

The Unrestricted Highway: A Report on State Efforts to Identify and Combat Human Trafficking in the United States

Executive Summary

Human trafficking is the movement of people across or within national or state borders for the purpose of slavery, forced labor, or servitude. It is a series of events that includes acquiring victims, moving them, and exploiting them. The acquisition and transport may involve force, persuasion, coercion, trickery, the administration of drugs, family and other complicity, or may be on the initiative of the person him or herself.

No country is immune from the problem. Each year, at least 700,000 — and possibly as many as 4 million people, primarily women and children — are trafficked across international borders worldwide.¹ The State Department estimates that between 20,000 and 50,000 people are trafficked into the United States annually.²

The Trafficking Victims Protection Act (TVPA) of 2000 supplements existing U.S. laws that apply to human trafficking. It establishes new tools and resources to combat the problem and requires an array of services and protections for victims of severe forms of trafficking. Even with the TVPA's authority, U.S. government efforts have touched merely the tip of the iceberg. Intervention and prosecution efforts are piecemeal. Meanwhile, as the federal government's caseload becomes larger, more cases will sit or not be prosecuted fully until there is a legal framework to combat the problem on a state and local level.

This report, based on an informal state survey, conducted by the National Consumers League, assesses state and local government responses to the trafficking problem. Findings indicate only a handful of state governments have initiated efforts to eliminate human trafficking within their borders. City and local governments lag even further behind.

The survey focuses on states where the greatest number of incidents occur, including Arizona, California, Florida, and New York. Researchers found that most officials at the state and local levels are unaware of federal anti-trafficking laws, and none of the respondents knew of any trafficking cases in their communities or elsewhere despite the widespread apparent cases currently under federal investigation throughout the country.



Of the handful of states that are addressing this issue, the trailblazer is the state of Washington, which created a statewide taskforce and passed anti-trafficking legislation. Other states have followed the Washington model and several more are in the process of either establishing taskforces or passing legislation.

State and local government remedies are a critical component to ending human trafficking into and within the country. These governments should:

- Enact anti-trafficking laws that will define and criminalize trafficking, provide protections for victims, and fund victim services.
- Upon encountering victims of trafficking, provide a victim-centered approach as opposed to a criminal-centered one. Non-incarcerated housing and victim assistance services should be provided, as well as protection from prosecution, when trafficked individuals have been forced into illegal activity such as prostitution and sex work.
- Develop specialized procedures for minors who are found to be victims of trafficking.
- Develop specialized procedures for youth and adults who are trafficked to engage in illegal activities such as sex work.
- Develop local and statewide plans of action to prevent and identify trafficking situations specifically related to youth victims with a focus on forced sex work in prostitution, pornography, and other sex work.

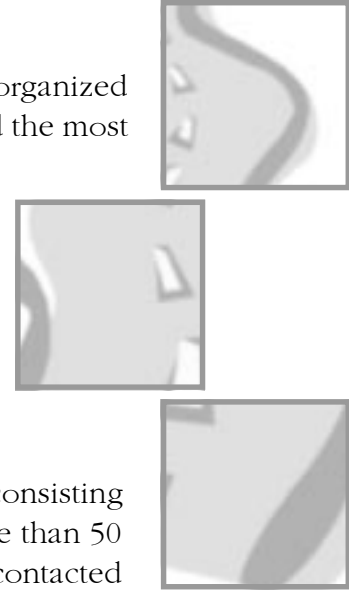


- Through statute or other means, require the governor or state attorney general to spearhead a commission of experts to determine the nature and extent of trafficking in the state, to create a process for gathering information on trafficking, and to develop strategies to prosecute perpetrators, as well as provide services to victims. The commission should include non-government and government service providers, prosecutors, and law enforcement officials, as well as representation from local city and county governments.

- Sponsor local and statewide policy conferences and legislative briefings on trafficking.
- Sponsor local and statewide training for police and other law enforcement personnel on identifying and reporting trafficking to prosecutors and ensuring victims are referred to the proper social service agencies.

- Press for inclusion of human trafficking training at national and regional conferences and meetings of associations that serve local and state law enforcement and government agencies.
- Utilize and adapt on the state and local level, where appropriate, federal and international law enforcement and other government and international organizations' initiatives and training to further the common goal of ending human trafficking worldwide.

The TVPA is often used to prosecute traffickers who are linked to organized crime or in situations where large numbers of victims have experienced the most severe forms of mistreatment. Smaller cases often are not prosecuted using the TVPA. States could play a significant role in expanding the number of trafficking prosecutions through criminalizing trafficking and actively pursuing prosecutions.



Survey Methodology

The National Consumers League (NCL) conducted an informal survey consisting of telephone interviews and written requests for information from more than 50 local and state government officials. On the state level, interviewers contacted the governor's office and the attorney general. Interviews with local governments included the city mayors and chiefs of police in large metropolitan areas. The survey was conducted from April through July 2003.

About National Consumers League

Founded in 1899, NCL is America's oldest consumer advocacy organization. Its mission is to represent consumers in the marketplace and the workplace through investigation, education and advocacy. Promoting fair labor conditions and ending exploitative child and adult labor in the United States was the League's founding cause.



NCL is also committed to promoting fair labor conditions abroad. NCL helped establish and currently sits on the boards of the Fair Labor Association, a group comprised of garment and footwear industry, colleges and universities, and non-governmental organizations working together to eliminate sweatshop abuses, and the International Cocoa Initiative, a group comprised of industry, labor, and non-governmental organizations working to end the worst forms of child labor in the cocoa industry.

In 1989, the League became one of the founding members of the Child Labor Coalition, a network of more than 40 U.S.-based NGOs and labor unions that has become the leading voice on domestic and international child labor in the United States. As the coalition's coordinator, NCL organizes monthly coalition meetings; publishes the *Online Child Labor Monitor*, a free, weekly electronic newsletter; and maintains the coalition's Web site, www.stopchildlabor.org.

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