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Recommendations for City Departments on Media Access to Human Trafficking Survivors

Need For Recommendations

The Mayor's Task Force on Anti-Human Trafficking has adopted these recommendations to ensure that City departments consider the effects on human trafficking survivors before granting media access. Media presence has the ability to shed light on an important and often ignored subject; however, this presence must be sensitive to survivors and not inflict a 'second victimization' in which survivors are once again subjected to feelings of violation, disorientation, and loss of agency. Survivors of human trafficking should be empowered to make informed decisions regarding their own media coverage. San Francisco should take steps to eradicate insensitive and sensationalized media coverage and ensure that coverage is trauma-informed. These recommendations use the term "survivor" to encompass victims, survivors and potential victims of human trafficking.

Confidentiality

First and foremost, the identities of survivors of human trafficking must remain confidential, unless a survivor wishes to disclose their own identity. Releasing information about survivors could potentially put their safety at jeopardy, especially if their case has not been adjudicated. In addition, survivors may be fearful of experiencing further isolation and/or stigmatization. It is important that survivors' safety is supported, both physically and mentally, and that they are not further victimized. Names and/or images of those involved in human trafficking investigations should not be portrayed without their consent.

Informed Consent

All interviewees must be aware of the potential benefits and harm of speaking with the media and give informed consent to be contacted by the media. The City employee arranging for the media contact with the survivor has the responsibility to obtain this consent. A sample form to be used to obtain this consent is attached at Attachment A. Informed consent must be received in writing and includes:

- Consent given in a language the survivor prefers;
- Understanding that survivors have no legal obligations to speak with media and that they will still receive help, regardless of their decision to speak with the media;
- Understanding that legal consequences may arise should the survivor choose to speak to the media and that they have the right to speak with a lawyer or case manager regarding the possible legal consequences;
- Survivors have no authority over the final product;
- Survivors will not receive monetary compensation for speaking with the media.

Ideally, the survivor will be well-prepared to speak with the media.

Media Presence During City Department Staff Interviews with Survivors

Media should not be permitted to be present during interviews with human trafficking survivors by city investigators/inspectors (police, department of public health inspectors, etc.) because it may complicate the confidentiality and fact-finding of these interviews. Media presence may deter victims from feeling safe and disclosing information. This section is not meant to apply to interviews conducted as part of a public proceeding, such as a court hearing.

Recording Inspections and Raids

Media recording during trafficking investigations/inspections should not be permitted. It is nearly impossible to receive informed consent and ensure confidentiality of victims of trafficking prior to the investigation/inspection.

Information to Provide the Media

Research has shown that media on human trafficking often sensationalizes and ignores the complexity of the survivors' lives.¹ To encourage media coverage of the larger issue, some information should be readily available to the media. This information should include but is not limited to:

- Myths and facts regarding human trafficking;
- State and federal laws;
- How people can report crimes of trafficking;
- Community and system-based resources for victim assistance;
- Best practices on messaging around human trafficking

Background information on human trafficking which addresses these topics can be found on the Mayor's Task Force on Anti-Human Trafficking website at sfgov.org/dosw/mayors-task-force-anti-human-trafficking. The Wichita State Center for Combating Human Trafficking also has a helpful guide, "Sharing the Message of Human Trafficking: A Public Awareness and Media Guide," which can be found at:

http://combatinghumantrafficking.org/Document/CCHT_Public_Awareness_and_Media_Guide_06052014.pdf

Minors

In case of minors, every step to protect their identity must be taken. Their cases should not be shared by agencies until all investigation is complete and all civil and criminal proceedings are resolved, and their family or legal guardians have given consent to share their story with the media. Minors cannot give informed consent to speak with the media.

Authorized Personnel

Authorizing specific personnel in the office who are either trained or have a knowledge base around human trafficking to speak to media on these issues is important. Having these personnel will ensure that information is accurate and sensitive to survivors of trafficking.

Directory of Survivors

Keeping a directory of survivors who want to speak with the media or have expressed interest, may be of interest, in case the media contacts a department asking to be connected to a survivor. However, do not give survivor information out without first speaking and receiving informed consent with the survivor to release their personal information to any media outlet. S.H.A.D.E. is one organization that can connect you to survivors and their number is: 510-306-5316.

9/8/15

ⁱ Sillesen, Lene Bech, "Covering Sex Trafficking: Journalists Can Do Better," Columbia Journalism Review, 2014, http://www.cjr.org/behind_the_news/covering_sex_trafficking_journ.php

Consent for Media Access

I agree to:

- Talking to a reporter from the following organization: _____
- Have my photograph taken
- Have my real name used

- I understand that I do not have to speak with any reporters.
- I understand that I can still get help and services even if I do not speak to any reporters.
- I understand that I can speak to an advocate before speaking to any reporters so I can understand how speaking to a reporter might affect my case.
- I understand that I cannot control how a reporter might tell my story.
- I understand that I will not receive any money or other item of value for speaking with a reporter.

The language I prefer to use is: _____.

This form was interpreted into _____ by _____.

Date: _____

Name (Printed)

Name (Signed)