RE-FRAMING TRAFFICKING

CONSIDERATIONS FOR A DIFFERENT APPROACH

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IMMIGRATION

- How it was criminalized?
- Impact on mass incarceration
- Shifting governmental attitudes towards immigrants
- Immigration laws
WHAT IS THE CRIME?

...as defined by the U.S. State department is the

- Recruitment, transportation, transferring, harboring, or receiving by means of threat, coercion, abduction, fraud, deceit, deception, or abuse of power with the goal of prostitution, pornography, violence, sexual exploitation, forced labor, involuntary servitude, debt bondage, or slavery. The state department also notes that consent is irrelevant if one of the means is employed.
Crime is a violation of societal rules of behaviors as interpreted and expressed by a criminal legal code created by people holding social and political power. Individuals who violate these rules are subject to sanctions by state authority, social stigma, and loss of status.
CRIME AND THE CRIMINAL LAW

- **Mala in se**
  - *Inherently evil*

- **Mala Prohibitum**
  - *Crimes defined only by law*
CURRENT FRAMEWORKS

- Legal
- Human Rights
- Cultural
- Feminist
CRIMINAL JUSTICE FRAMEWORKS

- Focus on the Justification and Purpose of Criminal Justice, Law, and Punishment
- Six Models
  - Due Process
  - Crime Control
  - Bureaucratic
  - Medical
  - Shaming
  - Power
WHAT HARM IS BEING COMMITTED?

- Legal – Violation of statutory code that was agreed upon by society as a punishable offense
- Human rights – Deprivation of individual rights
- Cultural – Goes against cultural practices and traditions, shame
- Feminist – Denial of equal treatment of women
- Criminal Justice