Beat: Politics

Human Trafficking: A growing illegal enterprise

Human Trafficking in America

Florida - United States, 04.06.2013, 13:58 Time

USPA NEWS - On June 3, 2013 Governor Scott was in the news again for human trafficking and had this to say: 'While these figures demonstrate that we are improving efforts to protect Florida families, the reality is that even one violent crime is too many. By signing these bills into law, we are continuing...

Human trafficking is difficult to detect and prosecute because victims live in fear of their captors and of facing prosecution themselves. 'These offenders need to be brought to justice,' Manatee County Sheriff's Office Capt. Todd Shear said. 'This is certainly going to help us.'

The new laws -- House Bill 1325 and HB 1327 -- will allow for identified victims of human trafficking to petition to have their records expunged. The laws also increase the age required to testify in these cases. Currently victims 11 years old and up are required to testify in court. The new law increases the age to 16. According to Shear ' it was very difficult to move forward with victim testimony,' and 'victims of human trafficking just want to move on'

The state´s 2013-2014 budget included critical issues for the Department of Juvenile Justice´s budget priorities, including nearly $11 million for prevention and diversion services. 'Protecting the victims of this heinous crime is an initiative supported by all members of the Legislature and the Governor. The attention that is being given to this issue will not only help current victims, but also protect future victims by preventing this crime from growing' according to Representative Darryl Rouson.

'Now that the definition is broader it will increase the potential of cases' said Shear (In July 2012, the Florida definition of human trafficking was changed to mirror federal law.) 'If you are educated in the area of human trafficking, you would recognize it easier," Shear said. "On the surface it is not going to scream human trafficking. You will see people getting paid, the residence will look normal.'

Many people don't realize Florida is ranked third in destinations for this to occur, according to Corcuera. Education is key, she stressed, particularly among law enforcers who must identify victims of human trafficking. The Trafficking Victims Protection Act of 2000 (TVPA) defines a severe form of human trafficking as: 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. Coercion includes threats of physical or psychological harm to children and/or their families.

To effectively combat human trafficking, each of us needs to have a clear "lens" that helps us understand what human trafficking is. When this lens is clouded or biased by certain persistent misconceptions about the definition of trafficking, our ability to respond to the crime is reduced. It is important to learn how to identify and break down commonly-held myths and misconceptions regarding human trafficking and the type of trafficking networks that exist in the United States.

Myth 1: Under the federal definition, trafficked persons can only be foreign nationals or are only immigrants from other countries.

Reality: 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 encompasses both transnational trafficking that crosses borders and domestic or internal trafficking that occurs within a country. Statistics on the scope of trafficking in the U.S. are most thorough and accurate if they include both transnational and internal trafficking of U.S. citizens as well as foreign nationals.

Myth 2: Human trafficking is essentially a crime that must involve some form of travel, transportation, or movement across state or national borders.

Reality: The legal definition of trafficking, as defined under the federal trafficking statutes, does not require transportation. Although transportation may be involved as a control mechanism to keep victims in unfamiliar places, it is not a required element of the trafficking definition. Human trafficking is not synonymous with forced migration or smuggling. Instead, human trafficking is more

accurately characterized as exploitation, a form of involuntary servitude, or compelled service where an individual´s will is overborne through force, fraud, or coercion.

Myth 3: Human trafficking is another term for human smuggling.

Reality: There are many fundamental differences between the crimes of human trafficking and human smuggling. Both are entirely separate federal crimes in the United States. Most notably, smuggling is a crime against a country´s borders, whereas human trafficking is a crime against a person. Also, 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.

Myth 4: There must be elements of physical restraint, physical force, or physical bondage when identifying a human trafficking situation.

Reality: The legal definition of trafficking does not require physical restraint, bodily harm, or physical force. Psychological means of control, such as threats, fraud, or abuse of the legal process, are sufficient elements of the crime. Unlike the previous federal involuntary servitude statutes (U.S.C. 1584), the new federal crimes created by the Trafficking Victims Protection Act (TVPA) of 2000 were intended to address subtler forms of coercion and to broaden previous standards that only considered bodily harm.

It is important for definitions of human trafficking in the U.S. and around the world to include a wide spectrum of forms of coercion in order for the definition to encompass all the ways that traffickers control victims.

Myth 5: Victims of human trafficking will immediately ask for help or assistance and will self-identify as a victim of a crime.

Reality: Victims of human trafficking often do not immediately seek help or self-identify as victims of a crime due to a variety of factors...

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Article online:
https://www.uspa24.com/bericht-1063/human-trafficking-a-growing-illegal-enterprise.html

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