

KNOW THE FACTS:

Human Trafficking

Human trafficking is not only the fastest-growing criminal enterprise in the world; it is also modern-day slavery. Every year millions of men, women, and children are bought and sold for commercial sexual exploitation and forced labor. Traffickers generate billions of dollars in profits by victimizing these people in every country around the world, including the United States.

- Human trafficking is defined as the recruitment and transportation of persons within or across boundaries **by force, fraud, or coercion** for the purpose of exploit-ing them economically. If the victim is under the age of 18, there is no requirement to show force, fraud or coercion.¹
 - **Force** involves the use of rape, beatings and confinement to control victims. Violence is used especially during the early stages of victimization, known as the “seasoning process,” which is used to break victims’ resistance to make them easier to control.
 - **Fraud** often involves false offers that induce people into trafficking situations. For example, women and children will reply to advertisements that promise jobs as waitresses, maids and dancers in other countries and are then trafficked for purposes of prostitution once they arrive at their destinations.
 - **Coercion** can involve threats of serious harm, physical restraining a person; a 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 the abuse or threatened abuse of the legal process.
- Human trafficking is not the same crime as smuggling.
 - There are many fundamental differences between the crimes of human trafficking and human smuggling. Both are entirely separate Federal crimes in the United States. Most notably, **smuggling is a crime against a country’s borders, whereas human trafficking is a crime against a person.** Also, while smuggling requires illegal border crossing, human trafficking does not require the movement to another country, state or even city; it involves commercial sex acts or labor or services that are induced through force, fraud, or coercion.²
- Human trafficking is the world’s third largest criminal enterprise, after drugs and weapons, and it is the fastest growing. It also funds the trafficking of drugs and weapons.³ Sex trafficking alone produces an estimated \$7 billion annually.⁴
- The International Labor Organization (ILO) of the United Nations estimates that there are 12.3 million adults and children at any given time in forced labor or commercial sexual servitude worldwide.⁵

¹ *Trafficking Victims Protection Act of 2000*, H.R. 3244, 106th Cong., 2nd Sess. (2000). Critical to this definition is recognizing that while trafficking often involves the movement of people from their own communities and transporting them across borders or within a nation, a victim does not need to be physically transported in order for this crime to fall under the TVPA definition. Clawson, H.J. & Dutch, N. (January 1008). *Identifying victims of human trafficking: Inherent challenges and promising strategies from the field*. U.S. Department of Health and Human Services. Retrieved July 22, 2009, from <http://aspe.hhs.gov/hsp/07/HumanTrafficking/IdentVict/ib.htm#What>

² Polaris Project (2009). *Common myths and misconceptions about human trafficking in the U.S.* Retrieved July 22, 2009, from <http://nhtrc.polarisproject.org/materials/Common-Myths-and-Misconceptions-about-Human-Trafficking-in-the-US.pdf>

³ Miko, F. & Park, G. (March 2002). *Trafficking in women and children: The U.S. and international response*. U.S. Department of State. Retrieved July 22, 2009, from <http://fpc.state.gov/documents/organization/9107.pdf>

⁴ U.S. Department of Health and Human Services. 2005. *Sex Trafficking Fact Sheet*.

⁵ U.S. Department of State (June 2009). *Trafficking in persons report 2009: Introduction* [Electronic version]. Retrieved July 22, 2009, at <http://www.state.gov/g/tip/rls/tiprpt/2009/>

KNOW THE FACTS: Human Trafficking

- The U.S. Department of State estimates that between 14,500 and 17,500 international victims are trafficked into the United States. These estimates include women, men and children. Victims are generally trafficked into the United States from Asia, Central and South America, and Eastern Europe. Many victims trafficked into the United States do not speak or understand English and are therefore isolated and unable to communicate with service providers, law enforcement and others who might be able to help them.⁶
- Traffickers control their victims in a number of ways. Victims are often subjected to debt-bondage, usually in the context of paying off transportation fees into the destination countries. Victims do not realize that their debts are often legally unenforceable and, in any event, that it is illegal for traffickers to dictate how they have to pay off their debts. In many cases, the victims are trapped into a cycle of debt because they have to pay for all living expenses in addition to the initial transportation expenses. Fines for not meeting daily quotas of service or “bad” behavior are also used by some trafficking operations to increase debt. Most trafficked victims rarely see the money they are supposedly earning and may not even know the specific amount of their debt. Traffickers will often threaten victims with injury or death, or threaten the safety of their family back home. Traffickers commonly isolate victims and take away their travel documents to make escape more difficult.⁷
- Internationally trafficked persons can be in the United States through either legal or illegal means. Although some foreign national victims are undocumented, a significant percentage have legitimate visas for various purposes, such as guest worker programs. Not all foreign national victims are undocumented.⁸
- Trafficking victims in the United States may be eligible to receive T-visas from the U.S. Department of Justice.⁹ This visa gives temporary non-immigrant status to victims of severe forms of human trafficking, allowing them to remain in the United States for at least four years on the condition that they provide assistance to law enforcement officials for the investigation and prosecution of the traffickers who abused and exploited them. The T-visa program helps to stop future trafficking crimes by putting the traffickers out of business and behind bars.¹⁰

⁶ U.S. Department of State (June 2009). *Trafficking in persons report 2009: Introduction* [Electronic version]. Retrieved July 22, 2009, at <http://www.state.gov/g/tip/rls/tiprpt/2009/>

⁷ U.S. Department of Health and Human Services (February 2009). *Fact sheet: Human trafficking*. Retrieved July 22, 2009, from http://www.acf.hhs.gov/trafficking/about/fact_human.html

⁸ Polaris Project (2009). *Common myths and misconceptions about human trafficking in the U.S.* Retrieved July 22, 2009, from <http://nhtrc.polarisproject.org/materials/Common-Myths-and-Misconceptions-about-Human-Trafficking-in-the-US.pdf>

⁹ 8 U.S.C. § 1101(a)(15)(T)(i).

¹⁰ 8 C.F.R. § 214.11(p)(1).