

## Social Science Human Trafficking Research Findings: Tools for Courts

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### INTRODUCTION

In order to help judges, state courts and others easily access reliable data, research and information on human trafficking in the United States NIWAP, American University, Washington College of Law undertook a yearlong project collecting, reviewing, and analyzing social science research articles relevant to human trafficking. Our goal was to provide a resource that directs judges and other readers to research reports that are based on reliable data from verifiable sources. This will allow judges, courts and others interested in learning about and citing research on human trafficking in the U.S. to access and rely upon valid data where the primary source of the data is clear. Using the report and the attached human trafficking research chart<sup>1</sup> judges seeking to use human trafficking data when writing opinions or developing trainings are directed toward valid and reliable research and away from articles that rely up on secondary sources of data that cannot be traced to reliable primary sources.

NIWAP began collecting social science articles on human trafficking in October 2019. Each article identified NIWAP has reviewed, analyzed, checked sources and compiled the research articles into a library of sources that can be easily searched based on type of article and the broad topical area it fits under. We have compiled law review articles, research reports, and article compilations, among others. Not every article is specifically on human trafficking; some are on related topics of sexual assault or child-specific exploitation. Further, while our focus was on domestic articles and research, we included some international articles in order to ensure an adequate breadth of knowledge, expertise, and experience within our source library.

The initial goal of the analysis was to find out what information judges searching for knowledge on human trafficking would find. Along the way; however, we began to analyze and pinpoint what sources of data were being used as primary and secondary sources. Primary sources are raw evidence or data collected on a topic. Secondary sources interpret and/or analyze primary source data. Particularly, we wanted to screen the articles and find which publications were relying upon primary source data from the U.S. Department of State's Trafficking in Persons Report and which were relying on primary source data from the Polaris' National Human Trafficking Resource Center (NHTRC). Those are two of the most visible, and we found, most used primary data sources. As we considered what proportion of articles were using those sources, we found that a large portion of the literature relied on the data points of only these two research reports.

It is important to remember that the library we have compiled is a living project — although these findings are based on the first hundred sources we have analyzed, there will likely be many more added. This potentially will require us to revisit these research findings and update them as we identify additional articles publishing data on human trafficking.<sup>2</sup>

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<sup>1</sup> Courtney Veneri, Trafficking Social Science Research Data Sources (January 25, 2021) <https://niwaplibrary.wcl.american.edu/pubs/human-trafficking-research-chart>

<sup>2</sup> We welcome readers' assistance in identifying articles we should include in NIWAP's reference list and contributions from practitioners in the field. If you wish to contribute to our knowledge, please contact us at [info@niwap.org](mailto:info@niwap.org) and mention that you would like to provide information that contributes to NIWAP's human trafficking research compendium.

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## METHODOLOGY

### Finding Articles

We sought out articles through both formal and informal research methods. Initially, articles were found via a simple Google search for “human trafficking” to get a baseline on what would come up should judges or law enforcement seek information on trafficking. We compiled these articles, along with articles from the related searches “labor trafficking” and “sex trafficking.” These articles represented the most basic information available on human trafficking and likely the most widely known.

After researching articles from surface web inquiries, we moved to finding research articles and policy articles through journals and peer-reviewed sources. Many of these were found by using the same search terms on JSTOR and Academia. Both of these sites prioritize social science research. We did not seek out law-specific sources; the intention of the project was to find information on the prevalence, dynamics, contours, and experiences related to human trafficking in the United States. We particularly focused on data collection and social science research on human trafficking, not trafficking laws in the United States

### Analyzing Articles

As articles were collected, we screened them for several things: topic, type of source of the data the article relied upon (primary/secondary/ unknown), whether the article cited its sources, and whether the article used data from the State Department Trafficking in Persons (TIP) report or Polaris/NHTRC.

We categorized each article by topic into the following categories:

- General information on trafficking;
- Sex trafficking;
- Labor trafficking;
- Child exploitation/trafficking;
- Articles on sexual assault; and
- Other miscellaneous articles.

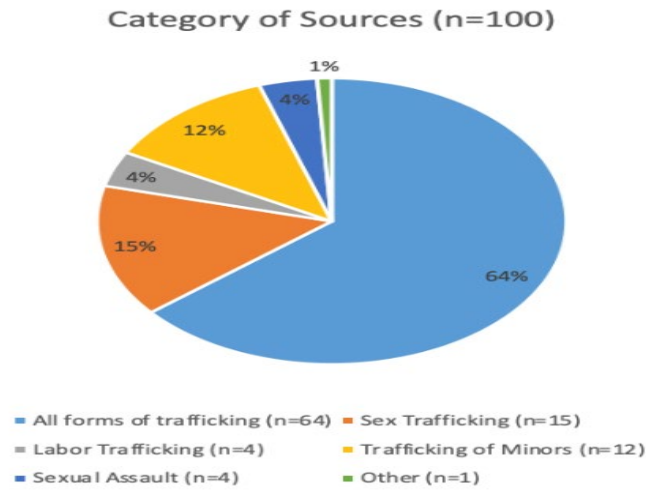
The type of articles included articles, article compilations, bibliographies, book chapters, databases, dissertations, e-journals, fact sheets, government reports, guidebooks, journal articles, law degree theses, law review articles, manuals, master’s theses, news articles, practitioner articles, research reports, training modules, and webpages.

To determine if the TIP report or NHTRC data was being used as a primary source, we sought out if the article was listed under the source’s bibliography and then further screened to determine if the article used that source as primary data or an authority. Some articles mentioned the sources as unreliable, and we did not include these sources in the count of how many used TIP or NHTRC.

## FINDINGS

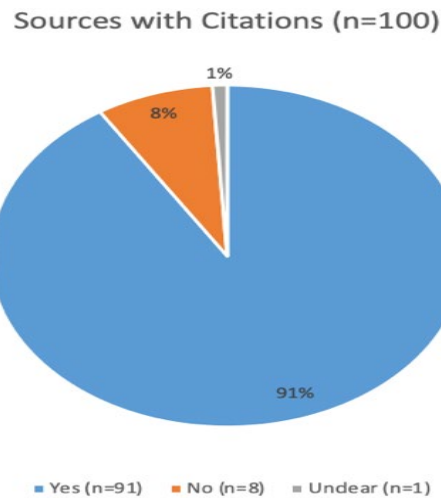
The articles we analyzed were primarily focused on all forms of human trafficking, rather than a specific type of trafficking or another topic. In an attempt to ensure that all forms of trafficking were represented, 64% (n=64) of our articles dealt with trafficking as a whole. There is much more literature on sex trafficking than labor trafficking, as we found when looking for articles specific to one type of trafficking. Out of the articles on one type of trafficking specifically, 15% (n=15) were on sex trafficking as compared to only 4% (n=4) on labor trafficking. (Figure 1).

Figure 1



Ninety-one percent (90%, n=91) of the articles we analyzed had formal citations. Another 8% (n=8) and 1% (equating to one article) being unclear as to the sources it was citing.<sup>3</sup> (Figure 2).

Figure 2

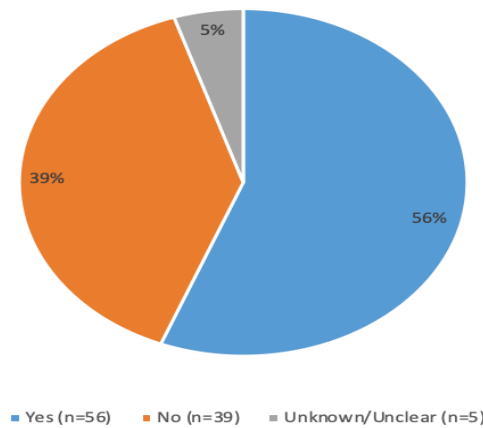


Out of the sources we analyzed, 56% (n=56) used data from the U.S. Department of State's Trafficking in Persons Reports. (Figure 3). We did not limit our research article survey any particular year and as a result there were some sources that cited TIP reports from multiple years. Reports that relied on TIP reports from prior years relied on the relevant State Department data at the time. Of the other sources, 39% (n=39) clearly did not use the Trafficking in Persons Report, and 5% (n=5) were unclear or unknown due to lack of citations or failure to reference the report anywhere in the text. Over half (56%) of the sources we found use the Trafficking in Persons data in some way, which means that that majority of the trafficking literature reviewed involved interpretation of the same primary source data.

<sup>3</sup> The article that was unclear mentioned other sources, but did not state if that is where they gathered their data from or if they relied on any sources in a significant way.

Figure 3

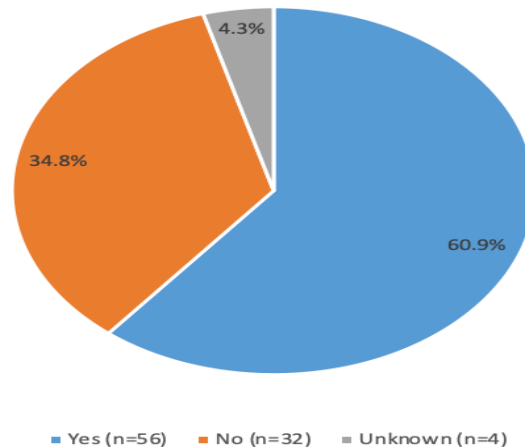
Citing Trafficking in Persons Reports (N=100)



We further analyzed the usage of the Trafficking in Persons report for only the 92 articles (92%) of the total number of articles reviewed that specifically focused on trafficking, as we analyzed some articles that came up under a search for trafficking but were not actually focused on trafficking, but rather sexual assault. (Figure 4). Of trafficking-specific sources, almost 60.9% (n=56) used the Trafficking in Persons report, which provided a very high percentage of TIP data usage throughout trafficking literature, both domestically and internationally.

Figure 4

Trafficking Sources that Use TIP Report (n=92)



The Trafficking in Persons Report was used substantially more than data from Polaris or the National Human Trafficking Resource Center. This includes information from Polaris the website, as well as hotline data from the National Human Trafficking Hotline. Of all the articles, only 20% (n=20) (Figure 5) used data from Polaris or the NHTRC. Oddly, there was a slightly lower percent of trafficking-specific articles that used Polaris/NHTRC data at 19.6% (n=18) (Figure 6). Several of the trafficking coded, but sexual assault-specific sources used Polaris.

Figure 5

Citing Polaris/NHTRC Hotline Data (n=100)

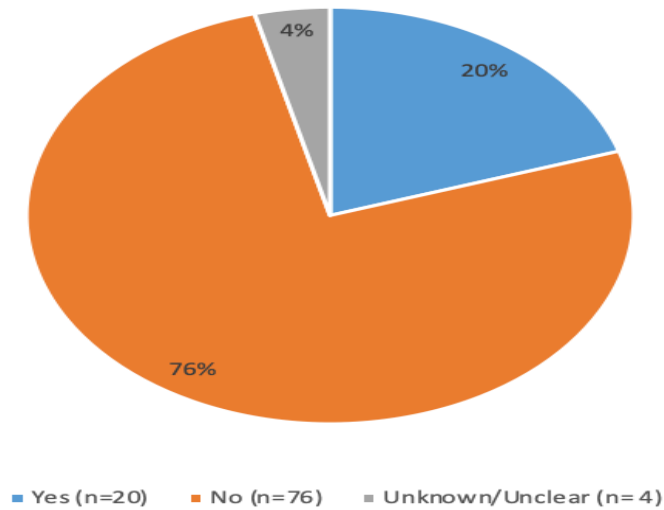
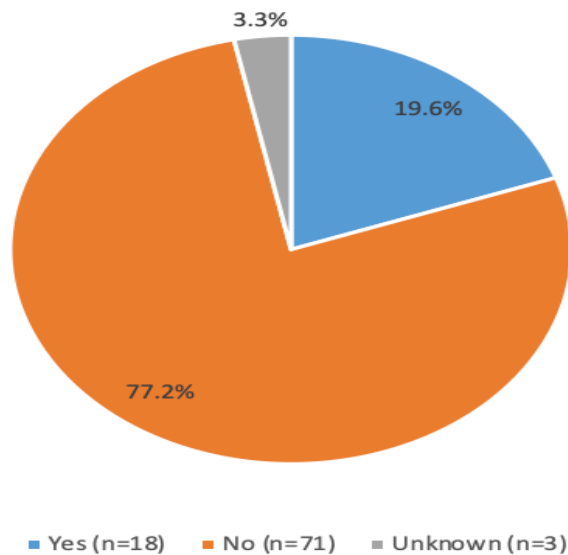


Figure 6

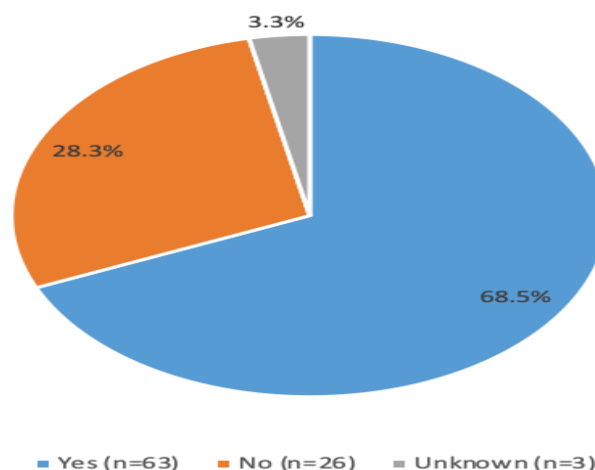
Trafficking Sources Using Hotline Polaris/NHTRC (n=92)



Overall, most sources focused on trafficking used at least one of the two primary sources of human trafficking data in the U.S. — the Trafficking in Persons Report or Polaris/NHTRC. This suggests that many of the articles on human trafficking are discussing, interpreting, and analyzing the same data sources on trafficking. It is very likely that any author who writes on trafficking has referenced a source that uses this data. In this way, either the Trafficking in Persons report or Polaris/NHTRC are factored as primary data sources into the majority of trafficking literature available (Figure 7).

Figure 7

Trafficking Sources Using Either TIP or Hotline Polaris/NHTRC Data (n=92)



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## CONCLUSIONS

It is clear that both the Trafficking in Persons Report and Polaris/NHTRC data are highly utilized primary sources. Over 56 % (n=56) of the sources we analyzed used the State Department’s Trafficking in Persons Report, and 61% (n=56) of trafficking-specific sources used the Trafficking in Persons Report. A significant number of internationally-focused sources also use the Report, showing it has a lot of utilization in both domestic and international trafficking research.

Polaris/NHTRC has less utilization and some view it as less accurate than the Trafficking in Persons Report. Nonetheless, it does still hold weight in the trafficking community, with 20% (n=20) of sources overall citing Polaris/NHTRC and 19.6% (n=18) of trafficking-specific sources citing it. Both the State Department and Polaris/NHTRC reports as sources of primary data on human trafficking in the United States have their critics and each of these two sources of data have both strengths and weaknesses. The authors of this survey were not able to identify a single additional source of primary data on human trafficking in the U.S. that reported on the issue nationally or at a state level. There is a need for additional primary research on the rates of human trafficking at the state level in the U.S. as well as nationally

Out of every trafficking source, 68.5% (n=63) are using either the Trafficking in Persons Report or Polaris/NHTRC data. It is important to be aware that although there are many different research reports writing about human trafficking, the majority of these sources are using the same primary data, the TIP and Polaris/NHTRC reports. However, this survey found that in 9% (n=9) of the research reviewed the sources of the data the report relied upon either was missing altogether or unclear. When courts, government officials, and organizations serving victims are seeking reliable data and research reports on human trafficking to quote examining the research report for its source of primary data is important and will help avoid relying on published reports on human trafficking that based findings and conclusions on sources that cannot be determined or that are not primary sources of data. NIWAP developed a chart that will assist readers in identifying the research reports that rely upon TIP or Polaris/NHTRC as primary data. <https://niwaplibrary.wcl.american.edu/pubs/human-trafficking-research-chart>