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The Road to H.B. 1175: Making Human Trafficking a Crime in the State of Washington, My Story

Velma Veloria,
Washington State Representative, 1993–2004

This article is dedicated to the men, women, and children who are victims of human trafficking and to the people who work to educate the public on this issue and serve those who have been victimized. Thank you for all your work.

In 1995, while Suzanna Remerata Blackwell, her unborn child, and her two friends, Phoebe Dizon and Victoria Laureata, were waiting for the judge to hear Suzanna's plea for divorce inside the King County Courthouse, they were shot to death by Suzanna's husband as he passed through. Suzanna was brought to the United States as a mail-order bride from the Philippines. Upon hearing the news, the Filipino American community in Seattle and the state of Washington were in shock, disbelief, and deeply angered. The media treated the event as a family domestic violence incident. Once their grief turned to anger, the Filipino American community demanded justice.

MAIL-ORDER BRIDES

The Blackwell murder spurred heart-rending community discussions. The community wanted the mail-order bride industry in the state of Washington to be held accountable.

The murders of these Filipina women provoked a strong call for justice for the victims and galvanized efforts to establish the nonprofit Asian Pacific Islander Women and Family Safety Center.

In 1995, I was the chair of the Community, Trade, and Economic Development Committee of the state House of Representatives. As the only Filipina American legislator in the state, I grappled with how to ease the pain my own community was experiencing.

I wanted the mail-order bride industry in this state to be regulated, to be registered as legitimate businesses, and to pay taxes. Perhaps then, we could make them accountable. Legislation was being prepared. However, frontline workers were afraid that if the mail-order bride industry were regulated, many of the victims, who are women, would no longer report the violence against them. Victims usually do not have access to their own passports—either they do not have one or their husbands keep their passports to maintain control over them. Further, many do not have jobs and are economically dependent on their husbands.

A PATTERN BEYOND DOMESTIC VIOLENCE

While we continued to seek justice for the Blackwell murders, in 1999, a mere four years later, another Filipina mail-order bride made front-page news. Helen Clemente had been brought to the United States by her bigamist husband, Eldon Doty. Helen had actually become a maid, a domestic helper for Doty and his first wife. Around the same time, the body of a twenty-year-old University of Washington student, Anastasia King from Kyrgyzstan, was found near the home she shared with her husband. Anastasia was also brought to the United States as a mail-order bride. These two additional cases broadened the scope of the problem. It was now beyond the Filipino American community, and it was no longer just domestic violence.

More questions began to emerge. Why is this happening? What is causing all this harm to women? Why are there so many mail-order brides here in Washington State? Is it just a poverty issue? What is causing this level of poverty in an era where there seems to be so much wealth?

Researching the mail order bride industry, we began to discover patterns.[1] We were convinced that this was another form of human trafficking—"bride trafficking." Washington State had no way of dealing with human trafficking, let alone "bride trafficking." While discussions on trafficking were already happening in other parts of the country, many Washingtonians did not know much about the topic. If I was going to put together legislation, I needed to educate the public about human trafficking.

PUBLIC EDUCATION ON HUMAN TRAFFICKING

The definition of human trafficking varies, but it can generally be defined as any act that involves the recruitment or transportation of a person within or across national borders, for work or services, by means of violence or threat of violence, debt bondage, deception, or other coercion. A person may be trafficked for a number of reasons including forced prostitution, exploitative domestic service in private homes, and indentured servitude in sweatshops.

Dr. Sutapa Basu, Director of the University of Washington Women's Center and an advocate against human trafficking; Emma Catague, Field Manager of the Asian Pacific Islander Women and Family Safety Center; and I decided to hold the first conference on human trafficking in Washington. From that conference, H.B. 2381 was formulated, which created a human trafficking task force. Key questions that needed to be pursued included: does human trafficking exist in Washington State? If yes, what should we do about it, and what recommendations would the task force have to protect victims?

Once we had proven human trafficking existed in Washington State,[2] we needed to make it a crime. The federal government already had laws governing trafficking crimes, but Washington State did not. Thus, H.B. 1175, which would make human trafficking a state crime in Washington, was introduced and passed by the legislature in 2003.[3] Washington State was the first state in the nation to pass human trafficking legislation. It was

a historic moment for the state but more so for the Filipino American community. Finally, we had a piece of legislation that we could use in the future to combat human trafficking.

Fast forward. It is now the year 2011; human trafficking has become the fastest growing criminal industry in the world, tied with the illegal arms industry as the second largest criminal industry after the drug trade.

According to US State Department data, "an estimated 600,000 to 820,000 men, women, and children [are] trafficked across international borders each year[;] approximately 80 percent are women and girls, and up to 50 percent are minors."[4]

To date, Washington's human trafficking law has only been used to prosecute one offender, a nineteen-year-old pimp named DeShawn "Cash Money" Clark who was convicted in 2009 and sentenced to seventeen years in prison.[5]

WHY DOES HUMAN TRAFFICKING EXIST?

Research points to several causes of human trafficking:

- *Poverty*: Women constitute 70 percent of the world's 1.3 billion absolute poor, those living on less than $1 per day.
- *Violence*: Often linked to economic instability, violence can also make women and children more vulnerable to trafficking.
- *Conflict*: Traffickers often take advantage of the desperate conditions created by conflict or natural disasters preying upon those living in refugee camps.
- *Greed*: Traffickers make a lot of money from the sale of humans, their parts, and their services.
- *Demand*: Without the demand from the perpetrators, suppliers would not have a market.

Many in the anti-trafficking world have termed human trafficking as "modern day slavery." In the "old slavery," where a slaveholder had legal ownership over another, the purchase cost of a slave was high and profits were low. There was also a shortage of potential slaves because ethnic differences were important. Slaves had long-term relationships with their traffickers and were sometimes taken care of.

In "modern day slavery," because there is a potential surplus of slaves, the purchase price of the slave is very low and the profits are high. Ethnic differences are not important and the relationships with their traffickers are short-term. Therefore, these trafficked persons are considered disposable.

THE CALL

We know there are many cases of human trafficking out there but there are also many more challenges. For those of us in the anti-human trafficking arena, our call is for people to educate themselves and others about the push and pull factors of human trafficking, work with law enforcement to enforce Washington's human trafficking law, advocate for stronger laws and enforcement, volunteer time to address the issues, campaign for more research and services funding, demand fair trade policies, and donate time and money.

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[1] L.E. Orloff & H. Sarangapani, *Governmental and Industry Role and Responsibilities with Regard to International Marriage Brokers: Equalizing the Balance of Power Between Foreign Fiancés and Spouses*, 13 VIOLENCE AGAINST WOMEN 469 (2007); U.S. GOVERNMENT ACCOUNTABILITY OFFICE, PUB. N. 08-862, INTERNATIONAL MARRIAGE BROKER REGULATION ACT OF 2005: AGENCIES HAVE IMPLEMENTED SOME, BUT NOT ALL OF THE ACT'S REQUIREMENTS (2008), *available at* http://www.gao.gov/products/GAO–08–862.

[2] Office of Crime Victims Advocacy, State of Washington Department of Community, Trade and Economic Development, Human Trafficking: Present Day Slavery (2004), *available at* http://www.commerce.wa.gov/_cted/documents/ID_29_Publications.pdf.

[3] H.B. 1175, 58th Leg., Reg. Sess. (Wash. 2003).

[4] U.S. DEPARTMENT OF STATE, TRAFFICKING IN PERSONS REPORT 6 (2005), *available at* http://state.gov/documents/organization/47255.pdf.
[5] Sara Jean Green, *19-Year-Old Man Sentenced For Promoting Teen Prostitution*, SEATTLE TIMES, Jan. 22, 2010, http://seattletimes.nwsource.com/html/localnews/2010868511_ mobbsentence23m.html.