

## *A Case for Women Featured in Law 360*

### **Firms Walk a Fine Line Between Educating and Advertising in Outreach to Sex Trafficking Victims**

Shea Rhodes of the Villanova Law Institute to Address Commercial Sexual Exploitation, along with other practitioners, said she is hopeful that, as interest in the litigation rises, more attorneys will begin practicing trauma-informed care at all levels, including when it comes to initiating cases.

By Max Mitchell | August 26, 2019



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*Editor's note: This is the fourth installment in a series examining sex trafficking litigation.*

Reaching victims of [sex trafficking](#) with online advertising can be perilous, because [unlike](#) other litigants, they are often still living in highly [dangerous situations](#).

According to legal marketing specialist Susan Knappe, that's why the website she runs dedicated to sex trafficking litigation includes a "Quick Exit" link on the side that follows the reader as they scroll down the page. If clicked, the viewer immediately exits the website and the browser opens up to [Weather.com](http://Weather.com).

"It's so that, if a woman is on our page and suddenly hears footsteps, but the pimp comes in, she can click the top right corner and it gets her out of that space really quickly," Knappe said.

The website Knappe operates is "[A Case for Women](#)." It is part of the legal industry's growing online presence aimed at raising awareness and litigation stemming from incidents of sex trafficking.

Changes in the law and heightened public awareness have fueled an increase in civil litigation stemming from sex trafficking incidents. Much of that growth in civil litigation is being piloted by lawyers with traditional tort practices. But clients' mental health can be jeopardized unless attorneys employ trauma-informed care. And trauma-informed care includes the tone employed in advertising and other outreach methods directed toward prospective clients.

Many practitioners choose not to advertise about their sex trafficking cases, and said they were concerned about aggressive online advertising.

"[Attorneys need to ask] can they be safe if you bring a civil case, because they're going to be forced to disclose as much information about their traffickers and captors. And are we putting these kids in harm's way," said attorney Howard Talenfeld, of Fort Lauderdale, Florida, who focuses on representing abused, injured and disabled children.

Online advertising for sex trafficking litigation services most often includes an educational element, and that is appropriate, say advocates for victims.

Anita Teekah, senior director on anti-trafficking programs at Safe Horizon in Manhattan, said she has concerns about personal injury firms advertising, given how complex the work is. And, since persons who have experienced sex trafficking often have also suffered from drug use or work in prostitution, many survivors might not necessarily identify as victims, she said. Thus there is a need for education in any such outreach, she said.

"I think it's really tricky with this particular set of crimes, how people self-identify," Teekah said. "They don't self-identify as human trafficking victims. That is why the ads are framed as they are."

[“A Case for Women”](#) is styled by its creators as a campaign of outreach, and it seeks to serve an educational purpose.

The website's stated mission is to “empower” women through litigation. The site includes links to more than 20 web pages about drugs or types of injuries that may have harmed women, including talc products linked to ovarian cancer, the Essure birth control drug and problematic breast implants. One of the pages is dedicated to [sex trafficking](#) litigation.

The trafficking page offers words of support to victims, such as “You are not alone” and “Get Your Life Back Through Powerful Legal Action.” The site then invites survivors to “Contact Us For a Supremely Confidential, Free Consult,” with an area included below where victims can put their contact information.

Toward the bottom of the site the law firms Andrus Wagstaff, The Lanier Law Firm, Levin Papantonio, Pennock Law Firm and Weitz & Luxenberg are listed as sponsors. The site also notes that the firms all work on a contingency fee basis.

### **A ‘Meaningful Campaign’**

The site is operated by Knappe, a Dallas/Fort Worth-based legal marketer, who formerly worked as chief marketing officer for the mass tort firm Baron & Budd.

Knappe rejects the word “advertising” to describe the website. She said the site is instead part of a campaign aimed at raising awareness of the issue generally and connecting vulnerable survivors with attorneys who can help.

“This really is the most meaningful campaign we have ever run,” Knappe said. “Even if a case doesn’t congeal at the end and doesn’t make it, just the fact that she’s able to get affirmed by us and very prominent lawyers in this space, that her story’s been listened to and her experience has been affirmed, that’s powerful and life-changing.”

Knappe said she had been interested in doing a campaign regarding sex trafficking since it is prevalent in the Dallas/Fort Worth area, but she was concerned about the re-traumatization issues that come with abuse survivors.

The “Case for Women” website was successful in forging connections between some victims of Larry Nassar, the doctor convicted of abusing USA Gymnastics athletes, she said. In the wake of that, Knappe said, a group of attorneys approached her about setting up a campaign for sex trafficking survivors.

Her organization, she said, consulted with nonprofits and tech companies to make sure the intake process was as safe and trauma-informed as possible.

"There are unique concerns. We've done a lot of church abuse cases. It's very difficult, but in church abuse, you don't have anyone currently in danger," she said. "Most are in terrible pain, but not in immediate danger."

Along with the "Quick Exit" link, according to Knape, the voice mail message and the email response address are both very generic, so anyone monitoring the victim would not be able to link the messages with the site. Also, when a victim reaches out, the first thing the intake member asks is whether the survivor is safe, and protocols are in place to connect anyone who's not safe to a national hotline for trafficked women, Knape said.

From there, according to Knape, the group offers positive messages about the difficulties the survivors faced, even in reaching out. She said the organization never pressures survivors to sign with attorneys.

Along with the internal safety controls, Knape said the firms involved also handled sex abuse cases previously, and are familiar with the need to avoid re-traumatization. Still, she said, her organization has the cell numbers for all the leading attorneys.

"We said to the law firms, 'You need to be available to us because if you've got a woman who's survived an awful experience and you're at your kid's soccer game, we don't care because we need you,'" she said.

Her group's sponsorship relationship with the firms, she said, is also not dependent on how many cases a law firm gets.

"We make the same amount of money if nobody signs up, or if 50 people sign up," she said.

So far, Knape said, her group has received about 500 inquiries, but said she didn't know how many ended up in litigation. Across all campaigns that the organization runs, she said about 20% of those who reach out end up signing up with a law firm.

Andrus Wagstaff, Levin Papantonio, Pennock Law Firm and Weitz & Luxenberg each did not respond to a message seeking comment.

Monica Cooper handles a range of cases at The Lanier Firm, including their sex trafficking lawsuits. Cooper said “A Case for Women” was a good fit as the firm began looking for a way to begin taking on sex trafficking cases, and the firm is now beginning to file some suits brought in from the site.

Cooper has a background as a prosecutor, and, although she said that made her well aware of the trauma-related issues that can arise, the office did some training with the Harris County District Attorney’s Office before taking on these cases. The firm, she said, has also developed contacts with services that can help if they are suffering from PTSD or need financial aid.

“If you’re not trained to work with victims, it’s really hard to take on these kinds of cases,” she said. “If you don’t understand where they’re coming from and the things they’ve been going through, because this is such a different injury, I think it could do more harm than good.”

The website, Knape said, had to have a very soft touch, given that they are trying to connect with victims of prolonged abuse. She said she has no concerns about the web page being potentially misleading, and has never received complaints about the site being misleading.

“We’ve not had one person ever say this is misleading,” she said. “I think it would be intimidating to women to see messaging that is a little more typical law firm messaging, or more intimidating to talk to law firms right off the bat.”

Shea Rhodes of the Villanova Law Institute to Address Commercial Sexual Exploitation, along with other practitioners, said she is hopeful that, as interest in the litigation rises, more attorneys will begin practicing trauma-informed care at all levels, including when it comes to initiating cases.

“We want to make sure all contacts with lawyers are empowering,” she said. “I’m hoping that the future generation of the attorneys will be more holistic in their care.”