

HUMAN TRAFFICKING

Myths and Misconceptions



> **Human trafficking is synonymous with sex trafficking.**

Human trafficking happens in many different industries and does not have to involve any sexual activity at all. In Colorado, there have been cases of workers exploited for their labor in which there were no allegations of sexual contact.

> **Human trafficking is synonymous with human smuggling.**

Smuggling is a crime against a country's borders; human trafficking is a crime against a person. Each are distinct federal crimes in the United States. While smuggling requires illegal border crossing, human trafficking involves commercial sex acts or labor or services that are induced through force, fraud, or coercion, regardless of whether or not transportation occurs. In Colorado, there have been cases of individuals trafficked out of their own neighborhood, or even from their own home.

> **Victims of human trafficking are female identified.**

Just as the crime itself is varied, so are its victims. Men and women, children and adults, U.S. citizens and foreign nationals have all been documented as having experienced this form of exploitation. In 2017, Colorado Innocence Lost Task Force identified 112 juvenile victims of sex trafficking, 21 of whom were male and 3 were transgender.

> **Children and teens sometimes choose to enter into sex work.**

Just as a minor is legally unable to enter into a contract to open a bank account or buy a car, they cannot consent to any form of participation in the commercial sex industry.

> **Human trafficking only happens to foreign nationals and immigrants.**

The federal definition of human trafficking includes both U.S. citizens and foreign nationals. Both are protected under the federal trafficking statutes and have been since the TVPA of 2000. Human trafficking within the United States affects victims who are U.S. citizens, lawful permanent residents, visa holders, and undocumented workers. In Colorado we have identified victims from 42 countries, including the U.S. About 60% of identified survivors in Colorado are foreign nationals and 40% are from the U.S.

> **Human trafficking always involves the use of physical force.**

Trafficking does not require physical restraint, bodily harm, or physical force. Psychological means of control, such as threats, fraud, or coercive tactics such as abuse of the legal process or withholding of documents are sufficient elements of the crime.

> **Human trafficking is something that happens in cities/rural areas.**

Human trafficking is something that can happen to anybody, in any setting. Cases of human trafficking have been documented in diverse urban, rural, and suburban settings. Each situation is unique, and each setting has its own population of people who may be vulnerable to trafficking.

> **Human trafficking only occurs in “bad,” underground, or illegitimate industries.**

Trafficking can occur in legal and legitimate business settings as well as in underground markets. In Colorado, human trafficking has been reported in business markets such as restaurants, hotels, construction, landscaping, shepherding, and manufacturing plants, as well as underground markets such as commercial sex in residential brothels, forced panhandling, and street based commercial sex.

> **Human trafficking does not happen if the person consented to what they are doing.**

Initial consent to commercial sex or a labor setting prior to acts of force, fraud, or coercion (or if the victim is a minor in a sex trafficking situation) is not relevant to the crime, nor is payment.

> **People experiencing trafficking should just leave their situations.**

People in trafficking situations may have a variety of reasons why they do not simply leave these situations: they may not be aware of human trafficking; they might not feel like they have any avenues of exit; they may feel unsafe leaving or might feel they have nowhere else to go; they may feel they deserve their treatment. Traffickers will often use psychological and emotional means of coercion to trap victims, in addition to or in lieu of force.

> **Many of these relationships are simply business relationships.**

In some cases, there may be a resemblance. However, the freedom of movement and choice is a cornerstone of the United States. When a business partnership begins to infringe on an individual's freedoms and agency, then it is no longer a just partnership.

> **The living situations are better than where the person originally lived. Isn't it better than in their home country?**

This form of exploitation, no matter the location or relative living situations, is wrong and illegal. Taking away a person's agency and freedom is not something that should be dependent on the location of the exploitation.



LABORATORY TO COMBAT
HUMAN TRAFFICKING

The Laboratory to Combat Human Trafficking (LCHT) exists to inform social change that eliminates human exploitation. Since 2005, we have trained over 27,000 professionals and community members; conducted research projects to drive action and inform policy change; administered Colorado's statewide 24/7 human trafficking hotline; and developed over 130 future human rights leaders.