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# Human Trafficking, Cults, & Coercion: The Use of Drugs as a Tool

Robin Boyle-Laisure

**Abstract:** Thanks to the successful prosecution of sex traffickers, the definition and proof of “coercion” now encompasses evidence showing the use of addictive drugs as a tool. This article describes two case examples, and in both, the perpetrators supplied abundant amounts of addictive substances. Once those victims became addicted and feared the pain of withdrawal, the sex traffickers forced the victims to perform commercial sex acts to pay off the drug debt they incurred, feeding the addiction the traffickers caused. Coercion by way of intentional drug addiction and control is a theory that expands the operative word “coercion.” This short article summarizes key points of my presentation at the Annual International Conference for the International Cultic Studies Association held in June 2022.

At the 2022 Annual International Conference for the International Cultic Studies Association, I presented an overview of human trafficking laws; I described the intersection of human trafficking laws with cults, such as the case of *United States v. Ranieri* (the case against NXIVM). I further provided telltale signs of trafficking for law enforcement, teachers, and parents, and I suggested questions they could ask when conversing with suspected victims. In that presentation, I described how, in some cases, traffickers used drugs to control and coerce sex trafficking victims. Prosecutors have developed legal cases, supported by evidence, to prove a critical statutory element: “coercion.” That litigation strategy is the topic of this article in the hopes that it will help researchers and lawyers prepare legal cases against cults and similar enterprises. “Coercion” is the subject of many articles,<sup>1</sup> books,<sup>2</sup> and workshop presentations at ICSA events.<sup>3</sup> The use of drugs to coerce victims and how this evidence can be presented in court sheds new light on the legal theory of establishing coercion.

In the past, theories about mind manipulation and brainwashing were often unsuccessful when trying to convince a judge and jury how the victim ended up in unfortunate circumstances, whether in civil or criminal cases.<sup>4</sup> The Trafficking Protection Act

criminal cases.<sup>4</sup> The Trafficking Protection Act of 2000 changed this landscape for criminal prosecutions. Human trafficking laws provide a less onerous evidentiary hurdle for prosecutors to prove “coercion” occurred. In legal cases where the trafficker deliberately supplied opioids and other drugs to target and manipulate victims, the prosecutor proved the statutory element of coercion. This newer theory of a case provides insight into the expanding definition of the legal term “coercion.”

Human trafficking, as defined by international, federal, and state law, has two categories – labor trafficking and sex trafficking. In the United States, under the federal trafficking statute, a prosecutor can prove that the perpetrator caused the victim to engage in commercial sex by showing that the perpetrator caused one of the following to occur: “recruitment, transportation, provision, obtaining, patronizing, or soliciting” of the victim.<sup>5</sup>

A “commercial sex act” is defined under the statute as “any act on account of which anything of value is given to or received by any person.”<sup>6</sup> This is a broad definition, but it means that the “john” does not need to pay money for the commercial sex as long as they have provided “anything of value.”

<sup>1</sup> See Alan Schefflin, *Supporting Human Rights by Testifying Against Human Wrongs*, 6 INTERNATIONAL JOURNAL OF CULTIC STUDIES 69 (2015), <https://www.icsahome.com/articles/supporting-human-rights>.

<sup>2</sup> See generally Steven Hassan, *Combatting Cult Mind Control: The Guide to Protection, Rescue and Recovery from Destructive Cults*, 4th ed. (Newton, MA: Freedom of Mind Press, 2015).

<sup>3</sup> See ICSA’s website and online library at <https://www.icsahome.com>.

<sup>4</sup> See Robin Boyle Laisure, *Employing Trafficking Laws to Capture Elusive Leaders of Destructive Cults*, 17(2) OREGON REVIEW OF INTERNATIONAL LAW 205 (2016), reprinted in 9 INTERNATIONAL JOURNAL OF CULTIC STUDIES 1 (2018).

<sup>5</sup> 22 U.S.C. Sec. 7102 (12); 18 U.S.C. 1591.

<sup>6</sup> 22 U.S.C. Sec. 7102 (4)

What is essential to the prosecutor's case is that one of the elements of "force, fraud, or coercion" is proven if the victim is over 18 years of age.<sup>7</sup> For victims under 18, "force, fraud, or coercion" is not an element of the crime and does not need to be proven under the premise that minors cannot consent to commercial sex acts.

The term "coercion" is defined as:

- (A) Threats of serious harm to or physical restraint against any person;
- (B) Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or,
- (C) The abuse or threatened abuse of the legal process.<sup>8</sup>

In some cases, the prosecution centered its case around the perpetrators' use of opioids or heroin to manipulate their victims into performing commercial sex acts against their will.<sup>9</sup> In such cases, the perpetrator supplied the drugs to the women victims for free to get them addicted to the drug. Once addicted, the victim would try at any cost to avoid painful drug withdrawal.<sup>10</sup> The perpetrator seized the leverage over the victim by demanding repayment for the drugs he supplied. In order to pay off this debt, the victims were coerced into performing commercial sex, which profited the perpetrators.

For example, defendant Andrew Fields of Florida was charged with actively advertising online, booking appointments, and providing transportation for women to engage in commercial sex acts.<sup>11</sup> He also sold drugs on credit, primarily oxycodone, to the women prostituting for him.<sup>12</sup> Selling drugs on credit meant that once he got them addicted to the opioids he readily supplied, he coerced them into doing sex work to pay back the debt the women owed him for the controlled substances.

Fields kept victims "under his control by feeding [them] prescription drug[s] . . . keeping [them] in debt to him, and forcing [them] to work off the debt by prostituting."<sup>13</sup> Fields maintained written ledgers of debts owed to him, which became part of the evidence for the prosecution's case.

Fields was convicted of sex trafficking, among other charges, and sentenced to 405 months in prison.<sup>14</sup> On appeal, Fields argued that "providing addictive pills to the various victims could not constitute coercion" under the sex trafficking statute.<sup>15</sup> The court disagreed with Fields, and his appeal on the charge of sex trafficking and various other grounds was denied.<sup>16</sup>

Jeremy Mack from Ohio engaged in a similar scheme.<sup>17</sup> Mack was charged with and convicted of committing various crimes, including sex trafficking of women by force, fraud, or coercion.<sup>18</sup> The government's theory was

that Mack supplied [his victims] with heroin and cocaine – without requiring payment at the time of distribution – to ensure that the victims would need to engage in commercial sex acts to pay off the drug debts they owed to Mack and that he controlled their access to drugs to force them to continue to prostitute themselves in order to avoid painful withdrawal symptoms.<sup>19</sup>

The mounting evidence that resulted in successful prosecutions of sex traffickers can be used when building a legal case against other traffickers or cult leaders. Cult leaders run enterprises like those of sex traffickers,<sup>20</sup> and in some cases, they are one and the same. For instance, Keith Raniere, who was convicted of sex trafficking, among other crimes, was the co-founder and mastermind of NXIVM, a purported self-help operation.<sup>21</sup> Many of the factors that

<sup>7</sup> 22 U.S.C. Sec. 7102 (11).

<sup>8</sup> 22 U.S.C. Sec. 7102 (3).

<sup>9</sup> See Sean Tepfer "Remarks" (symposium proceeding), February 2012, *Sex Trafficking and Opioids*, University of Kentucky Rosenberg College of Law, <https://law.uky.edu/sex-trafficking-and-opioids-symposium>.

<sup>10</sup> Criminal Complaint, United States v. Fields, (M.D. Fla. March 20, 2013), case 8:13-mj-01184-TGW, para. 24.

<sup>11</sup> *Id.* para. 12.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* para 24.

<sup>14</sup> Fields v. United States, No. 18-14466-F (11th Cir. 2019).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> United States v. Mack, No. 1:13CR78 (N.D. OH January 13, 2014).

<sup>18</sup> *Id.*

<sup>19</sup> United States v. Mack, No. 1:13CR278 (N.D. OH February 5, 2014).

<sup>20</sup> See Laisure, *supra* note 4.

<sup>21</sup> See Robin Boyle-Laisure, *Preventing Predatory Alienation by High-Control Groups: The Application of Human Trafficking Laws to Groups Popularly Known as 'Cults,' and Proposed Changes to Laws Regarding Federal Immigration, State Child Marriage, & Undue Influence*, 1(2) INTERNATIONAL JOURNAL OF COERCION, ABUSE, AND MANIPULATION 27 (2021).

researchers find common to most definitions of cults surfaced in NXIVM.<sup>22</sup> NXIVM was a group run by a “controlling and demanding leader,”<sup>23</sup> namely Raniere. At Raniere’s trial, former NXIVM members testified how he and his associates used “high levels of exploitative psychological manipulation.”<sup>24</sup> They also testified about sexual and physical abuse.<sup>25</sup> When Raniere, a cult leader, was convicted of sex trafficking and other crimes, this case set precedence for future cases.

Cases such as those against Andrew Fields and Jeremy Mack provide possible avenues for prosecution against cult leaders who use drugs to manipulate and coerce their followers to perform commercial sex acts.

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<sup>22</sup> See Michael D. Langone, *Policy Implications of Cultic Studies Research*, ICSA, <https://www.icsahome.com/aboutus/policy-implications>.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*