Human Trafficking in Minnesota

A Report to the Minnesota Legislature

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Prepared by

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Human Trafficking in Minnesota

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Executive Summary

Trafficking in persons is an extensive global and domestic problem requiring a comprehensive and coordinated response that works to prevent trafficking, prosecutes traffickers, protects victims and promotes partnerships among agencies to ensure that services are appropriate, comprehensive and effective. The Trafficking Victims Protection Act of 2000 (re-authorized in 2003, 2005 and 2008) is the United States' primary tool in combating human trafficking.

In 2009, Minnesota Statute 609.322 Solicitation, Inducement, and Promotion of Prostitution was amended to include sex trafficking. Minnesota's law focuses on the actions of the trafficker and if he/she received, recruited, enticed, harbored, provided or obtained by any means an individual to aid in prostitution, then sex trafficking has occurred. This law is widely considered more effective than the federal law, which requires a determination that force, fraud or coercion was used to commercially sexually exploit a person over 18.[1]

Human trafficking, by its very nature, is a hidden crime whose victims often go unidentified, misidentified or undiscovered. In addition, when victims are correctly identified and assisted, there is no systematic or centralized way to count them. Therefore, assessing the level of victimization in Minnesota is difficult. This is also true when trying to compile statistics on human trafficking in the United States or around the world. The U. S. State Department has estimated that between 600,000 and 800,000 people are trafficked across international borders each year, while the International Labor Organization (ILO) estimates that approximately 12.3 million people at any given time are in a human trafficking situation. The State Department also estimates that between 14,500 and 17,500 people are trafficked into the United States each year. The United States is just now paying attention to domestic trafficking and data on the prevalence of trafficking within the country is uncertain and largely unavailable.

This report is the fourth to be completed under Minnesota Statute 299A.785 and the first to be completed since the statute was amended, allowing for biennial completion. This statute requires a study of the extent and type of trafficking occurring in Minnesota. As stated earlier, there is no systematic or centralized way to count victims of human trafficking. Therefore, to meet the obligations of the legislation, online surveys were completed with service providers (N = 116) and law enforcement officers (N = 112) across the state.

Sixty-seven percent (N = 78) of service providers have served a victim of human trafficking in Minnesota. Eighteen percent of law enforcement respondents indicated their agency has had either a labor or sex trafficking arrest or investigation. This is an increase from 2008 when 48 percent of service providers and 14 percent of law enforcement reported trafficking victims, investigations or arrests. The reason for this increase is not clear. It could be that awareness of the issue among professionals has increased, resulting in a more accurate identification of victims.

At the time of the survey, service providers reported working with 16 adult male, 52 adult female and 12 child labor trafficking victims. They also reported currently working with 30 adult male, 206 adult female and 134 child sex trafficking victims. Law enforcement reported five current labor trafficking investigations and six current cases of sex trafficking. The State Court Administrator's Office reported 678 trafficking related charges and 313 trafficking related convictions. The majority of these charges and convictions were under Minnesota Statute Section 609.324 (Other Prostitution Charges).

Trafficking victims in Minnesota have been identified from all over the world, country and state. Domestically, victims of labor and sex trafficking have been identified from the cities of Chicago, Las Vegas, New Orleans, New York and Seattle, and the states of Arizona, California, Georgia, Iowa, Michigan, Missouri, North Dakota, Ohio, Oregon, Tennessee,

[1] Force, fraud or coercion is not required for the sex trafficking of a minor.

Texas and Wisconsin. Internationally, victims have been identified from all over the world, including Canada, China, India, Korea, Laos, Mexico, the Philippines, Russia, Taiwan, Ukraine, the United Arab Emirates, Vietnam, and a variety of countries in Central America and Africa.

Labor trafficking victims in Minnesota were reported to have been exploited in a variety of ways but most often as a domestic worker, such as a nanny or housekeeper. Other types of labor exploitation included work in agriculture, restaurants, hotels, nail salons, construction, food processing, retail and forced begging. Sex trafficking victims were most often exploited through systems of prostitution, servile marriage, forced stripping[2] and pornography.

Minnesota continues to be at the forefront in addressing the issue of human trafficking. Minnesota's legislatively mandated Statewide Human Trafficking Task Force continues to meet quarterly to convene stakeholders and address myriad issues related to trafficking; the Gerald D. Vick Task Force is actively working on human trafficking investigations and is teaching other law enforcement agencies in Minnesota about the issue, and two organizations have launched statewide initiatives to protect children from sexual exploitation, primarily addressing the issue of juveniles used in systems of prostitution. Funding has been granted to Advocates for Human Rights to train prosecutors on Minnesota's sex trafficking law and Minnesota currently has three awareness raising campaigns actively engaging citizens across the state to address this issue: Campaign to Rescue and Restore Victims of Human Trafficking; Not For Sale Campaign; and Action Network to End Sexual Exploitation in Minnesota. Finally, three service providers have recently hired human trafficking coordinators to ensure a comprehensive response to victims on a local level.

Legislative Requirement

In 2005, the Minnesota Legislature passed Minnesota Statute 299A.785 requiring the Minnesota Department of Public Safety to complete annual studies on human trafficking in Minnesota. Specifically, the statute requires this report include:

- Numbers of arrests, prosecutions and successful convictions of traffickers and those committing trafficking related crimes
- Information on the number of trafficking victims, demographics, method of recruitment and method of discovery
- Trafficking routes and patterns, states or countries of origin, and transit states or countries
- Methods of transportations used in trafficking
- Social factors that contribute to trafficking.

This report was completed in 2006, 2007 and 2008. During the 2008 legislative session, the statute was amended requiring this report to be completed biennially.[i] This report is the fourth in response to this legislation and the first under the new biennial reporting schedule.

Introduction

Despite the abolition of slavery in the United States and in almost all countries around the world, trafficking in persons continues to be one of the fastest growing criminal enterprises, ranking second in illegal profits, right behind the drug trade and right above the illegal arms trade.[ii]

There is no single definition of human trafficking that encompasses the various forms modern-day slavery can take. However, human trafficking is a crime that exploits people for profit and deprives them of their basic human rights.

The United States' Trafficking Victims Protection Act (TVPA) of 2000 defines severe forms of human trafficking as:

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; or

[2] Stripping is a legal form of employment in Minnesota and forced stripping can also be counted as a form of labor trafficking.

a) 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.

The United Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing The United Nations Convention Against Transnational Organized Crime[iii] defines human trafficking as, "the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs."

A victim of human trafficking is anyone forced into labor and/or commercial sexual exploitation. Victims can be foreign nationals or U.S. citizens. The crime of human trafficking does not have to include movement or the transportation of people across national or international borders.

Labor Trafficking

Minnesota law defines labor trafficking as the recruitment, transportation, transfer, harboring, enticement, provision, obtaining, or receipt of a person by any means, for the purpose of debt bondage or forced labor or services, slavery or practices similar to slavery; or the removal of organs through the use of coercion or intimidation or receiving profit or anything of value, knowing or having reason to know it is derived from an act described in clause (609.281).

The type of labor trafficking victims experience can vary across nations and can include forced labor, bonded labor, debt bondage, child labor and child soldiers. The 2009 Trafficking in Persons Report[iv] finds the current global economic crisis has resulted in a decrease in demand for global labor and concurrent increase in a supply of workers who are willing to take great risk for employment opportunities, creating a dangerous situation for migrant and other vulnerable workers.

Forced labor (also known as involuntary servitude) is the most prevalent form of labor trafficking and is hard to detect as it often involves individuals, rather than organized crime networks, subjecting other individuals to servitude. This is particularly true for victims of involuntary domestic servitude, forced to work in homes as servants and child caretakers. These workers are isolated and vulnerable since authorities cannot easily enter private property and the legal protections offered domestic workers are often less than the protections offered foreign workers in other sectors. **Bonded labor** involves exploiting the debt a worker may have assumed as condition of their current employment or because of inherited debt from past generations. Migrant workers are especially vulnerable to this type of labor exploitation due to contract abuse, inadequate laws governing the recruitment and employment of migrant workers, and the intentional imposing of outlandish costs and debts on workers in their home countries. This kind of exploitation also affects workers who illegally enter a country and whose immigration status is used as a method of control. In addition to traffickers exploiting people's legal status, traffickers use victims' language barriers, poverty, isolation and fear of authority to keep them under control. While children may engage in light work, the International Labor Organization (ILO) provides a universal definition of the worst forms of **child labor**[v] to include "all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor" of children. The ILO also defines child labor[vi] as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. **Child soldiers** are illegally recruited, often through force, for labor or sexual exploitation in conflict areas. Children are used as soldiers, but also cooks, messengers, servants and spies. Both boys and girls are often sexually abused as well.

Sex Trafficking

According to the federal law (The Trafficking Victims Protection Act of 2000), sex trafficking is a crime in which a commercial sex act is induced by force, fraud or coercion, or in which the person to perform such an act is under the age of 18. By examining the levels of force, fraud or coercion, the federal law, in essence is evaluating the "consent" of the victim. Minnesota's sex trafficking law instead focuses on the behavior of the trafficker, determining if that person recruited, received, harbored, or transported another person for the purpose of prostitution. This recognizes that a person can never consent to being sexually exploited.

While victims of sex trafficking can be anyone, they are most often women and girls. Sex trafficking and labor trafficking can co-occur, with sex trafficking victims sometimes held in debt bondage. Sex trafficking can be any kind of commercial sexual exploitation, include prostitution, pornography, stripping, military prostitution and sex tourism.

The costs of human trafficking are high. In addition to serious physical and mental health costs to victims, trafficking is a grave human rights violation that deprives individuals, communities and countries the opportunity to reach their full potential. Economic uncertainty, demographics and other sociological factors, such as a lack of education and the universal desire to improve one's life contribute to the vulnerability of people to trafficking. While these factors contribute to the supply side of human trafficking, the desire for free or cheap labor, racism, sexism and clients of sex workers all create the demand.

It is important to understand that human trafficking, especially labor trafficking, can occur even when the victim has given prior consent to work. If a worker wishes to stop working because conditions or wages are not as promised and the employer forces the worker to remain in service, trafficking has occurred. In addition, prior work history does also not preclude someone from being a victim of human trafficking. This is especially important to understanding for those are involved in the sex industry and migrant workers. In addition, workers can receive a wage and still be considered human trafficking victims if their labor is obtained through force or coercion.

National and International Estimates of Human Trafficking

Determining the number of individuals trafficked both internationally and nationally is a difficult endeavor. Most often the numbers of victims reported are actually estimates and the methods used to determine these estimates are not fully developed or defined[vii] making the true scope of human trafficking an unknown. The U. S. State Department has estimated that between 600,000 and 800,000 people are trafficked across international borders each year, while the International Labor Organization (ILO) estimates that approximately 12.3 million people are in some type human trafficking situations (including forced labor, child labor, sexual servitude, bonded labor or involuntary servitude) at any given time.

The State Department also estimates that between 14,500 and 17,500 people are trafficked into the United States each year. Until recently, much of the United States work on human trafficking has focused on international trafficking, with little attention paid to domestic trafficking. However, the State Department's 10th annual Trafficking in Persons Report (TIP) for the first time ranked the United States with the same criteria used to rank other countries. This report finds that, "More U.S. citizens, both adult and children, are found in sex trafficking than labor trafficking; U.S. citizen child victims are often runaway and homeless youth."[viii] And while we are just now paying attention to domestic trafficking, data on the prevalence of trafficking within the United States is uncertain and largely unavailable.

2010 Human Trafficking Survey Methodology

In Minnesota, there is no systematic method for tracking any type of crime victimization. To count victims requires a survey of those most likely to come into contact with victims, most specifically

crime victim service providers, other social service providers and law enforcement. For this report, as in the past, data was gathered from service providers and law enforcement through an online survey. Additional information on trafficking and trafficking related crimes was compiled by the State Court Administrator's Office. While there is no required systematic way to track victims of crime, there is also no requirement that service providers and law enforcement respond to this survey. Therefore, the information in this report should be viewed with caution as it does not represent the experience of all service providers or law enforcement agencies across the state.

It is also important to understand that the information gathered from service providers and law enforcement is based on their recall and perceptions of who may be a trafficking victim. With the exception of one or two programs, most crime victim service providers do not routinely screen for, identify or track whether the clients they serve have been human trafficking victims. To provide the information for this report, most respondents simply think over the past year and estimate whether they have served victims who meet the definition of human trafficking.

Finally, the number of victims identified and estimated in this report is mostly likely an underrepresentation of the extent of human trafficking in Minnesota. Trafficking is a complicated and hidden crime. There are many barriers in finding, identifying and helping victims and often victims who do come in contact with a service agency are misidentified. This report does not make an attempt to estimate the number of human trafficking victims who have never had contact with a service provider or law enforcement agency.

Trafficking Related Charges and Convictions

This information is gathered from the State Court Administrator's Office. These numbers, while accurate, do not reflect the extent of trafficking and trafficking related crime in Minnesota. Most of the individuals involved in human trafficking and related offenses are never arrested, charged or convicted and those who do come in contact with the legal system are arrested, charged or convicted of different offenses.

Charges

Statute and Description	2003	2004	2005	2006	2007	2008	2009
609.33 Disorderly House	39	77	76	117	111	48	31
609.352 Solicitation of a Child	44	65	29	54	64	68	52
609.322 Solicitation, Inducement and Promotion of Prostitution; Sex Trafficking	57	51	19	29	29	27	26
617.245 and 617.246 Use of Minor In a Sexual Performance	24	63	13	25	10	16	17
609.27 Coercion	8	10	5	6	6	10	13
609.282 Labor Trafficking	–	–	–	1	–	–	–
609.324 Other Prostitution Charges	871	942	596	758	580	582	504
609.3243 Loitering with the Intent to Participate in Prostitution[3]						37	35

[3] The legislation soliciting this report did not require that information be provided on 609.3243 (Loitering with the intent to Participate in Prostitution). This information was gathered for another purpose and included in this year's report.

Convictions

Statute and Description	2003	2004	2005	2006	2007	2008	2009
609.33 Disorderly House	17	14	8	31	18	5	3
609.352 Solicitation of a Child	17	14	14	21	16	22	11
609.322 Solicitation, Inducement and Promotion of Prostitution; Sex Trafficking	20	13	16	13	13	18	7
617.245 and 617.246 Use of Minor In a Sexual Performance	8	5	7	4	5	–	4
609.27 Coercion	8	6	6	2	3	–	2
609.324 Other Prostitution Charges	431	422	331	353	238	369	271
609.3243 Loitering with the Intent to Participate in Prostitution						20	15

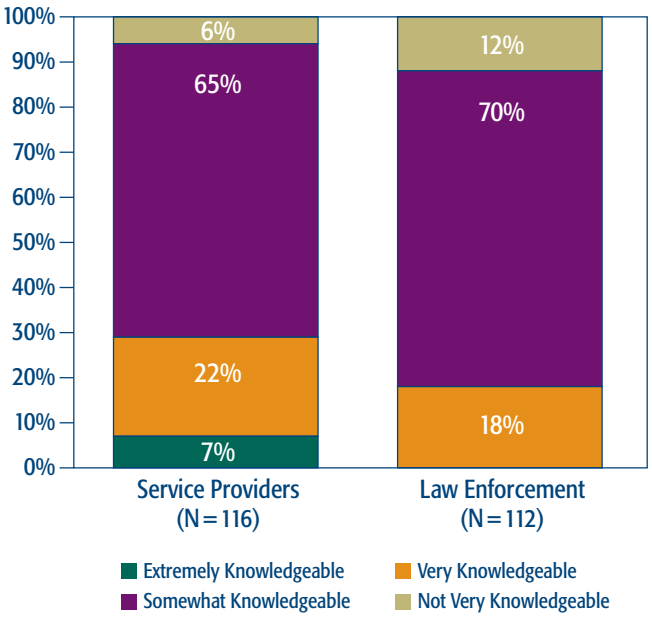
Training and Knowledge of Human Trafficking

A critical component to ending human trafficking is increasing awareness of the issue and ensuring that those who come in contact with victims can identify them properly, investigate the crimes effectively, refer victims to other providers or provide them with proper services. This requires that those who interact with clients be knowledgeable about the issue.

In this year's study, the highest percent of respondents (65% service providers; 70% law enforcement) believe that they are "somewhat knowledgeable" about the issue of human trafficking. About three in 10 (29%) service providers consider themselves to be "extremely or very knowledgeable" about human trafficking. For service providers, about half (53%) said their awareness has "increased a little" and about three in 10 (31%) said it has "increased a lot."

While no law enforcement respondents consider themselves "extremely knowledgeable," 18 percent consider themselves to be "very knowledgeable." However, 12 percent also indicated that they are "not very knowledgeable" about the issue. In addition, most law enforcement respondents indicated that during the past four years their awareness of human trafficking in Minnesota has "increased a little" (62%), while three in 10 (30%) feel that their awareness has stayed "about the same." However, most law enforcement respondents indicated that sex trafficking (70%), prostitution (68%) and labor trafficking (65%) is not a problem in their community. In addition, many law enforcement respondents (60%) would like more training on the issue of human trafficking.

Respondents' Understanding of the Issue of Human Trafficking



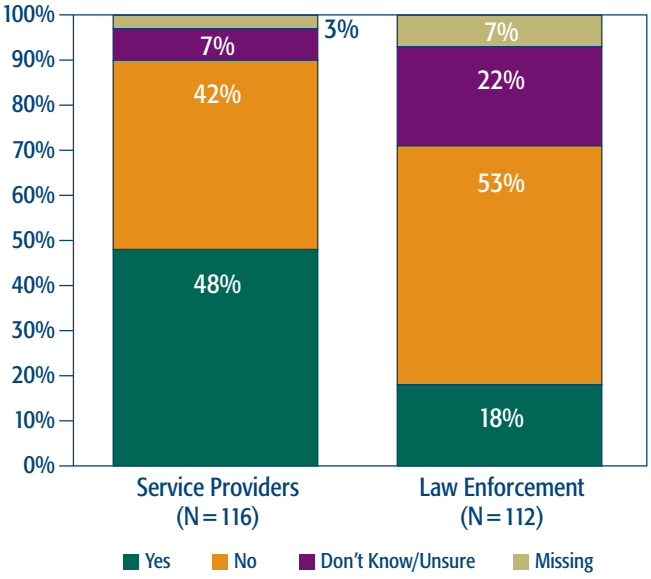
In 2009, Minnesota's sex trafficking statute 609.322 (Solicitation, Inducement and Promotion of Prostitution) was amended to include sex trafficking. About seven in 10 (69%) law enforcement respondents were aware of this statute change, but most (96%) had not arrested anyone under the newly defined statute. While 47 percent of law enforcement respondents feel that Minnesota's human trafficking statutes are easy to understand, most don't know if they are effective (63%). Law enforcement also needs more information on services for trafficking victims, as over half (52%) reported that they don't know if adequate services are available.

Ways to increase knowledge about this issue include attending trainings and keeping current on information published about human trafficking. During the past four years, two organizations in Minnesota have published comprehensive reports on trafficking. The Advocates for Human Rights published *Sex Trafficking Needs Assessment for the State of Minnesota* and the Minnesota Indian Women's Resource Center has published *Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota.* Twenty percent of service providers had read the Advocates for Human Rights *Sex Trafficking Needs Assessment,* while about half (47%) had heard of but had not read it. Not quite one quarter of respondents (24%) had read the *Shattered Hearts* report, while 34 percent had heard of but not read it. About three in 10 respondents (29%) had not heard of the *Sex Trafficking Needs Assessment* and 38 percent had not heard of the *Shattered Hearts* report.

Training for law enforcement and social service providers across Minnesota was cited as a priority recommendation by the Advocates for Human Rights in the *Sex Trafficking Needs Assessment for the State of Minnesota.*

About half (48%) of service providers have received training on human trafficking issues, as have about two in ten (18%) law enforcement respondents. Almost all service providers who have received human trafficking training have been trained on issues related to sex trafficking, while about one-third (34%) have received labor trafficking training. Three service providers also reported that they have been trained on T-visas, U-visas and VAWA–visas.[4] Ten of the 20 law enforcement respondents who have received human trafficking training attended a regional conference on the issue, while seven participated in web-based or online training. Five learned about human trafficking through an in-service or guest speaker and three attended a national conference. Specifically, law enforcement would be interested in the following trainings:

Whether Respondents Have Received Training on Human Trafficking Issues



[4] These three visas provide non-citizen victims of crime with immigration status.

- Local, state and federal agencies roles and responsibilities in combating trafficking (58% very interested or interested)
- Identification of trafficking victims (58%)
- Understanding Minnesota's trafficking laws (55%)
- Issues related to sex trafficking and prostitution (52%)
- General issues around human trafficking (50%)

Understanding the subtle nuances of human trafficking is important in the ability to correctly identify victims. For the first time, this survey presented respondents with a series of scenarios to determine if they could differentiate between victims of trafficking and those experiencing other violent crime or exploitative situations.

The four scenarios highlighted in green were crafted to clearly demonstrate an unambiguous and straightforward human trafficking situation,

Scenario	Yes		No		Not Enough Information	
	Service Providers	Law Enforcement	Service Providers	Law Enforcement	Service Providers	Law Enforcement
Undocumented woman forced to dance at a strip club to pay off her smuggling fees	96%	97%	1%	2%	3%	1%
Underage girl involved in prostitution with a pimp	92%	89%	3%	3%	5%	5%
Adult woman involved in prostitution with a pimp	80%	73%	5%	6%	15%	21%
Individual traded for goods or services by her family	94%	97%	0%	2%	6%	1%
In-home minor domestic worker who doesn't go to school	61%	43%	3%	8%	36%	49%
Foreign worker smuggled into the country	60%	63%	5%	7%	35%	30%
Agricultural worker earning far significantly less than minimum wage	50%	47%	17%	20%	33%	33%
Worker whose employer withholds income for substandard housing and food	57%	54%	14%	16%	29%	30%
Domestic helper working 14-hour days	34%	28%	10%	27%	56%	45%
Minor domestic helper whose pay is sent to parents in another country	63%	53%	4%	13%	33%	34%
Mail-order bride experiencing domestic violence	74%	50%	6%	20%	20%	30%
Mail order bride experiencing sexual abuse by her husband	74%	59%	9%	16%	17%	25%

and most respondents, both service providers and law enforcement, recognized them as such. In the scenario of an adult woman involved in prostitution with a pimp, there was some uncertainty as to whether that information alone was sufficient to determine if she is a human trafficking victim. Notably, under state law, (Minnesota Statutes section 609.321) any person involved in prostitution with a pimp is considered a victim of human trafficking. Minnesota state law does not require that the woman be forced, defrauded or coerced by the trafficker.

The scenarios highlighted in yellow were crafted to be ambiguous to determine if respondents would identify them as situations where more information, inquiry or investigation was necessary to make a determination that the person described was a trafficking victim. For most of the scenarios, service providers and law enforcement defined them as trafficking situations (50% to 63% of service providers and 43% to 63% law enforcement), rather than situations that may or may not be trafficking. In the scenario where a domestic worker is working 14-hour days, most service providers (56%) and almost half (45%) of law enforcement officers indicated the situation required more information before making a determination.

Those scenarios highlighted in red are situations where a "mail-order bride" is experiencing domestic and sexual violence are not considered trafficking situations. Their status as a "mail-order bride" alone does not make them a human trafficking victim. However, if these women were commercially exploited or if the pretext for the marriage was a sham and involved enslavement through labor or sexual services, they would be victims of trafficking. It is also important to understand that women from other countries who marry U.S. citizens have equal protection under the law and access to domestic violence and sexual assault services, regardless of their immigration status.

These 12 scenarios are only a small sample of the complex factors associated with human trafficking and trafficking related issues, highlighting the need for common definitions of human trafficking and education about the issue. They also show the importance of law enforcement and service providers learning to identify the signs of trafficking, ask the right questions and look under the surface when dealing with vulnerable populations, particularly women involved in prostitution.

Service Providers' Experience with Human Trafficking

For this report, 151 service providers from across Minnesota were asked to complete an online survey about human trafficking in the state. A total of 116 service providers completed the survey for a 77 percent response rate.

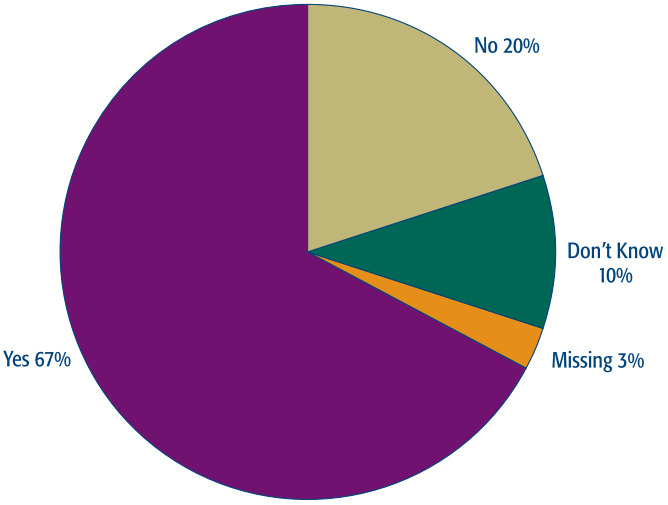
As in all administrations of the survey, most of the 2010 respondents are domestic violence service providers (59%), sexual assault service providers (47%) or general crime victim service providers (46%).[5] One-third (33%) of respondents provide legal services or advocacy to crime victims, while almost one-quarter (24%) provide child advocacy or child abuse services. Eight respondents said they provide services for those prostituted and three respondents work for a labor union or workers' rights organization. The areas of service provided by those responding to the survey covers all 87 counties.

Seventy-eight of the 116 (67%) service providers who responded to the survey have served a victim of human trafficking. The percentage of service providers indicating they have served a victim of human trafficking increased significantly from 2008 (48%). The reason for this increase is unknown. It is possible that service providers are better able to identify human trafficking victims; the percentage of respondents indicating they don't know if they have served a victim of human trafficking decreased from 17 percent in 2008 to 10 percent in 2010.

Of the 78 respondents who indicated they have served a victim of human trafficking, 35 percent have served a victim of labor trafficking, while 76 percent have served a victim of sex trafficking.

[5] Respondents could offer more than one response to this question.

Whether Service Providers Have Served a Victim of Human Trafficking



Labor Trafficking

The 27 service providers who have served a victim of labor trafficking indicated that they are currently serving 16 adult male, 52 adult female and 12 child victims. Most respondents (53%) indicated that these current victims are not immigrants or refugees. However, 28 percent of respondents reported that almost all of the labor trafficking victims they are currently serving are immigrants or refugees.

While movement is not required for trafficking to take place, it is important to understand where victims originate and to know where they could potentially be moved. Those respondents who have worked with domestically trafficked victims reported victims from Arizona, California (N = 2), Las Vegas (N = 2), New Orleans, New York, Georgia, Seattle and Texas. Locally, respondents reported victims trafficked from Duluth, Eau Claire, Moorhead and Rochester. International victims have been trafficked from Mexico (N = 4), while three respondents mentioned victims from Ethiopia. Two respondents each mentioned victims from Russia and Vietnam. Other countries mentioned by one respondent each include Cameroon, El Salvador, Guatemala, Kenya, Laos, Nigeria, the Philippines, Somalia, Togo, the Ukraine and United Arab Emirates.

Respondents also indicated that in 2009, they served approximately 23 adult male, 66 adult female and 15 child labor trafficking victims. Service providers reported that the types of labor trafficking experienced by these victims include exploitation as a domestic worker, such as a maid or nanny (N = 16[6]), agricultural worker (N = 6), restaurant worker (N = 4), or hotel work or forced begging (N = 3, each). One service provider each mentioned that they have worked with a labor trafficking victim exploited in construction, food processing, nail salons, selling drugs, and in retail or grocery stores. The respondents reported that their clients were transported via a private truck, car or van (N = 9), plane (N = 6), or bus (N = 3).

It is important to understand how human trafficking victims come into contact with the people and organizations who can offer an effective intervention. Fourteen of the 27 service providers who have served a labor trafficking victim indicated that victims were referred to them through word-of-mouth, other victims or other service organizations. Twelve service providers indicated that the labor trafficking victims they have served were already clients who presented with issues other than trafficking, while six providers received police referrals.

Sex Trafficking

The 59 service providers who have served a victim of sex trafficking indicated that they were, at the time of the survey, serving 30 adult male, 206 adult female and 134 child sex trafficking victims. Most of the service providers indicated that sex trafficking victims currently being served were not immigrants or refugees.

During 2009, service providers reported working with four adult male, 387 adult female and 197 child sex trafficking victims. The highest percentage of service providers reported working with sex trafficking victims exploited through prostitution (71%). Service providers also reported victims forced into servile marriage (41%), stripping or exotic dancing (31%) and pornography (26%).

[6] These data indicate the number of service providers reporting that their clients experienced this type of labor trafficking, not the number of victims experiencing this type of trafficking.

About half (53%) of service providers who have served a victim of sex trafficking have served a domestically trafficked victim. Service providers have worked with clients domestically trafficked from around the state and country. In Minnesota, service providers specifically mentioned Minneapolis (N = 13), Duluth (N = 4) and St. Paul (N = 3). Other areas of the state mentioned include Brainerd, Brooklyn Center, Brooklyn Park, Crystal, Cloquet, northern Minnesota, Red Lake, Rochester and White Earth.

Respondents also mentioned domestically trafficked clients from Chicago (N = 5), Wisconsin (N = 5), California (N = 4) and New York (N = 3). Two respondents each mentioned North Dakota, Seattle, Georgia and Nevada (Las Vegas). Other states mentioned by one respondent each include Iowa, Michigan, Ohio, Oregon, Missouri, Tennessee and Texas.

Thirty-six percent of service providers who have served a victim of sex trafficking have served an internationally trafficked victim. Respondents mentioned working with clients internationally trafficked from Africa (N = 1) or African countries such as Somalia (N = 2), Rwanda (N = 2), Nigeria (N = 1) and Liberia (N = 1). Asia (N = 1) or Asian countries like Vietnam (N = 2), Taiwan (N = 1), Laos (N = 1) and Korea (N = 1) were also mentioned. Mexico was mentioned by three respondents and Guatemala was mentioned once. Eastern Europe was mentioned twice and Russia was mentioned five times. Canada (N = 2) and India (N = 1) were also mentioned.

Almost half of the service providers who served a sex trafficking victim indicated that the victim was referred to them through another social service provider (46%), while an almost equal percentage (44%) reported that the sex trafficking victims were walk-in clients or current clients who sought services for other reasons. Victims were also referred to services by word-of-mouth, other victims (42%) or police referrals (31%).

Law Enforcement Experience with Human Trafficking

A total 236 law enforcement personnel were asked to participate in this study. Forty-nine percent (N = 113) completed the survey: 74 police chiefs, 34 county sheriffs and five other officers (detectives, inspectors and chief deputies). Two-thirds (66%) of law enforcement agencies responding to this survey are departments of 25 sworn personnel or less, while 19 percent are from departments with 26 to 50 sworn personnel.

Labor Trafficking

Almost all (90%) law enforcement respondents indicated that their departments do not have a unit or a person responsible for labor trafficking investigations. Some agencies indicated that their investigators handle all investigations, not labor trafficking specifically.

Only eight law enforcement respondents indicated that they have ever investigated or arrested someone for a crime that involved labor trafficking. These eight agencies reported 12 total investigations of labor trafficking in 2009. One law enforcement agency reported four current labor trafficking investigations, while an additional agency stated it currently had one investigation underway.

Four of the eight law enforcement respondents stated that they have investigated domestic cases of labor trafficking, including cases in Duluth, St. Cloud, Mound and Minneapolis (N = 1 each). Two of the law enforcement respondents reported international cases of labor trafficking, including cases with victims from China (N=3), Columbia, Guatemala, Mexico, El Salvador, Russia and Korea (N = 1 each). The types of international labor trafficking includes work in restaurants, domestic labor (e.g., housekeeping and nanny), and construction.

Sex Trafficking

As with labor trafficking, most law enforcement agencies do not have a unit or person dedicated to the investigation of prostitution and/or sex trafficking. However, many agencies reported that other investigators, especially those in juvenile or sex crimes will work a sex trafficking case.

Eighteen (16%) law enforcement respondents indicated that they have investigated a sex trafficking case or arrested someone for a crime that involved a sex trafficking victim. These respondents reported 17 sex trafficking investigations, four sex trafficking arrests and four sex trafficking charges during 2009. Respondents reported that three of these cases were related to gangs or organized crime. At the time of the survey, law enforcement reported working six current cases of sex trafficking.

Eight law enforcement respondents noted cases involving domestic sex trafficking occurring in Hennepin county, Minneapolis, St. Paul, Mound, Eagan and Dilworth. They also reported cases from Kansas City. These cases were primarily forced prostitution cases (N = 6). Three respondents reported international sex trafficking from China, Columbia, El Salvador, Laos, Mexico, Puerto Rico, Russia and Vietnam. These cases involved forced prostitution and work in a massage parlor.

Native American Victims of Trafficking

A 2009 report by the Minnesota Indian Women's Resource Center (MIWRC) found that the "…sex trafficking of Native women and girls is neither a new problem nor a rare occurrence. It is, however, a very complex problem in its origins, activities and solutions"[ix] (p.99). MIWRC's report found that Native women and girls experience sexual violence more frequently than any other group of women in the United States and that there are many factors that contribute to Native women and girls' vulnerability to sex trafficking. MIWRC gathered information from 95 clients and found that 40 percent reported involvement in some type of commercial sexual exploitation and that 27 percent reported experiences consistent with being a victim of sex trafficking.

The information in the MIWRC report is important because it was collected directly from Native women by Native women. It should be understood that the information collected on Native American women and girls for this legislative report is most likely an under-representation of the issue. The data collection for this report is based on information provided by those serving crime victims, not specifically those serving Native people. Often people choose to receive services from programs and providers who are culturally similar.

This legislative report found that 15 of the 59 respondents who have served a sex trafficking victim have worked with Native victims. These 15 service providers identified 14 adult and 13 juvenile Native American sex trafficking victims. The respondents were asked to identify how the victims were moved, if at all. A variety of movement patterns were identified, however eight respondents stated that victims were moved from a Minnesota reservation to a Minnesota metro area. Six respondents each mentioned that Native sex trafficking victims were moved from a Minnesota reservation to a non-reservation in greater Minnesota or moved from an area in greater Minnesota to another state. Five respondents stated that the Native women and girls they have worked with were not moved at all.

Respondents were asked what is needed to best serve Native American sex trafficking victims. Most often, respondents mentioned that Native American victims need culturally competent long-term services. Respondents also mentioned that skilled service providers are needed to correctly identify trafficking issues as many victims do not identify that they have been trafficked and even if they do recognize it, they will not disclose this unless trust has been established with the service provider.

Barriers to Serving Victims of Trafficking

Respondents were asked what barriers exist in serving human trafficking victims. Respondents feel that barriers exist for both labor and sex trafficking victims, primarily lack of funding and resources (69%) and lack of training or information about human trafficking (58%). Half of respondents indicated that language barriers exist when serving victims (50%). In its report on sex trafficking in Minnesota, the Advocates for Human Rights also found that services for victims of trafficking are lacking in the state and recommends that the Legislature appropriate funding for long-term anti-trafficking efforts.

Minnesota HF1514 established an appropriation for a toll-free hotline to the commissioner of Public Safety for trafficking victims. However, as a result of budget reductions and the availability of an established national human trafficking hotline, which connects Minnesota victims directly to services in Minnesota, funding for the Minnesota hotline was discontinued and returned to the general fund. Provisions have been made to actively promote the federal number:

National Human Trafficking Resource Center: 1-888-3737-888

In addition to barriers in finding and identifying victims, respondents reported different services that are currently lacking in Minnesota for human trafficking victims. Most often mentioned was a lack of safe, appropriate and long-term housing for trafficking victims who often need a safe and supportive place to stay. There is also a lack of legal support for victims, especially in greater Minnesota, which may not have access to appropriately trained attorneys or other legal resources. Respondents also felt that there was not a coordinated response system in place in the state. This would include both a coordinated effort by organizations serving human trafficking victims, and also between organizations serving domestic violence and sexual assault victims.

Minnesota's Response to Human Trafficking

A coordinated response to addressing human trafficking is vital to identifying and serving victims, and holding traffickers accountable. Minnesota has a number of initiatives that are advancing its response to this issue:

- The Statewide Human Trafficking Task Force, established by legislation (Minnesota Statutes section 299A.79) in 2006 continues to meet quarterly. The Task Force brings a variety of stakeholders together to identify needs and resources, endorse legislation, share information and inform the commissioner of Public Safety on human trafficking in Minnesota.
- The Gerald D. Vick Human Trafficking Task Force was founded in 2005 to promote a collaborative effort among community-based organizations and law enforcement agencies to develop a coordinated approach to fighting the crimes of human trafficking. This task force is working with Catholic Charities to provide services to victims they discover in their investigations.

- The Advocates for Human Rights recently launched a legislative initiative to protect children from sexual exploitation.
- The Advocates for Human Rights received funding from the Office of Justice Programs to provide training to prosecutors across Minnesota on how to work with law enforcement to investigate, charge and convict traffickers.
- The Minnesota Women's Foundation is working on the "A Future. Not A Past." campaign to stop prostitution of children in Minnesota. Minnesota is one of nine states implementing this successful initiative, developed in Georgia.
- Minnesota has several awareness campaigns in progress, including the Campaign to Rescue and Restore Victims of Human Trafficking, Not For Sale Campaign and the Action Network to End Sexual Exploitation in Minnesota.
- Two service organizations recently hired human trafficking coordinators: Program for Aid to Victims of Sexual Assault in Duluth, and the Minnesota Indian Women's Resource Center in Minneapolis.

While this is not a comprehensive list of the anti-human trafficking work being conducted across Minnesota, it does highlight the types of initiatives important to addressing the different facets of this serious violation of human rights.

Footnotes

[i] Minn. Stat. §299A.785 Subd. 2 (2009)

[ii] *Polaris Project.* What is Human trafficking? Retrieved April 6, 2010, from *http://www.polarisproject.org/index.php?option=com_content&task=view&id=26&Itemid=86*

[iii] *United Nations Office on Drugs and Crime.* United Nations Convention against Transnational Organized Crime and its Protocols. Retrieved July 21, 2010, from *http://www.unodc.org/unodc/en/treaties/CTOC/index.html*

[iv] *U.S. Dept. of State.* Trafficking in Persons Report. (2009). Retrieved July 21, 2010, from *http://www.state.gov/g/tip/rls/tiprpt/2009/123123.htm*

[v] *International Labour Organization.* Worst Forms of Child Labor. Retrieved July 21, 2010, from *http://www.ilo.org/ipec/facts/WorstFormsofChildLabour/lang–en/index.htm*

[vi] *International Labour Organization.* About Child Labour. Retrieved July 21, 2010, from *http://www.ilo.org/ipec/facts/lang–en/index.htm*

[vii] *Dept. of Health and Human Services.* (2009). Human Trafficking Into and Within the United States; A Review of the Literature. Retrieved July 13, 2010 from *http://aspe.hhs.gov/hsp/07/HumanTrafficking/LitRev/*

[viii] *U.S. Dept. of State.* (2009). Trafficking in Persons Report. Retrieved July 13, 2010, from *http://www.state.gov/g/tip/rls/tiprpt/2010/*

[ix] Minnesota Indian Women's Resource Center. (2009). *Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota.*

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