

THE ALIGHT LEGAL NEEDS MATCHING PROGRAM

TIPS FOR IDENTIFYING POSSIBLE HUMAN TRAFFICKING SURVIVORS

DEFINITION OF HUMAN TRAFFICKING

Human trafficking is a form of exploitation of one person by another person (or persons) for labor or commercial sex that involves force, fraud or coercion. Trafficking does not require that the trafficked individual has been transported or physically moved, or that borders have been crossed. Trafficked individuals can be women, men or children, and they can be U.S. citizens or foreign nationals.

Under Colorado state law, human trafficking occurs when a person knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives or obtains by any means another person for the purpose of coercing that person to perform labor or services, or engage in commercial sexual activity. If the victim is under 18 years of age, no coercion is required to prove sex trafficking.

Under federal law, human trafficking includes the recruitment, harboring, transportation, provision, obtaining, patronizing or soliciting of a person by force, fraud or coercion for the purposes of a commercial sex act or labor or services. Again, coercion is assumed for minor victims of sex trafficking.

EXAMPLES OF TRAFFICKERS' METHODS¹

Force – Rape, beatings, confinement

Fraud – False offers of employment, marriage, better life

Coercion – Threats, debt bondage, climate of fear, abuse of legal system

RED FLAGS AND POSSIBLE INDICATORS²

- Is **not free to leave** or come and go as he/she wishes
- Is **under 18 and is providing commercial sex acts**
- Is **in the commercial sex industry and has a pimp/manager/abusive domestic partner**
- Is **unpaid, paid very little, or paid only through tips**
- Works excessively **long and/or unusual hours**; is not allowed breaks
- Owes a **large debt** and is unable to pay it off
- Was **recruited through false promises** about the nature/conditions of work
- **Poor mental health or abnormal behavior**, including acting fearful, anxious, depressed, submissive, tense or paranoid and/or abnormally fearful of law enforcement
- **Poor physical health**, including lacking health care, or appearing malnourished, or showing signs of physical and/or sexual abuse
- **Lacks control over his/her money and/or identification documents**
- Is **not allowed or able to speak for themselves** (a third party may insist on being present)
- Claims to just be visiting the area and is **unable to clarify where he/she is staying**
- **Loss of sense of time**
- **Multiple inconsistencies** in his/her story

¹ Adopted from US Department of Health and Human Services, "Look Beneath the Surface," <https://www.acf.hhs.gov/sites/default/files/>

² Adopted from Polaris, "Recognize the Signs," https://polarisproject.org/recognize-signsendtrafficking/healthcare_brochure_nov2016.pdf