



ARKANSAS HUMAN TRAFFICKING COUNCIL

FACT SHEET: Human Trafficking

Human trafficking is a public health issue that impacts individuals, families, and communities. Traffickers disproportionately target at-risk populations including individuals who have experienced or been exposed to other forms of violence (child abuse and maltreatment, interpersonal violence and sexual assault, community and gang violence) and individuals disconnected from stable support networks (runaway and homeless youth, unaccompanied minors, persons displaced during natural disasters).

Definition of Trafficking in Persons

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

- **Sex trafficking:** the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting 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; (and)
- **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.

Human Trafficking versus Human Smuggling

Human trafficking and human smuggling are two separate crimes under federal law:

HUMAN TRAFFICKING	vs.	HUMAN SMUGGLING
Victims are forced, defrauded, or coerced into trafficking. Even if victims initially offer consent, that consent is rendered meaningless by the actions of the traffickers to exploit them for labor, services, or commercial sex.		Individuals consent to being smuggled. The transaction is mutual and ends upon arrival at desired destination.
Human trafficking is a crime committed against an individual.		Smuggling is a crime committed against a country.
Trafficking does not need to involve the physical movement of a person. Trafficking victimization can be transnational or domestic.		Smuggling involves the illegal transport of an individual across a national border. Smuggling is always transnational.



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How Victims Are Trafficked

Traffickers use force, fraud, or coercion to subject victims to engage in commercial sex or forced labor. Anyone can be a victim of trafficking anywhere, including in the United States.

ACTIONS	MEANS Does not need to be present in a situation of sex trafficking of minors	PURPOSE
<p>Recruiting includes proactive targeting of vulnerability and grooming behaviors</p> <p>Harboring includes isolation, confinement, monitoring</p> <p>Transporting includes movement and arranging travel</p> <p>Providing includes giving to another individual</p> <p>Obtaining includes forcibly taking, exchanging something for ability to control</p> <p>*Soliciting includes offering something of value</p> <p>*Patronizing includes receiving something of value</p> <p>*Only for sex trafficking</p>	<p>Force includes physical restraint, physical harm, sexual assault, and beatings. Monitoring and confinement is often used to control victims, especially during early stages of victimization to break down the victim’s resistance.</p> <p>Fraud includes false promises regarding employment, wages, working conditions, love, marriage, or better life. Over time, there may be unexpected changes in work conditions, compensation or debt agreements, or nature of relationship.</p> <p>Coercion includes threats of serious harm to or physical restraint against any person, psychological manipulation, document confiscation, and shame and fear-inducing threats to share information or pictures with others or report to authorities.</p>	<p>Commercial Sex Act is any sex act on account of anything of value given to or received by any person.</p> <p>Involuntary Servitude is any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or the abuse or threatened abuse of the legal process.</p> <p>Debt Bondage includes a pledge of services by the debtor or someone under debtor’s control to pay down known or unknown charges (e.g. fees for transportation, boarding, food, and other incidentals; interest, fines for missing quotas, and charges for “bad behavior”). The length and nature of those services are not respectively limited and defined, where an individual is trapped in a cycle of debt that he or she can never pay down.</p> <p>Peonage is a status or condition of involuntary servitude based on real or alleged indebtedness</p> <p>Slavery is the state of being under the ownership or control of someone where a person is forced to work for another.</p>