

1. POLICY POSITION

OPPOSING HUMAN TRAFFICKING

BACKGROUND

Every year, the multi-billion dollar human trafficking industry deprives individuals of their human rights and freedoms, increases global health risks and fuels the growth of organized crime. It is a \$10 billion a year industry that centers around the most victimized, exploited and dehumanized people in the world, including many U.S. citizens. There are approximately 600,000 to 800,000 victims worldwide at any given time. In recent years, states have begun to take steps to eliminate the activities associated with this “slavery of the 21st century.”

Human trafficking is defined as the use of fraud, coercion or deception in recruiting and transporting persons, across or within national borders, for the purpose of involuntary servitude. Most people trafficked into the United States are those living in impoverished environments throughout the world. However, it is not only persons from other countries who fall prey to these types of exploitative practices. Thousands of women and children in the United States are victims as well. The U.S. Department of Justice estimates that as many as 300,000 children in the United States are at risk of becoming victims of human trafficking at any given time.

The Trafficking and Victims Protection Act, which was passed by the U.S. Congress and enacted in October 2000, recognizes that human trafficking is the fastest growing source of income for organized crime. The Act seeks to prevent human trafficking overseas; protect victims of trafficking in the United States, regardless of their citizenship status, and help the victims rebuild their lives through federal and state support; as well as prosecute traffickers through strict federal criminal penalties. However, existing federal criminal laws currently do not adequately address all forms of trafficking.

Thirteen states in the Southern Legislative Conference have enacted legislation criminalizing human trafficking, making it a felony offense. Also, many states have created enhanced penalties for crimes perpetrated against children; created specific laws that define penalties for trafficking involving forced labor; created specific laws that define penalties for trafficking for the purpose of sexual exploitation; begun providing restitution and social services for victims of human trafficking; begun regulating the practices of international marriage brokers and similar organizations; and created task forces to specifically address the crime of human trafficking.

RECOMMENDATION

The Southern Legislative Conference of The Council of State Governments encourages lawmakers to investigate the effects of human trafficking in their own states and act to pass legislation that will address these activities. The Southern Legislative Conference of The Council of State Governments encourages the U.S. Department of Health and Human Services’ Administration for Children and Families to work with states to further develop policies that:

- Specifically criminalize the practice of human trafficking;
- Define penalties for the various types of trafficking crimes;
- Produce stiffer penalties for crimes against minors;
- Increase training for law enforcement and local prosecutors;
- Regulate the practices of international marriage brokers and similar organizations;
- Improve communication and cooperation among local law enforcement and non-governmental organizations, as well as other service providers;
- Combat the demand for trafficking; and
- Create task forces that assess the extent of human trafficking and examine methods to combat it.

Adopted by the Southern Legislative Conference, August 18, 2009, Winston-Salem, North Carolina