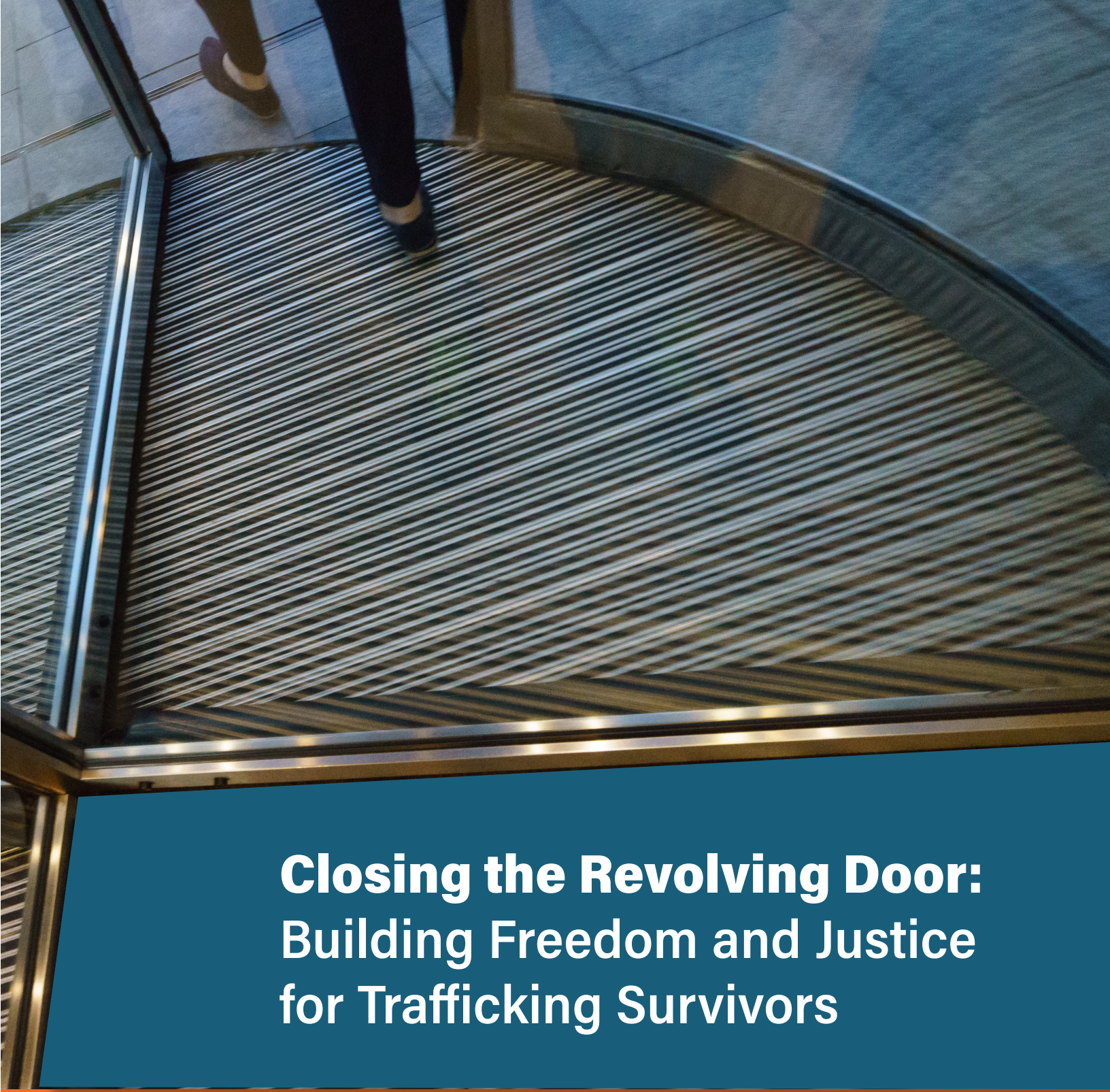

Closing the Revolving Door: Building Freedom and Justice for Trafficking Survivors

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SAFETY+JUSTICE CHALLENGE
Supported by the John D. and Catherine T. MacArthur Foundation

NATIONAL CENTER FOR VICTIMS OF CRIME
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INTRODUCTION

It's hard to find a segment of society that doesn't have a strong, negative view of human trafficking. News reports, movies, and other media often depict children being abducted by strangers and forced into servitude. But the reality is much more complicated. Victims are often trafficked by people they trust and know – in many cases, friends, authority figures, or even family members.

The lifelong impacts of being trafficked aren't limited to the direct physical or emotional harm caused to victims. Often, in trafficking scenarios, particularly those involving sex and narcotics, victims are forced to engage in illegal activity. This means that trafficking victims can be charged with crimes, facing incarceration and other legal ramifications that derail their ability to recover their lives.

Millions of adults and children are victims of human trafficking globally each year, including the United States. Human trafficking is defined by the "use of force, fraud, or coercion to obtain some type of labor or commercial sex act." [1] Due to the tactics perpetrators use to maintain control over victims, human trafficking is often a hidden crime that happens in plain sight.

> ***"There were a lot of times I just wanted to go to jail to get away and to be safe." – Elizabeth Jimenez***

One distinct characteristic of human trafficking is forced criminality. Victims may be forced to commit crimes, ranging from theft to the distribution of drugs on behalf of their trafficker, as a means to escape trafficking, or meet their basic needs. This often contributes to the criminalization of trafficking survivors. In fact, a 2023 Polaris Project study found that 62% of survivors had been cited, arrested, or detained by law enforcement, with 80% of these arrests occurring while they were being trafficked. [2]

As mentioned previously, incarceration can have lasting impacts on survivors, including difficulty finding and maintaining employment, securing safe and stable housing, obtaining an education or professional credentials, and custody of their children. While a federal bill was introduced in Congress in 2024 that would vacate certain convictions and expunge certain arrests of victims of human trafficking, there is still no federal criminal record relief available. [3]

In 2025, the National Center for Victims of Crime assembled a group of individuals with personal experience in human trafficking and incarceration. One key takeaway from this group was the importance of recognizing and identifying signs of trafficking among justice system professionals. This understanding is crucial for improving responses to crimes that occur within the context of trafficking.

Additionally, the group highlighted the necessity of eliminating common barriers faced during the process of reentry into the community. They emphasized the value of implementing trauma-informed approaches at every point of contact within the system.

With the insights from this group of experts, we have identified several practical strategies that can be applied before, during, and after incarceration. By basing our approaches and solutions on the firsthand experiences of those who confront the challenges and barriers to accessing services, we can create more effective pathways for these individuals to thrive.

This report would not be possible without the contributions of Elizabeth Jimenez, Tanisha Murden, Elizabeth Quiroz, and Kathryn Walsh. We thank them for sharing their expertise with us and contributing invaluable insights to the conversation about how to create safer communities and support survivors' healing.

> ***"I am healing every day of my life. It's a journey."***
> ***– Elizabeth Quiroz***

PATHWAYS TO INCARCERATION FOR TRAFFICKING VICTIMS

Survivors of human trafficking are universally victims of crime. Whether they're forced into it, tricked into it, or doing it out of necessity for survival, all victims of trafficking are being taken advantage of.

Trafficking victims often engage in illegal activity against their will, but certain types of trafficking victims are constantly at risk for arrest.

Sex trafficking involves forced prostitution*, and because selling sex remains illegal in nearly the entire United States, victims who are forced to sell their bodies are, by definition, engaging in illegal activity. Though prostitution in itself is typically a misdemeanor, it can nonetheless end in incarceration.

If a sex trafficking victim, for example, is forced to engage in prostitution in an area well known for sex work, the victim may be more likely to become involved with a law enforcement operation. That interaction with law enforcement may result in a citation or a misdemeanor criminal charge, and the victim may be booked into a local jail. It's possible that a victim could remain in jail until a court date or securing bail. It's not uncommon for law enforcement agencies to publicize booking photos of anyone arrested in a prostitution sting, including the sex trafficking victims themselves. Such publicity may negatively impact a survivor in the future. This also leaves a victim with a criminal record that can haunt them in the future.

Similarly, trafficking victims may be coerced into selling illegal drugs or engaging in theft. These actions often carry considerably higher consequences than prostitution, depending on the severity of the associated charge, resulting in higher bail amounts that may be more difficult to obtain, leading to longer stays in local jails, or felony convictions that result in prison sentences and/or probation.

> ***"A lot of these women are afraid to talk about it, or even tap in deeply, because of fear that was instilled in them for so long. It took work for me to heal." – Tanisha Murden***

*Prostitution is a legal term used to describe the exchange of money for sex. While sex work is another common term, it is generally used to describe a range of activities, many of which are not criminalized.

FORCED CRIMINALITY OF SURVIVORS

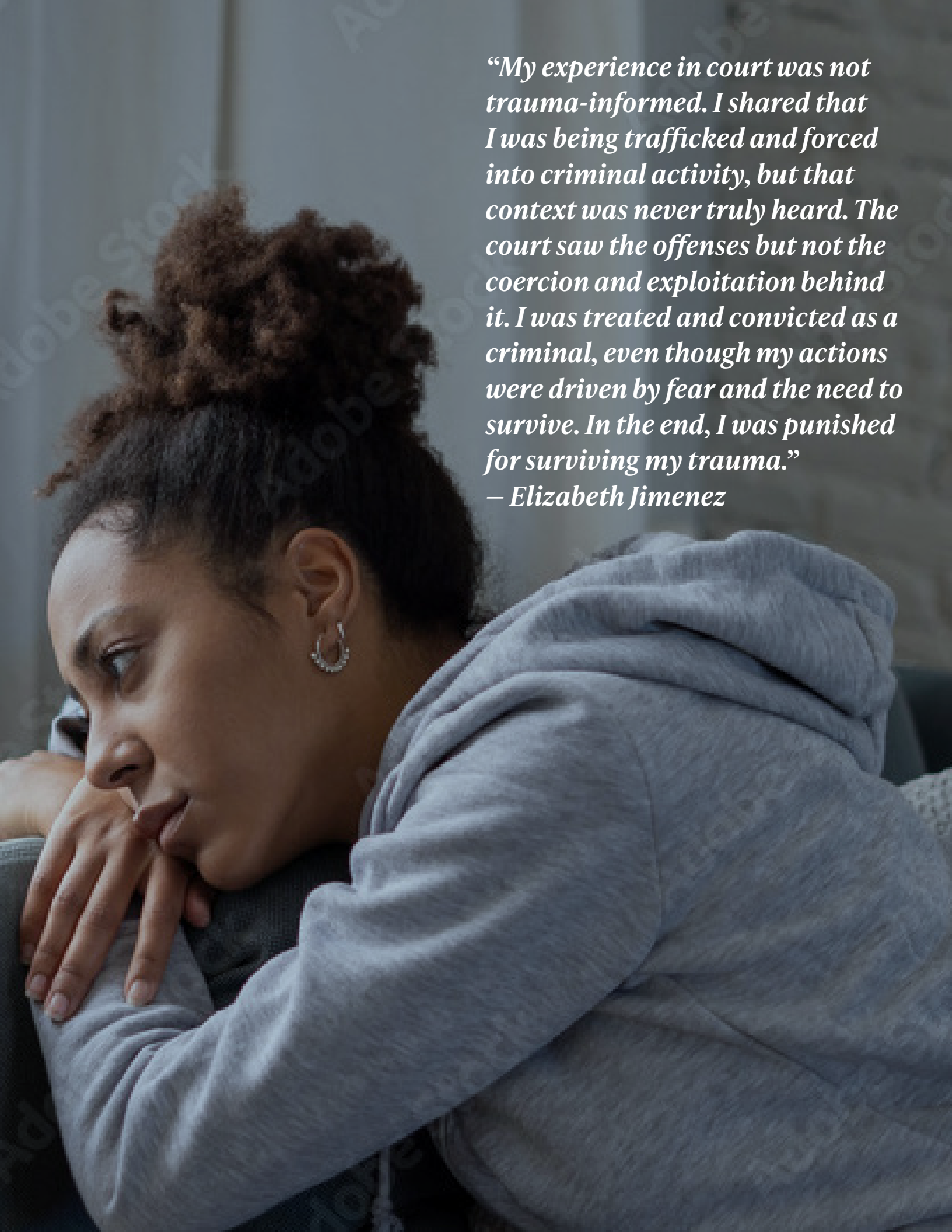
As outlined above, there's a broad intersection of trafficking and criminality — even for the victims themselves. While there are myriad reasons why a victim may be engaged in illegal activity related to their trafficking, a unifying factor is that the victim feels as though they have no other choice.

It's also important to understand that many trafficking survivors are victimized at a young age. According to the U.S. Department of Homeland Security's latest estimates, 8% of sex trafficking victims and 27% of labor trafficking victims are children. A child who grows up exploited by otherwise trusted adults may consider the environment to be "normal" and/or feel like there's no way out of their situation. Traffickers need to control their victims, so they may restrict their victims' access to reputable outside information or communication with family members, friends, and public or spaces outside of the traffickers' direct purview. This can be especially detrimental to a child who is still in the natural process of forming opinions about how the world works, what's right and wrong, and who's trustworthy and untrustworthy.

While some trafficking victims are indeed forced into servitude by strangers, the majority are trafficked by people they know, including romantic partners and family members. A parent or other adult in a household, for example, may allow a child to be trafficked in order to pay bills. In the case of a romantic partner, the victim's love interest may exploit the victim's body, using guilt to coerce the victim into engaging in illegal activity.

In other cases, a survivor may be forced into illegal activity simply to survive. One expert who participated in this report, Elizabeth Jimenez, described being trafficked as a minor at massage parlors, being physically abused by adult men, becoming a mother as a teenager, being forced out of her home, and turning to sex work to support her family. She described older men exploiting her by promising her security: "It was like the same man with a different face – offered to protect me, make sure I was safe, and so forth." Under the guise of that protection, she was coerced into retail theft – another type of trafficking that can result in serious legal consequences.

> ***"I couldn't trust the system. I couldn't trust foster care. I couldn't trust my parents. Who could I reach out to? I felt like I was let down on so many occasions."***
> ***— Elizabeth Quiroz***



"My experience in court was not trauma-informed. I shared that I was being trafficked and forced into criminal activity, but that context was never truly heard. The court saw the offenses but not the coercion and exploitation behind it. I was treated and convicted as a criminal, even though my actions were driven by fear and the need to survive. In the end, I was punished for surviving my trauma."
— Elizabeth Jimenez

In other cases outlined by the experts who co-created this report, victims sold drugs to pay their abusers, either because they felt physically unsafe were they to refuse or because a romantic partner-turned-trafficker was using guilt to pressure them. Others carried weapons to protect themselves during forced sex encounters or turned to robbery and theft as a means to escape sex trafficking. As one expert, Elizabeth Quiroz, pointed out, sex trafficking victims are repeatedly raped — something that creates a lifetime of trauma and may result in victims turning to illegal drugs to cope, further increasing their risk of criminal charges. Trapped in a cycle of exploitation for much of her childhood and early adulthood, she turned to robbery as a way out, ultimately leading to incarceration. "It was either that, or make my money sleeping with purchasers," she said. "I didn't choose that. What options did I have? I was forced to do something, and that was the path I went down."

> ***"This is what I knew how to do, and it was all I knew how to do. I was a high school dropout. When people are in this mindset, it's hard to get out. That's why we need resources." — Elizabeth Quiroz***

As can be seen, trafficking victims are at a heightened risk of participating in illegal activity because of the nature of their victimization. It's our view that community intervention services should take this dynamic into consideration, as should prosecutors, judges, and those in charge of providing support services for people who are incarcerated or reentering society after jail. We cannot hope to break the cycle for victims if we do not offer viable solutions and understanding of their unique conditions.

SURVIVORS NEED TRAUMA-INFORMED SERVICES AND RESOURCES BEFORE, DURING, AND AFTER INCARCERATION

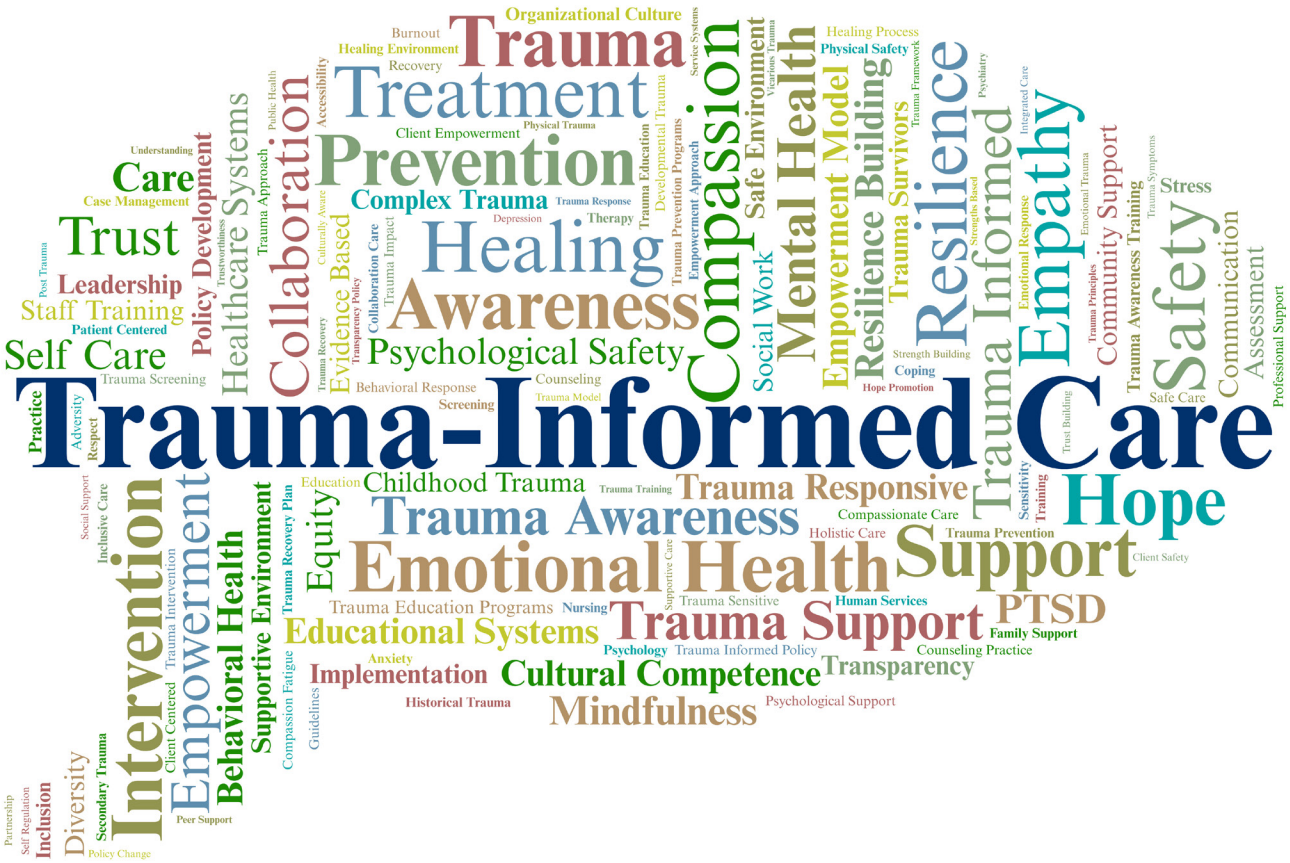
Survivors often have a long and complex history of trauma before coming in contact with the justice system. In addition to the negative impacts of trafficking, incarceration itself can be a source of trauma. Instead of getting the help and support they need, many survivors are treated as criminals by the justice system. While incarcerated, survivors are often separated from their children and families, exposed to violence, and re-traumatized by the prison/jail environment.

Research has shown that trafficking survivors experience mental health impacts as the result of their victimization including post-traumatic stress disorder, complex PTSD, depression and suicidal ideation. [(4)] Our working group noted that many survivors experience a significant amount of shame, stigma, fear and distrust which can make it difficult to reach out for help and heal.

A trauma-informed approach recognizes the widespread prevalence of trauma and employs strategies that respond to its impact, emphasizing the physical, psychological, and emotional safety of survivors and those that serve them. [(5)] It also seeks to prevent responses that could be re-traumatizing. This may include a lack of control or decision-making, authoritative or confrontational interactions, and service professionals challenging or discounting their traumatic experiences or the impact of trauma.

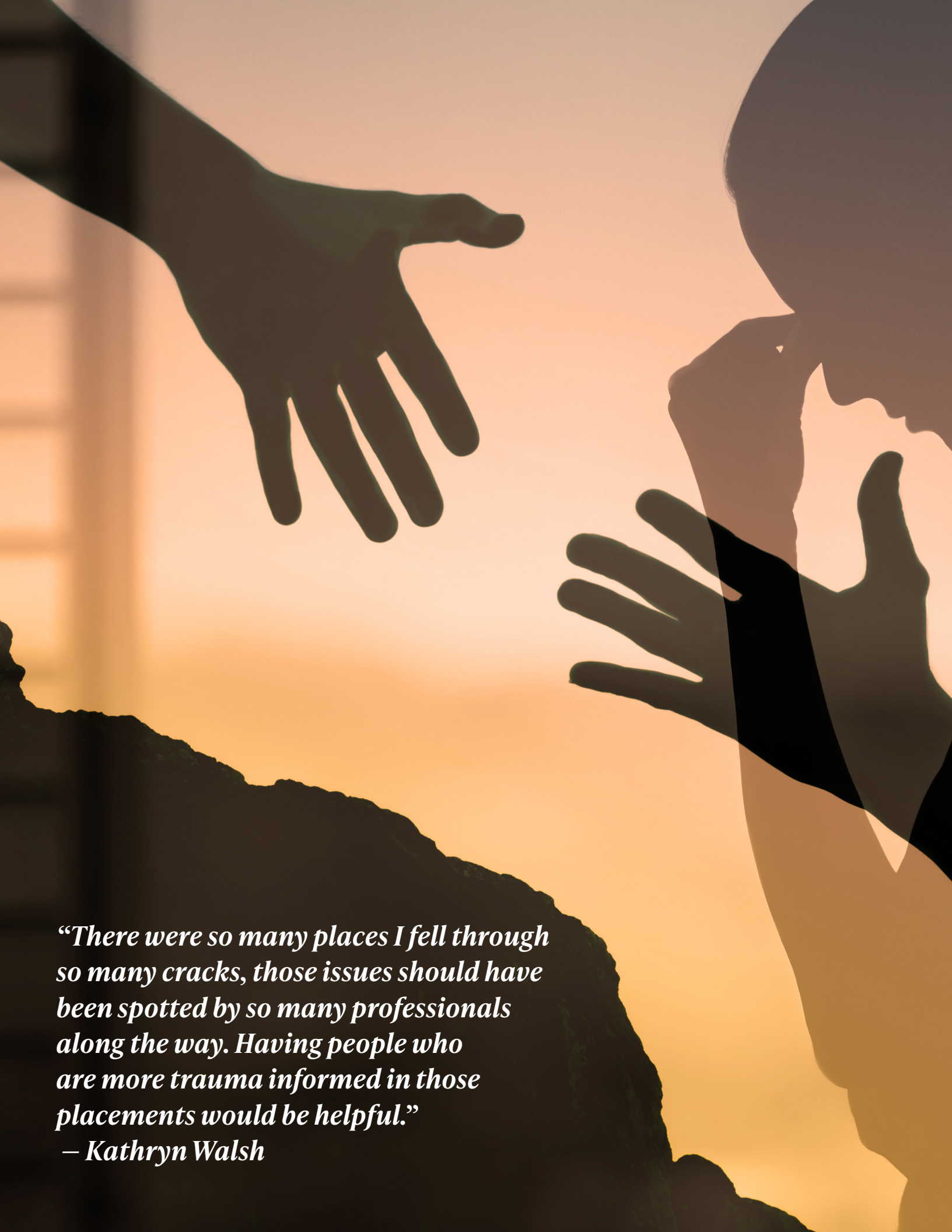
> *"There's a lot of shame, stigma, and embarrassment that survivors carry. That's why they don't talk about it."*
> *— Elizabeth Quiroz*

"Prior to sentencing, I secured a bed in a human trafficking safe house and planned to enter a one-year residential treatment program to begin healing. I also advocated for placement in mental health court or drug court, where completing the program could have reduced my charges and expanded my opportunity to rebuild my life. Instead, I was sentenced to serve a county prison term. While in custody, other inmates relayed messages that my trafficker would be waiting for me upon release. I reported the threats. The response was medication to manage fear, not a coordinated path to protection. The systems meant to protect me did not work together, and the support that could have helped was out of reach. I was left to secure my own safety and future while confined. Incarceration was not a bridge to healing; it was another layer of harm. Once again, my attempts to survive were treated as something to be punished. The impact of that failure continues to shape my life today." — Elizabeth Jimenez



One common theme that our working group identified was the need for training criminal justice and other professionals that engage with trafficking survivors. Training and education efforts should include information on how to identify victims of trafficking and how to engage with victims in a trauma-informed manner. One member of our group discussed the importance of law enforcement screening for trafficking victimization prior to arrest and for it to be taken into consideration during sentencing decisions.

Given the prevalence of trauma among justice-involved individuals, organizational policies and procedures should also be trauma-informed. Involving survivors by seeking their feedback on services and programs can not only ensure our approaches are grounded in the needs and experiences of those most impacted but it can also offer a sense of empowerment, regain their agency and ultimately support their healing.



"There were so many places I fell through so many cracks, those issues should have been spotted by so many professionals along the way. Having people who are more trauma informed in those placements would be helpful."
– Kathryn Walsh

REMOVING BARRIERS TO REENTRY

Survivors reentering the community after incarceration experience a number of barriers that can have long-term impacts on their lives. A criminal conviction as well as being on probation or parole can create challenges in finding and maintaining employment or accessing vocational or other professional training opportunities. Survivors may also be responsible for paying fines or restitution as the result of an arrest or conviction. With already limited income and resources, a survivor may have to choose between meeting their basic needs or violating a condition of their release.

When survivors struggle to meet their basic needs and lack an adequate support system, they are often at higher risk for revictimization and reincarceration. To prevent this cycle, reentry planning should begin before release and include coordinated systems that bridge the gap from incarceration to the community. This includes release plans created with the survivor (not for them), ensuring that needs related to housing, transportation, healthcare, education, and income are identified early. "Warm handoffs" (face-to-face introductions when being paired with a new service provider), peer navigation, and survivor mentorship can reduce system navigation burdens and create more trusting pathways into services.

> ***"Nobody understands a survivor but another survivor... A lot of organizations need to hire survivors of all kinds. And it has to be inclusive. And it has to be diverse. And it has to be accessible. Too often, survivors have to jump through hoops just to get through to an organization."***
> ***— Tanisha Murden***

In addition to providing trauma-informed services at every point of the justice system, our working group identified several important strategies to reduce barriers upon release. One consistent theme was clear: Survivors with lived experience must be engaged in designing, delivering, and evaluating reentry programs. Their insight not only improves service quality but also increases survivor engagement, reduces stigma, and creates culturally responsive support that honors dignity and autonomy. When survivors lead, systems become more humane, accessible, and effective.

In order to understand the unique needs and challenges, justice-involved trafficking survivors must be involved at various points of the system. As one member of our group noted, the justice system does not always take into consideration the context of domestic violence or trafficking during charging or sentencing. When agencies hire those with lived experience and when they are included in conversations with decision-makers and funders, we are more likely to identify these gaps and adapt our approaches to better support survivors.

Survivors provide insight that victim service professionals alone cannot fully capture. Many of the gaps found within policy reform, reentry programming, court involvement, and community services stem from the absence of survivor voices in decision making. When survivors are present – not as tokens, but as partners, consultants, mentors, trainers, and leaders – programming becomes more realistic, more accessible, and more responsive to trauma. Lived experience helps identify barriers others may overlook, and it reminds systems to approach survivors with dignity, compassion, and cultural humility rather than judgment or assumptions.

Our group also emphasized the importance of connecting survivors with services and resources in preparation for and at the time of reentry. Ensuring survivors have access to mental health care, substance abuse treatment, accessible transportation, job readiness, legal support and life skills education (i.e., financial literacy, healthy relationships, etc.) can support survivors in successfully reintegrating into their community. Our working group discussed the need for community reentry housing that is designed for survivors, recognizing that shelters may not be accessible to individuals with a criminal record and other reentry housing may not be safe from abusers or traffickers.

MEETING SURVIVORS WHERE THEY ARE

A common theme with survivors of all kinds of crimes is feeling distrust toward the criminal justice system. This can be due to previous experiences with law enforcement or negative connotations around engaging with service providers. During our listening session, the concept of meeting survivors where they are in their journey came up numerous times. Simply put, this means that instead of pushing our own opinions about the healing process onto survivors, we have to let them guide their own experiences. This can mean a different approach to healing than what we might feel is the "right" way.

Our working group discussed concrete tools and knowledge that they needed after incarceration, such as access to bank accounts, support getting identification documents, and housing. All of these had to be in place before they could begin working through the trauma they experienced. It is critical for service providers to recognize this and provide wraparound support before trying to address trauma.

In short, this means putting survivors first. As several of our experts recounted, the "system" wasn't there for them when they needed it. But it doesn't have to be that way. Survivors of trafficking are, by and large, doing what they feel is necessary to survive. It's incumbent on victim service providers and others dedicated to helping survivors to do everything in their power to make them feel seen, heard, and, most importantly, acknowledged

> ***"We have to address all aspects of one's life when working with survivors of trafficking; it all goes hand in hand."***
> ***— Elizabeth Quiroz***

Many trafficking survivors have spent years experiencing more victimization than most people experience in a lifetime. As can be seen by the examples outlined in this report, this unique type of victimization can lead to compounded consequences, such as isolation, forced criminality, and even incarceration.

"I was so ashamed of my past that I was never willing to work on my trauma until I learned that there is no such thing as a child prostitute and I was finally able to overcome my past." –Kathryn Walsh

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