



# Proposed AFCARS 2015

## Trafficking Elements

45 CFR 1355.43(b)(18) – 1355.43(b)(19)

## Victim of Sex Trafficking \*Prior\* to Entering Foster Care 43(b)(18)

➤ Yes/No

➤ If Yes, Reported to Law Enforcement?

➤ Yes/No

➤ If Yes,

➤ Date of report to Law Enforcement.

## Victim of Sex Trafficking \*While in\* Foster Care 43(b)(19)

► Yes/No

► If Yes, Reported to Law Enforcement?

► Yes/No

► If Yes,

► Date of report to Law Enforcement.

# Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183

## Sex Trafficking is:

- recruitment,
- harboring,
- transportation,
- provision, or
- obtaining

a person for the purpose of a *commercial*\* sex act,

\*which involves giving or receiving anything of value.

## Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183, Continued

**Severe forms of sex trafficking** involve commercial sex acts induced by:

- force,
- fraud,
- coercion, or
- in which the person induced to perform the sex act is under 18

# Minnesota Statutes on Sex Trafficking

- M.S. 609.321 Prostitution and Sex Trafficking; Definitions
  - Persons under 18 decriminalized with Safe Harbor legislation (2013)
- M.S. 609.322 Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking
- M.S. 617.246 Use of Minors in Sexual Performance Prohibited
- M.S. 626.556 Reporting of Maltreatment of Minors
  - Sex trafficking is included in the definition of sexual abuse
  - Sexual abuse, including sex trafficking, is “substantial child endangerment”

## Solicitation, Inducement and Promotion of Prostitution (M.S. 609.322)

➤ Sex trafficking law in Minnesota focuses on trafficker actions and includes anyone who has:

- Received
- Recruited
- Enticed
- Harbored
- Provided or
- Obtained

by any means, an individual to aid in prostitution.

# Barriers to Reporting Sex Trafficking

- Shame, stigma
- Fear of trafficker (threats to life and safety)
- Fear of criminal prosecution
- Mental health issues, including PTSD
- Chemical abuse issues, including addiction used to control victim
- Health issues from stress and physical violence
- Uncertain if knowledgeable providers and effective services exist
- Nowhere to stay, cut off from family and friends
- No significant employment opportunities known

# Sex Trafficking in Minnesota (Survey 2013)

## ► Providers Serving:

79 Adult females      80 Juvenile females  
5 Adult males      11 Juvenile males

## ► Law Enforcement Investigations:

25 Sex trafficking investigations  
3 Labor trafficking investigations

## ► Victims from:

Minnesota – both urban and rural areas  
United States – many states, including the Midwest  
Global – Asia, Africa, Europe, North, Central and South America

## ► Exploited mostly through:

Sex trafficking: Forced prostitution or pornography  
Labor trafficking sectors: restaurant, hotel, domestic and agriculture

## Resources

- Human Trafficking in Minnesota, A Report to the Minnesota Legislature, Prepared by Minnesota Office of Justice Programs, Minnesota Statistical Analysis Center, September 2014.  
[Human Trafficking in Minnesota, A Report to the Minnesota Legislature](#)
- The Facts: Sex Trafficking, The Advocates for Human Rights, 2009.  
[The Facts: Sex Trafficking](#)
- DHS Child Safety & Permanency Division, Adolescent Services Section:  
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