of this type of activity and of being bought and sold to perform such acts. Make South Korea a place where your laws are such that no one wants to buy a woman or a girl. And make Korea a place where no one wants to sell a woman or a girl. It is worse than buying or selling drugs so treat it like that. We also have Freedom ala Cart, it is a business that hires and trains our women to get jobs. It is a catering company that currently hires 27 of our women and these women make the best

² Karen Miner-Romanoff (2015). An Evaluation Study of a Criminal Justice Reform Speciality Court CATCH Court: Changing Actions to Change Habits.

workers because they are so grateful. Many people want them to work for them. A new company just started a cleaning company for homes and businesses that is growing significantly. You must have your police, judges, and government all agreeing to this new philosophy. I realize it is very difficult, but it is getting easier here now because this issue is getting great attention in America now. I hope that changes in South Korea as well....but don't let that stop you. Create and support your own efforts to have supportive housing, and support to help your women. And, one day, I hope we can all start educating our young girls that they are important and we start listening to them and making sure they have a voice when they talk. One aspect that makes a strong leader is how well they protect and help the women of the community.

I hope you all stay well in this good fight. People laughed and made fun of me for this new idea, but for some reason my ears did not hear the negative, but only heard loudly the cries of so many women crying out with thousands of years of such pain. I needed to respond, and I am glad I did. It is not just the right thing to do, or the good thing to do, but the only thing to do once you realize that the truth.