

Copyright

by

Melinda Anne Lemke

December 2015

The Dissertation Committee for Melinda Anne Lemke Certifies that this is the approved version of the following dissertation:

Politics, Policy, and Normative State Culture:

Texas Trafficking Policy and Education as a Medium for Social Change

Committee:

---

Jennifer Holme, Supervisor

---

Gloria González-López

---

Pedro Reyes

---

Cinthia Salinas

---

Angela Valenzuela

Politics, Policy, and Normative State Culture:  
Texas Trafficking Policy and Education as a Medium for Social Change

by

Melinda Anne Lemke, BSED, MEd

Dissertation

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

Doctor of Philosophy

The University of Texas at Austin

December 2015

## **Dedication**

This study is dedicated to children and youth within the U.S. and abroad, both past and present, who exist in zones of marginality and abandonment. It is for educational practitioners and researchers who take a stand against human isolation and disempowerment, and who strive in their daily praxis to make invisible students visible. It also is for policymakers who recognize that minors possess liminal states of autonomy and vulnerability, and who work to enact just policy respective of whole identity.

## **Acknowledgements**

This research benefited from support and thoughtful feedback from multiple mentors, colleagues, friends, and family members. First and foremost, I want to thank my mentor and dissertation chair, Jennifer Holme. Not only was she generous of her time early in my doctoral program, but she was willing to serve as a chair for a student interested in researching an uncharted policy topic within our discipline. From the proposal process and data collection through analysis and the last stages of writing, Jennifer's support helped make me a more thoughtful qualitative researcher and this important study a reality.

I want to thank my other educational policy committee members Pedro Reyes and Angela Valenzuela, who represent the best of what our discipline has to offer. Pedro, an early program advisor and ongoing informal mentor, was incredibly supportive throughout my entire doctoral program. He was available to listen to questions and concerns no matter how small, and his critical feedback on my theoretical approach helped strengthen insights on power dynamics explored within this study. I also owe a debt of gratitude to Angela, who both as a current program advisor and informal mentor, has been extraordinarily generous of her time and support. Among other projects she supported, without hesitation Angela offered invaluable feedback on a fellowship that I applied for and was fortunate to receive to assist this research. She sets a high bar for policy students aiming to do justice-oriented research and I am honored to have her as a colleague.

I am grateful to my out-of-department and out-of-college committee members, Cinthia Salinas and Gloria González-López respectively, for their willingness to engage with me on intra and interdisciplinary research. Cinthia is someone who I had the honor to work with during my Master's program. Her research in the area of multicultural education not only shaped my career in public education, but my desire to take on and stick with a justice issue in dire need of attention by educational policy research. Having had the privilege to study sociology under Gloria, I was able to participate in, learn from,

and ideally one day model a most inspiring form of feminist pedagogy. Her graduate course on sexual violence and social inequality allowed me to do the groundwork for much of the thinking on commercial exploitation and sexual violence contained in this study.

I want to thank Carolyn Kelley and Donald Hackmann, mentors at the University Council for Educational Administration (UCEA) David L. Clark National Graduate Seminar, for their contributions to my early thinking on neoliberalism and educational policy. A two-time mentor at the UCEA William L. Boyd National Educational Politics Graduate Student Workshop, I am also thankful to Michelle Young for the valuable advice given on early stages of my dissertation research and for pursuing faculty life after graduation. Having moved through both academic and non-academic milestones together, I am grateful to members of my educational policy cohort. The friendship, advice, and encouragement offered by Katie Jackson and Meghan Lehr in particular, were second to none. Meghan's friendship assisted with the minutia of founding and managing a graduate student journal, while also completing a dissertation proposal. From the beginning of our program and through the final stages of my dissertation writing, Katie was a steadfast colleague and friend. She was generous of her time and spirit, offering incisive edits on the final version of this manuscript and inspiring commentary that reminded me of the importance of doing activist scholarship.

Gratitude is owed to the many female colleagues, friends, and feminist authors, dating to my time at Bucknell University, who I was fortunate to learn from, take class with, and pull wisdom from their pages. While I cannot name all of these remarkable women intellects and educators here, it is their story and example of not passively allowing their experience to be determined for them, which helped strengthen and chart my path to the present. I am thankful for the generous support for this study, which came from The University of Texas at Austin Graduate School of Education in the form of a Graduate School Named Continuing Fellowship. Qualitative data collection also would not have been possible without Texas legislators, staff, and Human Trafficking Prevention Task Force member willingness to participate in this study.

In close, there are female educators on both sides of my family going back many generations. The life lessons and examples of courage demonstrated by these women were not far from this process. I want to thank my parents James Cornell Lemke and Diane Grace Lemke, a former educator, for their support. I also want to express gratitude to my sister Jessica Lemke, also an educator, for listening at the other end of lengthy phone calls while I thought through early parts of this study. Finally, my deepest appreciation goes to Arthur Rodriguez who is the love of my life, confidant, and partner. He, more than anyone, knew what it took for me to “stay the course” and finish this journey. I am eternally grateful to Arthur for offering his support in whatever way was necessary, and I thoroughly anticipate our next chapter together.

## Preface

My career in teaching and volunteer work on behalf of youth and females instilled in me an early awareness of the need for research to be translatable. In multiple facets of my life, I strive to create meaningful overlap between public education and public policy, and the goals of feminist scholarship, activism, and pedagogy. Such efforts acknowledge that to bring about social change, an on-going dialogic relationship between academia and local communities must exist. Further, while it is not necessarily easy to speak truth to power, I believe individuals cannot remain silent about oppression if structural barriers that perpetuate broad inequality are to be shattered.

As understood from the research literature and first-hand professional experience, not only do K-12 educators have to tackle increasingly complex issues associated with curriculum, testing, and school funding, but they are being asked to do more every day to address myriad complex sociopolitical and economic issues: dating violence and sexual harassment; student bullying within school and online; poverty and homelessness; the school-to-prison pipeline; and migrant and refugee student needs. Among other societal dilemmas, commercialized exploitation and youth trafficking also can be added to this list. A detailed combing of the literature done for this study reveals that not only has educational policy literature been silent on human trafficking, but there is considerable overlap in the student populations most vulnerable to being pushed from U.S. schools and into commercially exploitative situations. Moreover, despite laws that require mandatory reporting, educators often have inadequate knowledge about child abuse risk factors and indicators, lack routine professional development, and have limited access to service referral information to address a form of abuse like trafficking. This and the paucity of educational research on trafficking are striking given the critical role public education plays in intervening on behalf of children and youth.

This study aimed at bringing educational practitioners and researchers into the fold of an important policy conversation while concomitantly recognizing intersectional marginal student populations and their histories of violence. Prior work done in women's resource and rape crisis center settings gave me an appreciation for the very real obstacles

and violence that can be experienced by females in the U.S. due to endemic class, sex, gender, and race-based inequalities. Teaching and volunteer work abroad drove home the scale of globalized poverty and its toll on women and children in parts of the Global South. These experiences, coupled with having worked in urban public education, led me to the unequivocal conclusion that U.S. teachers and leaders are integral to assisting students living at the margins of society. Educators are the first outcry or connection an abused, exploited, or trafficked student might ever make. Thus, the information educators receive about an issue like trafficking is central to its elimination.

My life experience and research never could perfectly capture the immensity of human trafficking or its implications for public education. I am not a sexual assault, rape, or trafficking survivor, nor did I grow up in poverty or have to taste the bitterness of racism as a white woman. Yet like many women, I currently experience routinized street-based sexual harassment. I have endured workplace harassment and micro-aggressions by women and men, both white and of color. I also have family members, friends, and colleagues who are sexual assault survivors. In acknowledging my experience, I hope that a life's dedication to public education, coupled with the work I have done on behalf of youth and women, will be viewed by trafficking victims and survivors as appropriately lending itself to this study.

Politics, Policy, and Normative State Culture:

Texas Trafficking Policy and Education as a Medium for Social Change

Melinda Anne Lemke, PhD

The University of Texas at Austin, 2015

Supervisor: Jennifer Holme

Over the last two decades, human trafficking has become a significant international, United States, and individual state policy issue. Non-governmental organizations and various academic disciplines have augmented emphasis on trafficking and commercial exploitation. Despite its significance as a policy issue, there is a dearth of educational policy research and K-12 professional knowledge about trafficking, a pressing global issue in need of innovative policy and programmatic solutions.

K-12 educational personnel have daily contact with students placing them on the “front line” of trafficking identification and prevention. Despite being mandatory reporters of suspected child abuse, educators often lack professional development or have limited access to service referral information. In 2013 the 83<sup>rd</sup> Texas Legislature passed House Bill 1272 (HB 1272), which mandated that the Texas Human Trafficking Prevention Task Force (Task Force) create a K-12 curriculum on trafficking dynamics to assist with statewide trafficking efforts. A first of its kind in Texas legislative history, HB 1272 also is one of few state policies focused on including educational staff in policy-driven solutions to the eradication of a gross human rights abuse.

Through a multifocal theoretical approach, in this study I frame key trafficking dynamics, the policy context, and examine a new area of educational policy research – how Texas policy includes educational personnel in helping to identify and prevent trafficking. Through a two-part qualitative study, political and normative dynamics that shaped the creation of HB 1272, as well as the organizational, political, and normative

dynamics contributing to policy implementation are examined. Using qualitative methodology, data collection and analysis included 79 documents, 15 in-depth, semi-structured interviews, 1 informal interview, and 15 hours of participant observation.

The first findings chapter on the Texas Legislature points to expedited, uncontested, and bipartisan enactment of a political and normatively-driven policy topic. Respondents perceive educators to be on the “front line” of statewide trafficking identification and prevention efforts. Yet, legislative efforts bent on involving educational personnel in this policy arena are complicated by an inconsistent legislative knowledge base about state trafficking policy history and key trafficking dynamics. Despite the appearance of bipartisan support for this legislation, slippage was identified in areas such as the lack of funding for HB 1272 curriculum development and concerns about local education control. Finally, normative dynamics that intertwine with identified political issues could impede effective implementation of HB 1272 and the development of “multisector” trafficking prevention. Overall, findings demonstrate a mixed legislative will to address trafficking through HB 1272 and public education.

The second findings chapter covers the Task Force Education Workgroup, the entity charged with HB 1272’s implementation. Participant observation and document analysis reveal an implementation process rooted in compromise between a limited number of stakeholders and the Texas Office of the Attorney General (OAG). Respondent interviews point to the Workgroup constituting an elite implementation community based on member knowledge about trafficking and access to implementation processes. Yet, implementation slippage was found through issues like a lack of educator participation, “behind-the-scenes” curriculum development, and OAG influence on implementation. Finally, despite clear policy gains for statewide trafficking efforts, a range of normative roadblocks could impede the successful implementation of HB 1272. Overall, findings reveal that interwoven organizational, political, and normative dynamics influenced how implementation actors interpreted and implemented HB 1272. The conclusion summarizes research findings, covers implications for research and theory, and offers policy and practitioner recommendations.

## Table of Contents

Tables .....	xiv
Chapter 1: Introduction .....	1
Research Covering Estimates and Dynamics .....	5
Key International and U.S. Policy Responses .....	8
Why Study Texas Trafficking Policy Designed for Public Education .....	10
Research Purpose and Questions .....	14
Research Methodology .....	16
Dissertation Overview .....	18
Chapter 2: Literature Review and Theoretical Framing .....	19
Human Trafficking .....	20
Intersecting Student Groups and Vulnerabilities .....	26
Policy Considerations and Critiques .....	37
Multifocal Theoretical Framing .....	54
Multifocal Theory in Action .....	59
Conclusion .....	60
Chapter 3: Qualitative Research Design .....	62
Epistemology .....	63
Methodology .....	64
Dynamics Contributing to Discourses within House Bill 1272 .....	67
Dynamics Influencing the Implementation of House Bill 1272 .....	72
Study Limitations .....	78
Chapter 4: The Normative Politics of Assisting Educators on the "Front Line" of Trafficking Prevention .....	83
Legislative Policy Context .....	83
Political and Normative Considerations of House Bill 1272 .....	90
Conclusion .....	104
Chapter 5: Elite Interpretation of HB 1272 and Normative Roadblocks to Policy Implementation .....	106

Task Force and Education Workgroup Context.....	106
The Making of Elite Interpretation .....	115
Policy Gains and Actor Expectations around Giving "Student Victims a Voice" .....	123
Conclusion .....	132
Chapter 6: Discussion .....	135
Summary of Key Research Findings .....	136
Implications for Research and Theory .....	144
Recommendations for Research, Policy, and Practice.....	148
Appendices.....	158
Endnotes.....	172
References.....	182
Vita.....	213

## **List of Tables**

Appendix A Table 1: Continental U.S. and State-based Federally Funded Task Forces .....	158
Appendix B Table 2: Texas Human Trafficking Prevention Task Force Members .....	165
Appendix C Table 3: Texas Human Trafficking Prevention Task Force Education Workgroup Members .....	167

## Chapter 1: Introduction

Bethany's mother sells her for drugs on the street. When she starts junior high school she discovers that she's been sold to some of her own family members. Humiliated she runs away and meets a guy who picks up where her mother left off. (Lloyd, 2011, p. 71)

Born and raised in a small village in Ghana, Natalia's family was struggling to pay the school fees for their children's education and welcomed the opportunity for Natalia to receive an education in the United States. Shortly after she arrived in the U.S., the father she was living with began to physically and sexually abuse the young girl, creating a constant environment of fear for Natalia. For the next six years she was forced to clean the house, wash clothes, cook, and care for their three children, often working 18 hours a day while receiving no form of payment. (Polaris, 2015c, para. 2).

Maria is homeless due to her mother's schizophrenia and continua instability. She meets a guy who takes her in and sets her up in his mother's basement. He starts bringing in guys and forces her to strip for them. He's frustrated that she's too young at twelve to know how to dance "sexy," enough, so he teaches her. (Lloyd, 2012, p. 71)

Getting law enforcement, in particular ICE agents, to consider that an illegal immigrant may be a victim or getting a Vice cop to consider that a prostitute may be a victim will not happen overnight. It is similar to what we saw in the domestic violence field. It has taken us decades to view domestic violence as a crime and to recognize that there are victims of this crime. We can't expect this same type of change to occur with trafficking overnight. (Victim services provider, cited in Clawson & Dutch, 2008, p. 3)

It's always borderline, and it's hard because you get a sense of somebody who is being forced to labor involuntarily...But how that's happening and why that's happening can be difficult to prove and show. A lot of times you don't have corroborating evidence. (Labor trafficking attorney, cited in Owens, Dank, & Farrell, 2014, last para.)

Human trafficking is the result of complex economic, social, cultural, and political conditions that devastate thousands of lives annually. As the previous narratives and quotes indicate, both labor and sex trafficking can include international, regional, and national factors that transcend the geographic borders where the victims originate. Individual, social, and institutional understanding of this issue and the ability of

contemporary policy to combat trafficking is tied to normative ideas about behavior, culture, sex, gender, class, race, and nationality. Thus, an intricate set of dynamics contribute to trafficking, making identification and prevention an arduous task.

A hidden form of abuse, trafficking in minors specifically, is a daily reality of numerous children and youth within the United States and on a global scale. Labor and sex trafficking often are referred to in the research literature as commercial exploitation or commercial sexual exploitation respectively. Both of the latter terms connote a more broad understanding of the exploitative conditions individuals can endure, which are not necessarily captured under United Nations, U.S., or individual 50 state policy definitions. As originally discussed by Estes and Weiner<sup>i</sup> (2001), commercial sexual exploitation of children can be “either monetary or non-monetary (i.e., for food, shelter, drugs), but in every case, involves maximum benefits to the exploiter and an abrogation of the basic rights, dignity, autonomy, physical and mental well-being of the children involved” (p. 10). Yet, the distinction between legally classified forms of trafficking and broad commercial exploitation rarely is made by practitioners, prompting limited investigation for example, of specific labor abuses (Owens et al., 2014). Further, while U.S. federal law does not require physical movement to occur for trafficking to happen, the term has been criticized as it implies transportation activities that are distinct from other forms of exploitation (Rafferty, 2013). Due to conflict over definitional agreement therefore, multiple legal and practitioner-based terms exist to describe populations effected by a broad range of commercially exploitative acts with language now including: human trafficking, sex trafficking, labor trafficking, domestic minor trafficking, commercial sex act, debt bondage, sexual slavery, child slavery, peonage, commercial exploitation, and commercial sexual exploitation among other terms. Thus, often conflicting academic language<sup>ii</sup> and policy definitions have prompted calls for the improvement of policy language (Loftus, 2011; Schauer & Wheaton, 2006; Ugarte, Zarate, & Farley, 2003).

Commercial exploitation and trafficking are not new phenomena, but exist alongside other forms of violence historically perpetrated against females, minors, and marginalized individuals. Situated within complex international, national, and local

ecologies, the daily exploitation of vulnerable minors is exacerbated by the strength of globalized capitalism in its contemporary neoliberal form (Flowers, 2001; Jeffreys, 1999; O'Brien, 2009; Rand, 2010). Here neoliberalism refers to global political and economic processes that aim towards privatization of the public sector, restrict government regulation of the economy, and ultimately foster exploitation through the reproduction of power relations (Duggan, 2003; Harvey, 2007; McLaren & Farhmandpur, 2001). In addition to fixed and commonsense understandings of class, race, and nationality, neoliberalism supports static heterosexual understanding of sex and gender. Although possessing an outward appearance of gender neutrality, policy interventions on behalf of female concerns are inherently hegemonic and reproduce power relations (Griffen, 2007). Commenting on the effect neoliberal globalization has on females and marginalized children, O'Brien (2009) stated:

Globalization's effects on economies and the environment have created a supply of women and children to be trafficked. . . While the feminization of poverty and gender-based violence exist worldwide, environmental injustice and unfair economic policies disproportionately harm poor women and girls in developing nations. (p. 8)

Labor trafficking is rooted in contemporary aspects of the globalized neoliberal marketplace. In efforts to privatize public spaces, this marketplace has shrunken available capital, removed government regulations that work to increase economic growth, and increased pressures to migrate for work in order to feed one's family (Global Alliance Against Traffic in Women [GAATW], 2010). Thus, the demand for and the readily available supply of cheap labor in the Global South, coupled with increasingly restrictive immigration legislation in the Global North, engenders the market for trafficked laborers. Further, because of these economic shifts, individuals both adult and minor alike may endure highly exploitative work conditions that do not meet United Nations and U.S. trafficking policy thresholds of *force*, *fraud*, or *coercion*. Thus, international and U.S. policy concerned with labor trafficking has been criticized for its failure to address how neoliberal globalization and the state contribute to structural

inequalities that drive individuals into exploitative situations while rendering them invisible at the same time (Chacón, 2006; Loftus, 2011; O’Connell Davidson, 2005).

It is well-recognized that migrants are vulnerable to labor trafficking on an international level (GAATW, 2010; United Nations Women, 2012). Poverty, absent or unenforced labor protections, isolation, and immigration status contribute to labor trafficking and exploitation in the U.S., with the most common abuses being found in domestic service work, farm work, factories, beauty salons, door-to-door sales crews, and carnivals (Polaris, 2015b). International and U.S. labor trafficking also is facilitated to a large extent by the psychological control employers have over workers, the trafficked person’s prior experiences of trauma and violence, workers’ general lack of understanding of their rights, failure of states to enforce labor protections, and widely held worker beliefs that they must endure the conditions or risk being fired or deported without restitution (Loftus, 2011).

Sexual violence,<sup>iii</sup> monetized or otherwise, is documented to include a continuum of abuses all of which are known to disproportionately impact females (Kelly, 1987). Similar to labor exploitation, sex trafficking and monetized sexual violence is supported by neoliberal globalized power structures that target marginal females and minors. Commercial sexual exploitation (Lloyd, 2012; O’Brien, 2009) and female sexual slavery (Berry, 1979, 1995) are supported by the hyper-marginalization of economically disadvantaged females through unmonitored, readily accessible online sex (Hughes, 2002). Patriarchal political structures that fail to adequately address rape culture and continual othering of colored bodies in the U.S. and Global South by media and military entities also underpin a market for illicit sex (Andrews, 2004; Gekht, 2008; Kotrla, 2010; Todres, 2009). Thus, broad commercial sexual exploitation is recognized to be buttressed by macro- and micro-level normative political economies that support and reify existing power structures known to perpetrate violence against females, minors, and other marginal bodies. As will be covered in greater detail in the next section and Chapter 2, specific factors contribute to the vulnerability youth have to labor and sex trafficking.

## **Research Covering Estimates and Dynamics**

Reporting reliable statistics on youth trafficking is difficult for many reasons including but not limited to: trafficker and family fear tactics that push it underground; limits of current interagency approaches leading to uncoordinated and methodologically flawed data collection strategies (Rafferty, 2013; Reid, 2012); the lack of consistent policy definitions and/or conflicting policy enforcement; and failure of law enforcement to properly identify victims due to normative bias, limited evidentiary-based trafficking training, or conflicting immigration and trafficking policy (e.g., See: Loftus, 2011 for a discussion of “blind” versus “smart” brothel raids). The public also continues to view labor and sex trafficking as problems that do not occur in the United States. The U.S. Department of State (USDOS, 2013) Trafficking in Persons Report for example, documented missed opportunities to identify victims as being the result of continued misperceptions within the U.S. such as, “trafficking doesn’t happen here” and trafficking is a “cultural” problem (p. 80).

Similar to rape myths involving normative understandings of the “good” victim, perceptions of girls involved in commercial sex are negatively influenced by media and policy depictions of vulnerable children to the disservice of impoverished and disenfranchised female youth involved in sex work or without permanent U.S. residency (Chacón, 2006). Despite contrary evidence about U.S. and international trends, religious moralist campaigns also are known to skew depictions of likely victims to that of only pre-pubescent girls (Menaker & Franklin, 2013) and restrict the focus on trafficking predators to pedophiles (O’Connell Davidson, 2005). Given normative biases associated with the idea that adults freely sell sex, much of law enforcement also continues to view rape by pimps and purchasers or Johns and tricks,<sup>iv</sup> as sex workers simply “not getting paid for their services” (Lloyd, 2012, p. 125). Such biases also affect youth who are known to be incarcerated for commercial sex acts (Loftus, 2011). Such negative interactions for trafficked victims are compounded by a masculinist judicial system, which in its biased concern for the credible witness, “collaborates with rapists” rather than helps victims obtain justice (Martin, 2005, p. 49). Thus, trafficking victims run the

risk of increased traumatization due to policy and practice that is poorly equipped to identify victims, both international and domestic alike, and is designed to weed out cases for prosecution.

Statistical inconsistencies, systemic flaws, and underreporting are major hurdles to eliminating trafficking. Measurements of perpetration and victimization, as well as the wealth generated from commercially exploitative economies therefore, tend to be rough estimates offering a glimpse into human trafficking, rather than hard numbers. Low reporting numbers reflect the many dimensions that keep trafficking and exploitation hidden within underground economies (Rafferty, 2013; Reid, 2012).

Yet, alongside arms dealing, human trafficking is held as second only to drug smuggling as the fastest-growing, most lucrative criminal industry in the world (Rafferty, 2013; Reid, 2012). Global profits from trafficking were estimated at \$32 billion, with a combined U.S. and European share of roughly half that amount (International Labor Organization [ILO], 2008). While only 49,105 victims have been identified worldwide (Loftus, 2011), estimates based on knowledge about the field and suspected, but unconfirmed cases, place the number of potential victims in the millions. The ILO (2012) estimated for example, that 20.9 million people are forced into some form of exploitive activity worldwide, with the USDOS (2013) estimating that number at 27 million. The ILO estimates that out of this 20.9 million people, 11.4 million or 55% of all trafficked victims are female. Ninety-eight percent of sex trafficking victims also are female, with minors constituting 26% of all trafficking victimization (ILO, 2012). Further and contrary to previous thought, these estimates indicate that significantly more individuals are trafficked within rather than across international borders (Siskin & Wyler, 2010).

Intersectional age, sex, national origin, class, and racial dynamics affect who is trafficked within the United States. According to Polaris (2015a), which draws data from the National Human Trafficking Resource Center hotline and Polaris's BeFree Textline, in 2014 there were 1,607 trafficking cases in the U.S. involving children and youth. Akin to findings in other data sources, 84% were for sex trafficking within hotel, online, and

street settings, 9% for labor that involved traveling sales and begging, and 3% had overlap between the two. Out of this total, 1,393 cases were female, 231 were male, and less than 10 were transgender minors (Polaris, 2015a). These gender dynamics parallel USDOJ (2013b) reporting that 91.9% of U.S. sexual assault victims are female, with only 35% of cases actually being reported. One in five females also will be raped in their lifetime, with 42% of those occurring before the age 18 (USDOJ, 2013b). Similar to ILO (2008, 2012) reporting that females constitute the majority (98%) of commercially sexually exploited victims worldwide, females aged 14 to 17 are believed to comprise the largest proportion of sex trafficked survivors in the U.S. (Lloyd, 2012). Although males can be victims, like rape statistics, commercial sexual exploitation in the U.S. and around the globe is a highly gendered practice.

Approximately 14,000 to 17,500 individuals originating from Eastern Europe, Southeast Asia, Mexico, and Central America are trafficked into the U.S. annually (Hodge, 2008; Reid, 2012). Polaris (2015a) documented the top five nationalities for identified trafficking victims in the U.S. being from the U.S., Mexico, China, Guatemala, and Russia. Each year approximately 100,000 domestic U.S. minors, many of whom are homeless, are involved in commercially sexually exploitive activity with another 350,000 at risk (Kotrla, 2010). Additionally, while every nation has origin, transit, and destination trafficking characteristics, the U.S. is a top-ranking destination nation, making commercial sexual exploitation highly classed. Here, destination nation refers to wealthy, industrialized nations where a commercial and online sex industry including prostitution and child pornography, is glamorized, culturally tolerated, or legalized (Flowers, 2001; Hughes, 2002; Kotrla, 2010). Although poverty alone does not account for high rates of commercialized exploitation, it is a major contributing factor. Individuals from economically disadvantaged, socially isolated families, many of whom are female and minors, are the individuals who fill sex industry demand (Rafferty, 2012; Reid, 2012; Scarpa, 2006) and cheap unregulated labor in the U.S. (Chacón, 2006; GAATW, 2010; Loftus, 2011; Owens et al., 2014).

Finally, approximately 1 in 5 or 16 million children live in poverty in the U.S., with the poverty rate for Latino/a children being 32.3% or 1 in 3. Black children have the highest poverty rate at 25.6% given they only comprise 14.4% of all children (Macartney, 2010). Despite margin of error, consider the following U.S. Department of Justice (USDOJ, 2011) breakdown of 2,515 suspected U.S. trafficking cases: sex trafficking (2,065 or 82.1%), labor trafficking (350 or 13.9%), other suspected trafficking (65 or 2.6%), and unknown (172 or 6.8%). Sex trafficking of minors involved 1,016 out of the 2,515 suspected cases (40.4%). While confirmed labor trafficking victims were more likely to be identified as Latino (63%) or Asian (17%), confirmed sex trafficking victims were more likely to be Black (40%) and white (26%). U.S. citizens were more likely to be involved in sex trafficking incidents (83%), while most confirmed labor trafficking victims were identified as international undocumented (67%) or documented workers (28%) (USDOJ, 2011). Thus, human trafficking within the U.S. has important racial and ethnic components to consider alongside poverty and nationality.

### **Key International and U.S. Policy Responses**

Work by the League of Nations in the early twentieth century first responded to trafficking as a problem impacting white women and minors from Western Europe and the U.S. (Edwards, 2011; Rodríguez García, 2012). Mid-twentieth century shifts in social consciousness drove United Nations (U.N.) protocols to target labor and sex trafficking as human rights violations impacting all people and regions of the world. The international community's first major attempt to address human trafficking came with the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), which looked at both labor and sex trafficking, by means of threat, force, or coercion and distinguished between adult victims and victims who were minors. Although U.S. legislation on human trafficking dates to 1910, significant U.S. and state-level policy attention was not given to trafficking until the early 2000s.

In a comprehensive move to assist national, state, and local efforts and mirroring the U.N. Protocol, in 2000 the U.S. Congress passed the Trafficking Victims Protection Act<sup>v</sup> (TVPA), which established the President's Interagency Task Force to Monitor and

Combat Trafficking (PITF). PITF is a presidential cabinet-level body that annually coordinates implementation of TVPA through federal and international anti-trafficking efforts. PIFT is chaired by the Secretary of State and includes other executive agency representation (Polaris, 2013a). Additionally, the U.S. Department of Justice's (USDOJ) Bureau of Justice Assistance and Office for Victims of Crime was called to support comprehensive and specialized service programs within the U.S. and its territories.

In the mid-2000s, the U.S. Department of Health and Human Services also implemented the Campaign to Rescue and Restore Victims of Human Trafficking, which funds programs in the U.S. and Puerto Rico (See: Appendix A, Table 1 for a list of federally funded task forces). This policy effort by the federal government prompted similar state legislation that created state-based task forces to target labor and sex trafficking (See: Appendix A, Table 1 for a list of state-based federally funded task forces and respective legislation). According to Polaris (2013a), while some task forces are ad hoc or created through unfunded mandates, statutes typically prescribe task force membership and mandatory duties that include trafficking policy recommendations, data collection coordination efforts, and non-statutory task forces.<sup>vi</sup>

Thus, it can be argued that not until recently have political institutions recognized and sought to eliminate trafficking through policy. Not viewed as a problem effecting broader society, institutions have traditionally responded to discrimination and violence targeted at marginalized groups with cultural deficit models that blamed the victim (Baca Zinn, 1989). Where sexual violence specifically was at issue, institutional denial, shame, accusation, and official suppression also occurred (Berry, 1979). In the 1960s and 1970s, various organizations did mobilize to target international human rights and civil rights abuses within the U.S. However, these organizations faced internal and external undermining by dominant discourses of the time, which were premised upon liberal individualism and a reactionary normative culture hostile to identity politics rights-based issues (Cremin, 1990; Faludi, 1991).

Equity policies that specifically address female concerns often embody policy slippage or symbolism rather than measurable action. These policies either portray the

false notion that the issue was addressed or allow cooptation by street-level bureaucrats who sever the issue from the policy's original intent (Marshall, 1999). In addition to policy slippage, female trafficking victimization tends to be socially stigmatized, particularly by a rescue industry bent on saving victims through religious moralism rather than true empowerment (Berry, 1979; Pisani, 2008). Contemporary conservative politics also prop up institutional violence against certain bodies by supporting normative values and myths about victimhood including that: females falsely report sexual assault; "no" actually means "yes;" females freely "choose" to sell sex; and there are "good" white victims and "bad" victims of color (Berry, 1979; Chacón, 2006; Davis, 1981; Lloyd, 2012; Martin, 2005; Menaker & Franklin, 2013; Smith, 2005). Thus, it can be argued that neoliberal globalization, abetted by the Internet, and conservative backlash permit exploitative economies, discrimination, and sexual violence to shape shift in ways that are difficult to monitor and eliminate (Blackmore, 2000; Faludi, 1991; Young, 2005).

#### **Why Study Texas Trafficking Policy Designed for Public Education**

Similar to what exists on a global level, commercial labor abuses and sexual violence in Texas, historically has been perpetrated against specific segments of the State's population. Tied to land confiscation, exploitative labor laws, and militarized sexual conquest, Mexican women, children, and migrants have shouldered the burden of this brutality in Texas (Falcón, 2007) and its borderland with Mexico (Anzaldúa, 1987). Despite the existence of a well-documented history of cultural deprivation and discrimination that continues to the present day within Texas schools (Valenzuela, 1999) and border detention centers (Parker, Greene, Libal, & Mazón, 2014), akin to global and U.S. numbers, precise Texas statistics on trafficking and related abuses remain elusive. In one estimate from USDOJ-funded Texas task forces that contribute to the Human Trafficking Reporting System for example, there were "678 human trafficking-related incidences and 167 suspects arrested from January 1, 2007 to December 14, 2012" (Texas Office of the Attorney General [OAG], 2012, p. 4). Yet, information compiled by the Dallas and Houston Federal Bureau of Investigation task forces reported Texas trafficking cases at 768 individuals for the same time frame (OAG, 2012).

Although definitive numbers are lacking, due to a large international border, Gulf of Mexico commerce, and multiple U.S. state borders, as well as numerous airports, truck stops, and bus stations, Texas is a hub of commercial labor and sexual exploitation. In addition to the I-10 corridor, which was deemed a key U.S. trafficking route by the Texas OAG (2012), Texas also has five major U.S. cities including Houston [4<sup>th</sup> largest], San Antonio [7<sup>th</sup> largest], Dallas [9<sup>th</sup> largest], Austin [14<sup>th</sup> largest], and Fort Worth [16<sup>th</sup> largest] (U.S. Census Bureau, 2010). These cities annually host large sporting and entertainment events, which have been argued to increase demand for the commercial sex industry (OAG, 2012). A study looking at males aged 18 or older, in 15 metropolitan cities found that Houston had the highest rate of daily male responses (169,920, or 1 out of 5 men) to online Backpage.com and Craigslist.com sex ads, websites known to sell advertisements for services that have been found to include sex with minors (Roe-Sepowitz, Hickie, Gallagher, Smith, & Hedberg, 2013). Dank et al. (2014) also found that in addition to Internet websites like Facebook, pimps commonly recruit victims from neighborhoods, schools, alternative education centers, group homes, bus stops, malls, and other places teenagers frequent. Including Dallas, Texas among its eight cities, 11% or 1 in 9 pimps in the U.S., were found to recruit victims from public schools (Dank et al., 2014).

In 2003, Texas became the second state after Washington to pass trafficking legislation through House Bill 2096, which created Texas Penal Code, Chapter 20A covering “trafficking in persons.” Following the efforts in Washington (2002), Connecticut (2004), California (2005), Colorado (2005), Maine (2005), Minnesota (2006), and New Hampshire (2007), in 2009 Texas also passed House Bill 4009 (HB 4009), which established the Texas Human Trafficking Prevention Task Force in the OAG. HB 4009 required several state entities to work in conjunction with the OAG to create policy solutions to trafficking in Texas. Since 2010, the Task Force expanded to work with multiple public and private local, national, and international entities (See: Appendix B, Table 2 for a list of Texas Human Trafficking Prevention Task Force members).

After HB 4009, the Texas legislature passed numerous human trafficking bills, many of which had a strong focus on criminalization of pimps and traffickers as opposed to targeting purchasers of exploitative sex, penalizing work sites engaged in exploitative labor practices, or supporting victim services. Similar to criticism of federal trafficking law (Chacón, 2006), pushback by researchers and advocates prompted more recent state legislation to include increased emphasis on victim services and the involvement of sectors outside the criminal justice system in statewide trafficking efforts. Akin to legal reporting requirements on child abuse and neglect, Senate Bill 24 (2011) for example required that Texas educators report suspected cases of trafficking within 48 hours to law enforcement or be subject to a Class A Misdemeanor (Texas Family Code, 2013).

In 2013 the 83<sup>rd</sup> Texas Legislature passed House Bill 1272 (HB 1272), which mandated the development of a K-12 curriculum to help educational personnel identify and assist potential victims of trafficking (See: Appendix D for the text of HB 1272, Enrolled Version). HB 1272 included teachers, school counselors, school administrators in its definition of educators. Recent state efforts akin to HB 1272 include: Missouri policy that requires sexting and sexual predators to be discussed in optional sex education courses (Education Week, 2015); Ohio policy that mandates elementary and secondary teacher in-service training and curriculum on child abuse, dating violence, and trafficking (Ohio Department of Education, 2014); policy-driven efforts in Massachusetts to create parent guides and health curricula to help educators understand, identify, and assist trafficking victims (Commonwealth of Massachusetts, 2014); the State of Idaho's Department of Education (2014) development of an online trafficking curriculum for educators, parents/guardians, and students; and a Washington commercial sexual exploitation protocol that includes community education outreach and adds educators as trafficking case first responders (Center for Children & Youth Justice, 2013).

As a social institution that has contact with the lives of millions of students on a daily basis, K-12 educational leaders, teachers, and staff serve as a critical point of intervention for identifying and preventing labor and sex trafficking. Yet as identified above, there are limited state policies and programs that aim to include K-12 educators

within policy processes designed to eliminate commercial exploitation and trafficking. Out of the policies that do aim to include educators, little research exists on policy design, implementation, or corresponding political context. Thus, HB 1272 is landmark in that Texas is one of only a few states leading efforts to involve public schools in solutions to the trafficking of children and youth. Moreover, it is the only state that used a statewide Task Force to develop a policy-driven curriculum to assist educators in the identification and prevention of trafficking. Despite the decade-long existence of federally funded and state-based task forces, as well as the recent advent of state-level efforts to include public education, there is little knowledge about these entities and the factors that shape how respective policies are implemented.

Aside from the profound educational implications, given that the preponderance of sex trafficked survivors are female, Texas makes for a unique case. Despite the existence of policy dedicated to human trafficking, Texas is a legislatively conservative state that historically has ignored female concerns and policy priorities. Consider that while many U.S. states mandated medically accurate sex and HIV education in the 1970s (Sears, 1992), Texas not only currently requires neither, but when sex education is provided it does not need to be medically accurate, must promote abstinence, and condemn queer lifestyle (Guttmacher Institute, 2014). A conservative, anti-reproductive rights governorship and legislative majority also routinely targets female reproductive freedom through fiscal cuts. House Bill 1 (2011) for example, cut Planned Parenthood that had offered multiple healthcare services to low-income females, from Texas' Women's Health Program. This policy discrimination against Planned Parenthood, a qualified healthcare provider, resulted in a 90% reduction of federal funding and the closure of over 50 clinics (The Texas Policy Evaluation Project, 2013). These clinics not only offered services like screenings for sexually transmitted diseases and cancer, but were the only form of low cost healthcare that impoverished female survivors of domestic abuse and sexual assault had access to in remote parts of Texas.

Additionally, the influx of asylum seeking migrant women, children, and unaccompanied minors from the Northern Triangle (Guatemala, El Salvador, and

Honduras) and Mexico across the U.S. border also makes HB 1272 an interesting case for examination. While in 2011 there were 6,902 accompanied minors, 15,949 unaccompanied minors, and 304,726 adults taken into custody at the Mexico-U.S. border, (U.S. Customs and Border Protection [USCBP], 2011), in three years these numbers spiked to 38,845, 68,541, and 371,985 respectively (USCBP, 2014). Migrant children and adult females in particular, are documented to be at high risk for trafficking, exploitation, and other structural abuses (Amnesty International [AI], 2010; Menjívar, & Abrego, 2012; United Nations High Commissioner for Refugees [UNHCR], 2014). Yet, trafficking policy that offers protections for potential victimization conflicts with immigration mandates designed to detain and deport migrants (Loftus, 2011). The Texas detention system also has been sharply criticized in research and media reports for its failure to properly screen migrants for trafficking, poor living conditions, and allegations of sexual abuse against females in custody (Grassroots Leadership, 2009; Parker et al., 2014). Despite this current reality, the sharp increase in migration coupled with conflicts found between trafficking and immigration policy trajectories is missing from key trafficking policy discussions in Texas.

### **Research Purpose and Questions**

As previously discussed, trafficking is a historically, socially, politically, and normatively situated form of globalized violence. Since K-12 public school educators spend an average of 40 hours per week with students, they play an integral role in preventing the trafficking of minors. Further, schools serve as a critical first point of intervention in the identification and prevention of victimization as educators can direct students to appropriate social services. Federal and Texas policy requires law enforcement and health and human services personnel to receive training on human trafficking. Yet, despite the amount of time spent and well-established role public school educators have in mentoring and guiding student development, only a few states including Texas, are looking to target public education as a tool in the fight to end trafficking. Texas HB 1272, which mandated the development of a curriculum on human trafficking for educators, is the first of its kind in Texas legislative history. It therefore, is

precedent setting because it represents one of few state legislative attempts to include public education in policy and institutional prevention of trafficking, as well as to inform K-12 staff about their basic legal responsibilities to Texas students.

The dynamics of commercial exploitation and trafficking are well-established in the research literature. Yet, educational policy research not only has failed to address these factors, but it has been inattentive to new state policies aimed at utilizing K-12 public education in raising awareness, prevention, and intervention on behalf of vulnerable children and youth. Further, little is known about the construction of policies like HB 1272 and respective implementation. Given this reality, this study explores the policy context and discourses concerned with trafficking and exploitation in Texas – also a legislatively conservative state. By focusing on the perceived policy will and actual capacity of HB 1272, I also critique arrangements of power that limit structural solutions to commercialized exploitation and trafficking.

The purpose of this research was to examine the policy context, discourses, actors, and resultant early implementation of HB 1272, groundbreaking Texas policy. In doing so, this study had two overarching goals. First, I examined the policy context, as well as political and normative dynamics that influenced the creation of HB 1272. Second, I explored Task Force Education Workgroup organizational dynamics, membership, curriculum development, and early stages of implementation. In doing so, the study's research questions included:

1. What political and normative dynamics shaped the policy discourses found in Texas House Bill 1272?
2. What organizational, political, and normative dynamics influenced the early implementation of Texas House Bill 1272 by the Texas Human Trafficking Prevention Task Force Education Workgroup?

I located this study within a broad feminist research tradition (Anzaldúa & Keating, 2002; Haraway, 2004; Harding, 2004; Hartsock, 2004; Hawkesworth, 2006; Hill Collins, 2000; Hurtado, 1989; Jaggar, 2004; Lloyd, 2005; MacKinnon, 2004; Mohanty, 2003; Moraga & Anzaldúa, 2015; Narayan, 2004; Sandoval, 2004; Spivak, 1988; Young, 1997). I also

specifically utilized a feminist critical policy analysis approach (Marshall, 1997, 1999) to answer both research questions.

### **Research Methodology**

Feminist critical policy analysis, as used in this study, incorporated a range of qualitative research methods and strategies (Crabtree & Miller, 1999; Hesse-Biber, 2007; Leavy, 2007; Marshall & Rossman, 2015), to explore the political and normative dynamics that shaped HB 1272 and the multiple dynamics that influenced early implementation. This range of strategies was coupled with a focused attention on my feminist positionality. Looking to offer an interpretation of the research phenomenon, my research process also involved qualitative crystallization (Ellingson, 2009; Richardson, 1997, 2000). Crystallization can be understood as:

multiple forms of analysis and multiple genres of representation into a coherent text or series of related texts, building a rich and openly partial account of a phenomenon that problematizes its own construction, highlights researchers' vulnerabilities and positionality, makes claims about socially constructed meanings, and reveals the indeterminacy of knowledge claims even as it makes them. (Ellingson, 2009, p. 4)

Thus, to answer my first research question, I analyzed HB 1272 and relevant policy documents. I also conducted seven semi-structured, in-depth interviews with Texas Legislators and legislative staff members, as well as one informal interview with a staff member. To answer my second research question, I conducted eight purposefully selected, semi-structured, in-depth interviews with members of the Education Workgroup who were charged with the early implementation of HB 1272. As a member of the Workgroup, I also participated directly in a year-long process to develop the trafficking curriculum, which included three in-person meetings.

Document collection and analysis included 21 total HB 1272 policy documents, 15 hours of Education Workgroup meetings, 15 pages of Workgroup meeting field notes, and 43 Education Workgroup emails. Emails were used for reference purposes only. The study sample ( $N = 16$ ) included multiple respondents who are considered elite actors for their well-informed social (Odendahl & Shaw, 2002) and political status (Marshall &

Rossmann, 2015). Aside from one informal interview, all interviews were fully transcribed, with early stages of analysis involving theoretically-driven template coding. Through continued iterative readings of respondent interviews, directed coding shifted to incorporate *a posteriori* understandings of the research problem (Crabtree & Miller, 1999; Marshall & Rossmann, 2015). Since I was a member of the Workgroup and thus brought a unique perspective and research-based knowledge to this particular sociohistorical site, I utilized an audit trail throughout the entire research process as a form of analysis. The audit trail included extensive memos on research literature, the relationship between my positionality and the research setting, and congruence between theoretical constructs and methodological approach (Cheek, 2004). Not including interview transcript documents, my audit trail was reviewed several times by Jennifer Holme, a highly-skilled qualitative educational policy researcher.

Data collection and analysis was guided by feminist and critical legal theory specifically focused on human trafficking, trafficking in minors, and relevant policies. Educational policy and feminist literature constructs concerned with politics, power, and normative cultural dynamics impacting public education and vulnerable student groups also were used. Thus, in relying upon multifocal theoretical perspectives (Young, 1999), this study was able to unpack key dynamics bound up with Texas human trafficking policy creation and respective implementation, as well as Texas policy capacity and willingness to combat human trafficking through an educational medium.

One of few studies that examined trafficking policy aimed at bringing educational personnel into the fold of identification and prevention, research findings highlight key policy creation and implementation considerations for advocates looking to influence social change on the ground. This study unpacks diverse research to show how certain youth are disproportionately susceptible to international and domestic trafficking. Moreover, building on previous feminist critical policy analyses, it illuminates how interwoven political and normative dynamics associated with HB 1272's creation and organizational implementation make for a policy environment demonstrating mixed capacity and will to address trafficking and commercial exploitation through education.

## **Dissertation Overview**

Following from Chapter 1, the next two chapters also help frame the study. Chapter 2 proceeds with a detailed examination of previous empirical and conceptual research on commercial exploitation and human trafficking, the majority of which resides outside the field of educational policy. Chapter 2 offers an extensive review of trafficking dynamics, as well as factors such as youth dating violence, bullying, homelessness, and immigration status, which are linked to possible exploitation. This Chapter offers a lengthy review of key international, U.S., and Texas trafficking policies, plus legal critiques and considerations. Chapter 2 also includes how this literature and theoretical framing were utilized to guide study construction, data collection, and research findings. Chapter 3 frames research epistemology, methodology, methods, data sources, study analysis, and ethical considerations.

Chapters 4 and 5 describe the major findings of this study. Chapter 4 presents data on the Texas Legislature. Document analysis situates the study within the legislative policy context. Then, interview analysis reveals how interwoven political and normative dynamics shape legislative will to address trafficking in minors, and as explored in this study, the role these dynamics played in the creation of HB 1272. Chapter 5 presents data on the Task Force Education Workgroup. Document analysis and direct participant observation locate this part of the study within the Texas policy implementation context. Information gleaned from interviews with Workgroup members demonstrate that interwoven organizational, political, and normative dynamics influence how implementation actors interpreted and implemented HB 1272. Chapter 6 concludes by summarizing findings and implications for research and theory. It also discusses the significance of this study and offers recommendations for the educational policy, K-12 practitioner, and human trafficking victim advocacy community.

## **Chapter 2: Literature Review and Theoretical Approach**

It is important to begin with a few caveats about human trafficking research literature. Empirical research literature on trafficking is limited, and studies conducted with labor and sex trafficking survivors are scarce for reasons described in Chapter 1. Scholarship that does exist, tends toward defining the problem, reviewing or critiquing existent international, United States, or state-level policies, describing macro- and micro-level vulnerability factors, or reviewing prevention and intervention programming. Reflective of this overall research trend, Timoshkina and McDonald (2009) stated:

The corpus of research on trafficking has been growing steadily over the past decade. Reflecting general trends in the international trafficking discourse, the literature is dominated by non-empirical, descriptive overviews of the problem, and critical analyses of the relevant legal and policy frameworks. (p. 8)

Critiques of trafficking literature also have pointed to its lack of solid theoretical grounding (Rand, 2010) and tendency toward political bias (Schauer & Wheaton, 2006). Legal critiques have identified a disproportionate emphasis on sex trafficking within scholarship and policy to the detriment of labor trafficking victims and increased labor protections (Chuang, 2010; Shamir, 2012). The failure to more fully explore labor exploitation and intersections between labor and sex trafficking has been viewed as a failure on the part of the international human rights community, U.S. government, and state and local municipalities to enforce labor regulations and legitimately address structural factors driving abuse (Chacón, 2006; Loftus, 2011; O'Connell Davidson, 2005). Despite these policy limitations, researchers do recognize that labor and sex trafficking are not new phenomena. Rather, such human rights violations are economically and socially-situated, existing alongside other violence historically perpetrated against females, minors, and marginalized individuals.

This Chapter situates Texas' landmark policy, House Bill 1272 (HB 1272), which required the development of a curriculum on human trafficking for K-12 educators, within a broader discussion of human trafficking dynamics, youth vulnerabilities, and policy. Since Texas educators are not statutorily required to be trained on trafficking, this

review aimed at offering a detailed portrait of this phenomenon. The following review proceeds by covering sociopolitical, economic, and normative factors that contribute to labor and sex trafficking. Considerate of the K-12 educator focus in HB 1272, this Chapter then examines youth groups who are most vulnerable to trafficking and commercial exploitation. It also includes a lengthy review of trafficking policy and critiques. While some of the topics explored in this Chapter were covered by the K-12 curriculum, this literature review offers educators, policy-makers, and other professionals a more detailed discussion of human trafficking dynamics and policy. It concludes by covering how literature and the chosen theoretical framing were used in the study.

This literature review aimed to be comprehensive, but prudent in its parsing of trafficking complexities, and relevant policy and critiques. In raising awareness about a social problem like trafficking and the youth most likely to be affected, it is wise to turn to Young (1997) who held that understanding difference should come through *asymmetrical reciprocity*, in which social positions, perspectives, and histories are taken into account as fully as possible. The following literature review therefore, aimed not at a reinforcement of deficit thinking about identity, cultural determinism, or homogenization (Baca Zinn, 1989; Massey, 1993). Rather, I adopted an awareness of how feminist essentialism can become regulatory (lloyd, 2005) and concomitantly have strategic political ends (Spivak, 1988; lloyd, 2005). In this way, the present review was attentive to how policy can be “open to normalization (and pathologization) in terms of political identities it recognizes, the kinds of claims that can be made politically, the sorts of activities that count as political, and the modes of political analysis that are validated” (lloyd, 2005, p. 69). Moreover, my investigation of the literature, use of theory, and ultimately strategies employed in this study permit a form of speaking for others while remaining mindful of who I am speaking for and why (lloyd, 2005).

### **Human Trafficking**

Labor trafficking is tied to structural neoliberal globalization processes that make widespread exploitative labor conditions possible. Labor trafficking and commercialized exploitation can occur in a range of international and United States contexts. Labor

trafficking is most often associated with labor-intensive work found in agriculture, manufacturing, the service sector, and domestic work. Other areas also prone to labor trafficking and violations of labor law include fisheries, in-home healthcare provision, begging, and the commercial sex industry (Shamir, 2012).

Legal definitions of labor trafficking can involve a range of practices. Under the U.N. Trafficking Protocol (2000), labor trafficking includes the exploitative abuse of power over a vulnerable person and receiving money to attain the approval of the exploiter. It also involves any form of forced labor, servitude, slavery, or removal of organs (Trafficking Protocol, 2000). The U.S. federal definition is slightly different, listing slavery, peonage, debt bondage, and involuntary servitude as forms of labor trafficking (Trafficking Victim Protection Act, 2000). Moreover, the U.S. legal definition requires a legal threshold of *force, fraud, or coercion* be proven for labor trafficking victims, while under the Trafficking Protocol (2000) all victims of labor trafficking, and not just those who can prove this three-tiered standard, are protected.

In addition to actions that legally constitute labor trafficking under U.N. and U.S. policies, there are a range of experiences bound up with commercial labor exploitation that do not meet the legal threshold described above. Worksites have been documented to include cramped, unclean conditions and coerced sex among females, also described as “paid rape,” (Ugarte et al., 2003, p. 148). Routine humiliation of workers by construction foreman, working in unsafe factory conditions, or unsanitary farm bathroom facilities are examples of labor violations that do not necessarily qualify as *force, fraud, or coercion*. Many migrants, including those who received H2-A or H2-B guest worker visas under the Immigration and Nationality Act (1952), do not report these incidents, as they have been found to fear criminal conviction or deportation without compensation (Loftus, 2011). According to Shamir (2012):

Trafficking is often recognized in circumstances of exploitation and manipulation that relate not only to the type of work one is made to engage in but to the working conditions in an agreed upon type of work. This includes situations in which a worker agrees to do a certain job, yet does not consent to some of the working conditions, such as restrictions on freedom of movement, long working

hours, excessive wage deductions, delayed payment, and low wages. Human trafficking emerges, therefore, as a combination of labor rights violations, where each one alone might not amount to trafficking. (p. 87)

Labor trafficking involving domestic servitude and exploitative labor conditions found in sweatshops and on construction sites also are documented to involved varying degrees of commercial sexual exploitation (Farley et al., 2003; Ugarte et al., 2003). González-López (2006) for example, found that 20 self-identified heterosexual Mexican immigrant men living in the U.S. worked in commercially exploitative conditions, which also put them at risk for sexual harassment by their employers who often were middle-class, white gay men. While a violation of U.S. sexual harassment law, this behavior did not constitute trafficking. Thus, not only does a thin line exist between labor trafficking and commercial exploitation, but labor exploitation and commercial sexual exploitation are not mutually exclusive. As a result, there have been calls for labor and sex trafficking to be understood as intersecting, collapsible phenomena rather than separate policy categories (GAATW, 2010; United Nations Women, 2012).

In a global neoliberal economy, processes such as trade liberalization that can create job opportunities for females, also simultaneously prompt increased labor-based gender discrimination and exploitation. Such processes also destroy previous agricultural and trade craft work predominantly occupied by females. As discussed by GATTW (2010):

The shift from a government to market-driven economy minimizes the capacity of government to redistribute resources in ways that alleviate gendered forms of poverty and inequality. In response to the loss of job opportunities, increased poverty, and loss of government services, women compensate with increased paid and unpaid work. To find additional income women may move into informal sector employment and/or migrate, and if they are unable to access legal migration, they are at greater risk for being trafficked. While employment in the informal sector enables women in many countries to have a livelihood, it is also often marked by exploitative work conditions, and economic and other insecurity. (p. 21)

These structured labor market conditions therefore, give workers limited bargaining power in the workplace, leaving them vulnerable to having their status shift from migrant or unaccompanied migrant to exploited worker or sexually trafficked victim. In addition to policy that better accounts for overlap in labor and sexual exploitation, such conditions have led to a push for a labor approach to combat trafficking. According to Shamir (2012), this approach would target labor market structures prone to exploitative labor practices by doing things like guaranteeing unionization, stopping the criminalization and deportation of workers who report exploitation, reducing recruitment fees, eliminating binding labor agreements, and enforcing labor law.

### **Commercial Sexual Exploitation and Trafficking**

Similar to labor trafficking, sex trafficking involves a range of policies and practices. Under the Trafficking Protocol (2000) sexual exploitation can occur regardless of victim circumstances, while TVPA (2000) specifically highlights sex trafficking as severe trafficking, whereby victims under 18 years of age do not need to prove *force*, *fraud*, or *coercion*. Research documents that large numbers of boys and men are involved in various forms of commercial labor and sexual exploitation (Garza, 2011; González-López, 2006). Yet, due to sheer percentages of female adult and youth victims, most research that discusses sex trafficking within international and U.S. contexts is concerned with females between 14 to 17 years old. Due to long-held normative beliefs and social stigmas attached to prostitution, one of the greatest challenges to eliminating sex trafficking is changing the perception that commercially sexually exploited girls are victims and not criminals (Kotrla, 2010). The reality is that “the life,” or the daily experiences of commercially-driven emotional, physical, and sexual trauma, is found in all communities across the U.S. (Lloyd, 2012; Rafferty, 2013). Unlike profits from one time drug or weapon sales, a girl repeatedly can be sold for sex, which makes sex trafficking a crime of incredibly low cost and equally high reward (Hodge & Lietz, 2007).

Female youth within the U.S. are likely to find their way into the life due to complex social, political, and economic processes and institutions that maintain male bias (Lloyd, 2012; Martin, 2005). As discussed by Kotrla (2010), “a culture of tolerance fueled by the glamorization of pimping, is embodied in multiple venues of daily life, including clothing, songs, television, video games, and other forms of entertainment” (p. 183). Commercial sexual exploitation also can involve the explicit pimp, trafficker, and John manipulation of female sexuality, which much like race and social class (Dumas & Anyon, 2006), has been fundamental to political economies of social control. Such sexual violence also hinges on broad social morality that buttresses neoliberal and patriarchal understandings of female and male positions within in society, the economy, and political life (Griffen, 2007). Further, normative ideas about rescuing the good, helpless victim, not only can interrupt thorough law enforcement or policy development if victims are perceived as unworthy, but prevents “effective treatment and service delivery for victims of sex trafficking” (Menaker & Franklin, 2012, p. 2026).

Heterosexist stereotyping, sexual violence, and hyper-sexualization of the female body blanket the mass media (Lemke, 2013). Conveyed through different mediums, television shows like *Sons of Anarchy* and video games such as *Grand Theft Auto* contain explicitly violent content that glamorizes sexual violence against females (Lemke, 2013). Objectification and desire to possess the female form has been documented in the high rates of male business on Backpage.com and Craigslist.com, websites known to sell advertisements that were found to include sex with minors (Roe-Sepowitz et al., 2013). Cultural clichés like *the world’s oldest profession* also still are used to dismissively describe commercial sexual violence against women, while having a *pimp attitude* has been equated with being a cool, dominant male in U.S. culture (Kotrla, 2010).

Not only is the pimp lifestyle and accompanying misogyny glorified in much of U.S. pop culture, but it has been rewarded by mainstream institutions as well. Music examples include Eminem’s Grammy for his violence against women anthems in *The Marshall Mathers LP* (2001), Three 6 Mafia’s Oscar for the song *It’s Hard Out there for a Pimp* (2006), and M.T.V.’s show *Pimp My Ride* which has aired since 2004 (Kotrla,

2010). Held since 1974, the Players Ball is an annual, multicity gathering of pimps and their “stable of prostitutes,” which celebrates the pimp lifestyle by having pimps from around the globe compete for awards (Dowling, 2000, para. 2). Male pimps who participate in this event talk openly about the forms of torture they use against the females they refer to as “hoes” who they believe unlike themselves, chose their profession (Dowling, 2000). Finally, a number of books written by pimps that provide tools for maintaining a pimp lifestyle and managing women are published and can be purchased online through websites like Amazon.com including, *The Pimps Bible: The Sweet Science of Sin* (2001) by Alfred “Bilbo” Gholson and *Pimpology: The 48 Rules of the Game* (2007) by Pimpin’ Ken. Such examples indicate that youth culture is saturated with socializing misogynistic messages (Kotrla, 2010).

In the U.S. and Texas, youth from rural, urban, and suburban areas can find themselves caught up in the life of commercialized sexual violence for many reasons. They include but are not limited to: recruitment by loved ones or family members; false-front agencies; online enticement or recruitment known as grooming; websites that make online sex purchases hard to track; organized crime; failure of law enforcement to identify victims; and a political economy that objectifies females and values pimp culture (Hodge, 2008; Hughes, 2002; Kotrla, 2010; Lloyd, 2012; Rand, 2010; Reid, 2012). Minors, the majority of whom are female, not only can be bought and sold in underground U.S. street economies, but easily are traded at truck stops, through text messages, and online (Kotrla, 2010; Roe-Sepowitz et al., 2013). According to an eight-city study by Dank et al. (2014) that included interviews with 73 pimps and traffickers, among other locations, recruitment occurred at schools (11%), malls (4%), and transit stations (3%). Pimps who recruited at schools also tended to be younger men or students still enrolled in high school (Dank et al, 2014).

Emotional, physical, and sexual health is known to decline drastically for commercially exploited individuals. Youth victims can be subject to varying levels of physical isolation, restriction of movement and food, threats against family members, and physical violence leading to long-term emotional and physical scarring (Rafferty, 2013).

Dependent on situational context, commercialized sexual exploitation can include gang rape, unwanted pregnancy, unsafe abortion, and contraction of sexually transmitted diseases, including the human immune-deficiency virus (HIV) (Rafferty, 2013). Studies have found that while *guerilla pimping* that utilizes violence is factor in sex trafficking, pimps and traffickers rely more on *finesse pimping* or manipulation to control victims, which has called into question policies that simplify complex choices faced by youth in exploitative situations (Dank et al., 2014; Marcus, Horning, Curtis, Sanson, Thompson, 2014; Williamson & Prior, 2009). Among other lifelong problems, developmental delays, chronic health disorders, substance abuse, and reproductive problems like infertility, as well as increased risk for suicide, depression, anxiety, aggression, and post-traumatic stress disorder (PTSD)<sup>vii</sup> are known to exist (Farley, Baral, Kiremire, & Sezgin, 1998; Flowers, 2001; Hardy, Compton, & McPhatter, 2013; Rafferty, 2013; Williamson & Prior, 2009).

As the next section demonstrates, there is a range of vulnerability factors that contribute to the likelihood that a middle school or high school aged youth might become a victim of trafficking. Some of these dynamics include dating violence, bullying, youth homelessness, and migrant status. Other factors include violence experienced by queer youth, prior emotional and sexual abuse, and contact with the juvenile justice system.

### **Intersecting Student Groups and Vulnerabilities**

#### **Dating Violence and Bullying: In-person and Online**

Emotional and sexual abuse, low self-esteem, and developmental delays have been linked to youth who were trafficked or victimized by exploitative activity (Hardy et al., 2013; Rafferty, 2008). Given students who are victims of dating violence and bullying also face similar challenges, it is important to consider how these factors might contribute to commercialized exploitation. Youth in dating or romantic relationships can face a range of psychological, emotional, physical, and sexual dating abuse, with rates for female adolescent sexual assault being as high as 8% nationally<sup>viii</sup> (Raghavan, Bogart, Elliott, Vestal, & Schuster, 2004). While physical dating violence victimization rates are similar among females and males (Centers for Disease Control and Prevention, 2012),

female youth are more likely to experience the more severe forms of physical aggression such as punching, kicking, and sustained injury (Champion, Foley, Sigmon-Smith, Sutfin, & DuRant, 2008; Molidor & Tolman, 1998; Temple & Freeman, 2011). Rates of dating violence also are high among adolescent students who receive free and reduced lunch, experience parental or guardian partner violence,<sup>ix</sup> and self-identify as queer (Coker, Clear, Garcia, Asaolu, Cook-Craig et al., 2014).

Youth who experience peer dating violence also have been found to endure high rates of peer bullying and harassment, including sexual harassment (Espelage & Holt, 2007). Adolescent students who experience dating violence also face cyber bullying, or online harassment (Yahner, Dank, Zweig, & Lachman, 2015). In a study of three northeastern states for example, approximately one in four youths reported that they endured some form of cyber dating abuse, or “abuse via technology and new media” (Zweig, Dank, Yahner, & Lachman, 2013, p. 1063). Females reported the most abuse, including sexual cyber dating abuse, or online sexual harassment from partners (Zweig et al., 2013). Victims of sexual cyber dating abuse also were found to experience sexual coercion, such as pressures to have sex, with perpetrators of sexual cyber dating abuse being more likely to perpetrate real life sexual coercion (Yahner et al., 2015). Such dating violence and bullying contribute to eating disorders, depression, suicidal thoughts, drug use, and high risk sexual behavior (Ackard & Neumark-Sztainer, 2002; Coker, McKeown, Sanderson, Davis, Valois et al., 2000; Silverman, Raj, Mucci, & Hathaway, 2001), as well as short (Bayard & Cross, 2008) and long term negative educational outcomes (Smith, White, & Holland, 2003). Policy-makers and practitioners interested in preventing online grooming, or recruitment of minors through online enticement, coaxing, and manipulative techniques (Hughes, 2002), should consider how dating violence and bullying, both in-person and online, might intersect with youth trafficking.

### **Queer Identity**

White, middle class, and binary understandings of masculinity and femininity have permitted the normative reproduction of violence against certain student groups (Lugg, 2003b). Queer youth, or those who identify as LGBTQ (Lesbian, Gay, Bisexual,

Transgender/Transsexual, Queer/Questioning), experience significantly higher rates of harassment and related traumas when compared to their heterosexual counterparts (Detrie & Lease, 2008; Human Rights Watch, 2001; Kosciw, Greytak, & Diaz, 2009; Saewyc, Skay, Pettingell, Reis, Bearinger et al., 2006). Various queerphobias, directed at LGBTQ youth by students and staff alike<sup>x</sup> (Lugg, 2003a; Pritchard, 2013), have led half of all queer students to report facing discriminatory policies and feeling unsafe at school (Kosciw, Greytak, Palmer, & Boesen, 2014). Queer youth, and particularly those who are queer and Black or Latino/a (Rivers & Noret, 2008), are at risk for academic problems like low grade-point averages, absenteeism, high rates of leaving school, and failure to pursue post-secondary education (Berlan, Corliss, Field, Goodman, & Austin, 2010; Birkett, Espelage, & Koenig, 2009; Kosciw et al., 2009; Kosciw et al., 2014). When compared to heterosexual peers, queer students also report higher rates depression, suicide (Almeida, Johnson, Corliss, Molnar, & Azrael, 2009; D'Augelli 2003; King, Semlyen, Tai, Killaspy, Osborn et al., 2008), substance abuse (Marshall, Friedman, Stall, King, Miles et al., 2008), risky sexual behavior (McDermott, Roen, & Scourfield, 2008), and homelessness (Ray, 2007).

Violence directed at queer youth intersects with commercial exploitation through poverty, racial background, and unstable living conditions. Economically disadvantaged, multiethnic, queer youth, and transgender individuals in particular,<sup>xi</sup> face high rates of economic isolation, homelessness, and harassment from law enforcement (Buist & Stone, 2014; Grant, Mottet, Tanis, Harrison, Herman et al., 2011; Stotzer, 2009). Transgender Black and Latino/a individuals, as well as male-to-female transgender (MTF) individuals, have been found to engage in high rates of underground survival work, including exploitative sex, when compared to white transgender or female sex worker counterparts (Grant et al., 2011). Due to unstable living conditions, these same individuals also report increased contact and high rates of negative interactions with law enforcement (Grant et al., 2011). As described previously, these experiences negatively compound the problematic school-day obstacles faced by queer students.

Given the rates of violence experienced by queer youth both within schools and on the streets, research has pushed schools to adopt anti-harassment and assault policies, inclusive curriculum and extracurricular activities, and hire rather than fire queer school staff (Kosciw et al., 2014; Rofes, 2005; van Wormer & McKinney, 2009). In their aim to maintain normative understandings of femininity and masculinity and eliminate what they view as a lifestyle choice, Christian fundamentalists have lobbied against such efforts (Griffin & Ouelett, 2003; Lugg, 1998). Given continued backlash, many school policies fail to protect queer students from harassment or address institutional heterosexism that can harm all students (Lugg, 2003b; Pascoe, 2005). Still, schools as organizational structures remain central to systematic change efforts both within and outside the school building (Capper, 1999). Schools would be prudent to consider how queer youth exist at the intersections between bullying, student leaving rates, homelessness, and possible exploitation. Policy aiming to prevent human trafficking through education also should take into account how normative biases experienced by queer students at school make these students vulnerable to commercial exploitation.

### **Homelessness**

Homelessness is understood in the research literature as a contributing factor to youth trafficking and commercialized exploitation. In the U.S., homelessness is the result of interconnected and varied macro- and micro-level factors, many of which are historically and contextually derived and none of which are mutually exclusive. Contributing macro dynamics can include labor market conditions, availability of social safety net programming, housing affordability, and educational opportunity, while micro factors might involve individual mental illness, child abuse, disability, and substance abuse (Byrne, Munley, Fargo, Montgomery, & Culhane, 2012). Although there is no single cause of youth homelessness, many runaway and street youth similarly experience abuse, family economic problems, divorce, and parental/guardian substance abuse (Edidin, Ganim, Hunter, & Karnik, 2012; Ferguson, 2009; Nooe & Patterson, 2010). Aging out of foster care (Dorsen, 2010), or being forced from their home because of a

queer identity (Corliss, Goodenow, Nichols, & Austin, 2011; Dworsky, 2010) also are causal factors.

Similar to the difficulty in accurately determining statistics for youth trafficking, it is difficult to determine rates of homelessness in the U.S. Due to its hidden, transient, and episodic nature, as well as the different measures<sup>xii</sup> used to determine its existence, homeless estimates vary significantly (Finley & Diversi, 2010; Nooe & Patterson, 2010). According to the U.S. Department of Housing and Urban Development (USHUD), which utilizes a measure tied to shelters and public spaces, 578,424 total individuals were homeless on a single night in 2014 (Henry, Cortes, Shivji, & Buck, 2014). One-third (194,302) of those individuals were children and youth, and 45,205 (8%) were unaccompanied minors, meaning they did not live in a family unit<sup>xiii</sup> (Henry et al., 2014). Reauthorization of the McKinney-Vento Homeless Education Improvements Act (2002), which deals with homeless children eligible for school services, led to a more inclusive definition of homelessness. This definition includes children and youth who not only are living in public spaces or shelters, but are awaiting foster care placement, are migratory, or living in with friends/family, also referred to as doubled-up accommodations.<sup>xiv</sup> U.S. Department of Education (USDOE) estimates of child homelessness (under 18 years of age) therefore are significantly higher than USHUD. In 2012 for example, schools reported a total of 1,168,354 children as homeless to the USDOE with 75% of these living in doubled up accommodations (National Center for Homeless Education [NCHE], 2014). Out of the total population, 60,000 children also were reported as unaccompanied (NCHE, 2014).

Demographically, homeless male youth are at greater risk for chronic homelessness than females (Witkin, Milburn, Rotheram-Borus, Batterham, May et al., 2005). Yet, in the 2012 *Annual Homeless Assessment Report*, the majority of sheltered homeless families were headed by females (Solari, Cortes, & Brown, 2013). More than half of the homeless population also was from racially diverse subgroups, with Black homelessness representing a disproportionate share of the total homeless population (Solari et al., 2013). Homeless female youth populations also face higher risks for

physical and sexual assault (Edidin et al., 2012; Ensign & Panke, 2002). One of the most vulnerable and medically underserved homeless groups, female youth report racism, sexism, threats of adult violence, and judgmental social services staff, all of which create barriers to preventing exploitation and providing victims with basic healthcare (Ensign & Panke, 2002). Finally, homelessness among queer youth also occurs at disproportionate rates when compared to homelessness among heterosexual peers. Estimates are as high as roughly half the total U.S. homeless youth population (Cray, Miller, Durso, 2013).

After becoming homeless, both Black youth (Rice, Fulginiti, Winetrobe, Montoya, Plant et al., 2012) and queer Black youth were found to engage in riskier behavior and have poorer health outcomes than do heterosexual counterparts (Rice, Barman-Adhikari, Rhoades, Winetrobe, Fulginiti et al., 2013). Homeless queer Black youth for example, were likely to reside with a stranger, putting them at risk for sexual exploitation (Rice et al., 2013). Queer youth and non-white queer youth also were found to experience unstable living conditions upon aging out of foster care, similarly putting them at risk for exploitation (Fowler, Toro, & Miles, 2009). While most research has targeted one group, U.S. populations of homeless minors and foster care minors can overlap at various stages throughout childhood development (Zlotnick, Tam, & Zerger, 2012), which should be considered if promising trafficking intervention programming is to be developed.

Homeless students are likely to experience high levels of stress due to crowded shelter conditions, frequent changes in residence, lost possessions, and social isolation (Gruman, Harachi, Abbott, Catalano, & Fleming, 2008; Obradovic, Long, Cutuli, Chan, Hinz et al., 2009). Lack of adequate nutrition also contributes to multiple health issues (Rafferty, Shinn, & Weitzman, 2004). As a result, these students face developmental delays and education-related problems (Fantuzzo, LeBoeuf, Chen, Rouse, & Culhane, 2012; Haber & Toro, 2004; Herbers, Cutuli, Supkoff, Heistad, Chan et al., 2012; Mawhinney-Rhoads & Stahler, 2006, Miller, 2011; Pettit, 2004; Tucker, Marx, & Long, 1998), with risks greatest to students experiencing homelessness between fourth and eighth grade (Herbers, Reynolds, & Chen, 2013). Youth who have no contact with law

enforcement prior to becoming homeless often end up in the juvenile justice system once on the street (Thompson, Bender, Windsor, Cook, & Williams, 2010). Tyler and Johnson (2006) for example, found that many street youth did not want to trade sex, but did so because they lacked financial alternatives, or in the case of females, they faced coerced or forced sex.<sup>xv</sup> Thus, homeless youth are at increased risk of abuse and commercial sexual exploitation through street based survival sex (Cochran, Stewart, Ginzler, & Cauce, 2002; Edidin et al., 2009).

Similar to meeting the needs of other student populations vulnerable to trafficking, school relationships create stability for homeless youth (Reed-Victor & Pelco, 1999). Caring adults and student agency for example, were found to improve the living conditions of youths who were homeless (Aviles de Bradley, 2011). As discussed by Mawhinney-Rhoads and Stahler (2006):

If school systems do not provide special educational interventions [e.g. assisting with residency, counseling, and transportation needs] to address the particular educational barriers that these children face, then it is likely that these children will stay marginalized in the lowest economic rung of society” (p. 289).

Thus, policy-makers and practitioners interested in using education in efforts to address youth trafficking should take into account how contributing and intersecting social problems like homelessness affect the likelihood that a minor will be trafficked.

### **School-to-Prison Pipeline**

To understand minor trafficking, it is important to consider the high rate of contact that street youth, youth of color, and trafficked victims have with a systematically flawed U.S. criminal justice system. Criticism of this system is based on dramatic increases in federal spending on corrections (Henrichson & Delany, 2012) and that of the 2.3 million individuals incarcerated, a disproportionate percentage of people are economically disadvantaged and people of color<sup>xvi</sup> (Alexander 2010; Davis 2003; Mauer & King 2007). Queer and gender non-conforming individuals also have high rates of incarceration (Grant et al., 2011). Like adults, homeless (Fielding & Forchuk 2013; O’Grady & Gaetz, 2004) and racially/ethnically diverse youth face disproportionate and

increasing rates of profiling, arrest, and incarceration (Collins, Noble, Poynting, & Tabar, 2000). Further, both within international contexts (Carrington & Pereira, 2009) and in the U.S., youth are more likely than adults to experience police harassment, increased surveillance in public spaces (McAra & McVie, 2005), and have their social activities criminalized (Crawford, 2009). Youth of color for example, consistently have made up more than half of the U.S. juvenile prison population between 2001 and 2010 (Curtis, 2014). Latino/a youth also are entering the juvenile justice system at disquieting rate (Lewis & Vázquez-Solórzano, 2006), with increased criminalization of migrant families and unaccompanied minors occurring at detention centers along the Mexico-U.S. border.

Increasingly, youth criminalization policies and practices such as holding students back, restrictive special education, overreliance on School Resource Officers, inconsistent referrals and expulsions, repeat in- and out-of-school suspension, alternative education, and zero tolerance (Curtis, 2014), work to systemically push certain youth groups out of public schools and into the juvenile justice system (American Civil Liberties Union, 2008; Kim, 2003). While it is important not to overstate similarities between Black and Latino/a subgroups so not to obscure U.S. structural inequality (Massey, 1993), scholars and prison rights advocates argue that the increased criminalization of U.S. youth of color, is tied to a process known as the school-to-prison pipeline.<sup>xvii</sup> Based on a deficit perspective that incorporates misperceptions about individual behavior into school discipline (Noguera, 1995, 2003), this process functions “to normalize an ‘expectation’ of incarceration for growing numbers of youth” (Meiners, 2007, p. 31).

Studies demonstrated disproportionately high rates of discipline and more severe consequences for Black (Payne & Welch, 2010; Skiba, Horner, Chung, Rausch, May et al., 2011) and Latino student groups (Castillo, 2014; Peguero & Shekarkhar, 2011). In particular, Black females were found to be disciplined at higher rates in elementary school (Blake, Butler, Lewis, & Darensbourg, 2011), as well as suspended or expelled from secondary settings more than five times the rate of their white female peers (Wallace, Goodkind, Wallace, & Bachman, 2008). Queer and gender nonconforming

student females (Himmelstein & Bruckner, 2011), also were found to be disciplined and pushed out of schools at higher rates than their heterosexual counterparts.<sup>xviii</sup> Thus, it has been argued that a hostile school climate coupled with family rejection facilitates the increase of homeless queer youth at risk for incarceration (Snapp, Hoenig, Fields, & Russell, 2015) and possible commercial exploitation.

Regardless of student demographic, out-of-school suspension and expulsion are risk factors for a range of negative developmental outcomes (Skiba, Arredondo, & Williams, 2014). Students who have a history of arrest prior to the age of 16 see their graduation potential decrease by 27%, with students who do not have a high school diploma being 26% more likely to go to prison than their graduating peers (Hjalmarsson, 2008). Interviews with already incarcerated youth also revealed that a lack of educational success and financial opportunities was a key ingredient for youth attaining income through illicit crimes like narco-trafficking (Hatt, 2011). Thus, policies and practice concerned with eliminating commercial exploitation also should be cognizant of the connections between the school-to-prison pipeline and trafficking.

### **Migration and Unaccompanied Minors**

It is not possible to examine human trafficking without considering the intersecting dynamic of migration. Since 9/11,<sup>xix</sup> there has been a drastic increase in the detention and criminalization of migrants at the Mexico-U.S. border, with the sharpest increase being among children and youth. In 2011 for example, there were 6,902 accompanied migrant minors and 15,949 unaccompanied migrant minors apprehended at the Mexico border (U.S. Customs and Border Protection [USCBP], 2011); just three years later those numbers spiked to 38,845 and 68,541 respectively (USCBP, 2014). Though it is important to acknowledge the diversity of migrant groups traveling from Mexico and the Northern Triangle nations of El Salvador, Guatemala, and Honduras, all four nations are producing large numbers of children and youth seeking asylum at the U.S. border (UNHCR, 2014). Specific globalized neoliberal push (e.g. poverty based violence) and pull (e.g. rumors of improved work and education opportunities in the U.S.) factors drive migrants to attempt crossing from Mexico into the U.S. (Ehrenreich &

Hochschild, 2002). These push-pull factors highlight overlaps in migration (forced or voluntary), smuggling, and trafficking (GAATW, 2010). UNHCR (2014) for example, found overlapping themes of abuse in the home, criminal violence, and deprivation in their home nations, plus the potential for family reunification and opportunity in the U.S. as reasons for youth migration from Mexico and the Northern Triangle. Females in particular, also are documented as leaving Mexico (González-López, 2007) and the Northern Triangle to escape sexual violence (AI, 2010; UNHCR, 2014). Finally, key to the Mexican context was a high frequency of coerced youth recruitment by organized and unorganized criminal elements to work as guides in the human smuggling industry<sup>xx</sup> (UNHCR, 2014). Thus, in addition to economics driving migration, adults and children are on the move for reasons that could qualify them for protection under international and U.S. asylum and trafficking laws.

The collapsing nature of migration, smuggling, and trafficking, along with the sharp increase in migration to the U.S. from Mexico, prompted various international agencies and governmental entities to document the dangers awaiting migrants during migration, within border detention, and once in the U.S. (AI, 2010; Menjívar, & Abrego, 2012; UNHCR, 2014). Women, their children, and unaccompanied minors are at particular risk for robbery, extortion, kidnapping, sexual assault, trafficking, and murder, with much of the violence never officially being registered, let alone prosecuted (AI, 2010). Described as the “price of passage,” it is estimated that six in ten females<sup>xxi</sup> will experience sexual violence during migration, with some smugglers even insisting that females take contraceptives as a precaution against pregnancy from expected rape (AI, 2010, p. 15). In addition to government officials and organized crime, such abuses are perpetrated by profit-driven male and female entrepreneurs who are unaffiliated with local criminal organizations or traffickers (Zhang, 2011). Sexual abuse of females and youth while in detention settings also has occurred, with the failure of authorities to report sex crimes and offer medical services being well-documented (AI, 2010; Menjívar & Abrego, 2012; Grassroots Leadership, 2009; Parker et al., 2014; UNHCR, 2014).

Governed by U.S. Departments of State, Homeland Security, and Justice, the Immigration and Nationality Act (INA, 1952) permits immigrant exclusion, deportation, and denaturalization on multiple grounds (Loftus, 2001). Harsh penalties are given for immigration violations and protected statuses are difficult to obtain. Yet, it is important to note here that similar to U.S. trafficking law discussed later in this Chapter, which affords migrants, and specifically unaccompanied minors protections, INA offers migrants asylum for various reasons. These reasons include experiencing extortion, prostitution, rape, torture, involuntary servitude, and severe forms of trafficking, as well as homeland persecution based on religion, race, nationality, and political opinion (Loftus, 2011). Even with these protections, increased migrant criminalization has led to what Menjívar and Abrego (2012) consider *legal violence* in the lives of Mexican immigrants. At school, migrant students experience xenophobia, stigma, learn to be fearful of authorities, and often internalize values that denigrate family members who are not U.S. residents (Menjívar & Abrego, 2012). Such fears also keep Mexican immigrant families and students from accessing available social services and programming (Menjívar & Abrego, 2012). Further, over the last two decades, Mexican population growth has been highest in rural areas, with 70 % of Mexican immigrants educated in rural and suburban school districts (Kandel & Cromartie 2004). At the same time and within the same landscape, there has been rampant construction of privately run prisons and immigration detention centers (Grassroots Leadership, 2009; Huling, 2002; Parker et al., 2014).

Despite claims that these prisons will assist declining rural economies, no positive effect on local community unemployment rates have been found (King, Maier, & Huling, 2003). The expansion of private prisons in rural America is significant in light of the previously described criminalization and violence targeted at Mexican immigrant populations in the U.S. borderlands. As Low (2001) noted, “a discourse of urban fear” could be shaping community perspectives about rural Mexican families, which in turn might constrain basic rights and educational programming that migrant students are legally entitled (p. 45).<sup>xxii</sup> These perspectives not only operate to constrain access to

education and public services, but work to make historically marginalized Mexican immigrant and U.S. born youth invisible within U.S. society. A reflection of the macro-level expansion of the privatized prison industrial complex in rural America, Pinnow (2013) found that increased rural administrator concern about student safety prompted increased surveillance, subjective disciplining for small infractions, and preemptive targeting of the “Mexican-student-as-potential-criminal” (p. 265).

Thus, educators and school officials can contribute to legal violence directed at immigrant communities (Menjívar & Abrego, 2012). However, they also can use the organizational structure and policies of the school to act as change agents in the lives of migrant students, many of whom experienced commercial exploitation and violence during and after their journey into the U.S. While criminalization of youth is on the rise at the U.S. border, so too is there an expanding school-to-prison pipeline involving youth of color, homeless youth, and queer students, all of whom are vulnerable to commercial forms of exploitation. As discussed by Lewis (2006), the “ever-expanding proliferation of surveillance technologies and practices in U.S. schools is evidence of the tightening relationship between military, penal, and educational economies” (p. 263). How educators normatively view migrant populations and their experiences of exploitation, has important implications for the future of public education as a whole. There also are important educational lessons to be gleaned from the overlapping experiences of youth migrants, and the youth groups described previously.

### **Policy Considerations and Critiques**

International human rights law concerned with human trafficking, as enacted by the League of Nations and United Nations, date to the first part of the twentieth century. Yet, the U.S. Trafficking Victims Protection Act (TVPA) was not passed until 2000, with respective state legislation following shortly thereafter. Washington for example, created the nation’s first Task Force against Trafficking of Persons through the passage of House Bill 2381 (2002). Texas followed seven years later with its Texas Human Trafficking Prevention Task Force that was created by House Bill 4009 (2009) (See: Appendix A, Table 1 for a list of state-based federally funded task forces and respective legislation).

Before examining key international, U.S., and Texas policies, this section reviews multiple trafficking policy critiques. In doing so, this section illuminates important political and normative dynamics, which have shaped much of trafficking policy development.

TVPA and state policies, including those in Texas, have been critiqued for continuing to view prostitution by adults as a consensual act rather than human trafficking (Muftic & Finn, 2013). Some radical feminist scholars therefore, take issue with TVPA and similarly worded state laws, seeing all prostitution as a violation of basic human rights, which should not require proof of *force, fraud, or coercion*. They argue prostitution is little more than paid rape supported by patriarchal capitalism (Berry, 1979, 1995; Farley, 2004; O'Brien, 2009). Commenting on the dual roles of power and class within patriarchal sexual exploitation Farley (2004) stated, “the difference between pimps who terrorize women on the street and pimps in business suits who terrorize women in gentlemen’s clubs is a difference in class only not a difference in woman hating” (p. 1101). Some scholars critique the radical feminist stance for failing to consider how their arguments align with religious moralists. These critiques also hold that the universal claim that all prostitution is a form of sexual violence perpetrated against females fails to recognize that trafficking can be facilitated by families and females (Farley et al., 2003; Jones, 2014; Zhang, 2011) and that large numbers of boys also are involved in forced commercial sex (Garza, 2011). Further, those concerned with the role of the state, sex worker rights, and seeing to it that sex worker perspectives are included in policy solutions have held that selling sex can involve varying degrees of agency regardless of age (Chuang, 2010; Decker, 2013; O’Connell Davidson, 2011; Weitzer, 2007).

Similar to feminist concerns about adult prostitution, some scholars have broadly critiqued trafficking policy for the creation of legal binaries between adults and minors (under 18 years of age). They argue this binary implies a political valuation of trafficking in minors as more cruel than adult maltreatment (Andrews, 2004; Berry, 1979; Kelly, 2003; O’Connell Davidson, 2005, 2011; Rafferty, 2013). Berry (1979) stated for example that, “Separating the enslavement of children from that of women distorts the

reality of the practices and conveys the impression that on some level it is tolerable to enslave women while child slavery is still reprehensible” (p. 11). Kelly (2003) argued that failure to identify “force” for adult victims, results in a pass for traffickers who can continue to exploit women who are socially viewed as willing prostitutes. O’Connell Davidson (2011) critiqued international policy discourses concerned with minor trafficking for supporting exclusionary ideas of who normatively can be considered child victims, which in turn results in the punishing of children who do not conform to mainstream norms of victimhood. Finally, it is noteworthy that most U.S. twelfth grade students turn 18 before graduation and therefore legally have adult human trafficking status while still in high school.

Another major legal critique turns on the independent development of trafficking policy from the related phenomena of migration and smuggling. Policy distinctions between smuggling, considered an illegal act by U.S. law, and trafficking have created problems for properly identifying international victims, both adult and minor alike (Chacón, 2006). Although they may be trafficking victims, migrants not properly screened are “arrested, detained, charged, and convicted” under U.S. immigration policy (Loftus, 2011, p. 183). Yet if identified, some of the same individuals qualify for protective statuses, including those afforded under U.S. trafficking policy (e.g. The Trafficking Victims Protection Reauthorization Act (2008) required all unaccompanied minors be screened for trafficking; also see: Loftus, 2011 for a detailed treatment of U.S. trafficking and immigration policy development). Thus, conflict between law enforcement policies has resulted in the abuse of migrants and failed opportunities to stymie the re-trafficking of deported victims (Loftus, 2011).

Other scholars highlight problems with international and U.S. criminalization approaches, claiming that these approaches can intimidate victims while not addressing how neoliberal push-pull factors and the state contribute to structural inequalities that drive individuals into exploitative situations in the first place (Adams, 2011; Chacón, 2006; Loftus, 2011; O’Connell Davidson, 2005; Wahab & Panichelli 2013). Critiques claim that criminalization approaches seldom lead to investigation, prosecution, and

conviction, thus, failing to stop trafficking and exploitation (Gallagher & Karlebach, 2011; Kreidenweis & Hudson, 2015). Further, domestic minor shelter programming under the reauthorization of TVPA has gone unfunded, with many victims either failing to receive proper care or being wrongly placed in group homes or juvenile correction facilities where system-based re-traumatization can occur (Kotrla, 2010). Texas specific policy also has been critiqued for its law enforcement approach, which is viewed as failing to support a “child welfare model” that “minimizes delinquency adjudication” and prevents overall exploitation (Butler, 2012, p. 844).

Critiques of the criminal justice approach hinge in part on the idea that state institutions maintain normative understandings of “good” and “bad” victims to the disadvantage of vulnerable populations. Such understandings create policies that fail to address larger issues of poverty, globalization, and Global South indebtedness to the North, all of which create a readily available supply of individuals for exploitation. Organizations like United Nations Women and the Global Alliance Against Traffic in Women work on behalf of trafficked persons to draw attention to how strict reliance on anti-trafficking policy frameworks do not thoroughly address the ways trafficking can overlap with related phenomena of smuggling and migration. They argue that the complexities existent within individuals’ lives cannot be captured in a singular approach that categorizes individuals as solely trafficked, smuggled criminal, or migrant, as opposed to understanding how these categories collapse onto one another in the new economy (GAATW, 2010; United Nations Women, 2012). Reliance on a law enforcement or criminalization approach also leads trafficking to be viewed as a national security issue thereby taking attention away from needed victim services and prevention. Finally, tighter border security actually can fuel clandestine movement heightening the potential for exploitation rather than decreasing it (GAATW, 2010).

### **International Policy**

Work by abolitionist coalitions brought an end the transatlantic slave trade in 1807. Over 100 years would pass before in the early 1920s, the League of Nations Advisory Committee on the Traffic in Women and Children became the first international

body to address modern day slavery or human trafficking. At this time, western law, institutions including the League of Nations, and mainstream culture responded to trafficking as a problem only impacting white women and minors from Western Europe and the U.S. (Edwards, 2011; Rodríguez García, 2012). Developing at a time when European and U.S colonialism were driving international politics and respective migration policy, concern for “white slave traffic” was easily fueled by sensationalist muckracker stories describing foreign men who would lure, kidnap, and sell white girls into moral debauchery (Rodríguez García, 2012, p. 103). This is not to say that the commercial sexual exploitation of white females did not exist. Rather, policy addressing white slave traffic served more to ease moralist concerns about females entering the industrial labor force and nativist concerns over immigration, both of which overshadowed the plight of colonized and women of color at the hands of white men (Davis 1981; Falcón, 2007; Smith, 2005).

Between World War I and World War II the League of Nations Advisory Committee worked to strengthen international instruments designed to suppress and prohibit international crimes, which included the recruitment of women for prostitution. In 1921 the League of Nations approved the first international instrument on human trafficking, known as the International Convention on the Suppression of the Traffic in Women and Children. This instrument was amended by the U.N. Lake Success Optional Protocol (1947), which culminated in the U.N. Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others (CSTPEPO, 1949).<sup>xxiii</sup> Aligning with continual shifts in public and legal thinking, unlike prior protocols CSTPEPO (1949) unequivocally linked trafficking with coerced prostitution and did not distinguish between women and minors. The U.N. General Assembly also required that State parties adopt measures in conjunction with immigration and emigration to monitor the traffic of women or men for prostitution (CSTPEPO, 1949).

In the latter half of the twentieth century, human trafficking policy followed additional shifts in social consciousness to move in the direction of a human rights approach. Following from CSTPEPO and influenced to a large extent by feminist concerns over

gender-based violence, the U.N. Convention on the Elimination of Discrimination Against Women (CEDAW, 1979)<sup>xxiv</sup> called for State parties to pass legislation to suppress all female trafficking and exploitation through prostitution. Then in 1983, the Special Rapporteur<sup>xxv</sup> on CSTPEPO identified distinctions between trafficking in women and minors, forced prostitution, child prostitution, sex slavery, and sex tourism (Weissbrodt & Anti-Slavery International, 1983), all of which had not been categorized previously. Building on CEDAW, the U.N. General Assembly Declaration on the Elimination of Violence Against Women (DEVAW, 1993) also condemned violence against females including forced prostitution and trafficking in women. Although U.N. General Assembly declarations do not have binding authority similar to a convention, DEVAW was a strong statement on historic gender-based violence against certain groups of females:

Recognizing that violence against women is a manifestation of historically unequal power relations between men and women. . . and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men...some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence. (DEVAW, 1993, para. 5)

A number of U.N. General Assembly conventions concerned with the specific exploitation of minors were written in the late 1980s and 1990s. The U.N. Convention on the Rights of the Child (CRC, 1989)<sup>xxvi</sup> prohibited sexual exploitation of minors or those under the age of 18. In CRC the General Assembly specifically called on State parties to take domestic, bilateral, and multilateral actions to prohibit the abduction, sale, or traffic in children for any purpose. Through its 41 articles, CRC also was landmark in that it not only aimed at protecting the rights of minors, but to involve children and youth in policy decisions that affect them (e.g. Article 9 and 12, CRC 1989). The U.N. Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)<sup>xxvii</sup> also prohibited migrant workers and their family members from performing

forced labor or being held in slavery. Another international convention, the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)<sup>xxviii</sup> addressed the rights of minors by prohibiting intercountry adoption if parental consent was achieved through payment. Finally, the International Labour Organization Convention to Eliminate the Worst Forms of Child Labour (1999)<sup>xxix</sup> specifically referenced child trafficking and prostitution by prohibiting all forms of slavery like the sale and trafficking of children, as well as the use of children for prostitution, pornography, illicit activities like drug trafficking, and work that could harm the health, morality, or safety of minors.

Beginning in the 2000s, the U.N. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography (2000)<sup>xxx</sup> provided a framework for the criminalization of traffickers and Johns on a global level. Specifically, the Optional Protocol (2000) called for regional, bilateral, and multilateral cooperation in the detection, investigation, prosecution, and prevention of child prostitution, pornography, and sex tourism. In 1998 the U.N. General Assembly declared that it needed to combat human smuggling, thereby turning the conversation from undocumented migrant rights towards preventing illegal immigration (Loftus, 2011). Thus, although the commercial exploitation of minors<sup>xxxi</sup> also was discussed in the Protocol Against the Smuggling of Migrants by Land, Sea, and Air supplementing the U.N. Convention Against Transnational Organized Crime (2000)<sup>xxxii</sup> in developing “an instrument to combat smuggling that was separate from the instrument to combat trafficking, the U.N. General Assembly set the stage for separate treatment of the two issues” (Loftus, 2011). Overall, this international framework supported by U.N. conventions, protocols, and treaties is supplemented by a number of regional agreements and domestic policies.<sup>xxxiii</sup>

**The Trafficking Protocol.** The most well-established definition of “trafficking in persons,” originated from the landmark U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000).<sup>xxxiv</sup> The Trafficking, or “Palermo Protocol,”<sup>xxxv</sup> which the U.S. heavily was involved in crafting, supplements the

U.N. Convention against Transnational Organized Crime, a multilateral treaty. Article 3 of the Trafficking Protocol (2000) defined human trafficking as:

(a) the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used; (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if this does not involve any of the means set forth in subparagraph (a) of this article; (d) child shall mean any person under eighteen years of age. (p. 42-43)

Thus, according to the Trafficking Protocol, trafficking runs the gamut of coercive, deceptive, or forced labor (e.g. debt bondage, domestic servitude, illegal adoptions, labor in armed conflict, street begging, trafficking in organs) and sex (e.g. sexual abuse, assault, and rape connected to sex tourism, trafficking, and localized commercial exploitation) of adults and minors (Scarpa, 2006). According to the Trafficking Protocol (2000), if *force*, *fraud*, or *coercion* were used, then consent is irrelevant regardless of age. Further, the Trafficking Protocol shifted emphasis from victims to traffickers, as well as subsumed sex trafficking and commercial sexual exploitation under the broader legal term of human trafficking (Hodge & Lietz, 2007).

In 2006, two major reports were released by the U.N. Secretary General on the status of national efforts to address violence against women (U.N. General Assembly, 2006a) and minors (U.N. General Assembly, 2006b). Despite the creation of an international framework, the report on women noted a general lack of political will to address this issue, as “reflected in inadequate resources devoted to tackling violence against women and a failure to create and maintain a political and social environment where violence against women is not tolerated” (U.N. General Assembly, 2006a, p. 9). The report on minors was more critical seeing efforts as “reactive, focusing on symptoms

and consequences and not causes. Strategies tend to be fragmented, rather than integrated, and insufficient resources are allocated to measures to address the problem” (U.N. General Assembly, 2006b, p. 24).

### **United States Policy**

Similar to the normative biases found in the previously described League of Nations Convention (1921), U.S. human trafficking legislation also initially focused on the “white slave trade” in females. Many policies of the time were rooted in and contributed to widespread racism and xenophobia. U.S. slave policy and long-standing U.S. Native American policy both involved unprecedented levels of violence (Rogin, 1995; Smith, 2005). These policies, coupled with discriminatory immigration legislation like Chinese Exclusion (1882), created a political culture tolerant of nativist claims about race, ethnicity, and immigrants. Thus, the White Slave Traffic or Mann Act (1910), which made it a felony to knowingly transport or coerce females into prostitution across state lines, was passed in large part as a response to moralist reformer concerns about women entering the industrial workforce and immigration. A product of its time, the Mann Act was so broadly worded that it led to prosecution of a wide range of consensual sexual behaviour and could be used to politically persecute immigrant and racial groups (Langum, 1994).

Lacking any kind of comprehensive rape or sexual assault law in the U.S., laws like the Mann Act failed to protect Asian, Black, Indígena, and Latina females, as well as supported false accusations of rape by men of color (Davis, 1981; Falcón, 2007; Smith, 2005). Never repealed, the Mann Act was amended in 1978 to acknowledge that victims can be female and male; it was updated again in 1986 to focus on minors under 18 and to replace the legal focus on immorality. Used to prosecute traffickers today, the penalty for the interstate transport of adults for forced prostitution is a fine and up to 20 years imprisonment; the penalty for coercing minors is ten years to life imprisonment (Langum, 1994).

Little was done in the U.S. after passage of the Mann Act to broadly address trafficking, exploitation, or specific forms of sexual violence. It was not until the 1970s,

which through the work of feminist groups, that major policy changes occurred, including removal of corroboration requirements, need for physical resistance, and spousal exclusions in rape laws (Martin, 2005). By the 1990s, policy advocates had identified the wealthy consumer base of the U.S. as contributing to its status both as a receiver and sender nation of commercially sexually exploited individuals (Andrews, 2004).

Understanding the difficulty in quantifying the number of U.S. citizens who participate in international forms of exploitation either as traffickers or Johns, Congress passed the Violent Crime Control and Law Enforcement Act (1994). This law made it a crime for U.S. citizens to travel abroad for commercial sexual activity with children or youth.

**Trafficking Victims Protection Act.** In a comprehensive move to assist federal, state, and local efforts aimed at combatting human trafficking, Congress passed the Trafficking Victims Protection Act (TVPA) in 2000. Establishing a law enforcement or criminalization approach in U.S. law, for the first time trafficking was made a federal crime that also required restitution be paid to identified victims. To implement the legislation, TVPA (2000) created the President’s Interagency Task Force to Monitor and Combat Trafficking (PITF). It also established the Office to Monitor and Combat Trafficking in Persons through the U.S. Department of State (USDOS). Through this Office an annual Trafficking In Persons or TIP report is published, which through a three-tiered system, ranks national policy efforts to combat human trafficking.<sup>xxxvi</sup>

TVPA (2000) defined “severe forms of trafficking in persons,” thus distinguishing trafficking from human smuggling, which is viewed to be an illegal voluntary activity (p. 7). “Severe forms of trafficking” included sex and labor classifications:

1. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
2. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (TVPA, 2000, p. 7)

Under TVPA, it is illegal for victims of severe forms of trafficking to be inappropriately fined, incarcerated, or otherwise penalized for an unlawful act, including prostitution-related crimes and immigration-related violations, committed while trafficked (TVPA, 2000).

TVPA (2000) further defined sex trafficking as “the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” (p. 7). TVPA views sex trafficking as commercial sex activity by *force, fraud, coercion*, or in which the child is not yet 18. Thus, unless *force, fraud, or coercion* are proven to induce behavior, adults who trade sex are not considered trafficking victims. Further, this three-tiered status must be proven for both adults and minor victims of labor trafficking. Since they are not specifically named within TVPA, illegal adoptions, child pornography, the trade in human organs, also are not forms of trafficking. Finally, trafficking can be misunderstood to involve the transport of individuals. TVPA (2000) does not broadly account for localized commercial sexual violence that can occur without physical transport, which is significant considering minors are more likely than adults to be the victims of localized commercial exploitation, including street pimping and the online purchase of minors for sex (Roe-Sepowitz et al., 2013).

Alongside other legislation targeting human trafficking, TVPA was reauthorized as the Trafficking Victims Protection Reauthorization Act (TVPRA) in 2003, 2005, 2008, and 2013 with each reauthorization demonstrating an evolving understanding of global and U.S. specific exploitation. In 2003 TVPRA created new deportation protections for international victims, granted victims the right to sue their traffickers, allowed human trafficking to be charged under the Racketeering Influenced Corrupt Organizations (RICO, 1970) statute, and required that the U.S. Office of the Attorney General make annual reports to Congress. Similar to the Violent Crime Control and Law Enforcement Act (1994), the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (Protect Act, 2003) increased the penalty for engaging in child sex tourism to up to 30 years imprisonment. The Protect Act also created the Amber Alert

System for missing children and established transitional housing grants for sexual assault of victims who are minors.

TVPRA (2005) strengthened regulations over federal contracting to ensure government contractors do not engage in trafficking, created the U.S. Department of Justice and Department of Health and Human Services (USDHHS) trafficking grant programming, and implemented the Campaign to Rescue and Restore Victims of Human Trafficking to assist law enforcement (See: Appendix A, Table 1 for a list of federally funded task forces). In 2008 TVPRA expanded protections granted by the T-visa, which included exemption from cooperating with law enforcement if victims were found to suffer from “physical or psychological trauma.” TVPRA (2008) increased criminal penalties for trafficking and required that all unaccompanied minors be screened as potential trafficking victims. While so-called willing adult prostitution is not considered human trafficking, it expanded human trafficking definitions so that prostitution was not construed as a valid form of employment.

TVPRA (2013) was reauthorized through 2017 as an amendment to the Violence Against Women Act. The most recent version provided new grant-based resources for law enforcement to assist with the prosecution of trafficking, as well as for services targeting domestic minor trafficking victims who are certified. TVPRA (2013) specifically aimed to prevent commercialized sexual exploitation by targeting child marriage, increased state reporting requirements to the Federal Bureau of Investigation, and required that unaccompanied minors be questioned by “an immigration officer with expertise in child welfare” in a “separate child-friendly space conducive to disclosing information” (p. 50). TVPRA (2013) also created USDOS provisions to facilitate timely response to disaster and post-conflict areas susceptible to trafficking.<sup>xxxvii</sup>

Each reauthorization of TVPRA has had an increased policy focus on domestic minors and overall victim services. Yet, TVPRA maintains a heavy prosecutorial approach to traffickers rather than Johns, and often has gone unfunded. Although written in 2007, Boxill and Richardson’s comments have relevance today:

Penalties against the ‘customer’ or perpetrator who is engaged in the act of sexual exploitation are minimally addressed. . . The responsibility of cobbling together and funding services for the domestic victims of trafficking is left to the child welfare and juvenile justice agencies of the local community. (p. 141)

At the federal level minors caught performing commercial sex acts are not supposed to face incarceration. In most states however, youth can be incarcerated for prostitution, with evidence showing that minors routinely are incarcerated for commercial sex acts (Loftus, 2011). Only 11 states<sup>xxxviii</sup> have enacted what are known as safe harbor laws for minors. Although mandated protections differ, safe harbor includes provisions to prevent commercially sexually exploited minors from prosecution for prostitution and to divert youth from juvenile delinquency to child protection proceedings. To buttress limited mainstream social service programming, safe harbor laws aim to provide victims with specialized services like safe housing, mental healthcare, and general education diploma options (Polaris, 2014).

**Trafficking, Smuggling, and Immigration.** As originally enacted, TVPA (2000) created limited immigration relief for identified international victims of “severe forms of trafficking” (p. 7). The first form of relief is a one-year renewable “continued presence” status (p. 13) for victims who might have witnessed trafficking. This includes measures for protecting family members from threats of reprisals and intimidation. The second form is a “visa” known as a T-Visa that if received, grants victims a temporary four-year residency that converts to eligibility for “Permanent Resident Status” after three years (p. 16). The T-Visa also includes protections, including the granting of legal status, for identified victims’ spouses, children, parents, siblings, and/or other family members in danger because of victim cooperation with law enforcement. The third form of relief is the U non-immigrant Visa or U-Visa. The U-Visa is intended for victims of certain crimes, including trafficking, and only if the victim cooperates with law enforcement investigation of the criminal activity (TVPA, 2000). Adult receipt of relief is dependent upon willingness to cooperate with law enforcement, a requirement not applied to unaccompanied minors.<sup>xxxix</sup> In order to access refugee-status cash, medical, and social services benefits like food stamps, Medicaid, and Temporary Assistance to Needy

Families, victims must be officially identified by a continued presence, T-Visa, or U-Visa status and certified by the USDHHS Office of Refugee Resettlement.

In addition to enforcement barriers that prevent victims from being assisted, policy distinctions between human trafficking and smuggling have created problems for properly identifying international victims (Chacón, 2006). Unlike trafficking, TVPA (2000) regards smuggling as the illegal, non-coercive transport of individuals into a different nation. Upon migrant apprehension, Wong (2013) identified six forms of legal relief available to suspected minor victims including: asylum, protection under the U.N. Convention Against Torture, U-Visas (victims of certain crimes including trafficking) and T-Visas (trafficking victims), special immigration juvenile status (SIJS), family petitions for legal permanent residence (LPR), and voluntary deportation. However, since U.S. immigration and trafficking policy oppose one other, unaccompanied minors often cannot access this relief, with policies thereby creating a haven for various forms of commercial exploitation (Loftus, 2011; Shamir, 2012). This haven is reinforced by widespread normative beliefs that only trafficking involves victimization, whereas migration is predicated on choice and smuggling involves criminal activity.

Cognizant that human smuggling can shift from voluntary movement to involve unanticipated coercion, deception, and exploitation of labor or sex on the part of the smuggler, the U.N. Protocol against the Smuggling of Migrants by Land, Sea and Air (2000) aims to prevent and combat smuggling of migrants. Through it, the U.N. works with State parties to protect migrant rights, including all child and youth rights, and to eliminate exploitation that often characterizes smuggling. The U.S. has signed and ratified this Protocol. Yet, under U.S. immigration policy, the lack of a legal immigration status can result in smuggled individuals including unaccompanied minors and those who have been trafficked, being detained and/or deported from the U.S. (Chacón, 2006).

### **Texas Policy**

Mirroring federal policy, in 2003 the 78<sup>th</sup> Texas Legislature Texas passed its own trafficking legislation. Through Texas House Bill 2096 (HB 2096, 2003), the Texas Legislature created Chapter 20A of Texas Penal Code, which covered the “trafficking in

persons.” Under Chapter 20A, trafficking involved the deceptive, coercive, or forceful transportation, enticement, recruitment, harboring, obtaining, or providing a person for forced labor or sexual activity like prostitution. Under HB 2096, the penalty for trafficking was a second degree felony that could be enhanced to a first degree felony if the sex trafficking victim was a minor under 14 years old, or the death of the trafficked individual occurred.

During the 80<sup>th</sup> Texas Legislature (2007) various community-oriented and victim-centered bills were enacted. Senate Bill 1287 required that businesses licensed by the Texas Alcoholic and Beverage Commission post visible notices about forced labor in Spanish and English. Similarly, Senate Bill 1288 required the visible posting in motels of toll-free numbers to assist potential commercially sexually exploited individuals. House Bill 1121 (HB 1121) revised Texas Penal Code Chapter 20A to expand the definition of forced labor to include threatened actions. Significantly, it also removed the need for physical transport. HB 1121 allowed judges to issue official verification so trafficked victims can more quickly become eligible for T-visas.<sup>x1</sup> Along with Senate Bill 11, HB 1121 also called for a statewide evaluation of existing human trafficking laws and respective social services. Finally, House Bill 1751 established an investigations, sexual assault, and trafficking victims funding account via a \$5 fee to be charged for entering a sexually-oriented business (Houston Rescue & Restore, 2014).

In 2009 the 81<sup>st</sup> Texas Legislature passed the landmark House Bill 4009 (HB 4009), which established the Texas Human Trafficking Prevention Task Force in the Office of the Attorney General (OAG). HB 4009 required Task Force participation from the following state entities: Governor’s Office; OAG; Health and Human Services Commission; Department of Family and Protective Services; Texas Workforce Commission; Texas Department of Criminal Justice; Texas Youth Commission; Texas Juvenile Probation Commission; Texas Alcoholic Beverage Commission; and specific OAG appointments. Since 2010, the Task Force has expanded to work with multiple local, national, and international partners (See: Appendix B, Table 2 for a list of Texas Human Trafficking Prevention Task Force members). Among other provisions HB 4009

also did the following: changed the Texas Penal Code Chapter 20A “compelling prostitution” statute by raising the legal age of a minor from under 17 to under 18; created trafficker liability regardless of knowledge that the victim was a minor; established a defense to the charge of prostitution for human trafficking victims; required that the Texas Juvenile Probation Commission study alternatives to incarcerating youth charged with prostitution; mandated training for judges, prosecutors, and law enforcement; and established an assistance and database program for domestic victims.<sup>xli</sup>

After the passage of HB 4009, the 82<sup>nd</sup> Texas Legislature (2011) made a significant turn in the direction of law enforcement and the criminalization of trafficking offenses. Among other provisions, Senate Bill 24 (SB 24) enhanced the Texas Penal Code 20A “trafficking in persons” statute by listing continuous sexual abuse, indecency, sexual assault, aggravated sexual assault, prostitution or its promotion, sexual performance, harmful employment, and pornography of minors. It brought Texas in line with TVPRA by removing the need for *force, fraud, or coercion* in sex trafficking cases where the individual was under 18 years of age. It also gave defendants with prior felony convictions life imprisonment for trafficking minors. SB 24 made solicitation of sexual services a first degree felony regardless of knowing the minor’s age and required voluntary termination of parental rights for harming a minor through trafficking (Children at Risk, 2014b). As discussed in Chapter 1, SB 24 also added trafficking and prostitution to the Texas Family Code that requires educators, medical personnel, and juvenile correction officers to report suspected abuse. House Bill 2014, partner bill to SB 24, ordered mandatory restitution for child and youth trafficking victims that includes medical, psychiatric, and psychological treatment. Finally, House Bill 3000 enacted the “Continuous Trafficking of Persons” first degree felony offense punishable by 25 years to life imprisonment for those caught trafficking two or more times during a 30-day period (Children at Risk, 2014b).

A number of bills aimed at criminalization also passed the 83<sup>rd</sup> Texas Legislature (2013). House Bill 8 (HB 8) made promotion of prostitution and aggravated promotion of prostitution of minors under 18, second and first degree felonies respectively. HB 8

made solicitation of a minor under 18 a second degree felony, punishable by two to 20 years imprisonment and a fine. Employing a minor in a sexually-oriented business also was made a second degree felony that is enhanced to a first degree felony if the minor is under 14. While House Bill 2268 allowed the granting of warrants for investigating online criminal activity, House Bill 2539 required computer technicians to report child pornography found on customer computers or face a Class B Misdemeanor. Finally, House Bill 3241 authorized the OAG to bring suit for racketeering that involved trafficking and Senate Bill 12 permitted the prosecutorial use of prior offenses against offenders on trial for child and youth trafficking (Children at Risk, 2014b).

A renewed emphasis on victims and respective social services occurred during the 83<sup>rd</sup> Texas Legislature (2013). Senate Bill 92, for the first time, mandated that juveniles apprehended for prostitution or minor trafficking be diverted to treatment services rather than the criminal system. Senate Bill 484 also allowed individuals picked up for prostitution to access counseling and mental health services. HB 8 granted trafficking victims protective orders, assisted parents and legal guardians seeking orders for minors under 18, and gave trafficking victims a one-time assistance payment of up to \$2,000 for relocation expenses and up to \$1,800 for housing expenses. House Bill 2725 directed the Health and Human Services Commission to establish minimum standards for facilities serving trafficking victims. Senate Bill 742 also required police to take four hours of training on missing and exploited children and allowed the Texas Department of Public Safety to award grants on trafficking prevention programming (Children at Risk 2014b).

**Texas House Bill 1272 (2013).** As previously reviewed, there are numerous international, U.S., and state policy instruments that aim to eliminate labor and sex trafficking. Critiques of international, U.S., and state policies have held that policy approaches must be reformed if they are to support an effective and humane victim-centered approach that actually considers societal factors contributing to both labor and sex trafficking (Butler, 2012; Chacón, 2006; Dank et al., 2014; Marcus et al., 2014; U.N. General Assembly, 2006b). Concern over the criminalization approach to trafficking and

the inability to properly identify victims has led to some improvements in federal and state-level polices including the ones previously described.

During the 83<sup>rd</sup> Texas Legislature (2013), HB 1272 was passed mandating the creation of K-12 educator curriculum on human trafficking. HB 1272 was a landmark policy shift both in terms of Texas legislative history and because the role of education is all but absent from international, U.S., and other state trafficking prevention efforts. As discussed in Chapter 1, HB 1272 is one of few state policy efforts aimed at educating K-12 staff about their responsibility to report suspected trafficking, as well as include educators in a policy-driven solution to the elimination of human rights abuses. Moreover, of the policies that do aim to include educators, little research exists about political context, policy design, and early implementation. Thus, this study is significant both because it introduces the phenomenon of human trafficking to the educational policy and leadership research community, and because it examines educational policy that is precedent-setting in its own right.

Gaining empirical knowledge about the context, discourses, and early implementation of HB 1272 is important in light of the sheer inability to reduce the number of children and youth affected by trafficking each year. By involving K-12 educators, the Texas Legislature also put public education squarely in the middle of ideological culture war debates concerning female reproduction, low-income female access to health services, rape culture, and sex education, as well as growing Texas Tea Party hysteria over U.S. immigration policy. The manner in which K-12 Texas educators will be trained and what information they will receive about human trafficking is important because educators are key to public knowledge dissemination, identification, and prevention. Rather than operate as a symbolic policy gesture, educators have the potential to ameliorate the “causes” of exploitation rather than just the “symptoms” (U.N. General Assembly, 2006b, p. 24).

### **Multifocal Theoretical Framing**

To thoroughly understand key human trafficking dynamics, relevant policy, and as examined by this study the creation and implementation of HB 1272, I adopted a

multifocal theoretical approach. Theory used in educational policy analysis shapes how “one identifies and describes policy problems, the way one researches these problems and the policy options one considers” (Young, 1999, p. 681). As a mechanism for challenging the narrow theoretical scope of traditional policy analyses, Young (1999) put forth the idea of multifocal theoretical analysis, which includes using multiple theoretical perspectives to reveal a fuller portrait of the data under consideration. Multifocal theoretical analysis is supported by critical and feminist critical policy research traditions, which draw knowledge from various sources within and outside of academia, inherently pausing to contemplate how knowledge production reproduces and sustains power.

### **Critical Perspectives**

Critical educational policy scholarship, which broadly explores the relationship between political economy, culture, and education, was used in this study. These perspectives focus on how American institutions and relevant educational policy serve as sparring grounds between hierarchy and equality, authority and deliberation, and private versus public interests. They also focus on how policy actors differ in access to social capital, are influenced by political and economic ideology, and have manifold degrees of power to implement their worldview (Dumas & Anyon, 2006; Holme & Ragel, 2012; Scribner, Aleman, & Maxey, 2003; Scribner, Reyes, & Fusarelli, 1995). Critical scholarship is concerned with how educational policy implementation is tied to local actor capacity, motivation, preference, and will (Finnegan & Gross, 2007; McLaughlin, 1987, 2005; Schneider & Ingram, 1990). It also considers how race-based marginalization, poverty, and socioeconomic stratification shape K-12 educational settings and student learning (Drier, Mollenkopf, & Swanstrom, 2004; Dumas & Anyon, 2006; Lareau, 2003; Oliver & Shapiro, 1997).

Focused on politics and power, critical educational policy studies reveal policy development to be inherently complex and multidimensional (Hill & Hupe, 2003), as well as shaped by multiple vying elite actors (Malen, 2006; Prunty, 1985). Such actors are driven by social values, power dynamics, self-validation, and available resources in ways that often detract from, subvert, or pervert original policy aims (Bardach, 1995;

Dumas & Anyon, 2006; Lasswell, 1958; Oakes, Quartz, Gong, Guiton, & Lipton, 1993; Prunty, 1985; Malen 2006; Stone, 1980, 1998). Critical educational policy research draws attention to the significance of policy context (Malen 2006; Theodoulou, 1995), and how misinformation, false meanings, and the lack of political consensus on factual observations can exist among even the most educated and informed observers of the political spectacle (Edelman, 1995). Such research also considers how control and dissemination of knowledge are central to policies aiming to alter existent structures (Bernstein 1971; Prunty, 1985), as well as how ideology and normative beliefs can shape the policy problem under consideration (Oakes, 1992; Oakes et al. 1993). Given policy texts, context, and varying actors have a direct influence on implementation, not only must the policy process consider who policies work for and under what circumstances, but if policies are weak then asymmetry will not withstand the political changes awaiting them at the local public education level (Honig, 2006; Malen, 2006; Odden, 1991).

### **Feminist Critical Perspectives**

Feminist critical policy (FCP) scholarship was utilized in this study. In education, FCP moves beyond critical policy research by acutely focusing on how sex and gender are addressed, silenced, and/or undermined within policy talk, texts, implementation, and evaluation. Examples of FCP scholars in education include Marshall (1997, 1999) who determined that educational policy remains heavily influenced by a traditionalist paradigm that supports value-neutral assumptions to the disservice of true equity and social justice. Exploring welfare and higher education policy, Fine and Weiss (2000) demonstrated how policy fails to address the needs of U.S. working-class females who experience sexual violence. Shaw (2004) analyzed the gendered nature of welfare reform to understand roadblocks to postsecondary education experienced by women. Ackerman (2006) examined how gendered perceptions of child care workers shape low wages, quality, and worker access to policy agendas. Finally, Salinas and Reidel (2007) looked at how educational values in Texas favor business elites and undermine the public education system as a whole.

Looking to transform educational research methods, institutional practice, and broader society, FCP research also examines how normative judgments about intersectional identity characteristics such as sex and gender, impact decision-making, control of information, and resource allocation (Acker, 1987; 1990, Marshall & Young, 2013; Young, 1999, 2005). Multiple FCP studies point to continued leadership marginalization, limited concern with violence and discrimination, and general backlash against such research within an ever-shifting neoliberal global order (Blackmore, 2000; Marshall & Young, 2013; Stromquist, 1993; Young, 2005; Young & Skrla, 2003). These feminist critical perspectives therefore, were useful in examining dynamics involved in the creation and implementation of an educational bill like HB 1272 within a politically and normatively charged state policy environment.

### **Additional Feminist Perspectives**

Finally, given the scope of human trafficking policy and the range of marginalized individuals it affects, additional feminist theory augmented the education specific perspectives described previously. Feminist theory broadly is concerned with how political knowledge claims can reify false understandings of sex, class, race, or what is viewed as *other* (Harding 2004; Hartstock, 2004; Hawkesworth, 2006; Jaggar 2004). Argumentation from feminist critical theory<sup>xliii</sup> has pointed to a masculinist U.S. legal and political system that valorizes male knowledge claims (Hawkesworth, 2006). Such theory highlights the regulation of gender as central to state policy even if the discussion of gender is not overtly found within policy texts and documents (Connell, 1990). Feminist critical perspectives often focus on legal issues associated with female bodily integrity including sexual harassment and rape. Feminist critical theory has identified institutional mechanisms that not only fail to provide adequate victim-centered approaches (Martin, 2005), but how this failure is tied to a purported value neutral state that is not discernible from male desire to control female bodies, sexuality, and gender (MacKinnon, 2004).

Looking to push boundaries on how female identity and oppression is understood, transnational feminism is concerned with the elimination of interwoven oppressions

within the U.S., as well as how subordinate status is shaped by geographic space and national borders (Hill Collins, 2000; Hurtado, 1989). Transnational feminism points to how multidimensional identity characteristics such as sex, gender, sexual orientation, class, race, age, and nationality are inseparable from institutional processes, organizations, and policies that create hierarchy and enact violence. It examines how racist and heterosexist hierarchies of thought transcend spatial national borders to permit the oppression of females (and males) living in border regions and the Global South (Bunch, 1993; Gillian, 1991; Mohanty, 2003; Moraga & Anzaldúa, 2015; Morgan, 1984; Narayan, 2004; Sandoval, 2004). The landmark work of Anzaldúa (1987) on the U.S. borderland with Mexico for example, explored how *mestizaje*, or the hybridity of life experience, spirituality, and sexuality, can cross boundaries to unite people who historically have been divided by real and normatively constructed boundaries. Concerned with colonizing discourses within western feminism, Mohanty (2003) discussed how it is unwise to equate U.S. women of color with women from the Global South; rather females should view themselves as existentially connected by virtue of a hegemonic relationship that permits the building of communities of resistance without erasure of difference.

Thus, transnational feminism envisions the co-constructions of action-oriented knowledge that is not singular, additive, nor bound by national borders:

The separation of sexism from the political, economic, *and* racial is a strategy of elites. As such, it becomes a tool to confuse the real issues around which most of the world's women struggle. (Gillian, 1991, p. 229)

This separating out of identities by elites allows feminists to focus both on how women are divided against one another, as well as how some women are more equal than others within local and global systems predicated upon exploitation. In the policy realm, transnational feminism looks beyond policy decisions to power structures that “set the terms in which issues are discussed,” as well as how female gains can be reversed, scaled back, or coopted because of a continuing lack of broad political power (Stearns, 2003, p. 87).

### **Multifocal Theory in Action**

Utilizing multifocal theoretical perspectives, this study examined how HB 1272 sought to make major policy changes within an existing human trafficking policy lineage. Specifically, it explored if and how political and normative culture influenced educational policy creation. It also considered how organizational, political, and normative factors might have shaped implementation processes.

Understanding that politics pivot on power dynamics and available resources (Malen, 2006; Stone, 1980, 1998) and that policy cannot be divorced from its institutional, ideological, and environmental contexts (Theodoulou, 1995), I looked at the intersections between state political and normative culture and examples of legislative will to address human trafficking. I also examined how dominant policy discourses, revealed through legislative actor positions on topics like human trafficking policy and dynamics, policy funding, and implementation concerns, shaped the development of HB 1272. Given implementation can be thwarted by a failure to confront deeply held normative beliefs and truths about “what is ‘normal’” (Oakes, 1992, p. 13), I considered how Education Workgroup member beliefs and values shaped HB 1272 policy interpretation and early implementation. Finally, I focused on how state discourses coupled with organizational dynamics of the Workgroup, coalesced to create a politically and normatively bound K-12 educator curriculum on human trafficking – a curriculum that simultaneously embodies and silences information on trafficking policy, connections between trafficking and migration, gender and victim identity, perpetration, and the role of public education in raising awareness.

HB 1272 and the Education Workgroup were “situated in local enactments of larger cultural norms, rules, values, and power relations, and these cultural forces promote either stability or change” (Oakes, Welner, Yonezawa, & Allen, 2005, p. 288). Thus, in considering international and national trafficking policy lineage and critiques, I considered how HB 1272 fit within broad historical, international, and national contexts where power struggles, policy blind-spots, and slippage exist. In drawing from critical and feminist critical educational policy focused on politics and power dynamics, I

examined how Texas political and normative culture influenced the development and organizational implementation of HB 1272. Finally, in using transnational feminist theory, I was able to parse out how key issues related to sex, gender, class, race, and nationality factored into Legislator, legislative staff member, and Workgroup member thinking about human trafficking policy designed for a K-12 educational setting. In examining how policy translates into implementable practice, I aimed at a “critical and unsettling rethinking of common and fundamental” understandings about human trafficking to permit “new beliefs about what is, what is possible and what should be” (Oakes, 1992, p. 19). Overall, critical and feminist critical educational policy perspectives, as well as additional critical and transnational feminist theory appropriately guided the construction of research questions, methodology, research strategies, and subsequent analyses.

### **Conclusion**

The previous review demonstrates that a lengthy international, national, and state-level human trafficking policy lineage exists. Yet, critiques of these policies, lacking empirical research literature, and flawed numerical estimations of perpetration and victimization tell us that much remains to be done through federal and state policy. This literature review also demonstrates that despite its significance as a policy issue, there is a paucity of knowledge about trafficking and commercialized exploitation of minors within educational policy and leadership research.

In many ways, HB 1272 is a timely response to this reality and thus merits thorough empirical scrutiny. By adopting an approach cognizant of multi-level policy contextualization and the “multiplicity of actors, loci and layers” (Hill & Hupe, 2003, p. 16), the literature outlined in this Chapter helped guide analysis of the policy context, discourses, actors, and resultant early implementation of HB 1272. Thus, this review not only addressed complex, multidimensional human trafficking dynamics and policy, but the capacity of policy to address the commercial exploitation of minors in Texas. It also illuminated the dearth of educational policy and leadership research on the role public education plays in assisting displaced, marginalized, and often intersecting student groups –

which invisible to research and practice, are at risk for trafficking and commercial exploitation.

Violence, isolation, and invisibility exist for various segments of society because of what Farley et al., (2003) discussed as professional and academic indifference. Similar to HB 1272's purpose of bringing K-12 educators into the fold of trafficking identification, this research raises awareness of a pressing global issue that educational researchers must begin to address. The literature reviewed herein and the research methodology as described in the Chapter 3 are significant because this is the only educational policy study I am aware of that gives attention to trafficking, a grave human rights issue, and respective state legislation that stands to permanently effect the role educators play in this policy arena.

### **Chapter 3: Qualitative Research Design**

As previously discussed, there is limited educational policy research on trafficking, commercialized exploitation, and the various student groups most likely to be effected. There is little if any research on the few state-based policies designed to involve K-12 public education in bringing about broad policy solutions to this significant sociopolitical and economic issue. Further, there is a paucity of research on the enactment of such policies by state entities charged with policy implementation. Based on a feminist epistemology and utilizing feminist critical methodology, this study analyzed the policy context, discourses, actors, and resultant early implementation of Texas House Bill 1272 (HB 1272, 2013). In doing so, this study asked the following two research questions:

1. What political and normative dynamics shaped the policy discourses found in Texas House Bill 1272?
2. What organizational, political, and normative dynamics influenced the early implementation of Texas House Bill 1272 by the Texas Human Trafficking Prevention Task Force Education Workgroup?

Thoroughly answering these questions meant using a range of qualitative research methods (Crabtree & Miller, 1999; Hesse-Biber, 2007; Leavy, 2007; Marshall & Rossman, 2015). These research strategies involved an overarching feminist critical policy analysis approach, which incorporated document analysis, semi-structured, in-depth interviews, participant observation, and audit trail memos. Concurrent data gathering and analyses emphasized qualitative heuristics of induction, flexibility, and emergence during research (Strauss & Corbin, 1998). Although an iterative process, each data collection and corresponding analysis strategy was selected to best capture the focus of this study and offer an overall interpretation of the phenomenon under consideration. Chapter 3 proceeds with a discussion of research epistemology, methodology, methods, data collection, analysis strategies, and ethical considerations.

## **Epistemology**

This study squarely was situated within the feminist standpoint research tradition. Feminist standpoint research is a holistic process incorporative of epistemology, methodology, theory, research methods, and analyses (Brooks & Hesse-Biber, 2007). Standpoint research has roots in feminist historical materialism, which theoretically argues that capitalist, patriarchal, and white normativity is partial, perverse, and devoid of female experiences (Hartsock, 2004). Focused on struggles over resources and power, feminist standpoint researchers understand knowledge to be socially situated (Haraway, 2004). Standpoint researchers also have drawn from a feminist tradition that adopts a critical stance towards a purported objective, but masculinist state that utilizes institutional mechanisms to control female bodily integrity (Hawkesworth, 2006; MacKinnon, 2004) and permit systematic sexual violence (Martin, 2005; Smith, 2005). The interests and values of females, a historically oppressed group, thus have been viewed by feminist standpoint researchers as offering an alternative or “epistemologically advantageous” position to dominate norms and sociopolitical standpoints (Jaggar, 2004, p. 57).

Concerned with the exclusivity of mainstream feminist research and the incomplete manner through which white standpoint feminists traditionally viewed marginality and oppression, transnational feminist expanded standpoint research. Transnational standpoint research pushes those engaged in feminist knowledge construction to consider how multiple subjectivities create power differentials between U.S. women (Hill Collins, 2000; Hurtado, 1989). Transnational feminists also have shored up standpoint research by explicitly highlighting subjective differences between U.S. women and females (and males) who have endured racialized othering, economic exploitation, and sexual violence within the Global South and U.S. borderlands (Anzaldúa, 1987; Mohanty, 2003; Narayan, 2004; Sandoval, 2004; Segura, & Zavella, 2007; Staudt, 2008). While such power differentials exist and need to be acknowledged, marginal positions not only embody deprivation, but represent variable dimensions of

femaleness, also creating powerful sites of epistemological resistance or what Sandoval (2004) termed *differential oppositional consciousness*.

In this study I am forthright therefore, in acknowledging that a critical feminist and white epistemological positionality guided the research process. This process began with the selection of the research topic, research literature used, methods engaged with, and ultimate construction of research findings. This positionality meant giving careful attention to deficit, essentialist, and fixed understandings of identity and victimhood not only within the literature as discussed in Chapter 2, but throughout all stages of the research process. In this way, my thinking sought to critique power dynamics within policy processes, consider how to eliminate us/them dichotomies, and ultimately to avoid a perpetuation of the “politics of exclusion” (Anzaldúa, 2002, p. 3).

### **Methodology**

Feminist methodology is a theory of how research should aim to understand social, political, and economic systems (Brooks & Hesse-Biber, 2007). Having a social justice orientation concerned with power dynamics, hierarchies, and ideologies, feminist methodology includes social action and transformation as an end goal of the research process. Viewing gender as a social construction and through the lens of female marginalization, feminist methodology challenges the lack of value-neutrality in social science research (Naples, 2003). Focused on the role hegemonic normativity plays in institutional decision-making processes, it also aims to “subject precisely what seems least problematic to critical scrutiny” (Hawkesworth, 2006, p. 96).

Thus, rather than view research claims as originating from “universal human problematics,” this study drew from Harding’s (2004) methodological concept of strong objectivity (p. 128). Strong objectivity involves critical attention to the “broad, historical social desires, interests, and values that have shaped the agendas, contents, and results of the sciences much as they shape the rest of human affairs” (p. 136). Obtaining strong objectivity requires reciprocity between researchers and participants in the construction of knowledge, as well as utilizing strong reflexivity, or a specific attention to researcher bias at all stages of inquiry (Harding, 2004). While research might begin with descriptive

facts and data, research methodology, methods, and analyses are understood as being dependent on value judgments (Marshall & Rossman, 2015).

Concerned with social change, feminist methodology pushed me to acknowledge the role normative bias plays in research so I could maintain ethical boundaries with respondents, as well as permit as much participant reciprocity as allowable by the study. Cognizant of the role researcher subjectivity plays in the research process, I increased accountability to research participants and the construction of new knowledge through information provided to respondents, personal interactions, and routine audit trail memos. Such intersubjective awareness has implications beyond mere research technique because it allowed me to elevate through research, a topic historically ignored in mainstream educational policy studies.

When used in policy analysis, feminist methodology focuses on how the needs and values of females or marginalized groups are taken up, ignored, or silenced (Marshall & Young, 2013). Concerned with androcentric normativity and taken-for-granted power dynamics within government institutions and policy, a feminist methodological approach involved an acute focus on key policy actors, structures, dynamics, language, and ultimately the long-term implications for K-12 educators and student populations vulnerable to trafficking – as actualized through the text of HB 1272 or implemented by the Education Workgroup. In addition to offering an interpretation of the phenomenon under consideration, feminist methodology directed research findings toward recommendations for policy actors and practitioners engaged on trafficking issues in Texas. It also steered the overall study construction in the direction of creating critical dialogue with K-12 educators about trafficking dynamics and policy. Finally, given trafficking victims stand to be affected by the State’s approach to trafficking policy and that commercial sexual exploitation disproportionately impacts females and certain youth groups, feminist methodology also offered appropriate tools for understanding gendered dynamics integral to HB 1272 creation and organizational implementation.

As previously discussed, Texas is a state that historically has failed to support basic sex education that would cover teen pregnancy, date rape, and sexually transmitted

diseases (Guttmacher Institute, 2014). It also routinely cuts funding for female healthcare programming (The Texas Policy Evaluation Project, 2013) that unidentified trafficking survivors might turn to for medical needs, as well as has an anti-immigration climate that prompts increased migrant criminalization instead of investing in trafficking screening (Loftus, 2011; Menjívar & Abrego, 2012). Despite the existence of an extensive state-level legislative trafficking lineage, it would seem that normative state culture embodied by the Texas Governorship and Legislature actually are at odds with the lived realities of those individuals most vulnerable to trafficking and commercialized exploitation – adults and minors alike.

### **Feminist Critical Policy Analysis**

Feminist critical policy analysis (FCPA) builds upon the critical policy analysis (CPA) tradition. CPA draws from multiple derivatives of critical theory including Marxist, Hegelian, Weberian, Habermasian, Frankfurt School, Freirian, and French feminism strands (Kincheloe & McLaren, 2005). While a review of these individual schools of critical thought is not within the scope of this study, critical theory broadly agrees on certain tenets. In education, critical theory argues that knowledge is ideologically scripted, power relations are historically situated and mediated by capitalist consumption, and the reproduction of taken-for-granted subject-object relations is fundamental to power relations (Kincheloe & McLaren, 2005). Seeing educational policy as a medium that reproduces power, critical policy analysis is attentive to political discourses, power, and how false consciousness legitimates the status quo through policy talk and texts. Given the range of possible political and normative dynamics shaping HB 1272 and respective implementation, it is appropriate to draw from a tradition that takes a critical stance toward increasingly “technical” policy approaches to social policy issues (Prunty, 1985, p. 134).

Yet, CPA does not go far enough in its examination of sex and gender. Acutely focusing on how sex and gender are addressed and undermined within policy talk, texts, and implementation, the broad aim of FCPA is to transform research methods, institutional practice, and society to account for these identity characteristics (Ackerman,

2006; Blackmore, 2000; Marshall, 1997, 1999; Marshall & Young, 2013; Shaw, 2004; Stromquist, 1993; Young, 2005; Young & Skrla, 2003). In particular, feminist critical policy studies demonstrate how state structures and governance maintain androcentric, impartial interpretations of equality (Hawkesworth, 1994), which gloss over, silence, or offer the false appearance of addressing female and gendered concerns (Bensimon & Marshall, 2003).

By building on CPA, feminist critical educational policy researchers have used FCPA to interrogate how sex, gender, and marginalized groups are treated in policy texts and implementation – here, the expectation of knowledge to be learned about trafficking as articulated by HB 1272, and how through the work of the Education Workgroup, educator knowledge stands to be affected in the long-term. FCPA as used in this study incorporated a range of qualitative research methods and strategies (Crabtree & Miller, 1999; Hesse-Biber, 2007; Leavy, 2007; Marshall & Rossman, 2015), to examine the political and normative dynamics shaping HB 1272 and the range of dynamics influencing early implementation. Discussed in greater detail in the following two sections, this range included document analysis, in-depth, semi-structured interviews, participant observation, and audit trail memos.

### **Dynamics Contributing to Discourses within Texas House Bill 1272**

To examine the political and normative dynamics contributing to the development of HB 1272 (RQ1), I completed document analysis and in-depth, semi-structured interviews.

### **Document Analysis**

To begin, I collected and analyzed HB 1272 plus 20 additional relevant policy documents. Document analysis was selected because it yields additional information to the study that might not be realized through participant observation, informal conversations, and interviewing, thus providing deeper understanding of the phenomenon under analysis (Marshall & Rossman, 2015). Given documents are preexisting and therefore naturalistic, they also provide qualitative research with a mode of built-in authenticity (Leavy, 2007; Reinharz, 2002). In this way document analysis also can be a

useful tool for interrogating possible implicit or explicit contradictions with content gleaned from interviewing (Leavy, 2007).

Document analysis in this study was guided by Miles and Huberman's (1994), Document Summary Form: Illustration (Box 4.1). It also accounted for feminist perspectives on document analysis, which pushes researchers to consider who produces the documents and why, their accessibility, and specific content within them that discusses sex and other intersectional identity characteristics (Leavy, 2007; Marshall & Rossman, 2015). Following these guidelines helped to identify preexisting political values and social norms that I neither created nor co-created (Leavy, 2007), as well as avoid fabrication, discounting, and misinterpretation of document data (Crabtree & Miller, 1999).

In terms of process, I completed a detailed reading of HB 1272 (See: Appendix D for the text of Texas House Bill 1272 (2013), Enrolled Version). Separate from the review of the other policy documents, this analysis specifically focused on the text's policy language and possible short- and long-term policy consequences for public education. I took memos on the policy terms, expectations, actors named, and what the public would need to know about human trafficking to understand legislative aims. I also analyzed HB 1272 for possible hidden cultural norms, political biases, or presence of taken-for-granted assumptions, which might have shaped initial policy creation or later implementation processes.

In order to have a more full understanding of the legislative context within which HB 1272 was created, I also analyzed all policy documents relevant to HB 1272, which were publically accessible through the Texas Legislature Online, or TLO System archives. These policy documents included Texas House of Representatives and Senate bill versions, fiscal notes, legislative committee analyses, committee reports, amendments, and final bill votes. Analysis told me who authored, sponsored, co-authored, and co-sponsored HB 1272 so I could research these individuals' party affiliation and experience within the Texas Legislature. Document analyses gave me insight into House and Senate thinking about policy funding and votes based on party affiliation. Analysis also

permitted comparison of key policy sticking points within policy texts with that of Legislator and legislative staff member interviews. Such sticking points included policy framing, how trafficking was discussed, and if there was debate on HB 1272, either party-affiliated or otherwise. Overall, document analyses involved iterative reading, note-taking, and analytic memos within the study audit trail. These iterative readings permitted the construction of themes associated with the historical and political context of HB 1272, which could be compared with respondent interviews to weave together a coherent story.

### **Interviews**

Having completed document analysis prior to conducting interviews, I had a working knowledge of the political context within which HB 1272 was constructed. Concerned with the “co-creation of meaning,” in-depth, semi-structured interviews aim at uncovering deep and often hidden information about a given phenomenon (Hesse-Biber, 2007, p. 132). While in-depth interviews are viewed as a conversational tool used to gather information on a “specific topic” (Hesse-Biber, 2007, p. 125), since I drew from the feminist critical policy tradition, when conducting my interviews I was wary of how my position as a researcher fit within the broader political hierarchy of the Texas Legislature and legislative politics. Thus, throughout interviews I paid particular attention to how legislative respondents established their presence while being interviewed, offered information, and specifically framed the issue of trafficking as it relates to public education. I also focused on whether or not they directly or indirectly glossed over, ignored, or failed to answer specific questions. This balance between interview format and feminist mindset permitted the retrieval of more comprehensive information concerning the political and normative dynamics shaping HB 1272, which could not have been gleaned from document analysis alone.

Given the small participant pool, all 11 Legislators who worked on HB 1272, including eight Texas House of Representative members and three Senate members, were contacted to participate in the study. Legislators were contacted twice via email with a formal study invitation. Five Legislators agreed to participate in the study. Because of

availability, two legislative staff members participated in place of the Legislator who worked on HB 1272. Another legislative staff member was informally interviewed, in which notes were taken, but a formal tape-recorded interview did not take place. Thus, I conducted seven formal and one informal legislative interview, totaling eight respondents. Although The University of Texas at Austin Office of Research Support (ORS) did not deem this human subjects research, all participants, including the individual who conducted the informal interview, received a research consent form. This form contained ORS and my contact information, as well as information about the study purpose and a place for the participant to indicate requested anonymity.

In line with feminist reflexive methodology, before starting the interviews I briefly reviewed information about the study, discussed participant anonymity, and allowed participants to ask questions (Hesse-Biber, 2007). Although working in an official public capacity, two of the participants requested anonymity. Given the limited number of respondents and the ease at which they could be identified, I blinded all identifying respondent information in the study findings. Seven formal interviews were conducted with a protocol consisting of 15 semi-structured interview questions. All but one participant were asked all 15 questions, with two interviews being cut short because of Legislator time constraints. In addition to these 15 questions, between two and seven questions were asked during interviews to probe for clarity or extra information, with interviews averaging 35 minutes. All interviews were conducted face-to-face in the office of the Texas Legislator or legislative staff member. Due to time constraints, one Legislator interview was conducted half by phone and the other half in the Legislator's Capitol office. The seven formal interviews were tape-recorded in their entirety and were fully transcribed.

Research participants were assumed to comprise a well-informed social group (Odendahl & Shaw, 2002), meaning they possessed more knowledge about human trafficking policy and processes when compared to the public. Legislator respondents also are elite policy actors (Marshall & Rossman, 2015) due to their attained political status within the State of Texas. Political or elite interviewing is recognized as posing a

series of challenges for researchers including time constraints and uneven power dynamics (Marshall & Rossman, 2015). However, as described previously, I worked to strike a balance between an in-depth, semi-structured interview format and a reliance on feminist research praxis. While certain respondents were reluctant to answer questions, this strategy permitted more detailed information to be gleaned from research participants. Overall, the semi-structured interview format proved beneficial in an elite interview setting, thus permitting in-depth examination (Hesse-Biber, 2007) of the political and normative dynamics contributing to the creation of HB 1272.

According to Charmaz (2005) comparative analysis pushes qualitative researchers toward a constant probing of the data, which through iterative readings can help to illuminate social justice issues that could otherwise be neglected in the research. Here such social justice issues involved how the State of Texas historically has addressed trafficking policy and trafficking in minors specifically, as well as specific political and normative aspects that contributed to the construction and implementation of HB 1272. In line with this thinking offered by Charmaz (2005), interview analysis was iterative involving initial immersion of the data through open coding so to look for major ideas, patterns, and differences between interviews, as well as how interview data compared with the policy documents collected (Marshall & Rossman, 2015). By doing so, this information resulted in multiple early and lengthy methodological, theoretical, and analytical memos on document and interview data.

Given the lack of educational policy research on human trafficking, an interview coding template also was constructed from theoretically-driven information about the research problem that could be amended as necessary *a posteriori* (Hesse-Biber, 2007). Using broad definitions to avoid the premature closure of analysis (Crabtree & Miller, 1999), this template focused for example, on how Legislators discussed trafficking dynamics and victim characteristics, knowledge base about policy history, format, and gaps, trajectory, and implementation concerns. Although coding templates have been criticized for being reductionist, according to Miles and Huberman (1994) templates create a deliberate focus within research that permits qualitative researchers to have a

more prudent mechanism for analyzing data, while still aiming to offer a detailed description of the research phenomenon.

Utilizing the Microsoft Word commenting and outline feature, subsequent readings of the interviews led to the development of *in vivo* codes that emerged directly from the interview data set (Marshall & Rossman, 2015). Alongside the earlier theoretical template coding, these new codes then were used to write additional memos about the political and normative dynamics involved in the creation of HB 1272, as well as to construct initial themes that were displayed in mapping charts within the audit trail. This iterative reading and coding process allowed early themes to be refined and more accurately described. Final mapping and diagramming of interview data (Marshall & Rossman, 2015) permitted the construction of formal research findings.

### **Dynamics Influencing the Implementation of House Bill 1272**

To examine the organizational, political, and normative dynamics influencing early implementation of HB 1272 by the Education Workgroup (RQ 2) I used multiple research strategies, including participant observation, document analysis, and in-depth, semi-structured interviews.

#### **Participant Observation**

While it has been argued that genuine participant observation is rare in education participant observation studies (Wolcott, 1994), as a member of the Education Workgroup, I directly participated in a year-long process to develop the trafficking curriculum mandated by HB 1272. Feminist research praxis calls for increased reflexivity and participant reciprocity (Ramazanoglu & Holland, 2002). By virtue of my insider- (Workgroup member)- outsider (researcher) status (Hesse-Biber, 2007; Naples, 2003), I therefore acutely focused on Workgroup context, participant feedback, and answering questions about the intended uses of my research. In this way, participant observation was used to listen to, take notes on, and participate in Workgroup organizational tasks, while also being attentive to ethical boundaries throughout the research process.

My communication with the two publically known Education Workgroup facilitators, the Texas Office of the Attorney General (OAG) and Texas Regional Office of the National Center for Missing and Exploited Children (NCMEC), began in October 2013. After dialoguing with NCMEC about my interest in assisting with curriculum development, I was added to the Workgroup. Between October 2013 and June 2014, I attended three Education Workgroup meetings totaling 15 hours. In addition to participation at meetings, as requested by the Workgroup, I asked local agencies within my professional network to submit materials for consideration in the curriculum. I also submitted a number of my own peer reviewed articles for use as reference materials.

Observation of and participation in the Workgroup afforded me a unique up-close and personal understanding of how this organizational entity was used as a policy apparatus in the implementation of HB 1272. It is important to note here that I was the only Workgroup member who had an extensive professional background working in K-12 public education.<sup>xliii</sup> It also is necessary to highlight that during the first Workgroup meeting, I informed the Workgroup facilitators that my dissertation research was on both HB 1272 policy creation and respective implementation activities. Although it was housed under the auspices of the Task Force and OAG and therefore a public entity, I still requested and received email confirmation that I could document Education Workgroup meeting proceedings.

### **Document Analysis**

Over the course of a year working on the Education Workgroup, I collected multiple context, policy, and curriculum specific documents. This included 58 documents comprised of field notes, as well as Workgroup agendas and hand-outs. This also included emails, which had directives, notes, curriculum drafts, Task Force feedback, and Workgroup recommendations. The information contained in these emails was used for reference purposes only and individual anonymity was strictly adhered. In addition to these documents, I had access to 66 curriculum resources consisting of existing curriculum, PowerPoint presentations, educational flyers, peer reviewed articles, manuals, and books, which were submitted to the Workgroup for review in the construction the K-

12 curriculum. These materials were not analyzed for this study. This K-12 educator curriculum went through 31 draft iterations, five of which were circulated to all Workgroup members. The final 84 slide PowerPoint called, “Texas RISE [Recognize, Identify, Share, Engage] to the Challenge: An Introduction to Human Trafficking for Education Professionals,” was approved and is now hosted on a Texas Education Agency website.<sup>xliv</sup> The final Texas RISE curriculum was not analyzed, but rather was used for reference purposes only.

Analyzing the 58 documents involved iterative reading, note-taking, and analytic memos within the study audit trail. These iterative readings permitted the construction of themes associated with the organizational, political, and normative context of the Education Workgroup. Document analysis and the construction of field notes permitted examination key implementation sticking points. Such sticking points included for example, how the Workgroup as an organization decided to implement HB 1272, key implementation actors, how organizational goals aligned with or differed from the text of HB 1272, and derision or unanimity within the Workgroup over final curriculum content. In this way, document analysis allowed me to compare and interrogate possible contradictions (Leavy, 2007) with content gleaned from Workgroup member interviews so to weave together a coherent understanding of the phenomenon under consideration.

### **Interviews**

I conducted eight purposefully selected in-depth interviews with Education Workgroup members who were charged with implementation of HB 1272. Having directly participated in Workgroup organizational planning and curriculum writing processes prior to conducting interviews, I had a working knowledge of the context within which policy implementation occurred. Similar to the interviews with Texas Legislators and staff members, these interviews aimed at uncovering thorough, yet at times not easily accessible and even hidden policy information (Hesse-Biber, 2007).

The Education Workgroup was an important source of data, as it was comprised of 18 total entities that included health and human service providers, law enforcement, religious groups, social workers, and policy analysts from across Texas (See: Appendix

C, Table 3 for a description of Texas Human Trafficking Prevention Task Force Education Workgroup members). Although a range of Task Force entities not present at meetings participated in offering curriculum feedback at different stages, research participants were purposefully selected based on consistent in-person meeting participation. While this narrowed the potential research pool, selection was done this way also to help ensure Workgroup members had a sound working knowledge of HB 1272 expectations, Workgroup responsibilities, and organizational dynamics that centered on curriculum construction. It is important to note here that given the leadership role played by the OAG, interviews were requested of OAG Workgroup facilitators. Both the request for an in-person interview and an interview whereby facilitators could review interview questions prior to interviewing were declined.

The first Workgroup meeting provided an overview of the policy mandate established by HB 1272. Twenty-three members, including myself, representing 17 state and non-profit entities were in attendance. The second Workgroup meeting, when the majority of the curriculum was completed, saw individual participation shrink by approximately half with 13 members representing 9 state and non-profit entities in attendance. During the third meeting, when a draft of the final curriculum was reviewed, 14 members representing 10 state and non-profit entities were present. It is important to note here that while the second and third meeting had a similar number of attendees, these attendees represented different entities.

Purposefully selecting research participants yielded a judgment sample of eight respondents, with the majority of respondents representing non-profit entities as opposed to State agencies. Although not deemed human subjects research necessitating a full IRB review, all participants received a research consent form similar to the one distributed to Texas Legislators and staff members. In line with feminist praxis, before beginning interviews I reviewed information about the study, discussed participant anonymity, and allowed participants to ask questions (Hesse-Biber, 2007). Half of the Workgroup respondents requested anonymity. Given the small size of the participant pool and ease

with which participants might be identified, I therefore blinded all identifying respondent information in the study findings.

Interviews were conducted with a protocol consisting of 15 semi-structured interview questions, which all participants were asked. This protocol included questions that looked at Workgroup history, goals and structure, strategies and activities that contributed to the curriculum, curriculum language, available funding, and how Workgroup members understood human trafficking and relevant dynamics. Yet, also designed as a conversational tool, this protocol also permitted broad exploration of organizational, political, and normative dynamics shaping the curriculum construction, which otherwise might not have been gleaned from document analysis and participant observation (Marshall & Rossman, 2015). In addition to the 15-question protocol, between seven and 27 clarifying and/or probing questions were asked, with interviews averaging 50 minutes. Informational resources about the Education Workgroup processes also were received from one participant. All interviews were conducted face-to-face in the work office of the Workgroup member. These eight interviews were tape-recorded in their entirety and fully transcribed.

The Workgroup was assumed to be comprised of individuals who were knowledgeable about human trafficking dynamics and policy, and thus would constitute a well-informed social group (Odendahl & Shaw, 2002). While not all members of the Education Workgroup were elite policy actors by virtue of their occupation and perceived social status, Workgroup members did comprise an elite group due to their access and direct input over state policy implementation (Marshall & Rossman, 2015) – here creation of the curriculum product mandated by HB 1272. As discussed previously, elite interviewing can create challenges for researchers such as power dynamics that constrict interview environments (Marshall & Rossman, 2015). Yet, this part of the study posed an ever-present need to maintain ethical research boundaries between myself, a member of the Workgroup, and research participants who were being asked to discuss sensitive information about human trafficking. Thus, akin to work by Alcoff and Gray (1993), my interview strategies aimed to consider “where the incitement to speak originates, what

relations of power and domination may exist between those who incite and those who are asked to speak” (p. 284). Creating a balance between the interview format and feminist research praxis assisted with interviewing. Specifically, this balance helped respondents to discuss issues at their own comfort level. Overall, the Workgroup interviews allowed for an in-depth examination (Hesse-Biber, 2007) of the organizational, political, and normative dynamics shaping policy implementation.

Using a constant comparative method (Charmaz, 2005), analysis involved initial immersion of the data through open coding so to look for major ideas, patterns, and differences between interviews (Marshall & Rossman, 2015). This information resulted in a series of early methodological, theoretical, and analytic memos. Given the lack of educational policy research on human trafficking, an interview coding template also was constructed from theoretically-driven information about the research problem, which shifted *a posteriori* (Hesse-Biber, 2007). Using broad coding definitions to avoid the premature closure of analysis (Crabtree & Miller, 1999), this template focused for example on how Workgroup members discussed human trafficking dynamics and victimization, organizational knowledge and hierarchy, and how controversial or difficult subject matter within the curriculum was discussed by respondents.

This coding template permitted a detailed, careful, and deliberate interview focus (Miles & Huberman, 1994). Utilizing the Microsoft Word commenting and outline feature, subsequent readings of the interviews led to the development of *in vivo* codes that emerged directly from the interview data set (Marshall & Rossman, 2015). Alongside the earlier theoretical template coding, these new codes then were used to write additional memos about the organizational, political, and normative dynamics involved in the creation of HB 1272. These memos led to the construction of initial themes that were displayed in mapping charts within the audit trail. This iterative reading and coding process allowed early themes to be refined and more accurately described. Final interview data mapping (Marshall & Rossman, 2015) permitted the construction of formal research findings.

## **Study Limitations**

Certain study limitations and ethical considerations related to its contextual and qualitative dimensions are worth noting for researchers and practitioners interested in understanding an area of educational policy that is new to the discipline and profession. This dual policy creation and implementation study yields findings on a specific education policy, Texas House Bill 1272, and therefore is confined to a singular state policy context. Findings therefore, may not be reflective of other policies and programs adopted in other state contexts. Although this research may not be generalizable to other policies, findings are applicable to other educational policy processes having aims similar to that of HB 1272. Further, while I had access to hearings at the Texas Legislature and participated directly on the Education Workgroup over a period of nine months, this research was not designed as an ethnographic study. In particular, deep immersion within the legislative research site did not occur, thus yielding potentially limited information for this portion of the study. Yet, this research yields important findings about the key organizational, political, and normative dynamics, as understood by theory, which are involved in the adoption of similar policies within other contexts. Finally, discussed in greater detail in the following two sections, interview information disclosed by respondents might be limited by the fact that interviews were conducted during an election cycle that involved all statewide offices, as well as my insider-outsider status within the Education Workgroup.

### **Research on a Political and Normatively-Driven Policy Topic**

By utilizing multiple strategies within the “qualitative continuum,” I aimed at highlighting contrasting participant “ways of knowing” in order to build a thick description of the research setting and phenomenon under consideration (Ellingson, 2000, p. 10). After completing a thorough literature review, having had discussions about trafficking policy with stakeholders, and conducting respondent interviews, I came to understand the politicized and normative nature of human trafficking policy. Not only was I conducting research on a political and normatively-driven policy topic, but I interviewed respondents who themselves are part of and subject to Texas’ political power

structure. Moreover, interviews were conducted during a statewide election cycle, which could have influenced information received from legislative respondents and those in electable offices who participated in the Education Workgroup. Thus, it is worth describing some of the issues encountered in this study. I also should state that despite certain limitations, I think my respect for participant concerns enriched the quality of information shared. This attentiveness to ethical and reflexive research praxis ideally will serve as a model for educational researchers and practitioners interested in navigating a politically charged issue like human trafficking.

Legislative interviews revealed a range of policy expertise and knowledge about human trafficking. A number of Legislators and legislative staff members had worked in the Texas Capitol for multiple sessions, while others had only recently joined the Texas Legislature in the last legislative session. A few respondents were adept at discussing trafficking policy history, HB 1272 motivations, trafficking dynamics, and expected implementation outcomes. Yet, others not only did not feel comfortable discussing the policy as co-authors or co-sponsors, declining my interview invitation on such grounds, but certain legislative respondents offered limited or normatively skewed information about trafficking policy and student victimization. Some respondents who wanted the public to know they were supporters of Texas human trafficking legislation were open to public use of their names and political party representation. Others were not as forthcoming and requested anonymity out of concern for their work in the Texas Legislature. As an example of the sticky “bipartisan” nature of Texas trafficking policy that will be discussed in Chapter 4, one Legislator for example, wanted assurance that this was a “non-partisan” study that would not focus on “critiquing political parties,” but instead was concerned with “the issues.” Thus, due to the politicized nature of the research topic, respondent concerns, and concomitant ease at which Legislators could be identified, all participants were made anonymous.

Interviews with Education Workgroup members also revealed a range of policy expertise and knowledge about human trafficking. Akin to the Texas Legislators interviewed, some Workgroup Members and their respective organizations had been

dedicated to child and youth trafficking policy and social services for decades, while others only recently had started advocacy work. Different from the range of responses offered by Texas Legislators and staff, Education Workgroup members were consistently knowledgeable about trafficking policy, dynamics, interventions, and victim services. While also conducted in a statewide election cycle, some Workgroup members were open to public use of their names and organizational affiliation, also offering detailed responses to my questions. Yet, even with the rapport I built with respondents from my participation in Workgroup processes, their awareness of my prior work in public education, and genuine concern for this policy issue, others were less forthcoming. Some Workgroup members requested anonymity. Other respondents not only wanted to remain anonymous, but indicated a concern for how their organization's funding might be affected if elected officials either within the Texas Legislature or OAG were to identify them and be displeased with the information they provided. Again, given the research focus, limited number of Education Workgroup members interviewed, and possibility of identification, all participants were made anonymous.

### **Ethical Considerations when Occupying an Insider-Outsider Status**

To get at the *why* of everyday social life necessitates a focus on the interplay between the *whats* and *hows* (Smith, 1987, 1990). In educational research praxis this means being open to and responsible for the “alternative epistemological truths” that exist within the lives of those researched (Dillard, 2000, p. 662). These multiple ways of knowing and interpreting within qualitative research have been compared to a crystals or “prisms that reflect externalities *and* refract within themselves, creating different colors, patterns, and arrays, casting off in different directions” (Richardson, 2000b, p. 934).

First, given my participation in the Task Force Education Workgroup, I clearly occupied an insider- (Workgroup member)- outsider (researcher) status (Hesse-Biber, 2007; Naples, 2003) with Workgroup members. This status, which allowed me to participate directly in the Workgroup organizational processes, including construction of the human trafficking curriculum, created unique ethical boundaries in need of constant monitoring. Prolonged engagement in this part of the research setting (Hesse-Biber,

2007) and my direct access to Workgroup membership meant that I needed to place increased scrutiny on evolving Education Workgroup dynamics, relationships, participant feedback, and the interview setting. Not only might insider knowledge of Workgroup organizational processes have influenced what participants decided to disclose during interviews, but interviews were done during a statewide election cycle. Some Workgroup respondents within the private sector agreed to disclose their identity given their dedication to trafficking advocacy, while other respondents within the public sector wanted their identity concealed. Thus, as discussed previously, all interviews were made anonymous.

Second, while being attentive to power dynamics within elite interview settings, I aimed at participant reciprocity wherever possible (Hesse-Biber, 2007; Ramazanoglu & Holland, 2002). Here participant reciprocity is understood as “an effort to democratize the research process” and increase “ongoing dialogue between and among participants and researchers” (Naples, 2003, p. 31). To accomplish this, all respondents for example, had the opportunity to provide input at the end of each interview. They were asked for example, if there was anything additional they wanted to contribute that I failed to ask or should have inquired about during the interview. Upon request, respondents also will be given a summary of research findings in an effort to increase on-going dialogue and to assist with future policy work on child and youth trafficking.

Third, understanding that my feminist positionality, cultural markers, and value-laden bias influence how I see the world, I placed heavy emphasis on my role in “the process of research design, data collection, and representation” (Ellingson, 2009, p. 10). This involved being forthright in claiming a feminist epistemological standpoint in this manuscript, as it helped me make sense of the research process. A feminist way of seeing not only takes account of how policy creation and implementation will be interpreted by the public, but that researcher positionality directly influences the “interpretation” of findings (Marshall & Rossman, 2015) and shapes policy recommendations. Additionally, by viewing writing as a form of inquiry and analysis (Richardson, 2000; Richardson & St. Pierre, 2005), extensive audit trail memos helped document and warehouse

information about myself as a researcher, the study sites, discourses being used, what I observed, and analysis completed (Cheek 2004; Hesse-Biber, 2007; Miles & Hubberman, 1994). This audit trail also was used to maintain all research literature, collected HB 1272 policy documents, Education Workgroup documents such as meeting agendas and notes, and interview data. Not including the interview transcriptions, this audit trail was reviewed several times by Jennifer Holme, a researcher skilled in qualitative educational policy research.

Finally, I had lengthy discussions with The University of Texas Institutional Review Board (IRB) about the methodological and ethical dynamics of this study. The Review Board informed me that since my research included policy analysis, participant observation within a public entity that granted me access, and interviews about policy and respective organizational implementation, my research did not constitute human subjects research nor necessitate IRB review (Letter dated June 24, 2014). Even so and as discussed previously, I gave respondents written information about the study purpose, focus, and anonymity. Finally, it should be noted here that I subscribed to the three key ethical guidelines contained in the Belmont Report (1979), which are *beneficence*, *respect*, and *justice*. I also took into account The University of Texas at Austin, Office of Research Support human participant policy (2011), as well as American Educational Association (2000), American Psychological Association (2010), and American Sociological Association codes of ethics (2011).

## **Chapter 4: The Normative Politics of Assisting Educators on the “Front Line” of Trafficking Prevention**

This Chapter examines the political and normative dynamics that influenced the policy discourses found in Texas House Bill 1272 (HB 1272, 2013). It begins by situating HB 1272 within Texas legislative history in order to highlight important statewide political culture and institutional factors weighing on legislative policy development. Document analysis of HB 1272 and relevant policy documents located the bill’s charge within a contemporary Texas legislative context. Analysis found an expedited, uncontested, and bipartisan enactment of a politically and normatively-driven policy topic. Chapter 4 then focuses on legislative respondent interviews, which revealed a more complex HB 1272 policy creation narrative. Findings indicate major legislative support for HB 1272 and involving educators, who were described as being on the “front line” of statewide trafficking prevention efforts. However, this support was complicated by an inconsistent legislative knowledge base about state trafficking policy history and key trafficking dynamics. Although bipartisan support for HB 1272 existed, slippage was identified in a lack of funding for curriculum development and in respondent concerns about local education control. Finally, normative dynamics that intertwined with identified political issues stand to potentially impede effective implementation of HB 1272. Overall, findings demonstrate a mixed legislative will to address child and youth trafficking through HB 1272 and public education.

### **Legislative Policy Context**

To understand the adoption of HB 1272, it is important to fully appreciate key components of Texas governance, as well as the legislative context. A quick read of the Texas Constitution (2015) demonstrates that since its inception in 1845, the Texas Legislature has been the dominant branch of State government. Although subject to standard checks and balances that are inherent within three branch state government systems, the Texas Legislature has broad plenary powers. Local municipalities and state agencies largely are dependent on the Texas Legislature through its inherent law-making

charge, power of the purse to borrow, spend, and tax, and police power used to promote public health, safety, and welfare.

Texas legislative history has seen sharp divides along issues of sex, gender, and race, important factors in understanding Texas policy focused on trafficking and education. Alongside the broad governmental powers just described, as a State institution the Texas Legislature is rooted within this history. This legacy includes multiple post-Reconstruction and early twentieth century efforts to restrict the right to vote<sup>xlv</sup> among Black men, as well as poor male Tejanos and whites (De León, 1979; Foley, 1997). Although female suffrage in Texas was attained in 1918 and a few white women were elected to government posts, this legacy also includes southern normative biases against female participation in governance (Lublin & Brewer, 2003).

The conservative nature of the Texas Legislature has not changed much since its inception, with the Civil Rights Movement sparking limited change in terms of legislative representation. Progress was notably seen in the 1956 election of Senator Henry B. Gonzalez (D, District 20), the first Mexican American to be elected to the Texas Legislature since 1848. The 1966 election of Texas Senator Barbara Jordan (D, District 18), the first Black Legislator (Texas State Historical Association [TSHA], 2015), and 1976 election of Texas Representative Irma Rangel (D, District 43), the first Latina Legislator also were notable events (García, Martínez-Ebers, Coronado, Navarro, & Jaramillo, 2008). Federally mandated reapportionment of state voting districts and development of legislative caucuses<sup>xlvi</sup> also increased legislative representation of women and people of color (The Texas Politics Project, 2015). Despite these changes, contemporary statistics<sup>xlvii</sup> reveal that Black, Mexican, and female participation not only is lacking within the Texas Legislature, but does not adequately reflect state demographics (Center for American Women and Politics, Eagleton Institute of Politics, 2015; Ura & McCullough, 2015). Further, female legislative participation, particularly that of Latina and Black women continues to be negatively influenced by gendered and racialized values that work to dissuade women from political office (Frederick, 2014).

The Texas Legislature shifted even further to the Right in the later part of the twentieth century. Post-Reconstruction Texas politics were dominated by white southern Democrats or Dixiecrats, whose politics strongly differed from that of the national Democratic Party. As previously disenfranchised voter groups gravitated to the Texas Democratic Party, changes on the national political scene under the Nixon and Reagan Administrations helped solidify state-level Republican parties as representative of white, Christian, and ideologically conservative values. In Texas, this began with the 1978 election of Governor William Clements, the first Republican governor elected since Reconstruction (TSHA, 2015). Democratic Governor Ann Richards succeeded Clements in 1991, but thereafter the Texas Governor's Office has been controlled by Republican leadership. This political shift to the Right was solidified in the Texas Legislature under former U.S. House Majority Leader Tom Delay, whose 2003 congressional redistricting plan gave Republicans control over formerly competitive suburban Texas districts and control of the Texas House (Frederick, 2014).

This historical background is necessary to understand Texas legislative policy processes, including Texas trafficking policy and the passage of HB 1272. In addition to certain points made about Texas political culture in Chapter 1, this context demonstrates that far from being a liberal or even moderate leaning state, contemporary Texas politics have been influenced by politically and normatively conservative values. Given the type of cultural values driving statewide politics and their influence on respective legislation, it is important to reemphasize here that HB 1272 was passed immediately prior to statewide elections that included all government offices.

### **The Texas Legislature and HB 1272**

Much of the trafficking legislation passed prior to HB 1272 had a strong policy focus on the criminalization of pimps and traffickers, as opposed to targeting purchasers of exploitative sex, penalizing employers engaged in exploitative labor practices, or supporting victim services. Similar to criticism of federal law (Chacón, 2006), pushback by grassroots level advocates prompted more recent Texas legislation to include increased emphasis on victim needs and the development of a multisector approach to

trafficking prevention. Statewide lobbying to include a range of professionals in trafficking prevention programming helped contribute to the filing of HB 1272 by Representative Senfronia Thompson (D, District 141) in February 2013. HB 1272 was sponsored in the Senate by then Lieutenant Governor hopeful Senator Leticia Van de Putte (D, District 26), who also filed Senate Bill 811, an identical companion bill.

Document analysis of HB 1272 and accompanying legislative policy documents involved examining key facets of the legislation such as authorship, policy charge, funding, committee analyses, public testimony, and its timeline. Notably a bipartisan bill, seven Texas Democrats and four Republicans contributed to and enacted HB 1272. Representative authorship included Allen Fletcher (R, District 31), Ruth Jones McClendon (D, District 120), Patricia Harless (R, 126), and Debbie Riddle (R, District 150). Co-authorship included Representatives Philip Cortez (D, District 117), John Frullo (R, District 84), and Sergio Muñoz, Jr. (D, District 36), and Senate co-sponsors were Sylvia Garcia (D, District 6) and Judith Zafferini (D, District 21). As described previously, a Republican majority controls the Texas Legislature and Governorship, meaning that Democrats must find mechanisms for political compromise if legislation is to pass both chambers and be signed into law. Although more Democrats than Republicans worked on HB 1272, Republicans were willing to join authorship, which points to at least an outward appearance of legislative bipartisanship.

### **The Charge of HB 1272**

In addition to continuing the charge of the Texas Human Trafficking Prevention Task Force (Task Force) through September 2015, document analysis revealed that HB 1272 expanded both the type of work done and the reach of the Task Force in to other public sectors. Key to this expansion was the mandate that the Task Force work with the Texas Education Agency (TEA), Department of Family and Protective Services (DFPS), and Health and Human Services Commission (HHSC) to do the following:

- (A) develop a list of key indicators that a person is a victim of human trafficking
- (B) develop a standardized curriculum for training doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the

Health and Human Services Commission to identify and assist victims of human trafficking;

(C) train doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;

(D) develop and conduct training for personnel from the Department of Family and Protective Services and the Health and Human Services Commission on methods for identifying children in foster care who may be at risk of becoming victims of human trafficking; and

(E) develop a process for referring identified human trafficking victims and individuals at risk of becoming victims to appropriate entities for services. (p. 3-4)

Thus, HB 1272 called for the development of major statewide curriculum deliverables, which aimed to help identify and assist trafficking victims. These deliverables included a list of key indicators that a person is a trafficking victim, a standardized curriculum and training for three sectors including education, protective services, and health services, and a trafficking victim referral process. Further, although HB 1272 required that training be conducted for health and protective services personnel from HHSC and DFPS, HB 1272 did not require that K-12 educators be trained on the developed curriculum. As discussed later in this Chapter, interviews revealed that this policy design was meant to support “local control” as opposed to mandated educator professional development, thereby permitting TEA and schools to use the curriculum only if and when they deemed it necessary.

Document analysis of House and Senate fiscal notes on HB 1272 also made clear that the legislation would not create a cost for local governments. Costs associated with HB 1272 could be absorbed within existent state resources. This means that funding was not allotted to workgroups to assist with curriculum development and training efforts. These fiscal notes demonstrate a form of legislative slippage. As identified in interviews, Legislators and legislative staff members were emphatic about education’s importance in child and youth trafficking prevention, highlighting a clear legislative push to have trafficking efforts engaged with by a new public sector institution. Yet, the lack of

funding reveals how legislative will simply did not measure up to the political rhetoric espoused.

### **Expedited and Uncontested Enactment of HB 1272**

Unlike many bills that are highly contested and often go into lengthy special sessions to be resolved, document analysis found that HB 1272 passed through the Texas Legislature in an uncontroversial and expeditious manner. On March 18, 2013, the House Committee on Judiciary and Civil Jurisprudence heard testimony on HB 1272. Geoff Barr, Texas Assistant Attorney General, testified “On” HB 1272, meaning the OAG offered public commentary on the legislation without taking a side for or against it. Jason Sabo from the non-profit advocacy organization, Children at Risk, was present to testify “For” HB 1272, meaning he publically acknowledged support for HB 1272. The House Witness List also included multiple public and private, largely religiously affiliated entities that registered “For” HB 1272, but were not present.<sup>xlviii</sup> No one registered “Against” HB 1272. Further, no one from the education sector, public or private, was registered to testify, which is significant given how HB 1272 stood to affect public education. As will be discussed in Chapter 5, the lack of educator presence was consistent throughout implementation processes as well.

By March 25, 2013 the House Committee already had considered HB 1272 in public hearing, voted nine to zero in favor of the Committee Report, and sent it to the Local, Consent, and Resolutions Calendar. It is important to note here that discussion of HB 1272, both within House video testimony and the House Committee Report Analysis, only focused on extending and expanding duties of Task Force. Detailed analysis concerning curriculum, training, or implications for the field of education, was not done. Moreover, a piece of legislation in the Texas House only can be sent to Local and Consent if it is deemed a non-controversial bill with limited debate or amendments expected (Texas Legislative Council, 2015). This implies that Texas House members anticipated no problems with passing HB 1272.

As revealed by document analysis, several important events occurred on the Senate side between April and May 2013. A key amendment added by Representative

Cindy Burkett (R, District 113) was included in the engrossed bill dated April 12, 2013. Although the text of this amendment did not apply to education, it required a rather significant change to the bill, which included that DFPS and HHSC make human trafficking a priority for those employed by the foster care system, as well as called for the creation of a victim referral system – neither of which were funded. Similar to the House Committee Report, the Senate Committee Report lacked detailed analysis of the bill’s scope, instead simply recognizing the extended and expanded duties of Task Force. Akin to House testimony, limited testimony was given “On” or “For” HB 1272, with no one testifying “Against.”<sup>xlix</sup> Again, despite the landmark shift to include K-12 educators in trafficking efforts, no one from the education sector registered to testify. By May 9, 2013, the Senate Committee had considered HB 1272 in public hearing, and quickly voted seven to zero in favor of the Committee Report, which sent it to the Local and Uncontested Calendar.<sup>1</sup> Five days later, Senator Van de Putte amended HB 1272 to include that trafficking data collection on geographical routes not only focus on the U.S., but also include trafficking across Texas’ international border. Senate votes were cast the same day and included 31 ayes and zero nays. Final House voting took place two days later, including 143 ayes, zero nays, two members present without a vote, and five member absences.

HB 1272 sailed through both the Texas House and Senate in four months and was signed into law by Republican Governor Rick Perry on June 14, 2013. Unlike other politically charged Texas legislation, document analysis revealed an expedited and seemingly noncontroversial policy enactment process. It also identified bipartisan action on a piece of trafficking policy within a highly partisan state policy context. Document analysis therefore, yielded important and rich contextual information (Marshall & Rossman, 2015), that can be compared with content gleaned from interviewing (Leavy, 2007). In the following section, legislative respondent interviews point to a more complex policy narrative than what can be understood from public records alone.

## **Political and Normative Considerations of House Bill 1272**

Interviews with Texas Legislators and legislative staff members illuminated a complex state-level policy environment. Findings point to how interwoven political and normative factors influenced HB 1272, ultimately highlighting a mixed legislative will to address child and youth trafficking through education. This section begins by covering the “front line” importance of educational personnel in statewide trafficking identification and prevention efforts. It then looks at how despite the presence of bipartisan support for this legislation, slippage was found in various aspects of HB 1272 policy construction. This included an inconsistent legislative knowledge base on trafficking policy and dynamics, lack of funding for curriculum development, and concerns involving local education control. Specific normative roadblocks or impediments to effective implementation of HB 1272 were identified in areas concerning immigration, race, and gender.

### **Preventing Trafficking at the “Front Line”**

Although HB 1272 required deliverables for other public sectors, the landmark educational policy component of the bill was that it identified educators, including teachers, counselors, and administrators, as a point of intervention in child and youth trafficking. Consistent throughout all interviews was the idea that the development of a trafficking curriculum for K-12 educators was essential to the elimination of trafficking in the State of Texas. Bringing education into the fold of trafficking efforts was discussed as a novel idea, both in terms of State and national policy, as well as professional practice. It was believed that such a precedent-setting policy move would have major implications for multiple public and private sectors across Texas. Thus, HB 1272 fit within what one Legislator described as the Texas Legislature’s aim of a “multisector approach” that developed preventative measures for stopping exploitation as opposed to the Legislature’s traditional reliance on criminalization.

One Legislator said for example that “this [curriculum] is a great start to opening people’s eyes who know nothing about the issue,” while another added, “education’s been involved because it just makes sense in the natural progression of policy.” A

legislative staff member indicated that Texas was on the right track with HB 1272 by stating that, “the legislature recognizes a problem, developed penalties, has a means for monitoring the situation, and is now trying to offer the public more tools to address it.” Similarly, another legislative staff member said that education was a key component in a multisector and broad-based solution to trafficking:

Until now, there has been little contact between law enforcement and social services sectors, those already working on human trafficking, and public school. ...While the local level is complex, things must change because teachers are first points of contact with many victims who we want to get access to available services.

As one Legislator described, it was important to involve teachers and other staff in this policy conversation because they were on the “front line” of prevention:

Teachers have firsthand access to kids on a daily basis, kids and young adults who might be subject to human trafficking. So educators are on the front line, each and every day for some of these victims, for trafficking prevention. It is important that teachers and leaders be educated. It’s important that they be made aware of what they can do to help spot potential victims, and what can be done in terms of ‘where to go from there’ if they are able to identify that there’s an issue with a potential student – what resources do they have on the state-level.

A final Legislator stated affirmatively that the new curriculum will lead to:

Prevention, awareness, and information. Part of it’s that although the myths are there that the majority of the young people who are caught in this horrible crime of human trafficking are foreigners, not U.S. citizens, the data tells us otherwise. Most of the children who are trafficked are domestic teenagers, runaways, children from the foster care system, and kids who sometimes are referred to as couch kids, who spend a couple of weeks each at their friends’ houses. They’re easy prey to be abused and to be trafficked. So part of this curriculum is geared toward administrators, but it’s also to recognize that there are particular youth who are at risk for being preyed upon.

Many respondents also echoed one another in their estimation that HB 1272 was important because the general public simply did not understand the gravity of trafficking in Texas or the U.S. As one Legislator described, “People simply don’t know enough

about this issue” and are “shocked when you tell them that modern day slavery is a problem in the U.S. and right here in Texas.” A well-informed Legislator spoke at length about how raising awareness among educators could increase public understanding on issues like the overlap between labor and commercial sexual exploitation:

I think it just recognizes the fact that the issue is a challenge for many, not only urban centers in the state, but everywhere in Texas. I think it’s important that we make sure that our kids get the true picture of what’s going on around them.... A lot of the women and girls in Houston are really being put to work at our nail salons. I had heard about some of the cleaning and housekeeping industries, but the nail salons just wow. It was an eye opener for me because again as much as I knew about the topic and followed it, even I didn’t know that. So it really dawned on me that it’s occurring more than the average person knows and it’s in places that we least expect it to be. I think that the idea still is that the human trafficking is just to bring young girls for prostitution; that’s what everybody thinks. Yet, people need to understand all the different ways they put them to work, the way they’re treated and housed. It’s just amazing to me that slavery still exists in this country and we’re not doing enough about it, bottom line.

This Legislator then added why raising awareness about trafficking dynamics within the educational community and broader public was positive for Texas students:

I think anytime we can make sure that all of our students, particularly middle school and up, know about the current events going on, know about some of the social problems, then that’s good. They need to be aware, not only because it’s going on around them, but more importantly because they could become victims themselves. Particularly in that age group and particularly young women, that’s when the predators come in. That’s when the people who are involved in this crime will come and find a way to lure them, find a way to get them out of their neighborhoods on the promise of something. So, I think the more we teach them about what to look out for, what to avoid, and how to respond and handle someone, I think the better off we’ll be. I think it takes a lot of proactive training. Sex trafficking prevention’s no different than some of the work we’ve done in the area of domestic abuse and females learning to be armed with knowledge and tools to be able to fight back, and this is part of it.

A final Legislator echoed this sentiment by stating:

There is a need to increase awareness not only because of the human impact, but because of what our society should value....This legislation is about knowledge,

about helping victims out of situations like this, and to be set free, not just physically free, but psychologically free. It's also about our society, to encourage them to develop their potential, to feel like life has been worth living. That's how I feel. That's why I come every session, so I can raise hell about something like this.

Professional educators therefore, clearly were considered important in helping to eliminate the trafficking of minors. Schools, educators, and potential educational programming were viewed as key facets within the identification and prevention continuum. Respondents discussed the power of not only raising knowledge among educators, but how education as an institution served as a medium for raising public awareness and bringing about change. Overall, HB 1272 was perceived as a win for the State and vulnerable students in that it aimed to “open additional doors for victimized children to be extricated from very bad situations,” as discussed by a legislative staff member. Further, by incorporating education within statewide trafficking policy efforts, the State could move in the direction of a “multisector solution” to child and youth trafficking.

### **Inconsistent Legislator Knowledge Base**

Respondents overwhelmingly pointed to major legislative support for HB 1272 and involving educators who were viewed as “front line” responders. Yet, as interviews revealed, such sentiment is complicated by what can be identified as an inconsistent legislative knowledge base about Texas trafficking policy history and key trafficking dynamics. When asked about policy lineage, most Legislators and legislative staff members indicated that nothing like HB 1272 had been tried before and the bill was a landmark policy move for Texas. As discussed in Chapters 1 and 2, HB 1272 clearly is a first of its kind in Texas legislative history. Yet, only two Legislators and one legislative staff member were able to discuss Texas trafficking policy history or point to previous legislative efforts designed to bring public education into the fold of addressing child neglect and abuse. As discussed by one Legislator:

While there're many organizations and groups working on the issue across Texas, when we first attempted to raise human trafficking as a policy issue in the mid-

2000s, no one [in the Legislature] was interested because no one thought we had a problem here. No one wanted to think of this happening right here at home and close to the Capitol.

Not only did legislative colleagues not think trafficking was an issue in Texas, but this same Legislator identified how missing policy language was a problem for developing policy more generally:

Since the technical language to discuss the problem of trafficking didn't exist, it was hard to educate potential legislative allies...in hearings trafficking was understood as a law enforcement issue involving a form of pimping and willing prostitutes.

Another Legislator discussed at length, early efforts to train educators about child abuse and where HB 1272 fit within this policy lineage:

Well in the 1990s there was a requirement for educators to have, each year, professional development on child abuse. So 20 years ago, teachers and educators were required to learn and recognize signs of child abuse. Then in the late 1990s in the turn to local control and the reduction of unfunded mandates by the state to local school districts, the requirement for training specifics in professional development was removed, so that each school district could decide. Four years ago we added back curriculum on bullying, both personal and Internet, to help reduce the number of suicides that our young children had committed. So, we know that educators are using professional development about prevention and recognition of signs in different curriculums. There's not a requirement to do x number of hours on human trafficking, but we needed a curriculum that the education community could look at.

This same Legislator also brought up House Bill 4009 (HB 4009, 2009), which mandated trafficking training for judges, prosecutors, and law enforcement. This respondent discussed how mishaps associated with the stakeholder buy-in around the rollout of this policy served as valuable lessons in the construction of HB 1272. According to this Legislator, HB 1272 was different than previous efforts because it was "the result of a strong legislative base that's willing to listen to stakeholder concerns about the issue." The Legislator who spoke about missing policy language also was knowledgeable about HB 4009, stating that early conversations concerned with education

had to “focus on law enforcement” because “police needed to learn that females and minors on the streets were victims even though the law criminalized their behavior and led to their arrest.” Offering a reflective statement about previous outreach efforts and HB 1272, a legislative staff member knowledgeable about trafficking policy history stated that, “Texas has come a long way, so it’s now time to focus on educating the public and educating educators.”

Aside from these two Legislators and this legislative staff member, respondents were new to working on human trafficking policy. This meant that they had not worked on trafficking policy prior to the 2012 legislative interim or the 83<sup>rd</sup> Texas Legislative session (2013). Legislative respondent ability to discuss trafficking dynamics therefore, was generally narrow and relied on technical state-level policy language. Most respondents talked about trafficking by using accepted policy language, which included “human trafficking,” “sex trafficking,” and “labor trafficking,” as opposed to utilizing broader concepts like commercial exploitation or commercial sexual exploitation.

These respondents stated that they had become aware of or were introduced to trafficking as an important State policy issue by Senator Leticia Van de Putte and Representative Senfronia Thompson. Two Legislators for example, specifically said that they were directly “pegged” by these individuals to work on HB 1272. Another Legislator indicated that the Senator and Representative had sought them out to work on trafficking policy in the 83<sup>rd</sup> Texas Legislature. While not directly being chosen by Senator Van de Putte or Representative Thompson, a legislative staff member also discussed the importance of trafficking as a justice issue. This staff member stated that the Legislator they worked for “agreed to sign on to the bill because of previous social justice work and work concerning minors.”

One of the Legislators new to trafficking policy work stressed that legislative members and staff working on trafficking policy have a “heavy reliance on the Human Trafficking Prevention Task Force and their policy recommendations.” Another Legislator spoke directly to trafficking policy knowledge gaps that also remain within the Texas Legislature. This respondent stated that those working on trafficking policy

“should easily become knowledgeable about this issue, and if they’re not, then it’s an easy fix because of all the current research at their disposal, at their fingertips through the touch of a button.” Perhaps as a defense against a lack of knowledge, two of the legislative staff members new to working on human trafficking stated that only authors and sponsors researched bill issues and gave input on HB 1272. One legislative staff member indicated that the only way their office would insert itself into the HB 1272 construction process was if “stakeholders brought concerns in before the bill was drafted.” The other staff member affirmed emphatically throughout the interview that:

Co-authors and co-sponsors don’t contribute much to bills and do very little background research on the topic. When you sign on as a co-author or co-sponsor you’re following a norm of showing policy support, but you don’t need extensive knowledge of the issue...even if the bill is controversial, co’s don’t become intimately involved.

Regardless of time spent working on trafficking policy, all respondents indicated some form of personal connection to the issue. These connections largely involved having met trafficking survivors because of work experience, local news reporting, and events occurring in legislative districts. One legislative staff member for example, pointed to a growing awareness of trafficking within professions outside policy-making arenas because of conferences occurring in higher education. Another staff member discussed news stories that covered successful trafficking intervention and recovered victims. Some respondents also indicated that because of where their district was located geographically, certain sociopolitical and economic issues including increased migration from Mexico across the Texas border, made their office interested in trafficking policy.

Legislators and legislative staff members demonstrated a keen awareness of trafficking as a problem in Texas, as well as the importance of HB 1272 and bringing educators into the fold of trafficking prevention as the next logical step in a multisector solution. However as discussed previously, only a handful of respondents had worked on trafficking policy for any great length of time, and respondents new to this policy area indicated reliance on external sources for information about trafficking. This limited knowledge base involved in the construction of HB 1272 points to legislative respondents

not collectively constituting the well-informed, social group (Odendahl & Shaw, 2002) originally anticipated. It also suggests that the beliefs, which undergird HB 1272, might not be as transformative as proclaimed. Further, trafficking legislation designed for public education appears to be a bandwagon policy topic that politicians of any political persuasion can get behind even if they know little about actual human trafficking.

### **The Politics of “Bipartisan” Trafficking Policy**

Legislators and legislative staff members had multiple positive remarks about HB 1272 and the possibilities for increasing awareness of trafficking both within public education and broader society. Similar to what was found through document analysis, respondents also identified the ease with which HB 1272 passed through the 83<sup>rd</sup> Texas Legislature (2013). One legislative staff member stated that since HB 1272 was placed on the “Local and Consent” Calendars within both chambers, Legislators expected it to pass through without “protest or objection.” A Legislator spoke generally about the policy process and compared HB 1272 to previous bills on trafficking criminalization. This respondent stated that some early trafficking bills were “outside Texas constitutional bounds and needed to be reined in,” and by comparison, “this wasn’t a controversial bill so it went through easily.” Another Legislator spoke of trafficking as not being a “partisan issue, but a human rights issue that all can get behind.” This Legislator regarded human trafficking as one of few policy issues at the federal and state-level that has “bipartisan support.”

Despite the ease with which HB 1272 passed through legislative policy channels, further probing about policy funding indicated a legislative will and commitment to HB 1272 was less than resolute. One Legislator discussed how if there was one area where bipartisan support might wane, then it was funding. This Legislator also stated that a “clear weakness of HB 1272 is that it allotted no funding for the development of mandated curricula.” Additional Legislators echoed this sentiment with one Legislator arguing that, “bipartisan support would not have existed for HB 1272 if the fiscal note included funding,” while another referred to HB 1272 as a “low cost, or no cost way to do prevention.”

When discussing funding, respondents also made connections between the lack of monies earmarked for HB 1272 curriculum development and a culture of limited funding in Texas public education more generally. One legislative staff member said that, “if people are willing to do work for free, then that’s good for the State...most have learned to adapt to an environment of limited funding.” Another staff member took an entirely different view stating that, “if education was better funded and we actually taught minors about social issues, then we might get ahead of the problem, and not have to do reactive training.”

In addition to funding, another potential partisan issue involved how best to address problems that might be found within the Task Force Education Workgroup curriculum. Despite the passage of HB 1272 and its respective significance, there also was disagreement on how best to integrate public education with other sectors already engaged on statewide trafficking efforts. Thus, the political dynamics of legislative oversight and local control emerged within interviews as the two areas of partisan concern relevant to HB 1272. One Legislator commented on how the Legislature would address potential issues with the curriculum by stating:

Let’s say for example, we see in the curriculum that the law enforcement piece is weak because law enforcement really didn’t come to the meetings and didn’t do their part. Well they could brief us on that, and then we can get mad about it and call somebody in law enforcement and say, how come you guys didn’t cooperate, how come you guys didn’t do ‘x’? So even though we have no direct oversight over the curriculum, just because of our role and the bully pulpit of our offices, we have the ability to pick up the phone and call in a state agency, state employee, or state appointed person.

Similarly, a legislative staff member said:

There’s oversight if there’re concerns, problems, or later objections to the implementation. We can always tweak it in subsequent sessions, study the issue via committee, and work with state agencies in various capacities. Legislators have great power to influence the process.

Another Legislator indicated that without policy evaluation or data collection it was “too early to tell if there were implementation red flags,” but this person assumed that TEA

would bring relevant concerns before House or Senate committee hearings. A second Legislator concurred with this mechanism for addressing curriculum problems by stating that it would be up to “educators and constituents to offer feedback as input is critical to any new policy.” In a somewhat different vein, rather than seeing red flags concerning the Education Workgroup curriculum, one Legislator indicated a need for increased oversight over TEA and public schools more generally. This respondent commented at length about the role funding could play in solidifying oversight over K-12 public education where trafficking efforts were concerned:

I think this is the perfect opportunity, and the time is now, when additional monies are coming forth because of human trafficking, border security issues, and all these factors. We have this select committee that’s looking into how these monies are being spent and what we’re doing. We can incorporate that into telling the schools, okay these are some things we see as issues now that we’re studying and learning more about what is happening down here. Now we want you to be held accountable for what you’re doing with what we’ve given you. We’ve given you the law and the opportunity to do something about this. Now this is what we want you to do. And by the way, take some of the monies we’ve given you and spend it on this. And maybe we can carry some legislation to earmark that they do that.

Additionally, some legislative respondents seemingly did not want to comment on oversight and the implementation process, but rather redirected the conversation to focus on local school control. One Legislator commented that, “if we receive feedback from educators, then we can assess policy strengths, limitations, and consider possible oversight, but not before.” Not wanting to answer whether there was oversight over Task Force processes, another Legislator emphasized that the language of the bill was “not a mandate for the schools.” This respondent continued by stating that HB 1272 was designed “to be respectful of local control” and only had mandated that the “curriculum be available to schools that wanted it.” Similarly, other respondents indicated that involvement of public education in statewide trafficking efforts should work to maintain local control. In comparing HB 1272 to previous legislative decisions to increase testing, which were politically contested across Texas, one Legislator emphasized that the

“determinations about final curriculum should be left to TEA who are closest to the teachers.”

Still others emphasized how constituent voting and party politics affected legislative decisions associated with oversight and local control. Despite a desire to see the curriculum mandated to all schools, one Legislator commented that, “it will not be as easy to achieve as say, through DPS [Department of Public Safety]” because of district tendencies toward local control and having to be “ beholden to teacher voters.” In looking to subsequent trafficking policy that involves education, according to a different Legislator it also was important to keep in mind that “Tea Party members would’ve voted against it automatically if it was a mandate ‘to train’ as opposed to ‘create training.’”

Although multiple Legislators seemed ready to act if there were problems with the K-12 educator trafficking curriculum, legislative discourse about the importance of public education in trafficking efforts did not amount to similarly serious funding allotments for policy implementation. Further, what was discussed as being part of a broad policy solution to child and youth trafficking in Texas was tempered by Legislator concerns about constituent voting and local control. Thus, despite the appearance of resounding bipartisan support for HB 1272, it not only can be argued that policy slippage exists, but that various political factors could potentially disrupt a unique area of Texas legislative bipartisanship.

### **Normative Considerations of Backyard Trafficking Politics**

A final topic that emerged from legislative respondent interviews centered on normative issues and the possible misuse of the K-12 educator curriculum by educators themselves. In particular, respondents spoke about normative areas of educational policy that the bill authors and sponsors potentially failed to consider. Those areas included issues associated with student immigration status, as well as sex and racial identity. Respondents discussed these areas not only as misses for the Texas Legislature, but as policy limitations that could hamper the potential for using schools as an institutional medium for trafficking identification and prevention.

Legislative respondents that commented on potential problems with curriculum development and implementation pointed to potential “policing” of immigrant communities and misconceptions about female victimization. One legislative staff member indicated that educators might misunderstand the policy intentions behind the curriculum given the recent influx of migrants at the Mexico-U.S. border:

In 2011, we had an effort to prevent what they’d call sanctuary cities from receiving people who are immigrating here and don’t have legal papers. There’re a number of communities that want to restrict housing rules and things of that sort and they’d like to see the schools become immigration enforcement personnel because they know even if there’s a child attending school who might’ve been born in the U.S., maybe grandma wasn’t. Maybe grandma is dropping him off at the curb and doesn’t want to be seen or interviewed by teachers or police. So there are some that’d like to see that kind of thing used to take the child as a means of getting at the adults in the child’s world, to see if they’re here illegally. I’d hope the main authors would be fully cognizant of those things and would’ve been careful about how the bill was worded so that it wouldn’t be used as a vehicle for policing.

Another legislative staff member echoed this concern, commented at length about the curriculum not being used as a vehicle for immigration enforcement and the potential ill effects this could have within an educational environment:

There might be eventual concerns over curriculum content, you know, growing pains of a project this size. Local control plays a role here though as they have a responsibility to reign in bad behavior such as going off on your own with the content in violation of original intent or policing students for their status...I would hate to see something happen where somebody felt like a teacher abused their authority because they didn’t understand the curriculum, and either there’s a lawsuit or somebody gets fired. That would be a downside to it. And strengths, I think it’s just numbers. If we have more eyes and ears out there, if educators take it seriously, which I think most will, a lot folks out there who are mothers and fathers, uncles and aunts, when you put that human touch on it and they know what to look for after the training, then we’ve got what we didn’t before, a huge set of eyes and ears, and people who can report. That can make a big difference.

In a slightly different vein, a Legislator indicated that if the curriculum was not properly reviewed or monitored it could provide educators with misinformation about immigration, as well as female victimization:

To me the bigger harm would be this, if we don't watch the curriculum, you could end up with a kind of curriculum that those make-believe family planning groups, the Pregnancy Crisis Centers, put out. If you look at what they're putting out in their brochures and what advice they're giving, they're not giving the kind of advice on family planning that Planned Parenthood would. So that's the danger if we really don't monitor the curriculum, then it would be a slanted view of human trafficking and it could be very negative toward immigration. It could be very negative toward a number of things. I mean it could say that trafficking starts because women aren't wearing the right thing. You know it could go back to the old victimization of rape victims, so that's why we do have to monitor it and that's why we do have to make sure that it's really being evidenced-based and good objective citing, FBI [Federal Bureau of Investigation] statistics, and making sure that it's well represented because otherwise we do run the danger that it could just backfire on us.

A last legislative staff member echoed previously outlined concerns regarding the need to raise awareness. However, this staff member also pointed to how the dynamic of race within sex trafficking still goes unaddressed by those engaged on trafficking efforts:

Awareness has grown, but we're not where we need to be. Teachers and principals have yet to integrate how they're looking at potential neglect, abuse, and trauma. What really are the connections between being tired, missing class, changes in attire, bad hygiene, acting in a sexualized way? Is your student perhaps going through a divorce, or instead, were they working late in a kitchen, or being exploited by Johns in a hotel the night before? Are they [educators] really understanding what is being asked of traumatized kids in a high stakes environment? Many also have the 'not in my backyard' attitude; they're just not educated. You know, we have a ready-made supply of poor girls of color who no one is paying attention to.

Although some legislative respondents clearly noted potential political and normative dilemmas that could emerge from the K-12 curriculum, most respondents did not offer commentary to this effect. When asked directly, some legislative respondents would not comment on sex and gender, poverty and homelessness, race and ethnicity, and immigration status, dynamics known from the literature to be linked to trafficking and exploitation. Other respondents redirected the conversation elsewhere or discussed certain topics in a way indicative of normative bias. One Legislator for example, said that:

A lot of women they're not in there freely; a lot of them are forced into that. Now with some we find, 'well, hell this is a good way to make money.' We're not helping them; we can't help those. But the females who have been forced into it, we help them; we have to.

Although the research literature reviewed in Chapter 2 clearly demonstrates an overlap between trafficking and immigration dynamics, this same Legislator indicated that there was little overlap between these phenomena:

The only way that human trafficking pops up in immigration would be, well we know some of the border members down at El Paso are abusing some of the girls. We know that it's happening right now. But if trafficking is going on our soil, then state law would intervene as far as the perpetrators or culprits of the trafficking. As far as immigration itself, we don't touch it.

Commenting on sex trafficking, another Legislator discussed how many females do not understand their victimization, and went on to discuss that for that reason alone, rather than institutional violence, female victims do not cooperate with police. Using a problematic *us* versus *them* language this Legislator said "law enforcement can distinguish between who the working prostitutes are and who the sex slaves are, the victims." The Legislator continued at length by stating:

*We see this [trafficking] happening a lot with the porousness of the border and the fact that it's easier to bring them in now. A lot of them are paying good money to get here and they don't have any idea why they're coming. They think they're coming to have a better life, to work as a nanny, or as a housekeeper. They're not looking to be CEO's of major corporations; they're coming in just to make a living and save money....The timing's really good because we have this issue, this crisis on the border. I truly believe in my heart as a citizen of Texas and as a member of the legislature that this was orchestrated by the federal government. I truly believe that the Obama Administration wants these people to be there. They want them to come into our country. It makes it difficult because we need their money. It's our money by the way. (Emphasis mine)*

Thus, not only was there a failure to acknowledge how aspects of trafficking and migration overlap, but policy actors normatively distinguished between individuals who they considered worthy of Texas social services versus those who were unworthy of assistance, and further, also to blame if the State opted to penalize their behavior.

## **Conclusion**

This Chapter examined political and normative dynamics that influenced the policy discourses found within HB 1272. Topical historical review illuminated how HB 1272 fit within Texas legislative history. It also outlined how broad institutional plenary powers granted to the Texas Legislature and conservative politics affect statewide policy development. Document analysis highlighted the legislative charge of HB 1272 within a contemporary Texas legislative policy context. It found that HB 1272 passed through the Texas Legislature within four short months indicative of an expedited, uncontested, and bipartisan enactment of a political and normatively-driven policy topic. This is significant in light of the Texas historical legislative context, which includes partisan battles in the area of Texas school funding and legislation that removed Planned Parenthood from the state's Women's Health Program (The Texas Policy Evaluation Project, 2013).

To the casual observer, HB 1272 passed through Texas legislative policy development channels with ease. However, Legislator and legislative staff member interviews revealed a more nuanced HB 1272 policy creation narrative. Findings pointed to major legislative support for involving educators in statewide trafficking identification and prevention efforts. Through a desire to build a "multisector approach," educators were described as being on the "front line" of stopping child and youth trafficking abuses. Yet, this support and sentiment was complicated by an inconsistent legislative knowledge base about state trafficking policy history and key trafficking dynamics. The knowledge base is integral because what Legislators and their staff know about trafficking affects what goes into policy and in turn trickles down to educators and the public.

Despite the appearance of bipartisan support for this legislation, slippage also was found in a lack of funding for HB 1272 curriculum development and respondent discussion of implementation concerns. Respondent data, which also was buttressed by document analysis, demonstrated that legislative talk about the importance of public education in trafficking efforts did not correspond to similarly serious funding allotments

for implementation. Although HB 1272 was passed with bipartisan support, concerns about curriculum were raised in a way that suggests the bill authors, sponsors, and committees were shortsighted in considering policy implications. Specifically, the potential for a major trafficking policy shift through public education was tempered by legislative concerns over local education control. Interviews also revealed that implementation issues were viewed as something to be addressed later, which opens the door for additional problems that are identified in Chapter 5.

Finally, normative dynamics that intertwined with identified political issues could impede effective implementation of HB 1272. Many legislative respondents either did not identify any implementation concerns, or they wanted to let implementation take its natural course before offering an assessment. Yet, of those respondents who did raise red flags, the potential for false curriculum information about gender, as well as the failure to properly address race and the possibility of immigrant policing came to the fore as key areas of concern. Thus, while a legislative will to address trafficking through public education was present, this will was checked by various complex political and normative dynamics. In many ways, these dynamics reduce HB1272 to a symbolic gesture and limit the capacity for major statewide change where minor trafficking prevention through education is concerned.

## **Chapter 5: Elite Interpretation of HB 1272 and Normative Roadblocks to Policy Implementation**

This Chapter examines the organizational, political, and normative dynamics that shaped early implementation of Texas House Bill 1272 (HB 1272, 2013). It begins with a short review of key Texas Human Trafficking Prevention Task Force (Task Force) history to highlight contextual and institutional factors weighing on policy implementation by the Task Force Education Workgroup. Participant observation of Workgroup organizational processes and document analysis revealed an educational policy implementation process premised on compromise between a limited number of stakeholders and the Texas Office of the Attorney General (OAG). Chapter 5 then focuses on respondent interviews, which found that Workgroup members constituted an elite implementation community due to their knowledge base about trafficking and political access to policy implementation processes. Despite efforts aimed at organizational inclusiveness and transparency, implementation slippage was identified through a lack of educator participation, “behind-the-scenes” curriculum development, and the disproportionate influence exercised over implementation by the OAG. Finally, despite clear gains for statewide trafficking efforts, respondents discussed normative roadblocks that could impede the successful implementation of HB 1272 and giving “student victims a voice.” Overall, findings reveal that interwoven organizational, political, and normative dynamics significantly affected how implementation actors interpreted and implemented HB 1272.

### **Task Force and Education Workgroup Context**

Mandated by House Bill 4009 (HB 4009, 2009), the Task Force was created four years before the passage of HB 1272 in 2013. The Task Force was designed to have the broad purpose of developing “policies and procedures to assist in the prevention and prosecution of human trafficking crimes” (HB 4009, 2009, p. 1). Key human trafficking related procedures included the following: collaboration with federal, state, and local agencies; ensuring appropriate state and local agencies collection of data; organization and publishing of data; training state entities and evaluating prior training protocols;

institution of a media campaign; and providing recommendations on how to improve efforts for domestic victims, including minors. Under the jurisdiction of the OAG, HB 4009 mandated Task Force participation from the following state entities: Governor's Office; Health and Human Services Commission; Department of Family and Protective Services; Texas Workforce Commission; Texas Department of Criminal Justice; Texas Youth Commission; Texas Juvenile Probation Commission; Texas Alcoholic Beverage Commission. HB 4009 also allowed the OAG to appoint Task Force membership that included: a public defender; a state's attorney; a representative from a hotel/motel association; representatives from a district and county attorney's association; a representative from a state police association; representatives from sheriff departments; representatives from local law enforcement that are affected by human trafficking; and representatives from nongovernmental entities working on human trafficking (HB 4009, 2009).

The Texas Attorney General (AG) comprises one of seven elected officers within the Texas executive branch. A key player within Texas governance, the OAG is charged with defending the Texas Constitution, legally representing the State, and approving public bonds (OAG, 2015). In doing so, the OAG has strategic, year-round constitutional influence over all State boards, agencies, and offices. Although the Task Force has expanded to work with multiple public and private local, national, and international entities since 2010 (See: Appendix B, Table 2 for a list of Texas Human Trafficking Prevention Task Force members), the OAG maintains jurisdiction over all Task Force proceedings and state-level policy recommendations. This is significant both because of the OAG's influence over Texas trafficking policy and because its current AG, Ken Paxton, and the last two AG office holders, U.S. Senator John Cornyn and Texas Governor Greg Abbott, are Republican politicians who support politically conservative values and policy.

As covered in Chapters 2 and 4, after the passage of HB 4009, the Texas Legislature continued to pass trafficking bills with a strong policy focus on criminalization of traffickers and pimps. Some legislation increased support for victim

services and moved towards involving sectors outside of law enforcement in statewide trafficking elimination efforts. However, advocates were not satisfied and continued to lobby the Texas Legislature to do more for victims, as well as to pass legislation aimed at making trafficking prevention efforts more proactive. HB 1272 signified a positive response by the Legislature to demands for a multisector approach, by among other charges, mandating the development of a K-12 educator curriculum on trafficking.

### **HB 1272 and the Education Workgroup**

This section presents information gleaned from document analysis, as well as from participation in and observation of HB 1272's early implementation by the Education Workgroup. As a member of the Education Workgroup, I had unique insider access to implementation documents and could observe Workgroup organizational structure, function, and processes. The narrative described in this section was designed to offer key contextual information about the implementation of an educational policy like HB 1272. It also provides background information for respondent interview data presented later in the Chapter. As covered in Chapter 3, although permission was granted from Workgroup facilitators to document meeting proceedings, this narrative proceeded with ethical consideration for research participants by maintaining Workgroup member organizational anonymity, and discussing facilitator actions in a manner that protects individual identity (Hesse-Biber, 2007; Naples, 2003; Ramazanoglu & Holland, 2002).

Stipulated by HB 4009 and further identified in document analysis, the OAG was charged with HB 1272 policy implementation. To execute this charge, the OAG created an Education Workgroup headed by the Texas Regional Office of the National Center for Missing and Exploited Children (NCMEC) to assist with creation of the educator curriculum. As discussed in Chapter 4, separate from the Education Workgroup, but also required in the bill were medical, and health and social services curricula. The Medical Workgroup was led by Houston Rescue and Restore, while Children at Risk headed the Health and Human Services Commission and Department of Family and Protective Services Workgroup. Each of these Workgroups reported to the OAG, who co-facilitated working group processes with these entities.

Based on dialogue at Education Workgroup meetings, non-profit entities had been invited by the OAG to participate in policy implementation. Thus, in addition to Task Force entities that had an automatic seat in Workgroup meetings under HB 4009, the OAG invited outside entities. According to information received from NCMEC, 36 total entities participated either remotely or directly at Workgroup meetings. Yet, as found from participant observation, a limited number of stakeholders directly participated in the three Workgroup meetings with the OAG (See: Table 3 for Texas Human Trafficking Prevention Task Force Education Workgroup members).

My connection to the Workgroup was through a second party delivery of the OAG's October 2013 call for participation, after which I contacted NCMEC to participate. My regular participation in Workgroup meetings revealed that Texas school districts and personnel were not invited by the OAG and therefore, did not participate in implementation. As stipulated in the two fiscal notes of HB 1272 and discussed at Workgroup meetings, funding also was not available to assist with curriculum development. Rather, it was to be developed through volunteer efforts that included participation at Workgroup meetings, solicitation of curriculum materials, review of materials, and formalization of the final K-12 educator curriculum.

In the time between the October 2013 email call for Education Workgroup participation and the final curriculum draft, which was completed in late June 2014, the Workgroup formally met three times. In addition to these meetings, email exchanges occurred throughout the curriculum development process. Most of the Workgroup's organizational function involved the formal review of curriculum materials submitted by stakeholders and the development of curriculum drafts. Significant work also was done by Workgroup members outside of the Workgroup organizational context. The following meeting sketches provide insight into the early implementation of HB 1272 by shedding light on the process by which the K-12 educator curriculum was crafted and adopted.

**Meeting One.** The first two-hour meeting, which occurred on January 22, 2014, was as one NCMEC facilitator described to, "lay the groundwork" for organizational Workgroup processes. Twenty-three individuals representing 17 entities participated

directly in this meeting. NCMEC and the OAG emphasized that the Workgroup would aim to create a “101” trafficking curriculum that was “fact-driven” and “well-sourced.” Statements from the OAG and NCMEC, as well as meeting dialogue emphasized that the Workgroup was developing the “first” comprehensive curriculum for Texas schools that ideally would surpass existent specialized curriculum and local trainings. Further, given that few states were engaged in similar efforts, a facilitator from NCMEC indicated Texas would be a “trend-setter” in this policy area.

Facilitators also discussed policy language contained within HB 1272 and next organizational steps. An OAG facilitator discussed that while HB 1272 required actual training of health and human services and protective services personnel, K-12 educational staff would not be trained. Rather, in addition to having final approval over the curriculum TEA would determine how it would be used by educational personnel. Thus, while language in HB 1272 indicated the Task Force would “work with” TEA (2013, p. 3), which bespeaks an implementation partnership, this discussion clarified that TEA actually would have periphery involvement. An OAG facilitator reasoned that TEA would assist with later policy stages because TEA indicated its employees lacked expertise about trafficking policy and dynamics. Notably, by the end of Workgroup processes in June 2014, TEA not only had been absent from the meetings, but never circulated curriculum feedback to Workgroup members.

**Meeting Two.** Between January 2014 and the second meeting held on April 1, 2014, multiple organizational processes transpired. The largest of those involved the collection and compiling of trafficking resources to be used in developing the K-12 curriculum. Resources were gathered from participating Education Workgroup members and entities that expressed interest but could not attend meetings. The purpose of the second six-hour meeting was to discuss submitted curriculum documents and review a PowerPoint presentation that served as a model for the Workgroup curriculum. Sixty-one curriculum documents, including peer reviewed articles, PowerPoint presentations, and handouts, were submitted and made available to the Workgroup. Task Force members

who could not attend were able to review these materials and offer feedback. In total, thirteen individuals representing nine entities participated directly in this meeting.

The meeting began by discussing intended curriculum structure, goals, and the model PowerPoint presentation. There was consensus that education professionals and those outside the field of education should be able to adapt the curriculum to meet their individual and institutional needs. Some wanted a short curriculum, while others pushed for a more detailed product that did not preemptively circumscribe information. Members compromised that a two-hour PowerPoint presentation with supplemental attachments was the most feasible and adaptable form of content delivery. In this way, the curriculum would be both inclusive and respectful of educator time. Members also agreed to be prudent when using images in order to ensure copyright permission and to avoid misleading or sensationalized understandings of trafficking. During this discussion for example, one member pointed to how trafficking awareness posters are known to misrepresent trafficking dynamics in that they typically only depict victims in chains. Finally, we discussed how best to include trafficking reporting requirements, and determined that while individual districts might have their own internal reporting process, statutory requirements should be included.

The influence of the OAG and the Texas political context became more apparent during our discussion of the model PowerPoint presentation and respective curriculum content. When reviewing the PowerPoint, we considered how best to accentuate the scope of trafficking, given the availability of accurate statistics is a problem for the field. Rather than cover complexities associated with trafficking estimates, we agreed to highlight trafficking policies and dynamics, particularly noting student vulnerabilities and indicators for trafficking. It is important to note here that the Workgroup spent more time discussing how to cover specific aspects of sex trafficking as opposed to labor trafficking or broader exploitation. Some members for example, wanted curriculum materials to include a discussion of the unwanted pregnancies, pressure to take birth control, and unsafe abortions that female trafficking victims might face. However, an OAG facilitator insisted this information be excluded because of suspected resistance from Task Force

religious groups. While information on unsafe abortions and birth control was not listed in the final educator curriculum, the possibility of “sexually transmitted diseases” and “pregnancy or a history of pregnancy” was included. Some members also suggested the creation of supplemental materials to address more sensitive or controversial topics. An example of this included the creation of a slang sheet that would include terms used by those in “the life” so teachers might identify possible victimization if they heard the language in the classroom. Again the OAG facilitator was concerned with Task Force approval and “offending TEA.” While this supplement resource was not created, a short list of terms was included in the final PowerPoint.

**Meeting Three.** Between the start of April and the final meeting held on April 30, 2014, NCMEC and the OAG constructed a draft curriculum in the form of a PowerPoint based on previous meeting feedback. This PowerPoint was emailed to us for review in preparation of our final April meeting. Task Force members who could not attend also were invited to provide feedback remotely. Fourteen Workgroup members representing 10 entities participated directly in this meeting.

The apparent collaborative process that had been established in the previous two meetings, shifted in meeting three as the influence of the OAG and NCMEC became stronger. NCMEC facilitators indicated that Workgroup members needed to be practical in their curriculum expectations and be ready to compromise. A NCMEC facilitator emphasized this was “the first time the Task Force had agreed to use working groups in policy implementation,” and while “people will not get everything they want” the Workgroup was a “huge turning point” for the “opening of trafficking policy.” NCMEC and OAG facilitators also emphasized how they arrived at the second PowerPoint draft. Although the Workgroup was not privy to their edits, both facilitators stressed their use of fact-checking and said the draft was viewed by a focus group that included a “stay-at-home mom, nurse, and philanthropist.” Yet, when questioned, no information was offered about how the focus group was convened or why it did not include education sector representation. This lack of educator participation in the focus group is significant

in light of already lacking educational representation on a policy Workgroup whose sole purpose is to design a curriculum for K-12 educators.

The last six-hour meeting was dedicated to reviewing and providing feedback on the OAG and NCMEC PowerPoint draft. Discussion centered on the PowerPoint's six content objectives that included: 1. trafficking in the United States; 2. trafficking in Texas; youth risk factors and vulnerabilities; 4. youth indicators; 5. educator legal responsibilities; and 6. additional online curriculum resources and other state efforts. The majority of the meeting was spent on objectives one through three, which also constituted the majority of the PowerPoint content. Content from the first two objectives focused heavily on sex trafficking, and thus the dialogue centered on how best to describe trafficking dynamics in such a way that would pass muster with TEA. An area of lengthy conversation and ultimate disagreement for example, included the OAG's decision to not include detailed definitions of terms such as, trafficker, pimp, John, exploitation, and demand. An OAG facilitator also said that we should not name teachers as potential traffickers so as not to "offend TEA."

Some meeting dialogue indicated however, that Workgroup members exercised important influence over final curriculum content. One important discussion for example, centered on objective three as it involved draft language that was added about gangs and trafficking. Sentences like, "18% of students in 2011 reported the presence of gangs in their schools," were additions that were not discussed at the previous meeting. While gangs are involved in trafficking, explanation of this percentage was not included, thus creating the potential for reader misunderstanding about the role criminal activity plays in trafficking. Additional dialogue about the possible negative repercussions that this language could have in schools, including racial stereotyping of students, led to refined PowerPoint wording. Limited discussion on the remaining objectives occurred, with most dialogue focused on fine tuning word choice and meaning. One PowerPoint slide in the fourth section for example stated, "Recognize that even 'good kids' are at risk. Recognize that even 'good kids' make bad decisions." Again Workgroup dialogue identified this to be deficit language that could potentially fuel stereotypes about students

at-risk for trafficking. Demonstrating the importance of a collaborative implementation process, the final PowerPoint language read, “There is no such thing as a ‘good kid’ or a ‘bad kid’ when it comes to exploitation.”

**Post-Meeting Processes.** Between May and June 2014, the OAG took the lead on completing final curriculum edits. Then on July 1, 2014, the Workgroup curriculum was publically announced at the annual Texas Human Trafficking Prevention Task Force meeting. The Task Force approval process occurred in July. During this time we were informed that to protect the identity of participating entities, the Task Force planned to list the type of contributors (e.g. state law enforcement, non-profit) instead of author names in the PowerPoint. By October 13, 2014, TEA had approved the curriculum and posted it to their website, making it accessible not only to Texas educators, but the public as well. We also learned that the curriculum was provided to each of TEA’s 20 statewide Regional Education Service Centers. One substantive change TEA made was to remove all of the suggested curriculum resources provided by the Workgroup. Further, while TEA shared our curriculum with the Texas Regional Education Service Centers, it did not plan to require district or school trainings. Both decisions by TEA were evocative of concerns about local education control, which were similarly raised by legislative respondents in Chapter 4.

Participation in, and observation of Education Workgroup processes revealed that a significant portion of content decision-making did not involve Workgroup members, again highlighting the amount of control the OAG and NCMEC had over organizational implementation. Out of the 33 PowerPoint drafts created by NCMEC and OAG, the Workgroup only formally reviewed five drafts. We did receive three sets of blinded feedback that aided NCMEC and OAG curriculum revisions, but it is notable that broader Task Force membership feedback was circulated at a point whereby Workgroup members could no longer offer input on content revisions. For example, although research literature identifies gender non-conforming youth as vulnerable to homelessness and street-based exploitation, the Task Force removed mention of queer youth from the curriculum. Further, language covering reasoning for trafficking such as the “prevalence

of sexual violence,” “stigmas against prostitution,” and “glamorization of pimp culture” remained. Yet, “sexism/gender inequality” and “sexualization of women and girls” was removed from the final PowerPoint. It is worth noting here that while poverty and homelessness, as they relate to trafficking, were mentioned in the curriculum, a similar listing of race and national origin was not included. Further, while labor trafficking characteristics and examples were included, the curriculum did not include a detailed review of background causes such as destabilizing economic policies or unenforced labor regulations.

A detailed content analysis of the curriculum was not within the bounds of this study. Yet, data gathered from document analysis and participant observation, much of which is confirmed by Workgroup respondent interviews in the next section, point to a Workgroup organizational process and resultant curriculum that were heavily guided by the OAG and NCMEC. In this way, both document analysis and participant observation provided deep understanding of the organizational dynamics influencing Workgroup actor implementation, as well as contributed background information that could be situated alongside respondent information (Leavy, 2007; Marshall & Rossmann, 2015).

### **The Making of Elite Interpretation**

Interviews with Education Workgroup members illuminated a complex Texas policy implementation environment. As discussed in Chapter 4, legislative respondents indicated that it was the job of the Task Force, OAG, and the Education Workgroup to carry out the charge of HB 1272. Indeed, one of the most striking things to be revealed from Education Workgroup interviews was the high level of practitioner policy knowledge about human trafficking that respondents brought with them to implementation processes. Thus, as focused on in this section, interview findings point to the Education Workgroup as an elite policy implementation community, which is premised both on Workgroup member knowledge about trafficking and political access to implementation processes. Implementation slippage, identified through the lack of educator participation, “behind-the-scenes” curriculum development, and overall OAG influence on implementation, also is discussed.

## **Education Workgroup Knowledge Base**

The majority of Education Workgroup respondents worked in the local, statewide, or international non-profit trafficking victim advocacy sector. This non-profit work constituted a range of jobs including assisting victims of child abuse and trafficking via advocacy, consulting, curriculum development, legal services, mental health, online education, and research. Unlike some of the Legislative respondents, each of the Workgroup respondents had done this kind of work for many years. They therefore not only were able to offer rich descriptions of labor and sex trafficking dynamics, but they also could provide detailed information about the organizational, policy, and interpretive function played by the Workgroup as it compared to prior advocacy and local task force work.

Throughout the interviews, respondents distinguished between basic typologies of trafficking including international and domestic, sex and labor, and adult and minor. They also understood many of the ways youth trafficking intersects with other social problems including intimate partner violence, homelessness, and migrant or refugee youth experiences. One respondent discussed the intersections between youth trafficking and exploitation that happens to queer youth who engage in survival sex while living on the streets. Respondents also spoke eloquently about domestic minor trafficking advocacy being done across the State by foster care courts, the Texas Department of Family and Protective Services, and local task forces.

Three of the respondents made clear distinctions between the policy language of “human trafficking” and respective *force, fraud, or coercion*, from the broader experience of “commercial exploitation” and “commercial sexual exploitation.” Concerned with policy language, one Workgroup member commented on how “human trafficking is a hot policy topic at the moment, and yet many people in the policy world and public don’t understand it.” This respondent also discussed at length, the need for clarity in policy language for those working in policy or as other stakeholders in the field:

Commercial sexual exploitation for example is more clarifying because it specifies domestic aspects and that a pimp or trafficker does not always need to be

involved. The situation itself can be exploitative even if it doesn't meet legal threshold for human trafficking. Eventually policy may change similar to the realization that we needed policy distinctions between international and domestic trafficking. For now, in our work, we make the language distinctions because we see it as necessary for getting victims proper care and services.

A different Workgroup member stated that while commercial exploitation is a “fancy, more academic term,” we do “need to address the policy language of trafficking because people still think ‘overseas’ when they hear that term and that’s a problem.” This respondent also indicated that language was key to trafficking policy work because “doing good, knowledgeable outreach on these issues ideally furthers public understanding of the dynamics involved in these complex processes.” A last Education Workgroup member similarly stated:

Terms absolutely matter, because depending on what term you use you’re going to cause connotations about the victim, the trafficker, the client or John, what have you, coming in as the exploitation....From our agency’s perspective, we don’t use the term child prostitute because under Texas State law you can’t be a prostitute if you’re 13 or younger; it’s legally impossible. For the older minors, we don’t want to confer on them a criminal act that may not be under investigation or charged, and that certainly in most cases hasn’t fully been prosecuted when you’re talking about a case, like a sting happening and juveniles being rescued as a result, or recovered. Definitely the terminology matters and it’s a good thing when the agencies at the table had a lot of input about terms because that causes the Attorney General’s Office and hopefully the Task Force to be thoughtful about the terms being used. Because, without naming names and not necessarily anyone involved in this whole process, there are curricula out there that aren’t that thoughtful about what terms are used.

As discussed in Chapter 2, trafficking policy has been critiqued for failure to adequately capture, prosecute, and offer services for the range of exploitative abuses victims can endure. Thus, Education Workgroup respondents possessed relative high levels of knowledge about trafficking policy versus broader commercial labor and sexual exploitation. Respondents also were concerned that more than awareness, “well-informed awareness” was necessary to shift the political needle on trafficking policy. Although respondents focused more on sex than labor trafficking at times, interview findings demonstrate that Workgroup members constituted a well-informed social group

(Odendahl & Shaw, 2002) where trafficking dynamics and policy was concerned. This knowledge base possessed by Task Force members, was previously identified in Chapter 4 as something Legislators relied upon for policy recommendations. This finding also aligned with participant observation that found Workgroup member knowledge to be significant in the curriculum development process.

### **Function, Participant “Cherry Picking,” and Missing Perspectives**

Education Workgroup members agreed that they thought that organizational functioning and similar individual member goals contributed to Workgroup effectiveness. Three respondents spoke to the importance of allowing information to be sent online if stakeholders could not travel to Austin for the meetings. One of these respondents credited the OAG for allowing “input in this process versus the manual they [OAG] put out on their website that didn’t have input.” Another respondent commented on how fund-raising can complicate relationships between non-profit groups that work on trafficking issues, but that was not the case with this working group:

Well I just think that we’re all, most of us are non-profits. We’re all trying to raise money and we’re all trying to say, ‘Hey we want to educate people on child sex trafficking.’ Everybody has their own presentation. Everybody has their own perspective. But this wasn’t a competition. It was about putting together the best presentation for our State. People were asked to contribute and to be able to give information without demanding credit for it.

A different respondent compared their membership and experience with this Workgroup with problems experienced in other local task force work settings, stating that, “there weren’t any egos in the room that disrupted the process like I’ve seen on other projects. It went really smooth for the size and scale of the organizational footprints participating.” Similarly, another Workgroup member said:

Multiple personalities do human trafficking policy work in the State, and not everyone is on the same page or shares the same interests. We definitely had some strong personalities in there, but I’ve been in groups before where there have been people with a lot of knowledge to where you do kind of feel like it ends up being an argument. It seemed like everyone that came to the table in the Workgroup, at least when I was involved, everyone seemed to have a very good

understanding of the issue and it wasn't something they had just read about, or they were looking to benefit monetarily from bringing this training around.

As a final respondent succinctly stated, "everyone was in this to raise awareness to help eradicate child trafficking."

Yet, information gleaned from respondent interviews pointed to concerns regarding OAG selection of Workgroup participants and the lack of key stakeholders in the group. As discovered through document analysis and observing Workgroup meetings, the OAG exercised a great deal of control over who participated. Not only was this confirmed by participant observation, but the majority of respondents either did not know or could not state definitively how their entity was selected to work on the HB 1272 implementation. Some of these respondents referred to the formal invitation they received from the OAG asking them to join the Education Workgroup, while others indicated they were asked to participate through the chain of command at their organizational entity.

While not being able to offer insight into how the OAG determined which entities were selected to participate, respondents assumed that their selection might be tied to OAG awareness of their work in the field of trafficking policy and advocacy. Indeed, the majority of respondents indicated they had a formal professional relationship with the OAG either due to prior trafficking projects or State funding approval processes. Two respondents specifically stated that their entity had expressed an interest to the OAG that they be permitted to participate in the Workgroup. In addition to professional ties, one respondent identified a form of possible exclusion that may have occurred for this stage of the policy process. This respondent candidly stated that, "I think there's some cherry picking off of those groups [other task forces and advocacy groups] as well to make sure there's good representation." Thus, "cherry picking" was described as a mechanism that the OAG might have used to ensure specific types of entities participated in the Education Workgroup. If such a politically exclusive process transpired, it is significant given the periphery role of TEA, as well as lack of school district administrator, teacher, and counselor presence on the curriculum focus group and Education Workgroup. The

fact that the majority of Workgroup participants had a relationship with the OAG also could speak to possible political bias used in the Workgroup leadership assignments and the participant invitation process. Nonetheless, all respondents indicated they had never participated on a policy project of this scale with the OAG.

In addition to lacking clarity over how they came to participate in the Workgroup, and the possibility of “cherry picking,” respondents pointed to stakeholder perspectives that were missing from implementation processes. Three Workgroup members highlighted the need for an educator presence in policy decision-making that stands to affect educators. While these three respondents noted my participation in the Education Workgroup, two specifically indicated that this was not enough given the scope of the legislation and implications for schools. One respondent for example, said:

It’s interesting that educators weren’t required to participate in the training...since teachers are on the front lines, we need to appreciate them and should’ve brought them into the conversation rather than tell them what to do.

Another respondent also commented at length about how increased participation assists with transparency:

Increased collaboration through a webinar would’ve been better for this project. It also would’ve been better to have discussed changes than just read them at meetings. Plus practically if you’re doing a lot of work, those efforts might not actually make it in and we had no knowledge of why...In terms of the diversity of players, it would’ve been great to have schools familiar with this work present. We had a former teacher, but not current teachers. Much of the contact with TEA also was done outside the Workgroup, which raises the question of transparency.

Two Workgroup members also indicated that when doing work on trafficking it is necessary to have survivor perspectives present. While one respondent said that, “in the future this [survivor participation] should be considered as it will give us clarity on language and provide agency to survivors,” the other stated “it’s hard to do [incorporate survivors in policy processes] and you also don’t know who might already be a survivor in the crowd, a survivor sitting at the table.” Finally, a last Education Workgroup member mentioned that having an increased law enforcement presence would have been

helpful given Texas law enforcement had already gone through multiple iterations of policy-driven trafficking training. Thus, problem areas associated with OAG selection processes and the diversity of perspectives constituting the Workgroup emerged in these interviews. Interview findings demonstrated that Workgroup members not only constituted a well-informed social group (Odendahl & Shaw, 2002) where trafficking dynamics and policy were concerned, but also can be considered elite actors for their insider access to policy implementation processes (Marshall & Rossman, 2015).

### **Politics of “Behind-the-Scenes” Implementation**

Interviews with Education Workgroup members also highlighted the role of organizational transparency in educational policy implementation. The majority of respondents were content with the organizational processes used to create the curriculum and carry out implementation. These respondents indicated that they were pleased that the Workgroup was split from the medical and protection services working groups. They noted that this permitted a more efficient use of participant time and led to content that was appropriate for its HB 1272-specified audience. As one respondent noted, “the bill [HB 1272] says nothing about it being put online or for online audience. Yet, our process was well-structured, with procedure, and focus to allow us to go beyond what the bill called for.”

As discussed previously, respondent participation on other local task force efforts did not necessarily include a collegial atmosphere. Interviews revealed that the majority of respondents were content with the level of respect members paid each other during meetings. As one respondent put it, this respect created an atmosphere whereby feedback could be given about processes and curricular content without “fear of being shut down.” These respondents also indicated that given the timeline constraints that the Education Workgroup was under, they were content with how much curriculum editing occurred outside Workgroup meetings. One respondent who assisted with curriculum work outside meeting times stated:

It [curriculum development] was more involved and longer than anticipated. There actually was a lot of behind-the-scenes work that went on, which involved

receiving all the materials, organizing them, putting them together for viewing, checking resources and references. There was a big concern that everything be sound and properly cited. This was going to educators so we didn't want to distribute faulty or wrong information without citations.

Another respondent who helped facilitate Workgroup meetings also commented at length about both the "behind-the-scenes" work and the complexity of being transparent in the policy implementation process that was called for by HB 1272:

The process was very thoughtful from start to finish, clearly knowing there was an end goal. If we did it again, only three meetings did cut it close. Having a way to hit the ground running, and have people come in prepared to work on the first meeting would've helped... there was tons of behind-the-scenes work, in particular with agencies to make sure we could use their material without citing it directly. We did a lot of editing in the Workgroup meetings I hope it was transparent, but that process was just to get it to a point to hand it off to the OAG and the Task Force, which at those stages our Workgroup didn't have say over... the OAG did continuously send out PowerPoints for feedback, but at the end of the day what ended up in the curriculum is what the OAG wanted.

Be that as it may, some respondents were neither wholly satisfied with curricular processes that occurred "behind-the-scenes" nor the perceived OAG control of organizational processes. One respondent stated that:

The process was not clear. Time was lost getting started and information about what each group [the two other working groups] was doing wasn't always transparent; however, our group also took the lead and did the hard work, and the others followed us. The process was cumbersome for how big it was, yet accommodating to those who needed to drive in from remote parts of the State or couldn't travel at all. It [the process] shifted to allow us to see feedback [on the curriculum] over email, but not always in a way that we knew why people suggested what they did or so we could discuss feedback or changes.

Another Workgroup member was more adamant about what was seen as a lack of transparency and preemptive curriculum strategy instituted by the OAG:

No, I don't think there was transparency. I wasn't sure how the final product was reached. It was clear that we gave a lot of input at the meetings that was recorded... however, when each version of the PowerPoint was revealed, I had no idea how that happened. It seemed there was a lot of behind-the-scenes work

being done that we weren't aware of....Although our work was collaborative, this was an initiative led by the OAG who had a specific end game in mind that wouldn't be wavered from. It was clear the OAG wanted everyone to play nice at the table.

As previously covered in this Chapter, HB 1272 called for specific curriculum deliverables to be orchestrated by a distinct policy actor, the Texas Office of the Attorney General. Although teachers, counselors, and district leaders were not included in the creation of the education deliverable, the OAG did go outside its traditional Task Force player boundaries by inviting non-Task Force implementation actors, including myself. Yet, as revealed by document analysis, participant observation, and interviews, the OAG, a politically elite policy actor (Marshall & Rossman, 2015), exerted enormous influence over the final curriculum product. Thus, despite the appearance of organizational inclusivity, the lack of entity participation at meetings coupled with respondent concerns about organizational structure, highlight the OAG's control over policy implementation.

#### **Policy Gains and Actor Expectations around Giving “Student Victims a Voice”**

Education Workgroup members discussed the importance of raising general public awareness about trafficking and how public education was integral to such efforts. They also articulated clear expectations and concerns about Workgroup next steps in educational curriculum development processes. Significant to this commentary was how Workgroup members perceived the K-12 educator curriculum either as working to positively address normatively sensitive issues or potentially being stifled by statewide cultural politics.

#### **Raising Educator Awareness, Raising Public Awareness**

A number of Workgroup members described the curriculum both as creating a comprehensive resource for schools that also tackled sensitive issues associated with violence. One respondent said that, “overall the curriculum is designed to confront misconceptions, as well as focus more on domestic issues, address vulnerability and indicators, and consider next steps for schools.” A second Education Workgroup member commented on the number of challenges schools face today in terms of student poverty, hunger, and increased violence from school shootings. However, since sex trafficking

also is a form of violence that is rooted in misogynistic culture, educators need to know what to look for:

Part of something that we are addressing is pimp culture and the fascination and glorification of pimping. Boys see that and they imitate it and what we want them to learn is that this is not glamorous. This is abuse of women and girls, and young people, and possibly other young men themselves. So it's not all it's cracked up to be; it's hurting people. You're not just getting a fancy car or what not, so we do want the education for the boys and girls....The curriculum is an overview of the issue, not just in the State of Texas, but nationwide. It has a strong emphasis on how it is affecting Texas children, Texas youth, and also gives vital information for prevention. This way teachers can notice signs, can question what they're seeing and not accept it at face value. For instance, if a student's talking about having a 24 year old boyfriend and she's 13 years old, then let's take this a step further. Let's ask some questions, see what's going on, and help prevent something from happening before it does.

Similarly, other Workgroup members discussed connections between the curriculum's focus on sex trafficking, a form of sexual violence, and similar efforts to discuss sexual harassment in schools:

Even though this issue is not on their [educators] radar and it's right under their noses, it makes sense, it's like past efforts to include teen dating violence and sexual harassment training in schools.

Another respondent spoke at length about how increasing educator comfort with discussing sex trafficking, a form of sexual abuse, would have major implications for students and the field:

I think the implications are huge because it's an education issue. We've talked with countless people who are former CPS [Child Protective Services], child advocates, or even educators who know things now about child abuse or trafficking that they didn't know before and now they think – how many kids slipped under my radar? Just being educated and knowing what signs to look for is huge. Teachers are one of the top reporters of abuse. Teachers are with our kids more than parents, and a lot of times kids who are being trafficked are in schools still. So I think that this is huge for those kids, especially young women and little girls. This can help give student victims a voice....Like I said, child sexual abuse, which is what sex trafficking is, is a crime of secrecy and it reinforces that when you're not talking about it. This is little bit of an off-shoot,

but when you have a child who you taught either it's not okay to call a private part by its' actual name or you give it a cutesy nickname, if that child makes an outcry and they're calling it something else, whoever they're out crying to may not even take that as an outcry. So, just kind of the awareness and the honesty that's necessary to really unearth this issue is hard to. It makes it hard to engage in the public sector. It'll really need educational leadership on this issue for this to work.

The focus on sex trafficking and sexual violence clearly was important to respondents. However, similar to research critiques of trafficking policy and programming for their emphasis on sex trafficking to the detriment of labor trafficking victimization, and also as discovered through participant observation, one respondent stated:

Primarily most of it [the curriculum] again was focused on the sexual aspect of it. We probably could've had a little bit more content as it relates to the labor part of it. A lot of times labor trafficking gets kind of lost in the shadows of the sexual exploitation piece of human trafficking. It probably could've had a little bit more content, more discussion about the labor side of it.

A final Education Workgroup member discussed how educator knowledge about trafficking and exploitation overlaps with classroom instruction. In certain instances, this respondent thought information about trafficking could shed light on why students have behavioral issues in the classroom:

That was one of the things we talked about in the Workgroup is the whole idea of the, 'bad kids.' I've never been a teacher; I don't know what it feels like to be a teacher, but I can imagine that if there're troubled kids, who are not identified, they could be misunderstood by the adult...when kids are going through trauma at home, whether they're being abused or whether they're being trafficked by their parents or a boyfriend or whatever, they can't learn. It's fight or flight constantly, literally just everything is going to survival and they're not going to be good students. In general, teachers understanding a lot more about trauma and that sort of thing is good, to be able to help identify kids who are really going through something rough, because the student isn't going to say anything. They're not.

A number of Education Workgroup members indicated that the curriculum not only would serve as a mechanism for increasing awareness within the education sector, but more broadly as well. One Workgroup member highlighted that the curriculum

drives home the point that students who are being exploited and trafficked are “all around us. They send us signs, direct and indirect, for help that often get missed.” Included in the mentioned group of at-risk youth were unaccompanied migrant minors. One Workgroup member highlighted for example, how the curriculum could work to address prejudice and better inform educators about the complexities, including possible exploitation, within the lives of unaccompanied minors:

Although we have no jurisdiction in Mexico, the money going to DPS and border control for training on human trafficking is a problem because these personnel are not properly trained to be working with kids that social workers should be engaging with. We need to be more assertive, especially since smuggling cases that become human trafficking cases can land in our lap... That’s the thing and I think it reveals a lot of prejudices and bias in our automatic thought process that may not consider how complicated this is. And trafficking just doesn’t happen overnight. It’s a very complex, complicated issue that involves a lot of emotions, undercurrents, human behaviors, and backgrounds.

Similarly, another respondent discussed how the curriculum attempted to outline how trafficking and smuggling differ, as well as can overlap:

Since the curriculum differentiates between smuggling and trafficking and even goes into detail saying individuals who are in the smuggling process might be exploited after or during the fact, I think it lays out that we’re talking about two distinct categories that might overlap, smuggling versus trafficking, and what each entail, that they aren’t necessarily the same thing. So, I think it’s good because the work of the Workgroup definitely predated some of the public aspects of that issue. Even before that, the agencies that had curricula out there were already trying to explain to the public, ‘these are the differences and we need to focus on the actual events, the actual trends that are occurring in the field, and not just simplify it down to this is this issue.’

In addition to expectations that the curriculum would help to increase educator and broad public awareness of child and youth trafficking, Workgroup members raised a number of expectations about continued Workgroup function and implementation by TEA.

### **Implementation Actor Expectations**

All respondents wanted to see the Workgroup continue in some capacity. This involved a range of ideas including regrouping, informal discussion, creating more

specialized curricula, and continued research on what other states are doing in this area. Further, even though evaluation and outcome measures were not part of the legislative design, all Workgroup members indicated a desire for some form of evaluation with districts, schools, and/or teachers who used the curriculum. The Workgroup curriculum was likened to similar non-profit and State programming on child abuse, which have a need for constant follow-up evaluation. One respondent wanted to know that the “format we selected was appropriate for and appreciated by educators. And do they have access to it.” Another Workgroup member wanted to “keep the organization together to fine tune curriculum as needed, not start from scratch, and hopefully dive into some of the more controversial issues we couldn’t get into during this first go around.” A third respondent spoke at length about where our work fits within the larger framework of trafficking policy designed for K-12 public education:

It had to be constructed to train without an actual trainer being present. Ideally it will evolve and grow with more resources. We drew from expertise of many and our curriculum goes beyond education to be applicable and useable for other mandatory reporters....While we had certain limitations placed before us, given what we accomplished, next steps can involve thinking through who potential reporters are and how we can get creative about who gets trained and why. This curriculum was targeted at professionals, but I had an interesting comment made to me from law enforcement about how the people who know most about what’s happening are the bus drivers, as far as what kids are showing up each day, who’s hanging around their stops, and who they’re talking to and interacting with...the background information in here could be pretty valuable for anyone who touches the education sector, but we can get creative about targeting specific groups and making sure that each field is impacted by this and has the information.

There also was consensus around the idea that TEA would approve the curriculum. One respondent saw no issues with approval because the curriculum was “detailed, dynamic, and well-sourced. TEA might tweak some small language, but they won’t strip entire sections of material.” In commenting on TEA approval, a second respondent was quick to point out the difference between “identify and assist,” which was the language of HB 1272, and “identify and prevent.” This Workgroup member said:

The curriculum is prevention in the sense that it's information dissemination. It's not prevention in the sense of working within communities and with youth. Our work could never be perceived by TEA that this was prevention or for youth to use or view. We could only suggest materials. Prevention is a next step educators will have to call for.

Given the entity's major statewide educational responsibilities and its lack of funding, respondents assumed the role of TEA in implementation would stop at approval. One respondent commented that, "given how large the state is and the level of scrutiny TEA always is under, it might not push the curriculum." Another respondent wondered about how well a then 99-slide [currently 84] curriculum PowerPoint would actually translate to a teacher setting. This respondent said:

When you're presenting curriculum created by experts or academics in the field, you always have to change language, so how's this going to be accomplished? And in-person training where you can ask questions and exchange ideas is one thing. It's impactful. Requiring educators to view 99 slides is something entirely different.

As post-Workgroup organizational processes revealed, TEA did in fact approve the curriculum, but struck portions of the PowerPoint presentation that included suggested trafficking curricula.

Overall, Education Workgroup members indicated that both they and the organizational design used in implementation successfully met the expectations mandated by HB 1272. One respondent stated:

I'm glad our mission was to educate educators about this issue and get the conversation in schools, so that teachers might think twice about why students have dark circles under their eyes.

Echoing this sentiment, a second Workgroup member said that the curriculum would help teachers and educational leaders to understand that, "this does happen here, so this bill was about how do we recognize it and what do we do to stop it. We accomplished that." A Workgroup member who helped facilitate meetings felt that not only did the Education Workgroup meet the mandate of HB 1272, but that the curriculum went further than what was actually expected of the legislation:

Not only did we meet the expectations of the bill, we went beyond the technical language of the bill. We had multiple, well-researched materials to utilize. The curriculum didn't have to be long, detailed, focused on broad aspects, for online distribution, but it did all of these things and more.

While respondents agreed that the charge of HB 1272 had been met, some criticism of the bill and of the State's approach to tackling key human trafficking dynamics was raised. One respondent offered the following bill criticism:

The bill is weak because it didn't mandate the viewing of the curriculum, but just that it be created. Teachers are so busy that they might not even view it since it's not required. This is a huge policy gap in my opinion. But at the same time, required viewing also might have made our whole process different and less likely to be a collaborative process.

Another criticism centered on child poverty, which is known to contribute to commercial exploitation:

But again there's always that one child who has been abused, who is hungry and when you're hungry and someone comes along and offers you a sandwich and to take care of you. That's a lot better than starving. And again in my opinion, we have to do a much better job of taking care of our children in the State of Texas and across this country. That's how you prevent more of this. Education is great and it'll reach some, but overall it's learning to take better care of our children. ... Resources make sure that they're fed and have safe places to sleep, so they can learn and go to school. These are things that a lot of children don't have to deal with, but those that do, well it's a real serious problem not being addressed.

Along the lines of criticism directed at the scope of the curriculum and the State, respondents indicated that they wanted to see the curriculum become mandatory training not only for all State agency employees who have contact with minors, but for students themselves. As one respondent described:

I see it [curriculum for students] being proposed and passing through the legislature potentially. The implementation would be very tricky though because of the subject matter and what a particular school or district is comfortable with language wise...you know it would be nice if we could go out and do a training for every district, but we live in Texas, it's not plausible.

Finally, as discussed in the next section, respondents pointed to complex normative dynamics both embedded within policy processes and statewide political culture, which would make a student curriculum a more difficult reality than the more limited mandate of HB 1272.

### **Normative Roadblocks and Student Victims**

An area of major concern for respondents was how to best discuss perceived sensitive social issues within the curriculum and how this content would be perceived by TEA. Although left out of the curriculum, noticeably few Education Workgroup respondents discussed the relationship between queer youth, homelessness, and trafficking, and even when prompted about gender. Only one respondent discussed why the curriculum did not incorporate this topic. This Education Workgroup member spoke at length about implementation compromises within a politically charged policy environment:

We a) can't all have what we want when you fill a room with people coming from different places, b) we have to take a first step and to get our foot in the door in some of these places, especially rural communities it's going to be hard to even say the words let alone start inserting controversial, or frankly provocative language and content. So, I think that makes a lot of sense recognizing that this is the first step...so, plenty of compromises, plenty of backing off on maybe what should eventually be in there. I have no difficulty at all, in any political environment let alone statewide, trying to set the bar where the value of more people getting this with less of what we want in it, is more important than fewer people getting the entire message... We've got to start somewhere, and again for this to be received, we have to be careful not to go too far down that path. Again, in some of our rural communities that would not be received well, if somebody could perceive and claim that this is all to protect a population, and those schools could respond with, 'we don't have them in our communities, in our schools; those don't exist, so we don't need to devote our teachers' time to this.' That would be a misstep, so I think that's a subsequent step for the curriculum.... The struggle is to make it applicable to folks who are in the majority population. It's not just if you are GLBT [Gay, Lesbian, Bisexual, or Transsexual/Transgender], or your child is, or your student is. It's not just if you are from a broken home, don't have grown-up support, or are a runaway. It's all those things.

Multiple concerns also were raised by respondents about how curriculum content that covered the idea of “sex” and “sexual violence” within sex trafficking would be

perceived by Texas educators. While Education Workgroup members overwhelmingly expected the curriculum to be approved by TEA, they were less certain that individual districts and schools would opt to use the curriculum. Speaking to this, one respondent stated:

There's always going to be stuff left out of curriculum, teaching, training, etc. in a state like Texas. Sex in and of itself, let alone sexual violence, is a controversial issue in Texas. We've had to make careful use of the term to gain entry to districts and schools, and to not offend educators.

Similarly, a different Education Workgroup member discussed how the topic of sex not only was a problem for educators, but for other public sector employees as well. Further, this problem gave an untrained "rescue industry" access to victims and placed limitations on healthy conversations about sex with students:

The word 'sex' makes everything difficult in Texas. Even those who work in this area have to fight spam filters at their job. Because we don't more openly discuss these issues, we end up seeing a lot of well-intentioned people getting involved and trying to 'rescue' victims, and assuming the victim will be grateful, without knowing anything about what they've gone through, or proper procedures, or having law enforcement present....Kids know about sex and yet we don't talk about it; kids even know about human trafficking and yet we don't teach them about it. We need to do more on both and not be scared of the word sex because kids get it!

Another Workgroup member pointed to Texas' lack of mandated comprehensive sex education as a potential problem in terms of allowing the K-12 trafficking curriculum to serve its intended purpose of helping teachers identify potential victimization:

Texas makes this work difficult due to lack of good comprehensive sex education; there's a ton of censoring that goes on in Texas; unfortunately if a child makes outcry, it might not be recognized because educators don't know this topic or language.

A final respondent was less concerned about how culturally and normatively charged issues such as pregnancies resulting from sex trafficking, a topic discussed during Workgroup meetings, were handled in the curriculum. Instead, this Workgroup member

discussed how the curriculum specifically was designed to provide a broad overview of both sex and labor trafficking, which once accepted by TEA could be modified by state agencies to include more detailed information:

I was deferring to what other agencies thought were the reasonable expectations as far as what to expect through the process. As far as pregnancies are concerned, I was happy to see that pregnancies still made the indicator list. Part of this is, this training, if it goes out through an online course, people are going to get what are on the slides. If it goes out to in-person trainings, which hopefully it will, then the in-person trainer who's talking from the expertise of their own agency, whether social services, state agency, or whatever, they can emphasize areas of the curriculum and they can augment it with videos, case studies, or what have you. Our conversation about this curriculum with the Attorney General's Office is that once it's out there, it's a public resource that can be adapted to the extent that agencies want to give a more detailed description of what these cases often involve. Hopefully that will allow them the parameters to do that and they'll do it in a responsible, accurate way, but after that it's beyond control of the Task Force.

Thus, respondents perceived the K-12 educator curriculum as positively addressing difficult sociopolitical and economic issues such as sexual violence, trafficking, and needed prevention. Yet, by the same token, it would seem that statewide cultural politics prevented the curriculum from including other topics such as discussion of queer youth, a population identified by the literature as being at risk for homelessness and commercial sexual exploitation. Such politics, which also limit the inability to say the word "sex" in many Texas schools, was understood by respondents as potentially limiting the reach of the curriculum. While one Education Workgroup member stressed the importance of compromise and simply making "educators comfortable enough to talk about these issues in case a student makes an outcry," another member was concerned that, "the curriculum is not enough; there's a big leap between viewing it, especially when it's not mandatory, and actually knowing what to do to report... Unfortunately, as a nation, we're not really proactive, we're reactive."

### **Conclusion**

This Chapter examined the organizational, political, and normative dynamics that influenced implementation of HB 1272. It reviewed key history tied to the Texas Human

Trafficking Prevention Task Force. In doing so, it illuminated contextual and institutional factors weighing on policy implementation by the Task Force Education Workgroup. Such factors included the charge of the Task Force, its primary policy focus before HB 1272, and institutional composition. Significant to Task Force composition is the pivotal role played by the Texas Office of the Attorney General, which in the last three statewide election cycles, has been dominated by Republican leadership.

Document analysis, participation in Education Workgroup meetings, and interviews revealed that the Workgroup structure lacked a fully inclusive participant process. Not only for example, had educators not been invited to participate, but TEA a named HB 1272 participant, was absent from Workgroup meetings. Although the OAG indicated TEA's role was based on a personal acknowledgement from TEA that it lacked formal insight into trafficking policy and dynamics, the overall lack of input is a glaring oversight within a policy process that directly impacts education. Despite the veil of inclusivity, as identified by limited entity participation at Workgroup meetings and an overall lack of educator, survivor, and law enforcement presence, respondents pointed to how organizational structure, collaboration, and alignment among Workgroup member goals contributed to overall organizational effectiveness. Specifically, dialogue among members was integral to creating a well-cited resource that was respectful of educators' time, as well as contributing to the removal of bias from curriculum language and content.

Interviews with Education Workgroup members point to the organization constituting an elite policy implementation community. The elite nature of this implementation community was based on high levels of member knowledge about trafficking policy and dynamics, as well as political access to implementation processes. Yet, despite access to these processes by Task Force and invited Workgroup participants, the OAG exercised a disproportionate level of control over Workgroup interpretive and implementation function. Such control was indicative of how the organizational structure became a symbolic policy action with implementation slippage found in the possibility of OAG "cherry picking" Workgroup participants. Although many Workgroup members

were content with Workgroup processes and the final curriculum deliverable product, some respondents did raise red flags about a lack of transparency connected to “behind-the-scenes” OAG and NCMEC curriculum editing. Both participant observation and interviews highlighted how PowerPoint content, even if relevant to minor sex trafficking, were strictly monitored by the OAG and subject to Task Force approval. Epitomizing the form of hierarchy that can exist within elite implementation organizations, as one respondent stated, “at the end of the day what ended up in the curriculum is what the OAG wanted.”

Finally, information gleaned from interviews demonstrate that Workgroup members perceived the K-12 educator curriculum as working to positively address through education, normatively sensitive issues like youth trafficking and sexual violence. Interestingly, while legislative respondents pointed to the curriculum as a mechanism for possible immigration policing, one Workgroup respondent saw the curriculum as making a positive contribution by clarifying the difference between smuggling and trafficking. However, the benefits of this curriculum could potentially be stifled by statewide cultural politics identified in Chapter 4 and in Workgroup interviews. Education Workgroup respondents for example, pointed to Texas’ lack of comprehensive sex education and the inability to even mention a term like “sex” in Texas schools as major problems for implementation. Rather than have important positive educational and broader social change occur, such problem areas could create normative roadblocks that impede the successful implementation of policy looking to prevent child and youth trafficking. Additionally, as identified in the participant observation narrative and by one respondent, key issues like the relationship between queer student identity, homelessness, and trafficking, did not make it into the curriculum out of OAG concern for Task Force and TEA approval. Thus, similar to how a multiplicity of layers and loci operate within policy processes (Hill & Hupe, 2003), interview findings point to how organizational, political, and normative dynamics are interwoven and influence policy implementation actors in highly complex ways.

## Chapter 6: Discussion

As presented in this study, over the last 15 years the international community most notably represented by the United Nations, the federal government of the United States, and individual states like Texas, have increased policy attention on human trafficking. Non-governmental organizations, victim advocacy groups, and certain academic fields outside education also have augmented emphasis on trafficking and broader commercial exploitation, often incorporating this focus within parallel work on migration, refugees, child rights, and gender-based violence (Edwards, 2007). Research and policy reports have pointed to the stark reality that poverty and homelessness, failure to enforce labor laws, social services breakdown, educational inopportunity, glamorized online sex industries, and other forms of abuse already disproportionately experienced by females and underserved minors are factors that contribute to trafficking (Chacón, 2006; Gekht, 2008; Hodge, 2008; Kotrla, 2010; Loftus, 2011; Scarpa, 2006). Yet, despite the build-up of policy attention, research, and non-profit advocacy efforts, trafficking numbers are not on the decline and youth victims continue to be in need of multiple short- and long-term assistance, including focused support on educational attainment.

Although solid consensus exists about the egregious nature of labor and sex trafficking, particularly as it relates to minors, there remains a lack of innovative state-level policy and program solutions to child and youth trafficking. The paucity of these solutions was highlighted in the presented research. While academic fields as diverse as feminist studies, health sciences, law, social work, and sociology have developed a research corpus on trafficking, the discipline of education has been all but absent from this important conversation. This absence has occurred despite the fact that as identified in Chapter 2, research literature points to multiple intersecting student groups who are at an increased risk for societal violence, including trafficking. The key to preventing trafficking and exploitation lies with understanding how student identity is inseparable from institutional structures and policy processes. Thus, this study highlighted a clear need for educational policy and leadership research to pay closer attention to dynamics

that place student groups at increased risk for commercial exploitation, as well as trafficking policies that are shifting to focus on the role of educators in prevention.

This study specifically focused on a groundbreaking Texas trafficking policy – how K-12 administrators, teachers, and counselors were incorporated within State efforts to eliminate trafficking. Recognizing that educators have regular contact with students and therefore are on the “front line” of statewide trafficking identification and prevention, in 2013 the 83<sup>rd</sup> Texas Legislature passed House Bill 1272 (HB 1272). This policy mandate to create an educator curriculum on human trafficking was landmark not only in terms of State legislative history and context, but because there is a dearth of similar state-level policy efforts across the United States.

Utilizing a multifocal theoretical approach (Young, 2005), this two-part qualitative study identified key human trafficking dynamics, policies, and legal critiques, as well as framed HB 1272 within its respective policy context. Through a range of qualitative research strategies, political and normative dynamics that shaped the creation of HB 1272, and the organizational, political, and normative dynamics contributing to policy implementation were examined. In doing so, this study accounted for how Texas legislative history, context, and a variety of exigencies cannot be divorced from HB 1272 policy development and implementation (Theodoulou, 1995). The present research therefore, provides a rich, detailed, and first-of-its-kind resource for educational policy and leadership scholars who have yet to consider child and youth trafficking as a noteworthy research area. Study findings also have several implications for research, as well as K-12 educators and trafficking victim advocacy stakeholders.

The following section provides a summary of key findings. This Chapter then covers implications for research and theory. It concludes by offering research-based policy recommendations for stakeholders working within Texas, the U.S., and international settings to eliminate child and youth trafficking.

### **Summary of Key Research Findings**

First and foremost, findings pointed to consensus about the importance of the public education sector within a “multisector” statewide trafficking effort. Legislative

respondents of both political parties, as well as Education Workgroup members agreed that educators played an important “front line” role in trafficking identification, prevention, and ultimately giving “student victims a voice.” They all believed that schools operated not only as a mechanism in the fight to end the trafficking of minors, but as medium for broad and positive social change. It therefore would make sense to the casual observer why HB 1272 was quickly enacted and within one legislative session. In this vein, the bipartisanship found in Texas trafficking policy was much unlike the standard hotbed of Texas partisan bickering and debates as witnessed over educational issues like curriculum, testing, and funding, or female policy concerns such as reproductive autonomy.

This key finding that Texas politicians from opposite ends of the political spectrum demonstrated cohesion over trafficking policy, is interesting in light of recent federal and Texas level trafficking policy events. Current U.S. legislation aimed to increase protections and funds for trafficking victims was obstructed by a Republican amendment that prevented survivors from using federal monies to pay for abortions; another Republican amendment tied the legislation to immigration by limiting 14<sup>th</sup> Amendment birth citizenship rights to those whose parents already are citizens or legal residents (Huetteman & Steinhauer, 2015). Not only was voting on the trafficking legislation impeded, but Republican grandstanding stymied other pressing domestic and U.S. foreign policy foci, which bespeaks a turn in long-standing bipartisanship on trafficking policy at the federal level.

Similar trends exist in the Texas context, where due to highly restrictive laws passed in 2011 and 2013, only 17 abortion providers remain across the State (Soffen, 2015). These laws have eliminated basic, low cost medical services for survivors of sexual assault, including females who might have endured various forms of commercial exploitation. Thus, although political technocrats have taken value-neutral positions (MacKinnon, 2004; Marshall, 1997, 1999) on trafficking policy that shun its moral repugnance, normative values about immigration and female reproductive health have prompted differentiated political thinking about exploitation and victim services –

thinking that both influences political will to act and permits conservative politicians to use trafficking policy for other policy agendas.

Second, findings illustrated that knowledge about trafficking policy and respective dynamics differed significantly between legislative and Education Workgroup respondents. Specifically, legislative responses displayed an inconsistent understanding of trafficking policy history, dynamics, and expected results from HB 1272. It is important to reiterate here, that this could be attributed to the limited time some respondents had working on this policy issue in the Texas Legislature. As identified in interviews, limited knowledge could be the result of a lesser policy role as co-authors on HB 1272 and an accompanying lack of research conducted for the bill. Some of the limited responses also could be due to legislative distractions during interviews that cut interviews short, as well as the upcoming statewide election, each of which are common problems identified in elite interviewing (Marshall & Rossman, 2015).

Nonetheless, educational policy creation and implementation is recognized to be an authoritative allocation of values through schools, whereby norms are institutionalized within policy processes, imposed on educators, and passed on to students and society (Berstein, 1971; Prunty, 1985). Considering this institutionalization of social values, what policy-makers know about trafficking is essential to understanding the development and implementation of trafficking policy, and in turn what the public comes to understand about this issue. Thus, what legislative respondents knew or perhaps more importantly did not know likely affected the content of HB 1272 and the perceived role of the Texas Human Trafficking Prevention Task Force (Task Force) in its implementation. Policy leaders must be literate about policy processes and “must understand power and how to use it responsibly” (Fowler, 2009, p. 12). This sparse legislative knowledge base could demonstrate possible ambivalence around the aim of HB 1272, and therefore is indicative of slippage or that HB 1272 stands more as a symbolic policy gesture rather than a concrete shift in legislative thinking about trafficking prevention.

In addition to findings that point to a concern about legislative knowledge, there was a clear reliance by the Texas Legislature on the Task Force for trafficking policy

information and recommendations. The Education Workgroup members were found to be knowledgeable about child and youth trafficking, as well as demonstrated concern for evidence-driven and unbiased content within the K-12 curriculum. Many Workgroup respondents also acknowledged the normative difficulties embodied by a major statewide trafficking policy change within a conservatively leaning State. Still, as understood from a Workgroup facilitator, this was the first time such a group had been assembled by the Task Force to directly assist with policy implementation. This means that the Task Force, a State entity beholden to the public, previously was inaccessible to that same public. Further, the Workgroup was but one small part of Task Force plenary responsibilities controlled by the Texas Office of the Attorney General (OAG). This means that Texas Legislators, some of whom were not trafficking policy literate, disproportionately rely on the OAG, an elite and conservatively leaning policy player, for assistance with trafficking policy. More importantly, the OAG stated during Workgroup meetings that curriculum content needed to pass muster with religious groups on the Task Force, which indicates questionable religious influence over State trafficking law and statewide policy processes more generally. This influence is significant given female trafficking victims have been stigmatized by a rescue industry known to be more concerned with religious moralism than survivor empowerment (Berry, 1979; Pisani, 2008).

Third, despite the appearance of bipartisan support for this legislation and an inclusive implementation process, slippage was identified at both policy levels. Legislative talk about the importance of public education in trafficking efforts did not equate to similarly serious funding allotments for implementation. Some legislative respondents indicated possible future funding for this kind of educational policy. Yet, others clearly stated that if HB 1272 had been funded, then Tea Party legislative members would have raised issues and potentially blocked the bill's passage. As identified in legislative interviews, concerns about local control also trumped the scope of the K-12 educator curriculum and HB 1272 more broadly, in that unlike the medical and protective

services provisions, the mandate of HB 1272 only specified the creation of an educator curriculum as opposed to required training.

Symbolic policy, which diverts public attention from an issue by appealing to values that all hold (e.g. the belief that human trafficking is bad), can render policy meaningless if the policy deliverables' intended audience is not made aware of those deliverables (Prunty, 1985). This is what occurred when the decision was made to place the educator curriculum on a publicly accessible website with little fanfare or promotion. HB 1272 neither mandated official professional development for educators, nor did it go beyond an adult audience in its consideration of awareness building. This perhaps is indicative of a limited legislative will to use education to tackle human trafficking. Odden (1991) most notably pointed to the fact that there is a "lack of both capacity and will at all levels of government...to develop and implement newly created government programs" (p. 1). Here, it was found that conservative state politics regarding funding and local control contributed to symbolically orient HB 1272 provisions that were weakened in its capacity and benefit. Multiple legislative respondents also discussed how educators within a state political and normative climate hostile towards migrant children might perceive the curriculum. Specifically, the potential for immigration policing was a clear oversight by bill authors and sponsors. As identified by research, the failure to address this issue could lead to discrimination against Texas students and their families (Low, 2001; Menjívar & Abrego, 2012; Pinnow, 2013), as well as further silence the very minors who trafficking policy is designed to protect.

Turning to implementation, the Education Workgroup can be understood as an elite policy implementation community. High levels of knowledge (Odedahl & Shaw, 2002) and political access to implementation (Marshall & Rossman, 2015) meant that members, including myself, were able to offer critical input regarding content and perceived bias in PowerPoint wording. In several instances, collaborative, rigorous, and educated dialogue prompted the removal of bias in curriculum language and content, as well as helped contribute to a more thorough, evidence-based trafficking curriculum. As

identified by respondents, organizational dynamics such as shared goals among Workgroup members helped the Workgroup meet the mandate set by HB 1272.

Yet, despite collaborative engagement and a shared mission among members, a disproportionate amount of control was exercised by the OAG over organizational structure and processes. While Workgroup members had access to a policy implementation process that the average Texas citizen did not have, slippage was identified in a veil of Workgroup inclusivity and hierarchical structure. Not only were a limited number of stakeholders present at meetings, but survivors and law enforcement were identified by Workgroup respondents as missing from curriculum construction processes. Aside from my continued presence, educators were not deliberately engaged (Mansbridge, 1990) in Workgroup processes or the focus group that reviewed the curriculum. Moreover TEA, the named HB 1272 educational participant, was absent from Workgroup meetings as were many entities appointed to the Task Force. These are significant implementation blunders given one of the target audiences explicitly mentioned in HB 1272 was educators.

Many respondents were in fact comfortable with the Workgroup structure and its functioning. However, similar to backstage political bargaining that occurs during policy creation stages (Malen, 2006), transparency remained an issue through implementation. The possibility that the OAG “cherry picked” Workgroup participants and “behind-the-scenes” OAG and Texas Regional Office of the National Center for Missing and Exploited Children (NCMEC) actions were viewed problematically by some respondents. This not only points to slippage, but how powerful policy actors exert control over already elite policy implementation settings. A side note worth adding here is that a feminist critical perspective reminds us that the privileging of certain voices within policy agendas, procedures, and processes is the result of gendered organizational hierarchies that subordinate female leadership to paternalistic structures (Connell, 1990; Marshall, 1985, 1999). Despite the level of control exerted by the OAG as an elite organizational player, this could have been the case for female facilitators from the OAG and NCMEC.

In terms of problems found with the curriculum or early implementation, legislative respondents did identify mechanisms of oversight. This included directly contacting implementation players or revising the curriculum through subsequent legislation. Yet, given that the conservative edict of the OAG aligns with the politics found in the Governor's Office and majority of the Texas Legislature, such oversight is likely to be limited in scope. The power of a single Legislator, who takes issue with the K-12 educator curriculum, also seems constrained when placed against the broad plenary power of the OAG and within the context of a short, but busy legislative session during which the fine details of a curriculum could get lost. Moreover, Texas trafficking politics are such that Legislators, who demonstrated an inconsistent knowledge base on trafficking, give enormous implementing power to the OAG. The OAG, a conservative political entity, then exercised strong influence in the process of determining who was allowed in the Workgroup, and ultimately, the construction of the final trafficking curriculum. Thus, perceived bipartisan policy creation and inclusive policy implementation processes belied complex, interwoven political, normative, and organizational dynamics, which limit the capacity for transformative statewide change. Put differently, the public might be astonished by non-implementation and therefore, needs to understand the important underlying dynamics that shaped HB 1272's creation and implementation.

Fourth and finally, a number of significant normative dynamics were identified as roadblocks to implementation of HB 1272. Interestingly, many legislative respondents did not identify any implementation concerns, indicating a desire to let implementation take its natural course before offering an assessment. Still, some Legislators and legislative staff members pointed to implementation problems associated with Texas political culture. Topics noted by respondents included immigration policing and a missing focus on race, as well as how the failure to properly implement the curriculum could lead to misinformation about trafficking dynamics and female victimization. Such concerns are indicative of a presence of interwoven oppressions, which HB 1272 did not consider. Further, although this legislation was designed for public education, an

institution wherein diverse groups of adults and students interact, multidimensional identity characteristics of sex, gender, class, race, and nationality were not considered in HB 1272. Drawing from transnational feminism (Mohanty, 2003), it therefore can be argued that State policy players view youth identity as separable from institutional policy processes. In addition to the previously discussed knowledge gap, some legislative respondents also discussed issues associated with trafficking through normatively biased language. This points to how oppressive identity hierarchies can work via policy processes to enact violence against individuals who are the so-called intended beneficiary of policy (Mohanty, 2003).

Participant observation and Workgroup interviews revealed that topics such as unsafe abortions and linkages between queer youth identity and street level exploitation were excluded from the curriculum to win approval from Task Force religious groups. Similarly, Education Workgroup members identified the inability to discuss a term like “sex” in Texas schools, as well as the lack of mandated comprehensive sex education as problems for the effective implementation of HB 1272. One respondent also discussed that the heavy curriculum emphasis on sex trafficking limited a fuller content discussion of labor trafficking and broader commercial exploitation. As discussed in Chapter 2, legal critiques of trafficking policy identify disproportionate emphasis on sex trafficking to the detriment of labor trafficking victims and increased labor protections (Chuang, 2010; Shamir, 2012). If unattended to by future legislation, such problem areas not only could impede attempts to have education assist in “multisector” sex and labor trafficking efforts, but warn of political censorship of research-based knowledge about trafficking.

Finally, current Texas trafficking policy designed for public education could actually backfire in unintended and negative ways (Finnegan & Gross, 2007; Theodoulou, 1995), including cited concerns about immigration policing and misinformation about female victims of sexual violence. If trafficking policy designed for Texas public educational settings remain weak and purely symbolic, then this asymmetry will not be able to withstand the political (Honig, 2006; Malen, 2006; Odden, 1991) and as identified in this study, normative changes awaiting trafficking policy at the

individual district, school, and educator level. Moreover, rather than confront structural processes that contribute to labor and sex trafficking, and in particular the forms of violence endured by female victims, Texas policy provides a false appearance of addressing gender (Bensimon & Marshall, 2003) that does little to help victims attain justice.

### **Implications for Research and Theory**

Critically examining HB 1272 and its early implementation by the Education Workgroup was significant for two primary reasons. First, this study is important for Texas educators who stand to be affected by HB 1272, as well as vulnerable student populations who ideally would benefit from increased social awareness and services. Specifically, it was necessary to understand whether a landmark Texas education policy was designed to live up to its promises, and based on that answer, what that means for K-12 public education and trafficking policy more broadly. Second, this study provides comprehensive documentation and educational policy analysis of a pressing youth issue that has yet to be addressed by our field. By doing so, it offers a roadmap for educational policy and leadership scholars to not only understand broad trafficking policy and dynamics, but important lessons about the enactment of HB 1272 that were informed by critical and feminist perspectives.

In U.S. and state politics, including those in Texas, there are tendencies to oversimplify complex sociopolitical and economic issues, and respective solutions sought through educational mediums. Specifically, often there is the underestimation of difficulties, over-promising of results, and an avoidance of conflict, which “fosters the creation of well-intentioned, but ill-conceived policies that end up being marked more by fanfare than follow-through” (Malen, 2006, p. 101). From a feminist perspective, this reality is compounded by state structures and policies that support impartial interpretations of equality (Hawkesworth, 1994) and often fail to address, gloss over, or provide the false appearance of addressing policy issues affecting women and girls (Bensimon & Marshall, 2003). In setting these critical and feminist understandings of educational policy processes alongside what is known from the research literature about

human trafficking dynamics and policy, multiple important considerations emerge for stakeholders who are looking to eliminate child and youth trafficking through public education.

As covered in Chapter 2, policy creation and implementation often extend beyond mere technical considerations. Using a multifocal theoretical approach, this study researched political and normative dynamics that influenced policy discourses found in HB 1272 and the organizational, political, normative factors involved in early implementation. Building on critical and feminist critical educational policy research, findings unpacked how elite policy player rhetoric and actions shape, distract from, and obscure public perception of structural policy processes – in this case, Texas policy designed to teach educators about human trafficking. Utilizing additional critical and transnational feminist perspectives, findings also revealed how policy actor understanding of social identity and norms influenced HB 1272 policy creation and implementation, as well as in turn how those processes stand to effect specific groups in Texas.

First, this study supports critical scholarship that acknowledges how policy should not simply be understood as a text, but rather a human struggle over resources, power, and self-validation (Dumas & Anyon, 2006; Weaver-Hightower, 2008). Findings from both the legislative and implementation contexts buttress the contention that policy actors are influenced by power dynamics, available resources, and normative values in ways that often detract from or limit original policy aims (Bardach, 1995; Dumas & Anyon, 2006; Lasswell, 1958; Oakes, 1992; Oakes et al., 1993; Prunty, 1985; Malen 2006; Stone, 1980, 1998). Key to both contexts was the finding that despite a seeming bipartisan bill and inclusive policy process, slippage on both fronts occurred. Aside from my participation in the Education Workgroup, a landmark bill for K-12 public education lacked educator input at all policy stages. Further, the lack of money allocated to HB 1272 verifies what critical educational policy studies have long found, that devoid of money, the policy issue and State's approach to it simply does not matter.

Even within elite implementation communities such as that of the Education Workgroup, hierarchies of power work to control and disseminate official knowledge (Bernstein 1971; Prunty, 1985) – here the disproportionate level of influence exerted by the OAG over organizational processes and the final trafficking curriculum. Thus, this study validates critical educational scholarship that identifies how myriad political and normative dynamics affect technical educational policies and reform. Moreover, it supports broad critical and feminist critical policy research that holds that while many policy documents and processes involve a series of compromises, the overall orientation of those compromises serve a hierarchical and normative state political institutions.

Second, findings from both legislative and Education Workgroup settings highlighted the role Texas cultural politics concerned with sex and gender play in policy processes. Because feminist theory and methodology were used to guide overall study construction, this study went beyond critical educational policy models to assess policy processes in a way that identified a paternalistic power structure (Connell, 1990; Griffen, 2007; Hawkesworth, 2006; MacKinnon, 2004; Martin, 2005) that constrained the very actions called for by legislation (Stearns, 2003). In doing so, this study underscored the significance of a bill like HB 1272 and an institution such as the OAG in shaping official educator knowledge about a gross human rights abuse that is known to affect females and youth occupying marginal social positions. Findings validate feminist critical educational policy research that points to how normative judgments about intersectional identity characteristics such as sex, gender, class, race, and in this study immigration status, impact decision-making, control of information, and resource allocation (Acker, 1987; 1990, Marshall & Young, 2013; Young, 1999, 2005).

Yet, while gender was not specifically named in HB 1272, legislative and Education Workgroup findings support feminist contentions that gender is a constitutive aspect of policy development (Connell, 1990; Griffen, 2007; Marshall, 1985, 1999). Further, Workgroup findings on the censoring of information related to sex trafficking, buttress feminist critical educational policy scholarship, which has long argued that policies and respective implementation often silence topics related to sex and gender,

even if females are part of the intended policy audience (Ackerman, 2006; Bensimon & Marshall, 2003; Blackmore, 2000; Fine & Weiss, 2000; Hawkesworth, 1994; Marshall, 1997, 1999; Marshall & Young, 2013; Salinas & Reidel, 2007; Shaw, 2004; Stromquist, 1993; Young, 2005; Young & Skrla, 2003). Finally, this study also was able to validate transnational feminist concerns about how normative and political dynamics of gender, sex, race, and nationality shape policy processes in ways that create sociopolitical and economic hierarchies (Bunch, 1993; Gillian, 1991; Mohanty, 2003; Moraga & Anzaldúa, 2015; Morgan, 1984; Narayan, 2004; Sandoval, 2004), which in Texas, historically have been used to divide rather than unite people (Anzaldúa, 1987). Moreover, these dynamics both within policy and implementation were found to have possible unintended negative consequences for marginal groups, most notably in this study being concerns about using students to police for immigration.

Collectively, the use of a multifocal theoretical approach permitted the construction of a detailed contextual background, as well as thorough analysis of HB 1272 and its early implementation. Beyond mere validation of the aforementioned theories, a multifocal approach as utilized in this study helps us understand who specific State policy actors and this legislation work for and why. This approach thoroughly captured both the HB 1272 policy creation and implementation stages, and highlighted critical aspects of why the process unfolded the way that it did. Utilizing both critical and feminist critical policy perspectives permitted examination of how policy texts and talk often are non-symbiotic policy devices regardless of the educational policy topic or state context. Further, drawing from additional critical and transnational feminist theory pointed to how political, normative, and organizational dynamics within policy create hierarchies within the U.S. and on a global scale. These theories also helped illuminate how policies that on the outside appear to create justice for female and marginal groups, actually are bound up with contradictory agendas, sham policy processes, and hegemony.

Although Texas is a singular state policy context, how this theoretical approach was utilized has important implications for educational policy processes akin to HB 1272. Recognition of these theoretical contributions is essential for educational policy scholars

who might consider doing research on trafficking prevention efforts in other states or country contexts. By using this theoretical model, scholars also might begin to consider how other educational policies perform in this manner and why. When examining groups potentially impacted by sociopolitical and economic harms such as trafficking, educational researchers also can utilize this theoretical approach to ensure that they are covering all aspects of student identity. In doing so they can better gauge how policy intended to further civil or human rights aims might actually be treating marginal groups differently or causing further maltreatment. In the Texas context, this is even more so since HB 1272 and subsequent legislation discussed below, will influence how and what thousands of Texas teachers, counselors, administrators, and students think about trafficking. Educational policy and curriculum scholars might turn to this theoretical approach to consider for example, what connections there are between the enactment of HB 1272 and similar political and normatively charged State curriculum policy processes (e.g., See: Lemke (2015) for an analysis of the 2010 Texas State Board of Education social studies standards revision process and new curriculum standards).

Each of these singular theoretical threads described above, would have revealed the same corresponding conclusions. Yet, the rich findings chapters presented in this study would not have been possible if only one theoretical device was employed. Moreover, collectively this theoretical approach has important implications beyond educational policy. It not only illuminated flawed educational implementation, but the misuse of an important female and youth policy issue, which points to a red herring for democratic policy processes in Texas. The following section therefore, offers important recommendations for research, policy, and practice.

### **Recommendations for Research, Policy, and Practice**

If educators truly are on the “front line” of trafficking identification and prevention, then if, how, and to what extent they use the K-12 trafficking curriculum ultimately will have serious implications for vulnerable or already trafficked student victims. At present, evaluation of human trafficking policy efforts, such as those in Missouri, Ohio, and Massachusetts, and educational programming in Idaho and

Washington is lacking. Comparative analysis of trafficking policies and educational programming in other country contexts also is needed. Not only does little research exist about state efforts similar to Texas, but there is limited information available about how Texas educators perceive the mandate of HB 1272 or the developed curriculum. Further, aside from this study, an evaluation of long-term implementation by TEA as tied to “multisector” State efforts has not transpired. As this study not only was concerned with implementation, but also with the implications of implementation, a number of policy recommendations for researchers, policy-makers, and stakeholders therefore are discussed.

The first recommendation centers on needed educational research. Educational policy and leadership scholars need to become knowledgeable about and engage on state-level youth trafficking policy development. This must occur not only because educational scholars have been absent from dialogue about youth trafficking, but because as this study makes clear, states are moving in the direction of trafficking policy, programming, and curricula designed for public school settings. Educational researchers either can take a proactive role in this conversation, or have it and the respective policies that will affect K-12 education defined for them.

There are multiple avenues for educational policy and leadership researchers to contribute their expertise. A content analysis of the Texas trafficking curriculum, as well as the perception of this curriculum by educational administrators, teachers, and counselors, the target audience of HB 1272, was beyond the scope of this study. A thorough analysis of the Texas curriculum and how it compares with other state or international curricula should be done. Research that examines implementation of the Texas curriculum by TEA is needed to further our understanding of how policies like HB 1272 affect education on a statewide level. Since HB 1272 lacked a mandate for educator training, evaluation regarding the extent to which school districts, schools, or individual educators use the curriculum also is important. This research step is necessary in light of the fact that while educators were not required to learn about trafficking under HB 1272, during the 84<sup>th</sup> Legislative Session Texas House Bill 2290 (HB 2290, 2015) was passed.

Although it did not mandate what the activities entailed, HB 2290 required that January be observed regularly in Texas as Human Trafficking Prevention Month through appropriate public school activities. It therefore, is essential to understand in what capacity teachers, counselors, or administrators use the curriculum, and how it may influence educational practice that now includes activities mandated by HB 2290.

Given the normative dynamics identified by Workgroup respondents, it further is important to consider whether local educational actors can even incorporate or appropriate policy deliverables in such a way that would influence the local school setting. Thus, research should examine how the new trafficking curriculum aligns with corresponding Texas school district policies on child abuse and compares with similarly-situated U.S. state or international policies. Out of the districts or schools that implement the curriculum, a line of research that examines implementation variability would assist with future prevention efforts. Specifically, how educator perceptions might change for example, regarding labor and sex trafficking dynamics, indicators, or student populations at risk for exploitation also would be helpful.

Regardless of the curriculum's availability online or awareness raised among educators, the K-12 curriculum is useless if all stakeholders are not involved and vulnerable students are not aware of available resources. As identified by one Workgroup member, considering their daily contact with students outside the school setting, bus drivers were logical to include in prevention efforts, yet were missing from HB 1272. Thus, developing mechanisms for policy actors to work with state agencies, districts, and schools to consider how to extend training to additional educational personnel, as well as parents, guardians, community members, or students is recommended. Possible first steps could include a curriculum similar to the one in Idaho, which does not mandate trafficking training for these groups, but has made specialized curricula available online (State of Idaho's Department of Education, 2014). Finally, since the curriculum was made available to the public via TEA's website, a policy evaluation of if or how entities outside of the education sector or State of Texas utilized the curriculum would be beneficial.

Concerning actual curriculum content, legislative respondents discussed issues like immigration policing and race, while Workgroup members identified gender-based concerns such as discussing sex, sexual violence, and queer identity as potential problem areas. It is important not only for policy-makers to address these concerns, but for educational researchers and practitioners also to monitor how potential problems are handled within schools. Further, value-laden and religiously governed issues in Texas, such as comprehensive sex education and public acknowledgement of the factors associated with sexual violence, cannot be resolved via technocratic debates. Yet, as this study demonstrates, hierarchical policy processes and normatively driven beliefs are determining Texas trafficking laws, how these laws are attached to other agendas, and in turn what the public knows about trafficking.

It would be beneficial to the discipline for educational policy and leadership researchers to examine ways to better incorporate broad discussions of youth trafficking policy and respective marginal youth groups within research, theory, and educational training. Justice-oriented scholars also should consider how they can raise awareness about trafficking, as well as work with policy leaders so that policy neither silences difficult discussions related to trafficking nor institutionalizes white, classist, and colonialist understandings of identity, femininity, and trafficking victimization (Berry, 1979; Chacón, 2006; Davis, 1981; Lloyd, 2012; Martin, 2005; Menaker & Franklin, 2013; Smith, 2005). This recommendation is important considering that while 2011 and 2013 Texas legislation closed the majority of women's health clinics across the State, the 84<sup>th</sup> Texas Legislature enacted House Bill 416 (2015). A clear example of how trafficking policy is being used for a separate policy agenda, this bill mandated trafficking training for volunteers or employees of Texas clinics that perform abortions. The passage of HB 416, a solidly Texas Republican and Tea Party bill, not only increases surveillance of the State's remaining clinics, but supports this study's findings that point to a contemporary break in historically bipartisan trafficking efforts.

We know from transnational feminism that interwoven oppression exists for individuals both within the U.S., and between U.S. citizens and those living in the Global

South (Bunch, 1993; Gillian, 1991; Mohanty, 2003; Morgan, 1984). Eliminating child and youth trafficking through a humane and non-criminalization approach means taking account of how trafficking policy has failed to focus on our most vulnerable students. As identified in Chapter 2, there are a range of intersectional factors including youth dating violence and bullying, sex, gender, and racial identity, homelessness, the school-to-prison pipeline, and migrant student status, which must be incorporated within current policy and research conversations about trafficking. In addition to these intersectional issues, educational researchers and policy-makers need to consider how current trafficking policy might place youth at increased risk for maltreatment, discrimination, and limited access to legally entitled services. The risk of policing immigration status for example, was identified by legislative respondents as a potential unintended consequence of HB 1272. If trafficking efforts are to be viewed as more than pure symbolism, then the Texas Legislature and Task Force must address this concern. This also should be done in a way that does not pander to political extremes, but rather demonstrates ethical and political responsibility to children and youth. Such efforts will help ensure that identified victims who qualify for services under trafficking and asylum law, and many of whom become students in U.S. schools, are appropriately treated (GAATW, 2010; Loftus, 2011; Shamir, 2012; United Nations Women, 2012).

The second recommendation concerns findings from specific legislative and Task Force policy processes. Trafficking policy implementation in this study was found to pivot on power dynamics. We know from Malen (2006) that, “actors at all levels of the system can influence policy implementation,” but “formal and informal arenas in which actors interact and influence policy developments are not neutral” (p. 86). Both the OAG and NCMEC were lead facilitators of the Education Workgroup. Yet, by virtue of its policy charge within previous HB 4009 legislation and HB 1272, the OAG served both as a policy implementation gatekeeper and referee. As such, this allowed the OAG, through a seemingly open process, to allocate political access, control information released, regulate participation within the Workgroup setting, and ultimately dictate knowledge disseminated to Texas educators through the curriculum. The OAG and Task Force

monopoly on trafficking knowledge and policy implementation, and the Texas Legislature's inconsistent knowledge base about these issues must be addressed by Legislators concerned with youth trafficking. Otherwise, State political processes aimed at ending exploitative commercial violence run the risk of not being taken seriously by the public.

Making policy decisions about people in their absence opens the door to subversion of original policy goals and eliminates deliberative engagement of affected stakeholders. As previously discussed, not only were certain stakeholders such as educators, law enforcement, and survivors identified as missing from Workgroup settings, but specific concerns about organizational transparency were raised. Policy actors and organizations have varying social connections, networks, and capacities to participate in policy processes (Stone, 1998), and as found in this study, are heavily contingent on conservative State politics and normative dynamics. It therefore, would behoove Legislators to consider how trafficking policy designed for a public sector like education, can become a more open and transparent process. K-12 educator professionals should be involved in trafficking curriculum and training efforts if they are the intended audience of future legislation. Further, participation should not hint at the kind of "cherry picking" or concerns about "behind-the-scenes" work discussed by Workgroup members. Rather, a true "multisector" approach should demonstrate deliberative engagement with all educational stakeholders who would want to participate in policy implementation processes affecting their profession.

Similar to broadening the scope of the target curriculum audience to include additional educational professionals, parents, and community members, increased stakeholder representation must be folded into future policy development and implementation processes. In addition to educators, trafficking survivors were mentioned as missing from implementation processes. We know that a paternalistic state contributes to gendered politics that historically have sought control over the female body as opposed to taking a rights-based or victim-centered approach (MacKinnon, 2004; Martin, 2005). Thus, care must be exercised in how survivors are involved and treated during

educational policy processes. To do this in an effective and supportive manner, there are many lessons to be gleaned from feminist efforts focused on involving females in determining sexual harassment policy in schools in ways that value rather than suppress female voice (Laible, 1997). By involving female trafficking survivors, future trafficking policy discourses, implementation, and programming designed for education will be better able to eliminate social norms that hinder gender inequality and contribute to broad exploitation (Rafferty, 2013; United Nations Development Fund for Women, 2013).

Although legislative and Workgroup respondents identified Texas curriculum processes as being shaped by complex and difficult State political culture, students considered at risk for trafficking should be involved in the policy conversations that affect them. Child participation in policy-driven solutions to human rights violations such as child trafficking is encouraged by the United Nations Convention on the Rights of the Child (1989). Similar to trafficking survivors, care must be exercised when bringing youths into adult, hierarchical, and more often than not, white, male-dominated policy settings. Sincere efforts, particularly in light of the passage of HB 2290 (2015), to work with Texas students to construct a curriculum that is reflective of youth experience should be made by the Task Force. The involvement of students and youth survivors of trafficking can provide a rich source of child appropriate information for more thorough policy development, implementation, and programming (Rafferty, 2013). Moreover, it also will work to empower students who are the intended recipients of the benefits of legislation. By identifying ways to broaden the scope of the implementation community identified in this study, stakeholders improve internal policy process checks against political and normative bias. In doing so, the interests of educators and students are better served, and the Texas Legislature and Task Force no longer would be *speaking about* justice for others. Rather, both State institutions would demonstrate an *obligation to* those in traditionally excluded and marginal social positions.

The third and final recommendation centers on what legislative respondents

discussed as a “multisector approach” to trafficking identification and prevention. The State of Texas clearly is on the right track in its turn toward involving public education in statewide trafficking elimination efforts. Given legislative desire to utilize a multisector approach, it is important for policy-makers and stakeholders to consider room for improvement in current policy and existent programming. For the Texas Legislature, this means developing mechanisms to fill the general trafficking knowledge gaps identified in this study. To build out truly multisector responses, both the Texas Legislature and Task Force also should consider how trafficking policy designed for education can consider more strategic partnerships with community organizations, juvenile justice, the research community, youth non-profits, media outlets, and the business sector.

Funding was identified as an issue by both legislative and Education Workgroup respondents. Some individuals from the Texas Legislature and Workgroup pointed to the idea that volunteer activities might sustain curriculum development and programming efforts. Yet, other individuals from both respondent groups viewed a lack of funding as a weakness of HB 1272 and an area of potential political in-fighting if State dollars were to be further attached to trafficking prevention efforts. This reality bespeaks policy slippage and that well-meaning policy efforts could be viewed by stakeholders and the public as purely symbolic. If evaluations of current implementation efforts are to transpire, or future legislation were to mandate more specialized educational curricula, then the Texas Legislature must allocate reasonable funding to such efforts. Otherwise, not only would it make growing multisector efforts difficult, but the Workgroup’s organizational structure, vetted format for information exchange, and the availability of knowledgeable stakeholders could dissipate.

Based on dialogue throughout Workgroup processes and respondent interviews, there was the expressed hope that curriculum development would remain iterative and the Workgroup would maintain contact. As discussed in the Task Force Report to the Legislature (2014):

Task Force members and other interested parties are actively engaged in

education and awareness activities around the state. Whether it is training law enforcement officers, teachers, students, parents, local leaders, medical professionals, or a myriad other individuals, the collective efforts of anti-trafficking agencies and organizations to bring awareness and education to fellow Texans must continue to help Texas succeed in its battle against traffickers. (p. 18)

How these parties are bringing awareness and education to fellow Texans is not exactly clear however, especially given the Education Workgroup has not maintained contact or reconvened as previously discussed at meetings. Not only should efforts be made to maintain the organizational integrity of the Education Workgroup, but it would be beneficial to meet with the medical and protective services working groups to see what has transpired with their curriculum development process. In this way, deliberative partnerships can be forged between policy-makers and medical, protective services, and educational professionals, and the momentum behind the volunteer efforts that resulted during the implementation of HB 1272 will not be lost.

Finally, aside from the initial announcement of the Education Workgroup activities at the annual Texas Human Trafficking Prevention Task Force annual meeting in July 2014 and more recently in the OAG Task Force Report to the Legislature (2014), few public announcements about the curriculum or efforts of the Education Workgroup exist. Even if the Texas Legislature did not want to allocate a large sum of money to a media campaign, the availability of free advertising through social and professional Internet websites like Linked In, Facebook, and Twitter, are unfortunate misses for the Task Force. Such steps would assist educational prevention efforts in Texas given research points to increased levels of precaution taken by individuals who see media announcements about youth trafficking (Boak, Ciobanica, & Griffin, 2003). Moreover, as identified by one Education Workgroup member, the curriculum was a starting place. Yet, if the State wants to be taken seriously on its trafficking efforts, then there simply needs to be more done in terms of poverty alleviation and student hunger. Not only should Texas invest in curriculum and training for educators, but increased funding and policies that aim at poverty reduction would go a long way in helping to eliminate dynamics that make children and youth vulnerable to all forms of commercial

exploitation.

In summary, accounting for policy contextualization and multilevel actions, as well as a multiplicity of actors, layers, and loci is essential to understanding policy processes (Hill & Hupe, 2003). Additionally, it is important to consider not just how multilevel actions, actors, and layers shape policy, but also how they are interwoven. The findings presented in this study point to heavily tangled political, normative, and organizational dynamics that weigh on policy development and enactment. Thus, findings should be important to educators, researchers, policy-makers, and grassroots level stakeholders who want to be able to effectively identify vulnerable students and ultimately eliminate trafficking. Educators can use this research to gain a broad sense of trafficking policy and dynamics, how the Texas K-12 educator curriculum came to exist in its current form, as well as what might be in store for them in terms of future trafficking prevention efforts. Researchers, policy-makers, and other stakeholders can use this study not only as a point of reference for continued trafficking identification and prevention endeavors, but as model for understanding similarly-situated policy enactment. In particular, findings gleaned about the political, normative, and organizational dynamics of Texas trafficking policy designed for an educational setting serve as a lesson for those who want to ensure that educational policies secure the rights, dignity, and safety of children and youth – and encompass a clear will to act as opposed to being little more than political symbolism and public spectacle.

## Appendices

### Appendix A

Table 1  
*Continental U.S. and State-based Federally Funded Task Forces<sup>li</sup>*

<b>Continental U.S. and District of Columbia</b>	<b>Task Force</b>	<b>Legislation or Ad hoc Status</b>	<b>Bureau of Justice Assistance, Dept. of Justice Funded Task Forces</b>	<b>Office for Victims of Crime, Office of Justice Programs, Dept. of Justice Funded Programs</b>	<b>Office of Refugee Resettlement, Admin. for Children and Families, U.S. Dept. of Health and Human Services Funded Programs</b>
<b>Alabama</b>	-	-	-	-	
<b>Alaska</b>	State of Alaska Task Force on the Crimes of Human Trafficking, Promoting Prostitution and Sex Trafficking	Senate Bill 210 (2012)	Anchorage-Alaska Coalition on Trafficking (ACT)	-	
<b>Arizona</b>	Task Force on Human Trafficking	Governor's Office (2013)	(Phoenix) Arizona League to End Regional Trafficking (ALERT)	(Phoenix) International Rescue Committee, Inc.	
<b>Arkansas</b>	-	-	-	-	
<b>California</b>	California Alliance to Combat Trafficking and Slavery (CA ACTS)	Senate Bill 180 (2005)	Oakland/East Bay Human Trafficking Task Force;  Los Angeles Metro Area Task Force on Human Trafficking;  San Francisco/North Bay Human Trafficking Task Force;  Orange County	Asian Pacific Islander Legal Outreach;  Coalition to Abolish Slavery and Trafficking (CAST);  Community Services Program, Inc.;  Legal Aid Foundation of Los Angeles;  Standing	Fresno County Economic Opportunities Commission;  Sacramento Employment and Training Agency;  Standing Against Global Exploitation (SAGE) Project, Inc.

			Human Trafficking Task Force;  San Diego North County Anti-Trafficking Task Force;  San Jose/South Bay Human Trafficking Task Force	Against Global Exploitation (SAGE) Project, Inc.;  Salvation Army, Orange County;  Santa Clara University	
<b>Colorado</b>	Interagency Task Force on Trafficking in Persons	House Bill 05-1143 05-1143 (2005)	(Denver) Colorado Network to End Human Trafficking (CoNEHT)	Colorado Legal Services	Colorado Legal Services
<b>Connecticut</b>	Interagency Task Force on Trafficking in Persons  Trafficking in Persons Council within the Permanent Commission on the Status of Women  Department of Children and Families (DCF) Human Trafficking Response Team focused on domestic minors	House Bill 5358 (2004)  General Assembly PA 07-107; Sec. 46a-170 (2007)  Non-statutory/Ad hoc, DCF (2012)	Smuggling and Trafficking of Persons Investigative Task Force (STOP IT)	International Institute of Connecticut, Inc.	
<b>Delaware</b>	-	-	-	-	
<b>District of Columbia</b>	-	-	D.C. Human Trafficking Task Force	Polaris Project	Polaris Project
<b>Florida</b>	Statewide Human Trafficking Task Force	Senate Bill 168 (2009)	Clearwater Area Task Force on Human Trafficking;	International Rescue Committee;  World Relief Corporation	

			Collier County Anti-Human Trafficking Task Force;  Homestead Human Trafficking Task Force;  Lee County Human Trafficking Task Force;  South Florida (Miami-Dade) Human Trafficking Task Force		
<b>Georgia</b>	Joint Human Trafficking Study Commission	House Resolution 1151 (2012)		Tapestri, Inc.	Tapestri, Inc.
<b>Hawaii</b>	Hawaii Anti- Trafficking Task Force  Hawaii Anti- Trafficking Task Force	Act 260 (2006) – Sunset 2008  Act 176 (2008) – Sunset 2010	Hawaii Anti- Trafficking Task Force	Department of Labor & Industrial Relations – Office of Community Services	Pacific Gateway Center
<b>Idaho</b>	-	-	-	-	
<b>Illinois</b>	-	-	(Chicago) Cook County Human Trafficking Task Force	Salvation Army Metropolitan Division- Family and Community Services;  STOP-IT Program	Heartland Human Care Services, Inc.
<b>Indiana</b>	-	-	(Indianapolis) Indiana Protection for Abused and Trafficked Humans	City of Indianapolis /Julian Center	
<b>Iowa</b>	-	-	-	-	
<b>Kansas</b>	Human Trafficking Task Force	House Bill 2034 (2013)	-	-	
<b>Kentucky</b>	-	-	-	-	

<b>Louisiana</b>	Human Trafficking of Minors Study Group	Senate Concurrent Resolution 58 (2011)	Louisiana Human Trafficking Task Force Program	-	Healing Place Serve
<b>Maine</b>	Human Trafficking Task Force	Resolve 2005, Chapter 200 H.P. 893 - L.D. 1296 (2005)	-	-	
<b>Maryland</b>	-	-	Maryland Human Trafficking Task Force	-	
<b>Massachusetts</b>	Massachusetts Interagency Human Trafficking Policy Task Force	House Bill 3808 (2011)	-	Justice Resource Institute – Project Reach	
<b>Michigan</b>	-	-	-	-	
<b>Minnesota</b>	Statewide Human Trafficking Task Force	Statute § 299A.7955 (2006)	(St. Paul) Enhanced Enforcement Human Trafficking Task Force	Catholic Charities of St. Paul	
<b>Mississippi</b>	-	-	-	-	
<b>Missouri</b>	-	-	(Independence) Trafficking Rescue Project (HTRP)	-	International Institute of St. Louis
<b>Montana</b>	-	-	-	-	
<b>Nebraska</b>	Human Trafficking Task Force	Legislative Bill 1145 (2012)	-	-	
<b>Nevada</b>	-	-	(Las Vegas) Southern Nevada Human Trafficking Task Force	Salvation Army of Las Vegas	
<b>New Hampshire</b>	Statewide Interagency Commission on Human Trafficking	Senate Bill 194 (2007)	-	-	
<b>New Jersey</b>	-	-	New Jersey Human Trafficking Task Force	Polaris Project	
<b>New Mexico</b>	Task Force to Combat	Statute § 30-52-3 (2013) –	-	-	

	Human Trafficking	Sunset 2016			
<b>New York</b>	Interagency Task Force on Human Trafficking	Statute § 483-ee (2012)	(Erie County) Western District of New York Human Trafficking Task Force and Alliance;  (New York City) Anti-Human Trafficking Task Force;  (Suffolk County/Nassau County) Long Island Regional Anti-Human Trafficking Task Force	Catholic Charities of the Archdiocese of Rockville Centre;  International Institute of Buffalo;  Safe Horizon;  Worker Justice Center of New York, Inc.	Safe Horizon
<b>North Carolina</b>	Human Trafficking Commission	House Bill 950- 15.3A (2012)	-	North Carolina Coalition Against Sexual Assault	
<b>North Dakota</b>	-	-	-	-	
<b>Ohio</b>	Human Trafficking Commission	Non-statutory/Ad hoc, OAG (2011)	-	Salvation Army of Central Ohio	
<b>Oklahoma</b>	Human Trafficking Task Force	Non-statutory/Ad hoc, OAG (2014)	-	-	
<b>Oregon</b>	-	-	Multnomah County Human Trafficking Task Force	-	
<b>Pennsylvania</b>	Pennsylvania Advisory Committee on Human Trafficking	Senate Resolution 253 (2010)	-	-	
<b>South Carolina</b>	Interagency Task Force for the Prevention of Trafficking in Persons	House Bill 4522 (2010)	Pitt County Human Trafficking Task Force	-	
<b>South Dakota</b>	Human Trafficking	Non-statutory/Ad	-	-	

	Impact Study Committee	hoc, OAG (2012)			
<b>Tennessee</b>	Human Trafficking Services Coordination and Service Delivery Plan Task Force	Senate Bill 2370 (2012)	-	-	
<b>Texas</b>	Texas Human Trafficking Prevention Task Force	House Bill 4009 (2009)	(Austin) Central Texas Coalition Human Trafficking Task Force;  (Bexar County) South Texas Coalition Against Human Trafficking/ Slavery Task Force;  (Dallas/Fort Worth) North Texas Anti-Trafficking Task Force;  (Harris County) Human Trafficking Rescue Alliance	Mosaic Family Services, Inc.;  Texas Rio Grande Legal Aid, Inc.;  YMCA of the Greater Houston Area	Mosaic Family Services, Inc.;  Houston Rescue and Restore
<b>Utah</b>	-	-	(Salt Lake City) Human Trafficking Task Force	-	
<b>Vermont</b>	Vermont Human Trafficking Task Force	House Bill 153 (2011)	-	-	
<b>Virginia</b>	Virginia Anti-Trafficking Coordinating Committee	Governor's Office, Directive 7 (2013)	(Fairfax) Northern Virginia Human Trafficking Task Force	-	United States Committee for Refugees and Immigrants
<b>Washington</b>	Task Force Against Trafficking of Persons  Commercially	House Bill 2381 (2002)  Senate Bill	Washington Advisory Committee on Trafficking (WashACT)	International Rescue Committee of Seattle	International Rescue Committee of Seattle

	Sexually Exploited Children Statewide Coordinating Committee	5308 (2013)			
<b>West Virginia</b>	Anti-Human Trafficking Coordinating Committee	Governor's Office (2013)	-	-	
<b>Wisconsin</b>	-	-	Milwaukee Federal Human Trafficking Taskforce	Arc Community Services, Inc.	
<b>Wyoming</b>	-	-	-	-	

Appendix B

Table 2  
*Texas Human Trafficking Prevention Task Force Members<sup>lii</sup>*

Mandated by Texas House Bill 4009	Office of the Attorney General Appointments under Texas House Bill 4009
Governor’s Office, or Governor’s designee	Texas Department of Public Safety representative
Office of the Attorney General, or Attorney General’s designee	Texas Department of State Health Services representative
Commissioner of the Department of Family and Protective Services or Commissioner’s designee	Texas Hotel and Lodging Association representative
Executive Commissioner of the Health and Human Services Commission, or Executive Commissioner’s designee	Texas Municipal Police Association representative
Texas Juvenile Justice Division (formerly Juvenile Probation Commission and Texas Youth Commission)	Texas Court Appointed Special Advocates representative
Texas Alcoholic Beverage Commission	Travis County Juvenile Public Defender representative
Texas Department of Criminal Justice	Travis County District Attorney representative
Texas Workforce Commission	Alvin Police Department representative
	Amarillo Police Department representative
	Austin Police Department representative
	Beaumont Police Department representative
	Bexar County District Attorney representative
	Bexar County Sheriff’s Department representative
	Corpus Christi Police Department representative
	Dallas Police Department representative
	El Paso County Sheriff’s Department representative
	Fort Worth Police Department representative
	Harlingen Police Department representative
	Harris County Sheriff’s Department representative
	Lubbock County Sheriff’s Department representative

	<p>Midland County Sheriff's Department representative</p> <p>San Antonio Police Department</p> <p>Smith County Sheriff's Department representative</p> <p>Waco Police Department representative</p> <p>Webb County Sheriff's Department representative</p> <p>Catholic Charities (San Antonio) representative</p> <p>Children's Advocacy Centers of Texas representative</p> <p>Children at Risk representative</p> <p>Houston Rescue and Restore Coalition representative</p> <p>Mosaic Family Services representative</p> <p>National Center for Missing &amp; Exploited Children (Texas Office) representative</p> <p>Refugee Services of Texas (Austin) representative</p> <p>North Texas High-intensity Drug Trafficking Areas (HIDTA) Office of National Drug Control Policy representative</p> <p>South Texas HIDTA representative</p> <p>Texas Association Against Sexual Assault representative</p> <p>Texas Council on Family Violence representative</p> <p>Texas Rio Grande Legal Aid representative representative</p> <p>West Texas HIDTA representative</p> <p>YMCA International (Houston) representative</p>
--	---

Appendix C

Table 3  
*Texas Human Trafficking Prevention Task Force Education Workgroup Members*

<b>Entity Focus N = 18</b>	<b>Participating Members at First Meeting N = 23</b>	<b>Participating Members at Second Meeting N = 13</b>	<b>Participating Members at Third Meeting N = 14</b>
Law (Public)	3	2	2
Social Work (Public)	1	0	0
Regulatory (Public)	1	1	0
Criminal Justice (Public)	1	0	1
Secondary and Higher Education (Public)	1	1	1
Criminal/Juvenile Justice (Public)	1	0	0
Law Enforcement (Public)	2	0	0
City-based Non-profit (Religiously-based advocacy and assistance organization for children and families)	0	1	1
City-based Non-profit (Advocacy and educational programming on human trafficking) <sup>liii</sup>	1	0	0
Statewide non-profit (Advocacy, collaboration / training with law enforcement counseling, educational programming, and mentoring for child abuse victims)	1	1	1
County-based Non-profit (Advocacy, counseling, educational programming, and mentoring for sexually abused children)	1	0	0
International Non-profit (Advocacy, educational programming, legal representation, and safe- house for trafficking survivors)	1	0	1
City-based Non-profit (Religiously-based advocacy, programming, and safe-house for trafficking survivors)	3	3	2
Regional Non-profit	1	0	0

(Case management, counseling, educational programming, legal representation, and shelter for trafficking, domestic violence, and refugee survivors)			
National Non-Profit (Advocacy, educational programming, policy, and training on child safety, commercial sexual exploitation, missing children, and family support)	3	2	3
National Non-Profit (Advocacy, educational programming, policy, and training on child safety, commercial sexual exploitation, missing children, and family support)	0	1	1
City-based Non-profit (Religiously-based advocacy, programming, and safe-house for trafficking survivors)	1	1	0
City-based Non-profit (Law enforcement organization focused on training and education that includes city police, sheriff, and constable departments, as well as the Department of Public Safety and federal agencies)	1	0	1
<b>Total Participating Entities at each Meeting</b>	17	9	10

AN ACT

relating to the continuation and duties of the Human Trafficking Prevention Task Force.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 402.035, Government Code, is amended by adding Subsections (b-1) and (g-1) and amending Subsections (d) and (h) to read as follows:

(b-1) A state or local law enforcement agency, district attorney, or county attorney that assists in the prevention of human trafficking shall, at the request of the task force, cooperate and assist the task force in collecting any statistical data on the nature and extent of human trafficking in the possession of the law enforcement agency or district or county attorney.

(d) The task force shall:

(1) collaborate, as needed to fulfill the duties of the task force, with:

(A) United States attorneys for the districts of Texas; and

(B) special agents or customs and border protection officers and

border patrol agents of:

(i) the Federal Bureau of Investigation;

(ii) the United States Drug Enforcement Administration;

(iii) the Bureau of Alcohol, Tobacco, Firearms and

Explosives;

(iv) ~~the~~ United States Immigration and Customs

Enforcement ~~[Agency]~~; or

(v) the United States Department of Homeland Security;

(2) collect, organize, and periodically publish statistical data on the nature and extent of human trafficking in this state, including data described by Subdivisions (4)(A), (B), (C), (D), and (E);

(3) solicit cooperation and assistance from state and local governmental agencies, political subdivisions of the state, nongovernmental organizations, and other persons, as appropriate, for the purpose of collecting and organizing statistical data under Subdivision (2);

(4) ensure that each state or local governmental agency and political subdivision of the state and each state or local law enforcement agency, district attorney, or county attorney that assists in the prevention of human trafficking collects statistical data related to human trafficking, including, as appropriate:

(A) the number of investigations concerning, arrests and prosecutions for, and convictions of:

(i) the offense of trafficking of persons; and

(ii) the offense of forgery or an offense under Chapter 43, Penal Code, if committed as part of a criminal episode involving the trafficking of persons;

(B) demographic information on persons who are convicted of offenses described by Paragraph (A) and persons who are the victims of those offenses;

(C) geographic routes by which human trafficking victims are trafficked, including routes by which victims are trafficked across this state's international border, and geographic patterns in human trafficking, including the country or state of origin and the country or state of destination;

(D) means of transportation and methods used by persons who engage in trafficking to transport their victims; and

(E) social and economic factors that create a demand for the labor or services that victims of human trafficking are forced to provide;

(5) work with the Commission on Law Enforcement Officer Standards and Education to develop and conduct training for law enforcement personnel, victim service providers, and medical service providers to identify victims of human trafficking;

(6) work with the Texas Education Agency, the Department of Family and Protective Services, and the Health and Human Services Commission to:

(A) develop a list of key indicators that a person is a victim of human trafficking;

(B) develop a standardized curriculum for training doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;

(C) train doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;

(D) develop and conduct training for personnel from the Department of Family and Protective Services and the Health and Human Services Commission on methods for identifying children in foster care who may be at risk of becoming victims of human trafficking; and

(E) develop a process for referring identified human trafficking victims and individuals at risk of becoming victims to appropriate entities for services;

(7) on the request of a judge of a county court, county court at law, or district court or a county attorney, district attorney, or criminal district attorney, assist and train the judge or the judge's staff or the attorney or the attorney's staff in the recognition and prevention of human trafficking;

(8) [~~7~~] examine training protocols related to human trafficking issues, as developed and implemented by federal, state, and local law enforcement agencies;

(9) [~~8~~] collaborate with state and local governmental agencies, political subdivisions of the state, and nongovernmental organizations to implement a media awareness campaign in communities affected by human trafficking;

(10) [(9)] develop recommendations on how to strengthen state and local efforts to prevent human trafficking, protect and assist human trafficking victims, and prosecute human trafficking offenders; and

(11) [(10)] examine the extent to which human trafficking is associated with the operation of sexually oriented businesses, as defined by Section 243.002, Local Government Code, and the workplace or public health concerns that are created by the association of human trafficking and the operation of sexually oriented businesses.

(g-1) In this section, "emergency medical services personnel" has the meaning assigned by Section 773.003, Health and Safety Code.

(h) This section expires September 1, 2015 [2013].

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 1272 was passed by the House on April 11, 2013, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1272 on May 16, 2013, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 1272 was passed by the Senate, with amendments, on May 14, 2013, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor

## Endnotes

<sup>i</sup> This mixed-methods study examined the commercial sexual exploitation of children in three nations of the North American Free Trade (NAFTA) region, which included 17 U.S., seven Mexican, and four Canadian cities. While this study uses Estes and Weiner's (2001) definition of exploitation as an example, it does not utilize statistical information from the original report.

<sup>ii</sup> According to international, U.S., and Texas trafficking policy, a minor is any individual who is under 18 years of age. While considering elements of adult trafficking where relevant within this study, since HB 1272 focused on trafficking identification and prevention among school-age children, the literature used throughout this manuscript focused on minors. Due to trafficking estimates, literature on youth minors who are between the ages of 11 and 18, or the equivalent of U.S. middle and high school students, was used. Specific policy language of human, labor, and sex trafficking also was used throughout the study. However, the terms commercial exploitation and commercial sexual exploitation were utilized to indicate broader abuse not captured by legal definitions. Finally, as discussed in this study, policy responses to trafficking have been criticized for placing undue emphasis on sex trafficking, despite the high prevalence of labor exploitation worldwide, and specifically in the U.S. (Loftus, 2011). While acknowledging this, given the data collected from respondents, a slight emphasis was placed on research literature covering sex trafficking and commercial sexual exploitation.

<sup>iii</sup> Other examples of sexual violence include, but are not limited to: forced sterilization (Smith, 2005); fraternity gang rape (Sanday, 2007); pornography (Cornell, 2000); harassment (Davis, 1997; Kissling, 1991; Quinn, 2002); incest (González-López, 2010; Mendez-Negrete, 2006); institutional violence (Davis, 1981; Hill Collins, 2000; Martin, 2005); intimate partner violence within the lives of Mexican migrant women (Staudt, 2007); lesbophobia (Bartle, 2000); prison rape (Alarid, 2000; Kupers, 2012); heterosexual hate crimes (Aleman, 2011; Herek, Cogan, & Gillis, 2002; Lugg, 2003a; Rich, 1980); and militarized rape of Mexican and indigenous women (Falcón, 2007; Smith, 2005).

<sup>iv</sup> According to Farley et al. (2003), John is the most common word in the U.S. vocabulary used to describe those who purchase sex. Females in the sex trade routinely use this word, as well as the term trick, which was derived from females being tricked into doing more sexual acts than they originally were paid.

<sup>v</sup> TVPA was reauthorized four times as the Trafficking Victims Protection Reauthorization Act (TVPRA) in 2003, 2005, 2008, and most recently in 2013.

<sup>vi</sup> Washington was the first state to make human trafficking a crime under House Bill 2381 (2002), which also created its Task Force Against Trafficking of Persons. Since then, Washington has passed legislation that includes the creation of the first Commercially Sexually Exploited Children Statewide Coordinating Committee through Senate Bill 5308 (2013). Through a federal grant, Washington also has the first protocol for identifying commercially sexually exploited children (Center for Children & Youth Justice, 2013).

<sup>vii</sup> According to the World Health Organization (2010), PTSD is an individual's response to a stressful event of an "exceptionally threatening or catastrophic nature, which is likely to cause pervasive distress in almost anyone" (Section, F40-F48). The event or situation that prompts PTSD or the expression of "intense fear, helplessness, or horror" (American Psychiatric Association [APA], 1994, p. 428) occurs when that individual has "experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others" (APA, 1994, p. 427). The response in minors also can differ from that of adults and "be expressed instead by disorganized or agitated behavior" (APA, 1994, p. 428). However, considering APA distinguishes between adults and minors, it is important to note here that Abram et al., (2004) found the APA definition to be ambiguous with few reliable studies of PTSD based on APA criteria.

<sup>viii</sup> In a state-level study, Silverman, Raj, Mucci, and Hathaway (2001) found that 1 in 5 ninth to twelfth grade female students reported being physically and/or sexually abused by a dating partner.

<sup>ix</sup> Luster, Small, and Lower (2002) found students who experienced physical and/or sexual abuse by an adult family member also had lower grade point averages (GPA) for both females and males. However, the experience of school harassment contributed to lower GPAs for females only.

<sup>x</sup> According to Pritchard (2013), "adults can be complicit in youth bullying and bias-motivated violence against one another, or that, in some instances, adults' actions were experienced by youth as bullying or bias-motivated violence. There is no regard for the fact that some teachers and administrators may be completely resistant to strategies to alleviate bias-motivated bullying because they share the beliefs that engender a culture of discrimination against queer people and others who are different. Accordingly, there needs to be a more direct policy on bullying as a form of discrimination to which adults, particularly those working in public institutions, should be held accountable" (p. 341).

<sup>xi</sup> A survey of 252 transgender people found that 60% of these individuals reported annual incomes of under \$10,000 (Xavier, 2000).

<sup>xii</sup> Reauthorization of the Runaway Homeless Children and Youth Act (proposed, S. 256) would address definitional problems by amending the term “homeless person” under the McKinney-Vento Homeless Assistance Act in a way that widens the understanding of homeless children and youth (See: <https://www.govtrack.us/congress/bills/114/s256/text>).

<sup>xiii</sup> Child and youth can be classified as homeless within a family structure; they also can be classified as unaccompanied children (under 18) or youths (18 to 25) not in a family unit (i.e. at least one adult and one child) or a multi-child household (i.e. multiple people under age 18). In 2014, unaccompanied children under 18 constituted 6,274 (14%) individuals, while 38,931 (86%) unaccompanied youth were between 18 and 24; the unsheltered rate was higher for homeless children who were under 18 than for unaccompanied youth between the ages 18 to 24 (Henry et al., 2014).

<sup>xiv</sup>

According to NCLB (2002), “Homeless children and youths (a) means individuals who lack a fixed, regular, and adequate nighttime resident (within the meaning of section 103(A)(1)); and (b) includes - (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 101(A)(2)(C)); (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).”

<sup>xv</sup> The Runaway and Homeless Youth and Trafficking Prevention Act (RHYTPA, proposed S. 262), would update Runaway and Homeless Youth Act programs to include among other provisions, the ability to combat trafficking and commercial exploitation. This reauthorization would be significant in that it directly links homelessness with human trafficking (See: <https://www.congress.gov/114/bills/s262/BILLS-114s262is.pdf>).

<sup>xvi</sup> Black and Latino/a individuals face disproportionate rates of arrest, conviction, and longer prison sentences when compared to whites for drug offenses (Mauer & King, 2007). Thus, out of 2.3 million adult inmates in the U.S., 70% are people of color; one in nine inmates are Black men between the ages of 20 and 34 (Alexander 2010; Davis 2003). As of 2007, Latino/as also comprised 20% of state and federal prison populations,

a rate double that of non-Latino/a whites, a rate that has increased 43% since 1990; one in six Latinos and one in 45 Latinas are inmates in U.S. prisons (Mauer & King, 2007).

<sup>xvii</sup> Zero-tolerance school discipline policies were created in the 1980s to address student drug use. The passage of the Gun-Free Schools Act of 1994, which permitted student expulsion for bringing firearms to school, prompted the rapid expansion of policies for drugs, guns, and violence in the late 1990s. According to Curtis (2014), “rates of nonfatal victimizations in schools declined dramatically over the past two decades, from nearly 200 victimizations per 1,000 students in 1992 to fewer than 50 victimizations per 1,000 students in 2011. One might argue that these trends are attributable to zero-tolerance policies. However, rates of nonfatal victimizations away from school fell at similar rates between 1992 and 2011. Moreover, although proponents of zero tolerance often point to shootings as evidence of violence in schools, the number of youth homicides in schools remained fairly stable between 1992 and 2011, and they constituted less than 2% of all youth homicides during that period” (p. 1255-1256).

<sup>xviii</sup> Given human trafficking is a form of maltreatment, it is important to note here that maltreatment of minors is known to roughly double the prospect that they will engage in crime (Picker, 2010). Taking note of the female groups discussed in this section is important as well, since histories of physical and sexual abuse are higher among juvenile offender females than males (Hoyt & Scherer, 1998; McCabe, Lansing, Garland, & Hough, 2002; Miller, Trapani, Fejes-Mendoza, Eggleston, & Dwiggins, 1995; Siegel & Williams, 2003). Trauma-related diagnoses among female juvenile justice populations also are more than 200 times U.S. national averages (Smith, Leve, & Chamberlain, 2006).

<sup>xix</sup> Prior to 9/11, few federal criminal prosecutions of migrants occurred with most being handled by the civil immigration system. According to Grassroots Leadership (2014), the recent increased criminalization of Mexican and Northern Triangle migrants is due to increased reliance on statutes 8 U.S.C. § 1325 governing the “unlawful entry to the U.S., a misdemeanor carrying a sentence of up to 180 days,” and 8 U.S.C. § 1326 that covers the “unlawful reentry after deportation, a felony charge normally carrying a federal prison sentence of up to two years, but with aggravated circumstances the maximum may rise to 10 or 20 years” (p. 3). The rapid increase in misdemeanor (3,192 cases in 2002 versus 17,969 in 2004) and felony (9,337 in 2002 versus 37,440 in 2013) prosecutions has led to non-residents comprising 45% of total federal prosecutions in 2013 and significant overcrowding within the U.S. prison system. In response to overcrowding, the U.S. Bureau of Prisons (BOP) initiated contracting with private corporations (e.g. Corrections Corporation of America and The GEO Group, Inc.) to manage the “Criminal Alien” population, and the U.S. government also has mandated that 34,000 detention beds be available daily (Menjívar, & Abrego, 2012) through these centers (Grassroots

Leadership, 2009, 2014; Parker et al., 2014). Currently non-residents comprise 25.1% of the total BOP population, with many of the largest private detention centers housed in Texas (e.g. South Texas Family Residential Center, Dilley Texas) (Grassroots Leadership, 2014).

<sup>xx</sup> Because of gaps in the existing legal protections for unaccompanied minors, much of their experience goes undocumented. Thus, the extent of violence experienced by children and youth, which would qualify them for asylum hearings, is believed to be greater than what is known currently (UNHCR, 2014).

<sup>xxi</sup> Similar to most estimates of sexual violence against females, researchers found these numbers to be underestimates because of a reluctance to disclose information (AI, 2010).

<sup>xxii</sup> Some of these rights include: 1) although non-resident migrants are entitled to due process and equal protection under the law (See: *Yick Wo v. Hopkins*, 118 U.S. 356, 1886), unaccompanied minors are not entitled to court appointed legal representation, but can instead hire legal counsel, secure free legal counsel, or proceed on their own behalf (*pro se*) (See: *Reno v. Flores*, 507 U.S. 292, 1993, King, 2013, and Wong, 2013); 2) the Civil rights Act (1964) prohibited discrimination on the basis of national origin; unless furthering a substantial state interest, non-resident minors are entitled to a free public education (See: *Plyler v. Doe*, 457 U.S. 202, 1982); and 3) the Emergency Medical Treatment and Active Labor Act (1986) mandated that publicly funded hospitals treat all individuals for emergencies (Loftus, 2011).

<sup>xxiii</sup> The U.S. neither signed nor ratified the U.N. Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others.

<sup>xxiv</sup> The U.S. signed in the U.N. Convention on the Elimination of Discrimination Against Women in 1980, but did not ratify it.

<sup>xxv</sup> The Special Rapporteur is an appointed position charged with annually monitoring, examining, advising, and publically reporting on designated human rights issues to the U.N. Office of the High Commissioner for Human Rights.

<sup>xxvi</sup> The U.S. signed the U.N. Convention on the Rights of the Child in 1995, but did not ratify it.

<sup>xxvii</sup> The U.S. neither signed nor ratified the U.N. Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

<sup>xxviii</sup> The U.S. signed the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption in 1994 and ratified it in 2007.

<sup>xxix</sup> The U.S. ratified the International Labour Organization Convention to Eliminate the Worst Forms of Child Labour in 1999.

<sup>xxx</sup> The U.S. signed the U.N. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography in 2000 and ratified it in 2002.

<sup>xxxi</sup> Commercial exploitation of minors also is discussed in the International Criminal Court (ICC) Rome Statute (2002). The U.S. is not a member nation of the ICC and therefore, has not signed the ICC Statute.

<sup>xxxii</sup> The U.S. signed the U.N. Convention against Transnational Organized Crime and Protocol against the Smuggling of Migrants by Land, Sea, and Air supplementing the U.N. Convention against Transnational Organized Crime in 2000 and ratified it in 2005.

<sup>xxxiii</sup> Regional agreements include: American Convention on Human Rights (1969); African Charter on Human and Peoples' Rights (1981); Organization of American States Inter-American Convention on International Traffic in Minors [focus on minors] (1994); Declaration on the Fight against Trafficking in Persons of the Economic Community of West African States (2001); South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution [includes minors] (2002); Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003); Revised Arab Charter on Human Rights of the League of Arab States [includes minors] (2004); and Council of Europe Convention on Action against Trafficking in Human Beings (2005) (See: IPU & UNODC (2009) for a detailed discussion).

<sup>xxxiv</sup> The U.S. signed the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children U.N. Convention against Transnational Organized Crime in 2000 and ratified it in 2005. The third protocol, known as the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the U.N. Convention against Transnational Organized Crime, was neither signed nor ratified by the U.S.

<sup>xxxv</sup> Selection of Palermo, Italy as the place to sign the Trafficking Protocol, which now more commonly is referred to as the Palermo Protocol, was believed to be symbolic because Palermo was home to the Italian Mafia, a global crime syndicate (Loftus, 2011).

<sup>xxxvi</sup> According to the U.S. Department of State Trafficking in Persons Report (TIP, 2013) Tier 1 nations include “countries whose governments fully comply with the TVPA’s minimum standards for the elimination of trafficking” (p. 44). Tier 2 nations are “countries whose governments do not fully comply with the TVPA’s minimum standards but are making significant efforts to bring themselves into compliance with those standards. Tier 2 Watch List Countries are nations “where governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards, and a) the *absolute number* of victims of severe forms of trafficking is very significant or is significantly increasing; b) there is a failure to provide evidence of *increasing efforts* to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take *additional steps over the next year*” (TIP, 2013, p. 44, 46). Tier 3 nations include “countries whose governments do not fully comply with the TVPA’s minimum standards and are not making significant efforts to do so” (TIP, 2013, p. 46).

<sup>xxxvii</sup> Another piece of legislation passed in 2013 was the National Defense Authorization Act, which established methods for reporting and investigating trafficking, as well as permitted the termination of government contracts without penalty if contractors are found to be connected to trafficking.

<sup>xxxviii</sup> New York’s Safe Harbor for Exploited Children Act (2008) was the first in the U.S. to recognize victim, rather than criminal status, of sex trafficked and commercially sexually exploited minors. Massachusetts, Minnesota, New Jersey, Ohio, Vermont, Washington, Connecticut, Michigan, Tennessee, and Florida have since passed safe harbor laws. Although Texas does not have safe harbor laws, in 2010 the Texas Supreme Court ruled *In the Matter of B.W.* that minors under the age 14 cannot be prosecuted for prostitution (Polaris, 2014).

<sup>xxxix</sup> Continuing presence status was granted to 299 possible victim witnesses in 2009 (Loftus, 2011). According to Adams (2011), “the Department of Homeland Security has never come close to the 5,000 per year limit, issuing only 247 T-visas in fiscal year 2008 in response to a total of 394 applications. Approximately 2,300 T-visas have been issued between the start of the program in 2001 and the end of fiscal year 2008, not even half the 5,000 allowed per year” (p. 226). Since the crimes for which U-Visas are granted are not disaggregated, the number of U-Visas issued to trafficked victims in a given year is unknown (Loftus, 2011). While these statuses are available as a form of relief for which

fewer than 5,000 are issued per year, 34,000 beds have been federally mandated for use in privately run detention centers (Menjívar, & Abrego, 2012).

<sup>xl</sup> The U.S. Department of Health and Human Services, Office of Refugee Resettlement (ORR) Unaccompanied Refugee Minor (URM) program, which provides comprehensive care for identified international minor trafficking victims, has facilities in Fort Worth and Houston, Texas (U.S. Department of Health and Human Services [USDHHS], 2015a). The ORR Division of Unaccompanied Children Services (DUCS), which provides in-care and post-care legal services for unaccompanied minors, has 14 shelters in Texas (USDHHS, 2015b).

<sup>xli</sup> The 81<sup>st</sup> Texas Legislature (2009) also passed other key trafficking bills which included: House Bill 1372, which officially listed trafficking victims as “victims” within the Texas Code of Criminal Procedure, permitting them to be eligible for Victims’ Bill of Rights and the Crime Victims’ Compensation Act benefits; House Bill 533 that allowed trafficking victims, for the first time, to sue traffickers for civil damages; House Bill 3094, which permitted Texas counties with a population of 3.3 million or more to sue and close massage parlors engaging in “illegitimate practices” carrying with them a Class A Misdemeanor; Senate Bill 707 that required sexually-oriented businesses to not employ anyone under 18, as well as to maintain employee and independent contractor government-issued photo identification records; and House Bill 960 that expanded Texas municipality and county ability to review criminal backgrounds of sexually-oriented business license applicants (Children at Risk, 2014a).

<sup>xlii</sup> Given feminist research can fall within various classified typologies simultaneously or at different times, this study was wary of using distinct feminist categorization. While the language transnational feminism was adopted in this study for example to identify interlocking U.S. and international issues, depending on historical context and foci the feminist research used also has been termed “feminism of color,” “U.S. Third World feminism,” “womanist feminism,” and “globalist feminism.” The labels of feminist critical theory and transnational feminism therefore, should be understood as tools used to familiarize the reader to more broad categories of feminist thinking within education, law, and sociology.

<sup>xliii</sup> One woman, who formerly worked for a Texas education agency, attended a meeting as a representative of a different State agency; a female teacher also attended a separate meeting as a representative of a religious non-profit.

<sup>xliv</sup> See: Texas Education Agency. (2015). Trafficking of school-aged children. Retrieved from [http://tea.texas.gov/About\\_TEA/Other\\_Services/Human\\_Trafficking\\_of\\_School-aged\\_Children/](http://tea.texas.gov/About_TEA/Other_Services/Human_Trafficking_of_School-aged_Children/)

<sup>xlv</sup> Among these included Texas legislative attempts in 1923, 1927, and 1932 to stop Blacks from voting in Democratic primaries, and a poll tax for voting in statewide elections, which was not repealed until 1966 (Texas State Historical Association, 2015).

<sup>xlvi</sup> Examples of Texas legislative caucuses include the Texas Women’s Caucus (1971), Texas Legislative Black Caucus (1973), and Texas Mexican American Legislative Caucus (1973).

<sup>xlvii</sup> The 84<sup>th</sup> Texas Legislature (2015) has 142 men and 36 women, as well as 115 white, 41 Latino/a, 19 black, and 3 Asian members (Ura & McCullough, 2015). Despite constituting half the state’s population, the Texas Legislature is only 19.9% female; out of 31 Texas Senators, 7 are women and out of 150 Texas House of Representative members, 29 are women. The Texas Legislature is ranked 37<sup>th</sup> among U.S. states for female representation (Center for American Women and Politics, Eagleton Institute of Politics, 2015).

<sup>xlviii</sup> Those individuals who registered “For” HB 1272, but were not present to testify included: Jennifer Allmon, Texas Catholic Conference: Roman Catholic Bishops of Texas; Steve Bresnen, Texas Family Law Foundation; Lon Craft, Texas Municipal Police Association; David Duncan, Baptist Christian Life Commission; Joshua Houston, Texas Impact; Marshall Kenderdine, Texas Pediatric Society; Rene Lara, Texas American Federation of Labor-Congress of Industrial Organizations; Diana Martinez, TexProtects: Texas Association for the Protection of Children; Glen Maxey, Texas Democratic Party; Norma Mullican and Barbara Waldon, Refuge of Light; Aaron Setliff, Texas Council on Family Violence; and Steven Tays, Bexar County Criminal District Attorney’s Office.

<sup>xlix</sup> In the Senate hearing held on May 7, 2013, Geoff Barr again testified “On” HB 1272 for the Office of the Attorney General. David Boatright from the National Center for Missing and Exploited Children also testified “For” the legislation. Those individuals who registered “For” HB 1272, but were not present to testify included: Melissa Gardner, Texans Care for Children; Marshall Kenderdine, Texas Pediatric Society; and Glenn D. Stockard, Texas Association Against Sexual Assault.

<sup>l</sup> Similar to the Texas House of Representatives, legislation can be recommended for placement on the Senate Local and Uncontested Calendar only if it is deemed a non-controversial bill with limited debate or amendments expected. In the Senate, the original author (Representative Senfronia Thompson), Senate sponsor (Senator Leticia Van de Putte), and given Committee Chair must agree to file for placement (Texas Legislative Council, 2015).

<sup>li</sup> Material was compiled from National Institute of Justice (2009), Polaris Project (2013b), U.S. Department of Health and Human Services (2012), and U.S. Department of Justice (2013a) websites.

<sup>lii</sup> Material was compiled from Texas House Bill 4009 (2009) and my work on the Texas Human Prevention Task Force Education Workgroup.

<sup>liii</sup> The person who represented this entity is the same person who represented the “Fort Worth Non-profit (Religiously-oriented advocacy, programming, and safe-house for trafficking survivors).”

## References

- Abram, K. M., Teplin, L. A., Charles, D. R., Longworth, S., McClelland, G., & Dulcan, M. (2004). Posttraumatic stress disorder and trauma in youth in juvenile detention. *Archives of General Psychiatry*, *61*(4), 403-410.
- Ackard, D. M., & Neumark-Sztainer, D. (2002). Date violence and date rape among adolescents: Associations with disordered eating behaviors and psychological health. *Child Abuse & Neglect*, *26*(5), 455-473.
- Acker, S. (1987). Feminist theory and the study of gender and education. *International Review of Education*, *33*(4), 419-435.
- Acker, S. (1990). Hierarchies, jobs, bodies: A theory of gendered organizations. *Gender & Society*, *4*(2), 139-158.
- Ackerman, D. J. (2006). The costs of being a child care teacher: Revisiting the problem of low wages. *Educational Policy*, *20*(1), 85-112. doi: 10.1177/0895904805285283
- Adams, G. (2011). Re-trafficked victims: How a human rights approach can stop the cycle of re-victimization of sex trafficking victims. *George Washington International Law Review*, *43*(1), 201-234.
- Ahrens, K. R., Katon, W., McCarty, C., Richardson, L. P., & Courtney, M. E. (2012). Association between childhood sexual abuse and transactional sex in youth aging out of foster care. *Child Abuse & Neglect*, *36*(1), 75-80. doi: 10.1016/j.chiabu.2011.07.009
- Alarid, L. F. (2000). Sexual assault and coercion among incarcerated women prisoners: Excerpts from prison letters. *The Prison Journal*, *80*(4), 391-406. doi: 10.1177/0032885500080004005
- Alcoff, L. & Gray, L. (1993). Survivor discourse: Transgression or recuperation? *Signs: Journal of Women in Culture and Society*, *18*(2), 260-290.
- Aleman, G. (2011). Institutional violence in the everyday schooling experiences of Latino LGBT students. In S. Tozer, B. P. Gallegos, A. Henry, M. B. Greiner, & P. G. Price (Eds.), *Handbook of research in the social foundations of education* (pp. 593-604). New York, NY: Routledge.
- Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York, NY: The New Press.
- Almeida, J., Johnson, R. M., Corliss, H. L., Molnar, B. E., & Azrael, D. (2009). Emotional distress among LGBT youth: The influence of perceived discrimination based on sexual orientation. *Journal of Youth and Adolescence*, *38*(7), 1001-1014. doi: 10.1007/s10964-009-9397-9
- American Civil Liberties Union. (2008). *Locating the school-to-prison pipeline*. Washington, DC: Author. Retrieved from [https://www.aclu.org/files/images/asset\\_upload\\_file966\\_35553.pdf](https://www.aclu.org/files/images/asset_upload_file966_35553.pdf)

- American Educational Research Association. (2000). *Ethical standards of the American Educational Research Association*. Washington, DC: Author. Retrieved from [http://www.aera.net/uploadedFiles/About\\_AERA/Ethical\\_Standards/EthicalStandards.pdf](http://www.aera.net/uploadedFiles/About_AERA/Ethical_Standards/EthicalStandards.pdf)
- American Psychiatric Association. (1994). *Diagnostic and statistical manual of mental disorders* (4<sup>th</sup> ed.). Washington, DC: Author.
- American Psychological Association. (2010). *Ethical principles of psychologists and code of conduct, 2010 amendments*. Washington DC: Author. Retrieved from <http://www.apa.org/ethics/code/index.aspx>
- American Sociological Association. (2011). *ASA code of ethics*. Washington, DC: Author. Retrieved from <http://www.asanet.org/about/ethics.cfm>
- Amnesty International. (2010). *Invisible victims: Migrants on the move in Mexico*. London, UK: Author. Retrieved from <https://www.amnesty.org/en/documents/AMR41/014/2010/en/>
- Andrews, S. K. (2004). U.S. domestic prosecution of the American international sex tourist: Efforts to protect children from sexual exploitation. *The Journal of Criminal Law and Criminology*, 94(2), 415-454. doi: 0091-4169/04/9402-0415
- Anzaldúa, G. E. (1987). *Borderlands, la frontera: The new Mestiza*. San Francisco, CA: Aunt Lute Books.
- Anzaldúa, G. E. (2002). Preface: (Un)natural bridges, (un)safe spaces. In G. E. Anzaldúa & A. Keating (Eds.), *this bridge we call home: radical visions for transformation* (pp. 1-5). New York, NY: Routledge, Taylor & Francis Group.
- Anzaldúa, G. E. & Keating, A. (Eds.) (2002). *this bridge we call home: radical visions for transformation*. New York, NY: Routledge, Taylor & Francis Group.
- Aviles de Bradley, A. M. (2011). Unaccompanied homeless youth: Intersections of homelessness, school experiences and educational policy. *Child & Youth Services*, 32(2), 155-172. doi: /10.1080/0145935X.2011.583176
- Baca Zinn, M. (1989). Family, race, and poverty in the eighties. *Journal of Women in Culture and Society*, 14(4), 856-874.
- Banyard, V. L. & Cross, C. (2008). Consequences of teen dating violence: Understanding intervening variables in ecological context. *Violence Against Women*, 14(9), 998-1013. doi: 10.1177/1077801208322058
- Bartle, E. E. (2000). Lesbians and hate crimes. *Journal of Poverty*, 4(4), 23-43. doi: 10.1300/J134v04n04\_02
- Bensimone, E. M. & Marshall, C. (2003). Like it or not: Feminist critical policy analysis matters. *The Journal of Higher Education*, 74(3), 337-349. doi: 10.1353/jhe.2003.0021
- Berlan, E. D., Corliss, H. L., Field, A. E., Goodman, E., & Austin, S. B. (2010). Sexual orientation and bullying among adolescents in the growing up today study. *Journal of Adolescent Health*, 46(4), 366-371. doi: 10.1016/j.jadohealth.2009.10.015

- Bernstein, B. (1971). On the classification and framing of educational knowledge. In M. F. D. Young (Ed.). *Knowledge and control* (pp. 47-69). London, UK: Macmillan.
- Berry, K. (1979). *Female sexual slavery*. New York, NY: New York University Press.
- Berry, K. (1995). *The prostitution of sexuality*. New York, NY: New York University Press.
- Birkett, M., Espelage, D. L., & Koenig, B. (2009). LGB and Questioning students in schools: The moderating effects of homophobic bullying. *Journal of Youth & Adolescence*, 38(7), 989-1000. doi: 10.1007/s10964-008-9389-1
- Birkland, T. A. (2011). *An introduction to the policy process: Theories, concepts, and models for public policy making* (3<sup>rd</sup> ed.). Amonk, NY: M. E. Sharpe, Inc.
- Blackmore, J. (2000). Warning signals or dangerous opportunities? Globalization, gender and educational policy shifts. *Educational Theory*, 50(4), 467-486. doi: 10.1111/j.1741-5446.2000.00467.x
- Blake, J. J., Butler, B. A., Lewis, C. L., & Darenbourg, A. (2011). Unmasking the inequitable discipline experiences of urban black girls: Implications for urban stakeholders. *Urban Review*, 43(1), 90-106. doi: 10.1007/s11256-009-0148-8
- Boak, A., Ciobanica, L., & Griffin, K. W. (2003). Preventing youth trafficking: Developing an effective information campaign. In A. Boak, A. Boldosser, & O. Biu (Eds), *Smooth flight: A guide to pre-venting youth trafficking* (pp. 79-98). Brooklyn, NY: International Organization for Adolescents.
- Boxill, N. A., & Richardson, D. J. (2007). Ending sex trafficking of children in Georgia. *Affilia: Journal of Women and Social Work*, 22(2), 138-149. doi: 10.1177/0886109907299054
- Brawn, K. M. & Roe-Sepowitz, D. (2008). Female juvenile prostitutes: Exploring the relationship to substance use. *Children and Youth Services Review*, 30(12), 1395-1402. doi: 10.1016/j.childyouth.2008.04.011
- Brooks, A. & Hesse-Biber, S. N. (2007). An invitation to feminist research. In S. N. Hesse-Biber & P. L. Leavy (Eds.), *Feminist research practice: A primer* (pp. 1-24). Thousand Oaks, CA: SAGE Publications, Inc.
- Buist, C. L. & Stone, C. (2014). Transgender victims and offenders: Failures of the United States criminal justice system and the necessity of queer criminology. *Critical Criminology*, 22(1), 35-47. doi: 10.1007/s10612-013-9224-1
- Bunch, C. (1993). Prospects for global feminism. In A. M. Jaggar & P. S. Rothenberg (Eds.), *Feminist frameworks* (3<sup>rd</sup> ed.) (pp. 249-252). New York, NY: McGraw Hill.
- Butler, C. N. (2012). Sex slavery in the lone star state: Does the Texas human trafficking legislation of 2011 protect minors? *Akron Law Review*, 45(4), 843-882.
- Byrne, T., Munley, E. A., Fargo, J. D., Montgomery, A. E., & Culhane, D. P. (2012). New perspectives on community-level determinants of homelessness. *Journal of Urban Affairs*, 35(5), 607-625. doi: 10.1111/j.1467-9906.2012.00643.x

- Capper, C. (1999). (Homo)sexualities, organizations, and administration: Possibilities for in(queer)y. *Educational Researcher*, 28(5), 4-11. doi: 10.3102/0013189X028005004
- Carrington, K. & Pereira, M. (2009). *Offending youth: Sex, crime and justice*. Sydney, Australia: Federation Press.
- Castillo, J. (2014). Tolerance in schools for Latino students: Dismantling the school-to-prison pipeline. *Harvard Journal of Hispanic Policy*, 26, 43-58.
- Center for American Women and Politics, Eagleton Institute of Politics. (2015). Women in politics: Texas. New Brunswick, NJ: Rutgers, The State University of New Jersey. Retrieved from <http://www.cawp.rutgers.edu/index.php>
- Center for Children & Youth Justice. (2013). *Washington State model protocol for commercially sexually exploited children*. Retrieved from <http://www.ccyj.org/Project%20Respect%20protocol.pdf>
- Centers for Disease Control and Prevention. (2012). *Teen dating violence*. Retrieved from [http://www.cdc.gov/ViolencePrevention/intimatepartnerviolence/teen\\_dating\\_violence](http://www.cdc.gov/ViolencePrevention/intimatepartnerviolence/teen_dating_violence)
- Chacón, J. M. (2006). Misery and myopia: Understanding the failures of U.S. efforts to stop human trafficking. *Fordham Law Review*, 74(6), 2977-3040.
- Champion, H., Foley, K. L., Sigmon-Smith, K., Sutfin, E. L., & DuRant, R. H. (2008). Contextual factors and health risk behaviors associated with date fighting among high school students. *Women & Health*, 47(3), 1-22. doi: 10.1080/03630240802132286
- Charmaz, K. (2005). Grounded theory in the 21st century: A qualitative method for advancing social justice research. In N. K. Denzin & Y. S. Lincoln (Eds.), *The SAGE handbook of qualitative research* (3<sup>rd</sup> ed.) (pp. 507–535). Thousand Oaks, CA: SAGE Publications, Inc.
- Children at Risk. (2014a). Human trafficking. Retrieved from <http://childrenatrisk.org/policy/pplc/81st-legislative-session-report/human-trafficking/>
- Children at Risk. (2014b). 82nd Legislative session. Retrieved from <http://childrenatrisk.org/policy/pplc/a-report-on-human-trafficking-legislation/82nd-legislative-session/>
- Chuang, J. A. (2010). Rescuing trafficking from ideological capture: Prostitution reform and anti-trafficking law and policy. *University of Pennsylvania Law Review*, 158(1655), 1655-1728.
- Clawson, H. J. & Dutch, N. (2008). *Identifying victims of human trafficking: Inherent challenges and promising strategies from the field*. Washington, DC: U.S. Department of Health and Human Services.
- Cochran, B. N., Stewart, A. J., Ginzler, J. A., & Cauce, A. M. (2002). Challenges faced by homeless sexual minorities: Comparison of gay, lesbian, bisexual, and transgender homeless adolescents with their heterosexual counterparts. *American Journal of Public Health*, 92(5), 773-777.

- Collins, J., Noble, G., Poynting, S., & Tabar, P. (2000). *Kebabs, kids, cops and crime: Youth, ethnicity and crime*. Annandale, VA: Pluto Press.
- Coker, A. L., Clear, E. R., Garcia, L. S., Asaolu, I. O., Cook-Craig, P. G., Brancato, C. J., Williams, C. M., Bush, H. M., & Fisher, B. S. (2014). Dating violence victimization and perpetration rates among high school students. *Violence Against Women, 20*(10), 1220-1238. doi: 10.1177/1077801214551289
- Coker, A., McKeown, R., Sanderson, M., Davis, K., Valois, R., & Huebner, S. (2000). Severe dating violence and quality of life among South Carolina high school students. *American Journal of Preventive Medicine, 19*(4), 220-227.
- Commonwealth of Massachusetts, Attorney General's Office. (2014). *Education and training*. Retrieved from <http://www.mass.gov/ago/about-the-attorney-generals-office/community-programs/anti-human-trafficking/human-trafficking-task-force/subcommittees/education-and-training/>
- Cooper, B. S., Chibulka, J. G., & Fusarelli, L. (Eds.). (2008). *Handbook of education politics and policy*. New York, NY: Routledge.
- Connell, R. W. (1990). The state, gender, and sexual politics: Theory and appraisal. *Theory and Society, 19*(4), 507-544.
- Corbin, J. & Strauss, A. (2008). *Basics of qualitative research* (3<sup>rd</sup> ed.). Los Angeles, CA: SAGE Publications, Inc.
- Corliss, H. L., Goodenow, C. S., Nichols, L., & Austin, S. B. (2011). High burden of homelessness among sexual-minority adolescents: Findings from a representative Massachusetts high school sample. *American Journal of Public Health, 101*, 1683-1689. doi: 10.2105/AJPH.2011.300155
- Cornell, D. (Ed.) (2000). *Feminism and pornography*. New York, NY: Oxford University Press.
- Crabtree, B. F. & Miller, W. L. (1999). *Doing qualitative research* (2<sup>nd</sup> ed.). Thousand Oaks, CA: SAGE Publications, Inc.
- Crawford, A. (2009). Criminalizing sociability through anti-social behaviour legislation: Dispersal powers, young people and the police. *Youth Justice, 9*(1), 5-26. doi: 10.1177/1473225408101429
- Cray, A., Miller, K., & Durso, L. E. (2013). *Seeking shelter: The experiences and unmet needs of LGBT homeless youth*. Washington, DC: Center for American Progress. Retrieved from <https://www.americanprogress.org/issues/lgbt/report/2013/09/26/75746/seeking-shelter-the-experiences-and-unmet-needs-of-lgbt-homeless-youth/>
- Cremin, L. (1990). *Popular education and its discontents*. New York, NY: Harper & Row.
- Creswell, J. W. (2002). *Research design: Qualitative, quantitative, and mixed methods approaches* (2<sup>nd</sup> ed.). Thousand Oaks, CA: SAGE Publications, Inc.
- Curtis, A. J. (2014). Tracing the school-to-prison pipeline from zero-tolerance policies to juvenile justice dispositions. *The Georgetown Law Journal, 102*(4), 1251-1277.

- Dank, M., Khan, B., Mitchell Downey, P., Kotonias, C., Mayer, D., Owens, C., Pacifici, L., Yu, L. (2014). *Estimating the size and structure of the underground commercial sex economy of eight cities*. Washington, DC: The Urban Institute.
- Davis, A. Y. (1981). *Women, race, & class*. New York, NY: First Vintage Books.
- Davis, A. Y. (2003). *Are prisons obsolete?* Toronto, Canada: Seven Stories Press.
- Davis, D. (1997). The harm that has no name: Street harassment, embodiment, and African American women. In A. K. Wing (Ed.), *Critical race feminism: A reader* (pp. 214-225). New York, NY: New York University Press.
- Decker, M. R. (2013). Sex trafficking, sex work, and violence: Evidence for a new era. *International Journal of Gynecology and Obstetrics*, 120(2), 113-114. doi: 10.1016/j.ijgo.2012.11.001
- De León, A. (1979). *In Re Ricardo Rodríguez: An attempt at Chicano disenfranchisement in San Antonio, 1896–1897*. San Antonio, TX: Caravel Press.
- Detrie, P. M., & Lease, S. H. (2008). The relation of social support, connectedness, and collective self-esteem to the psychological well-being of lesbian, gay, and bisexual youth. *Journal of Homosexuality*, 53(4), 173-199. doi: 10.1080/00918360802103449
- Dillard, C. B. (2000). The substance of things hoped for, the evidence of things not seen: examining an endarkened feminist epistemology in educational research and leadership. *Qualitative Studies in Education*, 13(6), 661-681. doi: 10.1080/09518390050211565
- Dorsen, C. (2010). Vulnerability in homeless adolescents: Concept analysis. *Journal of Advanced Nursing*, 66(12), 2819-2827. doi: 10.1111/j.1365-2648.2010.05375.x
- Dowling, D. (2000, January 20). "Pimpin' is hard work:" Managers of the flesh compete for pimp of the year at Chicago's annual Player's Ball. Retrieved from <http://www.salon.com/2000/01/29/pimps/>
- Drier, P., Mollenkopf, J., & Swanstrom, T. (2004). *Place matters: Metropolitcs for the twenty-first century* (2<sup>nd</sup> ed.). Wichita, KS: University of Kansas Press.
- Duggan, L. (2003). *The twilight of equality? Neoliberalism, cultural politics, and the attack on democracy*. New York, NY: Beacon Press.
- Dumas, M. J. & Anyon, J. (2006). Toward a critical approach to education policy implementation. In M. I. Honig (Ed.), *New directions in education policy implementation* (pp. 149-168). New York, NY: State University of New York Press.
- Dumond, R. W. (2000). Inmate sexual assaults: The plague that persists. *The Prison Journal*, 80(4), 407-414. doi: 10.1177/0032885500080004006
- Dworsky, A. (2010). Supporting homeless youth during the transition to adulthood: Housing based independent living programs. *The Prevention Researcher*, 17(2), 17-20.

- Edelman, M. (1995). Symbols and political quiescence. In S. Z. Theodoulou & M. A. Cahn (Eds.), *Public policy: The essential readings* (pp. 26-33). Upper Saddle River, NJ: Prentice Hall.
- Edidin, J. P., Ganim, Z., Hunter, S. J., & Karnik, N. S. (2012). The mental and physical health of homeless youth: A literature review. *Child Psychiatry Human Development, 43*(3), 354-375. doi: 10.1007/s10578-011-0270-1
- Education Week. (2015, July 17). Nixon signs bill expanding Missouri sex education guidance. Retrieved from [http://www.edweek.org/ew/articles/2015/07/14/nixon-signs-bill-expanding-missouri-sex\\_ap.html](http://www.edweek.org/ew/articles/2015/07/14/nixon-signs-bill-expanding-missouri-sex_ap.html)
- Edwards, A. (2011). *Violence against women under international human rights law*. Cambridge, UK: Cambridge University Press.
- Ehrenreich, B. & Hochschild, A. R. (2002). *Global woman: Nannies, maids, and sex workers in the new economy*. New York, NY: Henry Holt and Company, LLC.
- Ellingson, L. L. (2009). *Engaging crystallization in qualitative research: An introduction*. Thousand Oaks, CA: SAGE Publications, Inc.
- Ensign, J. & Panke, A. (2002). Barriers and bridges to care: Voices of homeless female adolescent youth in Seattle, Washington, USA. *Journal of Advanced Nursing, 37*(2), 166-172. doi: 10.1046/j.1365-2648.2002.02067.x
- Espelage, D. L., & Holt, M. K. (2007). Dating violence and sexual harassment across the bully-victim continuum among middle and high school students. *Journal of Youth and Adolescence, 36*(6), 799-811. doi: 10.1007/s10964-006-9109-7
- Estes, R. J. & Weiner, N. A. (2001). *The commercial sexual exploitation of children in the U.S., Canada, and Mexico: Full report of the U.S. national study*. Philadelphia, PA: University of Pennsylvania, School of Social Work, Center for the Study of Youth Policy.
- Falcón, S. M. (2007). Rape as a weapon of war: Militarized rape at the U.S.-Mexico border. In D. A. Segura & P. Zavella (Eds.), *Women and migration in the U.S.-Mexico borderlands: A reader*. (pp. 204-223). Durham, NC: Duke University Press.
- Faludi, S. (1991). *Backlash: The undeclared war against American women*. New York, NY: Anchor Books, Doubleday.
- Fantuzzo, J. W., LeBoeuf, W. A., Chen, C. C., Rouse, H. L., & Culhane, D. P. (2012). The unique and combined effects of homelessness and school mobility on the educational outcomes of young children. *Educational Researcher, 41*(9), 393-402. doi: 10.3102/0013189X12468210
- Farley, M., Baral, I., Kiremire, M. & Sezgin, U. (1998). Prostitution in five countries: Violence and post-traumatic stress disorder. *Feminism & Psychology, 8*(4), 405-426. doi: 10.1177/0959353598084002
- Farley, M., Cotton, A., Lynne, J., Zumbek, S., Spriwak, F., Reyes, M. E., Alvarez, D., & Sezgin, U. (2003). Prostitution, trafficking, in nine countries: An update on

- violence and posttraumatic stress disorder. *Journal of Trauma Practice*, 2(3/4), 33-74. doi: 10.1300/J189v02n03\_03
- Farley, M. (2004). Bad for the body, bad for the heart: Prostitution harms women even if legalized or decriminalized. *Violence Against Women*, 10(10), 1087-1125. doi: 10.1177/1077801204268607
- Ferguson, K. (2009). Exploring family environment characteristics and multiple abuse experiences among homeless youth. *Journal of Interpersonal Violence*, 24(11), 1875-1891. doi: 10.1177/0886260508325490
- Fielding, K. & Forchuk, C. (2013). Exploring the factors associated with youth homelessness and arrests. *Journal of Child and Adolescent Psychiatric Nursing*, 26(4), 225-233. doi: 10.1111/jcap.12056
- Fine, M. & Weiss, L. (2000). Disappearing acts: The state and violence against women in the twentieth century. *Signs: Journal of Women in Culture and Society*, 25(4), 1139-1146.
- Finley, S., & Diversi, M. (2010). Critical homelessness: Expanding narratives of inclusive democracy. *Cultural Studies ↔ Critical Methodologies*, 10(1), 4-13. doi: 10.1177/1532708609351142
- Finnigan, K. & Gross, B. (2007). Do accountability policy sanctions influence teacher motivation? Lessons from Chicago's low-performing schools. *American Educational Research Journal*, 44(3), 594-629. doi: 10.3102/0002831207306767
- Flowers, R. B. (2001). The sex trade industry's worldwide exploitation of children. *The ANNALS of the American Academy of Political and Social Science*, 575(1), 147-157. doi: 10.1177/000271620157500109
- Foley, N. (1997). *The white scourge: Mexicans, Blacks, and poor whites in Texas cotton culture*. Los Angeles, CA: University of California Press.
- Fowler, F. C. (2009). *Policy studies for educational leaders: An introduction* (3<sup>rd</sup> ed.). Boston, MA: Pearson Education Inc., Allyn & Bacon.
- Fowler, P. J., Toro, P. A., & Miles, B. W. (2009). Pathways to and from homelessness and associated psychosocial outcomes among adolescents leaving the foster care system. *American Journal of Public Health*, 99(8), 1453-1458. doi: 10.2105/AJPH.2008.142547
- Frederick, A. (2014). "Who better to do it than me!:" Race, gender & the deciding to run accounts of political women in Texas. *Qualitative Sociology*, 37(3), 301-321. doi: 10.1007/s11133-014-9282-z
- Gallagher, A. T. & Karlebach, N. (2011). *Prosecution of trafficking in persons cases: Integrating a human rights-based approach in the administration of criminal justice*. Geneva, Switzerland: United Nations Office of the High Commissioner for Human Rights. Retrieved from [http://www.ohchr.org/Documents/Issues/Trafficking/Geneva2011BP\\_GallagherAndKarlebach.pdf](http://www.ohchr.org/Documents/Issues/Trafficking/Geneva2011BP_GallagherAndKarlebach.pdf)

- García, Martínez-Ebers, Coronado, Navarro, & Jaramillo. (2008). *Políticas: Latina public officials in Texas*. Forward by P. Madrid. Austin, TX: The University of Texas Press.
- Garza, R. (2011). Addressing human trafficking along the United States-Mexico border: The need for a bilateral partnership. *Cardozo Journal of International & Comparative Law*, 19(2), 413-428.
- Gekht, A. (2008). Shared but differentiated responsibility: Integration of international obligations in the fight against trafficking in human beings. *Denver Journal of International Law and Policy*, 37(1), 29-62.
- Gillian, A. (1991). Women's equality and national liberation. In C. T. Mohanty, A. Russo, & L. Torres (Eds.), *Third world women and the politics of feminism* (pp. 215-236). Bloomington, IN: Indiana University Press.
- Giuffre, P. A. & Williams, C. L. (1994). Boundary lines: Labeling sexual harassment in restaurants. *Gender & Society*, 8(3), 378-401. doi: 10.1177/089124394008003006
- Global Alliance Against Traffic in Women. (2010). *Beyond borders: Exploring links between trafficking, globalisation, and security*. Bangkok, Thailand: Author. Retrieved from [http://www.gaatw.org/publications/WP\\_on\\_Globalisation.pdf](http://www.gaatw.org/publications/WP_on_Globalisation.pdf)
- González-López, G. (2006). Heterosexual fronteras: Immigrant Mexicanos, sexual vulnerabilities, and survival. *Sexuality Research and Social Policy: Journal of NSRC*, 3(3), 67-81.
- González-López, G. (2007). "Nunca he dehado de tener terror:" Sexual violence in the lives of Mexican immigrant women. In D. A. Segura & P. Zavella (Eds.), *Women and migration in the U.S.-Mexico borderlands: A reader* (pp. 224-245). Durham, NC: Duke University Press.
- González-López, G. (2010). Ethnographic lessons: Researching incest in Mexican families. *Journal of Contemporary Ethnography*, 39(5), 569-581. doi: 10.1177/0891241610375279
- Gragg, F., Petta, I., Bernstein, H., Eisen, K., & Quinn, L. (2007). *New York prevalence study of commercially sexually exploited children: Final report*. Rockville, MD: Westat.
- Grant, J., Mottet, L., Tanis, J., Harrison, J., Herman, J.L., & Keislin, M. (2011). *Injustice at every turn: A report of the National Transgender Discrimination Survey*. Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force. Retrieved from [http://transequality.org/PDFs/NTDS\\_Report.pdf](http://transequality.org/PDFs/NTDS_Report.pdf)
- Grassroots Leadership. (2009). *Considering a private jail, prison, or detention center? Resource packet for community members and public officials* (2<sup>nd</sup> ed.). Austin, Texas: Author.

- Grassroots Leadership. (2014). *Shadow report of Grassroots Leadership and Justice Strategies to The International Convention on the Elimination of All Forms of Racial Discrimination regarding criminal prosecutions of migrants for immigration offenses and substandard privately-operated segregated prisons*. Austin, Texas: Author. Retrieved from [http://grassrootsleadership.org/sites/default/files/uploads/Streamline\\_CAR%20report%20CERD%20July%202014.pdf](http://grassrootsleadership.org/sites/default/files/uploads/Streamline_CAR%20report%20CERD%20July%202014.pdf)
- Griffen, P. (2007). Sexing the economy in a neo-liberal world order: Neo-liberal discourse and the (re)production of heteronormative heterosexuality. *BJPIR*, 9(2), 220-238. doi: 10.1111/j.1467-856x.2007.00280.x
- Gruman, D. H., Harachi, T. W., Abbott, R. D., Catalano, R. F., & Fleming, C. B. (2008). Longitudinal effects of student mobility on three dimensions of elementary school engagement. *Child Development*, 79(6), 1833-1852. doi:10.1111/j.1467-8624.2008.01229.x
- Guba, E. & Lincoln, Y. (1981). *Effective evaluation: Improving the usefulness of evaluation results through responsive and naturalistic approaches*. San Francisco, CA: Jossey-Bass Publishers.
- Guttmacher Institute (2014). *State policies in brief: Sex and HIV education*. Retrieved from [https://www.guttmacher.org/statecenter/spibs/spib\\_SE.pdf](https://www.guttmacher.org/statecenter/spibs/spib_SE.pdf)
- Haber, M. G., & Toro, P. A. (2004). Homelessness among families, children, and adolescents: An ecological-developmental perspective. *Clinical Child and Family Psychology Review*, 7(3), 123-164. doi:10.1023/B:CCFP.0000045124.09503.f1
- Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993). Retrieved from [http://www.hcch.net/index\\_en.php?act=conventions.text&cid=69](http://www.hcch.net/index_en.php?act=conventions.text&cid=69)
- Haraway, D. (2004). Situated knowledges: The science question in feminism and the privilege of partial perspective. In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 81-102). New York, NY: Routledge.
- Harding, S. (2004). Rethinking standpoint epistemology: What is “strong objectivity?” In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 127-140). New York, NY: Routledge.
- Hartsock, N. (2004). The feminist standpoint: Developing the ground for a specifically feminist historical materialism. In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 35-54). New York, NY: Routledge.
- Hardy, V. L., Compton, K. D., & McPhatter, V. S. (2013). Domestic minor sex trafficking: Practice implications for mental health professionals. *Affilia: Journal of Women and Social Work*, 28(1), 8-18. doi: 10.1177/0886109912475172

- Harvey, D. (2007). Neoliberalism as creative destruction. *The ANNALS of the American Academy of Political and Social Science*, 610(1), 22-44. doi: 10.1177/0002716206296780
- Hatt, B. (2011). Still I rise: Youth caught between the worlds of schools and prisons. *The Urban Review*, 43(4), 476-490. doi :10.1007/s11256-011-0185-y
- Hawkesworth, M. (1994). Policy studies within a feminist frame. *Policy Sciences*, 27(2-3), 97-118.
- Hawkesworth, M. (2006). *Feminist inquiry: From political conviction to methodological innovation*. New Brunswick, NJ: Rutgers University Press.
- Henrichson, C. & Delany, R. (2012). *The price of prisons: What incarceration costs taxpayers*. New York, NY: Vera Institute of Justice. Retrieved from <http://www.vera.org/sites/default/files/resources/downloads/price-of-prisons-updated-version-021914.pdf>
- Henry, M., Cortes, A., Shivji, A., & Buck, K. (2014). *The 2014 annual homeless assessment report (AHAR) to Congress: Part I, Point-in-time estimate of homelessness*. Washington, DC: U.S. Department of Housing and Urban Development, Office of Community Planning and Development. Retrieved from <https://www.hudexchange.info/resources/documents/2014-AHAR-Part1.pdf>
- Herbers, J. E., Cutuli, J. J., Supkoff, L. M., Heistad, D., Chan, C. K., Hinz, E., & Masten, A. S. (2012). Early reading skills and academic achievement trajectories of students facing poverty, homelessness, and high residential mobility. *Educational Researcher*, 41(9), 366-374. doi: 10.3102/0013189X12445320.
- Herbers, J. E., Reynolds, A. J., & Chen, C. C. (2013). School mobility and developmental outcomes in young adulthood. *Development and Psychopathology*, 25(2), 501-515. doi:10.1017/S0954579412001204
- Herek, G. M., Cogan, J. C., & Gillis, J. R. (2002). Victim experiences in hate crimes based on sexual orientation. *Journal of Social Issues*, 58(2), 319-339. doi: 10.1111/1540-4560.00263
- Hesse-Biber, S. (2007). The practice of feminist in-depth interviewing. In S. N. Hesse-Biber & P. L. Leavy (Eds.), *Feminist research practice: A primer* (pp. 111-148). Thousand Oaks, CA: SAGE Publications, Inc.
- Hill, M. J. & Hupe, P. L. (2002). *Implementing public policy: Governance in theory and practice*. London, UK: SAGE Publications, Inc.
- Hill Collins, P. (2000). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment* (2<sup>nd</sup> ed.). New York, NY: Routledge.
- Hill Collins, P. (2005). *Black sexual politics: African Americans, gender, and the new racism*. New York, NY: Routledge.
- Himmelstein, K., & Bruckner, H. (2011). Criminal justice and school sanctions against nonheterosexual youth: A national longitudinal study. *Pediatrics*, 127(1), 49-57. doi:10.1542/peds.2009-2306

- Hjalmarsson, R. (2008). Criminal justice involvement and high school completion. *Journal of Urban Economics* 63, 613-630. doi:10.1016/j.jue.2007.04.003
- Hodge, D. R. (2008). Sexual trafficking in the United States: A domestic problem with transnational dimensions. *Social Work*, 53(2), 143-152.
- Hodge, D. R. & Lietz, C. A. (2007). The international sexual trafficking of women and children: A review of the literature. *Affilia: Journal of Women and Social Work*, 22(2), 163-174. doi: 10.1177/0886109907299055
- Holme, J. J. & Rangel, V. S. (2012). Putting school reform in its place: Social geography, organizational social capital, and school performance. *American Educational Research Journal*, 49(2), 257-283. doi: 10.3102/0002831211423316
- Honig, M. (Ed.), (2006). *New directions in education policy implementation: Confronting complexity*. Albany, NY: State University of New York Press.
- Hoyt, S. & Scherer, D. G. (1998). Female juvenile delinquency: Misunderstood by the juvenile justice system, neglected by social science. *Law and Human Behavior*, 22(1), 81-107. doi: 0147-7307/98/0200-0081J15.00/1
- Huetteman, E. & Steinhauer, J. (2015, April 21). Senate, clearing hurdle, sets a Thursday vote on Loretta Lynch. *The New York Times*. Retrieved from <http://www.nytimes.com/2015/04/22/us/senate-loretta-lynch-confirmation-vote-to-replace-eric-holder.html>
- Hughes, D. (2002). The use of new communications and information technologies for sexual exploitation of women and children. *Hastings Women's Law Journal*, 13(1), 129-148.
- Huling, T. (2002). Building a prison economy in rural America. In M. Mauer & M. Chesney-Lind (Eds.), *Invisible punishment: The collateral consequences of mass imprisonment* (pp. 197-213). New York, NY: The New Press.
- Hurtado, A. (1989). Relating to privilege: Seduction and rejection in the subordination of white women and women of color. *Signs*, 14(4), 833-855.
- International Convention for the Suppression of the Traffic in Women and Children, 9 LNTS 415 (1921). Retrieved from [http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=VII-3&chapter=7&lang=en](http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=VII-3&chapter=7&lang=en)
- International Labour Organization Convention to Eliminate the Worst Forms of Child Labour, No. 182 (1999). Retrieved from [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312327](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312327)
- International Labor Organization. (2008). *ILO action against trafficking in human beings*. Geneva, Switzerland: Labour Office, Special Action Programme to Combat Forced Labour (SAP-FL). Retrieved from [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_090356.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_090356.pdf)

- International Labor Organization. (2012). *ILO global estimate of forced labour: Results and methodology*. Geneva, Switzerland: Labour Office, Special Action Programme to Combat Forced Labour (SAP-FL). Retrieved from [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_182004.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_182004.pdf)
- Inter-Parliamentary Union (IPU) and United Nations Office on Drugs and Crime (UNODC). (2009). *Combating trafficking in persons: A handbook for parliamentarians* (No. 16 – 2009). Retrieved from <http://www.refworld.org/docid/49ed7c0f2.html>
- Jaggar, A. (1983). *Feminist politics and human nature*. Totowa, NJ: Rowman & Allanheld.
- Jaggar, A. (2004). Feminist politics and epistemology: The standpoint of women. In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 55-66). New York, NY: Routledge.
- Jeffreys, S. (1999). Globalizing sexual exploitation: Sex tourism and the traffic in women. *Leisure Studies*, 18(3), 179-196. doi: 10.1080/026143699374916
- Jones, S. J. (2014). The invisible women: Have conceptions about femininity led to the global dominance of the female human trafficker? *Albany Government Law Review*, 7, 143-165.
- Kandel, W. & Cromartie, J. (2004). *New patterns of Hispanic settlement in rural America. Rural development research report Number 99*. Washington, DC: U.S. Department of Agriculture, Economics Research Service. Retrieved from [http://www.ers.usda.gov/media/561319/rdr99\\_1\\_.pdf](http://www.ers.usda.gov/media/561319/rdr99_1_.pdf)
- Kelly, L. (1987). The continuum of sexual violence. In J. Hanmer & M. Maynard (Eds.), *Women, violence and control* (pp. 46-59). Atlantic, City, NJ: Humanities Press International, Inc.
- Kelly, L. (2003). The wrong debate: Reflections on why force is not the key issue with respect to trafficking in women for sexual exploitation. *Feminist Review*, 73(1), 139-144. doi: 10.1057/palgrave.fr.9400084
- Kim, C. Y. (2003). Procedures for public law remediation in school-to-prison pipeline litigation: Lessons learned from Antoine v. Winner School District. *New York Law School Law Review*, 54(2009-2010), 955-974.
- Kincheloe, J. L. & McLaren, P. (2005). Rethinking critical theory and qualitative research. In N. K. Denzin, & Y. S. Lincoln (Eds.), *The SAGE handbook of qualitative research* (3<sup>rd</sup> ed.) (pp. 303-342). Thousand Oaks, CA: SAGE Publications, Inc.
- King, M., Semlyen, J., Tai, S. S., Killaspy, H., Osborn, D., Popelyuk, D., & Nazareth, I. (2008). A systematic review of mental disorder, suicide, and deliberate self-harm in lesbian, gay and bisexual people. *BMC Psychiatry*, 8(70), 1-17. doi: 10.1186/1471-244X-8-70.
- King, S. M. (2013). Alone and unrepresented: A call to Congress to provide counsel for unaccompanied minors. *Harvard Journal on Legislation*, 50(2), 331-384.

- King, R. S., Maier, M., & Huling, T. (2003). *Big prisons, Small towns: Prison economics in rural America*. Washington, DC: The Sentencing Project. Retrieved from [http://www.sentencingproject.org/doc/inc\\_bigprisons.pdf](http://www.sentencingproject.org/doc/inc_bigprisons.pdf)
- Kissling, E. A. (1991). Street harassment: The language of sexual terrorism. *Discourse & Society*, 2(4), 451-460. doi: 10.1177/0957926591002004006
- Kosciw, J., Greytak, E., & Diaz, E. (2009). Who, what, where, when, and why: Demographic and ecological factors contributing to hostile school climate for lesbian, gay, bisexual, and transgender youth. *Journal of Youth and Adolescence*, 38(7), 976-988. doi: 10.1007/s10964-009-9412-1
- Kosciw, J. G., Greytak, E. A., Palmer, N. A., & Boesen, M. J. (2014). *2013 National School Climate Survey: The school related experiences of our nation's Lesbian, Gay, Bisexual and Transgender Youth*. New York, NY: Gay, Lesbian and Straight Education Network. Retrieved from <http://glsen.org/nscs>
- Kotrla, K. (2010). Domestic minor sex trafficking in the United States. *Social Work*, 55(2), 181-187.
- Kreidenweis, A. & Hudson, N. F. (2015). More than a crime: Human trafficking as human (in)security. *International Studies Perspectives*, 16(1), 67-85. doi: 10.1111/insp.12066
- Kupers, T. A. (2012). Rape and the prison code. In M. S. Kimmel & M. A. Messner (Eds.), *Men's lives* (6<sup>th</sup> ed.) (pp. 412-417). Boston, MA: Pearson.
- Laible, J. (1997). Feminist analysis of sexual harassment policy: A critique of the ideal community. In C. Marshall (Ed.), *Feminist critical policy analysis I: A perspective from primary and secondary schooling* (pp. 201-215). London, UK: The Falmer Press.
- Lang, A. J., Rodgers, C. S., Laffaye, C., Satz, L. E., Dresselhaus, T. R., & Stein, M. B. (2003). Sexual trauma, posttraumatic stress disorder, and health behavior. *Behavioral Medicine*, 28(4), 150-158. doi: 10.1080/08964280309596053
- Langum, D. J. (1994). *Crossing over the line: Legislating morality and the Mann Act*. Chicago, IL: University of Chicago Press.
- Lareau, A. (2003). *Unequal childhoods: Class, race, and family life*. Berkeley, CA: University of California Press.
- Lasswell, H. D. (1958). *Politics: Who gets what, when, how*. Cleveland, OH: The World Publishing Company.
- Leavy, P. L. (2007). The feminist practice of content analysis. In S. N. Hesse-Biber & P. L. Leavy (Eds.), *Feminist research practice: A primer* (pp. 223-248). Thousand Oaks, CA: SAGE Publications, Inc.
- Lemke, M. A. (2013). Gender: Effects of violent content on. In M. S. Eastin (Ed.), *Encyclopedia of media violence* (pp. 173-176). Thousand Oaks, CA: SAGE Publications.

- Lemke, M. A. (2015). Chapter 3, (Un)making the neoliberal agenda in public education: A critical discourse analysis of the Texas high school social studies policy processes. In K. M. Sturges (Ed.) and A. Darder (Forward), *Neoliberalizing educational reform: America's quest for profitable market colonies and the undoing of public good* (pp. 53-77). Rotterdam, Netherlands: Sense Publishers.
- Lewis, T. (2006) Critical surveillance literacy. *Cultural Studies <=> Critical Methodologies*, 6(2), 263-281. doi: 10.1177/1532708605279700
- Lewis, T. & Vázquez-Solórzano, E. (2006). Unraveling the heart of the school-to-prison pipeline. In C. A. Rossatto, R. L. Allen, & M. Pruyn (Eds.), *Reinventing critical pedagogy: Widening the critical circle of anti-oppression education* (pp. 63-76). Lanham, MD: Rowman and Littlefield.
- Lewis, M. & Simon, R. I. (1986). A discourse not intended for her: Learning and teaching within patriarchy. *Harvard Education Review*, 56(4), 457-472.
- Lincoln, Y. S. & Guba, E. (1985). *Naturalistic inquiry*. Beverly Hills, CA: SAGE Publications, Inc.
- lloyd, m. (2005). *beyond identity politics: feminism, power & politics*. London, UK: SAGE Publications, Inc.
- Lloyd, R. (2012). *Girls like us: Fighting for a world where girls are not for sale – A memoir*. New York, NY: First Harper Perennial.
- Loftus, B. S. (2011). Law on immigration and human trafficking: Lifting the lamp to victims. *Columbia Human Rights Law Review*, 43, 143-214.
- Low, S. M. (2001). The edge and the center: Gated communities and the discourse of urban fear. *American Anthropologist*, 103(1), 45-58. doi: 10.1525/aa.2001.103.1.45
- Lublin, D. & Brewer, S. (2003). The continuing dominance of traditional gender roles in southern elections. *Social Science Quarterly*, 84(2), 379-96. doi: 10.1111/1540-6237.8402010
- Lugg, C. A. (1998). The religious right and public education: The paranoid politics of homophobia. *Educational Policy*, 12(3), 267-283. doi: 10.1177/0895904898012003003
- Lugg, C. A. (2003a). Our straight-laced administrators: LGBT school administrators, the law, and the assimilationist imperative. *Journal of School Leadership*, 13(1), 51-85.
- Lugg, C. A. (2003b). Sissies, faggots, lezzies, and dykes: Gender, sexual orientation, and the new politics of education. *Educational Administration Quarterly*, 39(1), 95-134. doi: 10.1177/0013161X02239762
- Luster, T., Small, S., & Lower, R. (2002). The correlates of abuse and witnessing abuse among adolescents. *Journal of Interpersonal Violence*, 17(12), 1323-1340. doi: 10.1177/088626002237859

- Macartney, S. (2011). *Child poverty in the United States 2009 and 2010: Selected race groups and Hispanic origin*. Washington, DC: U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau. Retrieved from <https://www.census.gov/prod/2011pubs/acsbr10-05.pdf>
- MacKinnon, C. A. (2004). Feminism, Marxism, method, and the state: Toward a feminist jurisprudence. In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 169-180). New York, NY: Routledge.
- Mansbridge, J. J. (1990). The rise and fall of self-interest in the explanation of political life. In J. J. Mansbridge (Ed.), *Beyond self-interest* (pp. 3-22). Chicago, IL: The University of Chicago Press.
- Marcus, A., Horning, A., Curtis, R., Sanson, J. & Thompson, E. (2014). Conflict and agency among sex workers and pimps: A closer look at domestic minor sex trafficking. *The ANNALS of the American Academy of Political and Social Science*, 653, 225-246, doi: 10.1177/0002716214521993
- Marshal, M. P., Friedman, M. S., Stall, R., King, K. M., Miles, J., Gold, M. A., Bukstein, O. G., & Morse, J. Q. (2008). Sexual orientation and adolescent substance use: A meta-analysis and methodological review. *Addiction*, 103(4), 546-556. doi:10.1111/j.1360-0443.2008.02149.x
- Marshall, C. (1985). The stigmatized woman: The professional woman in a male sex-typed career. *Journal of Educational Administration*, 23(2), 131-152.
- Marshall, C. (Ed.) (1997). *Feminist critical policy analysis I: A perspective from primary and secondary schooling*. London, UK: The Falmer Press.
- Marshall, C. (1999). Researching the margins: Feminist critical policy analysis. *Educational Policy*, 13(1), 59-76. doi: 10.1177/0895904899131006
- Marshall, C. & Rossman, G. B. (2015). *Designing qualitative research* (6<sup>th</sup> ed.). Los Angeles, CA: SAGE Publications, Inc.
- Marshall, C. & Young, M. (2013). Policy inroads undermining women in education. *International Journal of Leadership in Education: Theory and Practice*, 16(2), 205-219. doi: 10.1080/13603124.2012.754056
- Martin, P. Y. (2005). *Rape work: Victims, gender, and emotions in organization and community context*. New York, NY: Routledge.
- Massey, D. S. (1993). Latinos, poverty, and the underclass: A new agenda for research. *Hispanic Journal of Behavioral Sciences*, 15(4), 449-475. doi: 10.1177/07399863930154002
- Mauer, M., & King, R. (2007). *A 25 year quagmire: The war on drugs and its impact on society*. Washington, DC: The Sentencing Project.
- Mawhinney-Rhoads, L., & Stahler, G. (2006). Educational policy and reform for homeless students: An overview. *Education and Urban Society*, 38(3), 288-306. doi: 10.1177/0013124506286943
- McAra, L. & McVie, S. (2005). The usual suspects? Street life, young people and the police. *Criminal Justice*, 5(1), 5-36. doi: 10.1177/14668025050505097

- McCabe, K. M., Lansing, A. E., Garland, A., & Hough, R. (2002). Gender differences in psychopathology: Functional impairment, and familial risk factors among adjudicated delinquents. *Journal of the American Academy of Child and Adolescent Psychiatry, 41*(7), 860-868.
- McDermott, E., Roen, K., & Scourfield, J. (2008). Avoiding shame: Young LGBT people, homophobia and self-destructive behaviours. *Culture, Health & Sexuality, 10*(8), 815-829. doi: 10.1080/13691050802380974
- McKinney-Vento Homeless Education Improvements Act of 2001, U.S.C. 6301, 115 Stat. 1989, No Child Left Behind Act, Pub. L. 107-110, Title X, Part C (2002).
- McLaren, P., & Farhmandpur, R. (2001). Teaching against globalization and the new imperialism: Toward a revolutionary pedagogy. *Journal of Teacher Education, 52*(2), 136-150. doi: 10.1177/0022487101052002005
- McLaughlin, M. W. (1987). Learning from experience: Lessons from policy implementation. *Educational Evaluation and Policy Analysis, 9*(2), 171-178. doi: 10.3102/01623737009002171
- McLaughlin, M. W. (2005). Listening and learning from the field: Tales of policy implementation and situated practice. In A. Lieberman (Ed.), *The roots of educational change*. Netherlands: Quiver Press.
- Meiners, E. R. (2007). *Right to be hostile: Schools, prisons, and the making of public enemies*. New York, NY: Routledge.
- Menaker, T. A. & Franklin, C. A. (2013). Commercially sexually exploited girls and participant perceptions of blameworthiness: Examining the effects of victimization history and race disclosure. *Journal of Interpersonal Violence, 28*(10), 2024-2051. doi: 10.1177/0886260512471078
- Mendez-Negrete, J. (2006). *Las hijas de Juan: Daughters betrayed*. Durham, NC: Duke University Press.
- Menjívar, C. & Abrego, L. (2012). *Legal violence in the lives of immigrants: How immigration enforcement affects families, schools, and workplaces*. Washington, DC: Center for American Progress. Retrieved from <https://cdn.americanprogress.org/wp-content/uploads/2012/12/MenjivarLegalViolenceReport.pdf>
- Miles, M. B., & Huberman, A. M. (1994). *An expanded sourcebook: Qualitative data analysis* (2<sup>nd</sup> ed.). Thousand Oaks, CA: SAGE Publications, Inc.
- Miller, D., Trapani, C., Fejes-Mendoza, K., Eggleston, C., Dwiggin, D. (1995). Adolescent female offenders: Unique considerations. *Adolescence, 30*(118), 429-435.
- Miller, P. M. (2011). A critical analysis of the research on student homelessness. *Review of Educational Research, 81*(3), 308-337. doi: 10.3102/0034654311415120
- Molidor, C., & Tolman, R. M. (1998). Gender and contextual factors in adolescent dating violence. *Violence Against Women, 4*(2), 180-195. doi: 10.1177/1077801298004002004

- Mohanty, C. T. (2003). *Feminism without borders: Decolonizing theory, practicing solidarity*. Durham, NC: Duke University Press.
- Moraga, C. & Anzaldúa, G. E. (Eds.) (2015). *This bridge called my back: Writings by radical women of color* (4<sup>th</sup> ed.). Albany, NY: State University of New York Press.
- Morgan, R. (1984). *Sisterhood is global*. Garden City, NY: Anchor.
- Naples, N. (2003). *Feminism and method: Ethnography, discourse analysis, and activist research*. New York, NY: Routledge.
- Narayan, U. (2004). The project of feminist epistemology: Perspectives from a nonwestern feminist. In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 213-224). New York, NY: Routledge.
- National Center for Homeless Education. (2014). *Education for Homeless Children and Youths Program: Analysis of 2011-2012 federal data collection and three-year comparison*. Greensboro, NC: University of North Carolina. Retrieved from <http://center.serve.org/nche/downloads/data-comp-0910-1112.pdf>
- National Defence Authorization Act, H.R. 4310, P.L. 112-239 (2013). Retrieved from <http://www.gpo.gov/fdsys/pkg/BILLS-112hr4310enr/pdf/BILLS-112hr4310enr.pdf>
- Nooe, R. M., & Patterson, D. A. (2010). The ecology of homelessness. *Journal of Human Behavior in the Social Environment*, 20(2), 105-152. doi: 10.1080/10911350903269757
- Noguera, P. A. (1995). Preventing and producing violence: A critical analysis of responses to school violence. *Harvard Educational Review*, 65, 189-212.
- Noguera, P. A. (2003). Schools, prisons, and social implications of punishment: Rethinking disciplinary practices. *Theory into Practice*, 42(4), 341-350. doi: 10.1207/s15430421tip4204\_12
- Oakes, J. (1992). Can tracking research inform practice? Technical, normative, and political considerations. *Educational Researcher*, 21(4), 12-21. doi: 10.3102/0013189X021004012
- Oakes, J., Quartz, K. H., Gong, J., Guiton, G., & Lipton, M. (1993). Creating middle schools: Technical, normative, and political considerations. *The Elementary School Journal*, 93(5), 461-480. doi: 10.1086/461735
- Oakes, J., Welner, K., Yonezawa, S. & Allen, R. L. (2005). Norms and the politics of equity-minded change: Researching the “zone of mediation.” In M. Fullan (Ed.), *Fundamental change*, (pp. 282-305). Netherlands: Springer.
- Obradovic, J., Long, J. D., Cutuli, J. J., Chan, C.-K., Hinz, E., Heistad, D., & Masten, A. S. (2009). Academic achievement of homeless and highly mobile children in an urban school district: Longitudinal evidence on risk, growth, and resilience. *Development and Psychopathology*, 21(2), 493-518. doi: 10.1017/S0954579409000273

- O'Brien, C. (2009). An analysis of global sex trafficking. *Indiana Journal of Political Science*, Winter 2008/2009, 7-19.
- O'Connell Davidson, J. (2005). *Children in the global sex trade*. Malden, MA: Polity Press.
- O'Connell Davidson, J. (2011). Moving children? Child trafficking, child migration, and child rights. *Critical Social Policy*, 31(3), 454-477. doi: 10.1177/0261018311405014
- Odden, A. (Ed.). (1991). *Educational policy implementation*. Albany, NY: State University of New York Press.
- Odendahl, T. & Shaw, A. M. (2002). Interviewing elites. In J. F. Gubrium & J. A. Holstein (Eds.), *Handbook of interview research: Context and method* (pp. 299-316). Thousand Oaks, CA: SAGE Publications, Inc.
- O'Grady, B. & Gaetz, S. (2004). Homelessness, gender, and subsistence: The case of Toronto street youth. *Journal of Youth Studies*, 7(4), 397-416. doi: 10.1080/1367626042000315194
- Office of Justice Programs, National Institute of Justice. (2009). DOJ-funded human trafficking task forces. Retrieved from <http://www.nij.gov/journals/262/Pages/human-trafficking-task-forces.aspx>
- Ohio Department of Education. (2014). *Safety and violence prevention training now required of K-12 professionals*. Retrieved from <http://education.ohio.gov/Topics/Other-Resources/School-Safety/Safe-and-Supportive-Learning/Safety-and-Violence-Prevention-Training-Now-Require>
- Oliver, M. L. & Shapiro, T. L. (1997). *Black wealth, white wealth: New perspectives on racial inequality*. New York, NY: Routledge.
- Other Tools to End the Exploitation of Children Today or Protect Act, S.151, P.L. 108-21 (2003). Retrieved from <http://www.gpo.gov/fdsys/pkg/BILLS-108s151enr/pdf/BILLS-108s151enr.pdf>
- Owens, C., Dank, M., & Farrell, A. (2014). *Hidden in plain sight*. The Urban Institute, Northeastern University. Retrieved from <http://datatools.urban.org/Features/us-labor-trafficking/trafficked.html>
- Parker, C., Greene, J., Libal, B., & Mazón, A. (2014). *For-profit Family detention: Meet the private prison corporations making millions by locking up refugee families*. Austin, Texas: Grassroots Leadership. Retrieved from <http://grassrootsleadership.org/sites/default/files/uploads/For-Profit%20Family%20Detention.pdf>
- Pascoe, C. J. (2005). 'Dude, you're a fag:' Adolescent masculinity and the fag discourse. *Sexualities*, 8(3), 329-346. doi: 10.1177/1363460705053337
- Patton, M. Q. (2014). *Qualitative research and evaluation methods* (4<sup>th</sup> ed.). Thousand Oaks, CA: SAGE Publications, Inc.

- Payne, A. A., & Welch, K. (2010). Modeling the effects of racial threat on punitive and restorative school discipline practices. *Criminology*, 48(4), 1019-1062. doi: 10.1111/j.1745-9125.2010.00211.x
- Peguero, A. A., & Shekarkhar, Z. (2011). Latino/a student misbehavior and school punishment. *Hispanic Journal of Behavioral Sciences*, 33(1), 54-70. doi: 10.1177/0739986310388021
- Pettit, B. (2004). Moving and children's social connections: Neighborhood context and the consequences of moving for low income families. *Sociological Forum*, 19(2), 285-311. doi:10.1023/B:SOFO.0000031983.93817.ff
- Picker, L. (2010). *Does child abuse cause crime?* Washington, DC: The National Bureau of Economic Research. Retrieved from <http://www.nber.org/digest/jan07/w12171.html>
- Pillow, W. (2003). Confession, catharsis, or cure? Rethinking the uses of reflexivity as methodological power in qualitative research. *Qualitative Studies in Education*, 16(2), 175-196. doi: 10.1080/0951839032000060635
- Pinnow, R. J. (2013). An ecology of fear: Examining the contradictory surveillance terrain navigated by Mexican youth in a U.S. middle school. *Anthropology & Education Quarterly*, 44(3), 253-268. doi: 10.1111/aeq.12033
- Pisani, E. (2008). *The wisdom of whores: Bureaucrats, brothels and the business of AIDS*. New York, NY: W. W. Norton & Co.
- Pritchard, E. D. (2013). For colored kids who committed suicide, our outrage isn't enough: Queer youth of color, bullying, and the discursive limits of identity and safety. *Harvard Educational Review*, 83(2), 320-345.
- Prunty, J. (1985). Signposts for a critical education policy analysis. *Australian Journal of Education*, 29(2), 133-140. doi: 10.1177/000494418502900205
- Polaris Project. (2013a). *Analysis of state human trafficking laws: Human trafficking commission or task force*. Retrieved from [http://www.polarisproject.org/storage/documents/2013\\_Analysis\\_Category\\_4b\\_-\\_Task\\_Force.pdf](http://www.polarisproject.org/storage/documents/2013_Analysis_Category_4b_-_Task_Force.pdf)
- Polaris Project. (2013b). Hotline statistics. Retrieved from <http://www.polarisproject.org/state-map>
- Polaris Project. (2014). Sex trafficking of minors and "Safe Harbor." Retrieved from <http://www.polarisproject.org/what-we-do/policy-advocacy/assisting-victims/safe-harbor>
- Polaris Project. (2015a). Child trafficking and the child welfare system. Retrieved from <http://www.polarisproject.org/storage/child-trafficking-child-welfare.pdf>
- Polaris Project. (2015b). Labor trafficking in the U.S. Retrieved from <http://www.polarisproject.org/human-trafficking/labor-trafficking-in-the-us>
- Polaris Project. (2015c). Natalia, Domestic servitude, labor trafficking. Retrieved from <http://www.polarisproject.org/what-we-do/client-services/survivor-stories/618-natalia-domestic-servitude-labor-trafficking>

- Quinn, B. A. (2002). Sexual harassment and masculinity: The power and meaning of “girl watching.” *Gender & Society*, *16*(3), 386-402. doi: 10.1177/0891243202016003007
- Rafferty, Y., Shinn, M., & Weitzman, B. C. (2004). Academic achievement among formerly homeless adolescents and their continuously housed peers. *Journal of School Psychology*, *42*(3), 179-199. doi:10.1016/j.jsp.2004.02.002
- Rafferty, Y. (2008). The impact of trafficking on children: Psychological and social policy perspectives. *Child Development Perspectives*, *2*(1), 13-18. DOI: 10.1111/j.1750-8606.2008.00035.x
- Rafferty, Y. (2013). Child trafficking and commercial sexual exploitation: A review of promising prevention policies and programs. *American Journal of Orthopsychiatry*, *83*(4), 559-575. doi: 10.1111/ajop.12056
- Raghavan, R., Bogart, L. M., Elliott, M. N., Vestal, K. D., & Schuster, M. A. (2004). Sexual victimization among a national probability sample of adolescent women. *Perspectives on Sexual and Reproductive Health*, *36*(6), 225-232.
- Ramazanoglu, C. & Holland, J. (2002). *Feminist methodology: Challenge and choices*. Thousand Oaks, CA: SAGE Publications, Inc.
- Rand, A. (2010). It can't happen in my backyard: The commercial sexual exploitation of girls in the United States. *Child & Youth Services*, *31*(3/4), 138-156. doi: 10.1080/0145935X.2009.524480
- Ray, N. (2007). *Lesbian, gay, bisexual and transgender youth: An epidemic of homelessness*. Washington, DC: National Gay and Lesbian Task Force. Retrieved from [http://www.thetaskforce.org/static\\_html/downloads/HomelessYouth.pdf](http://www.thetaskforce.org/static_html/downloads/HomelessYouth.pdf)
- Reed-Victor, E., & Pelco, L. E. (1999). Helping homeless students build resilience: What the school community can do. *Journal for a Just and Caring Education*, *5*(1), 51-71.
- Reid, J. A. (2012). Exploratory review of route-specific, gendered, and age-graded dynamics of exploitation: Applying life course theory to victimization in sex trafficking in North America. *Aggression and Violent Behavior*, *17*, 257–271. doi: 10.1016/j.avb.2012.02.005
- Reinharz, S. (1992). *Feminist methods in social research*. New York, NY: Oxford University press.
- Rice, E., Barman-Adhikari, A., Rhoades, H., Winetrobe, H., Fulginiti, A., Astor, R., Montoya, J., Plant, A., & Kordic, T. (2013). Homelessness experiences, sexual orientation, and sexual risk taking among high school students in Los Angeles. *Journal of Adolescent Health*, *52*, 773-778. doi: 10.1016/j.jadohealth.2012.11.011
- Rice, E., Fulginiti, A., Winetrobe, H., Montoya, J., Plant, A., & Kordic, T. (2012). Sexuality and homelessness in Los Angeles public schools. *American Journal of Public Health*, *102*(2), 200-201. doi: 10.2105/AJPH.2011.300411
- Rich, A. (1980). Compulsory heterosexuality and lesbian existence. *Signs*, *5*(4), 631-660.

- Richardson, L. (1997). *Fields of play: Constructing an academic life*. New Brunswick, NJ: Rutgers University Press.
- Richardson, L. (2000). Writing: A method of inquiry. In N. K. Denzin & Y. S. Lincoln (Eds.), *The SAGE handbook of qualitative research* (2<sup>nd</sup> ed.) (pp. 923-948). Thousand Oaks, CA: SAGE Publications, Inc.
- Richardson, L. & St. Pierre, E. A. (2005). Writing: A method of inquiry. In N. K. Denzin & Y. S. Lincoln (Eds.), *The SAGE handbook of qualitative research* (2<sup>nd</sup> ed.) (pp. 959-978). Thousand Oaks, CA: SAGE Publications, Inc.
- Rivers, I., & Noret, N. (2008). Well-being among same-sex- and opposite-sex-attracted youth at school. *School Psychology Review*, 37(2), 174-187.
- Rodríguez Garcí'a, M. (2012). The League of Nations and the moral recruitment of women. *International Review of Social History*, 57(S20), 97-128. doi: 10.1017/S0020859012000442
- Roe-Sepowitz, D. (2012). Juvenile entry into prostitution: The role of emotional abuse. *Violence Against Women*, 18(5) 562-579. doi: 10.1177/1077801212453140
- Roe-Sepowitz, D., Hickie, K., Gallagher, J., Smith, J., & Hedberg, E. (2013). *Invisible offenders: A study estimating online sex customers*. Phoenix, AZ: Arizona State University.
- Rofes, E. (2005). *A radical rethinking of sexuality and schooling: Status quo or status queer?* Lanham, MD: Rowman & Littlefield Publishers, Inc.
- Rogin, M. (1995). Political repression in the United States. In S. Z. Theodoulou & M. A. Cahn (Eds.), *Public policy: The essential readings* (pp. 358-363). Upper Saddle River, NJ: Prentice Hall.
- Rome Statute of the International Criminal Court, A/CONF.183/9 (2002). Retrieved from [http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome\\_statute\\_english.pdf](http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf)
- Saewyc, E. M., Skay, C. L., Pettingell, S. L., Reis, E. A., Bearinger, L., Resnick, M., Murphy, A., Combs, L. (2006). Hazards of stigma: The sexual and physical abuse of gay, lesbian, and bisexual adolescents in the United States and Canada. *Child Welfare*, 85(2), 195-213. doi: 0009-4021/2006/030195-19
- Sanday, P. R. (2007). *Fraternity gang rape: Sex, brotherhood, and privilege on campus*. New York, NY: New York University Press.
- Sandoval, C. (2004). U.S. third world feminism: The theory and method of differential oppositional consciousness. In S. Harding (Ed.), *The feminist standpoint theory reader: Intellectual and political controversies* (pp. 195-210). New York, NY: Routledge.
- Scarpa, S. (2006). Child trafficking: International instruments to protect the most vulnerable victims. *Family Court Review*, 44(3), 429-447. doi: 10.1111/j.1744-1617.2006.00098.x

- Schauer, E. J. & Wheaton, E. M. (2006). Sex trafficking into the United States: A literature review. *Criminal Justice Review*, 31(2), 146-169. doi: 10.1177/0734016806290136
- Schneider, A. & Ingram, H. (1990). Behavioral assumptions of policy tools. *Journal of Politics*, 52(2), 510-529.
- Scribner, J. D., Aleman, E., & Maxey, B. (2003). Emergence of the politics of education field: Making sense of the messy center. *Education Administration Quarterly*, 39(1), 10-40. doi: 10.1177/0013161X02239759
- Scribner, J. D., Reyes, P., & Fusarelli, L. D. (1995). Educational politics and policy: And the game goes on. In J. D. Scribner & D. H. Layton (Eds.), *The study of educational politics* (pp. 201-212). Washington, DC: Falmer Press.
- Sears, J. T. (Ed.) (1992). *Sexuality and the curriculum: The politics and practices of sexuality education*. New York, NY: Teachers College Press.
- Segura, D. A. & Zavella, P. (Eds.) (2007). *Women and migration in the U.S.-Mexico borderlands: A reader*. Durham, NC: Duke University Press.
- Shamir, H. (2012). A labor paradigm for human trafficking. *UCLA Law Review*, 60(1), 76-137.
- Shaw, K. M. (2004). Using feminist critical policy analysis in the realm of higher education: The case of welfare reform as gendered educational policy. *The Journal of Higher Education*, 75(1), 56-79.
- Siegel, J. A., & Williams, L. M. (2003). The relationship between child sexual abuse and female delinquency and crime: A prospective study. *Journal of Research in Crime and Delinquency*, 40(1), 71-94. doi: 10.1177/0022427802239254
- Silverman, J. G., Raj, A., Mucci, L. A., & Hathaway, J. E. (2001). Dating violence against adolescent girls and associated substance use, unhealthy weight control, sexual risk behavior, pregnancy, and suicidality. *Journal of the American Medical Association*, 286(5), 572-578.
- Siskin, A., & Wyler, L. S. (2010). *Trafficking in persons: Policies and issues for Congress*. Washington, DC: Congressional Research Service. Retrieved from <https://www.fas.org/sgp/crs/misc/RL34317.pdf>
- Skiba, R. J., Arredondo, M. I., & Williams, N. T. (2014). More than a metaphor: The contribution of exclusionary discipline to a school-to-prison pipeline. *Equity & Excellence in Education*, 47(4), 546-564. doi: 10.1080/10665684.2014.958965
- Skiba, R. J., Horner, R. H., Chung, C.-G., Rausch, M. K., May, S. L., & Tobin, T. (2011). Race is not neutral: A national investigation of African American and Latino disproportionality in school discipline. *School Psychology Review*, 40(1), 85-107.
- Smith, A. (2005). *Conquest: Sexual violence and American Indian genocide*. Cambridge, MA: South End Press.
- Smith, D. E. (1987). *The everyday world as problematic: A feminist sociology*. Boston, MA: Northeastern University Press.
- Smith, D. E. (1990). *Texts, facts, and femininity*. London, UK: Routledge.

- Smith, D. K., Leve, L. D., & Chamberlain, P. (2006). Adolescent girls' offending and health-risking sexual behavior: The predictive role of trauma. *Child Treatment, 11*(4), 346-353. doi: 10.1177/1077559506291950
- Smith, P. H., White, J. W., & Holland, L. J. (2003). A longitudinal perspective on dating violence among adolescent and college-age women. *American Journal of Public Health, 93*(7), 1104-1109.
- Snapp, S. D., Hoenig, J. M., Fields, A., & Russell, S. T. (2015). Messy, butch, and queer: LGBTQ youth and the school-to-prison pipeline. *Journal of Adolescent Research, 30*(1), 57-82. doi: 10.1177/0743558414557625
- Soffen, (2015, August 19). How Texas could set national template for limiting abortion access. *The New York Times*. Retrieved from [http://www.nytimes.com/2015/08/20/upshot/how-texas-could-set-national-template-for-limiting-abortion-access.html?\\_r=0&abt=0002&abg=1](http://www.nytimes.com/2015/08/20/upshot/how-texas-could-set-national-template-for-limiting-abortion-access.html?_r=0&abt=0002&abg=1)
- Solari, C. D., Cortes, A., & Brown, S. (2013). *The 2012 annual homeless assessment report (AHAR) to Congress: Volume II, estimates of homelessness in the United States*. Washington, DC: U.S. Department of Housing and Urban Development, Office of community Planning and Development. Retrieved from <https://www.hudexchange.info/resources/documents/2012-AHAR-Volume-2.pdf>
- Spivak, G. (1988). Can the subaltern speak? In C. Nelson & L. Grossberg (Eds.), *Marxism and the interpretation of culture* (pp. 66-111). New York, NY: Macmillan.
- State of Idaho, Department of Education. (2014). Human trafficking: Protecting Idaho's youth. Retrieved from [https://www.sde.idaho.gov/site/safe\\_drugfree/ht/](https://www.sde.idaho.gov/site/safe_drugfree/ht/)
- State of Washington Substitute House Bill 2381, H-4086.1 (2002). Retrieved from <http://apps.leg.wa.gov/documents/billdocs/2001-02/Pdf/Bills/House%20Passed%20Legislature/2381-S.PL.pdf>
- State of Washington Senate Bill 5308, SSB 5308.PL (2013). Retrieved from <http://apps.leg.wa.gov/documents/billdocs/2013-14/Pdf/Bills/Senate%20Passed%20Legislature/5308-S.PL.pdf>
- Staudt, K. (2008). *Violence and activism at the border: Gender, fear, and everyday life in Ciudad Juárez*. Austin, TX: University of Texas Press.
- Strauss, A. & Corbin, J. (1998). *Basics of qualitative research: Techniques and procedures for developing grounded theory* (2nd ed.). Thousand Oaks, CA: SAGE Publications, Inc.
- Stearns, J. (2003). Global governance: A feminist perspective. In D. Held & A. McGrew (Eds.), *Governing globalization: Power, authority and global governance* (pp. 87-108). Cambridge, UK: Polity.
- Stone, C. N. (1980). Systemic power in community decision-making: A restatement of stratification theory. *The American Political Science Review, 74*, 978-990.

- Stone, C. N. (1998). Introduction: Urban education in political context. In C. N. Stone (Ed.), *Changing urban education* (pp. 1-22). Lawrence, KS: University Press of Kansas.
- Stott, T. (2012). Placement instability and risky behaviors of youth aging out of foster care. *Child and Adolescent Social Work Journal*, 29(1), 61-83. doi: 10.1007/s10560-011-0247-8
- Stotzer, R. (2009). Violence against transgender people: A review of United States data. *Aggression and Violent Behavior*, 14(3), 170-179. doi:10.1016/j.avb.2009.01.006
- Stromquist, N. P. (1993). Sex-equity legislation in education: The state as promoter of women's rights. *Review of Educational Research*, 63(4), 379-407. doi: 10.3102/00346543063004379
- Temple, J. R., & Freeman, D. H. (2011). Dating violence and substance use among ethnically diverse adolescents. *Journal of Interpersonal Violence*, 26(4), 701-718. doi: 10.1177/0886260510365858
- Texas Constitution and Statutes. (2015). Texas Constitution and statutes. Retrieved from <http://www.constitution.legis.state.tx.us/>
- Texas Family Code. Title 5, The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship. Subtitle E, Protection of the Child. Chapter 261, Investigation of Report of Child Abuse or Neglect. Subchapter A, General Provisions (2013). Retrieved from <http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.261.htm>
- Texas House Bill 2096, 78R 10372 DS-D (2003). Retrieved from <http://www.legis.state.tx.us/Search/DocViewer.aspx?ID=78RHB020965B&QueryText=%22HB+2096%22&DocType=B>
- Texas House Bill 4009, 81R 26826 KFF-D (2009). Retrieved from <http://www.legis.state.tx.us/Search/DocViewer.aspx?ID=81RHB040092B&QueryText=%2281R26826+KFF-D%22&DocType=B>
- Texas House Bill 1272, 83R 4505 AJZ-D (2013). Retrieved from <http://www.legis.state.tx.us/Search/DocViewer.aspx?ID=83RHB012725B&QueryText=%221272%22&DocType=B>
- Texas House Bill 2290, 84R 7809 AAF-D (2015). Retrieved from <http://www.capitol.state.tx.us/tlodocs/84R/billtext/pdf/HB02290F.pdf#navpanes=0>
- Texas House Bill 416, 84R 1606 JSC-F (2015). Retrieved from <http://www.capitol.state.tx.us/tlodocs/84R/billtext/pdf/HB00416F.pdf>
- Texas Legislative Council. (2015). Consideration of local and noncontroversial bills. Retrieved from [http://www.tlc.state.tx.us/gtli/legproc/process\\_locbills.html](http://www.tlc.state.tx.us/gtli/legproc/process_locbills.html)
- Texas Office of the Attorney General (2012). *The Texas Human Trafficking Prevention Task Force: Report to the Texas Legislature*. Retrieved from <https://www.oag.state.tx.us/newspubs/publications.shtml>

- Texas Office of the Attorney General (2014). *The Texas Human Trafficking Prevention Task Force: Report to the Texas Legislature*. Retrieved from [https://www.texasattorneygeneral.gov/files/agency/20142312\\_htr\\_fin.pdf](https://www.texasattorneygeneral.gov/files/agency/20142312_htr_fin.pdf)
- Texas Office of the Attorney General. (2015). Duties & responsibilities of the Office of the Attorney General. Retrieved from <https://www.texasattorneygeneral.gov/agency/duties-responsibilities-of-the-office-of-the-attorney-general>
- Texas Penal Code. Title 5, Offenses Against the Person. Chapter 20A, Trafficking in Persons (2003). Retrieved from <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.20A.htm>
- Texas State Historical Association. (2015). Timeline of Texas history: The 20<sup>th</sup> century. Retrieved from <http://texasalmanac.com/topics/history/20th-century>
- Theodoulou, S. Z. (1995). The contemporary language of public policy: A starting point. In S. Z. Theodoulou & M. A. Cahn (Eds.), *Public policy: The essential readings* (pp. 1-9). Upper Saddle River, NJ: Prentice Hall.
- The Texas Policy Evaluation Project. (2013). *How abortion restrictions would impact five areas of Texas*. Retrieved from [http://www.utexas.edu/cola/orgs/txpep/\\_files/pdf/TxPEP-HB2-Impact-Brief-26Aug2013.pdf](http://www.utexas.edu/cola/orgs/txpep/_files/pdf/TxPEP-HB2-Impact-Brief-26Aug2013.pdf)
- The Texas Politics Project. (2015). Organizing the Legislature: Legislative caucuses. Retrieved from [http://texaspolitics.utexas.edu/archive/html/leg/features/0300\\_01/slide5.html](http://texaspolitics.utexas.edu/archive/html/leg/features/0300_01/slide5.html)
- The University of Texas at Austin, Office of Research Support. (2011). Required human participant training. Retrieved from <http://www.utexas.edu/research/rsc/humansubjects/training/index.htm>
- Thompson, S. J., Bender, K., Windsor, L., Cook, M. S., & Williams, T. (2010). Homeless youth: Characteristics, contributing factors, and service options. *Journal of Human Behavior in the Social Environment*, 20, 193-217. doi: 10.1080/10911350903269831
- Todres, J. (2009). Law, otherness, and human trafficking. *Santa Clara Law Review*, 49(3), 605-672.
- Trafficking Victims Protection Act, H.R. 3244, P.L. 106-386 (2000). Retrieved from <http://www.gpo.gov/fdsys/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>
- Trafficking Victims Protection Reauthorization Act, H.R. 2620, P.L. 108-193 (2003). Retrieved from <http://www.gpo.gov/fdsys/pkg/BILLS-108hr2620enr/pdf/BILLS-108hr2620enr.pdf>
- Trafficking Victims Protection Reauthorization Act, H.R. 972, P.L. 109-164 (2005). Retrieved from <http://www.gpo.gov/fdsys/pkg/BILLS-109hr972enr/pdf/BILLS-109hr972enr.pdf>

- Trafficking Victims Protection Reauthorization Act, H.R. 7311, P.L. 110-457 (2008). Retrieved from <http://www.gpo.gov/fdsys/pkg/BILLS-110hr7311enr/pdf/BILLS-110hr7311enr.pdf>
- Trafficking Victims Protection Reauthorization Act, H.R.898, P.L. 113-4 (2013). Retrieved from <http://beta.congress.gov/113/bills/hr898/BILLS-113hr898ih.pdf>
- Tucker, C. J., Marx, J., & Long, L. (1998). "Moving on": Residential mobility and children's school lives. *Sociology of Education*, 71(2), 111-129. doi: 10.2307/2673244
- Tyler, K. A. & Johnson, K. A. (2006). Trading sex: Voluntary or coerced? The experiences of homeless youth. *The Journal of Sex Research*, 43(3), 208-216. doi: 10.1080/00224490609552319
- Ugarte, M. B., Zarate, L. & Farley, M. (2003). Prostitution and trafficking of women and children from Mexico to the United States. *Journal of Trauma Practice*, 2(3/4), 147-165. doi: 10.1300/J189v02n03\_08
- United Nations Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others, UNGA A/RES/317 (1949). Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/TrafficInPersons.aspx>
- United Nations Convention on the Elimination of Discrimination against Women, UNGA A/RES/34/180 (1979). Retrieved from <http://www.ohchr.org/en/ProfessionalInterest/pages/cedaw.aspx>
- United Nations Convention on the Rights of the Child, UNGA 44/25 (1983). Retrieved from <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, UNGA 45/158 (1990). Retrieved from <http://www2.ohchr.org/english/bodies/cmw/cmw.htm>
- United Nations Declaration on the Elimination of Violence against Women, A/RES/48/104 (1993). Retrieved from <http://www.un.org/documents/ga/res/48/a48r104.htm>
- United Nations Development Fund for Women (UNIFEM). (2013). *Ending violence against women and girls: Programming essentials*. Retrieved from <http://www.endvawnow.org/uploads/modules/pdf/1372349234.pdf>
- United Nations Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, UNGA A/RES/54/263 (2000). Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>
- United Nations Protocol against the Smuggling of Migrants by Land, Sea, and Air supplementing the U.N. Convention against Transnational Organized Crime, UNGA 55/25 (2000). Retrieved from <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

- United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, UNGA 55/25 (2000). Retrieved from <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>
- United Nations General Assembly. (2006a). *In-depth study on all forms of violence against women: Report of the Secretary General* (A/61/122/Add.1). Retrieved from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/419/74/PDF/N0641974.pdf?OpenElement>
- United Nations General Assembly. (2006b). *Report of the Independent Expert for the United Nations Study on violence against children* (A/61/299). Retrieved from [http://www.unicef.org/violencestudy/reports/SG\\_violencestudy\\_en.pdf](http://www.unicef.org/violencestudy/reports/SG_violencestudy_en.pdf)
- United Nations High Commissioner for Refugees (2014). *Children on the run: Unaccompanied children leaving Central America and Mexico and their need for international protection*. Retrieved from [http://www.unhcrwashington.org/sites/default/files/UAC\\_UNHCR\\_Children%20on%20the%20Run\\_Full%20Report.pdf](http://www.unhcrwashington.org/sites/default/files/UAC_UNHCR_Children%20on%20the%20Run_Full%20Report.pdf)
- United Nations Office of the High Commissioner for Human Rights. (2014). Special procedures of the Human Rights Council. Retrieved from <http://www.ohchr.org/EN/HRBodies/SP/Pages/Introduction.aspx>
- United Nations Women. (2012). *Factsheet: Trafficking, smuggling and migration of women in Asia*. Retrieved from <http://asiapacific.unwomen.org/en/digital-library/publications/2012/9/factsheet-trafficking-smuggling-and-migration-of-women-in-asia>
- United States Census Bureau. (2010). Interactive population map. Retrieved from <http://www.census.gov/2010census/popmap/>
- United States Department of Health and Human Services, National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research. (1979). *The Belmont report*. Retrieved from <http://www.hhs.gov/ohrp/policy/belmont.html>
- United States Department of Health and Human Services, Office of Refugee Resettlement, Administration for Children and Families. (2012). Anti-trafficking in persons grants. Retrieved from <http://www.acf.hhs.gov/programs/orr/resource/anti-trafficking-in-persons-grants>
- United States Department of Health and Human Services, Office of Refugee Resettlement, Administration for Children and Families. (2015a). About unaccompanied refugee minors. Retrieved from <http://www.acf.hhs.gov/programs/orr/programs/urm/about>

- United States Department of Health and Human Services, Office of Refugee Resettlement, Administration for Children and Families. (2015b). *Legal resource guide: Legal service provider list for UAC in ORR care*. Retrieved from [https://www.acf.hhs.gov/sites/default/files/orr/lrg\\_5\\_legal\\_service\\_provider\\_list\\_for\\_uac\\_in\\_orr\\_care\\_e02\\_09\\_15.pdf](https://www.acf.hhs.gov/sites/default/files/orr/lrg_5_legal_service_provider_list_for_uac_in_orr_care_e02_09_15.pdf)
- United States Department of Homeland Security, Customs and Border Protection. (2011). *United States Border Patrol Juvenile and adult apprehensions—Fiscal year 2011*. Washington, DC: Author. Retrieved from <http://www.cbp.gov/sites/default/files/documents/U.S.%20Border%20Patrol%20Fiscal%20Year%202011%20Sector%20Profile.pdf>
- United States Department of Homeland Security, Customs and Border Protection. (2014). *United States Border Control Juvenile and adult apprehensions—Fiscal year 2014*. Washington, DC: Author. Retrieved from <http://www.cbp.gov/sites/default/files/documents/USBP%20Stats%20FY2014%20Sector%20profile.pdf>
- United States Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. (2011). *Special report: Characteristics of suspected human trafficking incidents, 2008-2010*. Retrieved from <http://www.bjs.gov/content/pub/pdf/cshti0810.pdf>
- United States Department of Justice, Office of Justice Programs, Office for Victims of Crime. (2013a). Grants and funding: OVC-funded grantee programs to help victims of trafficking. Retrieved from <http://ojp.gov/ovc/grants/traffickingmatrix.html>
- United States Department of Justice, Office of Justice Programs, Office for Victims of Crime. (2013b). *National crime victims' rights week new challenges, new solutions: Section 6, statistical overviews*. Retrieved from <http://ovc.ncjrs.gov/ncvrw2013/pdf/StatisticalOverviews.pdf>
- United States Department of State, Office to Monitor and Combat Trafficking in Persons. (2013). *Trafficking in persons report*. Retrieved from <http://www.state.gov/documents/organization/210737.pdf>
- Ura, A. & McCullough, J. (2015, January 14). The 84<sup>th</sup> Texas Legislature, by the numbers. *The Texas Tribune*, no page. Retrieved from <http://www.texastribune.org/2015/01/14/demographics-2015-texas-legislature/>
- Valenzuela, A. (1999). *Subtractive schooling: U.S.-Mexican youth and the politics of caring*. Albany, NY: State University of New York Press.
- van Wormer, K. & McKinney, R. (2009). What schools can do to help Gay/Lesbian/Bisexual youth: A harm reduction approach. *Adolescence*, 38(151), 409-420.
- Violent Crime Control and Law Enforcement Act, H.R. 3355, P. L. 103-322 (1994). Retrieved from <http://www.gpo.gov/fdsys/pkg/BILLS-103hr3355enr/pdf/BILLS-103hr3355enr.pdf>

- Wahab, S. & Panichelli, (2013). Ethical and human rights issues in coercive interventions with sex workers. *Affilia: Journal of Women and Social Work*, 28(4) 344-349. doi: 10.1177/0886109913505043
- Wallace, J. M., Jr., Goodkind, S., Wallace, C. M., & Bachman, J. G. (2008). Racial, ethnic, and gender differences in school discipline among U.S. high school students: 1991–2005. *The Negro Educational Review*, 59(1-2), 47-62.
- Weissbrodt, D. & Anti-Slavery International. (1983). *Special Rapporteur report on Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others*. UN Doc. E/7. Retrieved from [www.ohchr.org/Documents/Publications/slaveryen.pdf](http://www.ohchr.org/Documents/Publications/slaveryen.pdf)
- Weitzer, R. (2007). The social construction of sex trafficking: Ideology and institutionalization of a moral crusade. *Politics & Society*, 35(3), 447-475. doi: 10.1177/0032329207304319
- Welsh, S., Carr, J., MacQuarrie, B., & Huntley, A. (2006). I'm not thinking of it as sexual harassment: Understanding harassment across race and citizenship. *Gender & Society*, 20(1), 87-107. doi: 10.1177/0891243205282785
- Williamson, C. & Prior, M. (2009). Domestic minor sex trafficking: A network of underground players in the Midwest. *Journal of Child & Adolescent Trauma*, 2(4), 6-61. doi: 10.1080/19361520802702191
- Witkin, A. L., Milburn, N. G., Rotheram-Borus, M. J., Batterham, P., May, S., Brooks, R. (2005). Finding homeless youth: Patterns based on geographical area and number of homeless episodes. *Youth & Society*, 37(1), 62-84. doi: 10.1177/0044118X04272811
- Wolcott, H. F. (1994). *Transforming qualitative data: Description, analysis, and interpretation*. Thousand Oaks, CA: SAGE Publications, Inc.
- Wong, S. K. (2013). Perpetually turning our backs on the most vulnerable: A call for the appointment of counsel for unaccompanied minors in deportation proceedings. *Connecticut Law Review*, 46(2), 853-881.
- World Health Organization. (2010). Chapter 5: Mental and Behavioural Disorders, F00-F99; Neurotic, Stress- Related and Somatoform Disorders, F40-F48. In *International statistical classification of diseases and related health problems*. Retrieved from <http://apps.who.int/classifications/apps/icd/icd10online/>
- Yahner, J., Dank, M., Zweig, J. M., & Lachman, P. (2015). The co-occurrence of physical and cyber dating violence and bullying among teens. *Journal of Interpersonal Violence*, 30(7) 1079-1089. doi: 10.1177/0886260514540324
- Young, I. M. (1997). *Intersecting voices: Dilemmas of gender, political philosophy, and policy*. Princeton, NJ: Princeton University Press.
- Young, M. D. (1999). Multifocal educational policy research: Toward a method for enhancing traditional educational policy studies. *American Educational Research Journal*, 36(1), 677-714. doi: 0.3102/00028312036004677

- Young, M. D. (2005). Shifting away from women's issues in educational leadership in the US: Evidence of a backlash? *International Studies in Educational Administration*, 33(2), 31-42.
- Young, M. D. & Skrla, L. (Eds.) (2003). *Reconsidering feminist research in educational leadership*. Albany, NY: State University of New York Press.
- Zhang, S. X. (2011). Woman pullers: pimping and sex trafficking in a Mexican Border City. *Crime, Law and Social Change*, 56(5), 509-528. doi :10.1007/s10611-011-9333-2
- Zlotnick, C., Tam, T., & Zerger, S. (2012). Common needs but divergent interventions for U.S. homeless and foster care children: Results from a systematic review. *Health and Social Care in the Community*, 20(5), 449-476. doi: 10.1111/j.1365-2524.2011.01053
- Zweig, J. M., Dank, M., Yahner, J., & Lachman, P. (2013). The rate of cyber dating abuse among teens and how it relates to other forms of teen dating violence. *Journal of Youth and Adolescence*, 42(7), 1063-1077. doi: 10.1177/0886260514540324

## **Vita**

Questions or comments can be directed to Melinda Anne Lemke at the following email address: [lemke79@hotmail.com](mailto:lemke79@hotmail.com).

This manuscript was typed and edited by the author, Melinda Anne Lemke.