

The Enterprise

Wrong arm of the law: Homeland Security agents should protect, not abuse

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We all know what big press conferences look like announcing the arrest of human traffickers at the culmination of a years-long investigation.

The common rhetoric around these conferences is the lauding of law enforcement and prosecutors and inevitably addressing that victims were “rescued.”

It is difficult to fathom that some of those victims may have needed deliverance from the officers sworn to protect them — but that was the case in Arizona in 2018.

It certainly didn't look like officers were involved in the sexual assault of human trafficking victims during a press conference in September 2018 when Lon Weigand, deputy special agent in charge for Homeland Security Investigations in Arizona, took the podium praising the efforts of agents and other law enforcement agencies that led to the arrest of nine people in a human trafficking investigation.

However, almost two years later, those charges were dropped because officers were not allowed to testify in court, and investigative journalists discovered why.

HSI undercover officers were given approval by their supervisors to pay for sex acts from the human trafficking victims during this investigation.

Make no mistake, that is federally sanctioned sexual assault.

If you are curious if that egregious abuse facilitated the conviction of human traffickers, it didn't.

If you are curious if the victims are now safe, you will remain that way, because we don't really know. Those victims cannot be located. Those victims were very likely retraumatized by this unconscionable investigation.

In the anti-human trafficking movement, survivors have often decried the practices of law enforcement, and rightfully so.

When the people who are designated to protect take the most marginalized people in our community and threaten and abuse them, we are left questioning where the justice really is in our justice system.

When many survivors talk about law enforcement, they tell stories of being forced to have sex with officers to avoid arrest.

The terror campaign that traffickers wage against victims to maintain control over them further drives those who need help into the shadows.

After all, traffickers also use threats of arrest and police brutality against victims to get what they want.

And when we consider that victims of human trafficking are disproportionately people of color or immigrants, the likelihood that they come forward for help is further reduced.

The current alarms blaring — and rightfully so — about how people of color are treated by law enforcement and the political environment in which ICE is encouraged to actively deport immigrants and detain them in inhumane conditions at our country's southern border result in people who desperately need help being terrified to reach out and get it, and quite frankly, they are not wrong to stay hidden in the shadows of abuse.

What choice do they really have?

It was with great and profound outrage, but with little surprise, that I came upon a news story about HSI undercover officers — a branch of ICE, by the way — paying for sex acts from people they had identified as victims of human trafficking, and that it was approved behavior by supervisors in the agency.

Authorizing misogyny, the sexual objectification of women, sexual assault and contributing to victimization and trauma of human trafficking victims is not victim-centered.

As N.C. Stop Human Trafficking founder Pam Strickland put in several of her complaint letters to government agencies designed to keep officers accountable, that is “institutionalized exploitation.”

It was clear in the journalistic investigation of these crimes that the local law enforcement officers partnering with HSI were appalled. All the agencies, except for HSI, of course, had policies clearly prohibiting officers from having sexual encounters with people involved in investigations.

But as Clark Neily, vice president of criminal justice at the Cato Institute, a libertarian think tank, said, “It is difficult to exaggerate the extent to which the law enforcement community collectively turns a blind eye when its members engage in misconduct.”

And while we can go through the laundry list of policy changes that could make law enforcement practices more humane to victims of crime, let's begin with making sure our federal officers are held to the highest standards and ask that HSI policy clearly and explicitly forbid sexual activity of any kind with people of interest in an investigation.

We also need to ensure that HSI receives more oversight, which based on reports, is sorely lacking. I would encourage you to make your concerns known to the U.S. House Committee on Homeland Security, the elected oversight body for HSI.

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