

Addressing Human Trafficking in the United States: The American Pimp Model

Lauren Davis

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### Introduction:

The American pimp model is a form of human trafficking exclusive to the United States. Pimps profit from sexually exploiting their victims and will use the victim's vulnerabilities to maintain their control. While many individuals are under the impression that pimps work as a form of managers for consenting prostitutes, this is not always the case. Many cases of pimping involve the criteria that makes up sex trafficking.

The advancement of technology has opened new doors of opportunity for traffickers regarding the recruitment of victims and facilitation of their crimes using platforms like social media sites and online advertisements. Additionally, businesses such as hotels are used by pimps to facilitate the sexual exploitation of their victims. This paper plans to discuss the characteristics of pimping, the methodologies used by pimps, how advancements in technology have helped to facilitate pimping, the current responses to pimping, and finally to provide several recommendations to address the problem of pimping in the U.S.

### Sex Trafficking Definitions:

The Trafficking Victims Protection Act (TVPA) was created in 2000 and reauthorized five times since then. Nonetheless, the definition of human trafficking has remained the same throughout its reauthorizations. The TVPA defines human trafficking as, "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, 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.”<sup>1</sup>

Given this definition, cases of human trafficking consist of the act, the means, and a purpose. The act may consist of recruiting, transporting, harboring, receiving, patronizing, or soliciting an individual by means of force (or threat of force), fraud, coercion or deception, for the purpose of exploitation, in this case sexual.<sup>2</sup> It is important to note that if a child under the age of 18 is engaging in commercial sex acts, they are automatically considered to be victims of sex trafficking regardless of the means used. Minors are incapable of giving consent, and even if an individual initially gives consent to their pimp, the actions by the pimp to sexually exploit them automatically render their initial consent irrelevant.<sup>3</sup>

According to the 2021 Trafficking in Persons Report (TIP Report), the United States falls under tier 1 regarding efforts to combat human trafficking, meaning that it fully meets the minimum standards for the elimination of human trafficking.<sup>4</sup> However, being on the tier 1 list does not mean that there is no room for improvement. The 2021 TIP report states numerous areas needing improvement in combatting human trafficking in the U.S. such as victim assistance and protection, increased investigation of labor trafficking cases, adoption of more inclusive policies, and increased survivor engagement.<sup>5</sup>

While some may think of sex trafficking as an extremely elaborate crime, the Federal Human Trafficking Report highlights the important point that more often than not traffickers

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<sup>1</sup> United States of America, *Victims of Trafficking and Violence Protection Act of 2000*, Public Law 106–386 106th Congress, 114 Stat. 1464. <https://www.congress.gov/106/plaws/publ386/PLAW-106publ386.pdf>

<sup>2</sup> United Nations: Office on Drugs and Crime, “The Crime: Defining Human Trafficking,” United Nations, accessed May 5, 2022, <https://www.unodc.org/unodc/en/human-trafficking/crime.html>

<sup>3</sup> Office on Trafficking in Persons, “Fact Sheet: Human Trafficking,” U.S. Department of Health & Human Services, accessed May 5, 2022, <https://www.acf.hhs.gov/otip/fact-sheet/resource/fshumantrafficking>

<sup>4</sup> United States Department of State, “2021 Trafficking in Persons Report,” U.S. Department of State, 2021, 584 <https://www.state.gov/reports/2021-trafficking-in-persons-report/>

<sup>5</sup> United States Department of State, 584-595.

operate independently. In fact, in 2020 only 5% of active sex trafficking cases filed by the federal government involved formal organized crime groups or gangs, as opposed to 59% of active sex trafficking cases which were found to be not criminal network-directed, or those carried out by pimps.<sup>6</sup>

Finally, it should be noted that certain attributes about individuals can put them at a higher risk of victimization than others. Traffickers prey on vulnerable individuals to victimize and profit from. Characteristics such as socioeconomic levels, gender, sexuality, mental health, age, immigration status, and disability status all converge to put certain individuals at a heightened risk of falling victim to traffickers. Pimps are likely to target individuals who come from the same racial, ethnic, or cultural groups as themselves. Additionally, pimps prey on victims who have not received a proper education, are unemployed and cannot find a job, those who have been engaged in prostitution previously, and those who have experienced sexual abuse in the past.<sup>7</sup>

#### Characteristics of Pimping:

The Merriam-Webster dictionary defines a pimp as, “a criminal who is associated with, usually exerts control over, and lives off the earnings of one or more prostitutes”.<sup>8</sup> While the common misconception about pimping is that it involves consenting prostitutes working for their own financial gain, most times this is simply not the case. It is imperative that it be noted that while pimping differs from prostitution due the involvement of a person’s agency, the two are

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<sup>6</sup> Human Trafficking Institute, “2020 Federal Human Trafficking Report,” *Human Trafficking Institute*, 2020, 42, <https://traffickinginstitute.org/federal-human-trafficking-report/>

<sup>7</sup> Erinn Valine, "The Demand Side of Sex Trafficking in Minnesota: The Who, Where, and Why-And What We Can Do about It," *Mitchell Hamline Law Review* 45, (2019): 79.

<sup>8</sup> Merriam-Webster.com Dictionary, s.v. “pimp,” accessed May 6, 2022, <https://www.merriam-webster.com/dictionary/pimp>.

also inextricably linked through the issue of supply and demand.<sup>9</sup> The demand for prostitution commonly results in more cases of sexual exploitation looking to meet the supply and make more profits.

The American pimp model of trafficking is characterized by high consumption and small savings.<sup>10</sup> Sex trafficking allows for high profits because unlike drugs or counterfeit goods, victims can be sold and resold repeatedly. While pimps make high profits from their victims, they end up spending a large amount of their profits on material goods. Shelley (2010) writes that “pimps dissipate their large incomes of several hundred thousands of dollars annually on expensive clothes, jewelry, and automobiles rather than saving their money or laundering it into the legitimate economy”.<sup>11</sup> Their flashy appearance only helps to convince their victims that they can give them whatever they dream of. Pimps get involved in pimping for many different reasons. Some of the reasons most noted for becoming involved in pimping are noted as “neighborhood influence, family exposure to sex work, lack of job options, and encouragement from a significant other or acquaintance”.<sup>12</sup>

Due in part to their appearance, pimps have been glorified in the media through music and movies. Men are depicted as tough, masculine, powerful, and seemingly having it all. Through song lyrics boasting about their manipulation and abuse of women, pimps gain the respect of other men and even inspire them to want to become pimps as well to live this glorified

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<sup>9</sup> John Elrod, “Filling the Gap: Refining Sex Trafficking Legislation to Address the Problem of Pimping,” *Vanderbilt Law Review* 68, no. 3 (2019), 973-975, <https://scholarship.law.vanderbilt.edu/cgi/viewcontent.cgi?article=1187&context=vlr>

<sup>10</sup> Louise Shelley, *Human Trafficking: A Global Perspective*, New York: Cambridge University Press, 2010, Accessed April 28, 2022, ProQuest Ebook Central, 123.

<sup>11</sup> Louise Shelley, 125.

<sup>12</sup> Meredith Dank et al., “Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major U.S. Cities,” *The Urban Institute*. (March, 2014), 2, [https://www.urban.org/sites/default/files/publication/22376/413047-estimating-the-size-and-structure-of-the-underground-commercial-sex-economy-in-eight-major-us-cities\\_0\\_1.pdf](https://www.urban.org/sites/default/files/publication/22376/413047-estimating-the-size-and-structure-of-the-underground-commercial-sex-economy-in-eight-major-us-cities_0_1.pdf)

lifestyle.<sup>13</sup> For example, rapper Too \$hort released a song in 1995 titled “Ain’t Nothing Like Pimpin’” in which he says, “Nuthin’ like pimpin’... I’ll make the White House a hoe house, and all the pimps to just set up shops like they do in Vegas. Legalize pimpin’ for all the playas. Puttin’ fine ass bitches in the streets and the hood. Every year a n-word trade for a new Fleetwood [Cadillac]”.<sup>14</sup> More recent lyrics are found in Frenzo Harami’s song “Chaabian Boyz” released in 2019 which aired on BBC radio, in which he says, “I had a white girl I used to call a cash machine. I got 20 white girls and they all trap for me. They all in the flats laying on their back for P. So I can burn this bridge, I’m still turning tricks, and if I’m turning bricks then a third is mix. Yeah, hoes working”<sup>15</sup>

Additionally, the ways in which the media portrays women in relation to pimps promotes misogyny and the sexualization and dehumanization of women. Women are depicted as being submissive to their pimps, obeying their every word and seemingly “consenting” of their exploitation. Movies such as “Hustle & Flow” depict the story of a pimp with dreams of becoming a rapper, with the song “It’s Hard Out Here for a Pimp” going on to win an Oscar for Best Original Song in 2005.<sup>16</sup>

The types of coercion used by pimps can be both physical and nonphysical. While physical coercion involves force, threats of harm, and restraint, nonphysical coercion involves psychological manipulation as well as deception. One example of nonphysical coercion comes from the case of *A.B. v. Marriott International Inc.* (2020) in which the victim A.B. (18 years old) met her trafficker through an online dating website and decided to meet up with him in real

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<sup>13</sup> Ronald Weitzer and Charis E. Kubrin, "Misogyny in rap music: A content analysis of prevalence and meanings," *Men and masculinities* 12, no. 1 (2009): 3-29.

<https://journals.sagepub.com/doi/pdf/10.1177/1097184X08327696>

<sup>14</sup> Ronald Weitzer and Charis E. Kubrin, 21.

<sup>15</sup> “Chaabian Boyz”, *Genius*, March 23, 2019, <https://genius.com/Frenzo-harami-chaabian-boyz-lyrics>

<sup>16</sup> Mike Bedard, “Original Song – Every Oscar Winning Song, Ranked,” Studio Binder, October 28, 2019, <https://www.studiobinder.com/blog/best-original-song/>

life under the promise of a romantic relationship, as well as a place for her to stay.<sup>17</sup> Upon meeting up with the man she met online, she was then taken to a hotel, raped, and then exploited by him for several years, enduring psychological torment, physical, and verbal abuse.<sup>18</sup>

Additionally, an example of physical coercion is seen in the case of *U.S. v. Kirby* (2015) where it was stated that in order to gain and maintain compliance of victims, trafficker Tremayne Kirby would hit, body-slam, shake, and threaten his victims, forcing them to engage in prostitution.<sup>19</sup>

Reed et. al. state that, “three types of relationships led to commercial sexual exploitation: friends, family, and boyfriend”.<sup>20</sup> Having a strong connection with the victim allows the pimp to have more control over them and complicates the situation as the victim may not see themselves as a victim. However, while it is less common, it is also possible for pimps to have no prior relationship with their victims, recruiting them through kidnapping or abduction. Regardless of if there was a prior relationship between the pimp and the victim, to gain control over their victims, pimps will target and take advantage of victim’s vulnerabilities. These include things such as providing housing, supplying drugs and/or alcohol, giving a sense of family, or falsely advertising an economic opportunity.

#### Methodology/Modus Operandi:

As stated previously, in recruiting their victims, pimps look for vulnerable individuals who they believe will be easy targets. They may offer solutions to the victims’ problems, convince the victim to comply through courtship, incur a debt over the victim that they say they

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<sup>17</sup> *A.B. v. Marriott International Inc.*, NO. 2:19-05770, (E.D. PA. July 6, 2020), 2.

<sup>18</sup> *A.B. v. Marriott International Inc.*, NO. 2:19-05770, (E.D. PA. July 6, 2020), 2.

<sup>19</sup> Department of Justice, “Franklin County Man Sentenced on Human Trafficking Charges,” Department of Justice, November 8, 2015.

<sup>20</sup> Shon Reed et al., “Friends, Family, and Boyfriends: An Analysis of Relationship Pathways Into Commercial Sexual Exploitation,” *Child Abuse & Neglect* 90, (2019): 1, <https://doi.org/10.1016/j.chiabu.2019.01.016>

must pay off through sexual services, offer drugs and/or alcohol in exchange for sex, or use the authority of their relationship with the victim against them.<sup>21</sup> As for victim demographics, the Federal Human Trafficking Report notes that based on federally prosecuted cases in the U.S. in 2020, victims in human trafficking prosecutions consisted of 3% men, 3% boys, 44% women, and 50% girls.<sup>22</sup>

There are multiple vulnerabilities found to be common amongst sex trafficking victims, one of which is substance dependency. Victims with addictions to drugs or alcohol are more likely to be targeted by pimps who are able to coerce them into sex trafficking by providing them with the drugs or alcohol that they desire. In fact, in active criminal cases from 2020, the most common preexisting vulnerability found in sex trafficking victims was substance dependency, comprising 43% of cases.<sup>23</sup>

The second most common vulnerability found in active criminal cases from 2020 was having run away from home (30%).<sup>24</sup> This is a vulnerability particularly common amongst runaway youth. When youth experience hardships, stress, or abuse at home, they may run away, unknowingly making themselves targets for pimps. Runaway youth may engage in survival sex under their pimp who promises to provide for them, however this “survival sex” is really sex trafficking. Moreover, minors in general are also extremely vulnerable to become victims of sex trafficking.

Undocumented migrant status is the third most common preexisting vulnerability found amongst victims in active criminal sex trafficking cases from 2020 at 13%.<sup>25</sup> Pimps may

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<sup>21</sup> Alexandra Duncan and Dana DeHart, “Provider Perspectives on Sex Trafficking: Victim Pathways, Service Needs, & Blurred Boundaries,” *Victims & Offenders*, 14:4 (2019), 510-531, DOI: 10.1080/15564886.2019.1595241

<sup>22</sup> Human Trafficking Institute. “2020 Federal Human Trafficking Report,” *Human Trafficking Institute*, (2020), 43, <https://traffickinginstitute.org/federal-human-trafficking-report/>

<sup>23</sup> Human Trafficking Institute, 43.

<sup>24</sup> Human Trafficking Institute, 43.

<sup>25</sup> Human Trafficking Institute, 43.



withhold documents from victims to prevent them from leaving or threaten to report them to law enforcement should they not comply. Undocumented victims of sexual exploitation may also have difficulty coming forward because they don't speak English or have very minimal understanding, as well as fear of deportation.

Those in the foster care system were found amongst 10% of victim's preexisting vulnerabilities in active sex trafficking cases from 2020.<sup>26</sup> In her presentation "Past is Present: The Historical Effects of the Sex Trade on Women and Girls of Color Today", Cherice Hopkins discusses how involvement in the child welfare system can increase a child risk of victimization, and notes that 57% of girls in foster care are girls of color.<sup>27</sup> Foster care can thus be a pipeline to sex trafficking. Inattention by adults due to the large numbers of children in the system can lead to missing the signs of sexual exploitation, or otherwise being unresponsive to this issue. Pimps may target those within the foster care system, enticing them with promises of love or a sense of family.

Additionally, 10% of victims had homelessness as a preexisting vulnerability in active sex trafficking cases from 2020.<sup>28</sup> Hopkins notes the fact that many young people live in shelters, and of them, 30% are sexually exploited.<sup>29</sup> For homeless individuals, propositions of well-paying work by pimps may seem like a financial opportunity that can help them get on their feet, however pimps keep the wages that their victims make through sexual exploitation, which only keeps them further under their control.

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<sup>26</sup> Human Trafficking Institute, 43.

<sup>27</sup> Cherice Hopkins, "Past Is Present: Historical Effects of Sex Trade on Women/Girls of Color Today," Vimeo, (n.d.), video, <https://vimeo.com/416106659>.

<sup>28</sup> Human Trafficking Institute. "2020 Federal Human Trafficking Report", 43.

<sup>29</sup> Cherice Hopkins, "Past Is Present: Historical Effects of Sex Trade on Women/Girls of Color Today," Vimeo, (n.d.), video, <https://vimeo.com/416106659>.

The final preexisting vulnerability found among 9% of active criminal sex trafficking cases in 2020 was having been trafficked in the past.<sup>30</sup> When victims are not properly assisted through their exit process, or not protected after their exit from their pimp, they may end up being re-trafficked. Moira Heiges (2009) notes that “Without professional treatment from police and social service providers, victims remain vulnerable to being re-trafficked, or becoming traffickers themselves after years of conditioning in the trade”.<sup>31</sup> With this being said, it is crucial for victims to receive the proper help to ensure that they are able to properly re-enter society in order to lessen their likelihood of being re-trafficked.

When observing how pimps recruit their victims, one of the common ways this is done is through the lover boy, or the Romeo pimp. Duncan and Dehart (2019) write that Romeo pimps “use the guise of a romantic relationship with the victim before coercing or persuading her to sell herself for sex”.<sup>32</sup> The strategy used by Romeo pimps involves heavy mental and emotional manipulation of the victim, perhaps making promises about opportunities or a bright future. The Romeo pimp might take the victim out on dates, acting like he can take care of them, when in reality his plan is to sexually exploit them for profit.

Another form of recruitment that is used by pimps to obtain their victims is called the gorilla pimp. This form of recruitment involves heavy use of violence in order to control and dominate the victim.<sup>33</sup> Victims may be kidnapped and forced into prostitution, feeling as if they

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<sup>30</sup> Human Trafficking Institute, 43

<sup>31</sup> Moira Heiges, "From the inside out: Reforming state and local prostitution enforcement to combat sex trafficking in the United States and abroad," *Minnesota Law Review* 94 (2009): 428.

<sup>32</sup> Alexandra C. Duncan and Dana DeHart, “Provider Perspectives on Sex Trafficking: Victim Pathways, Service Needs, & Blurred Boundaries,” *Victims & Offenders*, 2019, DOI: 10.1080/15564886.2019.1595241  
[https://www.researchgate.net/profile/Dana-Dehart/publication/332276371\\_Provider\\_Perspectives\\_on\\_Sex\\_Trafficking\\_Victim\\_Pathways\\_Service\\_Needs\\_Blurred\\_Boundaries/links/5d19f1bd92851cf4405a5272/Provider-Perspectives-on-Sex-Trafficking-Victim-Pathways-Service-Needs-Blurred-Boundaries.pdf](https://www.researchgate.net/profile/Dana-Dehart/publication/332276371_Provider_Perspectives_on_Sex_Trafficking_Victim_Pathways_Service_Needs_Blurred_Boundaries/links/5d19f1bd92851cf4405a5272/Provider-Perspectives-on-Sex-Trafficking-Victim-Pathways-Service-Needs-Blurred-Boundaries.pdf)

<sup>33</sup> Anthony Marcus et al., "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, no. 1 (2014): 225-246.

have no other choice but to comply for fear of being beaten or abused.<sup>34</sup> Many times, pimps will have quotas that their victims must meet. Should their victim not meet their quota, they may be subject to physical abuse by the gorilla pimp.<sup>35</sup> Instilling fear in the victim works to ensure that they will not run to the police or other outside sources to attempt to escape their situation.

Women can also play the role of pimps. Many times, the role of female victims transitions from victim to offender. In a study done by Roe-Sepowitz et al. (2015), it was found that there are five types of female pimps: madam/business partner, family, girilla, handler, and bottom.<sup>36</sup> The madam/business partner pimp is known as the manager and trainer of the victims.<sup>37</sup> The family pimp is typically a female parent or family member, but can also be a female pimp who acts in a loving way towards victims.<sup>38</sup> The third type of female pimp, the “girilla pimp,” takes on the same meaning as the male gorilla pimp, however the word has been altered to emphasize the intragender violence that it entails.<sup>39</sup> The handler pimp is a female pimp involved in the recruitment, harboring, and moving of victims.<sup>40</sup> Finally, the bottom type of female pimp is one who works for a higher up pimp carrying out tasks such as recruiting victims, training victims, and disciplining victims, as well as following other demands from the bigger pimp.<sup>41</sup>

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<sup>34</sup> Dominique Roe-Sepowitz et al., "The sexual exploitation of girls in the United States: The role of female pimps," *Journal of Interpersonal Violence* 30, no. 16 (2015): 2814-2830.

<sup>35</sup> Fernando Camacho, "Sexually Exploited Youth: A View from the Brench," *Touro L. Rev.* 31 (2014): 377.

<sup>36</sup> Dominique Roe-Sepowitz et al., 2821.

<sup>37</sup> Dominique Roe-Sepowitz et al., 2821-2826.

<sup>38</sup> Dominique Roe-Sepowitz et al., 2823.

<sup>39</sup> Dominique Roe-Sepowitz et al., 2823.

<sup>40</sup> Dominique Roe-Sepowitz et al., 2824.

<sup>41</sup> Dominique Roe-Sepowitz et al., 2825.

## How Companies Help Facilitate Pimping:

### *Hotels:*

Many times, sex trafficking will intersect with legitimate businesses. It is common for pimps to conduct their operations out of hotels, where they may rent multiple rooms to keep several girls. There are many signs that shady business is taking place within hotels. *A.C. v. Red Roof Inns Inc et al.* (2020) note these signs as:

“an excess of condoms in rooms, individuals carrying or flashing large amounts of cash, excessive amounts of cash stored in the room, renting two rooms next door to each other, declining room service for several consecutive days, significant foot traffic in and out of room(s), men traveling with multiple women who appear unrelated, women known to be staying in rooms without leaving, women displaying physical injuries or signs of fear and anxiety, guests checking in with little or no luggage, hotel guests who prevent another individual from speaking for themselves, or a guest controlling another’s identification documents”.<sup>42</sup>

While some hotel staff are not trained on the signs of sexual exploitation or trafficking, many hotel staff are not innocently unaware of occurrences in their hotels and should report their suspicions to the appropriate personnel.

Additionally, there are many reports of relationships between pimps and people that work at hotels. One example comes from the previous case of *A.C. v. Red Roof Inns Inc et al.* (2020), which notes that, “A.C.’s trafficker paid cash for the room in which they lived for those summer months, and it was a common practice at the Quality Inn® Hotel and Suites Central that the entire top floor was reserved for and inhabited by pimps and the women they were trafficking for

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<sup>42</sup> *A.C. v. Red Roof Inns Inc. et al.*, NO. 2:19- cv-04965, (S.D. O.H. E.D. February 6, 2020), 9.

commercial sex. These sex traffickers were allowed to stay at the hotel unreported as long as each pimp paid an extra fee to the front desk.”<sup>43</sup> Here, we see several signs that sexual exploitation is occurring, and yet the hotel is accepting of this behavior so long as they receive extra payments for turning the other way. Another example can be found in the case of *C.K. v. Wyndham Hotels & Resorts, Inc. et al.* (2019) where it is said that C.K.’s pimp normally operated out of a certain hotel location because “he felt so comfortable there”.<sup>44</sup> This just further shows how hotels can allow (knowingly or unknowingly) pimps to commit their crimes right from under their noses.

*Technology:*

While cases against hotels show how companies can be complacent in allowing pimps to sexually exploit their victims, these same cases also underscore the use of technology by pimps to target victims and conduct their business. Technology has evolved significantly over the past decade which has helped pimps to facilitate their crimes. Pimps no longer have to rely on exploiting their victims on street corners in order to make their profits, although this does still occur. Technology and the internet have allowed for more privacy in committing their crimes, which helps them to avoid law enforcement. People therefore feel safer purchasing sexual services online because it diminishes their risk of being caught, thus increasing the demand of sexual services. While the common pimp may not be sophisticated enough to use the dark web or deep web to carry out their crimes, they do use things like social media and online ads to recruit victims and exploit them for profit.

Minors are major users of the internet and are unaware of the dangers that come with surfing the web. Anyone can pretend to be anyone online, and since children are young and

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<sup>43</sup> *A.C. v. Red Roof Inns Inc. et al.*, NO. 2:19- cv-04965, (S.D. O.H. E.D. February 6, 2020), 28.

<sup>44</sup> *C.K. v. Wyndham Hotels and Resorts Inc et al.*, NO. 3:19-cv-01412, (M.D. F.L. December 9, 2019), 49.

naïve, they are more likely to believe whatever is being told to them. It was found that, “Social media is more likely to be used to groom domestic minor sex trafficking victims who are 15 years of age or younger...and that most recent domestic minor sex trafficking victims initially got to know the individuals who would become their traffickers online”.<sup>45</sup> In the case of *E.B. v Howard Johnson et al.* (2021), E.B. was 17 when she was contacted online by a 3<sup>rd</sup> party who introduced her to her pimp on Instagram.<sup>46</sup> She then met up with him in person where he withheld her documents, forcing her into sexual exploitation and physically and psychologically abusing her.<sup>47</sup>

Another example of pimps using social media comes from the case of *H.H. v. G6 Hospitality et al.* (2019). In this case, H.H.’s pimp took advantage of her emotional and financial vulnerability after meeting her online and proposing a relationship, as she was homeless, jobless, and staying at a domestic violence shelter with her children.<sup>48</sup> She was then coerced into sexual exploitation by both threats of violence and actual violence, as well as use of drugs.<sup>49</sup>

Pimps also use the internet to advertise their victims to potential buyers. In the case of *U.S. v Thomas* (2015), the National Center for Missing and Exploited Children (NCMEC) received an alert that content possibly depicting a minor had been published on Backpage.com advertising for the sale of sexual services.<sup>50</sup> Thankfully, law enforcement officers posing as buyers were able to schedule a “date” with the victim and were able to rescue her upon their arrival at the hotel where she was being kept.<sup>51</sup> Additionally, in the case of *Jane Doe v. Natraj*

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<sup>45</sup> Jennifer E. O’Brien and Wen Li, “The role of the internet in the grooming, exploitation, and exit of United States domestic minor sex trafficking victims,” *Journal of Children and Media*, 14:2, (2020), 187-203, DOI: 10.1080/17482798.2019.1688668

<sup>46</sup> *E.B. v. Howard Johnson et al.*, NO. 2:21-02901, (U.S. NJ. March 11, 2021), 2.

<sup>47</sup> *E.B. v. Howard Johnson et al.*, NO. 2:21-02901, (U.S. NJ. March 11, 2021), 2.

<sup>48</sup> *H.H. v. G6 Hospitality et al.*, NO. 19- 00755, (S.D. OH. E.D. March 3, 2019), 13.

<sup>49</sup> *H.H. v. G6 Hospitality et al.*, NO. 19- 00755, (S.D. OH. E.D. March 3, 2019), 14.

<sup>50</sup> *U.S. v. Thomas*, NO. 3:14- 00031, (U.S. CT. January 13, 2015), 1.

<sup>51</sup> *U.S. v. Thomas*, NO. 3:14- 00031, (U.S. CT. January 13, 2015), 2.

Enterprises et al., it is stated that the victim had her “appointments” scheduled for her through internet ads placed online, and was kept awake for days at a time by using drugs and energy drinks because her pimp knew if she was asleep, then she was not making him any money.<sup>52</sup>

### Responses to Pimping:

There are pimping and pandering laws to address these issues in the U.S. For example, in Virginia, pimping is criminalized under VA Code § 18.2-357. Receiving money from earnings of male or female prostitute; penalties, in which:

“Any person who shall knowingly receive any money or other valuable thing from the earnings of any male or female engaged in prostitution, except for a consideration deemed good and valuable in law, shall be guilty of pandering, punishable as a Class 4 felony. Any person who violates this section by receiving money or other valuable thing from a person under the age of 18 is guilty of a Class 3 felony”.<sup>53</sup>

In Virginia, pimping charges can lead to a maximum 10-year jail sentence, as well as a \$100,000 fine.<sup>54</sup>

To address pimping at its source of demand first offender programs, or john schools were created in the early 1990’s. Many times, upon their arrest, buyers of sex are given the choice of facing prosecution or attending a course to educate them on the harms associated with prostitution.<sup>55</sup> The purpose of john schools is to educate buyers on the dangers of prostitution and

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<sup>52</sup> Jane Doe v. Natraj Enterprises et al., NO. 2021, (SC. May 26, 2021), 7.

<sup>53</sup> “Virginia Law: Code of Virginia,” Law Information System, accessed May 14, 2022, <https://law.lis.virginia.gov/vacode/title18.2/chapter8/section18.2-357/>

<sup>54</sup> “Solicitation Prostitution Virginia Solicitation Prostitution VA Minor,” Law Offices of SRIS P.C., accessed May 14, 2022, <https://srislawyer.com/virginia-prostitution-lawyer-solicitation-laws-penalties-va-sex-crimes-defense/>

<sup>55</sup> Kimberly Kotrla, "Domestic minor sex trafficking in the United States," *Social work* 55, no. 2 (2010): 181-187.

reintegrate offenders through behavioral change.<sup>56</sup> While the efficacy of these programs has been thoroughly debated, the opportunity to hear from former prostitutes and victims of sexual exploitation about the dangers of buying sex can be of immense value in bringing more awareness to the issue of pimping.

Previously under Section 230 of the Communications Decency Act (CDA), internet providers were free of taking responsibility and accountability for occurrences on their websites. However, this changed when the components of the Fight Online Sex Trafficking Act and the Stop Enabling Sex Traffickers Act were comprised to form FOSTA-SESTA, which was signed into law in 2018. Criminal and civil liabilities under FOSTA-SESTA were extended to online providers or distributors who have been discovered to be promoting or facilitating prostitution of sex trafficking.<sup>57</sup> After being signed into law, FOSTA-SESTA resulted in websites such as dating websites shutting down, or websites increasing their censorship of content, for example Instagram and Tumblr.<sup>58</sup>

There are also civil society organizations helping victims of pimping with the psychological issues that they may experience, such as Stockholm Syndrome, depression, anxiety, and Post-Traumatic Stress Disorder (PTSD). Shared Hope International provides survivor-informed care for sex trafficking victims, which includes facilities that provide mental health care.<sup>59</sup> Additionally, Freedom of Mind Resource Center provides intensive recovery

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<sup>56</sup> Julia Rigal, "Ending Prostitution Exploitation: How New York State Can Better Support Survivors of the Sex Trade through Legislative Reform," *Colum. J. Gender & L.* 40 (2020): 490.

<sup>57</sup> Lindsay B. Gezinski et al., "Sex Trafficking and Technology: A Systematic Review of Recruitment and Exploitation," *Journal of Human Trafficking*, (2022), 2, DOI: 10.1080/23322705.2022.2034378

<sup>58</sup> Lindsay B. Gezinski et al., 2.

<sup>59</sup> "Restorative Development," Shared Hope International, accessed May 15, 2022, <https://sharedhope.org/what-we-do/restore/services/>



services that use the freedom of mind approach to recovery and healing, recommended for those who have been members of high-control groups, such as victims of pimping.<sup>60</sup>

### Recommendations:

It is important to increase the public's awareness about the issue of pimping online. Public schools should incorporate education on the issue of pimping into their health science classes for students in K-12 with the appropriate curriculum for each age group. This could involve teaching about not talking to strangers online for younger children, and more in-depth curriculum on pimping for older children informing them of some of the things pimps may say in order to attempt to recruit them, as well as the harsh realities that victims face at the hands of their pimps.

Speaking more generally, a public information campaign against pimp glorification in the media would be helpful in addressing the issue of pimping in the U.S. The campaign could highlight the groups most vulnerable to being targeted by pimps, as well as data to back up the information. The campaign could also highlight the ways in which traffickers recruit their victims such as through romance or providing a job opportunity. It would also be helpful to give the number of the National Human Trafficking Hotline along with the other information in the public information campaign, so individuals can call and report suspicious activity, or report their own situation if they are a victim.

The expansion of john classes to those who are likely to come into contact with victims of sexual exploitation due to their work environments would also be helpful in addressing the issue of pimping in the U.S. This would include individuals working in trucking, health care

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<sup>60</sup> "Intensive Recovery Services," Freedom of Mind Resource Center, accessed May 15, 2022, <https://freedomofmind.com/ex-member-recovery/>

providers, first responders, and hotel staff in order to inform them about the dangers of prostitution and signs of pimping. Perhaps if individuals in professions like these were aware of the dangers and signs of pimping, they would be more likely to report it rather than mind their business thinking that the women may be consenting sex workers.

One way to address the issue at the source of the demand is through increasing punishments for the buyers. Every state in the U.S. has their own penalties for the buyers of sex, however increasing these penalties could serve as a deterrent for those thinking about purchasing sex, especially from minors. Focusing on punishing the buyer rather than the prostitute or victim in this case is important in addressing the issue of pimping. The punishment of prostitutes leads to feelings of resentment towards police, and when individuals are victims of sex trafficking, they may feel that they will be criminalized if they go to the police to try and receive help which ends up being a large barrier to reporting their situation.

In addition to harsher penalties for buyers, harsher penalties for companies that facilitate pimping may also be useful in addressing pimping in the U.S. This would include businesses that allow pimping on within their facilities such as hotels, as well as online facilitators like social media platforms. With harsher penalties for companies facilitating pimping, it may serve as a deterrent for further allowing this activity on their platforms, as well as an incentive to monitor their platforms more closely.

Increased victims' services may also help in addressing the problem of pimping in the U.S. In order for victims to be properly reintegrated into society and have less of a chance of being re-trafficked by their pimp, proper services are vital. Victims of pimping would benefit from psychological services to detach them from their trauma bonds to their pimp, financial

services to get them back on their feet, help with transportation, assistance finding proper employment, and basic needs such as food and housing.

As for addressing pimping at the level of the pimps themselves, it is recommended that there be more legal accountability, which includes the arrest, prosecution, conviction, and sentencing of pimps equal to the crime committed. There have been relatively few cases in which pimps have been charged due in part to the justice system which places more emphasis on punishing the victims of pimps, seen as consenting prostitutes, and takes fewer actions towards punishing the pimps themselves.<sup>61</sup> This is also due to the fact that many times, pimps, whose actions meet many of the criteria that fit the crime of human trafficking in the form of sexual exploitation, are instead charged with lesser crimes.<sup>62</sup> Additionally, pimps should also be ordered to pay restitution to their victims, as they profited off of their exploitation.

Finally, as is suggested by Elrod (2019), one recommendation to addressing the issue of pimping in the U.S. is by creating a new federal offense for pimping to better address the blurred line that exists between pimping and sex trafficking.<sup>63</sup> Many elements within sex trafficking are also seen present in pimping, but they can be hard to prove within a court of law, which allows pimps and traffickers to continue profiting from their crimes.<sup>64</sup> With a new federal offense to address pimping in the U.S, pimps would be better held liable for their crimes against their victims.

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<sup>61</sup> Shay-Ann Heiser Singh, "The Predator Accountability Act: Empowering Women in Prostitution to Pursue Their Own Justice," *DePaul Law Review* 56, no. 3 (2014), 1042.

<sup>62</sup> Amy Farrell et al., "New laws but few cases: Understanding the challenges to the investigation and prosecution of human trafficking cases," *Crime, Law and Social Change* 61, no. 2 (2014): 139.

<sup>63</sup> John Elrod, "Filling the Gap: Refining Sex Trafficking Legislation to Address the Problem of Pimping," *Vanderbilt Law Review* 68, no. 3 (2019), 966, <https://scholarship.law.vanderbilt.edu/cgi/viewcontent.cgi?article=1187&context=vlr>

<sup>64</sup> John Elrod, 989.

Conclusion:

Contrary to popular belief, pimping is not a victimless crime in which individuals are consenting of the sexual acts that they engage in, as well as the situations with their pimp that they find themselves trapped in. Pimps prey on and victimize those who are vulnerable due to a wide range of attributes. In order to better address the issue of pimping in the U.S., it is crucial that we hold businesses, such as hotels and internet providers, accountable for allowing pimps to commit their crimes through the use of their platforms. Furthermore, in addressing the fact that there have been few cases in which pimps have been charged, pimps must be held accountable for their actions through prosecution, being given appropriate prison sentences to fit their crimes, and paying financial restitution to their victims. Addressing the glorification of pimps in the media is also crucial to bringing attention to the reality of pimping, in that the dehumanization and sexualization of women is not appropriate, and pimps engage in behaviors that consist of major abuses of human rights. Finally, helping victims of pimping is crucial to addressing this issue in order to lessen the chances of them being re-trafficked, and perhaps assisting in the cycle of victimization by recruiting other victims or becoming pimps themselves.

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