

Data on Human Trafficking in the United States and Checklists That Support Identification and Findings in Human Trafficking Victim's Cases

November 6, 2023

To Accompany NJN Peer-to-Peer Forum

Data on Human Trafficking, Member
Involvement and Child and Adult Eligibility
for Assistance From the
HHS Office on Trafficking In Persons (OTIP)

Human Trafficking Hotline Reporting Data 2019 on Trafficking Victims

- Female 82%, Male 12%, Gender Minorities 6%
- Adults 73%; Minors 27%
- Citizens/lawful permanent residents 43%
- Immigrants 57%
- Type of trafficking
 - Sex trafficking 71.7%
 - Labor or sex and labor trafficking 16%

Familial Trafficking

- 2 in 5 trafficking cases reported annually to federal trafficking taskforces involve child sex trafficking
- Over 62.7% of sex trafficked children their trafficker is a family member
 - Parent, grandparent, aunt, uncle, cousin, sibling
 - With 45.8% parent or guardian
- 65% of sex trafficked children come from unstable homes or compromised parenting
 - Almost 20% have a history of child abuse or neglect
- Up to 34% of sex trafficked children are trafficked by an intimate partner
- Cole, J., & Sprang, G. Sex trafficking of minors in metropolitan, micropolitan, and rural communities. *Child Abuse & Neglect* (2014), <http://dx.doi.org/10.1016/j.chiabu.2014.07.015>

Delaware Juvenile Trafficking Report

REPORT OF VICTIMS OF SUSPECTED TRAFFICKING

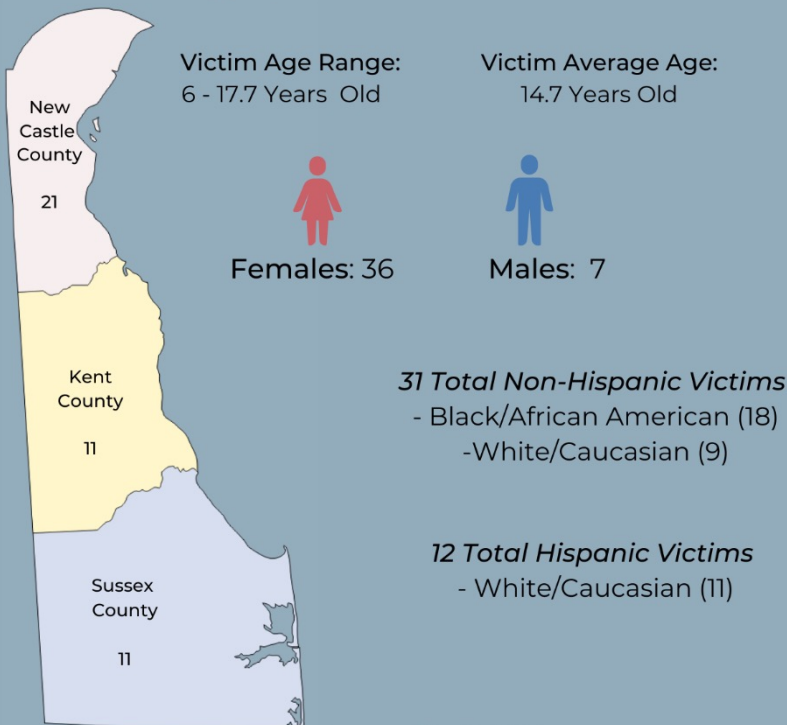
Screened In: Case meets the purview of the Office of the Investigation Coordinator (IC) and has been accepted to be monitored through the civil and criminal investigation of the allegations.

Intra-familial case: The alleged perpetrator is a caregiver or member of the child's household.

Extra-familial case: The alleged perpetrator is not a caregiver or member of child's household.

Screened-In Victims: **43** Intra-Familial Victims: **16** Extra-Familial Victims: **27**

Demographic Breakdown: 43 Victims



Data Source: Office of the Child Advocate

Office of the Child Advocate Suppression Policy: If a number is less than six it will not be shown to keep the identities confidential.

Delaware Juvenile Trafficking Report

REPORT OF VICTIMS OF SUSPECTED SEX AND LABOR TRAFFICKING

Screened In: Case meets the purview of the Office of the Investigation Coordinator (IC) and has been accepted to be monitored through the civil and criminal investigation of the allegations.

Extra-Familial Case: The alleged perpetrator is not a caregiver or member of child's household.

Intra-Familial Case: The alleged perpetrator is a caregiver or member of the child's household.

Screened-In Victims: **52** Extra-Familial Victims: **30** Intra-Familial Victims: **22**
 Screened-In Suspects: **36** Extra-Familial Suspects: **14** Intra-Familial Suspects: **22**

Trafficking Cases: 51

Majority Cases are Sex Trafficking

Victim Breakdown: 52



Majority of Victims are Female

Average Age: 14.3 Years Old

Age Range: 2 - 17 Years Old

44 Non-Hispanics
27 African Americans
17 Caucasians

Initial Indicator
30 Suspicion of Trafficking
17 Risk of Trafficking
5 Identified Trafficking

Data Source: Office of the Child Advocate

Office of the Child Advocate Suppression Policy: If a number is less than six it will not be shown to keep the identities confidential.

Data Reflects Known Victims/Suspects



Suspect Breakdown: 36



Males: 17 Females: 19

Average Age: 39.4 Years Old

Age Range: 18 - 73 Years Old

31 Non-Hispanics
20 African Americans
11 Caucasians

Map Reflects Total Number of Cases



Child Eligibility Trends, FY22

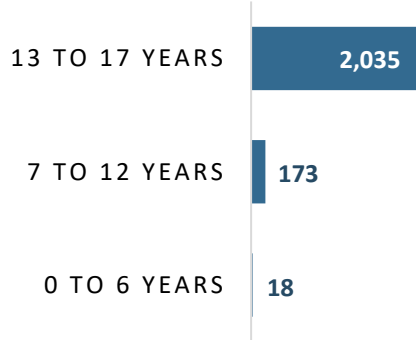
Eligibility Letters Issued

2,226

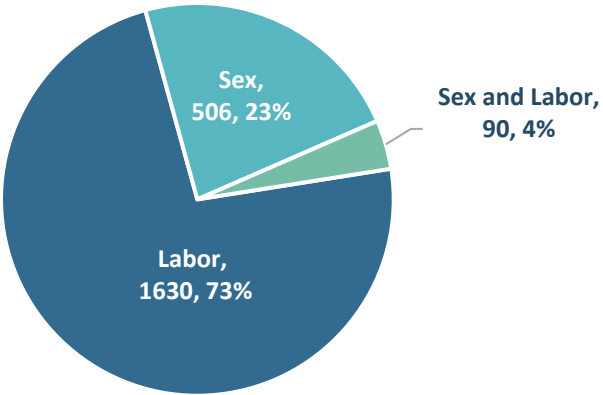
Top Ten Client Countries of Origin

- 1. Guatemala
- 2. Honduras
- 3. El Salvador
- 4. Mexico
- 5. Ecuador
- 6. Nicaragua
- 7. Ghana
- 8. Haiti
- 9. India
- 10. Venezuela

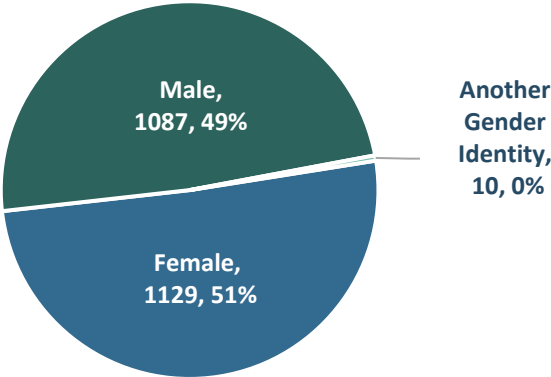
Client Age at Time of RFA Receipt



Type of Trafficking Experienced



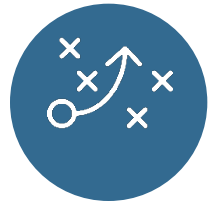
Client Gender Identity





Child Eligibility Benefits

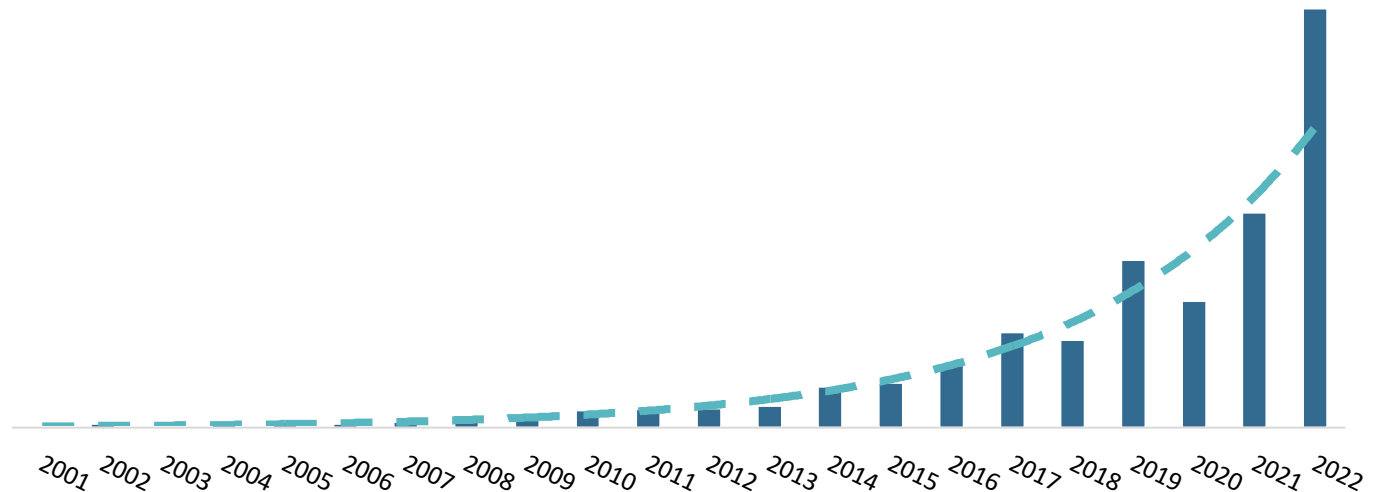
Monetary Assistance	Nutrition	Medical Services	Education	Employment	Housing	Multiple Needs Assistance
Refugee Cash Assistance	Supplemental Nutritional Assistance Program	Children's Health Insurance Program	Title IV Federal Student Financial Aid	Job Corps	Public Housing Program	Refugee Social Services and Targeted Assistance
Supplemental Security Income		Medicaid				Unaccompanied Refugee Minors Foster Care Program
Temporary Assistance for Needy Families		Office of Refugee Resettlement Medical Screenings				Voluntary Agency Matching Grant Program
		Refugee Medical Assistance				

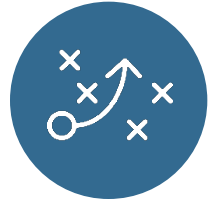


Eligibility Letters Issued, FY01-FY22

Fiscal Year	Eligibility Letters Issued
2001	4
2002	19
2003	6
2004	18
2005	32
2006	20
2007	32
2008	32
2009	50
2010	92
2011	100
2012	102
2013	114
2014	217
2015	239
2016	334
2017	506
2018	465
2019	892
2020	672
2021	1,143
2022	2,226
Total	7,315

Eligibility Letters Issued by Fiscal Year
(FY01 - FY22)



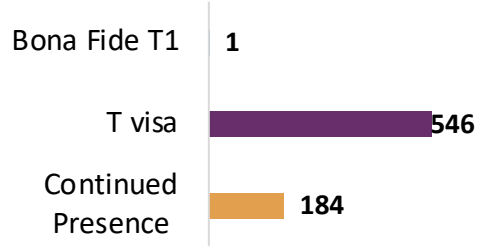


Adult Certification Trends, FY22

Certification Letters Issued

731

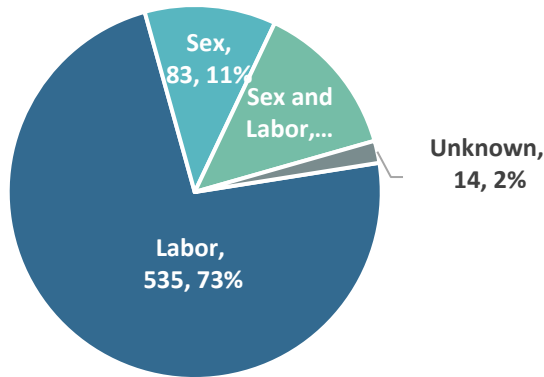
Certification Authority (FY22)



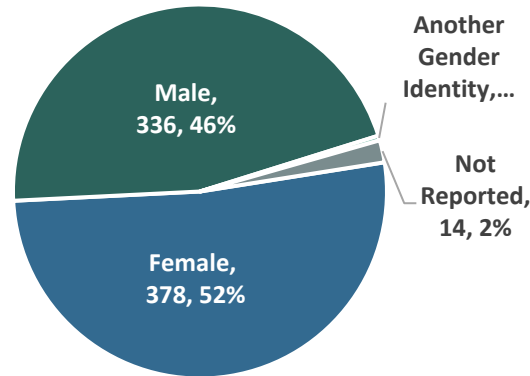
Top Ten Client Countries of Origin

- | | |
|----------------|----------------|
| 1. Mexico | 6. El Salvador |
| 2. India | 7. Bangladesh |
| 3. Honduras | 8. Peru |
| 4. Philippines | 9. Colombia |
| 5. Guatemala | 10. Chile |

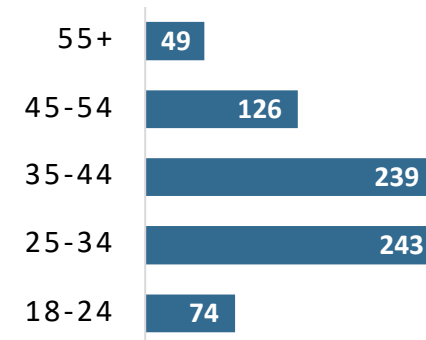
Type of Trafficking Experienced



Client Gender Identity



Client Age at Time Request for Certification was Received





Adult Certification Benefits

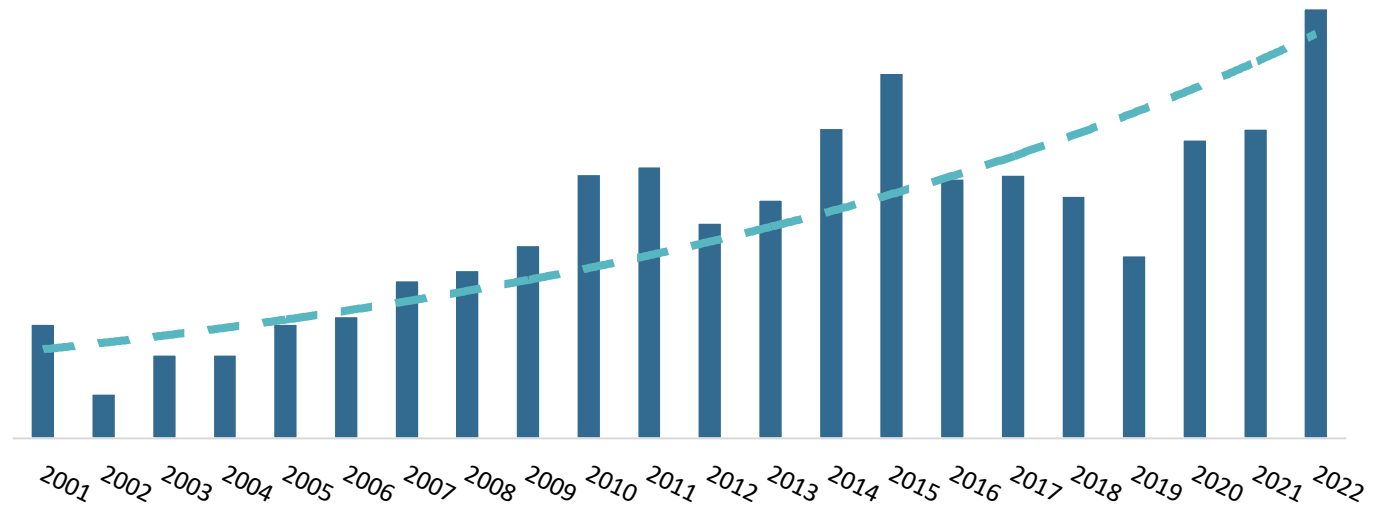
Monetary Assistance	Nutrition	Medical Services	Education	Employment	Housing	Multiple Needs Assistance
Refugee Cash Assistance	Supplemental Nutritional Assistance Program	Children's Health Insurance Program	Title IV Federal Student Financial Aid	Job Corps	Public Housing Program	Refugee Social Services and Targeted Assistance
Supplemental Security Income		Medicaid		Matching Grant	Tenant-Based Vouchers	
Temporary Assistance for Needy Families		Office of Refugee Resettlement Medical Screenings		Refugee Support Services		
		Refugee Medical Assistance				



Adult Certification Letters Issued, FY01-FY22

Fiscal Year	Certification Letters Issued
2001	196
2002	76
2003	143
2004	143
2005	195
2006	208
2007	269
2008	285
2009	329
2010	449
2011	462
2012	367
2013	406
2014	528
2015	621
2016	442
2017	448
2018	411
2019	310
2020	508
2021	527
2022	731
Total	8054

Certification Letters Issued by Fiscal Year
(FY01 - FY22)



Trafficking Definitions and Checklists Useful for Identification and Judicial Findings

A Severe Form of Human Trafficking

22 U.S.C. § 7102(11)

The term “severe forms of trafficking in persons” means--

(A) sex trafficking in which a commercial sex act is induced by **force, fraud, or coercion**, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of **force, fraud, or coercion** for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.



Trafficking vs. Smuggling

Trafficking	Smuggling
Trafficking is a crime against a person.	Smuggling is a crime against a country.
Victims either do not consent to their situations or, if they initially consent, the situation shifts and they are made to engage in forced labor or commercial sex.	The transaction is typically mutual and ends upon arrival at predetermined destination.
Exploitation of victims to generate illicit profits for the traffickers.	Can be a business arrangement between smuggler and person entering the country.
Trafficking does need to involve physical movement of a person (but must involve a person being subjected to forced labor or commercial sex).	Smuggling always involves transnational physical movement.
An individual being smuggled is at greater risk of experiencing trafficking.	



Trafficking vs. Ransom

Trafficking	Ransom
Trafficking involves forced labor or commercial sex.	Ransom involves an individual being held against their will for the purpose of an organization or perpetrator receiving money.
Trafficking does not need to involve a person being held against their will.	Ransom typically involves the person being held against their will.
Includes forced labor or commercial sex to pay off debt or money owed to an individual or organization.	Ransom is paid directly to an individual or organization holding a person.
When a ransom payment for a child is met through a commercial sex act or the child is forced to work while held for ransom, then the child has likely experienced human trafficking.	



Labor Trafficking and Exploitation

Labor Exploitation

- Paid less than promised
- Withheld pay
- No written earnings statement

- No meal breaks
- Hazardous work environment
- Lack of safe water or toilet

- Movement to work controlled

- Individual lives at work site

- Threats related to debt or expenses
- Threats or use of violence
- Demoralizing
- Held against will

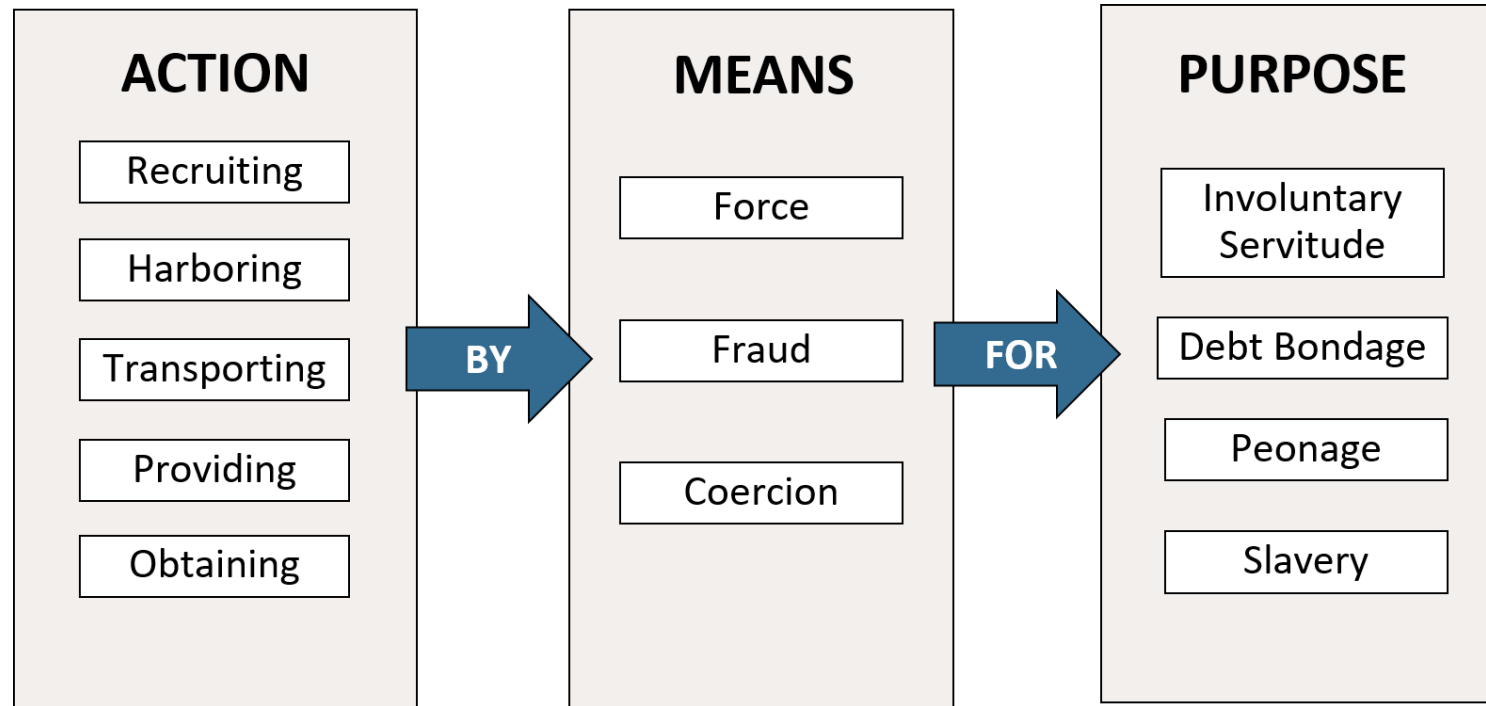
- Intimidation and control
- Sexual assault
- Use or threatened use of law
- Physical beatings

Labor Trafficking



Labor Trafficking of Minors

The recruiting, harboring, transporting, providing, or obtaining of a child for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

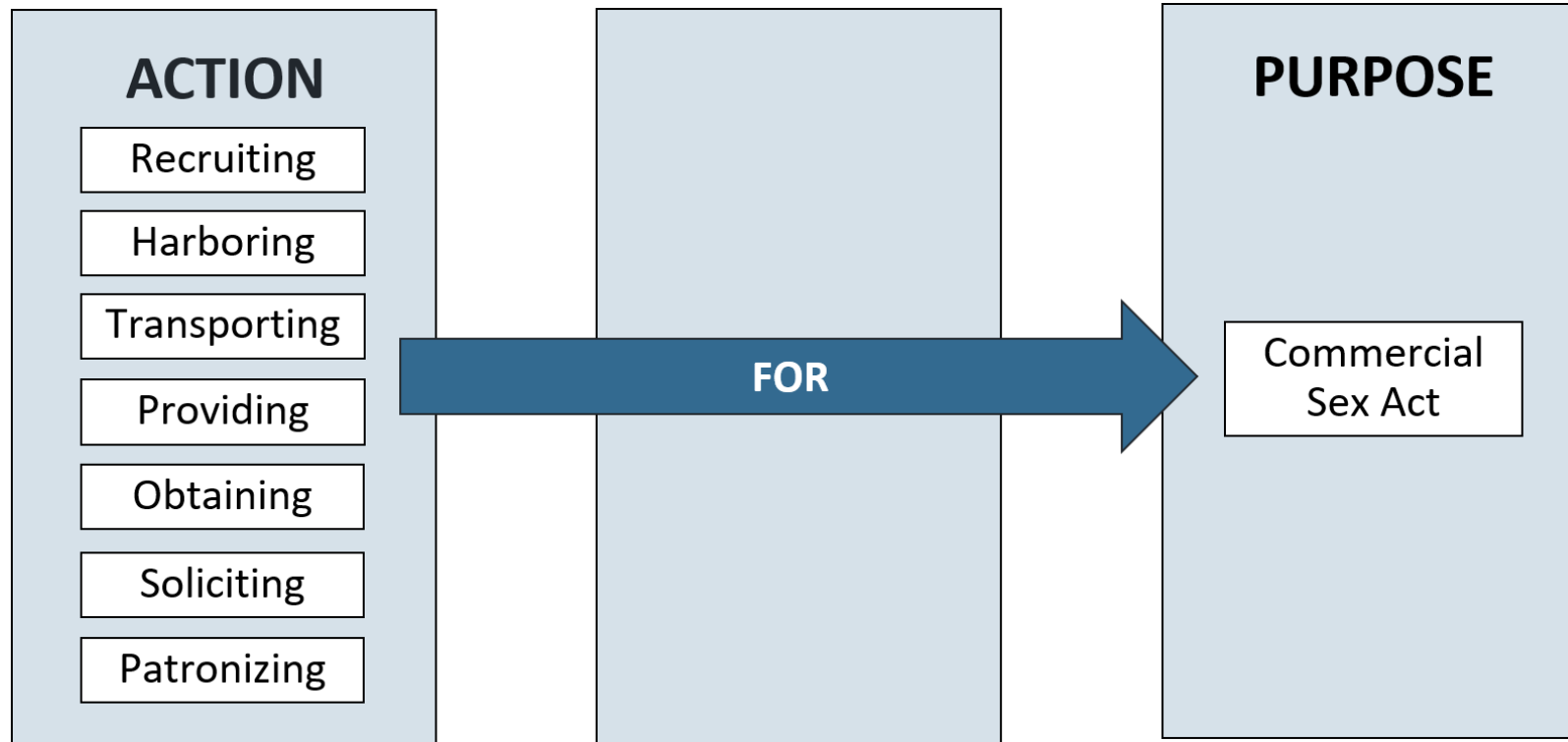


22 USC. § 7102 (11)



Sex Trafficking of Minors

The recruiting, harboring, transporting, providing, obtaining, soliciting, or patronizing of a child for the purpose of engaging in a commercial sex act.



22 USC. § 7102 (12)



Sex Trafficking of Minors

The “**something of value**” can include money, food, shelter, gifts, transportation, etc.

Offers of something of value for **videos or images of a minor** must include knowledge that the minor would be **depicted or made to engage in a sexual act** in the images or videos to be considered sex trafficking.

Sexual Act as defined in federal law, 18 U.S.C. § 2246.

Even if the sex act or exchange never occur, **solicitation for a commercial sex act alone may be considered sex trafficking of a minor.**



Action: Labor & Sex Trafficking

- **Recruitment of a child**
Did the minor have a vulnerability that was then used against them for the purpose of exploitation? Did the child fit a specific profile?
- **Harboring of a child**
Was the child taken away from others (family, friends) or isolated? Was the child confined to a specific location? Were the child's movements or communications monitored?
- **Transporting of a child**
Was the child moved from one location to another for purpose of forced work/commercial sex? Travel arrangements provided to child?
- **Provision of a child**
Was the child given to another individual? Was the child given to a third-party employer?
- **Obtaining of a child**
Was the child forcibly taken by an individual? Was the child grabbed for the purpose of being subjected to sex or labor trafficking?
- **Soliciting of a child***
Was the child offered or promised money or something of value in exchange for a sex act?
- **Patronizing of a child***
Was any person offered or given money or something of value in relation to the child engaging in a sex act?

**Soliciting and patronizing are only for cases of sex trafficking.*



Means: Labor Trafficking

- **Force**

Physical. Sexual assaults, beatings, physical confinement, isolation.

- **Coercion**

Psychological. Threats of serious harm or psychological manipulation, climate of fear, threatening the life and safety of a person or their family and friends, withholding legal documents, increasing or compounding debt that is impossible to pay off, witnessing harm to others, abuse or threatened abuse of the legal system.

- **Fraud**

Deception. False promises about work and living conditions, use of fraudulent travel documents, fraudulent employment offers, withholding wages, changes in agreement or nature of relationship.

Children induced into commercial sex are victims of trafficking regardless of force, fraud, or coercion.



Purpose: Labor & Sex Trafficking

- **Involuntary Servitude**

Forced labor. Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process. This can also include “involuntary sexual servitude”.

- **Debt Bondage**

Labor associated with a debt that increases or never decreases. The status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

- **Peonage**

Labor with threat of harm that is connected to a debt. A status or condition of involuntary servitude based on real or alleged indebtedness.

- **Slavery**

Owned for the purpose of performing labor or services. The child was forced to perform labor or services with no pay or exchange of any goods and full purpose of day to day life becomes for the purpose of the labor or service. This can also include “sexual slavery”.

- **Commercial Sex Act**

Sexual act in exchange for something of value. Any sex act on account of anything of value given to or received by any person.



Trends among Foreign National Children

Commercial Sex and Smuggling

Child solicited to engage in sex acts in exchange for cost of journey, shelter, immigration documents, food, etc.

Domestic and Sexual Servitude

Child held against will and forced to perform sex acts and household duties

Forced Criminality

Child forced to perform services for gangs or cartels with threat of harm for non-compliance

Forced Labor and Smuggling

Child forced to work by individual connected to smuggling situation (often to pay off a debt or other expenses)

Forced Labor by Caregiver

Child forced to work for caregiver(s) in home country or in the U.S. (often to pay off a debt or other expenses)

Forced Labor on Journey

Child forced to work on journey while held for other purposes (ransom, extortion, kidnapping)



Forced Criminality

Distribution/Transportation/Sale of Illicit Substances, Unspecified Items

Children forced to distribute, transport, sell, or move illicit substances or other items for affiliates of criminal organizations. Children frequently report being targeted during their commute to school.

Surveillance Activities

Children forced to stand guard, monitor, surveil, or look out for law enforcement or rival groups within the community while illicit activities may be occurring.

Collection of Rent/Toll/Quota from Community Members

Children forced to collect payment (rents, tolls, or quotas) from businesses and individuals within the community.

Foot-Guiding/Smuggling of Illicit Substances, Unspecified Items, Persons

Children forced to smuggle illicit substances, firearms, unspecified items, or persons over international borders. Disproportionately impacts UCs at gang-controlled points of entry along the Mexico/U.S. border.

Personal Sexual Servitude

Children made to engage in sex acts under threat of harm as gang initiation or grooming exercises. Children may be abducted and/or assaulted as consequence for resisting recruitment or for non-compliance.

Decoy Cases, Gang-Controlled Agriculture/Construction Activities

Children forced to work while held for other purposes by affiliates of criminal organizations (e.g. ransom, extortion, kidnapping). UCs have reported gang-controlled agricultural labor construction or car wash labor in Mexico. UCs have also reported traveling to the U.S. involuntarily as decoys.



USCIS Definition of Involuntary Servitude

- Condition of servitude induced by
 - Means of any scheme, plan or pattern
 - Intended to cause a person to believe that
 - If they did not enter into/continue such condition
 - The person or another person would suffer serious harm, physical restraint, or abuse or threaten abuse of legal process

Involuntary Servitude May Occur When Victim Is:

- Is forced to work by use or threat of
 - Physical restraint or injury
 - Use or threat of coercion through law/legal process
- Is held in servitude
 - Through fear of being physically restrained/injured
- Is subjected by perpetrator to psychological abuse to establish coercion

Family Violence and Human Trafficking

- Trafficker & victim may have preexisting relationship with trafficking occurring alongside domestic violence or child abuse
- Trafficking can occur in the context of family violence and can include but is not limited to domestic servitude and sexual exploitation
- Motivation of the trafficker to subject victim to a condition of servitude
- Relationships: spousal, intimate partner, parent/child, stepparent, extended family