



CABINET FOR HEALTH  
AND FAMILY SERVICES

# Labor Trafficking of Children and Youth

Human Trafficking Training Series

This training was developed with the support of grant 2020-NZ-NX-0003-00, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this content are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

# Presented by:

- Marissa Castellanos, M.S.W.
- Consultant & Training Partner



---

**KENTUCKY CABINET FOR  
HEALTH AND FAMILY SERVICES**



# Objectives

- Become familiar with definitions, terminology, and federal guidance specific to labor trafficking of children and youth
- Increase knowledge of vulnerabilities, risk factors, and protective factors for children and youth
- Become familiar with Kentucky state laws and data related to labor trafficking of children and youth
- Expand understanding of prevention and intervention options for working with children and youth who have experienced labor trafficking

# Definitions and Terminology

Labor Trafficking of Children and Youth

# Labor Trafficking of Children and Youth: Definitions

## Labor Trafficking

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.**

## Involuntary Servitude

- A **condition of servitude induced by means of any scheme, plan, or pattern** intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would **suffer serious harm or physical restraint;** or by means of the **abuse or threatened abuse of law or the legal process.**

18 U.S.C. § 1581 & 1584, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

US Department of Justice, Involuntary Servitude, Forced Labor, and Sex Trafficking Statutes Enforced (2021), <https://www.justice.gov/crt/involuntary-servitude-forced-labor-and-sex-trafficking-statutes-enforced>

# Labor Trafficking of Children and Youth: Definitions

## Peonage

Closely related to involuntary servitude, but where a person's involuntary servitude is tied to the payment of a debt.

Also known as "debt servitude".

## Debt Bondage

A person is under the control of their debtors as a security for a 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.

18 U.S.C. § 1581, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

US Department of Justice, Involuntary Servitude, Forced Labor, and Sex Trafficking Statutes Enforced (2021), <https://www.justice.gov/crt/involuntary-servitude-forced-labor-and-sex-trafficking-statutes-enforced>

# Federal Laws

## Trafficking Victims Protection Act (2000, reauthorized 9 times, last in Jan 2019)

The Trafficking Victims Protection Act (TVPA) of 2000, as amended, defines “severe forms of trafficking in persons” in 22 U.S.C. § 7102 (11)

## Fair Labor Standards Act (FLSA)

Federal law governing child labor in the US. Children must be 14yrs old to work in most industries, except agriculture. Limits number of hours a child may work, except agriculture and domestic work.

## Occupational Safety and Health Act (OSHA)

Establishes standards of safety for work environments and provides guidance for sharing safety rights of workers. Live-in domestic workers are excluded from these federal protections.

# Federal Laws

## Trafficking Victims Protection Act (2000, reauthorized 9 times, last in Jan 2019)

The Trafficking Victims Protection Act (TVPA) of 2000, as amended, defines “severe forms of trafficking in persons” in 22 U.S.C. § 7102 (11)

## Fair Labor Standards Act (FLSA)

Federal law governing child labor in the US. Children must be 14yrs old to work in most industries, except agriculture. Limits number of hours a child may work, except agriculture and domestic work.

## Occupational Safety and Health Act (OSHA)

Establishes standards of safety for work environments and provides guidance for sharing safety rights of workers. Live-in domestic workers are excluded from these federal protections.

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress. <https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>  
The Fair Labor Standards Act of 1938. 29 U.S.C. 213(b)(12) <http://www.dol.gov/compliance/laws/comp/flsa.htm>  
OSHA, Information about Young Workers: <https://www.osha.gov/youngworkers/>  
National Human Trafficking Resource Center, Child Labor Trafficking in the United States



# The Elements of Control in Labor Trafficking

- Unlike child sex trafficking, child victims of labor trafficking must prove they were compelled into exploitative labor
- Federal and state statutes require proof of force, fraud, or coercion
- The burden of proof rests with the child

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, Social Inclusion Journal 2017, Volume 5, Issue 2, Pages 59-68.

# Methods of Control

- **Force:** sexual assault, physical assault, confinement, forced drugging
- **Fraud:** false and deceptive offers of employment, relationship, better life
- **Coercion:** threats of serious harm; shame tactics; any scheme, plan, or pattern intended to cause victims to believe that failure to perform an act would result in harm to them or loved ones; threats related to abuse of the legal process



Polaris. (2010). *Human trafficking power and control wheel*. Adapted from the Domestic Abuse Intervention Project's Duluth Model Power and Control Wheel. <https://www.acesdv.org/wp-content/uploads/2014/06/Human-Trafficking-PowerControl-Wheel.pdf>

# What do we know about child labor trafficking?

- There is some information available through the Human Trafficking Data online database of criminal and civil cases
- 11 of 17 known U.S. research studies or reports on trafficking of children and youth include labor trafficking (2013-2021)
- Information on services provided through federally funded anti-trafficking programs
- Federal reports to Congress (HSI, DOL, DOJ)

Bouche, Vanessa, HumanTraffickingData.org, [http://www.humantraffickingdata.org/search?no\\_results=1](http://www.humantraffickingdata.org/search?no_results=1)

Wright, Eric R., Ana LaBoy, Kara Tsukerman, Nicholas Forge, Erin Ruel, Renee Shelby, Madison Higbee, Zoe Webb, Melanie Turner-Harper, Asantewaa Darkwa. 2021. The Prevalence and Correlates of Labor and Sex Trafficking in a Community Sample of Youth Experiencing Homelessness in Metro-Atlanta. Social Sciences 10: 32. <https://doi.org/10.3390/socsci10020032>

# Data on Labor Trafficking of Children and Youth in the United States

Labor trafficking incidents among homeless youth: Female Youth- 7% (24% S&L), Male Youth- 9% (16% S&L), LGBTQ Youth- 8% (29% S&L), Youth in Foster Care-10% (23% S&L)

Among 143 unaccompanied minors who were trafficked, 24% were trafficked for labor

ICE domestic agents logged 99,750 hours and spent \$18.72 million on forced child labor investigations in 2018. Cases initiated-142; Arrests- 119, Indictments- 80, Convictions-91 (these case statistics don't indicate how many involve child labor violations)

Goździak, Elzbieta (2016) Trafficked Children and Youth in the United States: Reimagining Survivors, Rutgers University Press, New Brunswick, NJ.

Murphy, Laura, Labor and Sex Trafficking Among Homeless Youth: A Ten City Study, Loyola University (2016), Retrieved online:

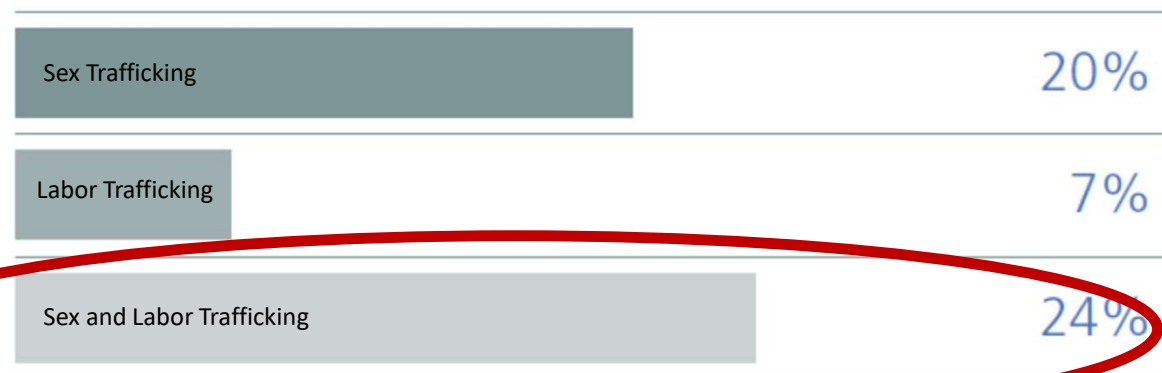
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

Homeland Security Investigations, US Immigration and Customs Enforcement (May 2019) Forced Labor and Forced Child Labor Report: Fiscal Year 2018 Report to Congress, [https://www.dhs.gov/sites/default/files/publications/ice\\_-\\_forced\\_labor\\_and\\_forced\\_child\\_labor.pdf](https://www.dhs.gov/sites/default/files/publications/ice_-_forced_labor_and_forced_child_labor.pdf)

## Incidents of Human Trafficking Among Homeless Youth

- Among **female-identifying youth**:
  - 20% experienced sex trafficking
  - 7% experienced labor trafficking
  - 24% experienced both sex and labor trafficking

### Young Women (243)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

## Incidents of Human Trafficking Among Homeless Youth

- Among **male-identifying youth**:
  - 11% experienced sex trafficking
  - 9% experienced labor trafficking
  - 16% experienced both sex and labor trafficking

### Young Men (383)



Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

## Incidents of Human Trafficking Among Homeless Youth

- Among **LGBTQ-identifying youth**:
  - 24% experienced sex trafficking
  - 8% experienced labor trafficking
  - 29% experienced both sex and labor trafficking

### LGBTQ Youth (123)

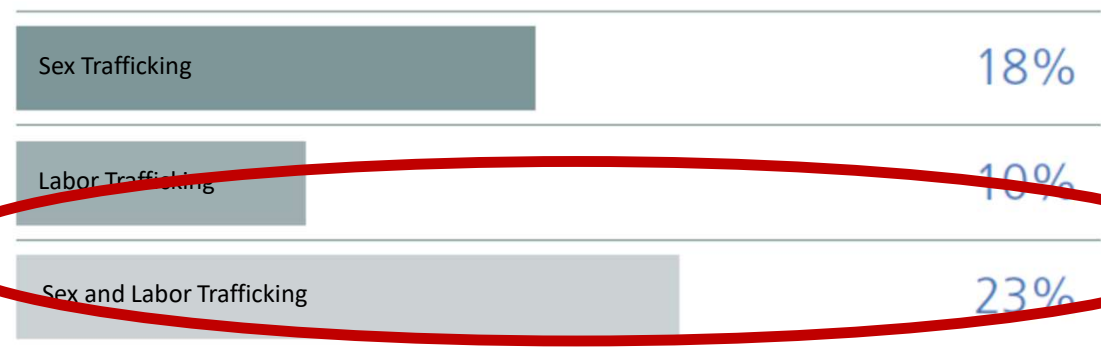


Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

## Incidents of Human Trafficking Among Homeless Youth

- Among **youth with a foster care history**:
  - 18% experienced sex trafficking
  - 10% experienced labor trafficking
  - 23% experienced both sex and labor trafficking

Youth with Foster Care History (137)

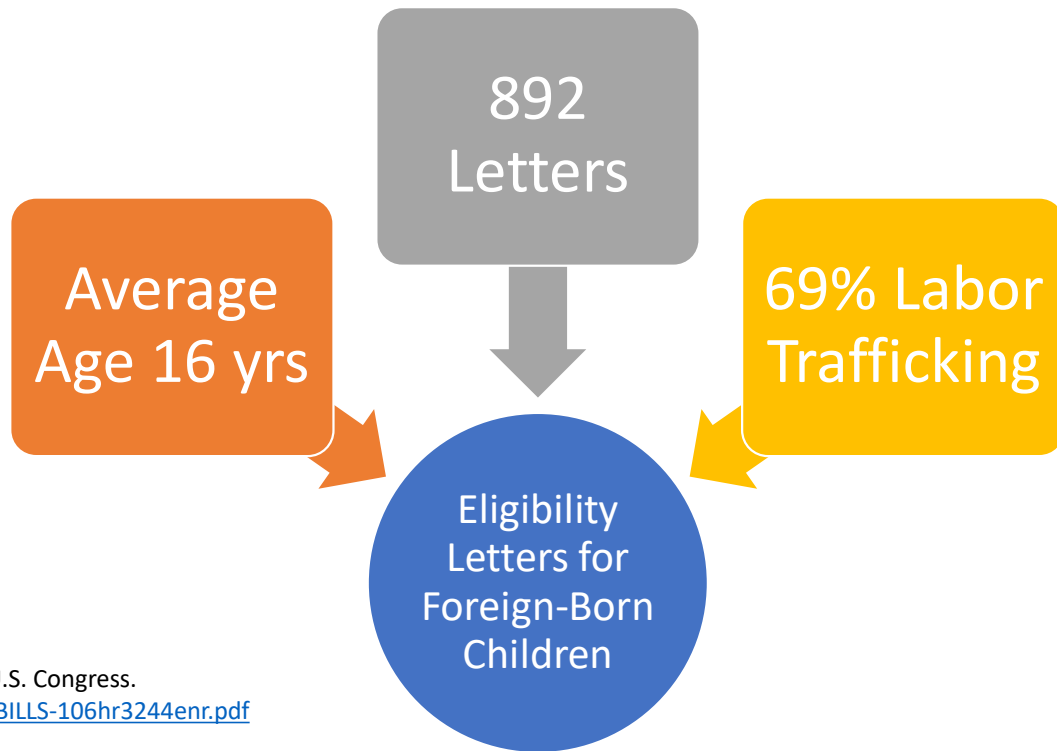


Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>



# Eligibility Letters Issued by HHS (FY 2019)

The Trafficking Victim Protection Act requires Federal, State, or local officials to notify HHS within 24 hours after discovering a foreign national minor may have experienced human trafficking to facilitate provision of assistance.



Victims of Trafficking and Violence Protection Act. (2000) 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

Administration for Children and Families (2020), Victim Assistance Programs- FY 2019, Date of Issuance: April 24, 2020

# Labor Trafficking Typologies

	Illicit Massage, Health & Beauty			Domestic Work
Bars, Strip Clubs & Cantinas		Traveling Sales Crews	Restaurants & Food Services	Peddling & Begging Crews
Agriculture & Animal Husbandry		Health & Beauty Services	Construction	Hotels and Hospitality
Landscaping	Illicit Activities	Arts & Entertainment	Commercial Cleaning Services	Factories & Manufacturing
	Carnivals	Forestry & Logging	Health Care	Recreational Facilities

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

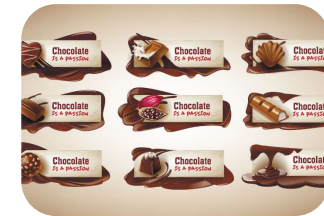
# Traveling Sales Crews

*“Sales crews typically recruit U.S. citizen youth ages 18 to 25, with promises of travel, a care-free life, and the ability to make a lot of money. A “crew” consists of an average of 3 to 40 youth, under the direction of a manager, who moves the crew from city to city every few weeks. Crewmembers receive a small daily stipend of \$8 to \$15 or less, to cover the cost of meals and personal items. Violence, sexual assault, sexual harassment, pressure tactics, and abandonment in unfamiliar cities are common.”*

*- Polaris*



Magazines



Candy



Books



CDs / DVDs

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris, “Sales Crews, Peddling, and Begging Rings” (accessed online Feb 2021), <https://humantraffickinghotline.org/what-human-trafficking/labor-trafficking/sales-crews-peddling-begging-rings>

# Peddling / Begging

*“Begging and peddling rings may target immigrants who are vulnerable to exploitation due to language barriers and a lack of alternative job options.”*

*“In some cases, traffickers may pose under the guise of a seemingly legitimate charitable or religious organization claiming to provide trips and enrichment services to ‘at-risk youth’. These rings exploit young U.S. children by forcing them to sell candy... or solicit “donations” on streets or in shopping centers. Parents may also exploit their own children in begging rings.”*



Holding Signs



Sitting with Adults for Sympathy



Selling items



Asking for Money

## Polaris

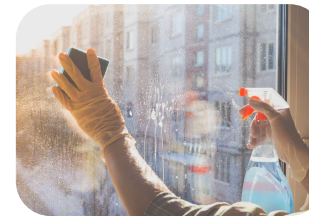
Polaris, “Sales Crews, Peddling, and Begging Rings” (accessed online Feb 2021), <https://humantraffickinghotline.org/what-human-trafficking/labor-trafficking/sales-crews-peddling-begging-rings>  
Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Domestic Work

*“Labor trafficking victims in domestic work commonly work 12-18 hours a day (some as much as 24/7) for little to no pay. They may experience extreme isolation and confinement, sexual harassment, high levels of monitoring, debt bondage, extreme wage theft, and restricted access to food and medical care. Labor trafficking in domestic work can often last for years or even decades.” - Polaris*

Victims are often (though not always) female and may be foreign-born. Some victims go to school, others are required to remain only in the home.



Cleaning House



Nanny



Outdoor Work



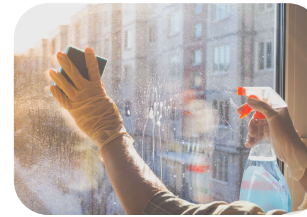
Residential  
Business

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Agriculture

*“ Investigations found consistent, significant risks to children’s health and safety who are working on tobacco farms in the United States. The children are exposed to nicotine and toxic pesticides. Every child interviewed described having illnesses with specific symptoms associated with acute nicotine poisoning and pesticide exposure, including nausea, vomiting, loss of appetite, headaches, dizziness, irritation and difficulty breathing. Ironically, it is still legal in the United States for children as young as 12 to work on tobacco farms, as long as they have parental permission. There are no age limitations for children who work on small, family-owned farms.” - Lou Gutheil*



Tobacco



Cotton



Food Crops



Residential  
Business

Image Sources: Stock Images and Shutterstock, Used with Permission

Gutheil, Lou, “Not Gone, but Forgotten: Millions of Children Trapped Between Poverty and the Profits of Others (2019). *The typology of modern slavery: Defining sex and labor trafficking in the United States* <https://www.gfa.org/special-report/child-labor-today/>

# Recreational Facilities / Sports

*“Victims are usually misled with false employment contracts promising free transportation to and from work, fairly priced housing, a living wage.” - Polaris*

Victims may also be promised a good education or a career as a successful athlete. Many child and youth victims are foreign-born and may be brought to the US on F-1 student visas, while others are undocumented. They may be moved around between communities to keep them more isolated.



Basketball



Golf Course



Carnivals / Fairs



Summer Camp

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Illicit Activities

*“[Child and youth are exploited] in illicit activities as in any legitimate labor industry. Often involves street-level drug distribution businesses and cross border drug smuggling, along with general domestic gang activity. Domestic gangs tend to target vulnerable boys and young men who are looking for protection and a surrogate “family unit” and convince them to act as look-outs and commit burglary and sometimes more violent crimes for profit. Latino cartels and other criminal entities are known to abduct people or fraudulently promise their victims protection in their migration to the United States only to force them to carry drugs across the border.* - Polaris



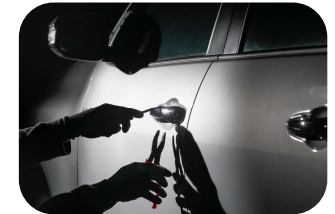
Drug Muling



Selling Drugs



Shoplifting



Gang Activity

Image Sources: Stock Images and Shutterstock, Used with Permission

Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>



# Risk Factors Among Children and Youth



Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online.

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, Social Inclusion Journal 2017, Volume 5, Issue 2, Pages 59-68.

Goździak, Elżbieta (2016) Trafficked Children and Youth in the United States: Reimagining Survivors, Rutgers University Press, New Brunswick, NJ

Child Welfare Information Gateway. (2019). Responding to child victims of human trafficking. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, <https://www.childwelfare.gov/pubPDFs/traffickingresponse.pdf>

# Protective Factors for Children and Youth

## Individual Factors

- Economic Well-Being (self and family)
- Social Connections
- Emotional Competence
- Nurturing Relationships
- Presence of a Supportive Adult
- Increased Self-Confidence

## Family Factors

- Connections to Community Resources
- Parenting Skills
- Parenting Resilience
- Concrete Support for Families

Chisolm-Straker, M. et al. (2018). A supportive adult may be the difference in homeless youth not being trafficked. *Children and Youth Services Review*, 91, 115–120.

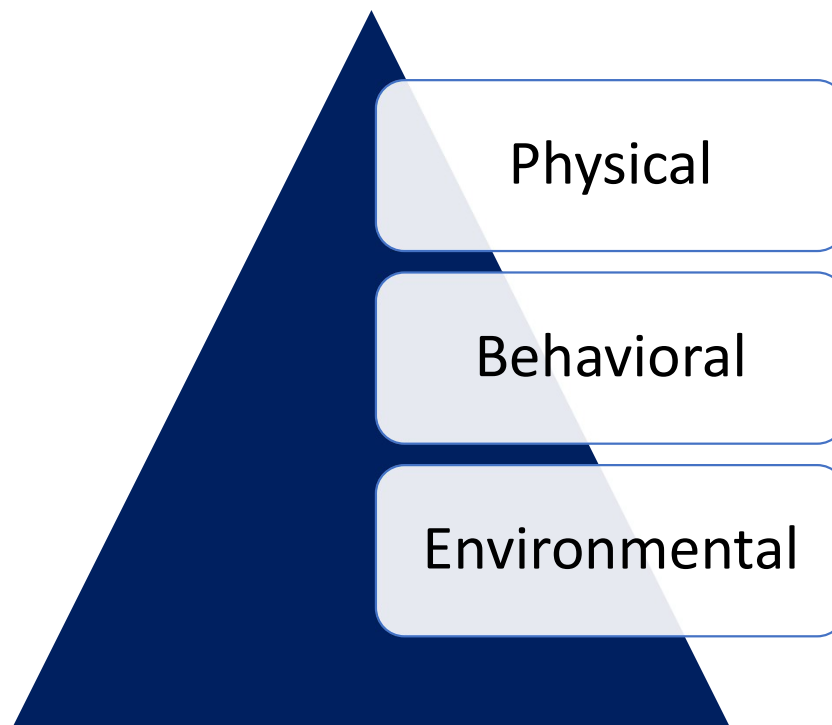
Goździak, Elżbieta (2016) *Trafficked Children and Youth in the United States: Reimagining Survivors*, Rutgers University Press, New Brunswick, NJ

# Populations Impacted by Labor Trafficking

- Young children and adolescents
- Children of any race and culture
- United States citizen and foreign-born children
- Children traveling to the United States alone (unaccompanied minors)
- Children traveling to the United States with their families
- All genders
- Homeless youth and youth absent from care
- Children and youth in the foster care system
- LGBTQ youth

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, Social Inclusion Journal 2017, Volume 5, Issue 2, Pages 59-68.

# Potential Indicators of Trafficking



# Barriers to Identification

- The child's fear of deportation
- The effects of trauma
- Being expressly coached to deny any abuse or exploitation
- Child may not know they have been trafficked or that rights were violated
- Showing control may be difficult due to power imbalance between adults and children

Kaufka Walts, Katherine (2017). Child Labor Trafficking in the United States: A Hidden Crime, Center for Human Rights of Children, Loyola University Chicago, *Social Inclusion Journal* 2017, Volume 5, Issue 2, Pages 59-68.

# Kentucky State Law

Labor Trafficking of Children and Youth

# KRS Human Trafficking Crimes

**Human Trafficking (KRS 529.010):** refers to criminal activity whereby one or more persons are subjected to engaging in:

- a) Forced labor or services; or
- b) Commercial sexual activity through the use of force, fraud, or coercion ***except that if the trafficked person is under the age of eighteen, the commercial sexual activity need not involved force, fraud, or coercion*** (emphasis added)

**Crime of Human Trafficking (KRS 529.100):** A person is guilty of human trafficking when the person intentionally subjects one or more persons to human trafficking

**Promotion of Human Trafficking (KRS 529.110):** A person is guilty of promoting human trafficking when the person intentionally:

- a) Benefits financially or receives anything of value from knowing participation in human trafficking; or
- b) Recruits, entices, harbors, transports, provides or obtains by any other means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person knowing that the person will be subject to human trafficking

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor : Services, not Criminalization

- **Prohibits prosecution of anyone under 18 for prostitution** or loitering for prostitution and requires law enforcement to report those cases to CHFS as possible victims of HT. KRS 529.
- Prohibits charging for or finding guilt for **status offenses** related to conduct arising out of the HT of the child unless it is later determined child was not a victim of HT. KRS 630.125.

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>



# Safe Harbor: Police Response

- Permits **law enforcement** to take a child victim of HT into protective custody, similar to sexual abuse cases, after making mandatory report to Cabinet. KRS 529.

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Human Trafficking Victims Rights Act (HTVRA)

## Safe Harbor

### **Child victims of human trafficking should be treated as victims, not criminals.**

- Requires a report to CHFS if there is reasonable cause to believe a child is a victim of human trafficking (forced labor or commercial sex) .
- Adds human trafficking to the mandatory reporting statute for child abuse.
- The case is required to be treated as a **dependent, neglected, or abused (DNA)** case regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision. KRS 620.030 (3).

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Safe Harbor : The Cabinet Response

## **Cabinet for Health and Family Services must:**

- Provide assessment, treatment, housing, and services to the child as a victim of HT and treat the child as a DNA child. KRS 620.040 (1) (b).
- Proceed with the case in accordance with DNA statutes regardless of whether the perpetrator was a parent, guardian or someone exercising custodial control or supervision. KRS 620.040 (1).
- **Respond to the report of human trafficking of a child within four to twenty four hours by treating it as a high-risk case, like a report of sexual abuse**

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110, accessed online:  
<https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Uniform Crime Report

KRS	Code	Description	Level	Class
529.100	40100	Human Trafficking	Felony	C
529.100	40101	Human Trafficking (serious physical injury)	Felony	B
529.100	40102	Human Trafficking (victim u/18 YOA)	Felony	B
529.100	40083	Human Trafficking- Forced Labor	Felony	C
529.100	40091	Human Trafficking- Commercial Sex Activity	Felony	C
529.110	40104	Promoting Human Trafficking	Felony	D
529.110	40105	Promoting Human Trafficking (victim u/18 YOA)	Felony	C
620.030	02819	Failure to report victim of human trafficking (first offense)	Misdem.	B

Kentucky State Police (2020), *Kentucky Uniform Crime Reporting Codes*, accessed online: <http://kentuckystatepolice.org/crime-traffic-data/>

# Survivors of Labor Trafficking have Rights in Federal and State Law

- Right not to be imprisoned or detained for underlying offenses, unless
  - Detention is least restrictive alternative
  - Necessary for safety
  - Poses threat to community safety
- Victims should not be held culpable for crimes that were committed as a direct result of their victimization
- Communications between trafficking victim and trafficking counselor are privileged.

22 U.S.C. § 7102, Victims of Trafficking and Violence Protection Act. (2000). Sec. 201–103, 106th U.S. Congress.  
<https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 422.295(c ), KRS 431.063, KRS 529.010, KRS 529.100, KRS 529.110,  
accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# HB2- 2020 Kentucky General Assembly

- Amended KRS 529.010 to create new definitions related to human trafficking; amended KRS 529.100 to specifically list the elements of human trafficking.
- Added definitions of debt bondage and forced labor
- Removed requirement of kidnapping in labor trafficking definition
- Added the following as means of control:
  - Abuse (or threatened abuse) of legal process
  - Destroying, concealing, removing, confiscating or possessing of identity documents
  - Use of debt bondage
  - Facilitation, controlling, or threatening to control and individual's access to a controlled substance

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 620.030(3)  
accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Child Trafficking Response

- Child Victims Protection Act / Safe Harbor
- Mandatory Report to CHFS
- Criminal investigations may be federal or state
- Screenings provided by DCBS, CDWs and DJJ

Kentucky Revised Statute (2020), Kentucky General Assembly, KRS 529.010, KRS 529.100, KRS 529.110  
accessed online: <https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=39397>

# Kentucky State Law on Children Absent from Care

- Assess a child's experiences while absent from care
- When child that has been missing is located, the social worker must do the following:
- Interview the child within 48 hours of their return to evaluate the following:– Factors that contributed to the child's disappearance–The child's current level of functioning–The child's experiences while missing–Screening for human trafficking victimization while absent from their placement



# Kentucky Specific Data

Labor Trafficking of Children and Youth

# Labor Trafficking of Children and Youth in Kentucky

US Citizen Children and Youth

Foreign-Born Children and Youth

Formal and Informal Labor Sectors

# Labor Sectors: Formal and Informal

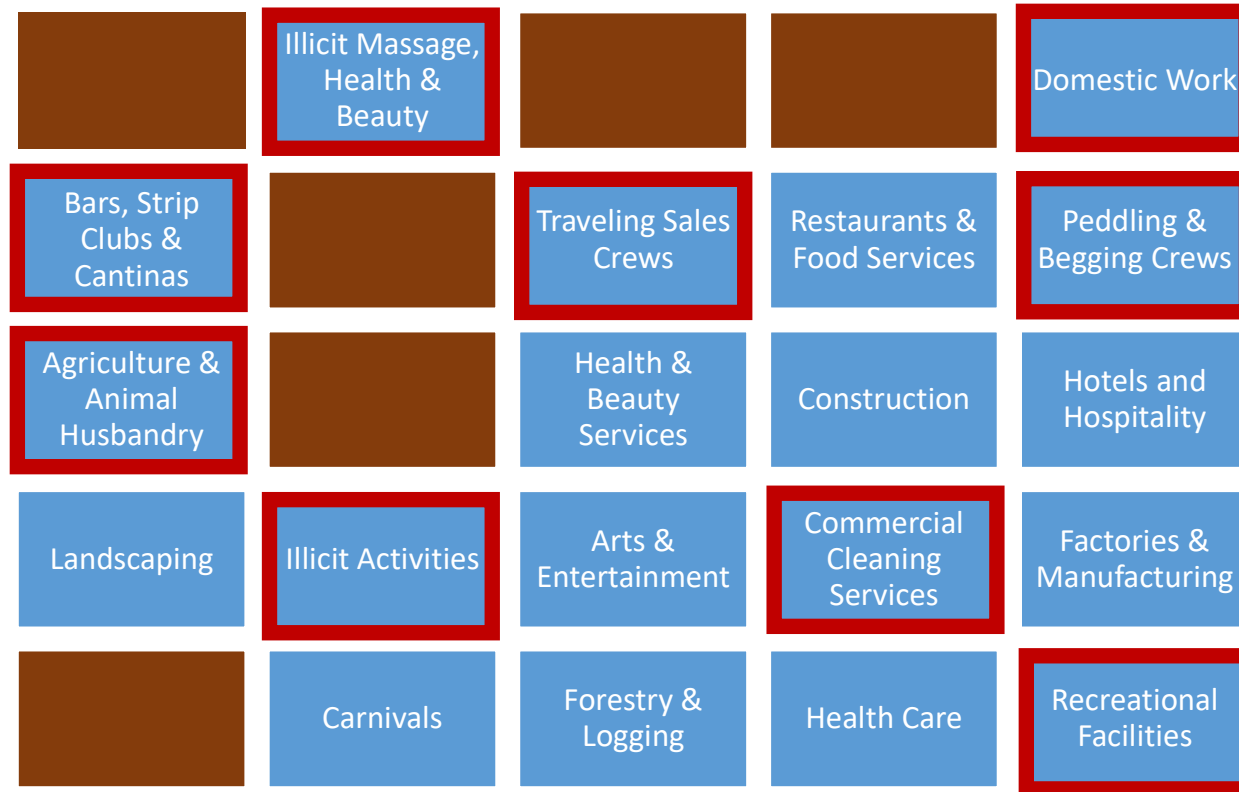
## Formal Labor Sectors

- Agriculture and animal husbandry
- Restaurants and food services
- Factories and manufacturing
- Commercial cleaning
- Construction
- Massage, health, and beauty
- Landscaping
- Recreation
- Hotels and hospitality
- Health care
- Forestry and logging

## Informal Labor Sectors

- Childcare
- Domestic work
- Carnivals
- Traveling sales crews
- Panhandling/begging
- Illicit activities
  - Drug trafficking
  - Shoplifting

# Labor Typologies Involving KY Children and Youth



Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

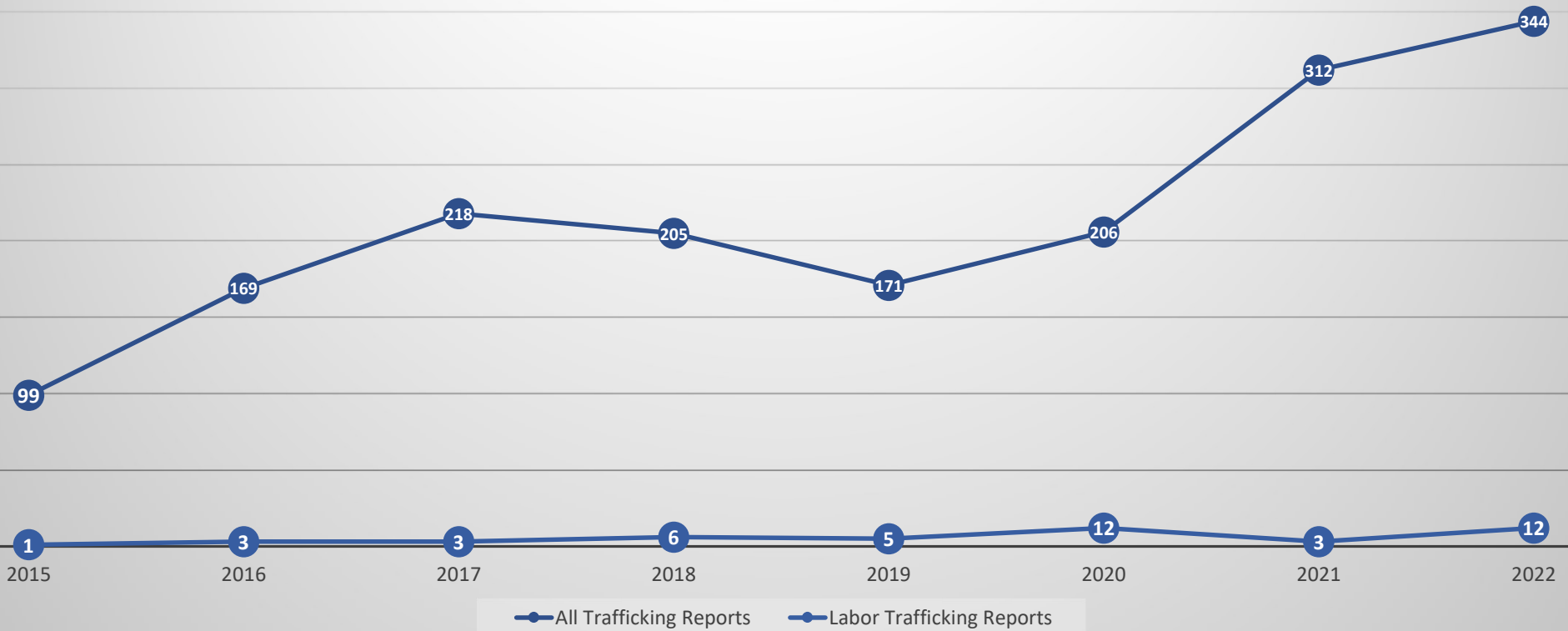
# Labor Trafficking Incidents Reported in Kentucky



Total Labor Trafficking Incidents Reported to CHFS = 45  
(3% of all reports)

Source: 2015-2022 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2015, 2016, 2017, 2018, 2019, 2020, 2022

## All Human Trafficking & Labor Trafficking Only Reported to CHFS (2015-2022)



Source: 2015-2022 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2015, 2016, 2017, 2018, 2019, 2020, 2022

# Labor Trafficking Incidents Reported in Kentucky

The 2015-2022 CHFS Child Trafficking in Kentucky Reports highlight door to door sales as the most common labor trafficking reported among children and youth.



Youth found working in a massage parlor



Child or youth found traveling & working with magazine or candy sales



Child or youth found traveling & working in other sales

Source: 2015-2022 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022

# Candy Sales in Kentucky: A Case Study

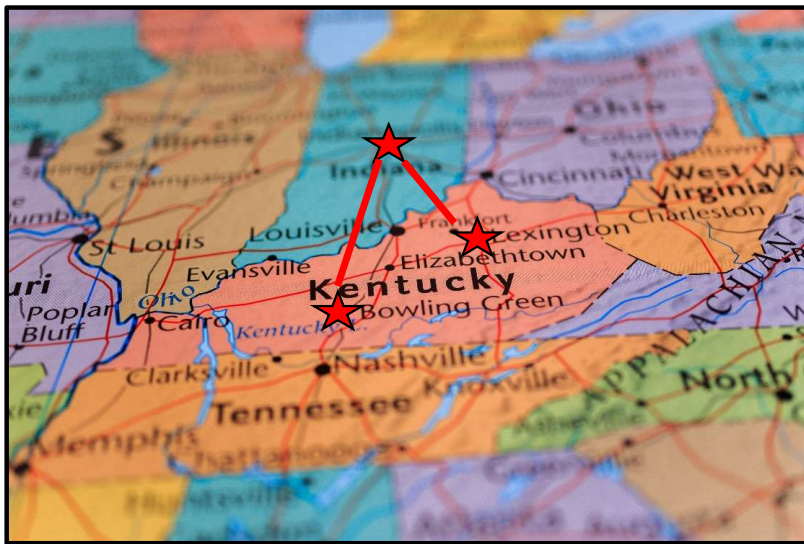


Image Source: Shutterstock Images, used with permission

WLEX18 (2009) "Police: Men from Indianapolis left Children to Sell Candy on Winchester Rd:  
Woods, Monica (2010) Bowling Green Police Department, personal communications with Marissa Castellanos  
Bowling Green Daily News (2020) "Man who brought kids to Bowling Green for candy sales now faces human trafficking charges", [https://www.bgdailynews.com/news/man-who-brought-kids-to-bg-for-candy-sales-now-faces-human-trafficking-charges/article\\_0a18d896-1125-529d-8ef5-4cc3504fc049.html](https://www.bgdailynews.com/news/man-who-brought-kids-to-bg-for-candy-sales-now-faces-human-trafficking-charges/article_0a18d896-1125-529d-8ef5-4cc3504fc049.html)  
WKRN News (2020) "Man facing fines in Kentucky for employing children to sell candy", <https://www.wkrn.com/news/kentucky/man-facing-fines-in-kentucky-for-employing-children-to-sell-candy/>

2009

Winchester Rd. in Lexington- 15 children from Indianapolis ages 12-17 selling candy. Left alone for hours.

2010

Hotel in Bowling Green, KY- Several children from Indianapolis found in one hotel room. There to sell candy.

2019

Bowling Green, KY- Several children from Indianapolis found in one hotel room. There to sell candy for a charity called "Youth in Action". Shawn Floyd (54) arrested.

2020

Shawn Floyd indicted on 12 counts of labor trafficking, victim under 18 years old. Children worked 10+ hours/day going 10+ hours without food in 100° heat.

2020

The Kentucky Labor Cabinet filed a lawsuit against Shawn Floyd alleging he had failed to pay fines totaling \$45,000 related to labor violations involving children.

2023

The case is ongoing. The most recent news report says the case may go to trial.



# Presentation of Labor Trafficking Among Children and Youth in Kentucky

A foreign-born teen is sold into marriage to an adult man who brings her to the US where he sexually assaults her and forces her to work in the fields.

A mother and stepfather require 4 teen daughters to make items to sell and advertise them for work to others. Tattooed, sexually abused, and punished excessively.

An unaccompanied minor is forced at gunpoint to bring marijuana across the US border. He is released from immigration detention to a sponsor, who is his aunt.

A foreign-born teen is recruited to play basketball by a "scout" who brings him to the US. He is not allowed to attend the school on his visa, is required to practice basketball day in and day out, left alone for days at a time, without food, with many other teens in similar circumstances.

Parents require their children to assist in their panhandling scheme: taking money from cars, holding signs, counting money, and also sexually abuse the children.

A 10yr old child is brought to the US from another country and required to do domestic work, including caring for the children in the house. She is not paid, not provided basic sanitary items, required to fix food she is not allowed to eat, not called by her name but instead called by a nickname which means "dog", allowed to sleep only a few hours a night, frequently verbally abused, and not permitted to have contact with her family.

# Prevention & Intervention

Labor Trafficking of Children and Youth

# Levels of Prevention

Primary- Occurs before victimization

Secondary- Crisis intervention in midst of victimization

Tertiary- Longer term intervention post victimization

Adapted from Department of Health and Human Services. (2019). *The levels of prevention*. <https://vetoviolence.cdc.gov/levels-prevention>  
Adapted from Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

# Strategies to Build Protective Factors

- Flexible, client-first, “non-linear” programs
- Informing youth of their rights
- Job skills training
- Healthy and unhealthy relationship curriculum
- Integrating discussion about social media
- Safety planning and harm reduction
- Support network building

Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

# Engaging in Prevention as Professionals

- Integration of prevention into local task forces and coalitions
- Partnering with groups serving youth experiencing homelessness and absence from care
- Building capacity at the intersections of human trafficking among runaway and homeless youth
- Ensuring prevention education materials are not re-traumatizing or exploitative
- Court intervention
- Promoting prevention in rural and tribal areas
- Increasing awareness of youth absent from care

Family and Youth Services Bureau (2020). ISSUE BRIEF- Human Trafficking Prevention: Strategies for Homeless and Runaway Youth Settings, available online

# It may be easier to talk about labor...

- Talk with children and youth about workers rights
- Discuss workplace conditions
- Explain where the lines are
  - wage/hour violations, wage theft, labor trafficking
- Let children and youth know how the law protects them
- Provide access to resources for more information
- This can be done at a young age, in age-appropriate ways

# Considerations when Talking with Children and Youth about Labor Trafficking and Exploitation

- **KEEP IN MIND:** You never know when you may get a disclosure
- It's important to be present
- Ask open-ended questions that address migration, daily life, access to basic needs, work conditions, etc. (VERA Screening Tool: TVIT)
- Have a written policy and protocol in place

# Recommended Services for Survivors and Those at Risk of Trafficking

- Victim-centered approach
- Coordinated services for both the survivor and their family
- Trauma-informed services
- Safety Planning
- Therapeutic Services
- Advocacy
- Legal Services

Source: Greenbaum J, Crawford-Jakubiak JE. Child sex trafficking and commercial sexual exploitation: health care needs of victims. *Pediatrics*. 2015;135(3):566-74. <http://pediatrics.aappublications.org/content/135/3/566>



# Service Intervention: Connection to Resources

- KY Dept. for Community-Based Services
  - Child Protection Branch
  - Out of Home Care Branch
  - Clinical Services Branch
- Catholic Charities of Louisville
  - Bakhita Empowerment Initiative
  - Family Support Services
  - Immigration Legal Services
  - Migration and Refugee Services
- Children's Advocacy Centers
- Local Task Forces and Coalitions

# Eligibility Letter Request Process

If you are working with a foreign national minor and have concerns that they may have experienced forced labor or commercial sex at any point in their life, [submit a referral](#) through the [Shepherd Case Management System](#) [Visit disclaimer page](#).

OTIP Child Protection Specialist:  
202-205-4582

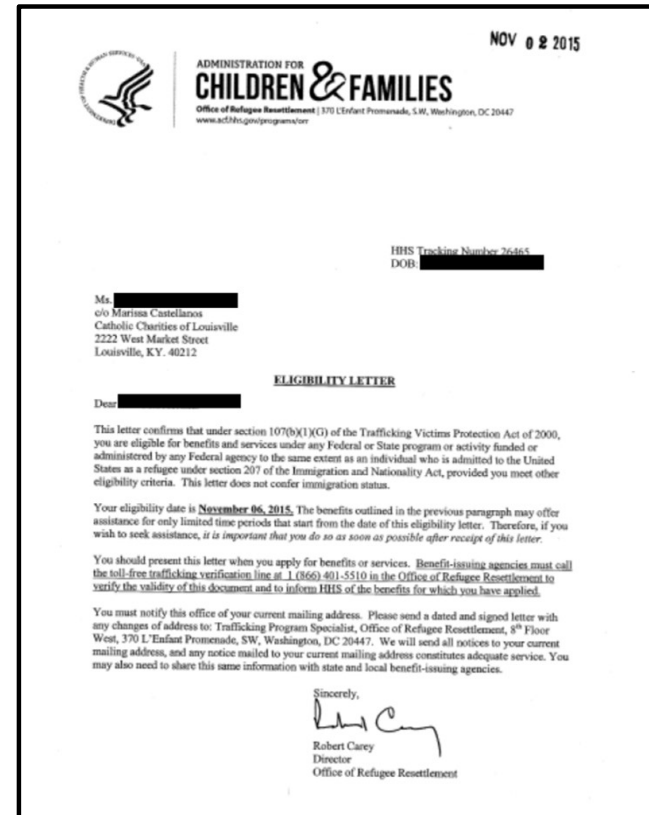


Image Source: Catholic Charities of Louisville, Used with Permission

# National Human Trafficking Hotline



**NATIONAL  
HUMAN  
TRAFFICKING  
HOTLINE**

*24/7 • Toll free  
Confidential  
200+ languages*

**CALL**  
1-888-373-7888

**TEXT**  
"BeFree" (233733)

**LIVE CHAT**  
humantraffickinghotline.org

**GET HELP • REPORT TRAFFICKING**

Source: National Human Trafficking Hotline (2020), online at: <https://humantraffickinghotline.org/>