



Indiana Education for Homeless Children & Youth (INEHCY) McKinney Vento Homeless Education Program

What is Human Trafficking?

Sex Trafficking: When a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

Labor Trafficking: The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Three Elements of Trafficking

In order to be considered trafficking on both federal and state levels, all three of these elements must be identified:

- Recruiting Harboring, Moving, or Obtaining A person
- By Force, Fraud or Coercion (unless under 18 for sex trafficking)
- For the purpose of Involuntary servitude, Debt bondage, Slavery or Sex Trade

Human Trafficking Examples

Sex Trafficking Example:

- A 17 year old girl* runs away from her abusive family for the second time. She meets a 20-something man at the mall who befriends her and offers to buy her something pretty. Their romantic relationship grows slowly as she becomes more dependent upon him and believes he loves her. He starts to ask her to do things for him, eventually leading to pimping her out for profit and resorting to violence and psychological trauma to control her.

Labor Trafficking Example:

- After losing his factory job*, a 35- year old man answers a job advertisement in the local newspaper for skilled welders. The ad promises affordable, safe housing and good pay. However, after being coerced into signing a “contract” in English, which he does not speak, he is taken to his home: a 2-bedroom apartment housing 8 other men, costing him \$600 per month. The men are transported to a restaurant where they work 15 hours a day and their living costs always outnumber their pay, causing them to become burdened by an ever increasing debt.

Indiana Law IC 35-42-3.5

Trafficking: A person who, by force, threat of force, or fraud engages person in:

- Forced Labor
- Involuntary Servitude



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- Marriage
- Prostitution
- Participation in Sexual Conduct
- Prosecutors don't have to prove force when a minor under the age of 18 is being trafficked
- Any individual can be guilty of committing trafficking of a child; no specific relationship required
- Restitution is available to trafficking victims
- Trafficking victims may also have a civil cause of action to recover other damages from the trafficker

Federal Law: Trafficking Victims Protection Act of 2000

A Comprehensive Law:

Areas of Focus:

- Prevention • Public Awareness, Outreach and Education
- Protection • T-Visa, Certification, Benefits and Services to Victims
- Prosecution • Created Federal Crime of Trafficking, New Law Enforcement Tools and Efforts

Federal Crimes and Penalties

- Forced Labor Up to 20 years
- Trafficking into Servitude Up to 20 years
- Sex Trafficking Up to life
- Involuntary Servitude Up to 20 years
- Peonage (Debt Bondage) Up to 20 years
- Document Servitude Up to 5 years
- Conspiracy Against Rights Up to life if kidnapping, sexual abuse, or death

Who is involved in trafficking?

- The **trafficker** is the one who controls the victims. Making the victim fearful through abuse, threats, and lies the trafficker gains power over his/her victim.
- The **victim** could be anyone, the common denominator is vulnerability.
- The **consumer** funds the human trafficking industry by purchasing goods and services. Often s/he is unaware that someone is suffering.

The Trafficker - Benefits through Financial Gain, Power and/or Control

- The trafficker will likely be in a lucrative business enterprise as the heart of human trafficking is exploiting cheap labor.
- The trafficker may be part of a larger organized crime ring, or may be profiting independently.

The Trafficked Person - **VICTIM** Human Trafficking reaches every culture and demographics. Regardless of their demographics, victims are vulnerable in some way, and the traffickers will use their particular vulnerability to exploit the victim.



Victims can be:

- Foreign born adults
- US Citizen adults
- Foreign born children *
- US Citizen children *

The Trafficked Person - VICTIM VULNERABILITY IS THE KEY

Some risk factors for youth include:

- History of childhood abuse, family conflict/violence
- Prior involvement in child welfare system
- Poverty
- Homelessness
- A need to be loved
- Feel misunderstood or that parents don't care
- Want independence and will test boundaries/take risks
- Are attracted to consumer goods

A Growing Problem Affecting Youth

- Nearly 300,000 American youths are at risk of becoming victims of commercial sexual exploitation, according to the FBI.
- 12-14 is the average age of entry into commercial sex in the U.S.
- 83% of sex trafficking victims found in the U.S. were U.S. citizens, according to one Justice Department study.

How Are Youth Recruited?

- Parents selling children
- Grooming process, seduction and coercion
- Internet and social media
- Clubs
- On the street
- At malls
- Traffickers using girls to recruit other girls
- False advertising for "modeling", "acting", or "dancing" opportunities
- Kidnapping

Human Trafficking and Technology

Social Networking -- Pimps hit social networks to recruit underage girls to engage in commercial sex.

- The pimps "searched Facebook for attractive young girls, and sent them messages telling them that they were pretty and asking if they would like to make some money"
- If a girl expressed interest, a gang member would arrange to meet up. At that point,



participation stopped being voluntary.

The pimp may have a collection of fake Facebook accounts.

- On one of them, for "Rain Smith" investigators found more than 800 messages sent out to potential targets.

Who Might Identify Trafficked Persons?

- Local/State/Federal Law Enforcement
- Domestic Violence/Sexual Assault/Other Victim Services Programs
- Agencies involved with Child Protection or Juvenile Delinquency
- Health Services
- Labor Issue Complaints / Compliance Inspectors
- Schools
- Churches/Faith Based Services
- Tips to Local/National Hotlines via concerned community members
- Other Government Agencies or Social Service Agencies
- LEAST OFTEN: Victims self-report

Identification: Social Indicators

- Potential victim is accompanied by another person who seems controlling and/or insists on speaking for the victim
- Youth is involved in a relationship with significantly older partner, often including domestic violence issues
- Frequent relocation
- Numerous inconsistencies in his or her story
- Are not in control of their own money OR might have excess amounts of cash
- Lack of control of identification documents
- Individual is using false identification papers
- Restricted or scripted communication
- Not attending school or falling asleep in school
- Hotel room keys
- Chronic runaway/homeless youth
- Signs of branding (tattoo, jewelry)
- Lying about age
- Lack of knowledge of a given community or whereabouts
- Exhibits behaviors including hyper-vigilance or paranoia, nervousness, tension, submission, etc.
- Any minor involved in any sex industry

Identification: Health Indicators

- Neglected healthcare needs
- Signs of physical abuse—Bruises, Black Eyes, Burns, Cuts, Broken teeth, Multiple scars
- Malnourishment
- Evidence of trauma



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- Poor Dental Hygiene
- Frequent or Multiple STDs or pregnancies

Identification: Mental Health Indicators

- Symptoms of psychological trauma;
- Extreme sadness and hopelessness;
- Risks for suicide, memory loss, and presenting as withdrawn;
- Difficulty concentrating, demonstrations of aggression and anger;
- Trauma bonds;
- Anxiety and mood disorders, panic attacks;
- Substance-related disorders.

Victim Needs that Social Service Providers May Encounter

- Basic needs –medical attention, shelter and safety, food, clothing, long term housing, etc.
- Safety planning
- Ongoing counseling and therapy that are culturally sensitive
- Treatment for substance-related disorders
- Life skills, educational, and vocational training
- Legal Services (immigration, expungement, protective orders, etc.)
- Child care and parenting support
- Transportation

Inherent Challenges

- Keeping in touch with victim
- Maintaining a trauma-informed response
- Trauma bonding to and manipulation by Trafficker
- Victims are often chronic runaways
- Absence of family support and stability
- Limited resources and availability of services
- SAFETY ISSUES for victims
- Length of investigations

RESOURCES

If you believe someone is a victim of Human Trafficking, in emergency situations:

- Call 911
- Department of Child Services -- A liaison's role would be to call DCS if they suspect trafficking based on red flags since it is considered child abuse (or 911 if they believe the youth is in immediate danger). If DCS opens a CHINS case after making a determination trafficking has occurred, they determine what services are appropriate (which should hopefully include consultation with service providers, school personnel, etc.). School personnel should not be interviewing youth to determine if trafficking occurred and what services to put in place.

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