

DEFINITIONS, FORMS, AND DYNAMICS OF HUMAN TRAFFICKING

Human trafficking occurs when an individual or an organization (1) induces, (2) recruits, (3) harbors, (4) transports, (5) provides, or (6) obtains a person by (1) force, (2) fraud, or (3) coercion for the purposes of (1) involuntary servitude, (2) peonage, (3) debt bondage, (4) slavery, or (5) a commercial sex act.

Action/Process

Was an individual:

- Induced?
- Recruited?
- Harbored?
- Transported?
- Provided?
- Obtained?

Means

By:

- Force – causing serious harm or physical restraint
- Fraud – using false promises, lying, deceitful behavior
- Coercion – threats of serious harm to, or physical restraint
- Coercion – abuse or threatened abuse of law or legal process
- Coercion – any scheme, plan, or pattern intended to cause a belief that ...

For the Purposes of

Commercial Sex Acts such as:

- Pimp-controlled prostitution, escort services, residential and underground brothels, pornography production and cyber-pornography, or cantina, karaoke and other types of bars or clubs.

Labor or Services including:

- Involuntary Servitude, Peonage, and Slavery – people fear physical, emotional, and/or legal consequences if they attempt to escape their conditions.
- Debt Bondage – labor is demanded as a means of loan or service repayment but terms and conditions have not been defined or the value of the victim's service has not been reasonably assessed or is not applied to the liquidation of the debt.



Definitions, Forms, and Dynamics of Human Trafficking

Commercial Sex	Labor
<h3 data-bbox="121 285 358 323">Common Types</h3> <ul style="list-style-type: none"> <li data-bbox="121 373 651 405">■ Pornography production in a variety of settings. <li data-bbox="121 422 781 520">■ Pimp-controlled prostitution in a variety of settings including hotel/motel-based, internet-based, escort service-based, streets, truck stops, and clubs and bars. <li data-bbox="121 537 789 636">■ Residential brothels in a variety of settings including apartments, massage parlors, homes, hotels/motels, mobile homes, and RV parks. <li data-bbox="121 653 789 751">■ Escort services in a variety of settings including bars, hotels, internet, private parties, boat cruises, outdoor tours, and phone chat lines. <li data-bbox="121 768 743 831">■ Hostess bars and clubs, including cantina bars, karaoke clubs, strip and gentlemen's clubs 	<h3 data-bbox="836 285 1073 323">Common Types</h3> <ul style="list-style-type: none"> <li data-bbox="836 373 1422 436">■ Sales crews and peddling rings for products such as flowers, candy, magazines. <li data-bbox="836 453 1487 516">■ Domestic workers such as nannies, housekeepers, cooks, and maids. <li data-bbox="836 533 1471 663">■ Small business, subcontractor operations, particularly for landscaping, hotels/motels, restaurants and bars, dance, strip and gentlemen's clubs, construction, home and industrial cleaning, and nail salons. <li data-bbox="836 680 1487 779">■ Large scale agricultural, construction, factory, fishing, and forestry work such as farm and ranch labor, garment work, food processing, and parts assembly
<h3 data-bbox="121 898 618 936">Characteristics, Dynamics, Risks</h3> <ul style="list-style-type: none"> <li data-bbox="121 987 594 1018">■ Exposure to sexually transmitted disease. <li data-bbox="121 1035 602 1066">■ Forced use/addiction to drugs and alcohol. <li data-bbox="121 1083 756 1182">■ Forced to steal, sell drugs, recruit other trafficking victims, and other activities that will increase exposure to criminal justice system. <li data-bbox="121 1199 773 1262">■ Rationed access to personal hygiene and medical care for purposes of control. <li data-bbox="121 1278 789 1482">■ Use of false promises; verbal and physical abuse; exorbitant fees and payroll deductions for room, board, products for personal hygiene and health; exorbitant fees with accruing interest rates; withheld documents; surveilled work settings; monitored movement; threat of harm; detainment; armed guards; withholding of food or no food; and retaliatory firing. <li data-bbox="121 1499 773 1530">■ Deceiving victims about potential consequences of leaving. <li data-bbox="121 1547 756 1610">■ Deceiving victims about potential benefits and rewards of remaining a victim. <li data-bbox="121 1627 756 1690">■ Workplace/trafficking-induced physical injuries, especially bruises and broken bones, and malnutrition. 	<h3 data-bbox="836 898 1333 936">Characteristics, Dynamics, Risks</h3> <ul style="list-style-type: none"> <li data-bbox="836 987 1503 1262">■ Use of false promises; verbal and physical abuse; exposure to pesticides and other hazardous materials; exorbitant fees and payroll deductions for room, board, and work-related tools; exorbitant fees with accruing interest rates; withheld documents; surveilled labor camps; monitored movement; threat of harm; detainment; armed guards; eviction; condemned housing; contaminated water; withholding of food or no food; and retaliatory firing. <li data-bbox="836 1278 1487 1310">■ Deceiving victims about potential consequences of leaving. <li data-bbox="836 1327 1471 1390">■ Deceiving victims about potential benefits and rewards of remaining a victim. <li data-bbox="836 1407 1487 1505">■ Workplace/trafficking-induced physical injuries, such as mouth and teeth injuries, bruises and broken bones, head wounds, stab and puncture wounds, and malnutrition. <li data-bbox="836 1522 1471 1585">■ Workplace/trafficking-induced exposure to infectious and communicable diseases. <li data-bbox="836 1602 1503 1732">■ Workplace/trafficking-induced exposure to environmental hazards, such as exposure to chemicals, other irritants and carcinogens contributing to acute and chronic respiratory disease, poisoning, cancer, and skin ailments.

Commercial Sex

Characteristics, Dynamics, Risks *(continued)*

- Workplace/trafficking-induced exposure to infectious and communicable diseases.
- Workplace/trafficking-induced exposure to environmental hazards.
- Workplace/trafficking-induced mental health problems, including post-traumatic stress disorder, feelings of low self-esteem, anxiety, depression, isolation, shame, self-blame, hopelessness and resignation.
- Following repeated victimization, victim believes that their exploitation is somehow “normal,” that no one cares, and that there are no resources to help them.

Special Issues

- For foreign nationals – threat of deportation; withheld passports, social security, and other documents; threats of arrest; brought to US under false promises; fear of the unknown; fear of reprisals against family members, including members remaining in the country or region trafficked from; and numerous culture and language-based barriers to obtaining help to exit trafficking settings.
- For foreign nationals – risks to obtaining T visas, Special Immigrant Juvenile status, and other federal immigration status protections for foreign trafficking victims because of the presence of state court prostitution, drug, theft, and other charges and convictions.

Labor

Characteristics, Dynamics, Risks *(continued)*

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HUMAN TRAFFICKING
AND THE STATE COURTS COLLABORATIVE



For references and additional resources,
go to www.htcourts.org