

HUMAN TRAFFICKING: Laws and Definitions



Federal Definition of Human Trafficking*

- A. Human Trafficking is a crime involving the exploitation of someone for the purposes of compelled labor or a commercial sex act through the use of force, fraud, or coercion.
- B. Where a person younger than 18 is induced to perform a commercial sex act, it is a crime regardless of whether there is any force, fraud, or coercion.
- C. Victims can be anyone from around the world or right next door: women and men, adults and children, citizens and non-citizens alike.

**from the Trafficking Victims Protection Acts of 2000, 2003, 2005, 2008, 2013*

Federal Human Trafficking Laws

Federal Laws and Regulations (*Dept. of Homeland Security*):

dhs.gov/human-trafficking-laws-regulations

The Victims of Trafficking Protection Act (TVPA):

Passed in the year 2000, the **Trafficking Victims Protection Act (TVPA)** was the first federal law to attempt to define the issue of human trafficking. The TVPA was orchestrated to combat trafficking of people, especially into the sex trade and involuntary servitude. An important thing to note from the law is that the law makes a distinction between sex and labor trafficking. Sex trafficking is defined as the “recruitment, harboring, provision, or obtaining of a person for the purpose of a commercial sex act,” but this does not require that the act to have been committed with, “force, fraud, or coercion.” Since its passage in 2000, the TVPA has been reauthorized four times, the most recent of which took place in 2013.

Colorado Human Trafficking Laws

Human Trafficking and Slavery - C.R.S. § 18-3-501 *et seq.*

§ 18-3-501 C.R.S. (*Legislative Declaration*)

§ 18-3-502 C.R.S. (*Definitions*)

§ 18-3-503 C.R.S. (*Involuntary Servitude - Adults and Minors*)

§ 18-3-504 C.R.S. (*Sexual Servitude - Adults and Minors*)

§ 18-3-505 C.R.S. (*Creation of Human Trafficking Council*)

HB14-1273 Human Trafficking: A person who knowingly sells, recruits, harbors, transports, transfers, isolates, induces, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services commits human trafficking for involuntary servitude. Human trafficking of an adult for involuntary servitude is a class 3 felony. Human trafficking of a minor for involuntary servitude is a class 2 felony.

A person who knowingly sells, recruits, harbors, transports, transfers, isolates, induces, entices, provides, receives, or obtains by any means a person for the purpose of coercing the person to engage in commercial sexual activity commits human trafficking for sexual servitude. Human trafficking of an adult for sexual servitude is a class 3 felony. Human trafficking of a minor for sexual servitude is a class 2 felony.

Additional Charging Options Under Colorado Law

- Colorado Crime Control Act Violation
- Kidnapping
- Forgery
- Assault
- Theft
- Racketeering
- Pimping (§ 18-7-206 and § 18-7-405 C.R.S.)
- Pandering (§ 18-7-203 C.R.S.)
- Pandering of a Child (§ 18-7-403 C.R.S.)
- Procurement of a Child (§ 18-7-403.5 C.R.S.)
- Keeping a Place of Child Prostitution (§ 18-7-404 C.R.S.)
- Inducement of Child Prostitution (§ 18-7-405.5 C.R.S.)
- Soliciting for Child Prostitution (§ 18-7-402 C.R.S.)
- Contributing to the Delinquency of a Minor (§ 18-6-701 C.R.S.)
- Sexual Assault (§ 18-3-402 C.R.S.)

Also Useful

- Public Nuisance Seizure Provisions (§ 16-13-303 C.R.S.)

Recent Human Trafficking Legislation in Colorado

2017 Legislative Session

- [HB17-1040](#) - Interception of Human Trafficking Communications
- [HB17-1072](#) - Human Trafficking Sexual Servitude
- [HB17-1172](#) - Penalties for Child Sex Traffickers

2016 Legislative Session

- [HB16-1320](#) - The regulation of massage therapy to modify practices that are linked to criminal behavior
- [SB16-110](#) - Protecting the privacy of child victims when releasing criminal justice records
- [HB16-1033](#) - Concerning the Colorado Human Trafficking Council
- [HB16-1224](#) - Concerning child abuse involving Human Trafficking of minors

2015 Legislative Session

- [HB15-1019](#) - Prostitution by a minor and minor victims of human trafficking
- [SB15-30](#) - Removing culpability for prostitution for a victim of human trafficking