

Courtroom Events Mark a Promising Week for Survivors of Sex Trafficking and Non-Consensual Videos/Images Posted on Web

Outcomes in civil case against Visa and criminal trial against GirlsDoPorn site operators cast hopeful light on holding third parties liable and accountable.

PENSACOLA, FL, UNITED STATES, August 5, 2022 /EINPresswire.com/ -- The week that culminated with World Day Against Trafficking in Persons began with two legal wins—one in a civil case against Visa and another in a criminal trial against GirlsDoPorn website operators. Both wins signal accountability for sex trafficking claims, including claims based on non-consensual videos and images on the internet.



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Federal Judge Ruled it Was Reasonable to Conclude That Visa Facilitated Criminal Activity



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Carissa Phelps, Attorney, Levin Papantonio Rafferty

On Friday, July 29, Visa suffered a major setback as a defendant in a case (*Fleites v. MindGeek*) where the company is allegedly liable for Pornhub’s distribution of child pornography. U.S. District Judge Cormac Carney of the U.S. District Court of the Central District of California denied Visa’s motion to dismiss the claim that by processing payments for child porn, the company had

violated California’s Unfair Competition Law.

“Across the board, we are slowly lifting the veil of impunity,” said [Carissa Phelps](#), attorney at Levin Papantonio Rafferty, a national law firm that is representing survivors of Human Trafficking, including those who suffered injuries as a result of Pornhub’s distribution of child sex abuse material (CSAM). “Courts and prosecutors are applying the law equally, finding that liability for

sex trafficking and CSAM extends to third parties that support and benefit from these harmful acts," Phelps said.

Phelps pointed out that for some businesses their role in sex trafficking may be more than a passive third-party beneficiary, adding that intending to take part or to support a trafficking venture for any reason may give rise to criminal liability.

"Profit," Phelps said, "is one reason we see companies and individuals look the other way. The driver behind companies and individuals who exploit human beings or re-exploit videos and images is usually one thing--money."

Trafficking does not exist in a vacuum. Traffickers require other businesses for support, such as payment networks. It was in this vein that Judge Carney wrote the following words:

"When MindGeek decides to monetize child porn, and Visa decides to continue to allow its payment network to be used for that goal despite knowledge of MindGeek's monetization of child porn, it is entirely foreseeable that victims of child porn like plaintiff will suffer the harms that plaintiff alleges."

Prosecutors Charge GirlsDoPorn Operators on Basis of Lies, Fraud, and Coercion

On July 26, the [U.S. Attorney's Office for the Southern District of California](#) announced that adult website operator Matthew Isaac Wolfe had pleaded guilty to conspiring to fraudulently coerce young women to appear in sex videos on the GirlsDoPorn and GirlsDoToys websites. Specifically, Wolfe, the fourth defendant to plead guilty in connection with the case, pleaded guilty to Conspiracy to Commit Sex Trafficking by Force, Fraud and Coercion, in violation of 18 U.S.C. § 1594.

Phelps thinks these guilty pleas carry an important message for survivors of this and other sex trafficking cases who seek to recover damages from these types of websites.

"The coercion and fraud are what's important for future civil and criminal cases," Phelps said. "The fact that they criminally prosecuted this case when they didn't have women chained up and held in cages is important because it goes to show you could have chains on your mind that are forcing you to do things with your body," Phelps said.

"Severe form of human trafficking" is the U.S. legal term used to describe the criminal offense of a commercial sex act being induced by force, fraud, or coercion, or when the victim is a minor. According to Phelps, evidence is readily available when there is physical force or the victims are minors, whereas fraud and coercion can be difficult to demonstrate, as the means are less visible, but often more corrupt.

Still, in the GirlsDoPorn and GirlsDoToys cases, Wolfe and the other defendants were prosecuted—for lies, fraud, and coercion.

“Criminal prosecutions for fraud and coercion are important to civil cases because they illustrate that chains on a victim’s mind can coerce them into sex acts. There are lies and threats that are creating reliance along with real fear. When this happens, victims are pressured to comply and will, unfortunately, suffer devastating consequences such as addictions, PTSD, further traumas, and even early death.” Phelps said.

According to the Department of Justice’s (DOJ) press release, Wolfe filmed and uploaded videos, as well as oversaw the company’s financial books, and operated promotional aspects of the business. “Wolfe lied to and preyed on vulnerable young women, subjecting them to years of relentless harassment, fear, and mental anguish,” Stacey Moy, special agent in charge of the FBI San Diego Field Office, stated in the press release.

Wolfe told the women featured in GirlsDoPorn videos that they would not be posted online or released in the U.S., and that nobody who knew the women would know about the videos, despite knowing the videos were exclusively marketed and distributed on the internet. He also knew that some women’s personal identifying information and social media accounts were posted on pornwikileaks.com, a site controlled by GirlsDoPorn owner Michael Pratt. The victims suffered severe harassment.

Phelps explained the consequences of videos appearing on adult websites from companies known to use threats, fraud, coercion, or fraudulent contracts written when people are lied to and/or intoxicated. If companies profiting from the ventures and schemes knew or should have known that the videos were created using force, fraud or coercion, or the victims were minors, then they are liable to those victims and survivors who were harmed in the process,” Phelps said.

About Carissa Phelps

Carissa Phelps, author of *Runaway Girl: Escaping Life On the Streets* and survivor of sex trafficking is now an attorney at Levin Papantonio Rafferty working with a team on The MindGeek-Pornhub lawsuits (Case 7:21-cv-00220-LSC) and other cases to eliminate all forms of human trafficking.

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