

Compounding Institutional Exclusion and Harm: A case study of federally funded Alaskan anti-trafficking service providers

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Abstract

Federal funds for human trafficking victim programmes and services in the United States have increased from approximately USD 10 million in 2002 to more than USD 90 million in 2022. This increase in fund availability, however, has not necessarily translated into meaningful or accessible services for trafficking survivors. This paper examines the distribution of Department of Justice anti-trafficking funds through the Office for Victims of Crime (OVC), particularly looking at OVC recipients in Alaska. It highlights certain trends in OVC funding in the state, including changes in funding distribution, the emphasis on task force creation and collaboration between service providers and law enforcement, and discussions of equity and inclusion. The paper further explores institutional mechanisms of exclusion and harm of some victims, complexities in collaborating with law enforcement, criminalisation of trafficking survivors, and criteria to qualify for services. As the reality faced by trafficking survivors does not always align with OVC narratives, these mechanisms are illustrated through the experiences of a sex trafficking survivor who has been turned away as not qualifying for services by many of the OVC funded providers in Alaska. The paper concludes by exploring the implications of this research for policymakers and service providers.

Keywords: sex trafficking, federal funding, institutional harm, Alaska

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Introduction

Ajela Banks was first trafficked at sixteen while in custody of the State of Alaska. In 2018, at age eighteen, despite repeatedly asking law enforcement for help, she was shot three times by her trafficker and left for dead. Now, the person who trafficked her calls her from jail, threatening her life if she does not revoke her testimony in his trafficking case. His associates come to her apartment and threaten her. Her sister has been missing since September 2023 and Ms Banks has received texts that her trafficker had her sister raped and murdered. These threats also say that she will be next if she does not do what the trafficker tells her. Despite over USD 10 million in anti-trafficking funding flowing into Alaska between 2019 and 2024, Ms Banks has not been able to receive meaningful assistance from any local agency in her efforts to save her own life.

What are the mechanisms that keep trafficking victims like Ms Banks from receiving services supposedly made for them? What institutional accountability explains how the USD 12 million in federal victim services funds have been spent in Alaska over the last ten years? What do a plethora of victim service funds mean if survivors cannot access them? This paper explores these questions by looking at Alaska's victim services and considers Ms Banks' experiences to illustrate contradictions in anti-trafficking funding policies and the lived experiences of one supposed beneficiary of these state-funded interventions. It is part of an ongoing and overarching research project evaluating the distribution of anti-trafficking funds by the federal Office of Victims of Crime (OVC) and the projects that result from their grants. Ms Banks' experiences highlight the mechanisms of criminalisation and corruption that foster institutional exclusion and compound harm. Federal funding and nonprofit impact reports create narratives of inclusive victim services, but the criminalisation of victims, exclusionary institutional processes, and federal funding requirements end up empowering institutions more than survivors.

In the remainder of the paper we review the critiques of US anti-trafficking approaches, give a descriptive overview of the use of the OVC funds nationally, and then focus on a case study of Alaska's OVC funding distribution and recipients. To exemplify the institutional exclusion and harm discussed in the paper, we outline Ajela Banks' experiences as a trafficking survivor in Alaska and her interactions with these federally funded victim service organisations as an "everyday world" analysis of policy implementation for uncovering hidden dimensions of state regulations as they are manifest in the daily experiences of women whose lives are organized in relationship to the specific features of... policy.¹ We conclude with suggestions for policymakers and service providers

¹ N A Naples, 'Bringing Everyday Life to Policy Analysis: The Case of White Rural Women Negotiating College and Welfare', *Journal of Poverty*, vol. 2, issue 1, 1998, pp. 23–53, p. 24, https://doi.org/10.1300/J134v02n01_02.

in light of the institutional mechanisms illustrated here.

The United States Approach to Human Trafficking

The *Trafficking Victims Protection Act* of 2000 (TVPA) inscribed ‘human trafficking’ as a crime in US law and outlined anti-trafficking approaches that remain contested.² Human trafficking is ‘the exploitation of a person for the purpose of compelled labor or commercial sex through the use of force, fraud, or coercion’, as described by the TVPA.³ This legal definition centres around the use of ‘force, fraud, or coercion’ to exploit a person through forced work or commercial sex and distinguishes between labour trafficking and sex trafficking. US federal law stipulates that any minor engaged in commercial sex is automatically categorised as a trafficking victim, whether or not there is any presence of force, fraud, or coercion by another person.⁴ Commercial sex is defined broadly as a sex act on account of which anything of value is given or received. This paper refers to broader definitions of sex trafficking (in which there is no one to charge with the crime of trafficking) as non-criminal definitions and specifies criminal definitions as those that include the criminal elements and presence of force, fraud, coercion, or minors as included in the US federal criminal definition.

Anti-trafficking policy and approaches have varied, as the concept of ‘human trafficking’ was formalised into national and international laws. In general, the criminal approach focuses on the prosecution of traffickers, while the human rights approach centres on providing services for victim recovery and trafficking prevention.⁵ Neo-abolitionism focuses on eradicating the sex industry by ‘rescuing’ women who sell sex and prosecuting traffickers and clients. Despite ongoing critiques, this approach remains favoured by the US today.⁶

² For more critical review of these approaches see, for example, R Andrijasevic and N Mai, ‘Editorial: Trafficking (in) Representations: Understanding the Recurrent Appeal of Victimhood and Slavery in Neoliberal Times’, *Anti-Trafficking Review*, issue 7, 2016, pp. 1–10, <https://doi.org/10.14197/atr.20121771> or J Dahlstrom, ‘Elastic Meaning(s) of Human Trafficking’, *California Law Review*, vol. 108, issue 2, 2020, pp. 379–437, <https://doi.org/10.15779/Z38T727G6S>.

³ Department of Health and Human Services, ‘What Do We Mean by Human Trafficking?’, retrieved 10 December 2023, <https://nhhtac.acf.hhs.gov/soar/eguide/stop/what-is-trafficking>.

⁴ United States Congress, *Trafficking Victims Protection Act of 2000*, Pub. L. 106–386, 114 Stat. 1464, codified as amended at 22 U.S.C 7101 § 1470.

⁵ S Demeke, ‘A human rights-based approach for effective criminal justice response to human trafficking’, *Int J Humanitarian Action*, issue 9, 2024, <https://doi.org/10.1186/s41018-023-00143-4>.

⁶ J A Chuang, ‘Exploitation Creep and the Unmaking of Human Trafficking Law’, *The American Journal of International Law*, vol. 108, issue 4, 2014, pp. 609–649, <https://doi.org/10.1017/S0021871814000000>.

The contemporary neo-abolitionist approach has been criticised by scholars, activists, workers, and survivors as emphasising collaboration with and expansion of law enforcement in dangerous and counterproductive ways. Expansion of police forces in the name of anti-exploitation movements increases state surveillance of marginalised communities, augmenting interactions between law enforcement and groups most likely to face violence and discrimination at the hands of police.⁷ The US has faced criticism for an ongoing problem of arresting trafficking victims rather than identifying them and equipping them with resources to remove themselves from exploitative situations.⁸ Marginalised workers who are more likely to have negative or violent interactions with police, including migrant workers and sex workers, may have valuable information about trafficking realities in their industries. Rather than increasing victim identification, negative interactions with law enforcement discourage workers, survivors, and trafficking first responders like clients from coming forward with information on trafficking.⁹

The state's construction of 'ideal victims' has also been criticised by scholars as contributing to victim exclusion and mistreatment by law enforcement and other institutional actors.¹⁰ This body of work suggests that victims are often expected

org/10.5305/amerjintlaw.108.4.0609; V Charnysh, P Lloyd, and B A Simmons, 'Frames and Consensus Formation in International Relations: The Case of Trafficking in Persons', *European Journal of International Relations*, vol. 21, issue 2, 2015, pp. 323–351, <https://doi.org/10.1177/1354066114530173>.

⁷ M Ditmore, *The use of raids to fight trafficking in persons*, Sex Workers Project, 2009; S Dewey and T St. Germain, "It depends on the cop": Street-based sex workers' perspectives on police patrol officers', *Sexuality Research and Social Policy*, vol. 11, 2014, pp. 256–270, <https://doi.org/10.1007/s13178-014-0163-8>; V Odnokova *et al.*, 'Police sexual coercion and its association with risky sex work and substance use behaviors among female sex workers in St. Petersburg and Orenburg, Russia', *International Journal of Drug Policy*, vol. 25, issue 1, 2014, pp. 96–104, <https://doi.org/10.1016/j.drugpo.2013.06.008>.

⁸ K Mogulescu and L Goodmark, 'Surveillance and Entanglement: How mandatory sex offender registration impacts criminalised survivors of human trafficking', *Anti-Trafficking Review*, issue 14, 2020, pp. 125–130, <https://doi.org/10.14197/atr.2012201410>.

⁹ A Lutnick, *Domestic Minor Sex Trafficking: Beyond Victims and Villains*, Columbia University Press, New York, 2016; J Musto, 'Domestic Minor Sex Trafficking and the Detention-To-Protection Pipeline', *Dialectical Anthropology*, vol. 37, issue 2, 2013, pp. 257–276, <https://doi.org/10.1007/s10624-013-9295-0>; C A Torres and N Paz, *Bad Encounter Line: How Youth in the Sex Trade and Street Economy Are Turned Away From Systems Meant to Help Us & What We Are Doing to Fight Back*, Young Women's Empowerment Project, 2012.

¹⁰ A Forringer-Beal, 'Why the "Ideal Victim" Persists: Queering representations of victimhood in human trafficking discourse', *Anti-Trafficking Review*, issue 19, 2022, pp. 87–102, <https://doi.org/10.14197/atr.201222196>.

to be ‘blameless’ or ‘passive’, and victims who are young and female are more likely to be identified as such.¹¹ White women are disproportionately represented in media narratives of sex trafficking victims.¹² Victims who appear to be under the total control of a trafficker are more often viewed as ‘worthy’ of assistance, while others are seen as less deserving.¹³ Perceptions of gender, race, nationality, and autonomy thus impact who is included in assistance programmes and who is perceived as a ‘real victim’.

Methodology

This project began with an exploratory review of the OVC’s distribution of federal anti-trafficking funds. We evaluated the DOJ’s publicly available list of OVC-Funded Human Trafficking Services Grantees and Task Forces, particularly around geographic and demographic distribution, major recipients, and funding over time. Between 2004 and 2023, the OVC opened 123 grant solicitations for anti-human trafficking funds and awarded 1,069 grants.¹⁴ We evaluated both the grant solicitations and awarded grants. The grant solicitations and list of grantees are publicly available, though not compiled before this project (as far as we could identify) around geographic, demographic, or topical distributions.

We categorised the 123 grant solicitations into categories of funding distribution, amended from the OVC’s fourteen organisational categories of anti-trafficking

¹¹ M Wilson and E O’Brien, ‘Constructing the ideal victim in the United States of America’s annual trafficking in persons reports’, *Crime, Law and Social Change*, vol. 65, 2016, pp. 29–45, <https://doi.org/10.1007/s10611-015-9600-8>; E Long and E B Dowdell, ‘Nurses’ Perceptions of Victims of Human Trafficking in an Urban Emergency Department: A Qualitative Study’, *Journal of Emergency Nursing*, vol. 44, issue 4, 2017, pp. 375–383, <https://doi.org/10.1016/j.jen.2017.11.004>; S Majic, ‘Beyond “Victim-Criminals”’: Sex Workers, Nonprofit Organizations, and Gender Ideologies’, *Gender & Society*, vol. 28, issue 3, 2014, pp. 463–485, <https://doi.org/10.1177/0891243214524623>.

¹² L M Agustín, ‘Migrants in the Mistress’s House: Other Voices in the “Trafficking” Debate’, *Social Politics: International Studies in Gender, State & Society*, vol. 12, issue 1, 2005, pp. 96–117, <https://doi.org/10.1093/sp/jxi003>; R Austin, ‘Human Trafficking in the Media: A Content Analysis on Human Trafficking Frames in Documentaries, Movies, and Television Episodes’, Northeastern University Master’s Thesis, 2016, <https://repository.library.northeastern.edu/files/neu:cj82n4337>.

¹³ J Srikantiah, ‘Perfect Victims and Real Survivors: The Iconic Victim in Domestic Human Trafficking Law’, *Boston University Law Review*, vol. 87, 2007, pp. 157–211.

¹⁴ Office for Victims of Crime, ‘Matrix of OVC-Funded Human Trafficking Services Grantees and Task Forces’, retrieved 10 December 2023, <https://ovc.ojp.gov/matrix-ovc-funded-human-trafficking-services-grantees-and-task-forces>.

funding based on the grant solicitation list.¹⁵ The OVC's fourteen categories were either used directly or, when appropriate, compiled together into one category. Based on the grant solicitations, we inductively created additional categories of 'Law Enforcement Victim Specialists', 'Hotline Support', 'Discretionary Funds', and 'Fellowships', when these were noted in the solicitation title and primary goal. The final categories were applied by two coders, and each of the grant solicitations were categorised based on the stated primary goal and the victim community served (if specified).¹⁶

In evaluating the list of awarded grants, we compared the total number and amount of grants per state against population information and between states. We selected Alaska as a case for this paper based on the high level of funding offered compared to the low number of identified victims and the short list of organisational recipients for these funds, as well as on one of the authors' experience as an advocate and researcher in Alaska. Another of the authors, Ms Banks, has lived experience as a young Black sex trafficking survivor charged federally with conspiracy to commit sex trafficking.

The lenses of researcher, advocate, and survivor offer a unique and layered perspective on the institutional mechanisms at play in Alaska's case. These layered methods build on previous scholars' work which has created grounded theory examining the socio-political contexts of lived experience.¹⁷ These multiple

¹⁵ Office for Victims of Crime, 'Human Trafficking: Grants and Funding', <https://ovc.ojp.gov/program/human-trafficking/grants-funding>.

¹⁶ These final categories include General Services (which includes the OVC categories 'Comprehensive Services for Victims of All Forms of Human Trafficking Program', 'Field-Generated Innovations in Assistance to Victims of Human Trafficking Program', 'Improving Outcomes for Child and Youth Victims of Human Trafficking Program', and 'Services for Victims of Human Trafficking Program'), Specialised Services ('Field-Generated Strategies to Address the Criminalization of Minor Victims of Sex Trafficking', 'Integrated Services for Minor Victims of Human Trafficking', 'Project Beacon: Increasing Services for Urban American Indian and Alaska Native Victims of Sex Trafficking Program', and 'Services for Minor Victims of Labor Trafficking'), Training and Technical Assistance (based on the OVC description of 'Human Trafficking Training and Technical Assistance Program'), Legal Services ('Increasing Legal Access to Victims of Crime Program'), Prevention (based on 'Preventing Trafficking of Girls'), Task Force Support (based on 'Enhanced Collaborative Model to Combat Human Trafficking Program'), Housing ('Housing Assistance Grants for Victims of Human Trafficking'), Law Enforcement Victim Specialists, Hotline Support, Discretionary Funds, and Fellowships.

¹⁷ C Rambo Ronai, 'The Next Night Sous Rature: Wrestling With Derrida's Mimesis', *Qualitative Inquiry*, vol. 5, issue 1, 1999, pp. 114–129, <https://doi.org/10.1177/107780049900500106>; C Ellis and M Flaherty (eds.), *Investigating Subjectivity: Research on Lived Experience*, Sage Publications, Newbury Park, 1992.

lenses have contributed to this project's structure and methodology, in the choice to centre a survivor's experience (particularly, that of a survivor who has been excluded from many of these institutional structures) in storytelling to illustrate the mechanisms this research examines. The authors are currently pursuing additional case studies based on the exploratory research into OVC funds for future projects. The following section provides a descriptive overview of findings of the research on OVC funds and aims to contextualise the Alaska case study and Ajela Banks' story in a national picture.

Limitations

One survivor's story is a small sample, but Ms Banks' lived experience demonstrates the impact of the local and state institutional mechanisms that are already visible at the federal level. Her narrative here is not intended to indict any particular organisations, but to illustrate a survivor's experiences under funded programmes that are incentivised to prioritise institutional processes over survivor agency. The reality is not necessarily better when examining service providers outside of federally funded projects, and Ms Banks is not the only sex trafficking victim in Alaska sharing stories of corruption, exploitation, and exclusion by Alaskan law enforcement and victim service providers.¹⁸

The organisations mentioned in this paper are not a comprehensive list of all services that trafficking survivors may explore in Alaska and do not necessarily represent the institutional mechanisms or accountability structures in all states. However, by examining the difference in reality and survivor experiences compared to what is suggested 'on paper', this case highlights some institutional mechanisms and methodologies for evaluation that can be relevant to other states and organisations. This paper aims to centre the experiences of survivors not only in discussion but also as a methodological orientation about how scholars and funders evaluate the impact of anti-trafficking grants in different areas.

The OVC recipients we researched did not provide specific grant reports or additional financial information beyond what is publicly available, although we did reach out to each organisation asking specifically about the distribution of these funds. The findings in this project also do not represent a comprehensive survey of all service recipients or all applicants to these services, and it is not within the scope of this project to speak to what percentage of survivors of criminal or non-criminal sex trafficking are turned away from these services or for what reasons. Currently, federal agencies and scholars rely heavily on information

¹⁸ A Nickerson, 'Dicey Pricey - The Tale of Priceless – Where Does the Money Go in a Well Funded Church Organization?', *This Is How We Rise*, 28 February 2023, <https://amberbattsblog.com/2023/02/28/diceypricey>.

self-reported by organisations, a constraint in these accountability systems that this research does engage with.

Anti-Trafficking Funds: Findings from the Office for Victims of Crime (OVC) grants

Established in 1988, the OVC is charged by Congress with administering the Crime Victims Fund which funds programmes and services intended to assist victims in the immediate aftermath of crime and offer continued support. This includes ‘victim compensation and assistance’ and ‘training, technical assistance, and other capacity-building programmes designed to enhance service providers’ ability to support victims of crime’.¹⁹ Of the approximately USD 500 million that the OVC distributed in 2020, about USD 85 million went to anti-trafficking projects.²⁰ With the 9,854 clients that the OVC estimated to have served through OVC-funded organisations in 2020, this comes to around USD 8,600 per survivor service recipient.²¹ The OVC acknowledges that the number of estimated clients is high and likely to include overlap in data reported by grantees that receive both *Victims of Crime Act* and OVC funding.

There is no standardised distribution of OVC anti-trafficking funds across the US. In addition to the 50 states and the District of Columbia, US territories (namely Guam, Puerto Rico, and the Northern Mariana Islands) receive OVC funds. Cumulatively, these territories receive more funds per capita than other areas of the United States. Delaware, Washington D.C., and Alaska are the only other areas to receive more than USD 1 per capita (\$1.45, \$1.37, and \$1.03, respectively). Though having a high percentage of white populations in the state does not correlate with receiving more funding, having a high percentage of Black populations does correlate with lower per capita funding. Washington D.C. (45% Black) was the only area with a high percentage of Black population to receive more than USD 1 per capita in funds. The other states with over 25% of their population described as Black were Mississippi (38%), Georgia (32%), Louisiana (32%), Maryland (30%), Alabama (27%), and South Carolina (27%) which received between \$0.06 and \$0.24 per capita.

¹⁹ Office for Victims of Crime, ‘About’, <https://ovc.ojp.gov/about>.

²⁰ Office for Victims of Crime, *On Ongoing Commitment to Victims of Human Trafficking*, 2020, p. 3, <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/ovc-tims-report-508.pdf>; Office for Victims of Crime, *FY 2007 – FY 2024 Crime Victims Fund Annual Receipts and Cumulative Monthly Deposits (\$ Millions) (as of 10/1/2023)*, p. 2, <https://ovc.ojp.gov/about/crime-victims-fund/fy-2007-2024-cvf-annual-receipts.pdf>.

²¹ Office for Victims of Crime, 2020, p. 3.

The full list of OVC anti-trafficking fund awards includes over 1,000 grants distributed to hundreds of recipients since the OVC began distributing human trafficking programme grants in 2004. The national organisations which received the most OVC funds (when branches across the nation were combined) were the non-profit International Rescue Committee (approximately USD 32.6 million over 47 grants) and faith-based organisations The Salvation Army (approximately USD 21.1 million over 34 grants) and Catholic Charities (approximately USD 13 million over 21 grants). The highest single amount given was an USD 8 million grant given to Equal Justice Works based in Washington D.C. There have been seven other grants over USD 2 million and twenty-three grants between USD 1 and USD 2 million, but the majority (95%) of OVC grants are between USD 100,000 and USD 1 million.

The 123 solicitations for OVC grants were qualitatively coded into twelve categories (see Table 1 below). Some of these more focused categories (Prevention, Law Enforcement Victim Specialists, Task Force Support, and Hotline Support, specifically) are noticeably introduced in later years. The funding for task force creation and expansion highlights the federal norm of encouraging collaboration with law enforcement and the preference for using task forces as an anti-trafficking policy model.²²

Table 1 shows the change in the distribution of OVC funds over time, illustrating the introduction of new categories, the focus on funding task forces, and specialised services. While these figures only show the percentage of OVC funding distribution, Table 1 breaks down these categories over the two time periods, illustrating the overall increase in OVC funding and the special focus on general and specialised services and task force support. The following section breaks down the OVC grants that have been distributed in Alaska, looking more closely at the funded organisations that have offered services to survivors like Ms Banks.

Table 1: OVC Funding Distribution

(shows total amount of all funds per category)

Distribution of Funds	2005–2015	2016–2023	Increase
Discretionary	\$6,205,109	\$47,849,999	671%
Fellowships	\$447,056	\$960,272	115%
General Services	\$35,811,297	\$264,135,423	638%
Hotlines	--	\$15,999,966	--
Housing	--	\$34,920,001	--

²² *Ibid.*, p. 3.

Legal Services	\$5,290,398	\$16,967,740	221%
LE Victim Specialist	--	\$21,831,779	--
Prevention	--	\$11,084,103	--
Specialised Services	\$8,432,381	\$400,628,554	4651%
Task Force	--	\$126,267,175	--
Technology	--	\$7,989,675	--
Training and Technical Assistance	\$999,982	\$22,136,451	2114%
Other	--	\$7,998,328	--

The solicitations for OVC grants follow a similar structure that allows applicant organisations to outline the nature and scope of the problem they aim to address, contextual information about their community, and specific objectives for their project. OVC grants rely on federally selected performance measures, self-reported by the grantee, to understand the impact and efficacy of the distributed funds.²³ These performance measures differ slightly between categories of OVC solicitation but are consistently centred around quantitative metrics (number of members in a task force, number of trainings, number of victims who received services, etc.).²⁴ Qualitative evaluation (for example, feedback from people with lived experience) are included but make up a minority of prompts.²⁵

Anti-Trafficking Funds: A closer look at Alaska

Six Alaskan organisations have received funds from the OVC: one corporation (the Alaska Housing Finance Corporation), one city government agency (the Municipality of Anchorage), and four nonprofits (Covenant House of Alaska, the Alaska Institute for Justice, the Alaska Native Justice Center, and the Alaska Native

²³ Office for Victims of Crime, 'How Are Performance Measures Reported?', retrieved 4 March 2024, <https://ovc.ojp.gov/funding/performance-measures/reporting-performance-measures#1-0>.

²⁴ Office for Victims of Crime, 'Human Trafficking Grantee Performance Measures', <https://ovc.ojp.gov/funding/performance-measures/human-trafficking>.

²⁵ See, for example, the measures and questionnaire completed by grants received under the 'Enhanced Collaborative Task Force Grant Program' or the 'Human Trafficking Victim Service Provider'. Office for Victims of Crime, *Enhanced Collaborative Model Task Force To Combat Human Trafficking Law Enforcement Performance Measures*, <https://ovc.ojp.gov/funding/performance-measures/human-trafficking/enhanced-collaborative-model-law-enforcement-questionnaire.pdf>; Office for Victims of Crime, *Human Trafficking Victim Service Provider Performance Measures*, <https://ovc.ojp.gov/funding/performance-measures/human-trafficking/human-trafficking-performance-measures-questionnaire.pdf>.

Women’s Resource Center.) The Alaska Native Justice Center has received by far the most OVC funds, approximately USD 4.6 million between 2019 and 2022. The Alaska Institute for Justice received approximately USD 2.8 million in the ten years between 2012 and 2022, while Covenant House and the Alaska Housing Finance Corporation received USD 1.75 and USD 1.3 million, respectively. The City of Anchorage and the Alaska Native Women’s Resource Center each received the smallest grants, between USD 750,000 and 800,000.

Table 2: OVC Recipients in Alaska

Recipient	Total Amount	Grant Year	Grant Amount	Title
Alaska Housing Finance Corporation	\$1,300,000	2022	\$800,000	Alaska Survivors Assistance for Escaping Trafficking (SAFE-T) Assistance Network
		2020	\$500,000	Alaska Housing Finance Corporation Housing Assistance Grants for Victims of Human Trafficking Response
Alaska Institute for Justice	\$2,849,928	2022	\$800,000	Promoting Racial Equity through Specialized Legal Services for Underserved Alaska Victims of Human Trafficking
		2019	\$650,000	Specialized Legal Services to Support Victims of Human Trafficking in Rural Alaska Communities
		2016	\$600,000	Specialized Legal Services and Language Access Services for Unserved and Limited English Proficient Labor Trafficking Victims in Anchorage, Alaska
		2013	\$400,000	Statewide Comprehensive Services for All Adult and Minor Victims of Human (Sex and Labor) Trafficking in Alaska
		2012	\$399,928	Alaska Victim Legal Assistance Network of Ten Partner Agencies to Develop Comprehensive, Collaborative Model for Delivering Wraparound Legal Assistance to Crime Victims
Alaska Native Justice Center, Inc.	\$4,578,987	2023	\$950,000	Dezhuni el Survivor Services
		2021	\$750,000	Strengthening Services Through Action
		2020	\$2,428,987	ANJC 2020 Tribal Victim Services
		2019	\$450,000	Mat-Su Trafficking Victim Services (MSTVS)
Alaska Native Women’s Resource Center	\$800,000	2019	\$800,000	Alaska Native Tribes’ Victims of Crimes Specific TA, Training and Outreach
Anchorage Municipality	\$749,755	2021	\$749,755	Strengthening Services through Action; Anchorage Enhanced Collaborative Model Task Force to Combat Human Trafficking

Covenant House of Alaska	\$1,750,000	2020	\$750,000	Covenant House Alaska Services for Victims of Human Trafficking: Enhancing Scope of Service
		2020	\$500,000	Covenant House Alaska's Housing Assistance Grant for Victims of Human Trafficking
		2019	\$500,000	Anchorage Minor Victims of Human Trafficking Service Coordination Project

Only Covenant House, the Alaska Institute for Justice, and the Alaska Native Justice Center primarily act as direct victim service providers, although the Alaska Housing Finance Corporation received two grants specifically to provide housing support for trafficking victims. Beginning in 2021, the Alaska Housing Finance Corporation's financial records show USD 36,000 (2021), USD 236,000 (2022), and USD 243,000 (2023) as grants labelled for the category 'Victims of Human Trafficking', accounting for USD 515,000 of the USD 1.3 million they have received from the OVC in 2020 and 2022.²⁶ Ms Banks has asked for services from each of these organisations, particularly pursuing assistance with long-term housing, legal services, and safety. This is discussed later in the paper.

The respective organisations' size and their expenses can impact what receiving large grants means for them. For Covenant House Alaska, the largest OVC grant was a 2020 USD 1.25 million grant. This marks about 10% of their total revenue that year (USD 12.8 million).²⁷ The Alaska Institute for Justice's largest award was an USD 800,000 grant in 2022, which was 47% of their revenue that year.²⁸ The Alaska Native Justice Center's highest award was a USD 2.4 million grant in 2020, or 69% of their total revenue that year (approximately USD 3.5 million).²⁹ The Alaska Native Women's Resource Center received one OVC grant of USD 800,000 in 2019 that marked 56% of their total revenue that year.³⁰

²⁶ Alaska Housing Finance Corporation, *Financial Statements*, 2021, p. 41, <https://www.ahfc.us/application/files/1716/3476/3336/210630-AHFC-Audited-Financials.pdf>; Alaska Housing Finance Corporation, *Financial Statements*, 2022, p. 47, <https://www.ahfc.us/application/files/1716/6458/5556/2022-06-30-fin-stmts-ahfc-audited.pdf>; Alaska Housing Finance Corporation, *Financial Statements*, 2023, p. 43, <https://www.ahfc.us/application/files/8816/9696/1107/2023-06-30-fin-stmts-ahfc-audited.pdf>.

²⁷ ProPublica, 'Covenant House Alaska', <https://projects.propublica.org/nonprofits/organizations/133419755>.

²⁸ ProPublica, 'Alaska Institute for Justice', <https://projects.propublica.org/nonprofits/organizations/562533062>.

²⁹ ProPublica, 'Alaska Native Justice Center Inc.', <https://projects.propublica.org/nonprofits/organizations/920145727>.

³⁰ ProPublica, 'Alaska Native Women's Resource Center', <https://projects.propublica.org/nonprofits/organizations/474099129>.

Alaska has received more OVC funds for human trafficking per capita than most OVC recipient geographic areas, but this is not a result of nor has it led to an increase in identified trafficking victims in the state. Since 2019, the Alaska Department of Public Safety reported 6 cases of sex trafficking (one in 2020, one in 2021, and four in 2023) and no cases of labour trafficking.³¹ This reflects the total number of trafficking cases reported to law enforcement agencies. All of the listed grantees are mandated reporters of crimes against minors, which means that these numbers should reflect reports of all minor sex trafficking survivors who have received services from OVC-funded organisations.

Research on federal cases charged in Alaska through the Department of Justice US Attorney's Office presents a slightly different picture: In 2022 and 2023, there were no cases charged; in 2021 there was one case charged that involved a minor victim being paid by a man who molested her; in 2020 there were no cases; in 2019 there were four cases charged involving nine victims; in 2018 no cases; in 2017 one case with two fictitious minors;³² in 2016 one case with approximately six victims. Prior to that, the last federal case was in 2009, when another young Black sex trafficking survivor was charged federally with conspiracy to commit sex trafficking.³³

Despite the low number of criminal cases of sex trafficking reported to law enforcement or charged, NGOs using their own, non-criminal definitions of sex trafficking report higher numbers. A recent data summary report found that Covenant House, who are mandated reporters serving youth, identified 27 new sex

³¹ 2019 was the first year that 'sex trafficking' was categorised separately within the Uniform Crime Report, and subsequently the first year that these numbers were available for Alaska. Alaska Department of Public Safety, *Crime in Alaska Supplemental Report: Felony Sex Offenses*, 2022, p. 18, <https://dps.alaska.gov/getmedia/990f8ea2-aaab-4017-ac17-a7e439ed294e/Felony-Level-Sex-Offenses-2022>; Alaska Department of Public Safety, *Crime in Alaska Supplemental Report: Felony Sex Offenses*, 2021, <https://dps.alaska.gov/getmedia/6c564858-ce5b-442e-9203-cd36cbe33cde/Felony-Level-Sex-Offenses-2021>; Alaska Department of Public Safety, *Crime in Alaska Supplemental Report: Felony Sex Offenses*, 2020, p. 20, <https://dps.alaska.gov/getmedia/38dd8f78-dd21-48bc-a872-3e9d453f53c3/2020-Felony-Level-Sex-Offenses>.

³² Under US federal law (18 U.S. Code § 1591), it constitutes sex trafficking to patronise a minor engaged in a commercial sex act. In this case, detectives placed an ad online attempting to pimp out two fictitious minors and the defendant agreed to pay for sex with both of them. Alaska Attorney General's Office, 'Anchorage Man Convicted of Attempted Sex Trafficking and Exploitation of Minors', 20 July 2018, <https://www.justice.gov/usao-ak/pr/anchorage-man-convicted-attempted-sex-trafficking-and-exploitation-minors>.

³³ United States Attorney's Office, District of Alaska, 'News', https://www.justice.gov/usao-ak/pr?search_api_fulltext=sex%20trafficking&start_date=01/01/2000&end_date=12/12/2023&sort_by=field_date&page=3.

trafficking survivors in a one-year period, and My House (also mandated reporters serving youth) identified 47. The same report shows that police investigated eight reports of sex trafficking and found seven to be unfounded, identifying only one victim in the one-year period. The Alaska Council on Domestic Violence and Sexual Assault, whose definition of sex trafficking includes ‘commercialized sex; sex trafficking; commercialized vice; seduction; human trafficking; commercial sex acts; and transporting persons for prostitution’, reported serving 37 such presumably adult victims.³⁴

At the March 2024 Alaska Data Summit, which Tara Burns attended, Alaska Assistant Attorney General Chris Darnall explained that the discrepancy between the number of minor victims of sex trafficking reported by mandated reporters and the number reported to police (only 4 in 2022, the last reported year³⁵) is likely due to NGO use of differing and non-criminal definitions of sex trafficking, meaning that there is no trafficker to report to police (or that, if reported, it would not meet the criminal definition of sex trafficking).

Following a statewide task force that existed briefly between 2012 and 2013, the Governor’s Office began in 2021 a statewide Council on Human and Sex Trafficking (CHST). The Municipality of Anchorage also has a Human Trafficking Working Group managed through the mayor’s office.³⁶ The USD 750,000 grant that Anchorage received in 2021 is entitled ‘Strengthening Services through Action: Anchorage Enhanced Collaborative Model Task Force to Combat Human Trafficking’ and describes collaboration between the Anchorage Police Department and the Alaska Native Justice Center to create a human trafficking task force within Anchorage. This is separate from the four grants given directly to the Alaska Native Justice Center between 2019 and 2023.

Substantial federal funding given to Alaska organisations combined with the presence of state and city anti-trafficking task forces (one with federal funding) might suggest a strong institutional response to address human trafficking. As most of the USD 10.7 million Alaska has received from the OVC is marked for

³⁴ Alaska Governor’s Council on Human and Sex Trafficking, *Alaska Trafficking Data Summary Document*, 2024, <https://dps.alaska.gov/getmedia/66080a1e-f3c9-4f3b-b80d-b4d73a6e1305/2024-GCHST-Data.pdf>.

³⁵ Alaska Department of Public Safety, 2022.

³⁶ Alaska Department of Public Safety, ‘Governor’s Council on Human and Sex Trafficking’, <https://dps.alaska.gov/CHST/Home>; Municipality of Anchorage, ‘Human Trafficking Working Group’, <https://www.muni.org/Departments/Mayor/Pages/HumanTrafficking.aspx>; State of Alaska Task Force on the Crimes of Human Trafficking, Promoting Prostitution, and Sex Trafficking, *Final Report and Recommendations*, 2013, <https://www.law.alaska.gov/pdf/admin/021513-TaskForceFinalReport.pdf>.

victim services, stakeholders might assume this institutional response to include a strong system of support for survivors. But human trafficking identification continues to be abysmally low in Alaska; organisations can create exclusionary criteria for who qualifies for their services with little to no accountability. Some OVC grants outline that certain populations must be able to access certain services but do not limit other exclusionary criteria at the organisation's discretion, often unclear until a person inquires about services. Task forces such as the OVC-funded Municipality of Anchorage's Enhanced Collaborative Model Task Force to Combat Human Trafficking and the Alaska State Governor's CHST that are made up of police, prosecutors, and service providers reinforce an already strong pressure for victim service providers to maintain a good relationship with law enforcement, no matter the impact of this on their clients. What kind of experiences for trafficking victims do these combined institutional mechanisms create in spite of or because of such large federal funds? Next, we share Ajela Banks' experiences to illustrate the institutional mechanisms of exclusion that can incentivise organisations to leave certain trafficking survivors out of the loop.

Ajela Banks' Experiences as a Trafficking Survivor in Alaska

Ajela Banks was a victim of trafficking as a minor. At age eighteen, she was placed in a shelter for sex trafficking victims in Alaska run by a church group that has been accused of misuse of funds and other resources meant for trafficking victims.³⁷ Within days of arriving at the shelter, she refused to sexually engage with a detective. In retaliation, he had her kicked out of housing. Homeless again, Ms Banks was quickly targeted for recruitment by new traffickers; anyone who googled her found her missing sexually exploited minor poster, making her an easy target.

Ms Banks and her mother called the police repeatedly begging for protection from her new trafficker, who forced her to engage in prostitution and frequently threatened to kill her. In November 2018, he was arrested for assaulting her, but the case was soon dropped by the prosecution. In December he was released, and on 12 December, he shot Ms Banks three times, leaving her for dead. She was pregnant with his child at the time.

In the hospital, the detective reminded her that she *could* have had his protection, which she understood to mean if she had complied with his sexual advances. Days later, she was arrested and charged federally with conspiring (with her trafficker) to commit sex trafficking. Her testimony helped to convict her trafficker on the federal sex trafficking charges, and she took a plea deal that she was told would allow her to be released from prison to be with her children. She was not advised

³⁷ Nickerson.

that her address would forever be public on the sex offender registry, allowing her trafficker, his associates, and other traffickers to find her.

At the time of this writing, her trafficker continues to call her from jail, threatening her life if she does not recant her testimony in his trafficking case to help with his appeal and testify in his upcoming shooting case that she actually shot herself. His associates have come to her apartment and threatened her. As of March 2024, her trafficker is also facing a murder charge in another case and has been convicted on an escape charge. Ms Banks' sister has been missing since September 2023 and Ms Banks has received text messages with graphic descriptions of violence committed against her sister and threats that the same will be done to her if she does not comply with her trafficker's demands.

Ms Banks has sought assistance from all of the Alaskan organisations who received federal OVC anti-trafficking funds. Before being shot by her trafficker and charged with sex trafficking in 2019, Ms Banks was in contact with the Alaska Housing Finance Corporation and was on track to receive a housing voucher from them. However, the detective whose sexual advances she had rejected called them just days before he arrested her and told them that she would be put on a sex offender registry, making her ineligible for a housing voucher. In every single Alaskan sex trafficking case involving both minor and adult victims since 2009 the adult has been charged with conspiracy to commit sex trafficking.³⁸ Thus, a significant percentage of Alaskan survivors of the crime of sex trafficking may be ineligible to benefit from the USD 1.3 million in anti-trafficking funds that the Alaska Housing Finance Corporation received.³⁹

Covenant House provided Ms Banks with services both before and after her arrest and conviction. However, these services were centred around housing and could not address her needs for safety from her trafficker and others, who could access her address on the sex offender registry, or her legal needs.

Ms Banks contacted the Alaska Institute for Justice in June 2023. She talked to a caseworker who said they would be able to help her with things like a security camera. However, none of the help materialised and she was not able to get back in touch with the caseworker. Later, she spoke with an attorney at the organisation, who told her their legal services were only for immigrants and advised her to call the Alaska Native Justice Center.

³⁸ United States Attorney's Office, District of Alaska, 'News'; See, for example: Polaris Project, 'A Survivor Story: Keyana Marshall', <https://polarisproject.org/survivor-story-keyana-marshall>.

³⁹ In federal sex trafficking cases, judges must order those convicted to register as sex offenders when released. See: Mogulescu and Goodmark.

The Alaska Native Justice Center has received approximately USD 4.5 million in OVC anti-trafficking funds but told Ms Banks in June 2023 that their services were only for Native individuals. On follow up, we learnt that while most of ANJC's services are only for Native individuals, their trafficking services are intended to be available to all trafficking victims. The person we spoke with explained that the receptionist who answered the phone may not have been aware of this.

The Alaska Native Women's Resource Center received USD 800,000 in OVC anti-trafficking funds in 2019. In 2023, they were providing a case worker to sex trafficking survivors who were clients of Covenant House. When asked how she could help Ms Banks, the caseworker explained that she could only offer 'a safe person to talk about these things' and look for 'legal resources to assist you because they do not exist here in Alaska.'⁴⁰ Shortly after that, the caseworker left her role, and Ms Banks never heard from her replacement.

The precarity and danger of Ms Banks' situation has not just been created by traffickers, it has also been shaped by abuse and mistreatment from law enforcement through established institutional mechanisms. Being criminalised as a felon and required to register as a sex offender have eliminated several options for housing and other services, greatly expanded traffickers' access to her, and continue to endanger her life. Despite repeated and urgent requests to all local agencies receiving OVC anti-trafficking funds, Ms Banks has not been able to obtain legal assistance to have her address redacted from the public sex offender registry, to obtain a security system for her home, or receive any other meaningful assistance except for housing assistance through Covenant House.

Individuals at several of these organisations expressed sympathy and concern for Ms Banks' situation, but only one organisation provided direct services, albeit limited. Organisations often justify their procedural decisions with grant requirements, but the end result of the focus on the institutional processes (case management, qualifications for services, participation in task forces, etc.) rather than survivor agency or increased safety is that Ms Banks felt abandoned and did not receive meaningful assistance from the institutions that claimed to be there to protect her and had received millions in funds to do so.

Discussion and Lessons for Policymakers and Service Providers

We are not suggesting that individuals working within service provision organisations or the organisations themselves are intentionally working to neglect or undermine survivors' safety. Rather, we are arguing that organisations are incentivised to create certain institutional practices (exclusive eligibility

⁴⁰ Interview, Inter-agency caseworker, 20 June 2023.

requirements, deference to law enforcement, or engagement in task forces) that result in institutional harm and undermine survivors' wellbeing. This is illustrated by OVC funds aligning with federal norms, particularly by emphasising task force participation linked with law enforcement relationships and relying on self-reported data on case management services and the number of victims served. Agencies like the aforementioned Alaska Council on Domestic Violence and Sexual Assault are incentivised to use very broad non-criminal definitions of sex trafficking to include all commercial sex or 'seduction' in order to serve more clients with anti-trafficking funds.

Institutional issues are difficult to address because they are not represented or solved by just one or two changes. Rather, the layered processes described above combine to create survivors' experiences with institutions. Ms Banks' experiences are not just the result of exclusionary criteria to qualify for services or funding strategically focused on expanding organisations with no accountability to the survivors they claim to serve. Ms Banks encountered institutional obstacles and found that different service providers, law enforcement, and advocacy groups had established organisational relationships that reinforced each other. Rather than placing blame on individual organisations in Alaska, this paper attempts to illuminate the ways that federal funding empowers institutions and the processes they focus on more than it empowers survivors.

The implications of this research for policy and institutions mirror many previous calls for change from scholars, activists, and survivors. The criminalisation of trafficking victims reinforces uneven institutional power dynamics, limits opportunities and autonomy for survivors, and compounds already existing institutional discrimination and harm. Alaska has seen cases of independent sex workers charged with trafficking themselves under state law and other survivors like Ms Banks charged federally with conspiracy to commit sex trafficking and placed on the sex offender registry, which creates barriers to services.⁴¹ Legal services should be made more accessible for all survivors; laws should allow for criminal records to be expunged in trafficking cases, be centred around survivors' needs, and be applied evenly across different groups;⁴² and institutional structures

⁴¹ Case No. 4FA-13-2273CR, Fourth Judicial District at Fairbanks of the State of Alaska, (details anonymised), retrieved 10 December 2023, <https://docs.google.com/document/d/1yP4WBD2qcDb7g3qihIEHSBvIWbmHbx4Y>; T Burns, 'Policing the Oldest Profession', *Anchorage Press*, 21 April 2016, https://www.anchoragepress.com/news/policing-the-oldest-profession/article_af06c496-3866-54bc-a29f-dbc696a29702.html.

⁴² Research has suggested that criminal expungement laws are unevenly distributed based on perceptions of the survivors' 'worthiness' or 'deservingness'. See A Mayo, 'Punishing Criminals or Protecting Victims: A Critical Mixed Methods Analysis of State Statutes Related to Prostitution and Sex Trafficking', PhD Dissertation, Arizona State University, 2014; C N Baker, 'The Influence of International Human Trafficking

should be reformatted to focus on supporting survivors of violence rather than charging them with criminal activity in the first place.

Referral mechanisms intended to connect survivors to services can help in equipping them to navigate complex systems, but they have also been characterised by some as infantilising and are not sufficient.⁴³ In Anchorage, referral/case management is offered by three OVC-funded organisations, with limited housing assistance provided by two and limited legal assistance for immigrants by only one. Referrals are not helpful when services are exclusive or do not meet basic survival needs. In Ms Banks' case, referrals to service programmes that would not accept her were unhelpful, and long waits for temporary housing only further compromised her safety. Especially in places where referral processes already exist, instead of more case management and referral, funders and service providers should focus on extending material and other desperately needed resources and services, such as housing, legal defence, job training and placement, safety planning, and resources for increased safety. How can anti-trafficking funds be used to meaningfully increase trafficking survivors' safety?

Groups and individuals that have had negative interactions with police, which many trafficking survivors have, are put at greater risk when service providers require or pressure them to collaborate with law enforcement or build a dependence on law enforcement within their institutional structure.⁴⁴ More safe avenues of reporting for trafficking survivors who have faced violence at the hands of police need to exist within institutional structures that are not dependent on mandatory contact with law enforcement. Service providers should not require collaboration with law enforcement to provide access to their services and should not deny services to victims who are criminalised by law enforcement.

Separation from law enforcement is not always possible for service providers or community institutions, especially when anti-trafficking task force funding and community credibility require a positive relationship with law enforcement. Being clear with survivors and service recipients about organisational policies regarding collaboration with law enforcement and respectful of all survivors' experiences and preferences with police is essential to respecting clients' autonomy and safety. In Ms Banks' case, a sexually coercive law enforcement officer used victim criminalisation mechanisms against her to create a situation where she was unable to access services, assistance, or safety. Organisational relationships with law enforcement actors through mechanisms like task forces contributed to his success in marginalising her.

on United States Prostitution Laws: The Case of Expungement Laws', *Syracuse Law Review*, vol. 62, 2012, pp. 171–182.

⁴³ Lutnick.

⁴⁴ *Ibid.*; Torres and Paz.

Service providers typically justify exclusionary criteria through the lens of safety or accessibility, but this reinforces uneven power dynamics and further marginalises those already facing discrimination. Exclusion from services based on substance use, criminalised status, stigma, or moral judgements further stigmatise and make vulnerable those already socially and institutionally ostracised, rendering them more likely to be targeted for exploitation in the future. When criminal history can be used to deny basic survival needs for victims, law enforcement gains another level of institutional power that can be individually wielded. While not all service providers can necessarily meet all needs, the coordination between organisations that task forces claim to provide should ensure that no survivor is turned away from services and that the best positioned organisations take responsibility for all survivors asking for assistance.

Community driven mutual aid and peer support programmes should be taken more seriously as victim services, acknowledged as organisations themselves, offered structural support, and invited to join in the institutional networks (like task forces and state-run advocacy groups) that manage referrals, compile data, and make policy suggestions. Mutual aid services provide need-based direct access to income and other support and can increase survivor autonomy undermined by traffickers and, in many cases, institutions. They challenge the institutional status quo and state power exercised through law enforcement, and their omission from formal, state-sponsored anti-trafficking spaces as not being true victim services represents a similar exclusionary pattern that we see perpetuated against survivors. Including these groups would not only expand service and aid options available for survivors but would provide more institutional accountability directly to community organisers. Sex worker groups who provide mutual aid to survivors, such as COYOTE RI, Red Canary Song, SWOP Behind Bars, and Lysistrata receive no federal funding.⁴⁵

At the federal level, the structure of OVC grant reporting focuses on institutional processes and accountability to law enforcement partners rather than survivors. Performance metrics are largely quantitative rather than qualitative, and self-reported, with little other accountability mechanisms. Federal funding distributors should create community accountability systems that allow for survivors, workers, and service recipients to share their experiences with federally funded organisations and grant structures, in addition to the self-reporting system.

⁴⁵ See COYOTE RI, <https://coyoteri.org>; Red Canary Song, <https://www.redcanarysong.net>; Sex Workers' Outreach Project Behind Bars, <https://www.swopbehindbars.org>; and Lysistrata Cooperative, <https://rougesupportnetwork.org/lysistratacoop>.

Conclusion

This paper examined institutional processes that meet federal criteria for anti-trafficking funds through the OVC but fail to protect or empower survivors. It focused on a few organisations in Alaska who have received funds but largely failed to support a trafficking survivor when she needed their help. The authors are continuing to dig further into OVC distribution data, and future research should look at other cases where institutional processes and criteria could be structured differently to create different outcomes for survivors.

Ms Banks' contribution to the paper used a different framework to describe the same institutional processes that the other authors had been discussing around the OVC data, and her narrative allows readers familiar and unfamiliar with these issues to see how they impact survivors in real ways outside of the academic discussion. Ms Burns' experiences advocating for sex trafficking survivors, including another young Black Alaskan sex trafficking survivor who was federally convicted of conspiracy to commit sex trafficking, added credibility and validity by highlighting consistencies between the experiences of Ms Banks and other survivors.

As of July 2024, Ms Banks' life is still in danger. Her trafficker's two felony charges for shooting her have been amended to misdemeanours and the associated charge for violating conditions of release when he shot her has been dismissed by prosecution.

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