



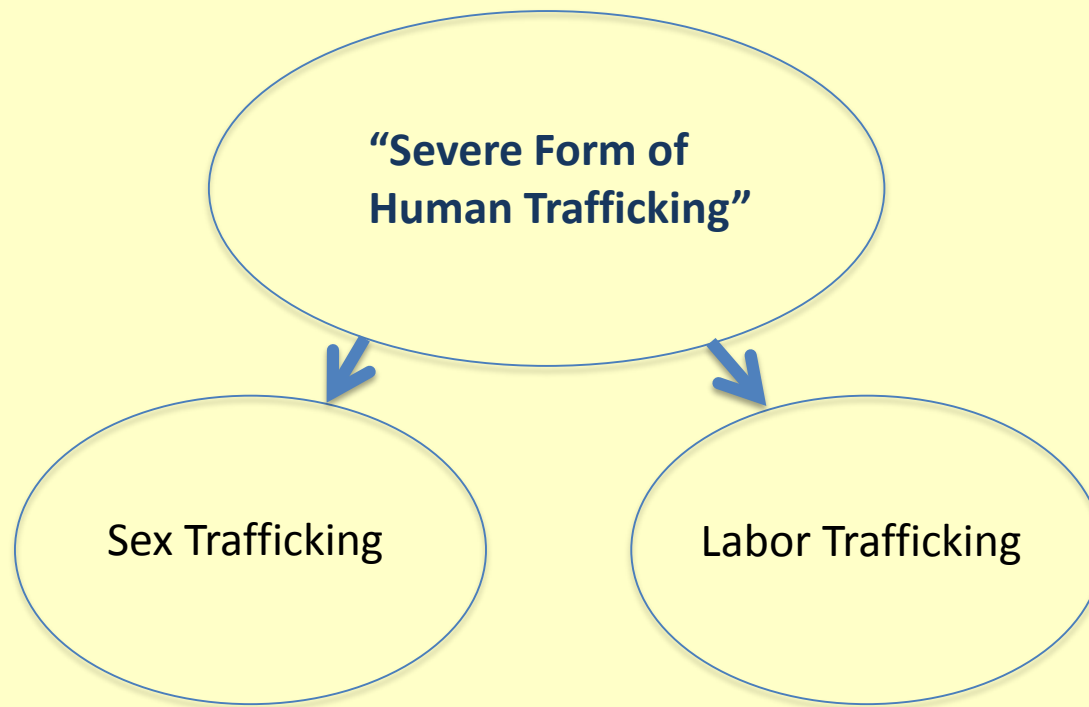
MICHIGAN LAW
UNIVERSITY OF MICHIGAN

Human Trafficking: Identification and Advocacy

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What is human trafficking?

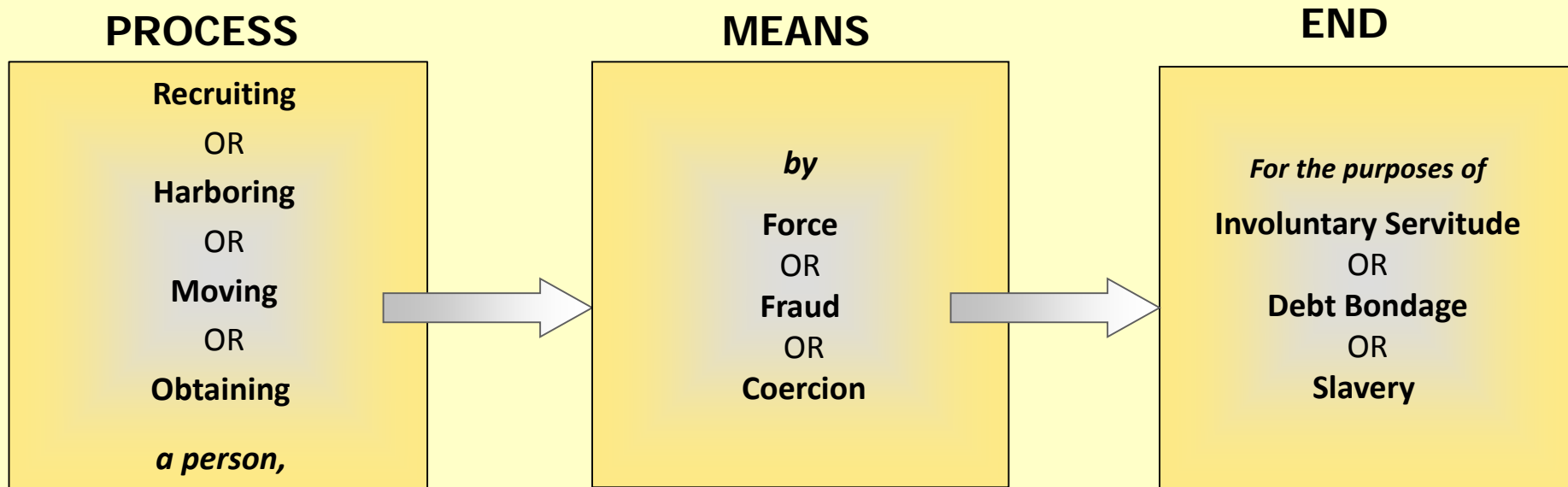
Compelled Service



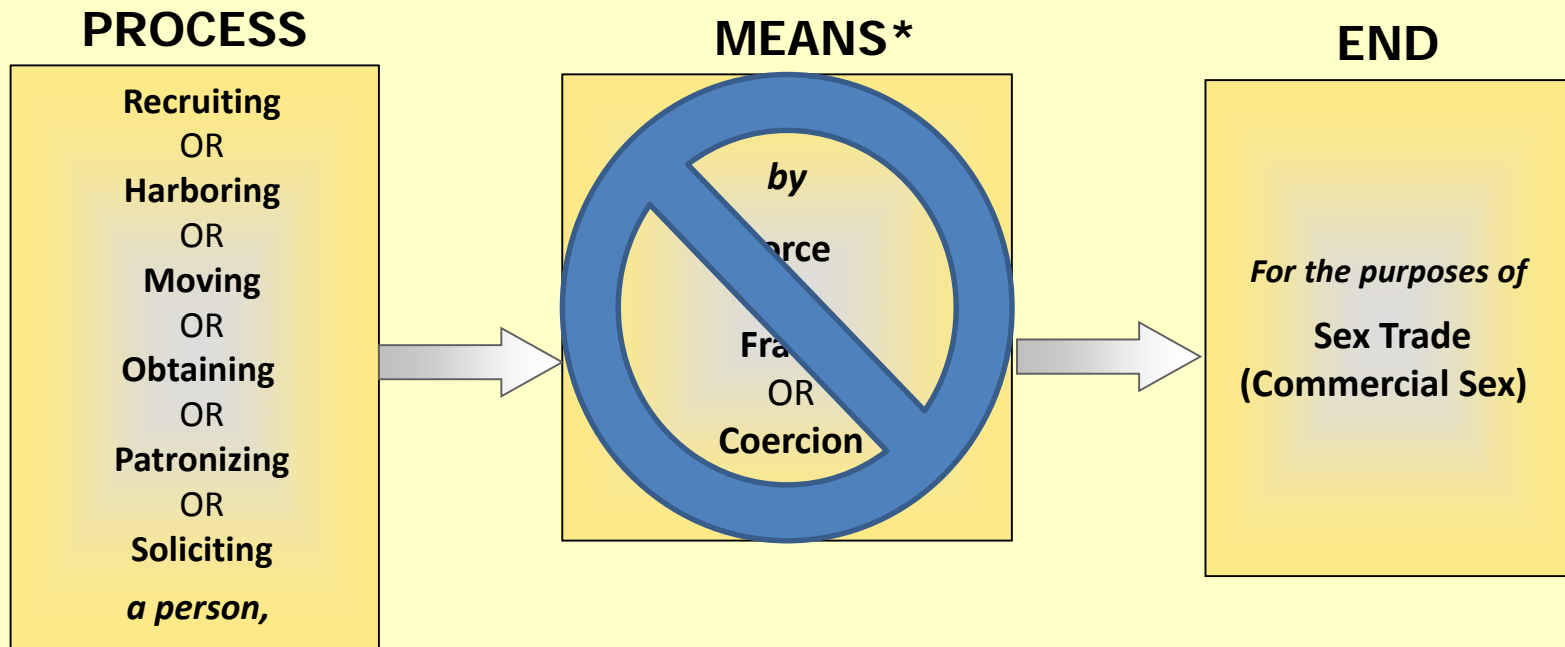
Sex Trafficking: The recruitment, harboring, patronizing, solicitation, transportation or obtaining of a person for the purposes of commercial sex act induced by force, fraud or coercion, or in which person performing the act is under age 18.

Labor Trafficking: Using force, fraud or coercion to recruit, harbor, transport, or obtain a person for labor or services in involuntary servitude, peonage, debt bondage or slavery.

Three Elements of Labor Trafficking



Three Elements of Sex Trafficking



*No force, fraud, or coercion required when a child is induced to perform a commercial sex act.

Trafficking vs. Smuggling?

- Trafficking is exploitation-based.
- Smuggling is transportation-based.

Depending on when one decides to categorize the offense being committed, situations can evolve from smuggling to trafficking, or, seemingly, from trafficking to smuggling.

HUMAN TRAFFICKING OCCURS REGARDLESS OF BORDERS!

Myths: Is it still human trafficking?

- *What if the victim isn't physically hurt?*

Force, fraud, and coercion don't have to be physical at all. Psychological coercion is enough.

- *What if the victim took the job voluntarily?*

Many victims of trafficking take a job or consent to be smuggled only to later discover the true nature and conditions of the work.

Myths: Is it still human trafficking?

- *What if the victim has performed an illegal act?*

Initial consent to engage in an illegal act does not mean they are free to be exploited. They are still protected by the law.

- *What if the victim can leave?*

Just because the victim can leave doesn't mean the victim is staying by choice. A lapse of freedom doesn't mean trafficking never happened.

The Typology of Modern Slavery

- Identified 25 types of human trafficking in the United States
- Each type has its own business model, trafficker profiles, recruitment strategies, victim profiles, and methods of control.
- This does not represent a complete picture.

Typology: Sex Trafficking

- Escort Services
- Illicit Massage, Health, & Beauty
- Outdoor Solicitation
- Residential
- Bars, Strip Clubs, & Cantinas
- Pornography
- Personal sexual servitude
- Remote Interactive Sexual Acts

Typology: Labor Trafficking

- Domestic Work
- Bars, Strip Clubs, & Cantinas
- Traveling Sales Crews
- Restaurants & Food Service
- Peddling & Begging
- Agriculture & Animal Husbandry
- Factories & Manufacturing
- Health Care
- Recreational Facilities
- Health & Beauty Services
- Construction
- Hotels & Hospitality
- Landscaping
- Illicit Activities
- Arts & Entertainment (athletics)
- Commercial Cleaning Services
- Carnivals
- Forestry & Logging

Truth: Data on Trafficking

- There is NO reliable ranking of cities in terms of child sex trafficking
- There is NO reliable ranking of cities in terms of the prevalence of human trafficking.
- We don't have prevalence data because "the challenge is that modern slavery is a hidden crime. Every country has made slavery illegal, so collecting data on this matter has not been easy."

Scope: What we really know

“Due to the underground nature of trafficking, the number of victims is unknown.”
National Institute of Justice

Hotline tips of U.S. cases:

- 2009 – 975 cases indicated
- 2010 – 1053 cases indicated
- 2011 – 2165 cases indicated
- 2012 – 3279 cases indicated
- 2013 – 4884 cases indicated
- 2014 – 5042 cases indicated
- 2015 – 5544 cases indicated
- 2016 – 7621 cases indicated

Hotline tips of MI cases:

- 2009 – 14 cases indicated
- 2010 – 26 cases indicated
- 2011 – 37 cases indicated
- 2012 – 69 cases indicated
- 2013 – 118 cases indicated
- 2014 – 131 cases indicated
- 2015 – 152 cases indicated
- 2016 – 249 cases indicated

“The number of human trafficking cases that Polaris learns about in the U.S. increases every year. “

Known cases in:

- Adrian
- Ann Arbor
- Battle Creek
- Bloomfield Hills
- Chelsea
- Dearborn
- Detroit
- Dexter
- Eastpointe
- Flint
- Grand Rapids
- Howell
- Jackson
- Kalamazoo
- Lansing
- Muskegon
- Romeo/New Baltimore
- Romulus
- Roseville
- Saginaw
- Southfield
- Traverse City
- Upper Peninsula
- Ypsilanti
- And every other state in the U.S.



Brazil
China
Costa Rica
El Salvador
Ethiopia
Guatemala
Guinea
Haiti
Honduras
India
Lebanon
Liberia
Malawi

Mexico
Nicaragua
Nigeria
Pakistan
Philippines
Russia
Rwanda
South Africa
Spain
Tajikistan
Togo
Ukraine
United States

Identification: What am I looking for?

(General Indicators)

- Scripted or inconsistent history
- Unwilling or hesitant to answer questions about the injury or illness
- Accompanied by person who does not let patient speak for themselves
- Evidence of controlling or dominating relationships
- Fearful/nervous behavior/avoids eye contact

Identification: What am I looking for? (General Indicators)

- Resistant to assistance or demonstrates hostile behavior
- Unable to provide his/her address
- Not aware of his/her location/current date or time
- Not in possession of identity documents
- Not in control of his/her own money
- Not being paid or wages are being withheld.

Labor Trafficking Indicators

- Has been abused at work or threatened with harm by an employer or supervisor
- Is not allowed to take adequate breaks, food, or water while at work.
- Is not provided with adequate personal protective equipment for hazardous work.
- Was recruited for different work than he/she is currently doing.
- Is required to live in housing provided by employer.
- Has a debt to employer or recruiter that he/she cannot pay off.

Sex Trafficking Indicators

- Patient is under the age of 18 and is involved in the commercial sex industry.
- Has tattoos or other forms of branding such as “Daddy,” “Property of...” etc.
- Reports unusually high numbers of sexual partners
- Does not have the appropriate clothing for the weather or venue
- Uses language common in the commercial sex industry.

Physical Indicators of Labor Trafficking

- Dehydration
- Water and sanitation related illness
- Heat stress/stroke
- Air quality or respiratory problems
- Musculoskeletal and ergonomic injuries
- Untreated skin infections/irritations
- Pesticide or chemical exposure
- Sleep deprivation
- Unexplained memory loss

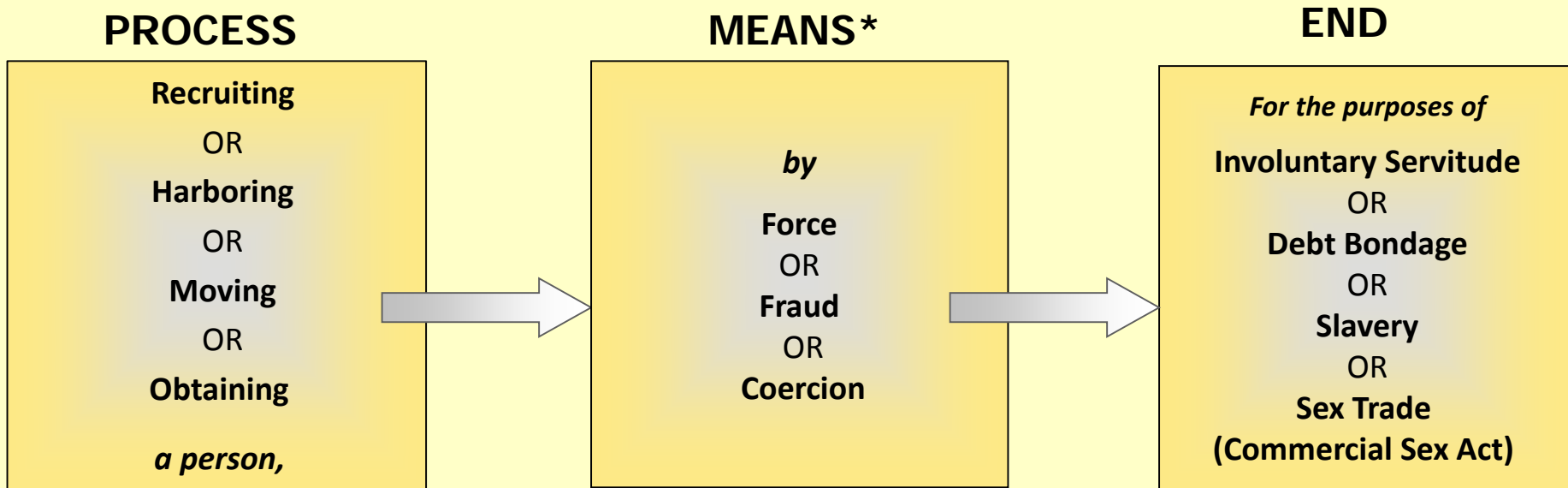
Physical Indicators of Sex Trafficking

- Persistent or untreated STIs or UTIs
- Genital trauma
- Problems with jaw or neck
- Repeated abortions or miscarriages
- Presence of cotton or debris in vagina
- Unintended pregnancies or fertility problems
- Pelvic pain

Tina

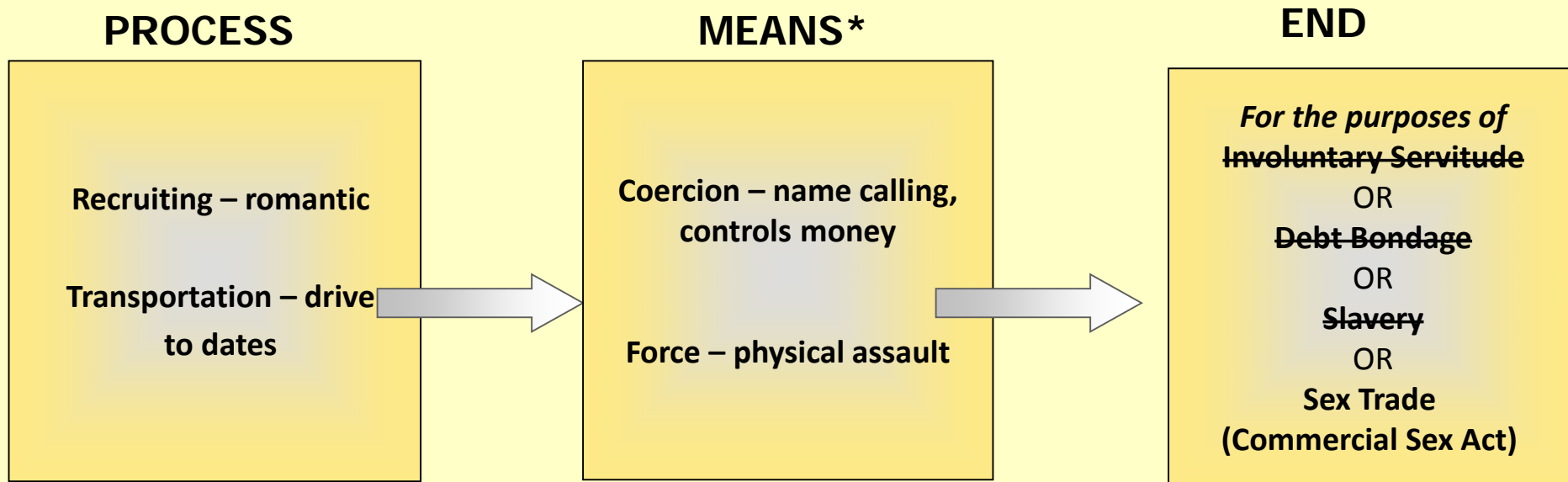
- Tina is addicted to opioids and enters drug treatment
- 19 year old US citizen, single mother meets Ed
- Ed proposes a “business arrangement” with Tina – he will post on websites, drive her to dates, and she will engage in commercial sex, she is to earn 40%
- They begin a romantic relationship and Ed tells her that soon she can stop and they will start a business
- Ed keeps all of the money
- Ed hits Tina and insults if she argues with him
- They have a child in common
- Tina is arrested and charged with prostitution

Three Elements of Trafficking



*No force, fraud, or coercion required when a child is induced to perform a commercial sex act.

Tina: Is it HT?



*No force, fraud, or coercion required when a child is induced to perform a commercial sex act.

Intersections with Sexual Assault

- By definition victims of sex trafficking are victims of sexual assault because they are induced into a sexual act without their consent.
- Sexual assault is a common forceful and coercive tactic used by traffickers in both sex and labor trafficking to control victims.

BOTH ARE RELATIONAL CRIMES!

Intersections with Domestic Violence

HUMAN TRAFFICKING

The recruitment, harboring, transportation, provision or obtaining of a person for labor or services or a commercial sex act by **force, fraud or coercion**

COMPARED TO:

DOMESTIC VIOLENCE

A pattern of **coercive, controlling behavior** against a current or former intimate partner that can include **physical, sexual, emotional, psychological or financial abuse.**

Domestic Violence and human trafficking can co-exist. Intimate partners using violence and coercion both to control and to exploit.

Push-Pull Relationship: Individuals escaping domestic violence are vulnerable to trafficking, and vice versa.

BOTH ARE RELATIONAL CRIMES!

Michigan Mandatory Report + Prostitution Laws

- Michigan law: human trafficking of a child must be reported to CPS.
- Michigan law: No immunity for 16 and 17 year olds from prostitution laws.
- Puts mandatory reporters in a quandary.

Guiding Principles: Caring for Trafficked Persons

- Collaborate with other support services
- Ensure the confidentiality and privacy of trafficked persons and their families.
- Provide information in a way that each trafficked person can understand.
- Obtain voluntary informed consent.
- Respect the rights, choices, and dignity of each individual.
- Avoid calling authorities such as police or immigration services, unless given the consent of the trafficked person.
- Maintain all info. about trafficked persons in secure facilities.

Resources

National Human Trafficking Resource Center (Polaris Project):

CALL: 1.888.3737.888

TEXT: 233733 (BE FREE)

The hotline will help you determine if a person is a victim and identify local resources to help. They also have a robust set of outreach and training materials at:

<http://www.traffickingresourcecenter.org/>