

COLLABORATING WITH THE MEDIA: GUIDELINES FOR SOCIAL AND LEGAL SERVICE PROVIDERS WORKING WITH SURVIVORS OF HUMAN TRAFFICKING

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Safe Horizon

For the past 30 years, Safe Horizon has been at the forefront of helping survivors of crime and abuse in New York City. The organization was founded in 1978 with the mission to provide support, prevent violence, and promote justice for victims of crime and abuse, their families and communities. We offer a range of services at nearly 70 sites across the five boroughs of New York City that help move more than 350,000 victims of violence from crisis to confidence each year.

Our clients include survivors of domestic violence, sexual assault, child abuse, stalking, human trafficking, and other crimes. Safe Horizon assists clients through our Hotlines and Court programs, at our Community Programs and Counseling Center, in local schools, police precincts, police service areas, and at other specialized programs and locations. Our unparalleled breadth and depth of service in New York City is made possible by a team of nearly 750 professionals who offer years of experience and extraordinary responsiveness to the communities we serve.

Anti-Trafficking Program

Safe Horizon's Anti-Trafficking Program (ATP) provides linkages to necessary social and legal services including shelter or housing referrals, counseling, legal representation, medical services, and vocational assistance for survivors of trafficking. The ATP works to address all of the service needs of a trafficked person using an intensive case management model that is client-centered. This model uses the case manager as the focal point for coordinating services and ensuring needed benefits are accessed, as well as ensuring that a consistent, supportive relationship is provided to the trafficked person. The ATP also provides legal representation to trafficked persons including representing clients seeking immigration relief under federal and state trafficking legislation, as well as providing advocacy with criminal justice agencies.

Introduction

Cases of human trafficking are gaining attention in the media. There are benefits to collaborating with journalists, but without preparation, there can be unintended challenges and consequences. Respectful coverage can be helpful to a trafficked person's case, while insensitive reporting can lead to additional suffering for your client and can lead to further revictimization as well as misrepresentation of the issue(s) involved. Effective media relations can be your most valuable tools to bring about public awareness of human trafficking.

*As an advocate your number one priority when collaborating with the media is to **protect the rights and privacy your clients**. Client confidentiality must be upheld under all circumstances.¹*

If applicable, refer to your agency's communication and media policy directives for initial guidelines.

Dealing with the Media and Survivors of Human Trafficking

Your role as an advocate can help ease the trauma of exposure in the media for your client. When a case is ongoing, it is advisable to protect your client's identity by not facilitating contact with reporters. After a case is closed, continue to use caution with case details.

Educate Yourself

Be aware of the media infrastructure in a client's home country. In several nations, the government controls the media. This may lead a client to believe that he or she is obligated to interact with the media to receive assistance.

Educate the Client

Your client may not have had previous contact with the media and may need education about how United States media operates.

It is very important to let your clients know that their immigration status, access to benefits, and case status are not dependent upon interacting with the media.

¹ Safe Horizon will not release confidential information without the client's written authorization; except, when we suspect child abuse or maltreatment; when we are required by law to disclose confidential information; or when we believe disclosure may prevent harm to the client or any other person.

You may need to explain the concept of “freedom of the press” in the United States to a client. Clients also need to be aware that they will not have control of the final product and that their images or quotes may be taken out of context. It may be helpful to explain that U.S. media is an independent entity, separate from law enforcement agencies and service providers. It may also be important to note that anything a client says to a reporter has the possibility of ending up in print, even if the interviewee adds “but that’s off the record” to the end of his/her statement. If a reporter verbally agrees not to print something, before or after it’s said, only then does the client have a reasonable expectation of privacy regarding that statement.

Start having conversations about the media very early on in interactions with your clients. Let your clients know that they may be approached by the media to share their story and that this could have unintentional negative consequences, particularly if an investigation, prosecution, or civil action is pending. It could also affect the safety of their families and the advocates who are assisting them.

Legal Consequences

Any information about a case made public through the media, may give the trafficker’s attorney information that can be used against your client. Also, some statements made by clients to a journalist may not be completely accurate because your client could be slightly confused about dates or times. These honest mistakes could be presented by the trafficker’s attorney as discrepancies with your client’s earlier statements and could be used to discredit the client.

If a media inquiry is made directly to the client, the client should contact their primary advocate, who will, in turn, notify relevant service providers: attorneys, prosecutors and law enforcement agents involved in the client’s case.

Safety

Explain to your clients that if they talk to the press, sensitive details about the case may be available to everyone, including the traffickers. If the traffickers are at large, they could easily use information provided by your client to locate the client as well as their family members and/or related service providers in an attempt to harm them as a form of revenge or to intimidate/ prevent them from testifying.

If you choose to speak with a media outlet, be sure to not discuss open cases. Let the journalist know in advance that you are only comfortable talking about general topics such as trends, prevalence and legislation and you are not willing to share confidential client information or details of a case.

Those who have direct contact with clients should avoid publicity and media that could compromise staff and client safety. A spokesperson who does not provide direct services should be identified to interact with reporters.

Electronic Media

It is important to educate your client about the proliferation of electronic media. Information may be reprinted on-line in multiple sources and even translated into other languages. People all over the world, including people from the client's home country, may have access to the electronic information.

Control

Let your clients know that once they have shared their story with a journalist and have signed a consent form, they will have no control over the final outcome of the story. In other words, if the media decides to sensationalize a story, your client will have no way to manage or change the way the story is portrayed. It's also worth noting that if a piece is issued through one outlet; other outlets can distribute the item without even contacting the client or the service provider.

Monetary Compensation

Your client may be under the impression that talking to the press will have result in monetary compensation. It is important to let your client know that legitimate journalists and news operations in the United States do not pay their sources or subjects.

Telling their Stories

Some clients may feel that telling their stories to the press could be cathartic. In cases like these, remind your clients that there are other ways to express their feelings, preferably with professionals who are trained to work with persons who have been exploited. Provide clients with the advantages and drawbacks of being interviewed by a reporter.

Coping with Media Coverage

Your role as a service provider can include helping your client to manage unexpected press coverage at any time during the case. The press can highlight a case

immediately after a trafficked person has escaped or was assisted in being freed, and if applicable, during the trial and after verdicts and sentencing. Service providers should be aware of these periods and prepare their clients for the possibility of unwanted press coverage during these times.

Survivors Who Choose to Speak with a Journalist

The National Center for Victims of Crime (NCVC) published a brochure entitled *Victims' Rights and the Media* for victims of crime. These points can be adapted for survivors of human trafficking. Be advised that a request for a certain reporter may not be honored and your client cannot control the direction of the story. See the Appendix for the NCVC guidelines.

Press can be Positive

Positive coverage can help build awareness of both the issue of human trafficking and your organization's service provision to trafficked persons. Successful media coverage can highlight a client's victory, reach out to other trafficked persons, and help legislators, policymakers, and the public to better understand the crime of human trafficking. Attention to your organization can garner offers of support through volunteer time and contributions. It can also increase the success of a prosecution by influencing public opinion or political will.

Be Prepared

There are a number of frequently asked questions by journalists. Ideally, reporters have conducted their own research before your interview, but this is not necessarily the case. It may be helpful to anticipate these common questions:

1. May I Talk to a Victim? If applicable, refer to your agency's policy. If one is not in place, consider the following points:

- **Appropriate timing**
A client may not be ready to speak with a journalist if only a brief amount of time has passed since the crime. Be aware that a client may never want to address the media, even if a considerable amount of time has passed.
- **Ongoing investigation or case**
Service providers working directly with clients involved in an ongoing investigation, prosecution, or civil case should limit or even prohibit media contact with their clients.

- **Client stability**
Is the client settled and safe? Are material needs being met? Are there mental health concerns? Even if stability has been attained, a client may still be too traumatized to tell her/his story to a reporter.
- **Power differentials**
Be aware that even *asking* a client if he or she is willing to be interviewed can set up power differentials. A client may assume that ongoing service provision is contingent on cooperating with the media. A client may want to express his or her gratitude to the service provider by offering consent even though he or she is not ready to do so.
- **Desire to help**
Has the client expressed a desire to help others or bring awareness to the issue?
- **Angle of the story**
What is the reporter hoping to say with his/her story, and do the facts of the client's case fit? For example, if the story is about prostitution but the client was sexually assaulted while as a trafficked domestic worker, it may not be a good fit.

2. How prevalent is trafficking in this area?
3. Where have trafficking cases occurred in this region?
4. What types of labor or exploitation are victims forced to undergo?
5. What is the difference between smuggling and trafficking?
6. What countries are most victims from?
7. Word choice can be powerful, when speaking with the media, consider your word choice carefully. For example, victim vs. survivor; prostitution vs. commercial sexual exploitation; and illegal alien vs. undocumented person.

Developing Relationships with Media

If you are interested in developing awareness on the issue of human trafficking, conduct research on appropriate media outlets. Community press, ethnic news outlets, university media, and certain trade journals are key sources for conducting such outreach in addition to mainstream media. Reporters that have covered crime victim issues in a sensitive way or focus on immigration, workers' rights, or human rights may be the best media representatives to contact.

In certain locales, service providers organize or participate in training sessions for journalists and journalism students on emerging topics or on crime coverage. These forums are one way to identify appropriate journalists.

Prior to building a partnership with a reporter, be clear about your expectations, role, and agency policies. Be upfront if you have no intention of asking a client to be interviewed.

Reporters frequently operate on tight deadlines, especially with a breaking story. Be professional and return calls at your earliest convenience.

Additional Resources for Service Providers

1. National Victim Assistance Academy Textbook, Chapter 18: The News Media's Coverage of Crime and Victimization
<http://www.ojp.usdoj.gov/ovc/assist/nvaa2000/academy/chapter18.htm>
2. University of Michigan Tips for Working with the Media
<http://www.umich.edu/news/tips.html>
3. The National Center for Victims of Crime is a good source for electronic resources including "Talk Show Guidelines for Crime Victim Guests," "Interviews with the Media," and "Privacy and the Media."
4. <http://www.ncvc.org>
5. The Dart Center for Journalism and Trauma
<http://www.dartcenter.org>

Resources for Journalists

Occasionally, a journalist may need further education for reporting on victims of crime. There are many websites and reports that are dedicated to assisting the media in covering human trafficking, crime victims, and trauma.

1. Media and Development International (MADI): MADI provides media consultation for nongovernmental organizations and cooperates closely with the Anti-Trafficking Center of Belgrade.
<http://www.madimedia.org/>
2. Michigan State University School of Journalism Victims and the Media Program
<http://victims.jrn.msu.edu/>
3. "Covering Crime and Justice, A Guide for Journalists"
<http://www.justicejournalism.org/crimeguide/index.html>
4. The Dart Center for Journalism and Trauma
<http://www.dartcenter.org/>

APPENDIX

Victims Who Choose to Deal with the Media

A brochure published by the National Center for Victims of Crime in 1987 entitled *Victims' Rights and the Media* offers valuable guidelines to crime victims whose cases are covered by print and broadcast news media. While the "rights" enumerated in this brochure are not mandated by statute or policy, they should be considered guiding principles provided by all service providers to crime victims prior to dealing with the news media.

<http://www.nvaa.org/assist/chapter18.html>

YOU HAVE THE RIGHT TO:

1. Say "no" to an interview.
2. Select the spokesperson or advocate of your choice.
3. Select the time and location for media interviews.
4. Request a specific reporter.
5. Refuse an interview with a specific reporter even though you have granted interviews to other reporters.
6. Say "no" to an interview even though you have previously granted interviews.
7. Release a written statement through a spokesperson in lieu of an interview.
8. Exclude children from interviews.
9. Refrain from answering any questions with which you are uncomfortable or that you feel are inappropriate.
10. Know in advance the direction the story about your victimization is going to take.
11. Avoid a press conference atmosphere and speak to only one reporter at a time.
12. Demand a correction when inaccurate information is reported.
13. Ask that offensive photographs or visuals be omitted from broadcast or publication.²

² Safe Horizon advises that in many cases, the reporter will not get to choose which visuals accompany his/her story. More generally, media outlets are under no obligation to remove any content, though the client or the service provider is free to ask.

14. Conduct a television interview using a silhouette or a newspaper interview without having your photograph taken.
 15. Completely give your side of the story related to your victimization.
 16. Refrain from answering reporters' questions during trial.
 17. File a formal complaint against a journalist.
 18. Grieve in privacy.
 19. Suggest training about media and victims for print and electronic media in your community (Seymour and Lowrance 1988, 7-10).
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