



## DEFINITIONS AND RESPONSES FOR HUMAN TRAFFICKING SURVIVORS

- » Human trafficking is typically divided into the following typologies:
  - *Sex trafficking*: the recruitment, harboring, transportation, providing, or obtaining of a person for a commercial sex act, in which a commercial sex act is induced by **force, fraud, or coercion**, or in which the person made to perform such an act has not yet reached 18 years of age. It's important to note that any minor who is performing commercial sex acts is considered a trafficking victim under the law.
  - *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 involuntary servitude, peonage, debt bondage, or slavery.
  - *International trafficking*: Trafficking of foreign-born individuals. Individuals could have been moved into the United States by traffickers or been trafficked after they arrived in the United States. Smuggling a person across an international border does not constitute human trafficking.
  - *Domestic trafficking*: Trafficking of US permanent residents. Commonly used acronyms are DMST for Domestic Minor Sex Trafficking survivors and CSEC for Commercial Sexual Exploitation of Children.
- » [Federal legal protections](#) for trafficking survivors are provided through the Trafficking Victims Protection Act (TVPA) of 2000 and were strengthened by the Justice for Victims of Trafficking Act (JVTA) in 2015.
- » State criminal offenses for trafficking survivors are outlined in [Chapter 20A](#) of the Texas Penal Code.
- » A person does not need to be moved internationally or otherwise to be trafficked. In the case of familial trafficking, they do not even need to be moved from their home.
- » The [National Human Trafficking Hotline](#) can give you guidance and help identify specific resources in your area and provide basic safety planning for survivors. Reach the hotline at 1-888-373-7888.

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## SAFETY INFORMATION

- » Basic safety planning for human trafficking survivors:
  - Check out The National Human Trafficking Hotline's [Safety Planning Information](#) and the [VIGOR Safety Plan](#) for complete guides.
  - Maintain an awareness of the survivor's vulnerability and the impact of trauma-bonding. Survivors often develop feelings of loyalty and dependency through a cycle of violence and/or psychological coercion with small rewards.
  - If a minor, consider whether the parent or guardian is involved in the youth's trafficking.

## SAFETY INFORMATION CONTINUED

- Advocates and Law Enforcement need to listen before trying to fix the situation or offer advice.
  - Introduce an advocate to them and include in the safety planning.
  - Help the survivor assess immediate emotional and physical needs with a focus on their strengths.
  - Focus on empowerment and collaboratively build a safety plan with the survivor. The survivor is an expert on what they need to stay safe.
  - Give them autonomy when helping to create a safety plan. This doesn't mean they will be ready to exit trafficking at this time, but you can give them resources for when they are ready.
  - Instead of trying to "rescue" them, meet them where they are with compassion and resources. They may have children with the trafficker, other family members working with them or a drug addiction they are not ready to kick.
  - Consider and allow for the possibility that the survivor may fail in all or part of the safety plan by providing different and various options that will keep the survivor safe.
  - Ask the survivor to identify family members, or other various positive healthy adults that can help support the safety and service plan and include these persons in the planning.
  - Consider whether a supportive role by law enforcement (when applicable) and targeted, concrete and effective services will increase the likelihood of the plan succeeding. Law enforcement may be effective in breaking the connection between youth and exploiter through arrest and prosecution of the exploiter.
  - Safety Plans should prioritize physical and emotional safety including:
    - \* Immediate assistance (housing, food, medical, safety and security)
    - \* Mental health assistance (counseling)
    - \* Income assistance
    - \* Legal status (certification, immigration)
- » [Texas Code of Criminal Procedure Chapter 7A](#) allows Protective Orders for victims of human trafficking. For this type of Protective Order, the court needs to be certain there are reasonable grounds to believe the survivor is a victim of trafficking. Find more information about obtaining this type of Protective Order at [WomensLaw.org](#).
- » For more information about serving human trafficking survivors in the domestic violence setting please watch TCFV's webinar, [Serving Human Trafficking Survivors in a Domestic Violence Setting](#).

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## ELIGIBLE REMEDIES

- » Human trafficking survivors can be eligible for the following programs and remedies:
- [Crime Victim's Compensation](#), which supports a range of costs such as medical assistance and relocation, from the Office of the Attorney General.
  - [T Visas](#) can provide immigration relief for those who are trafficked (both labor and sex) into the US. It allows trafficking survivors and their immediate family members to remain in and work temporarily in the United States and creates a path to a green card. Inform them they will not go to jail or be deported if they are undocumented. Get more information about T Visas, eligibility, and requirements at the [Immigrant Legal Resource Center](#) and [Texas Law Help](#).

## ELIGIBLE REMEDIES CONTINUED

- Under [Texas Civil Practice and Remedies Code Chapter 98](#), traffickers can be held civilly liable and survivors can be entitled to monetary damages. An alleged trafficker does not have to be charged or prosecuted as a trafficker to be held civilly liable.
- If you're assisting a foreign-born, adult trafficking survivor, an [HHS \(US Department of Health and Human Services\) Certification Letter](#) may allow them to meet certain eligibility rules and apply for the same benefits and services as refugees. A foreign national adult must have Continued Presence, a T Visa, or a bona fide T Visa application to request an HHS Certification letter. If you need assistance with this process you can contact the [Regional Refugee office](#) in your area.
- If you're assisting a foreign-born, minor trafficking survivor, an [HHS Eligibility Letter](#) can allow them to apply for the same benefits and services as refugees. You can contact OTIP (Office on Trafficking in Persons) Child Protection Specialists at 202-205-4582 and complete the [Request for Assistance Form](#) through their office.
- Both the Certification Letter for adults and Eligibility Letter for children allows survivors to apply for TANF, Medicaid, CHIP (if a minor), and SNAP. For an exhaustive guide on available benefits and who would be eligible for them please see [Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers](#).

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## ADDITIONAL RESOURCES

- » Human trafficking survivors can be eligible for the following programs and remedies:
  - [Texas Association Against Sexual Assault \(TAASA\)](#) – Texas membership agency supporting sexual assault programs and online resources, Call: 512-474-7190
  - [Texas Attorney General](#) – Be the One Awareness Campaign [Freedom Network](#) – national coalition of US anti-trafficking organizations with online resources and policy information.
  - [Futures Without Violence](#) – national organization with resources and advocacy on the intersections of human trafficking, domestic violence, and sexual assault, including an inclusive list of [Anti-Human Trafficking Resources](#).
  - US Department of Health & Human Services [Office on Trafficking in Persons](#) – federal governmental office with resources and services available for all forms of trafficking survivors.

## HUMAN TRAFFICKING INDICATORS

### BASIC INFORMATION FOR IDENTIFYING TRAFFICKING SURVIVORS

- » Many trafficking survivors will not self-identify, sometimes due to not realizing they have been trafficked or not feeling safe to do so. Your program is likely serving survivors, but may be unaware of the legal definitions of human trafficking. In sex trafficking, they may use terms like the life, the game, or working. You can use this language to build rapport.
  - » It is unlikely for a survivor to tell you their entire story at the beginning of receiving services. In addition to fear and shame connected with their trauma, they have been told what not to say and sometimes are given a false story to tell.
  - » Take time to build rapport and trust so that they feel comfortable telling you about their experiences in a safe, survivor-centered, and empowering environment.
  - » The goal is not to identify trafficking survivors for the sake of identifying them, but to provide additional resources to meet their specialized needs.
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### GENERAL TRAFFICKING INDICATORS

- » Do not make assumptions based on one indicator, but look at the totality of the situation.
- » Inconsistencies when reporting where they live or lack of knowledge about the city/state they currently reside may come up. They also may be in shock and not able to tell any of their story or very little of it at all. They may also seem reticent or resist talking.
- » Someone is always with them (or they may be nearby watching). They are not allowed to speak for themselves.
- » Little to no eye contact when spoken to.
- » No access to a bank account or any other money/financial resources.
- » Not free to come and go as they wish.
- » Living in the same place that they work.
- » Does not have access to passport, visa, or other immigration status documents, driver's license or state ID. Is someone else holding these documents?
- » How many cell phones do you have? Who is in charge of the phone bill?
- » Does the person appear disconnected from family, friends, community organizations, or the faith community?
- » Has a child stopped attending school?
- » Has the person had a sudden or dramatic change in behavior?
- » Is the person disoriented or confused, or showing signs of mental or physical abuse?
- » Does the person have bruises in various stages of healing?
- » Is the person fearful, timid, or submissive?
- » Does the person show signs of having been denied food, water, sleep, or medical care?
- » Is the person often in the company of someone to whom they defer? Or someone who seems to be in control of the situation (for example, where they go or who they talk to)?
- » Does the person appear to be coached on what to say?
- » Is the person living in unsuitable conditions?
- » Does the person lack personal possessions and appear not to have a stable living situation?

## **SEX TRAFFICKING INDICATORS**

- » Been forced by a partner or family member or gang member to provide sexual favors
  - » Poor health or has multiple untreated sexually transmitted infections or related injuries
  - » Hypersensitive to touch, no eye contact
  - » Has had to terminate one or more pregnancies over a short period of time
  - » Signs of branding such as tattoos with abuser's/trafficker's/gang name, dollar signs
  - » Using terms from "The Life" like hustler or wifey
  - » Has pictures/intimate information posted online about them
  - » Has condoms, extra clothes that do not match the weather or normal circumstances, wet wipes, hotel room key(s)
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## **LABOR TRAFFICKING INDICATORS**

- » Has been forced by a partner or family member to work inside the home in a situation of domestic servitude or outside of the home without access to earnings
  - » Was recruited through false promises concerning the nature and conditions of their work
  - » Debt owed to employer
  - » Not allowed to leave working situation unless monitored
  - » Works excessively long hours and is unpaid, paid very little, or paid only through tips
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## **BASIC TRAFFICKING ASSESSMENT QUESTIONS**

- » Is anyone watching you right now?
- » Do you have children and who has them? Traffickers often hold onto children, so that the victim protects the trafficker.
- » Gang trafficking: How did you get involved in the gang? How were you initiated into the gang? What is your role in the gang?
- » What type of work do/did you do? Are you being paid? How are you being paid?
- » Do you feel you or your family is unsafe? Have you or your family been threatened?
- » Do you feel unsafe around any family members?
- » Has any family member threatened to abandon or hurt others in your family if you didn't do what they said?
- » Have you done any work where you did not want to do it or had anyone forced you to work?
- » Did anyone ever make you do work you didn't want to do by using threats or violence?
- » Do you have your documents? Who does?
- » How did you meet this person? How did you find out about this job?
- » Have you been hurt or fear you will be hurt if you didn't do the job you were asked to do?
- » What did you expect would happen if you didn't do what was asked of you?
- » Are you required to earn a certain amount of money/meet a quota for anyone? What happens if you don't meet your quota?
- » What are your living conditions like?
- » Are you free to come and go as you please?

## DOMESTIC SEX TRAFFICKING EXAMPLE

- » Amy comes to an appointment with her counselor where she talks about her relationship with her past boyfriend. They had a five-year relationship, and she talks about how the first year and a half he was the perfect partner. He became emotionally and physically abusive after that time and started controlling most of her movements. After another year, he started bringing his friends to their house and forcing her to have sex with them using threats and coercive tactics. She recently found out that he was profiting from these encounters to buy drugs. Amy originally came to your agency for domestic violence and has never mentioned anything about trafficking.
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## FAMILIAL TRAFFICKING EXAMPLE

- » Tanya is a 20 year old female looking for shelter. She called a shelter and confides she is hiding from her mom. She says her mom has been selling her for drugs since she was 14. The shelter provides a place for her temporarily. During that time Tanya meets with a case manager. She described that her mom taught her how to attract men and get money from them through sex. Mom started inviting men over and she would have to service them. Mom got her hooked on heroin and she has been in and out of detention for drug and theft charges. When she would be released from detention she would live with her grandma, but her mom always came back and she would start making her exchange sex for money.
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## LABOR TRAFFICKING EXAMPLE

- » Maria was referred to the shelter by law enforcement after they responded to a domestic violence call and issued an Emergency Protective Order. When the advocate asks her about employment during her intake, Maria details 12-hour shifts working at her husband's restaurant. She talks about how her husband would make her work long shifts by threatening her and her children. She didn't have any control of the family's money and never received a paycheck. In recent days, the abuse had gotten worse and after hearing about the shelter was glad to come with her children and wanted help from an advocate to look for another job. Do you have children and who has them? Traffickers often hold onto children, so that the victim protects the trafficker.
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## OTHER RESOURCES FOR IDENTIFYING TRAFFICKING SURVIVORS

- » Polaris Project outlines 25 different types of trafficking and the signs of each identified sector in their report, [The Typology of Modern Slavery: Defining Sex and Labor Trafficking in the United States](#).
- » Vera Institute's [Out of the Shadows Tool for Identification of Victims of Human Trafficking](#).
- » National Human Trafficking Resource Center's [Comprehensive Trafficking Assessment](#) (inclusive of both labor and sex trafficking), [Potential Indicators of Human Trafficking](#), and [Human Trafficking Assessment Information for Domestic Violence and Sexual Assault Programs](#).
- » Allies Against Slavery's [Screening Platform](#).
- » [CSE-IT](#) (Commercial Sexual Exploitation Identification Tool): designed to improve early identification of children who are commercially sexually exploited.

Find more of our Advocacy Tip Sheets at [tcfv.org/policy/creating-safer-spaces/](https://tcfv.org/policy/creating-safer-spaces/)