Human Trafficking
The Indiana Human Trafficking Initiative

Department of Justice Task Force
2005 to Present

Task Force Partnering Agencies & Organizations:
IPATH
Indiana Protection for Abused and Trafficked Humans Task Force

PREVENTION, PROTECTION, PROSECUTION

The Indiana Protection for Abused Trafficked Humans task force (IPATH) is one of 42 task forces nationwide funded by the Department of Justice’s Office of Victims of Crime and the Bureau of Justice Assistance to address the issue of human trafficking.

The Goals of IPATH are to:

1) Enhance law enforcement’s ability to identify and rescue victims.
2) Provide resources and training to identify and rescue victims.
3) Ensure comprehensive services are available for victims of trafficking.
Some of the nearly 60 groups that participate in IPATH efforts are youth-related entities or serve youth in some capacity, including:

- Indiana Department of Child Services
- Indiana Department of Education
- Prevent Child Abuse Indiana, a division of The Villages
- Children’s Bureau
- YWCA Domestic Violence Intervention and Prevention Program
- Girl Scouts
- Girls Inc.
- Outreach Inc.
- FREE International
- Indiana Coalition Against Sexual Assault
What is Human Trafficking?

**Sex Trafficking:** in which a 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; or

**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. (1)

Distinguishing Trafficking from other Crimes

• **Human Trafficking vs. Smuggling**
  - Smuggling is illegal transportation of a person across international borders.
  - Smuggling is typically voluntary and the person is free to leave afterwards.
  - A trafficked person may be transported into a country, but the person is then exploited for financial gain through labor services.

• **Human Trafficking vs. Extortion**
  - Extortion is the collection of money through force or coercion (Sometimes from family member after smuggling for a person’s freedom)
  - Human Trafficking involves using the victim for labor or sexual services that result in financial gain. The victim works to pay off the trafficker.
Distinguishing Trafficking from other Crimes

• Human Trafficking vs. Sexual Assault
  – Human Trafficking based on commercial sex requires that the person has been forced to provide sexual services for profit. If other HT factors are present, sexual assault can be a type of forced labor.

• Human Trafficking vs. Prostitution
  – Human Trafficking requires that the person has been forced to prostitute through force, fraud or coercion. The profit is often taken by the trafficker.

• Human Trafficking vs. Labor Violations
  – Labor Trafficking differs from other labor violations in that the victim is forced to remain in the job and that they were “obtained” for the purpose of economic exploitation.
Human Trafficking Cases

Case #1:
Three cousins, both under 18, move to the United States to go to school. They are promised food, housing, and enrollment at school while living with their aunt and uncle. However, once they arrive, they are forced to work long hours each day after school and on weekends, sometimes until 2 AM on school nights. They must sleep on the floor of an apartment. Other workers, many of whom are much older than they are, also live in the apartment. Two cousins still attend school, but cannot stay awake during the day because they are often forced to work through the night. They have no contact with their family back home and are told that they owe an ever increasing debt with almost no hope of ever paying it off.

Case #2:
A 15-year old female responds to a work ad in a Spanish language newspaper and meets two men at a hotel, supposedly for an interview for a maid’s position. The men take her to a hotel room, where she is kept and forced to provide commercial sex services for 48 hours. After that time, the men leave, and she runs home. Her mother takes her to the ER, where a concerned physician calls the police. She is both physically and psychologically injured, due to the multiple rapes endured. The police arrive at the hotel within 2 hours of the girl leaving. Unfortunately, they are not able to conduct a thorough investigation, because the men had paid for the room in cash and under false names, and the room had already been cleaned.
A Growing Problem Worldwide

Human Trafficking is tied as the SECOND LARGEST and FASTEST growing criminal industry in the world, just behind the drug trade. (1)

According to the U.S. Dept. of State’s 2012 Trafficking in Persons Report (TIP), 27 million men, women, and children are victims of human trafficking. (2)

The 2010 TIP Report stated that: (3)

– 800,000 people are trafficked across international borders every year.

– Prevalence of trafficking victims worldwide: 1.8 per 1,000 inhabitants

161 countries identified as being affected by human trafficking. (5)

$32 billion dollars generated annually by the human trafficking industry. (6)

A Growing Problem Here at Home

Between **14,500 and 17,500** men, women, and children are trafficked into the United States each year. (1)

**33%** of a sample group of female commercial sex workers in Chicago began in the sex trade between the ages of **12 and 15**, with **56%** being **16 or younger**. (2)

**83%** of sex trafficking victims found in the U.S. were U.S. citizens, according to one Justice Department study. (3)

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* Human Trafficking affects men, women, and children of all ages, nationalities, education, and socio-economic statuses
A Problem Involving Children

Every year **1 million children** are exploited by the commercial sex trade. (1)

**100,000 to 300,000 U.S. children** are victims of commercial sexual trafficking each year, according to the National Center for Missing and Exploited Children. (2)

**12-14** is the average age of entry into commercial sex in the U.S. (3)


## Midwest/Indiana statistics

Of **73 investigations** opened by Indiana law enforcement (2008-2012), **28 cases** involved **32 minors** who were potential victims.

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<thead>
<tr>
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<tbody>
<tr>
<td><strong>DOJ Anti-Trafficking</strong></td>
<td>2,552</td>
<td>276</td>
<td>73 (law enforcement) 44 (service providers)</td>
</tr>
<tr>
<td><strong>Task Forces</strong></td>
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<td><strong>Immigration and</strong></td>
<td>651</td>
<td>90 (69 sex, 21 labor)</td>
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<tr>
<td><strong>Customs Enforcement (ICE)</strong></td>
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<tr>
<td><strong>FBI</strong></td>
<td>925</td>
<td>61 (37 sex, 27 labor)</td>
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</tr>
<tr>
<td><strong>300 arrests</strong></td>
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<td><strong>151 indictments</strong></td>
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<tr>
<td><strong>144 convictions</strong></td>
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Studies have shown that there is an increase in the demand for commercial sex services surrounding large sporting events or conventions such as the Super Bowl, World Series, etc.

Any increase in the commercial sex industry also increases the potential risk for exploitation and human trafficking.

A study conducted by KLAAS KIDS Foundation and F.R.E.E. International, in conjunction with law enforcement, during the 2012 Super Bowl, found that online escort ads were monitored weekly to show increase of activity:

- Thursday, January 12th: 17 (1)
- Thursday, January 19th: 18 (1)
- Thursday, January 26th: 28 (1)
- Thursday, February 2nd: 118 (2)
- Friday, February 3rd: 129 (3)

68 commercial sex arrests were made before and on the 2012 Super Bowl (4)
2 human trafficking victims were identified (4)
2 other potential human trafficking victims were identified (4)

2) KLAAS Kids Foundation, Tackle the Trafficker Outreach and Monitoring Initiative (Feb. 2, 2011).
3) KLAAS Kids Foundation, Tackle the Trafficker Outreach and Monitoring Initiative (Feb. 3, 2011).
4) E-mail from Jon Daggy, Detective Sgt. Indianapolis Metropolitan Police (on file with author) (Feb. 17, 2012).
Human Trafficking & Super Bowl 2012

A study conducted by KLAAS KIDS Foundation found significant increases in Backpage escort ads leading up to the 2012 Super Bowl. (1)

An artist’s interpretation of an advertisement on Indianapolis Backpage February 02nd. (2)

2) KLAAS KIDS FOUNDATION, BEHIND CLOSED DOORS.

The United States is one of the most popular destinations for human trafficking.
Who is involved in trafficking?

- The **recruiter** gains the victim’s trust and then sells them for labor or to a pimp. Sometimes this is a boyfriend, a neighbor, or even a family member.

- The **trafficker** is the one who controls the victims. Making the victim fearful through abuse, threats, and lies the trafficker gains power over his/her victim.

- The **victim** could be anyone.

- The **consumer** funds the human trafficking industry by purchasing goods and services. Often s/he is unaware that someone is suffering.
The Trafficker

• The trafficker will likely be in a **lucrative business enterprise** as the heart of human trafficking is exploiting cheap labor.

• The trafficker may be part of a **larger organized crime ring**, or may be **profiting independently**.

• Most often, he/she is the same **race/ethnicity** as the victim.

• Might be someone who **knew the victim** and victim’s family.

• Will likely be **bilingual**.

• Will likely be an **older man with younger women** who seems to be **controlling**, watching their every move, and correcting/instructing them frequently.
The Trafficked Person

Human Trafficking reaches every culture and demographics. *Regardless of their demographics*, victims are vulnerable in some way, and the traffickers will use their particular vulnerability to exploit the victim.

**Some risk factors include:**

- Youth
- History of childhood abuse
- Prior involvement in child welfare system
- Poverty
- Unemployment
- Desperation
- Homes in countries torn by armed conflict, civil unrest, political upheaval, corruption, or natural disasters
- Family backgrounds strife with violence, abuse, conflict
- Homelessness
- A need to be loved
- Immigration Status
The Trafficked Person

A Vulnerable Life Before Victimization *

Of boys and girls recruited into commercial sex:

• 57% had been sexually abused as children. (1)
• 49% had been physically assaulted. (1)
• 85% were victims of incest as girls, and 90% had been physically abused. (2)
• 61.5% were frequently hit, slapped, pushed, grabbed, or had objects thrown at them by a member of their household. (3)
• 40% of the above were kicked, hit, beaten, raped, or threatened and/or attacked with a weapon by a member of their household. (3)

* These studies considered commercial sex in general, not only sex trafficking. Due to the hidden nature of this crime, little research is available strictly on trafficking. However, it should be noted that anyone used in commercial sex who is under 18 or is being forced or coerced is a victim of trafficking.

The Trafficked Person

• Likely **has been lied to** about the work they will be doing in the U.S.
• Was **economically motivated** to come the United States or to seek a new job.
• **Believes they have a real debt** to pay and takes this very seriously.
• **Has been lied to** about their rights in this country and what will happen to them if they seek help.
• Does not have any **meaningful social network**.
• **Is extremely embarrassed** about what is happening to him/her.
• **May not see themselves as a victim** – they may feel blame for their situation.
• **May be holding out hope** that if he or she proves their worth, things will get better
Where are trafficked persons found?

Trafficking is found in many industries including:

- The sex industry
- Forced labor in agricultural or construction industries
- Factories, restaurants, hotels
- Domestic servitude as servant, housekeeper or nanny
- Health and beauty industries
- As a bride
- As beggars or peddlers
- As a child soldier
How Are Youth Recruited?

Ways that youth are especially recruited: (1)

- Grooming process
- Telephone chat-lines
- Clubs
- On the street
- Through friends
- At malls
- Traffickers using girls to recruit other girls at schools and after-school programs

Why don’t Trafficked Persons Escape?

- They are afraid of being deported.
- They may be in danger if they try to leave.
- The traffickers have such a strong psychological and physiological hold on them.
- They fear for the safety of their families in their home countries or in the U.S.
- They may fear the U.S. legal system because they may not understand the laws that protect them.
- They may not be able to support themselves on their own.
- They have nowhere to go.

Therefore, it is our responsibility to protect and assist people being exploited.
Who Might Identify Trafficked Persons?

Referrals about human trafficking cases can come through a variety of means:

– Other Social Service Agencies
– Local Law Enforcement
– Labor Issue Complaints
– Federal Investigations
– Local/National Hotlines
– Other Government Agencies
– Churches
– Concerned Community Members
Identification: Social Indicators

• Potential victim is accompanied by another person who seems controlling and/or insists on speaking for the victim
• Frequent relocation
• Numerous inconsistencies in his or her story or restricted or scripted communication
• Neglected healthcare needs
• Are not in control of their own money
• Lack of control of identification documents
• Individual is using false identification papers

Rescue and Restore Campaign
The National Symposium on the Health Needs of Human Trafficking Victims
Shared Hope International
Identification: Social Indicators

• Excess amount of cash
• Hotel room keys
• Chronic runaway/homeless youth/juvenile prostitution
• Signs of branding (tattoo, jewelry)
• Lying about age
• Lack of knowledge of a given community or whereabouts
• Exhibits behaviors including hyper-vigilance or paranoia, nervousness, tension, submission, etc.

Rescue and Restore Campaign
The National Symposium on the Health Needs of Human Trafficking Victims
Shared Hope International
Identification: Health Indicators

• Signs of physical abuse
  – Bruises
  – Black Eyes
  – Burns
  – Cuts
  – Broken teeth
  – Multiple scars

• Malnourishment

• Poor Dental Hygiene

Mental Health Indicators of Human Trafficking Victims

- Symptoms of psychological trauma; (1)
- Extreme sadness and hopelessness; (1)
- Risks for suicide, memory loss, and presenting as withdrawn; (1)
- Difficulty concentrating, demonstrations of aggression and anger; (1)
- Trauma bonds; (2)
- Anxiety and mood disorders, panic attacks; (3)
- Substance-related disorders. (3)

Victim Needs that Social Service Providers May Encounter

- Basic needs, (i.e. medical attention, shelter and safety, food, clothing, long term housing, etc.);
- Safety planning;
- Ongoing counseling and therapy that are culturally sensitive;
- Treatment for substance-related disorders;
- ESL training;
- Interpretation;
- Legal and immigration services;
- Life skills, educational, and vocational training.
## Psychological Disorders Victim of Sex Trafficking May Face

<table>
<thead>
<tr>
<th>Psychological Disorders</th>
<th>Victim of Sex Trafficking May Face</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Anxiety and Stress Disorder</td>
<td>11. Anxiety Disorders</td>
</tr>
<tr>
<td>2. Attachment Disorder</td>
<td>12. Dissociative Disorders</td>
</tr>
<tr>
<td>3. Attention Deficit/Hyperactivity Disorder (ADHD)</td>
<td>13. Eating Disorders</td>
</tr>
<tr>
<td>5. Depression (Major, Dysthymia)</td>
<td>15. Mood Disorders</td>
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<tr>
<td>6. Developmental Disorders</td>
<td>16. Personality Disorders</td>
</tr>
<tr>
<td>7. Eating Disorders</td>
<td>17. Self-Harming Disorders</td>
</tr>
<tr>
<td>8. Learning Disorders</td>
<td>18. Sleep Disorders</td>
</tr>
<tr>
<td>10. Post Traumatic Stress Disorder</td>
<td>20. Substance Abuse Disorders</td>
</tr>
</tbody>
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Human Trafficking Cases

Case #1:
A runaway teenage girl was picked up by her “boyfriend.” He convinced her that she needed to make some money and set up prostitution appointments for her, driving her to the appointments. She didn’t want to testify against him because she believes he loves her and would never have really hurt her.

Case #2:
Kids came to stay with their family for a better opportunity. The family paid for their flights and paperwork. Once here the kids dropped out of school, because they were too tired from the work at home and the jobs they had to work to pay back the family. They had to sleep on the floor, cook all the meals, clean the house, babysit and get a job to pay for their room and board. They had become servants.
Case #3:

A 19 year old girl was kept to pay off mother’s drug debt. She was forced to strip and after she had been beaten enough that she could no longer strip, she was forced into prostitution. She was kept over a month, moved from hotel to hotel. The defendant maintained control via threats and violence, degrading her to the point that she would not have run even if left alone. She was discovered by police when they responded to a run to the hotel room, where she was found hiding in the bathtub.

Case #4:

An Indian woman was brought to the United States by her husband. She was mentally and physically abused, kept in the back of his semi truck for one week without food and water. When they arrived in Indianapolis, the husband tried calling numerous men to sell her for the night. She was rescued when her husband got locked out of the apartment and called the police on her.
State and Federal Laws

• **State:** IC 35-42-3.5: Human and Sexual Trafficking (1)

• **Federal:** Victims of Trafficking and Violence Prevention Act—2000; (2) William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. (3)

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What are the Options for Relief and Recovery?

Criminal Prosecution
Civil Law Remedies
Repatriation
Immigration
Three Elements of Trafficking

In order to be considered trafficking on both federal and state levels, all three of these elements must be identified:

- Recruiting
- Harboring, Moving, or Obtaining a person
- By Force, Fraud or Coercion
- For the purpose of Involuntary servitude, Debt bondage, Slavery or Sex Trade
### What is Force, Fraud, & Coercion?

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<thead>
<tr>
<th>Force</th>
<th>Fraud</th>
<th>Coercion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kidnapping</td>
<td>Promises of Valid Immigration Documents</td>
<td>Debt Bondage</td>
</tr>
<tr>
<td>Torture</td>
<td>Victim told to use false travel papers</td>
<td>Threats of Harm to Victim or Family</td>
</tr>
<tr>
<td>Battering</td>
<td>Contract signed for Legitimate Work</td>
<td>Control of Children</td>
</tr>
<tr>
<td>Threats with Weapons</td>
<td>Promised Job differs from actuality</td>
<td>Controlled Communication</td>
</tr>
<tr>
<td>Sexual Abuse</td>
<td>Promises of Money or Salary</td>
<td>Photographing in Illegal Situations</td>
</tr>
<tr>
<td>Confinement</td>
<td>Misrepresentation of Work Conditions</td>
<td>Holding ID/Travel Documents</td>
</tr>
<tr>
<td>Forced use of Drugs</td>
<td>Wooing into Romantic Relationship</td>
<td>Verbal or Psychological Abuse</td>
</tr>
<tr>
<td>Forced Abortions</td>
<td></td>
<td>Control of Victims Money</td>
</tr>
<tr>
<td>Denial of Medical Care</td>
<td></td>
<td>Punishments for Misbehavior</td>
</tr>
</tbody>
</table>
Indiana Law IC 35-42-3.5

- Human and Sexual Trafficking
  - Definition
  - Restitution
  - Civil Action
Indiana Law: IC 35-42-3.5 -1
Human and Sexual Trafficking

Section 1. (a): A person who, by force, threat of force, or fraud, knowingly or intentionally recruits, harbors or transports another person:

(1) to engage the other person in:
   (A) forced labor; or
   (B) involuntary servitude; or
(2) to force the other person into:
   (A) marriage;
   (B) prostitution; or
   (C) Participating in sexual conduct

commits promotion of human trafficking, a Class B felony.

SB 509 would amend Indiana law to make it easier to prosecute persons who engage in trafficking of children by raising the age to less than 18 at which the prosecution need not prove force or threat of force: (1)

IC 35-42-3.5-1 (b) A person who knowingly or intentionally recruits, harbors, or transports a child less than sixteen (16) years of age with the intent of: (2)

(1) engaging the child in:
   (A) forced labor; or
   (B) involuntary servitude; or

(2) inducing or causing the child to:
   (A) engage in prostitution; or
   (B) participate in sexual conduct (as defined by 11 IC 35-42-4-4);

Commits promotion of human trafficking of a minor, a Class B felony. It is not a defense to a prosecution under this subsection that the child consented to engage in prostitution or to participate in sexual conduct.

Indiana Law: IC 35-42-3.5 -1
Human and Sexual Trafficking

(c) A person who is at least eighteen (18) years of age who knowingly or intentionally sells or transfers custody of a child less than sixteen (16)* years of age for the purpose of prostitution or participating in sexual conduct commits sexual trafficking of a minor, a Class A felony. (1)

* SB 509 would raise the age to “less than 18.” (2)
Indiana Law: IC 35-42-3.5 -1

Human and Sexual Trafficking

(d) A person who knowingly or intentionally pays, offers to pay, or agrees to pay money or other property to another person for an individual who the person knows has been forced into:

(1) forced labor;
(2) involuntary servitude; or
(3) prostitution;

commits human trafficking, a Class C felony. (1)
Indiana Law: IC 35-42-3.5
Human and Sexual Trafficking

• Section 2: Restitution Orders
  – In addition to any sentence or fine imposed for a conviction of an offense under section 1, the court shall order the person convicted to make restitution to the victim of the crime under IC 35-50-5-3. (1)

Indiana Law: IC 35-42-3.5
Human and Sexual Trafficking

• Section 3: Civil Cause of Action (1)
  – If a person is convicted of an offense under section 1 of this chapter, the victim of the offense:
    • Has a civil cause of action against the person convicted of the offense; and
    • May recover the following from the person in the civil action:
      – Actual Damages
      – Court Costs
      – Punitive Damages
      – Attorney’s Fees.


A Comprehensive Law:

Areas of Focus:

– Prevention
  • Public Awareness, Outreach and Education

– Protection
  • T-Visa, Certification, Benefits and Services to Victims

– Prosecution
  • Created Federal Crime of Trafficking, New Law Enforcement Tools and Efforts
Highlights of TVPA:

• Protection provided to trafficked persons through legal assistance and other benefits
• New crimes of trafficking and forced labor defined
• State Department reports annually on how countries are doing in combating trafficking
  — Lowest ranked countries are subject to sanctions
## Federal Crimes and Penalties

<table>
<thead>
<tr>
<th>Crime</th>
<th>Penalty</th>
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<tbody>
<tr>
<td>Forced Labor</td>
<td>Up to 20 years</td>
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<tr>
<td>Trafficking into Servitude</td>
<td>Up to 20 years</td>
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<tr>
<td>Sex Trafficking</td>
<td>Up to life</td>
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<tr>
<td>Involuntary Servitude</td>
<td>Up to 20 years</td>
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<tr>
<td>Peonage (Debt Bondage)</td>
<td>Up to 20 years</td>
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<tr>
<td>Document Servitude</td>
<td>Up to 5 years</td>
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<tr>
<td>Conspiracy Against Rights</td>
<td>Up to life if kidnapping, sexual abuse or death</td>
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</tbody>
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If you believe someone is a victim of Human Trafficking:

- Contact your local police department and be transferred to the human trafficking detective on duty.
- Indianapolis Trafficked Persons Assistance Program 24-hour hotline: 1-800-928-6403
- National Human Trafficking Resource Center Hotline Number 1-888-3737-888
Other Contacts:

Neighborhood Christian Legal Clinic
3333 North Meridian St. Suite 201
Indianapolis, IN 46208
(317) 415-5337
nclegalclinic.org

The Julian Center
2011 North Meridian St
Indianapolis, IN 46202
(317) 941-2200
www.juliancenter.org

Exodus Refugee Immigration Inc.
1125 Brookside Ave, Suite C9
Indianapolis, IN 46202
(317) 921-0836
www.exodusrefugee.org
We would like to thank IPATH, US Department of Justice, Polaris Project, Shared Hope International, Lexis Nexis, Neighborhood Christian Legal Clinic, Exodus Refugee Immigration Inc, Freedom Network USA, the National Immigrant Justice Center, and the Human Rights Center for providing information for this presentation.