

Human trafficking is a growing problem in the US and around the world. Colorado, with its international airport, sizeable immigrant population and convergence of major interstate highways makes it a source, destination and transit route for human trafficking. In Denver alone the commercial sex industry brings in estimated profits of \$60 million each year.¹ Despite Colorado's creation of anti-trafficking measures, there has been only one trafficking related conviction since 2006.² This fact sheet, intended for Colorado judges and court administrators, provides a basic overview of human trafficking numbers and demographics in Colorado, the US and globally. While a variety of internationally recognized reports were consulted for the purposes of this fact sheet, accurate and uniform statistics for human trafficking due to the industry's hidden nature.

International Human Trafficking Statistics:

- 10-30 million modern day slaves exist in the world today.³ The majority of the reports consulted for the purposes of this fact sheet estimate that the number is around 27 million people⁴ with several respected analysts estimating the number to be much higher.⁵
- After drug trafficking, human trafficking is tied with the illegal arms industry as the second largest criminal industry in the world today – and is considered the fastest growing – generating \$32 billion a year.⁶
- \$15.5 billion is generated in industrialized countries alone.⁷
- The estimated financial cost of forced labor (compared to free employment) is \$21 billion a year.⁸
- 12.3 million adults and children are in forced labor world wide.⁹
- The International Labour Organization estimates that for every 1 victim of sex trafficking there are 9 victims of labor trafficking worldwide. However, sexual exploitation (79%) is by far the most *commonly identified* form of trafficking in persons, followed by forced labor (18%).¹⁰
- In 2011, 42,291 victims of human trafficking were identified worldwide. Of that number only 7,909 cases were prosecuted and resulted in only 3,969 convictions.¹¹
- In 2011 there were 15,205 labor trafficking victims identified resulting in only 278 convictions.¹²
- In 2006 there were only 5,808 prosecutions and 3,160 convictions throughout the world, which means for every 800 people trafficked, only one person was convicted.¹³
- 600,000 - 800,000 people are trafficked across international borders each year.¹⁴
- 80% of transnational victims are women and girls.¹⁵
- 50% of transnational victims are minors. An estimated 2 million children are exploited by the global commercial sex trade, with 100,000 minors in the commercial sex trade in the U.S. alone.¹⁶
- The International Labour Organization (ILO) estimates that 20% of all trafficking victims are minors.¹⁷
- 161 countries are affected by human trafficking.¹⁸
- The majority of suspects involved in human trafficking are nationals of the country where the trafficking process is occurring.¹⁹
- The majority (56%) of trafficking victims are subjected to forced labor in their place of origin or residence, with only 44% who are considered transnational trafficking victims. The International Labour Organization found that cross-border movement is closely linked to forced sexual exploitation.²⁰
- Only 54% of the recruiters are strangers, 46% are known to the victims.²¹

US-based human trafficking statistics:

- According to the Trafficking in Persons Report by the US State Department between 14,500 and 17,500 people are trafficked into the US annually (this is not the total number of trafficking victims in the US as it excludes US nationals who are victims of human trafficking within US borders).²²
- A Department of Justice report extrapolating from a San Diego county survey estimated the potential number of unauthorized immigrant labor trafficking victims in the U.S. at 2.47 million.²³
- In 2010, 449 certifications were given to adult victims of human trafficking and 92 issued to child victims.²⁴
- 82% adult victims and 56% child victims of trafficking in the US were labor trafficking victims.²⁵
- 53% of adult victims and 66% of child victims of trafficking were women.²⁶
- Victims came from 47 different countries. The top 5 host countries include: Thailand, Mexico, Philippines, Haiti and India, in that order.²⁷
- While the ILO estimates that the ratio between sex to labor trafficking is 1:9, In 2011, 83% of reported incidents in the US were sex trafficking and only 12% of reported incidents were labor trafficking, leaving 5% categorized as “other.”²⁸
- Between FY 2000 and FY 2009 only 1,591 T visas were granted by the Department of Homeland Security. Approximately 1/5 of the annual cap for T-visas, which is 5,000.²⁹
- Types of labor trafficking in the US include: domestic servitude (nannies, housekeepers), small businesses (landscaping, nail salons, restaurants, industrial cleaning, construction, hospitality), Sale Crews (magazine, flower and candy sale crews) and large scale labor cases (agricultural, factory settings).³⁰
- Types of sex trafficking in the US include: Bar/Club operations (cantina bars, Stripping or exotic dancing clubs, salons, massage parlors, hostess clubs and karaoke clubs, domestic strip clubs and gentleman clubs); Residential brothel settings (homes, apartments, hotels, mobile trailers); Escort services (bar/hotel based, internet-based, private, boat cruises, chat lines); Pimp-controlled prostitution (hotel-based, internet-based, private parties, street-based, truck stops).³¹

Human trafficking and minors statistics³²:

- There are an estimated 100,000 - 300,000 prostituted children in the U.S.
- 244,000 American children and youth are estimated to be at risk of child sexual exploitation, including commercial sexual exploitation. Runaways and unaccompanied minors make up the majority of at-risk youth for both sexual and labor exploitation.
- 41.4% of suspected or confirmed child victims of domestic sex trafficking were repeat runaways.
- 46.7% of suspected or confirmed child victims of domestic sex trafficking ran from a group home, foster care, DCFS care or a shelter.
- 40-70% of all street youth engage, at least occasionally, in prostitution to meet their basic needs.
- The population of street youth engaging in prostitution is almost equally divided between boys and girls.

Colorado-based Human Trafficking Statistics

- In 2010, Colorado law enforcement estimated that they investigated between 100-150 sex trafficking cases in the Denver Metro Area.³³
- There have been no records kept for labor trafficking in Colorado.³⁴
- The National Human Trafficking Resource Center received 147 total calls concerning human trafficking ranging from training materials, referrals and potential human trafficking cases (21 calls).³⁵

- In Colorado any person who performs or agrees to perform a sex act in exchange for money or something of value commits prostitution, a class 3 misdemeanor. A law passed in 2012 allows for adults or juveniles, convicted of prostitution-related offenses as juveniles, to have their records sealed if they can provide a preponderance of evidence that he or she was a victim.³⁶
- Misidentifying victims as criminals has been a long-term problem and the historical conflation of prostitution and sex trafficking has added to this error. Colorado law enforcement is making more of an effort to try and determine whether a person apprehended for a prostitution-related offense was coerced or acting voluntarily.³⁷
- In 2007, between 1200 and 1500 youth and young adults between the ages of 12 to 24 were homeless in Colorado making them vulnerable to sexual exploitation.³⁸
- According to the Colorado Department of Human Services homeless youth will be actively recruited for sexual exploitation or other forms of human trafficking within 48 hours of leaving home.³⁹
- Immigrants with H-2A visas who work as herders in rural western Colorado herders are very vulnerable to abuse, mistreatment and labor trafficking as a result of extreme isolation, fear of conflict with employer leading to blacklisting and a lack of protection afforded to H-2A herders through the Department of Labor.⁴⁰
- Sheep ranchers who hire H-2A workers are exempt from having to comply with state or federal employer requirements resulting in herders earning a maximum of \$750/month while being on call 24/7, often not having access to a functioning toilet or electricity, little access to cell phones and few vacation days.⁴¹
- Upon arrival to the U.S. 42% of H-2A visa sheep herders had their identity documents taken by their employers.⁴²

Colorado Immigration Statistics

- In 2011, Colorado had a total population of just over 5.1 million.⁴³
- Colorado has the 17th largest foreign-born population in the U.S. at 9.7% or 494,000 immigrants.⁴⁴
- The percentage of foreign-born to total population increased by 33.8% between 2000 and 2011.⁴⁵
- The 2010 estimate of LPRs in Colorado was over 130,000 (18th highest in the US) with 61.5% eligible to naturalize.⁴⁶
- Colorado admitted just over 12,000 LPRs/year between the years of 2002 and 2011.⁴⁷
- In 2010, there were 180,000 undocumented immigrants in Colorado (14th highest in the U.S.). The state experienced a decrease of 65,000 undocumented immigrants since 2007.⁴⁸
- There were nearly 180,000 naturalized immigrants in 2011, making up 3.5% of the total foreign-born population.⁴⁹
- Of the total immigrant population in Colorado 40.1% entered in 2000 or later.⁵⁰
- Most of the foreign-born population were from Latin America (55.9%), followed by Asia (21.6%) and Europe (13.7%).⁵¹
- The top 3 countries of birth for Colorado's foreign-born were Mexico (48%), Korea (3.8%) and Germany (3.5%).⁵²
- Children with at least one immigrant parent accounted for 21.3% of all children under the age of 18.⁵³
- Limited English proficient foreign-born grew to over 260,000 immigrants of 53% of the foreign-born population.⁵⁴

Colorado Human Trafficking Legislation

Colorado HB 1151 (2012)⁵⁵

There were several changes to the Colorado statutes as a result of the passage of House Bill 1151:

- Individuals convicted of trafficking may be held liable for damages caused as a result of the trafficking. Property or vehicles used for the purpose of trafficking can be subject to seizure, confiscation, and/or forfeiture.
- A person who has been trafficked can now more easily seek restitution through the civil legal system.
- People working in Colorado's escort bureaus must now be given information about human trafficking, including victim assistance information.
- Massage parlors must also post victim services information, as well as a notice that trafficking is illegal.

Under House Bill 1151, if a victim obtained a conviction related to trafficking (e.g., prostitution or soliciting for prostitution) while being a minor, then s/he can petition the court to have those criminal justice records expunged.

- While a human trafficking victim who received a conviction as an adult cannot have that record expunged, this bill does create a process to seal conviction records related to prostitution for adult victims of human trafficking.

Colorado SB 85 (2011)⁵⁶

This bill focused on reducing demand for commercial sex. Diversion programs are now authorized for individuals with no prior felony or prostitution-related convictions who are charged with soliciting for prostitution or patronizing a prostitute. Fines for solicitations to prostitutes were increased to a maximum of \$5,000. Fines will be directed to the Prostitution Enforcement Resources Grant Program, which will assist law enforcement to combat prostitution-related offenses.

Colorado SB 140 (2010)⁵⁷

Repeals and relocates, with amendments, provisions relating to trafficking in adults, trafficking in children, and coercion of involuntary servitude; requires proof of the use of force, fraud, or coercion to prove the crime of trafficking in adults or trafficking in children and proof of the use of force or fraud to prove the crime of coercion of involuntary servitude; adds trafficking in adults, trafficking in children, and coercion of involuntary servitude.

Colorado HB 1123 (2009)⁵⁸

Revises provisions concerning trafficking of children and coercion of involuntary servitude by providing that "child" means any person under eighteen years of age, rather than sixteen. Specifies that the crime of trafficking in children is a Class 2 felony. Provides that a person commits "involuntary servitude" if he or she coerces another person to perform labor using threats of harm or a scheme to cause a person to believe that they will suffer harm.

Colorado SB 206 (2006)⁵⁹

Makes smuggling humans a Class 3 felony, unless the adult is an illegal immigrant, which makes the offense a

Class 2 felony. Smuggling includes offering transportation to someone of illegal residency status to enter, pass through, or remain in either the United States or Colorado in exchange for money. A separate offense is brought against the smuggler for each person assisted.

Colorado SB 207 (2006)⁶⁰

Makes human trafficking a crime and increases penalties. Trafficking a human includes selling, exchanging, bartering or leasing an adult (16 years old or older) in exchange for money. Trafficking also includes receiving the services of an adult in exchange for money (section 1). Trafficking of any child under the age of 16 results in a Class 3 felony.

Colorado Human Trafficking-Related Statutes⁶¹

18-1.8-101 Description of the agencies involved in the interagency task force on human trafficking and their responsibilities.

18-3-411 Sex offenses against children- “unlawful sexual offense” defined - limitation for commencing proceedings - evidence - statutory privilege

18-3-412 Habitual sex offenders against children - indictment or information - verdict of the jury (sentence enhancement applies to habitual violators of 18-3-502)

18-3-501 Definition of trafficking in adults

18-3-502 Definition of trafficking in children

18-3-503 Definition of coercion of involuntary servitude

18-6-404 Definition of procurement of a child for sexual exploitation

18-7-405 Definition of pimping of a child

18-13-128 Definition of smuggling of humans

18-17-103(5) Definitions (Colorado Organized Crime Control Act): 18-3-501-503 constitute “Racketeering activity”

18-17-104(3)⁶² makes it a crime for “any person employed by, or associated with, any enterprise to knowingly conduct or participate, directly or indirectly, in such enterprise through a pattern of racketeering activity or the collection of an unlawful debt.” Col. Rev. Stat. § **18-17-103(5)** states that “racketeering activity” means “to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit: (a) Any conduct defined as “racketeering activity” under **18 U.S.C. 1961** (1) (A), (1) (B), (1) (C), and (1) (D); or (b) (I) Offenses against the person, as defined in . . . **18-3-501** (trafficking in adults), **18-3-502** (trafficking in children), and **18-3-503** (coercion of involuntary servitude); (V) Offenses involving the family relation, as defined in section **18-6-403** (sexual exploitation of children); (VI) Offenses relating to morals, as defined in sections **18-7-102** (wholesale promotion of obscenity or promotion of obscenity), **18-7-203** (pandering), **18-7-206** (pimping), **18-7-402**

(soliciting for child prostitution), 18-7-403 (pandering of a child), 18-7-404 (keeping a place of child prostitution), and 18-7-405 (pimping of a child).”

19-1-306 This law allows for sealing of records for adult and juvenile victims of forced prostitution related crimes in Colorado committed as juveniles.

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