



Position Paper Regarding Adult Male Sex Traffickers
Colorado Sex Offender Management Board
Approved May 18, 2018

Sex trafficking is the process of one individual compelling another to engage in commercial sex acts against his or her will for the economic benefit of the trafficker.¹ Convictions for any of the following sex trafficking offenses requires evaluation and treatment per the Colorado Sex Offender Management Board’s *Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders*:²

- | | |
|-----------|---|
| §18-7-402 | Soliciting Child Prostitution |
| §18-7-403 | Pandering of a Child |
| §18-7-403 | Procurement of a Child |
| §18-7-404 | Keeping a Place of Child Prostitution |
| §18-7-405 | Pimping of a Child |
| §18-7-405 | Inducement of Child Prostitution |
| §18-7-406 | Patronizing a Child Prostitute |
| §18-3-504 | Human Trafficking of a minor for Sexual Servitude |

Individuals accused of, or charged with, a sexual offense present with varying levels of risk and need.³ Emerging research suggests that sex traffickers may present with a potentially unique set of characteristics. While research to date is preliminary, common themes are emerging and indicate that adult male sex traffickers may:

- Have high degrees of psychopathy⁴
- Exhibit behaviors that are criminal, aggressive and predatory in nature⁵
- Possess narcissistic personality traits⁶

¹ In Colorado, there are two definitions involving human trafficking for sexual servitude. Regarding adult victims, the definition is as follows: A person who knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, or obtains by any means another person for the purpose of coercing the person to engage in commercial sexual activity commits human trafficking for sexual servitude. (§18-3-504, C.R.S.). In cases in which the victim is a minor, the definition is as follows: A person who knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, obtains by any means, maintains, or makes available a minor for the purpose of commercial sexual activity commits human trafficking of a minor for sexual servitude. (§18-3-504, C.R.S).

² §16-11.7-102, C.R.S.

³ Hargreves-Cormany, H.A., Paterson, T.D., & Murihad, Y. (2016). A typology of offenders engaging in the sex trafficking of juveniles (STJ): Implications for risk assessment. *Aggression and Violent Behavior*, 30, 40-47.

⁴ Hargreves-Cormany, H.A. et al. (2016); Gotch, K., & St. Denis, C. (2015). Working with perpetrators of sex trafficking: Suggestions for research and practice. *Perspective: California Coalition on Sexual Offending (CCOSO) Quarterly Newsletter*, 14(1), 4-6; Spidel, A., Greaves, C., Cooper, B. S., Hervé, H., Hare, R. D., & Yuille, J. C. (2006). The psychopath as pimp. *The Canadian Journal of Police & Security Services*, 4(4), 193-199.

⁵ Hargreves-Cormany, H.A. et al. (2016).

⁶ Gotch, K., & St. Denis, C. (2015).



- Use physical, emotional, and sexual violence to control victims⁷
- Facilitate substance abuse in order to gain and maintain compliance over time⁸
- Have violent criminal histories⁹
- Exhibit motivations driven by money and status¹⁰
- Have a decreased likelihood of being pedophilic¹¹
- Have potential gang affiliation¹²
- Experience an inter-generational familial sub-culture that favors sex trafficking¹³

When documenting social history and familial experiences, it is important to investigate the sex trafficker's alternative living arrangements, whether formalized through a judicial process or informal movement among relatives and acquaintances. Multiple caregivers and frequent changes in living arrangements provide insight into attachment formulation and empathy towards others.¹⁴

The themes identified above may also have some relevance for females engaged in sex trafficking, but to date, there is limited research on this population. As a result, evaluators must exhibit extreme caution in drawing any conclusions related to this population. Likewise, evaluators should extend such caution to a sex trafficker with developmental or intellectual disabilities.

Implications for the Sex Offense-Specific Evaluation

In order to best assess the risk and needs of sex traffickers, the evaluation team will need to reach beyond the probable cause affidavit. It is incumbent upon the evaluator to obtain additional collateral information, such as police reports that will detail victim interviews and co-defendant statements. Oftentimes, additional investigation outcomes will be revealed (e.g., forensic searches of electronic devices and collateral witness interviews) after the original referral packet is received by the evaluator. Therefore, it is important to contact the referral source and prosecuting attorney to further ascertain additional investigative findings that will contribute to the evaluation conclusions and recommendations. Evaluators should seek to obtain any of the following, if available:

- Additional statements by the defendant not contained in the original probable cause affidavit.
- New co-defendant information, or new statements/information from existing co-defendants.
- Forensic searches of electronic devices or financial accounts with pertinent results.
- Newly identified victims or new statements/information from previously identified victims.¹⁵
- Additional charges.

⁷ Gotch, K., & St. Denis, C. (2015).

⁸ Busch-Armendariz, N., Nsonwu, M., & Heffron, L. (2009). Understanding Human Trafficking: The Development of Typologies of Traffickers Phase II. First Annual Interdisciplinary Conference on Human Trafficking. Gotch, K., & St. Denis, C. (2015).

⁹ Gotch, K., & St. Denis, C. (2015); Hargreves-Cormany, H.A. et al. (2016); Hickle, K. & Roe-Sepowitz, D. (2017). Curiosity and a pimp: Exploring sex trafficking victimization in experiences of entering sex trade industry work among participants in a prostitution diversion program. *Women and Criminal Justice*, 27(2), 122-138.

¹⁰ Gotch, K. (2016). Preliminary data on a sample of perpetrators of domestic trafficking for sexual exploitation: Suggestions for research and practice. *Journal of Human Trafficking*, (2) 99-109; Hargreves-Cormany, H.A. et al. (2016).

¹¹ Hargreves-Cormany, H.A. et al. (2016).

¹² Gotch, K., & St. Denis, C. (2015).

¹³ Gotch, K., & St. Denis, C. (2015).

¹⁴ Ansbro, M. (2008). Using attachment theory with offenders. *The Journal of Community and Criminal Justice*, 55(3), 231-244.

¹⁵ Victims of sex trafficking may not see themselves as victims and this could result in complicated statements to police and other professionals.



- County Department of Human Services records, if available.^{16,17}

In order to better capture the risk sex traffickers present, current sex offense-specific evaluation protocols should be supplemented with additional procedures (see above) and tools. In addition to risk assessments measuring sexual recidivism, evaluation teams should consider using research-based instruments that target possible co-occurring need areas such as psychopathy, personality disorders, relationship violence (physical and sexual),¹⁸ and anti-social attitudes, beliefs and lifestyles.¹⁹ Evaluation teams are encouraged to strengthen current protocols with the following additional assessment tools:

Personality Assessments

- Millon Clinical Multiaxial Inventory-IV (MCMI-IV)
- Minnesota Multiphasic Personality Inventory-2 (MMPI-2) or Restructured Form (MMPI-2-RF)
- Personality Assessment Inventory (PAI)

Assessment of Psychopathic Traits

- Hare Psychopathy Checklist - Revised (Hare-PCL-R)

Risk Assessments (utilize sexual and violent/criminogenic risk assessments):

- Sex Offender Treatment Intervention & Progress Scale (SOTIPS)
- Vermont Assessment of Sex Offender Risk-2 (VASOR-2)
- Violence Risk Appraisal Guide (VRAG)
- Sex Offender Risk Appraisal Guide (SORAG)
- Violence Risk Scale-Sex Offender Version (VRS-SO)
- Domestic Violence Risk and Needs Assessment (DVRNA)²⁰

Please note that the assessment tools listed above may require additional credentialing and instrument-specific training. Evaluation teams should also be well-versed in the application of such tools specific to the person being evaluated.

In addition, evaluation findings may determine that sex offense-specific treatment is not appropriate. In such instances, it is important to recommend against sex offense-specific treatment and instead suggest interventions and containment/supervision strategies that are appropriate to reduce the risk of criminal and violent recidivism, and that will likely mitigate the individual's criminogenic needs.

¹⁶ Additionally, many of the traffickers (and their victims) have extensive victimization histories (including physical, sexual and emotional abuse/neglect) as well as prior involvement in juvenile justice and/or child welfare systems.

¹⁷ DHS records can be accessed via a Release of Information signed by the client. When a release is not signed, a Court Order must be obtained in order for DHS to release records. Additional information regarding records requests is available via the following link: <https://www.colorado.gov/pacific/archives/request>.

¹⁸ Gotch, K., & St. Denis, C. (2015); Gotch, K (2016)

¹⁹ Id.; Burt, G., Olver, M.E. & Wong, S.C.P. (2016). Investigating characteristics of the non-recidivating psychopathic. *Criminal Justice and Behavior*, 43(12), 1741–1760.

²⁰ The DVRNA was developed based on research regarding convicted domestic violence offenders. The individual component items of the tool may be informative in identifying risk and criminogenic need factors posed by the sex trafficker. When using the tool to assess a sex trafficker who has not been convicted of a domestic violence offense, the results of the DVRNA should not be used as the sole determining factor to recommend a risk level or the need for domestic violence treatment.

Given the nature of the crimes perpetrated by sex traffickers, sex offense-specific evaluations in such cases require additional information and collateral resources. Therefore, it is important that the referral source be aware of this need, so that additional time may be requested for a thorough and meaningful evaluation to be completed.

Implications for Sex Offense-Specific Treatment

Sex traffickers present several challenges for treatment providers including a lack of motivation for change, lack of pro-social supports, and resistance to losing status and financial benefits resulting from activity as a sex trafficker.²¹ When present, psychopathy and personality disorders present therapists with additional challenges.

Upon admission of a convicted sex trafficker into a sex offense-specific treatment program, it is incumbent upon the clinician to review the sex offense-specific evaluation and available collateral materials. An individualized treatment plan should then be developed based upon this information, with the risks and needs specific to the client being addressed in treatment. Ongoing assessment via the treatment process, including the use of tools appropriate to measure the risk sex traffickers pose (see above) may determine that sex offense-specific treatment will need to be augmented or replaced, in order to effectively reduce risk and meet the criminogenic needs unique to the sex trafficker. Section 3.120 and 3.160(B)(6) of the *Standards and Guidelines* requires providers to refer to adjunct treatment providers when clinically indicated.

It is important to use techniques that enhance motivation for change, build pro-social supports and help a sex trafficker recognize other ways of meeting their need for status and financial success.²² Additionally, research suggests that cognitive-behavioral interventions, strong group cohesion and pro-social community connectedness (through employment, stable residence and positive support systems) may contribute to a reduction in risk.²³

When intervening with clients who present with psychopathic traits, it is important to be cognizant of the emerging research suggesting that some interventions increase the likelihood for reduced recidivism and establishing pro-social lifestyles.²⁴ Moral Reconciliation Therapy²⁵ demonstrates potential in reducing recidivism with populations who demonstrate a high degree of psychopathy.²⁶

²¹ Gotch, K., & St. Denis, C. (2015).

²² Burt, G., Oliver, M.E. & Wong, S.C.P. (2016); Gotch, K., & St. Denis, C. (2015).

²³ Gotch, K., & St. Denis, C. (2015).

²⁴ Harris, G.T., & Rice, M. E., (2006) *Treatment of psychopathy: A review of empirical findings*. In Patrick, C.J. (ed.), *Handbook of Psychopathy*, 555-572. New York: Guilford Press.

²⁵ Moral Reconciliation Therapy (MRT) is a systematic treatment strategy that seeks to decrease recidivism among juvenile and adult criminal offenders by increasing moral reasoning (taken from www.4emergence.com/evidence-based-practice/moral-reconciliation-therapy).

²⁶ Little, G. L., & Robinson, K. D. (1989). Effects of Moral Reconciliation Therapy upon moral reasoning, life purpose, and recidivism among drug and alcohol offenders. *Psychological Reports*, 64, 83-90; Little, G., Robinson, K. D., Burnette, K. D., & Swan, S. (1999). Successful ten-year outcome data on MRT-treated felony offenders: Treated offenders show significantly lower incarceration in each year. *Cognitive-Behavioral Treatment Review*, 8(1), 1-3; Little, G. L. (2001) Meta-analysis of MRT recidivism research on post-incarceration adult felony offenders. *Cognitive-Behavioral Treatment Review*, 10 (3/4), 4-6;

Little, G.L. (2005). Meta-analysis of moral reconciliation therapy: Recidivism results from probation and parole implementations. *Advanced*

Clinicians working with this population should be well-versed regarding research-supported strategies for clients with high levels of psychopathic traits. This would include being well-trained in cognitive-behavioral treatment. When working with sex traffickers, it is important that the clinician be knowledgeable about the research and treatments related to sexual offenses and domestic violence, as well as have a solid understanding of criminal sub-cultures and the commercial sex industry.²⁷

Conclusion

As previously stated, research on sex traffickers is preliminary and emerging. While not all male sex traffickers fit one specific profile, there are common themes that have been identified in the literature that may be helpful for evaluators, treatment providers, and supervision officers working with this population. It is essential that those working with sex traffickers carefully evaluate their risk and criminogenic needs, and design treatment and supervision plans that directly address these concerns. This may or may not include the need for sex offense-specific treatment, and regardless of whether this need exists, sex traffickers typically present with a number of other needs that must be addressed in supervision and treatment planning.

Professionals with expertise in this area (i.e., psychopathic offenders, anti-social orientation, sex trafficking, etc.) should be sought and relied upon to help direct this work, and it is incumbent upon professionals to not practice outside their scope of expertise. Providers should consider consulting with experienced practitioners when developing treatment and supervision strategies, as well as to identify possible resources that may aid in information gathering. For further guidance related to working with the sex trafficking population, contact the Adult Standards Coordinator at 303.239.4499.

Training Reference: Cognitive-Behavioral Treatment Review, 14(1/2), 14-16; Spidel, A., Greaves, C., Cooper, B. S., Hervé, H., Hare, R. D., & Yuille, J. C. (2006). The psychopath as pimp. *The Canadian Journal of Police & Security Services*, 4 (4), 193-199.

²⁷ Gotch, K., & St. Denis, C. (2015); Harris., G.T., & Rice, M. E., (2006).

