



HUMAN TRAFFICKING INTO AND WITHIN THE UNITED STATES: A REVIEW OF THE LITERATURE

1. INTRODUCTION

This paper presents a comprehensive review of current literature on human trafficking into and within the United States. This review of the literature is part of a larger study funded by the U.S. Department of Health and Human Services (HHS), Office of the Assistant Secretary for Planning and Evaluation, to examine how HHS programs are currently addressing the needs of victims of human trafficking, including domestic victims, with a priority focus on domestic youth. This study is also structured to identify barriers and promising practices for addressing the needs of victims of human trafficking, with a goal of informing current and future program design and improving services to this extremely vulnerable population.

While historically there have been inconsistencies and disagreements regarding the definition of human trafficking among politicians, practitioners, and scholars (Laczko & Gramegna, 2003; Richard, 1999), for the purpose of this literature review, the legal definition of human trafficking set forth in the Trafficking Victims Protection Act of 2000 (TVPA) will be used. In the TVPA, Congress defines severe forms of trafficking in persons as:

- a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- b) The recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery (8 U.S.C. § 1101).

To conduct a comprehensive review of the literature associated with the trafficking of foreign nationals *into* the United States and of U.S. citizens and legal permanent residents *within* the country,¹ we performed multiple searches of the literature using Google™ and EBSCOhost® search engines. In particular, within the EBSCOhost search engine, we searched the following databases: Academic Search Elite, PsycINFO, PsycARTICLES, ERIC, and PsycEXTRA.² Our initial searches featured a wide array of

¹ For the purposes of this literature review, the foreign nationals who are trafficked into the United States are referred to as international victims and the United States citizens and permanent residents trafficked within the United States are referred to as domestic victims.

² *Academic Search Elite* offers full text for more than 2,000 serials, including more than 1,500 peer-reviewed titles. This multidisciplinary database covers virtually every area of academic study. More than 100 journals have PDF images back to 1985. This database is updated daily via EBSCOhost.

PsycINFO, from the American Psychological Association (APA), contains nearly 2.3 million citations and summaries of scholarly journal articles, book chapters, books, and dissertations, all in psychology and related disciplines, dating as far back as the 1800s. Ninety-seven percent of the covered material is peer-reviewed. Journal coverage, which spans 1887 to the present, includes international material selected from more than 2,100 periodicals in more than 25 languages.

PsycARTICLES, from the APA, is a definitive source of full-text, peer-reviewed scholarly and scientific articles in psychology. The database contains more than 45,000 articles from 57 journals, 46 published by the APA and 11 from allied organizations. It includes all journal articles, letters to the editor, and errata from each journal. Coverage spans 1985 to the present.

ERIC, the Educational Resource Information Center, contains more than 2,200 digests along with references for additional information and citations and abstracts from more than 1,000 education and education-related journals.

PsycEXTRA, produced by the APA, is a bibliographic and full-text companion to the scholarly *PsycINFO* database. The document types include technical, annual, and government reports; conference papers; newsletters; magazines; newspapers; consumer brochures; and more. It contains more than 85,000 records with nearly a quarter million full-text pages.



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directly related terms, including: trafficking in persons, human trafficking, trafficking/youth/adult, international trafficking, domestic trafficking, sex trafficking, sexual exploitation, child prostitution, commercial sexual exploitation of children, forced labor, labor trafficking, labor exploitation, minor (persons younger than age 18) trafficking victims, debt bondage, domestic servitude, involuntary servitude, and modern day slavery. Most of the research, particularly research published in peer-reviewed journals, was limited to qualitative and quantitative studies of the scope of the problem (i.e., who is vulnerable to trafficking and the characteristics of those who are trafficked). Information on the needs of trafficking victims and the services provided to this population was limited to information contained in Federal reports, non-peer reviewed journals, manuals and fact sheets, Web sites for advocacy organizations and nongovernmental organizations (NGOs) working with trafficking victims, recently published books on trafficking, and personal communications with direct service providers and trafficking survivors. Given the state of the field, with the limited research that is available on this issue, personal communication was relied on for many portions of this review to supplement the available literature. Only first names are used in the citations, to protect the identity of the survivors interviewed for this study.

To collect more rigorous information on promising or effective practices or strategies for serving victims of human trafficking, we expanded our search to related disciplines and victim populations, including: prostitution,³ torture victims, refugees, asylum seekers, homeless/runaway/throwaway youth, juvenile justice system, adolescent substance abuse, child and adolescent mental health, trauma, co-occurring disorders, domestic violence and sexual assault, and child protective services. The search criteria were refined further by specifically seeking literature related exclusively to adults (women and men) and minors (girls and boys). This search revealed significantly more research-focused articles evaluating substance abuse, domestic violence, mental health, and trauma-related services for adults and youth in general. While not specific to human trafficking, information obtained from these latter searches provides important context about key service delivery systems needed by victims of human trafficking. It should be noted, however, that even with a broader search, very little information was available regarding the specific needs of and service response for victims of labor trafficking. This is a significant gap in the literature that is only recently being addressed through calls for research by Federal agencies focused on labor trafficking and, in particular, male victims of labor trafficking.

The results of this comprehensive review are organized by the following key questions:

- What is human trafficking?
- How prevalent is human trafficking into and within the United States?
- Who are the victims of human trafficking?
- What are the needs of victims of human trafficking?
- How are victims identified?
- What services are victims of human trafficking eligible to receive?
- What are the barriers to and challenges in accessing and providing services?
- What are promising practices for serving victims of human trafficking?

³ The term human trafficking is not used in many studies about the prostitution of minors. However, the prostitution of minors is, by statutory definition, a form of sex trafficking and prostituted minors are victims of trafficking. Thus the literature related to this problem is included in this review.



This review of the literature provides one of the first comprehensive syntheses of information available on human trafficking into and within the United States.

2. WHAT IS HUMAN TRAFFICKING?

The crime of human trafficking affects virtually every country in the world (Europol, 2005; Miko, 2000) and has been associated with transnational criminal organizations, small criminal networks and local gangs, violations of labor and immigration codes, and government corruption (Richard, 1999; U.S. Government Accountability Office, 2006). Historically, trafficking has been defined most often as the trade in women and children for prostitution or other immoral purposes (Europol, 2005). More recently trafficking has been defined to include other types of force, fraud, or coercion beyond sexual exploitation. It has been further clarified that victims do not need to be transported across international or other boundaries in order for trafficking to exist. In 2000, the international community developed and agreed to a definition for trafficking in persons that can be found in Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children:

Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs (Europol, 2005, p. 10).

At the same time, the U.S. Congress defined and classified human trafficking into two categories—sex trafficking and labor trafficking—in the TVPA. As stated previously, sex trafficking involves the recruitment, harboring, transportation, provision, *or* obtaining of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person forced to perform such an act is younger than age 18. A commercial sex act means any sex act on account of which anything of value is given to or received by any person. Types of sex trafficking include prostitution, pornography, stripping, live-sex shows, mail-order brides, military prostitution, and sex tourism. Labor trafficking is defined in the TVPA as the recruitment, harboring, transportation, provision, *or* obtaining of a person for labor services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Labor trafficking situations may arise in domestic servitude, restaurant work, janitorial work, sweatshop factory work, migrant agricultural work, construction, and peddling (8 U.S.C. § 1101).

Human trafficking is synonymous with trafficking in persons and has commonly been referred to as modern day slavery. Under the U.S. definition, transportation or physical movement of the victim does not necessarily need to be present in order for the crime to occur; instead, it is the presence of exploitation (force, fraud, or coercion) that indicates whether a trafficking crime has occurred. The TVPA and subsequent reauthorizations not only provide a standard legal definition of the crime of human trafficking but also offer a framework for current and future U.S. anti-trafficking efforts. It addresses the prevention of trafficking, protection and assistance for victims of trafficking, and prosecution and punishment of traffickers (U.S. Government Accountability Office, 2006). While most of the anti-trafficking efforts within the United States have historically focused on trafficking of foreign nationals into the country, the 2005 reauthorization of the TVPA highlighted the need to address the trafficking of U.S. citizens and permanent residents, in particular minor victims of sex trafficking or the prostitution of minors, within U.S. borders (22 U.S.C §7103).