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## KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES

# Human Trafficking 101: An Overview

Human Trafficking Training Series

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# Objectives

- Increase knowledge of human trafficking definitions and terminology
- Increase knowledge of vulnerabilities, risk factors, and protective factors for children and youth, as well as the different types of trafficking
- Learn about tools and resources for response to identified victims of human trafficking

Human Trafficking Overview

# DEFINITIONS AND OVERVIEW

# Human Trafficking: Federal Definition

The Trafficking Victims Protection Act of 2000 (TVPA) is the first comprehensive federal law to address trafficking in persons. The law provides a three-pronged approach that includes **prevention, protection, and prosecution**:

- Under U.S. federal law, “severe forms of trafficking in persons” includes both **sex trafficking** and **labor trafficking**.
- Human trafficking is a crime that involves exploiting a person for labor, services, or commercial sex.
- TVPA and its subsequent re-authorizations define human trafficking and include protections for victims.

Victims of Trafficking and Violence Protection Act of 2000 (TVPA), Pub. L. No.106-386, 8 U.S.C. §1101, §7101, 114 STAT 1464 (2000)

# Human Trafficking: Definitions and Terminology

## Sex Trafficking

The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act, in which the 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

## 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

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>

# Methods of Control

**Force:** sexual assault, physical assault, confinement, forced drugging

**Fraud:** false and deceptive offers of employment, relationship, better life

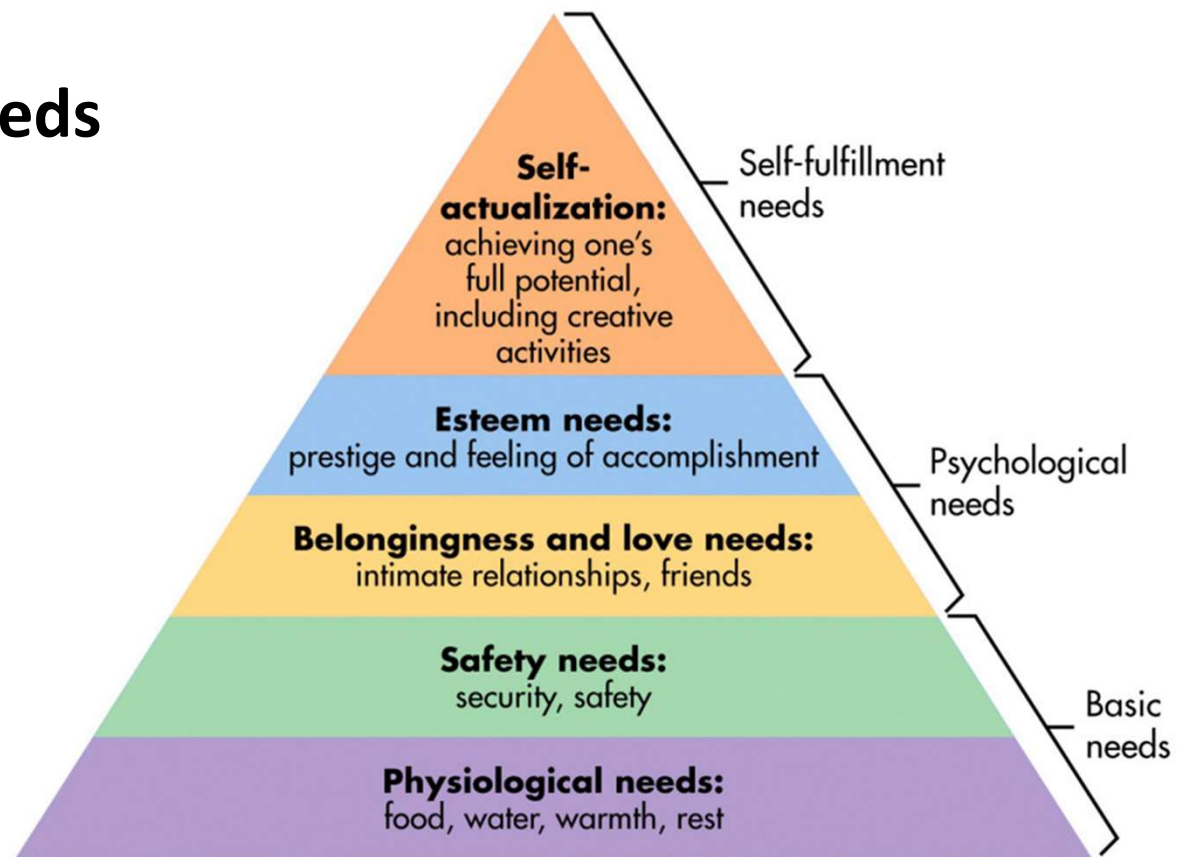
**Coercion:** threats of serious harm; shame tactics; any scheme, plan, or pattern intended to cause victims to believe that failure to perform an act would result in harm to them or loved ones; threats related to abuse of the legal process



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>

# Control Methods and Maslow's Hierarchy of Needs

- Promises or broken promises about providing for their needs (fraud)
- Requiring exchanges to access basic needs (force/coercion)
- Withholding love, affection, drugs, money based on behavior (coercion)
- Lack of safety (force) and promising safety (fraud)





# Coercion as a Method of Control

## Federal Definition of Coercion

- Threats of serious harm to or physical restraint against any person
- Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person
- Abuse or threatened abuse of the legal process

## Examples of Coercive Control

- Threats to harm the victim or their family
- Threats to shame the victim
- Control by withholding money, food, drugs, medicine, or other needed items
- Control by taking personal identity documents (ID, birth certificate, visa, passport, etc.)
- Threats to call law enforcement and report the victim

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>

# 25 Typologies of Human Trafficking

In 2017, Polaris analyzed data collected from the National Human Trafficking Hotline and released a typology of the 25 primary types of human trafficking that exist in the US. Each type has a unique business model, trafficker & victim profile, recruitment strategies and control mechanisms that facilitate that particular type of trafficking.



Images Source: Shutterstock

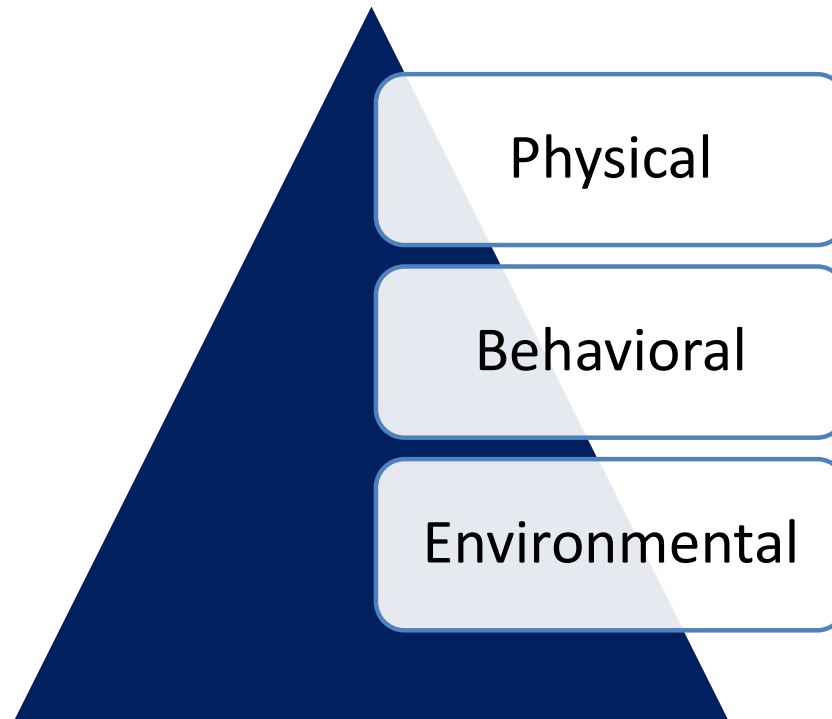
Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# 25 Typologies of Human Trafficking

Escort Services	Illicit Massage, Health & Beauty	Outdoor Solicitation	Residential	Domestic Work
Bars, Strip Clubs & Cantinas	Pornography	Traveling Sales Crews	Restaurants & Food Services	Peddling & Begging Crews
Agriculture & Animal Husbandry	Personal Sexual Servitude	Health & Beauty Services	Construction	Hotels and Hospitality
Landscaping	Illicit Activities	Arts & Entertainment	Commercial Cleaning Services	Factories & Manufacturing
Remote Interactive Sexual Acts	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>

# Potential Indicators of Trafficking



Human Trafficking Overview

# **HUMAN TRAFFICKING AND IMPACTED POPULATIONS**

# Populations Impacted by Trafficking

## At-Risk Populations

- Runaway and homeless youth
- Youth who are or have been in out-of-home care
- Youth who are undocumented
- Black, Indigenous, or Youth of Color
- LGBTQI individuals
- Youth who have physical, emotional and behavioral health challenges
- Survivors of other crimes
- Department of Juvenile Justice involved

## Intersectional Issues

- Homelessness
- Substance use disorder
- Interpersonal violence

# Study: Labor and Sex Trafficking Among Homeless Youth

## Human Trafficking Incidents

- 641 youth were interviewed at Covenant House sites in the United States and Canada.
- Nearly 1 in 5 experienced some form of human trafficking.
- More than 14% of the total population had been trafficked for sex.
- 8% had been trafficked for other forced labor.
- 3% were trafficked for both sex and labor.

## Exploitation/Attempted Exploitation

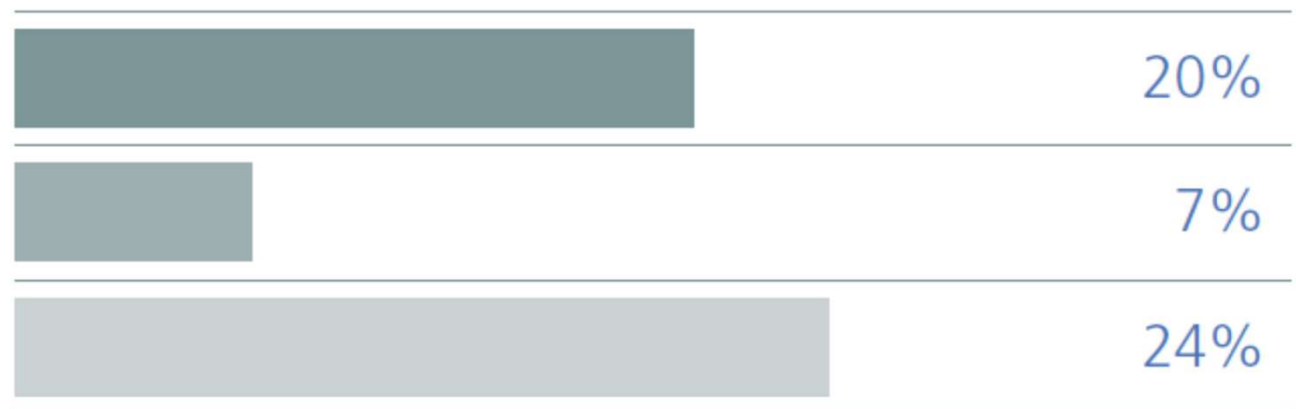
- 91% of the respondents reported being approached by someone offering an opportunity for income that was too good to be true.
- This included situations that turned into trafficking and other offers for commercial sexual exchanges, fraudulent commission-based sales, credit card scams, stolen phone sales, and check fraud.

# Human Trafficking Incidents

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>

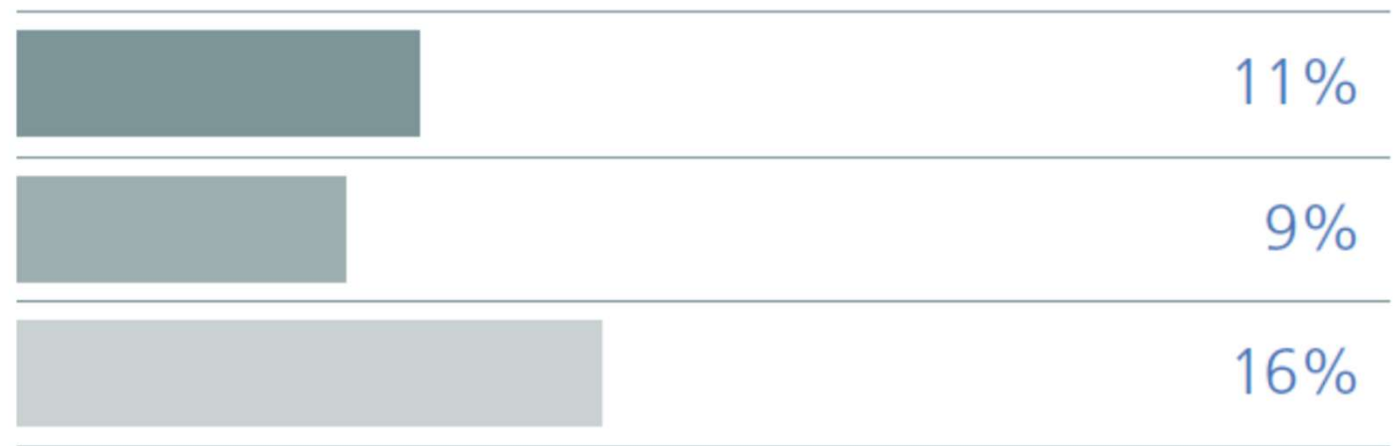


# Human Trafficking Incidents

Among male-identifying youth:

- 11% experienced sex trafficking
- 9% experienced labor trafficking
- 16% experienced both sex and labor trafficking

Young Men (383)



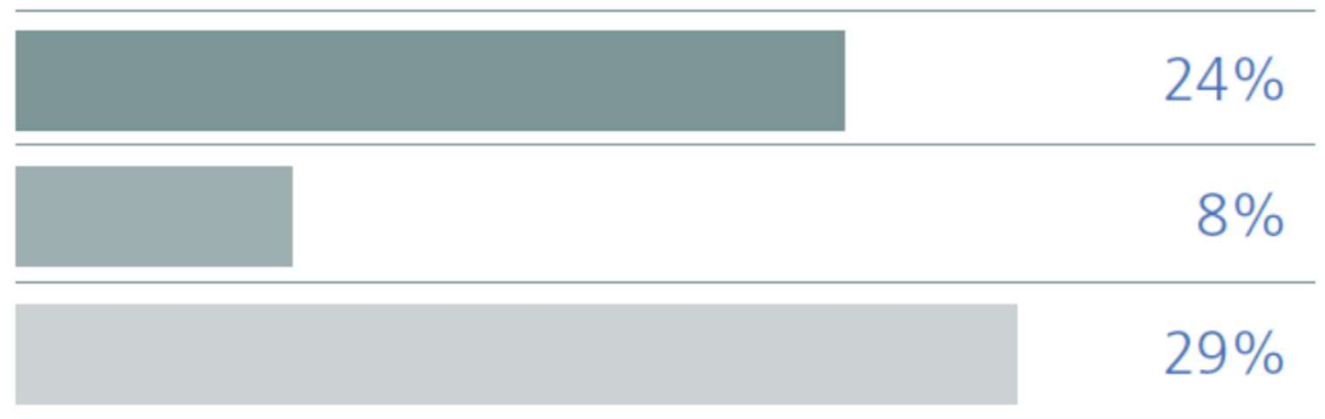
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<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

# Human Trafficking Incidents

Among LGBTQ-identifying youth:

- 24% experienced sex trafficking
- 8% experienced labor trafficking
- 29% experienced both sex and labor trafficking

LGBTQ Youth (123)



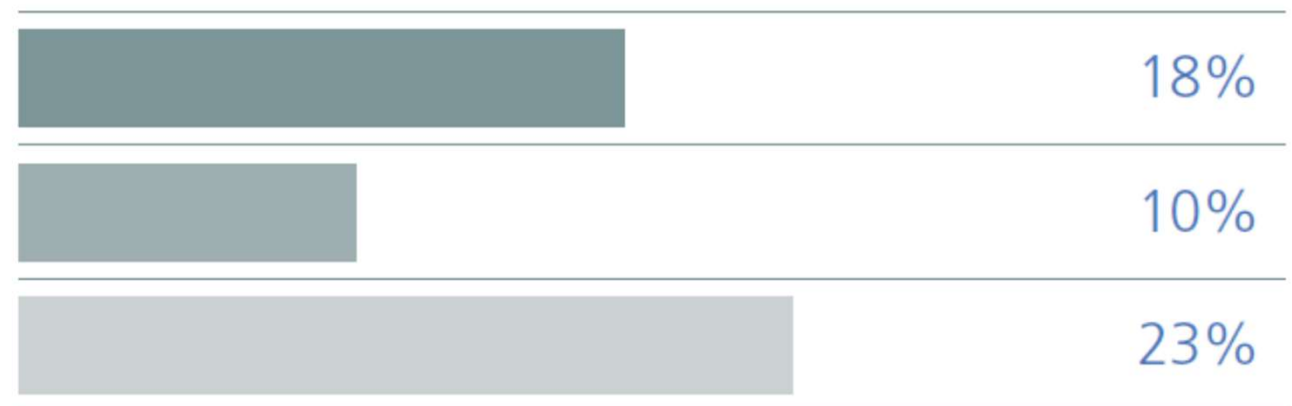
Murphy, L. (2016). *Labor and sex trafficking among homeless youth: A ten city study*. New Orleans, LA: Loyola University.  
<https://www.covenanthouse.org/sites/default/files/inline-files/Loyola%20Multi-City%20Executive%20Summary%20FINAL.pdf>

# Human Trafficking Incidents

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>

# Tactics for Trafficking Children and Youth

Force or Coercion	Emotional Manipulation
Alcohol/Drugs	Material Possessions
Dependency	Social Isolation

Cole, J., & Anderson, E. (2013). *Sex trafficking of minors in Kentucky*. Lexington, KY: University of Kentucky, Center on Drug and Alcohol Research, Center on Trauma and Children.  
<http://www.cdar.uky.edu/CoerciveControl/docs/Sex%20Trafficking%20of%20Minors%20in%20KY.pdf>

# Familial Trafficking

- Facilitated by one or more family members (typically adults)
- May be sex trafficking or labor trafficking
- May extend beyond or stay within family
- Typically involves minors as victims
- Often involves one or more of the following conditions:
  - Substance misuse
  - Exploitation of an individual who is foreign born
  - Exploitation of individuals with disabilities
  - Debt
  - Isolation
  - Additional interpersonal violence
- Without intervention or exit, may continue until or past the time the victim becomes an adult

# 25 Typologies of Human Trafficking

Escort Services	Illicit Massage, Health & Beauty	Outdoor Solicitation	Residential	Domestic Work
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Polaris. (2017). *The typology of modern slavery: Defining sex and labor trafficking in the United States*. <https://polarisproject.org/typology>

# Familial Trafficking



## Labor Trafficking: Informal Sectors

- Childcare
- Domestic work
- Panhandling/begging
- Illicit activities



## Labor Trafficking: Formal Sectors

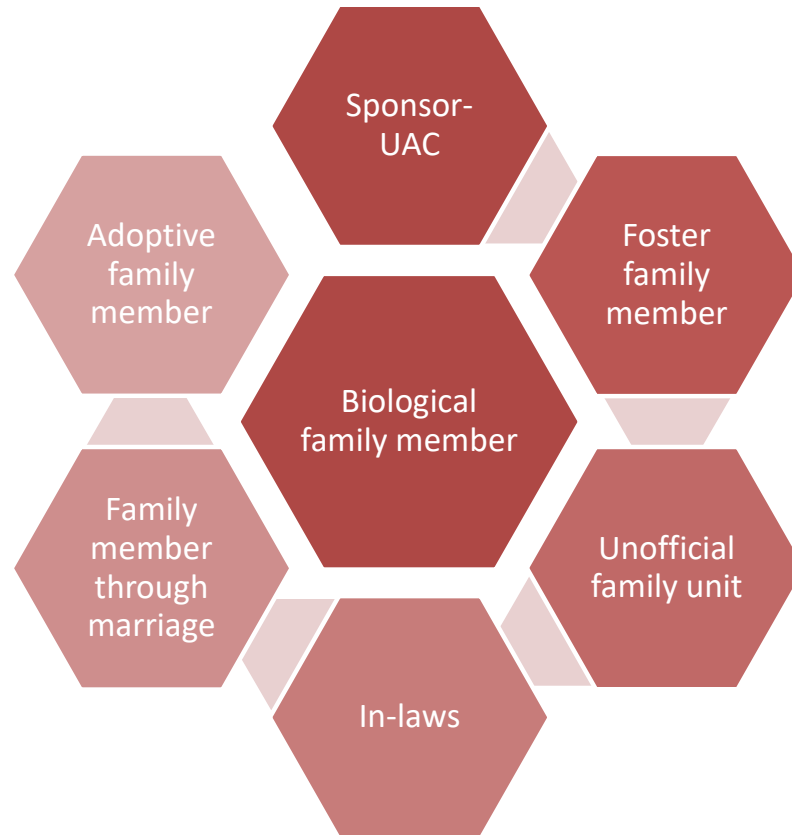
- Restaurant and food services
- Agriculture and animal husbandry
- Commercial cleaning
- Hotels and hospitality



## Sex Trafficking

- Personal sexual servitude
- Residential
- Pornography
- Remote interactive sexual acts

# Facilitation of Familial Trafficking





# Discussion

- What are some **indicators** that familial trafficking may be occurring?
- What are some **tactics** perpetrators use in familial trafficking?

# Keep in Mind

- May have originated in another country, and the United States is the destination country.
- May involve multiple family members.
- Although the family member may facilitate the trafficking, other community members are likely involved.
- May morph over time, involving different elements of exploitation and abuse.
- Isolation, silence, fear, and power differentials are vital components of familial trafficking.
- Many individuals may be knowledgeable about the trafficking but not directly involved in facilitating the trafficking. They are also culpable when the victim is a child.

# Human Trafficking and Substance Use Disorder

- **Recruitment through substance misuse:** Traffickers may target individuals with existing substance misuse issues to recruit into a trafficking situation.
- **Control through substance addiction:** Traffickers may use substance addiction to keep individuals in a trafficking situation. It can be framed as a reward or punishment or as a way to decrease the individual's ability to resist trafficking and abuse.
- **Substance misuse as a coping mechanism:** Some individuals who have experienced trafficking may misuse substances as a response to the trauma.

Office for Victims of Crime Training and Technical Assistance Center. (n.d.). *Human trafficking task force e-guide*. Retrieved February 10, 2020, from <https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/44-comprehensive-victim-services/mental-health-needs/substance-abuse-needs/>

# Substance Misuse and Trafficking

History of sex trafficking is associated with substance misuse and dependence. It increases risky behaviors of youth who were sex trafficked, including:

- Truancy
- Substance use
- Criminal activity
- Running away

Cole, J., Sprang, G., Lee, R., & Cohen, J. (2016). The Trauma of Commercial Sexual Exploitation of Youth: A Comparison of CSE Victims to Sexual Abuse Victims in a Clinical Sample. *Journal of Interpersonal Violence*, U.S. National Library of Medicine. [www.ncbi.nlm.nih.gov/pubmed/25381275](http://www.ncbi.nlm.nih.gov/pubmed/25381275)

# Interventions Specific to Children and Youth

## Prevention Education

- My Life My Choice curriculum
- I AM curriculum
- Not a Number curriculum (Love146)

## Service Interventions

- Support group
- Mentoring
- Trauma-specific therapy
- Case management
- Emergency housing
- Legal services
- Low-barrier services: drop-in centers; case management; and basic needs such as food, clothing, and personal items

Human Trafficking Overview

# KENTUCKY STATE LAW

# 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 involve 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.
- Example: KSP responds to a call that a girl is going from cab to cab at a truck stop, with a suspicion that she is involved in commercial sex. The officer responds, briefly interviews the victim, contacts the Cabinet to make a report and request assistance.

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>

# Safe Harbor:

## Human trafficking investigations

- Child human trafficking cases involving commercial sexual activity shall be investigated by multi-disciplinary teams (MDTs).
- Human trafficking advocates may now be a part of MDTs.  
KRS 431.600 (1).

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

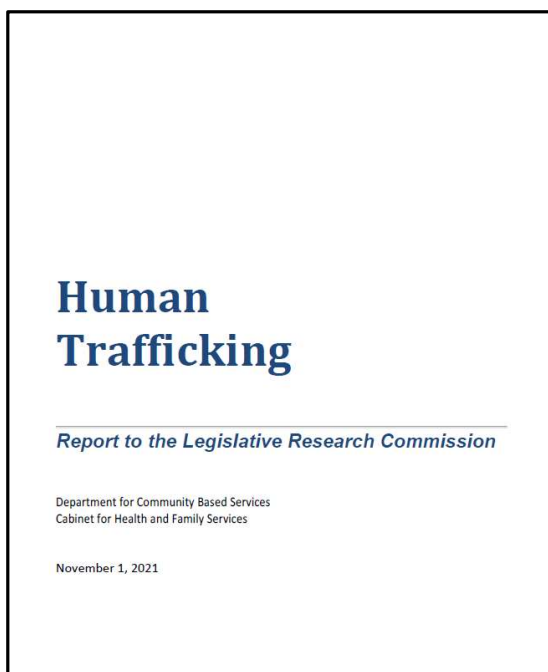
Kentucky State Police (2020), *Kentucky Uniform Crime Reporting Codes*, accessed online: <http://kentuckystatepolice.org/crime-traffic-data/>

Human Trafficking Overview

# KENTUCKY CHILD TRAFFICKING DATA

# Child Trafficking Incidents Reported

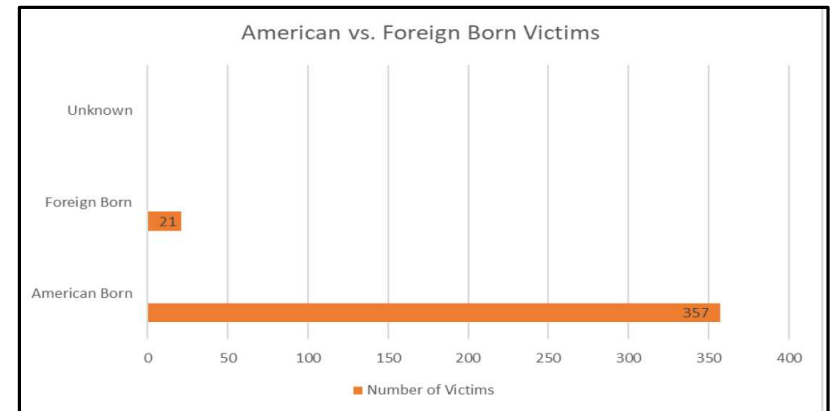
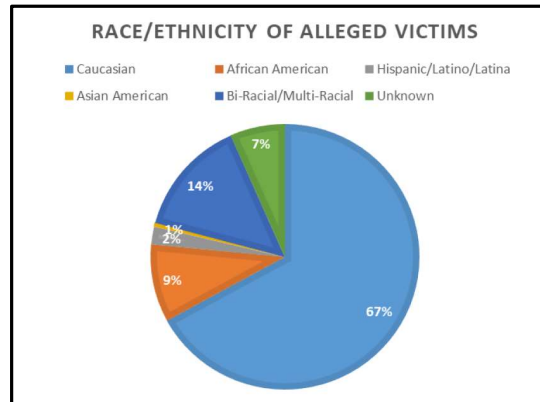
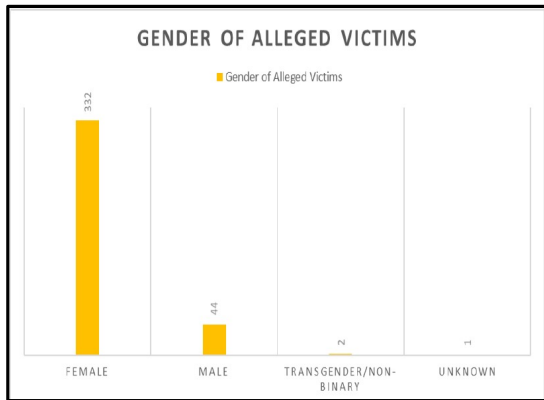
CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2020 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

# Child Trafficking Demographics

CHFS 2021 Report on Child Trafficking in Kentucky



Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021



# 2021 Case Details

## CHFS 2021 Report on Child Trafficking in Kentucky

### 2021 Human Trafficking Investigative Findings

Caretaker		Non-Caretaker	
Substantiated	35	Human Trafficking Confirmed	43
Unsubstantiated	70	Human Trafficking Not Confirmed	103
Pending	61	Pending	75
Unable to Locate	2	Unable to Locate	2
No Findings	0	No Findings	1
Total	168	Total	224

Source: 2021 CHFS Child Trafficking in Kentucky Report to the Legislature, November 2021

Human Trafficking Overview

# RESOURCES AND SPECIALIZED SERVICES

# 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>

# Least Restrictive Placement

- The level of DCBS involvement will be individualized and in correlation to the assessed safety and risks of the child.
- Children who have been or are at risk of being trafficked should be placed in the most appropriate, least restrictive placement type.
- Caregivers must be mindful that trafficking causes a severe breakdown of confidence and trust for survivors. Caring for and parenting survivors of trafficking requires patience, awareness and skill. Caregivers should be empathetic and non-judgmental in their approach as the trafficked youth establishes safe relationships and learns to trust.

# Community Based Resources

- Accessible Service Array
  - service systems that acknowledge and are responsive to the youth’s circumstances and experiences
- Wraparound Services
- Collaboration and Coordination

Source: Child Welfare Information Gateway. (2017). *Human trafficking and child welfare: A guide for child welfare agencies*. Washington, DC: U.S. Department of Health and Human Services, Children’s Bureau.

# Core Principles in Service Provision

- Client choice
- Client empowerment
- Non-exploitative engagement with survivors
- Trauma-informed services
- Culturally appropriate services
- Non-discriminatory access to services



# Response- Bakhita Empowerment Initiative

- Bakhita utilizes the National Human Trafficking Hotline through Polaris Project as 24 hour crisis response resource: 1-888-373-7888
- All Bakhita program staff are available M-F during regular business hours. Some availability outside of regular business hours.
- Staff may schedule to be on call with advance notice



# Response (cont.)

Program Staff May:

- Be on the scene of a law enforcement action: Not physically at the location, but nearby, and available to meet with potential victims immediately.
- Speak to potential victims: Help build rapport, provide screening, explain services that may be available
- Coordinate services: organize and provide emergency housing, interpreters, food, clothing, direct cash, etc.
- Provide information and additional resources for other services



# Services Available through Catholic Charities

## In-House Services through Bakhita / Catholic Charities

- Emergency / Transitional Shelter
- Interpreter/Translation Services
- Case Management / Advocacy
- Immigration Legal Services
- Food, clothing, personal care items
- ESL Classes / Job Development Assistance
- Assistance with Certification
- Accessing Public Benefits
- Family Reunification / Repatriation

## Coordinated Services through Contracts or Referrals

- Mental Health Services / Therapy
- Immigration Legal Services
- Family Legal / Civil Legal Services
- Emergency Residential Shelter
- Substance Abuse Treatment
- Accessing Health Care Benefits
- Unaccompanied Minor Refugee Foster Care
- Medical Care
- Tattoo/Scar Removal

# Case Management

## Bakhita Empowerment Initiative

- Needs assessment and service plan for program participants
- Ongoing personal support for program participants
- Providing outreach calls/text and home visits to program participants
- Organizing and providing comprehensive services
- Keeping records of service needs and services provided, including duration of services and service provider details.
- Advocacy with service providers, law enforcement, and courts
- Accompanying program participant to service appointments, court dates, interviews with law enforcement
- Assist with applications for benefits for which clients are qualified to apply



# Contact Information:

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[www.bakhitaempowerment.org](http://www.bakhitaempowerment.org)  
502-974-4947(cell)



# Specialized Residential Treatment

- Kentucky's DCBS contracts with residential treatment providers who are specialized in serving trafficked and at-risk youth.
- The minimum standards for specialized designation include:
  - Trauma-informed care
  - Training requirements for all levels of staff
  - Exploitation prevention education
  - Screening and assessment
  - Data collection and reporting

# Specialized Services and Resources

Contact the human trafficking program leads on the [out-of-home care branch](#) or [child protection branch](#) for additional information