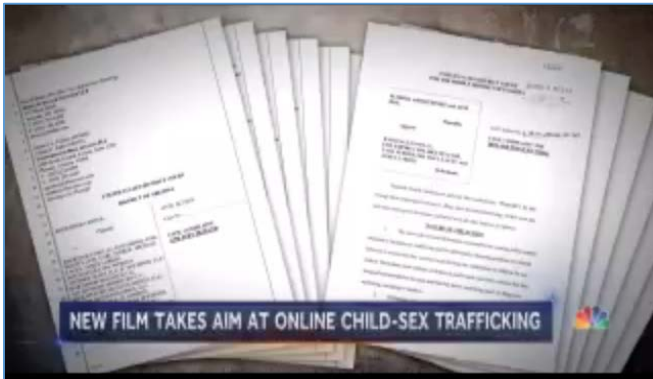


# Legal Momentum's Human Trafficking Work *Spring 2017-Spring 2018*

## Legal Momentum and Pro Bono Counsel David Boies File Suits for Nonprofit Clients and Trafficking Victims



On February 7, Legal Momentum and David Boies filed suit in Arizona and Florida against Backpage.com, a website that facilitates child sex trafficking. The lawsuits seek damages on behalf of a trafficking survivor and two service providers that provide care to trafficking victims. Service providers [Florida Abolitionist](#), based in Orlando, and [Sojourner Center](#), based in Phoenix, provide shelter, care, and support to trafficking victims, including individuals trafficked on Backpage. The suits have received attention from the national press, including NBC's *Nightly News*, *USA Today*, *Litigation Daily*, Reuters, and the *Miami Herald*.

The purpose of the lawsuits is to end the child rape that Backpage facilitates. According to a 2017 report issued by the

### Trafficking Lawsuits Filed in Florida and Arizona

U.S. Senate, Backpage makes \$9 million in profits each month from sex ads, many of which are for trafficking victims. The National Center for Missing and Exploited Children has stated that more than 70 percent of all child trafficking reports it receives are linked to Backpage. **Florida Abolitionist** said in a statement, "Florida is a hub of human trafficking, much of it on Backpage. The Florida Department of Children and Families reported that in 2015 alone, it received 1,892 reports of human trafficking. We are proud to be a part of this lawsuit because every day we see how much suffering Backpage causes." "I'm delighted the microscope has been focused on Backpage and the internet that has become an instrument for this modern-day slavery," Florida State Attorney **Katherine Fernandez Rundle** said of the lawsuit. **Sojourner Center** said that Backpage.com "Made millions of dollars in profits each year from websites that they designed and intended to be used, and that they knew were being used, for illegal sex trafficking, including of children."

**David Boies**, Legal Momentum's pro bono partner on these lawsuits, said, "The real heroes are the trafficking survivors who are courageously pursuing this. It's a dramatic failing of our legal system that something so obviously terrible continues to flourish." He has handled some of the most important public interest lawsuits in the nation, including successfully advocating for marriage equality before the U.S. Supreme Court.

"The online exploitation of teen girls is the biggest human rights violation of our time. Backpage.com knowingly facilitated this evil and must be held accountable to the harmed girls and to the organizations that provide them services so they can heal and recover," said **Carol Robles-Román**, Legal Momentum's President and CEO.

*(From LM News Brief, February/March 2017)*

## Legal Momentum Featured in N.Y.C. and D.C. Premieres of “I Am Jane Doe”

### Opening Night in New York City

Despite a pelting snowstorm, Legal Momentum hosted a standing-room-only screening of the powerful new documentary film, “[I Am Jane Doe](#),” on February 10. The film, directed and produced by award-winning filmmaker Mary Mazzio, chronicles the struggle of several teenage trafficking victims and their mothers to obtain justice from Backpage.com for the harm the girls suffered when they were advertised for sex on the site, and features Legal Momentum’s work.

A “talk-back” followed the screening, with the film’s co-producer Alex Sokolow (producer of “Toy Story”) and Carol Smolenski, Executive Director of anti-trafficking organization ECPAT-USA, as well as Legal Momentum’s Carol Robles-Román and Penny Venetis.



Carol Robles-Román, Mary Mazzio, Penny Venetis

### Premiere Screening in Washington, D.C.

The McCain Institute, Baker McKenzie, Ropes and Gray, and 50 Eggs Production hosted the Washington D.C. premiere of “**I Am Jane Doe**” on February 6. It was followed by a panel discussion with director Mary Mazzio and Senators Rob Portman, Claire McCaskill, John McCain, and Heidi Heitkamp. Legal Momentum’s Carol Robles-Román and Penny Venetis attended the screening and discussion. The courageous Jane Doe families spoke and thanked the Senators for their bipartisan leadership to end human sex trafficking on Backpage.com.

**ACTION!** For information on hosting an “I Am Jane Doe” screening, email [office@50eggs.com](mailto:office@50eggs.com). More information is available at [iamjanedofilm.com](http://iamjanedofilm.com).

*(From LM News Brief, February/March 2017)*

## Carol Robles-Román Speaks at Greater Orlando Human Trafficking Task Force Freedom Rally

Florida ranks third among states in the number of calls to the National Human Trafficking Hotline—on average, one victim a week is being identified in Central Florida. On January 28, Carol Robles-Román was the keynote speaker at the Greater Orlando Human Trafficking Task Force’s Freedom Rally. The audience was shocked to learn the extent that human trafficking is being facilitated through the internet, and how easy websites make it for traffickers to sell children. She explained how Legal Momentum is taking bold legal action, working with trafficking survivor service provider Florida Abolitionist, against those who knowingly facilitate child trafficking online to make sure they are held accountable for their actions. (See article on page 1.)



The rally was a community-wide effort to address modern-day slavery and the exploitation of children. It is the largest anti-human trafficking awareness event in Central Florida. It is held in partnership with dozens of governmental and non-governmental organizations, fair trade businesses, abolitionists, advocates, artists and community leaders. Legal Momentum advocates for changes to current laws to better protect children from online trafficking.

*(From LM News Brief, February/March 2017)*

## Legal Momentum Joins #TackleDemand Anti-Trafficking Campaign



Legal Momentum joined more than 20 partner organizations in the #TackleDemand anti-trafficking campaign, which launched on Sunday, February 5, at Super Bowl LI. The National Center on Sexual Exploitation (NCOSE) launched the new awareness campaign to target demand for sex trafficking at major sporting events. The #TackleDemand 365 social media campaign aims to help raise awareness and send the message that buying sex promotes sex trafficking. Legal Momentum’s President and CEO, Carol Robles-Román said, “While there is believed to be an increase in sex trafficking around major sporting events such as the Super Bowl, the sad fact is that human trafficking is happening 365 days a year and throughout the United States.” The public is encouraged to participate by visiting the [campaign website](#) to learn the latest research and to share social

media graphics with the hashtag #TackleDemand.

*(From LM News Brief, February/March 2017)*

## TV News Investigative Reports Feature Legal Momentum’s Lawsuits to Protect Vulnerable Children



Legal Momentum President and CEO Carol Robles-Román appeared on [7 on Your Side](#) on WJLA ABC 7 (Washington, D.C.) on May 17 to talk about how Backpage.com facilitates online sexual exploitation of young girls. Countering the First Amendment absolutist defense that Backpage apologists like the Center for Democracy and Technology espouse, Carol stated; “There is an implication for free speech—you cannot sell children online. That’s the implication.”

*Full Measure* is a weekly Sunday news program hosted by Emmy award-winner Sharyl Attkisson that focuses on investigative, original, and accountability reporting. It airs on local news stations nationwide and streams live online Sunday mornings. Carol Robles-Román appeared on the [May 7 episode](#) to talk about how Backpage.com facilitates

trafficking. This followed an April 23 report on sex trafficking that featured a [survivor’s story](#).

“These are young kids; these are minors; and there’s no justification. There’s no way to defend it,” Carol told reporter Lisa Fletcher.

Carol was also interviewed by Pablo Gutierrez, reporter for *T47 Investiga*, a new investigative reporting feature on the Spanish-language Telemundo 47 WNJU (New Jersey) evening news hour. Mr. Gutierrez talked with Carol about Legal Momentum’s lawsuits against online trafficking site Backpage.com. The broadcast is expected to air in May.

*(From LM News Brief, April-May 2017)*

## Speaking Out to End Online Exploitation of Young Girls

### Trust Conference Americas Forum



On April 25, Legal Momentum President and CEO Carol Robles-Román presented at the Thomson Reuters Foundation’s “Trust Conference Americas Forum” at Georgetown University in Washington, D.C. The conference’s goal is to find real solutions to human rights violations, including modern-day slavery. Besides the 250 in-person attendees, tens of thousands more viewed the event live online.

Carol described the impact of Legal Momentum’s current lawsuits against Backpage.com in Arizona and Florida, saying “We’re filing suit to amplify the voices of many, in addition to individual plaintiffs.” She also discussed new legislation that criminalizes sextortion in Utah and Arkansas, and our

collaboration with the producers of the acclaimed documentary, “I Am Jane Doe.” She thanked our pro-bono partners and encouraged the audience of leading anti-trafficking activists and experts to support our stakeholders’ alliance. As Thomson Reuters Foundation CEO Monique Villa said, “Together, we can take action to solve some of the world’s most critical human rights issues and bring real change to those most in need.”

**Action** ▶ Watch the nine-minute video of Carol’s talk at <https://t.co/QOhp4D2mHF>. You can also view the original action proposal video from the 2016 Trust Women Conference and pledge your support at <http://ow.ly/eKzI30bbQZu>.

### University of Pennsylvania Law School Event

On April 17, Legal Momentum’s Executive Vice President and Legal Director, Penny Venetis, spoke about Legal Momentum’s lawsuits on behalf of a “Jane Doe,” Florida Abolitionist, and Sojourner Center against the online trafficking website Backpage.com. The conference was hosted by the Field Center for Children’s Policy, Practice, and Research at the University of Pennsylvania Law School in Philadelphia. The event, *Research on Human Trafficking among Homeless Youth; New Findings and Implications for Policy and Practice*, presented findings from a survey of more than 1,000 homeless youth from across the country, showing the correlation between child sex trafficking and youth homelessness.



*(From LM News Brief, April-May 2017)*

## Screenings of “I Am Jane Doe” Bring Attention to Online Trafficking



Legal Momentum Board Chair Elaine Wood hosted a private screening of “I Am Jane Doe,” the acclaimed documentary about online sex trafficking of teen girls, at the offices of Duff and Phelps on April 18. Florida Abolitionist will host a screening of the film in Orlando this spring. (The anti-trafficking organization is a plaintiff in one of the lawsuits brought by Legal Momentum and pro-bono partner Boies, Schiller, Flexner against Backpage.com for its facilitation of online sex trafficking.) The film features Legal Momentum’s Carol Robles-Román, Penny Venetis, and renowned lawyer David Boies, as well as girls who were advertised on Backpage.com and their parents. Additional screenings by Legal Momentum coalition partners, including Rising

International, took place recently in Connecticut and California.

**Action** ► For information on hosting an “I Am Jane Doe” screening, email [office@50eggs.com](mailto:office@50eggs.com). More information is available at [www.iamjanedofilm.com](http://www.iamjanedofilm.com).

### IN CASE YOU MISSED IT

“I Am Jane Doe” is now available on [iTunes](#),  
[Amazon](#), [Google Play](#) & [Vimeo](#).

50% of all profits will be donated to organizations serving Jane Doe children.

Also coming to [Netflix](#) May 26!

*(From LM News Brief, April-May 2017)*

## New Developments in the Fight against Online Sexual Exploitation

On July 11, the Washington Post broke the news of recently discovered data revealing that Backpage.com has actively sought “adult” advertising business—far from just being a passive publishing platform, as it has claimed for years. Although the information was obtained as part of a lawsuit unrelated to sex trafficking, it supports Legal Momentum’s contention that Backpage should not be shielded from lawsuits by Section 230 of the Communications Decency Act (CDA) as courts have previously decided. Senators Portman, McCaskill, Blumenthal, McCain, Heitkamp, and others have been working on a bill to amend Section 230 that is expected to be introduced this month.

The Washington Post also reported on a new lawsuit against Backpage filed in May by the mother of a teen girl who was murdered after being advertised for sex on Backpage. That article features excerpts from “I Am Jane Doe,” the powerful documentary about girls who were trafficked on the site. Legal Momentum is featured in the film. NBC Nightly News and *The Guardian* in the U.K. also recently covered the new developments and the film.

On July 18, the New Jersey Coalition against Human Trafficking commenced a series of screenings of the impactful film “I Am Jane Doe” to raise awareness of the issue of online facilitation of abuse of women and children. Legal Momentum’s EVP and Legal Director, who appears in the film along with Legal Momentum President and CEO Carol Robles-Román and renowned legal counsel David Boies, spoke in a panel discussion of the issues raised by the film. The screening took place at the Adath Shalom Synagogue in Morris Plains. The other panelists were Senator Tom Kean Jr., Republican Leader of the NJ Senate, who has sponsored anti-human trafficking legislation for over a decade; Detective Marshall Wang of the Morris County Prosecutor’s Office; and

Dwane Finlay, Intensive Care Manager at Dreamcatchers, which provides human trafficking services across the state.

**ACTION** ► “I Am Jane Doe” is now available on major streaming services including iTunes and Netflix. More information on actions you can take is available at <http://www.iamjanedofilm.com/join-us/>.

*(From LM News Brief, June-July 2017)*

## **Join Legal Momentum for Anti-Trafficking Rally in Washington DC on January 11**

Legal Momentum is calling for the passage of SESTA, the Stop Enabling Sex Traffickers Act (S.1693), an important anti-trafficking measure. In Washington DC on January 11, Legal Momentum President and CEO Carol Robles-Román will speak at a Congressional briefing and rally in support of SESTA provided by the World Without Exploitation coalition. Legal Momentum is a sponsor of the events. [Read more]

Legal Momentum is advocating for SESTA because it would enable survivors to take civil legal action against websites that enable online sex trafficking. Until now, courts have held that Section 230 of the Communications Decency Act (CDA) protects websites that enable trafficking from being sued by survivors. This interpretation is contrary to the original intent of Congress in passing the CDA.

A competing bill, the Allow States and Victims to Fight Online Sex Trafficking Act (FOSTA, H.R. 1865), that is endorsed by many tech industry organizations, would not provide civil remedies for trafficking survivors. For this reason, trafficking survivors and anti-trafficking advocacy organizations strongly support SESTA.

“Disrupting Online Exploitation: Why Survivors Are Standing Up for #SESTA—A National Briefing,” will take place on January 11, from 11:30 a.m. to 1 p.m. at the Russell Senate Office Building. To register to attend the briefing, email [lauren@worldwithoutexploitation.org](mailto:lauren@worldwithoutexploitation.org). NOW-NYC also supports SESTA and is providing bus transportation from New York City to Washington DC for the briefing and rally. For details and registration information, go to <http://nownyc.org/events/anti-trafficking-lobby-day-dc/>.

*(From LM News Brief, week of 1-2-18)*

## **Legal Momentum’s Work Influences the House to Pass FOSTA**

Legal Momentum and a coalition of significant anti-trafficking organizations, have been advocating tirelessly for federal legislation that would enable survivors of online sex trafficking to bring civil legal action against the websites that knowingly facilitate trafficking. On February 27, the House of Representatives passed FOSTA, the Fight Online Sex Trafficking Act, despite pushback from major players in the tech industry. Next, the related SESTA bill needs to pass the Senate. **Legal Momentum** has been working to educate members of Congress on the need for changes to the 1996 Communications Decency Act (CDA), a law that courts have interpreted as preventing survivors from bringing legal action against websites that facilitate child sex trafficking. As we reported in the January 2 *Legal Momentum News Brief*, **Legal Momentum** traveled to Capitol Hill on January 11 for a Congressional briefing and rally calling for the Senate to pass SESTA, the Stop Enabling Sex Traffickers Act (S.1693). **Legal Momentum** was a sponsor of the events and Carol Robles-Roman was featured speaker, and discussed LM’s federal lawsuit in Florida on behalf of a trafficking survivor and the anti-trafficking organization Florida Abolitionist, seeking to hold the website Backpage.com liable for participating in, and profiting from, sex trafficking. She reinforced that Congress must pass this law to allow victims of online sex trafficking to pursue justice through the courts.

**Legal Momentum** has long been advocating for updating federal law to end online sexual exploitation of minors. We published an op-ed titled "Congress must lead charge to block online sex ads" in the *Seattle Times* in March, 2016. **Legal Momentum** has also filed amicus briefs in civil suits against Backpage.com

*(From LM News Brief, week of 2-26-18)*

## **ACTION ITEM: Your Help Needed to Pass Anti-Trafficking Bill**

Legal Momentum and many leading anti-trafficking organizations have been working to pass legislation that would enable trafficking survivors to bring civil suits against websites that have knowingly facilitated trafficking. The bill, known as FOSTA-SESTA, will come to the Senate Floor on Wednesday, March 21. We are asking our supporters to contact their Senators now to advocate for this crucial legislation.

FOSTA was amended to match the language in SESTA, and therefore **Legal Momentum** and its allies are supporting that bill. Because it has been anonymously put on hold by a few Democratic Senators, **Legal Momentum** asks its supporters to call their Senators to thank them for their support of the legislation and confirm they will vote YES on FOSTA-SESTA. **Please call 202-225-3121 and hit 1.** You will be transferred to your Senator's office. (Do this twice, since you have two Senators.) Here's what you can say: "My name is \_\_\_\_ and I live in \_\_\_\_ (State). I am calling to thank Senator \_\_\_\_\_ for supporting FOSTA-SESTA and I am calling to confirm that she/he will vote YES so that survivors and states finally will have the legal tools to hold websites accountable for knowingly facilitating human trafficking. Thank you."

*(From LM News Brief, week of 3-12-18)*

## **Legal Momentum Advocates for Historic Anti-Trafficking Legislation**

On Wednesday, March 21, the Senate voted overwhelmingly, 97-2, to pass FOSTA-SESTA, the anti-trafficking bill that modifies Section 230 of the Communications Decency Act of 1996 (CDA). Legal Momentum was actively involved in advocating for this historic legislation that will enable survivors to take legal action against websites that knowingly facilitate commercial sex trafficking.

**Legal Momentum** has been raising awareness on the issue of online human trafficking and advocating strenuously for legislation to reform the CDA for three years. Section 230 has been wrongly interpreted by the courts as protecting websites against lawsuits brought by trafficking victims. **Legal Momentum** worked to build a coalition of anti-trafficking groups, survivors, and activists to pass new, strong anti-trafficking laws. **Legal Momentum** is deeply grateful to all the partners and supporters who shepherded FOSTA-SESTA, as the legislation is known, through a lengthy and sometimes difficult process to get it passed in the face of strong opposition from many in the tech industry.

*(From LM News Brief, week of 3-26-18)*