

HUMAN TRAFFICKING

Contact — U S Senator and/or U S Representative for you state

NOTE - The above elected officials have websites and a form for contacting them. U S Representatives usually if not always only accept letters from their constituents.

Just found good website- congressionalinstitute.org wealth of info for both Representatives and Senators. Also, congress.gov

gov.us - tracks legislation for United States (one of many sites)

Contact - State Senator and/or State Representative for your state

NOTE - google your state and legislators to locate. i.e. Ohio state legislators to obtain list of Ohio legislators. Do same for your state.

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Contact Attorney General for your state Re task forces they may have. Also, counties may have task forces.

<https://www.ohioattorneygeneral.gov/humantrafficking#:~:text=To%20contact%20the%20Human%20Trafficking,email%20HTI%40OhioAttorneyGeneral.gov>

polarisproject.Org

Polaris is leading a data-driven social justice movement to fight sex and labor trafficking at the massive scale of the problem – 25 million people worldwide deprived of the freedom to choose how they live and work. For more than a decade, Polaris has assisted thousands of victims and survivors through the U.S. National Human Trafficking Hotline, helped ensure countless traffickers were held accountable and built the largest known U.S. data set on actual trafficking experiences. With the guidance of survivors, we use that data to improve the way trafficking is identified, how victims and survivors are assisted, and how communities, businesses and governments can prevent human trafficking by transforming the underlying inequities and oppressions that make it possible.

endslaverynow.org End Slavery Now is a project of the National Underground Railroad Freedom Center.

You can google your state and human trafficking, just human trafficking to obtain a list of resources.

collabtoendht.Org this is a Cleveland organization, but has valuable information

Youtube also has videos Re human trafficking

Legislation of Province V a

INDIANA

HB 1216 – to prevent coercion, extortion and to catch human traffickers.

HB 1081-Modified the definition of “protected person” for the purpose of administration and statement- individual who is less than 14 years of age at the time of trial but less than 18 yrs. of age. Removes the requirement of money paid for “Hot Victories” or for act performed by human trackers or for act performed by human trafficking be paid to the third person. Increased penalties of victims less than 18.

The state has improved its strategies to reduce human trafficking and assist survivors. In 2014- 157 cases were reported. A report 121 Indiana agencies provide services for 117 minors. 2020, shows good progress and where hundreds of partners are addressing human trafficking.

Missouri

IPO/Human Trafficking Unit credited in 2019. State to try to work with DJ. In 2021, 20 cases were reported.

HB 2561 –police required establishments to hang posters with information about human trafficking and Human Trafficking Resource Center Hotline.

In 2010 **SB 586-617** restricted business that were link to prostitution and sexual assault.

HB 214 (passed in 2017) established providing from identifying the victims and developing training program.

HB 2032-online provisions - penalties and effort to combat child sex trafficking.

SB 775 – protect children who are victims of human trafficking

Illinois

Trafficking Victim Protection Act was passed 1/2019. Victims can sue their perpetrators. It also helps the victims deal with real life. They are seeking justice. News stories of limitations.

SB1890 –limits from 10-25 years From 20`1-2016 720 cases were reported. Victims were made up 460 adults and 228 minors.

All sex trafficked conviction will require offender to pay resolution to the victims. There is steep penalty for Class 1 felony.

In 2020, **Public Act 101-0479** was passed. There were several bills passed that included development of task force, definition of different types of Persecutions.

Michigan

Human Trafficking Commission Act was passed in 2014 and it actually started in 2015. April 12, 2022, Sex trafficking investigations training for Law enforcement. April 27, 2022 –to provide general updates on awareness information –to keep the public informed. 2018 defines trafficking amendment to include labor or services. Penalties for violations starts at 10 years to life. 2014 laws to hold trafficking accountable –labor due to agriculture.

Ranks 7th within the nation with number of cases reported.

The Trafficking Victims Protection Act of 2000 protects victims of human trafficking, holds human traffickers accountable. Their abuses of individual right, fulfills the 13th Amendment's promise to freedom from involuntary servitude.



HUMAN TRAFFICKING LAWS

IN WISCONSIN

Last update January 2019

Human trafficking is prohibited by federal and state law. The elements of human trafficking involve the full process of trafficking from initial recruitment of the victim to the exploitation of the victim. Attempts to traffic are also a crime.



Sex trafficking of children is a crime that involves the use of children in the commercial sex industry, whether or not any force, fraud or coercion is involved. **Any involvement of a minor in sexual acts for money or anything of value, including basic survival needs, is against the law.**

Trafficking of a Child (Wis. Stat. § 948.051)

ACTION:	➡	FOR THE PURPOSE OF:
Knowingly... Recruits or Entices or Provides or Obtains or Harbors or Transports or Patronizes or Solicits ...any child --OR-- Knowingly attempts to do so	➡	Commercial sex acts NOTE: Whoever benefits in any manner from a violation is guilty of a Class C felony if the person knows that the benefits come from the trafficking of a child.



Human Trafficking (Wis. Stat. § 940.302)

ACTION:	DONE BY ANY OF THE FOLLOWING:	FOR THE PURPOSE OF:
Recruiting or Enticing or Harboring or Transporting or Providing or Obtaining ...an individual --OR-- Attempting to do so	Causing or threatening to cause bodily harm to any individual or Causing or threatening to cause financial harm to any individual or Restraining or threatening to restrain any individual or Violating or threatening to violate a law or Destroying, concealing, removing, confiscating, or possessing, or threatening to destroy, conceal, remove, confiscate, or possess any actual or purported passport or any other actual or purported official identification document of any individual or Extortion or Fraud or deception or Debt bondage or Controlling any individual's access to an addictive controlled substance or Using any scheme, pattern, or other means to directly or indirectly, coerce, threaten, or intimidate any individual or Using or threatening to use force or violence on any individual or Causing or threatening to cause any individual to do any act against the individual's will or without the individual's consent	Labor or Services or A commercial sex act

Additional Wisconsin Human Trafficking Laws:

- Child sex trafficking is classified as child abuse for the purpose of county and state child protection intervention and services. *Wis. Stat. § 48.02 (1) (cm)*
- Patronizing a child is a Class G felony under *Wis. Stat. § 948.081*.
- Third and subsequent offenses for patronizing (adults) is a Class I felony under *§ 944.31*.
- Whoever knowingly receives compensation from the earnings of debt bondage, a person engaged in prostitution, or a commercial sex act is guilty of a Class F felony. *Wis. Stat. § 940.302 (2) (c)*
- A victim of trafficking for the purpose of a commercial sex act may request a court to vacate a conviction, adjudication, or finding, or to expunge the record for a violation of prostitution. *Wis. Stat. § 973.015 (2m)*
- In criminal proceedings alleging human trafficking, evidence of similar acts by the defendant(s) may be admissible as evidence of the person's character without regard to whether the victim of the crime is the same as the victim of the similar act. *Wis. Stat. § 904.04 (2)*

NOTE: Federal laws against human trafficking can be viewed at: <https://www.dhs.gov/human-trafficking-laws-regulations>

FOR LINKS TO STATUTES AND MORE INFORMATION, VISIT THE WI DOJ HUMAN TRAFFICKING WEBPAGE:

www.BeFreeWisconsin.com



Ohio's Human Trafficking Law

As defined by the Ohio Revised Code Section 2905.32 (Trafficking in Persons), Ohio's legal definition of human trafficking is:

“(A) No person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain... another person knowing that the person will be subjected to involuntary servitude or be compelled to engage in sexual activity...”

“...For a prosecution under division (A)(1) of this section, the element "compelled" does not require that the compulsion be openly displayed or physically exerted. The element "compelled" has been established if the state proves that the victim's will was overcome by **force, fear, duress, or intimidation, or fraud.**”

For minors under the age of 18, and for people with developmental disabilities, law enforcement officials do not need to prove that the minor was compelled to engage in commercial sexual activity.

ORC 2905.32 (A)(2)

Criminal Sanctions for Traffickers and Purchasers

- Trafficking in Persons is a first-degree felony, with a mandatory minimum of 10 years in prison. ORC 2905.32 (E)
- Sex traffickers are required to register as sex offenders (Tier II) and cannot live within 1,000 feet of a school. ORC 2950.01 (F)(1)(g)
- Obstruction of Justice is a felony of the second degree in human trafficking cases. ORC 2921.32 (C)(6)

Safe Harbor for Minors

- Judges can sentence minors to diversion programs to receive needed protection and treatment through the juvenile justice system. ORC 2152.021 (F)
- Ohio's law prohibits public disclosure of the names of minor victims of trafficking by law enforcement agencies, even if they have criminal records (the law contains exceptions for criminal justice professionals, parents, attorneys, child welfare agencies, and others). (Sec. 149.435 (B))
- Courts can allow minors under the age of 16 to give testimony in preliminary hearings via closed circuit television to protect minors from facing traffickers directly. (Sec. 2937.11 (D)(1)(a))
- Courts have the authority to terminate the parental rights of a parent convicted of trafficking his or her own child. (Sec. 2151.414)

Intervention for Adult Victims

- Permits courts to accept an offender's request for intervention in lieu of conviction if the offender was a human trafficking victim at the time of the offense and that victimization was a factor leading to the offender's criminal behavior.

Expungement

- Adults and minors who have prior convictions of prostitution, solicitation, or loitering to engage in solicitation may apply to the sentencing court to expunge the conviction of any offense, except murder, aggravated murder, and rape, if they can prove that their participation in the offense was a result of being a victim of human trafficking. ORC 2953.38; ORC 2151.358 (E)

Other Protections

- Victims can pursue civil damages against traffickers. ORC 2307.51
- The Ohio Department of Job and Family Services may administer funds for the purpose of treating, caring for, rehabilitating, educating, housing, and providing assistance for victims of human trafficking through the Victims of Human Trafficking Asset Seizure Fund. ORC 5101.87

Mandated Training

Law enforcement officers are required to receive human trafficking training through the Ohio Peace Officers Training Academy. ORC 109.73

Federal & State HUMAN TRAFFICKING LAWS



J. S. Bell

Federal Law

Trafficking Victims Protection Act of 2000

"The Trafficking Victims Protection Act (TVPA) of 2000 created the first comprehensive federal law to address human trafficking, with a significant focus on the international dimension of the problem.

The law provided a three-pronged approach:

- 1 prevention through public awareness programs overseas and a State Department-led monitoring and sanctions program;
- 2 protection through a new T-Visa and services for foreign national victims; and
- 3 prosecution through new federal crimes."

— POLARIS, www.polarisproject.org

As defined in the Trafficking Victims Protection Act of 2000, the legal definition of "severe forms of trafficking in persons" is:

- 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 an act has not attained 18 years of age; **22 USC § 7102 (9)(A)** 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. **22 USC § 7102 (9)(B)**

Preventing Sex Trafficking and Strengthening Families Act of 2015

The Preventing Sex Trafficking and Strengthening Families Act is a comprehensive law addressing accountability and reporting of runaway and missing children in foster care. The law required review of Ohio Administrative Code (OAC) to ensure Ohio is in compliance with **Public Law 113-183**.

Federal law and OAC changes (OAC 5101:2-42-88) require state and local agencies to:

- Report each missing or abducted foster child to law enforcement and to the National Center for Missing & Exploited Children (1-800-THE-LOST, <https://cmfc.missingkids.org/reportit>).
- Determine the primary factors that contributed to the child's running away or being absent from care and to use these factors when determining future placements.
- Address the events and experiences that took place while the child was AWOL including determining whether the child was a sex trafficking victim.

For more information:

<https://polarisproject.org/policy-and-legislation/>

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- Obstruction of Justice is a felony of the second degree in human trafficking cases. **ORC 2921.32 (C)(6)**
- Advertising illicit massage parlor activity with the suggestion or promise of sexual activity is a prohibited activity punishable with a misdemeanor offense. (**Sec. 2927.17**)
- Purchasing sex from a minor is a felony of the third degree. (**Sec. 2907.21**)
- Compelling a minor to engage in sexual activity for hire is a felony offense, tiered as follows: (**ORC 2907.21 (A)(1)**)
 - For minors under the age of 16, the penalty is a felony of the first degree.
 - For minors age 16-17, the penalty is a felony of the second degree.
- Engaging in Prostitution (purchasing sex from an adult) is a first-degree misdemeanor. (**Sec. 2907.231**)
- Promoting Prostitution is a felony offense:
 - Promoting Prostitution is a fourth-degree felony on the first offense, a third-degree felony on the second offense, and a second-degree felony on the third and subsequent offenses. (**Sec. 2907.22**)
 - Promoting Prostitution of a minor is a third-degree felony. **ORC 2907.22 (B)(2)(a)**

Protections for Victims

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- Judges can sentence minors to diversion programs to receive needed protection and treatment through the juvenile justice system. **ORC 2152.021 (F)**
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Mandated Training

- Law enforcement officers are required to receive human trafficking training through the Ohio Peace Officers Training Academy. **ORC 109.73**
- School districts are required to incorporate human trafficking training content into safety and violence prevention training plans. **ORC 3319.073 (B)**

Data Collection

- Local law enforcement must report the number of human trafficking cases to the Ohio Attorney General's Office to be released annually. **ORC 109.66**