

Human Trafficking and the Need to Go Beyond Pro Bono

Proskauer For Good Blog on **October 31, 2017**

Last month I had the honor of accepting an award on behalf of Proskauer that was presented by Gloria Steinem on behalf of the [Coalition Against Trafficking in Women](#) (CATW). The firm works closely with CATW, and other organizations, in representing victims of human trafficking. There is no question that this work is impactful and important, but I've learned that conventional pro bono — namely, representing individuals — is simply not enough. We need to look beyond the individual case, to help raise public awareness and to advocate for certain commonsense changes in the law and public policy.

In working with sex trafficking victims, I have seen firsthand the strong connection between prostitution and human trafficking. Traffickers prey on the most vulnerable in our society, including children, immigrants, and victims of abuse. Indeed, there is [strong authority](#) establishing that most of those involved in the commercial sex industry started before the age of 18. Under federal law, any child engaged in prostitution is considered a trafficking victim. Moreover, it is [well established](#) that violence and threats of violence are prevalent among traffickers and purchasers. Thus, a substantial percentage of those engaged in prostitution are, in fact, trafficking victims.

Changes in the law and public policy

Too often the American criminal justice system treats trafficking victims as if they are criminals and too often allows the real criminals to act with impunity. In 2016, for example, over 1,000 women in New York City were charged with prostitution-related offenses while in the same year only 26 people were charged under state law with sex trafficking. Each time we arrest a victim, our system of criminal justice becomes a vehicle of injustice. It is time for a different approach.

Only when we address the demand for prostitution will we begin to address human trafficking. We need to arrest the traffickers, pimps, and purchasers. We also need to recognize the limits of our criminal justice system. There is so much money involved in human trafficking that long prison sentences alone (as with drug trafficking) will not solve the problem.

Public awareness and education

We need to educate the public about the connection between human trafficking and prostitution, and we especially need to teach youth in school that prostitution is not a harmless act. Not only do we need to stop arresting victims, but we also need to find a way (beyond the criminal justice system) to provide the social services they need while enabling them to break free from the coercion and control of their traffickers.

This is a global issue and an enormous societal challenge, but there is hope. Our Paris office recently started representing a foundation devoted to trafficking victims in criminal proceedings brought against traffickers. The victims are not prosecuted in Paris. We will highlight developments in France, and identify other best practices from around the world in future posts.

[View Original](#)

Related Professionals

- **William C. Silverman**
Pro Bono Partner