



HUMAN TRAFFICKING

What is Human Trafficking?

According to the Trafficking Victims' Protection Act of 2000, Human Trafficking is legally defined as the recruitment, harboring, transporting, 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, slavery, or forced commercial sex acts.

How are Victims Trafficked?

There are many ways in which victims can be trafficked. Some may be recruited from their countries of origin with the promise of employment, but then find that they are not compensated as promised or that they now owe a debt to the traffickers. Others may be smuggled into the country with their consent, but then are sold into prostitution or forced labor upon arrival. Individuals need not be foreign to be trafficked. Vulnerable US citizens can be and are forced into sex and labor trafficking.

Trafficking vs. Smuggling

It is important to understand the difference between human trafficking and smuggling. Trafficking of individuals involves an element of fraud or coercion and subsequent exploitation and/or forced labor. Trafficking does not always include the physical transportation of victims from one country to another.

Smuggling, however, is the act of assisting another to enter the country illegally. Consent is given from the individual being smuggled, and in many cases, the smuggled individual pays for or initiates the illegal smuggling.

How Trafficking May Present to Law Enforcement

Due to the nature of human trafficking and a number of factors, such as language barriers, victims' fear of law enforcement, and the practice of trafficking minors, human trafficking may go unnoticed as:

- A domestic violence incident
- A runaway teen
- An incident of sexual assault
- An illegal immigration case
- A hostage taking
- An unfair wage dispute
- Smuggling
- Prostitution

The Trafficking Victims' Protection Act of 2000

The Trafficking Victims' Protection Act of 2000 (TVPA) focuses on three aspects of addressing human trafficking:

Prevention: creation of a federal taskforce, public awareness programs, and an Office to Monitor and Combat Trafficking within the State Department

Protection: Allows victims of trafficking to be eligible for the Federal Witness Protection Program, establishes the T-Visa which can allow for a victim to gain temporary residence in the US with the possibility of obtaining permanent residence after three years

Prosecution: Makes human trafficking a federal crime with severe penalties, creates new crimes of forced labor, mandates restitution be paid to victims

If you or someone you know is being or has been trafficked:

Victims of trafficking are likely to have a number of physical, emotional and psychological needs. TCSO Victim Services can assist victims of Human Trafficking by connecting them with resources for:

- Immediate assistance such as safe housing, food, medical services and language interpretation
- Mental Health assistance to manage a variety of common issues such post traumatic stress, depression, anxiety, paranoia, and suicidal ideation
- Financial assistance such as emergency cash, transportation, clothing, education, job training and employment
- Legal assistance for immigration issues, criminal and civil case representation, and T-Visa certification

What does the law say?

See: <http://www.statutes.legis.state.tx.us>

Select:

Code:	Penal Code
Article/Chapter:	Chapter 20A. Trafficking of Persons
Art. /Sec.:	Sec. 20A.01 Definitions Sec. 20A.02 Trafficking of Persons

Available Resources

For T-Visa assistance:

American Gateways – Main Office, Austin
314 East Highland Mall Boulevard, Suite 501, Austin, TX 78752
(512) 478-0546

www.americangateways.org

Walk-in consultations are available Monday - Thursday, 9:00 am to 5:00 pm.

National Human Trafficking Hotline: 1 (888) 3737-888

Helpful Websites

National Human Trafficking Resource Center (NHTRC) www.polarisproject.org

Rescue and Restore Website (US Dept of Health and Human Services) www.acf.hhs.gov/trafficking/

Central Texas Coalition Against Human Trafficking (CTCAHT) www.ctcaht.org

Trafficking Victims' Protection Act of 2000 www.state.gov/documents/organization/10492.pdf