



Texas Young Lawyers Association

TYLA

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SLAVERY OUT OF THE SHADOWS:

SPOTLIGHT ON HUMAN
TRAFFICKING

WHAT YOU SHOULD
KNOW ABOUT
HUMAN TRAFFICKING



WHAT IS HUMAN TRAFFICKING?

Human trafficking is a form of modern-day slavery.

Federal law defines human trafficking as recruiting, providing, harboring, transporting, or obtaining by any means, any person for labor or services in violation of laws prohibiting, among other things, forced labor, involuntary servitude, peonage, and slavery.

State laws vary slightly from this definition. In Texas, the crime of trafficking of persons is “the use of force, fraud, or coercion against an individual to receive or benefit from labor or commercial sex acts.”

Any person—male or female, young or old, U.S. citizen or foreign national—can be a victim of human trafficking.

WHAT ARE THE TYPES OF HUMAN TRAFFICKING?

Human trafficking affects both adults and children, men and women, and people from all parts of Texas, the United States, and around the world.

There are four major types of trafficking:

1. **Adult Sex Trafficking** - Trafficking of adults for sex by force, fraud, or coercion in strip clubs, brothels, massage parlors, street prostitution, or internet prostitution.
2. **Adult Labor Trafficking** - Trafficking adults for labor by force, fraud, or coercion into industries, such as agriculture, food service, manufacturing, domestic servitude, or hospitality.
3. **Child Sex Trafficking** - Trafficking children, under the age of 18, by any means into the commercial sex industry. It can include prostitution, sex tourism, pornography, and performance in sexual acts.
4. **Child Labor Trafficking** - Trafficking children, under the age of 18, by force, fraud or coercion into industries such as agriculture, food service, manufacturing, domestic servitude, or hospitality.

HOW DO TRAFFICKERS CONTROL THEIR VICTIMS?

Traffickers’ main control over their victims is psychological. Traffickers employ means of force, coercion, and fraud, to effectively and completely control their adult victims.

Force: This includes violent physical abuse, torture, rape, degrading forms of physical restraint, and frequent transport of victims to different locations.

Coercion: This includes threats against the victim or the victim’s family, the confiscation or destruction of identification materials or official documents, debt bondage, or psychological manipulation. It can include a scheme, plan or pattern intended to convince the person he or she would suffer serious harm, including financial and psychological harm, if he or she does not comply.

Fraud: This includes false promises of successful employment, loving marriage, or simply a “better life.”

Sex trafficking of children can be completed by any means and does not require the use of force, fraud, or coercion.

Some of the more common methods of recruitment of children include:

- A promise of romance, love, or acceptance;
- Offers of cash, luxury items, a place to stay, independence or a glamorous lifestyle;
- The persuasion of a peer who is already involved;
- Meeting the immediate needs of a child for food, clothing, shelter, or love; or
- Taking advantage of a vulnerability or a desperate situation.

WHERE DOES HUMAN TRAFFICKING OCCUR?

Human trafficking can occur anywhere!

Common recruiting areas include but are not limited to:

- Social networking sites
- Malls
- Schools
- Hotels
- Private homes
- Massage parlors
- Bars
- Street prostitution
- Restaurants
- Truck stops

WHY DON'T VICTIMS SEEK OUT HELP?

The trauma caused by the traffickers can be so great that many victims may not identify themselves as victims or ask for help. Often times victims fear retaliation if they seek help. Sometimes, victims and their families face extreme security risks because traffickers may have ties with other forms of organized crime. Victims also are trained to distrust law enforcement. Often officials do not know all of the perpetrators involved and struggle to adequately protect and assist victims.

IDENTIFYING VICTIMS OF TRAFFICKING

If you suspect someone may be a victim of human trafficking, ask yourself some of the questions listed below. This is not an exhaustive list, and any given answer, standing alone, may not necessarily imply trafficking. However, these indicators are a good place to start:

- Is the person being controlled? Are they unreasonably fearful, paranoid, or submissive?
- Does the person avoid eye contact?
- Can the person leave their job if they want? Does he or she fear an employer or certain relatives?
- Does the person have adequate identification? Does he or she have a known, steady address?
- Are there signs of physical, sexual, or psychological abuse?

- Are there signs of branding, such as tattoos?
- Is the individual being denied life necessities? Does he or she have adequate food and water or seem tired all the time?
- Are they receiving medical care?
- Is the person free to contact friends and family? Is he or she allowed in public without supervision?
- Has this person or his or her family been threatened?
- Does a minor appear to be in a relationship with a much older person?
- Does the person discuss a large debt that he or she is working to repay?
- Is this person unreasonably afraid of law enforcement?

WHAT IS BEING DONE TO STOP HUMAN TRAFFICKING?

The federal government and all states have adopted an increasingly proactive approach to combating human trafficking.

Empowering Survivors: This is a victim-centered approach to anti-trafficking efforts. This work focuses on curbing the supply for human trafficking by seeking to identify, rescue, rehabilitate, and reintegrate victims of human trafficking. It includes adopting legislation providing for record keeping and statistics, crime victims' compensation and restitution, and support for victim services organizations as well as civil remedies.

Building Awareness: This approach focuses on destroying the market for human trafficking. Efforts in this area call for government accountability to suppress the markets and curtail the means for traffickers to recruit, transport, and exploit victims. On the federal level, countries are ranked by the Department of State based upon their anti-trafficking efforts. Similarly, more states are taking strong anti-trafficking stances in order to bring attention to the problem and decrease demand for the activity. Awareness campaigns help the general public view the true horrors of human trafficking and reduce demand within local communities.

Targeting Traffickers: Efforts to curtail the distribution side of human trafficking focus on prosecuting and deterring the activities of the traffickers themselves. Any person who knowingly receives a benefit (financial or otherwise) from the trafficking activity is subject to prosecution for human trafficking under both state and federal law. Both Texas and federal laws recognize enhanced penalties when human trafficking offenses involve children.

WAYS YOU CAN HELP

- Read and share information only from credible sources. It does more harm than good to sensationalize this social issue.
- If the situation is an emergency or you believe someone is in immediate danger, call 911 and alert the authorities. Tell them you think it may be a case of human trafficking, so the call can be routed to the proper investigators. Be sure to share all information you have.
- After contacting law enforcement, call the National Human Trafficking Hotline toll free at 888-373-7888 or text “help” or “info” to BeeFree (233733).
- Pay close attention to the people in your neighborhood and community. Report behaviors that might be evidence of human trafficking.
- Don't approach traffickers or suspected victims. Human traffickers often commit acts of violence, and victims do not self-identify. This can put you and the trafficked individual in danger.
- Commit to telling at least one person about the problem of human trafficking, support your local anti-trafficking advocacy organizations, and assist with current victim services efforts.
- Contact local, state, and federal officials to urge lawmakers to support anti-trafficking legislation and victim-centered policies.

MYTH BUSTERS

- Human trafficking is NOT a choice; victims cannot escape their situation.
- Victims of human trafficking can be anyone.
- Human trafficking is an issue for all socioeconomic levels and does not only affect low-income families.
- Human trafficking does not require transportation across state or international borders; a person can be a victim of trafficking within his or her own home.
- A victim can be trafficked by close friends, family members, or significant others. Trafficking rarely is the result of a random kidnapping.



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REPORT HUMAN TRAFFICKING

Call the National Human Trafficking Hotline
toll free at

888-3737-888

or text **“Help”** or **“Info”**
to **BeFree (233733)**.

The hotline is staffed 24/7 with people trained in recognizing and identifying trafficking. They can help you make sense of the information you have and recommend next steps.

LEARN MORE ABOUT HUMAN TRAFFICKING

U.S. Department of State

Office to Monitor and Combat Trafficking in Persons
state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons

U.S. Department of Health and Human Services
Office on Trafficking in Persons
acf.hhs.gov/otip

The Attorney General of Texas
Human Trafficking Initiative
texasattorneygeneral.gov/human-trafficking

The Polaris Project
polarisproject.org

Catholic Charities
catholiccharitiesusa.org

Children at Risk
childrenatrisk.org

Mosaic Family Services
mosaicservices.org

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