

## HUMAN TRAFFICKING ASSESSMENT FOR DOMESTIC VIOLENCE & SEXUAL ASSAULT PROGRAMS

*The following document contains questions that can be used to assess a client for potential signs that she/he has been a victim of human trafficking. The suggestions and indicators below are not exhaustive or cumulative in nature and each question taken alone may not indicate a potential trafficking situation. Assessment questions should be tailored to your program and client's specific needs.*

### HUMAN TRAFFICKING ASSESSMENT OVERVIEW

Victims of both labor and sex trafficking may reach out to Domestic Violence and Sexual Assault programs for services while in a trafficking situation or after exiting a situation. In order to assess whether a client is a potential victim of trafficking, it is important to understand the definition of human trafficking, as well as red flags and potential indicators of a human trafficking situation.

#### Definition of Human Trafficking from the Trafficking Victims Protection Act (TVPA):

- **Sex Trafficking:** the recruitment, harboring, transportation, providing, or obtaining of a person for a commercial sex act, in which a commercial sex act is induced by force, fraud, or coercion, OR in which the person induced to perform such an act has not yet attained 18 years of age.<sup>1</sup>
- **Labor Trafficking:** 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.<sup>2</sup>

### RED FLAGS & INDICATORS FOR HUMAN TRAFFICKING

Many of these signs may be common for victims of domestic violence and/or sexual assault, but may also indicate human trafficking.

#### General Trafficking Indicators

- Inconsistencies in their story regarding where they live, when they came to their current location and lack of knowledge about the city or state they are in.
- No access to personal documents or identification (ID, Visa, Passport, Birth Certificate, etc.).
- No access to a bank account or any other money.
- Not allowed to contact friends or family.
- Not allowed to leave their living or working situation unless monitored.
- Signs of physical and/or sexual abuse, physical restraint, confinement, malnourishment, or torture.
- Not allowed to speak for themselves – a 3<sup>rd</sup> party speaks or translates for the individual.

<sup>1</sup> 22 U.S.C. § 7102.

<sup>2</sup> Ibid.

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## Sex Trafficking Indicators in Domestic Violence and Sexual Assault Clients

Domestic and Sexual Violence programs may encounter clients who exhibit signs of forced commercial sex by an intimate partner, family member, employer and/or other controller. A victim may be an individual who:

- Has been forced by an intimate partner/family member/employer/other controller to provide sexual favors or commercial sex through online websites, escort services, street prostitution, informal arrangements, in home or external brothels, massage parlors or strip clubs.
- Indicates that they are involved in the commercial sex industry and have a controller (boyfriend, pimp, manager, or “daddy”) or mentions having to meet a nightly quota.
- Is under 18 years of age and engaging in commercial sex acts.
- Exhibits poor health and/or has multiple untreated sexually transmitted diseases/infections or related injuries.
- Has had to terminate one or more pregnancies over a short period of time. If pregnant, hesitates to answer who the father may be or seems unsure of who the father is.
- Exhibits signs of branding such as tattoos with the controller’s name and/or burn marks.

## Labor Trafficking Indicators in Domestic Violence and Sexual Assault Clients

Domestic and Sexual Violence programs may encounter clients who exhibit signs of forced labor by an employer, intimate partner, family member and/or other controller. A victim may be an individual who:

- Has been forced by an intimate partner/family member to work inside the home in a situation of domestic servitude or outside of the home without access to his/her earnings.
- Is not able to access earnings and is not allowed access to any family finances.
- Works excessively long hours outside of the home or within the home for little or no compensation.
- Works excessively long and/or unusual hours and is unpaid, paid very little or paid only through tips.
- Is not allowed to take breaks from domestic work and is not allowed to eat unless permitted by the controller.
- Owes a large and increasing debt to an employer/intimate partner/family member and is unable to pay it off.
- Has unexplained work injuries or signs of untreated illness or disease.
- Is monitored or confined by the employer/intimate partner/family member in the living and/or working location (boarded up or tinted windows, bars on windows, barbed wire, security cameras, etc.).

## ASSESSMENT QUESTIONS

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## General Trafficking Assessment Tips

As with any assessment of a victim of crime, there are some general points to be aware of when evaluating a client's needs. Listed below are general tips for conducting an assessment with a potential victim of trafficking.

- Keep in mind that many victims do not self-identify as “human trafficking victims” due to lack of knowledge about the crime itself and also power and control dynamics involved in trafficking situations.
- Be conscious of the language that you use when speaking with a potential victim of trafficking. Mirroring the language that the potential victim uses can be a helpful first step.
  - Example: If the potential victim refers to her controller as her boyfriend, referring to that person as a “pimp” or a “sex trafficker” may have a negative impact. Although these are terms that can be used for controllers in the commercial sex industry, the potential victim may not identify this person in this way.
- Be aware of power dynamics when a third party is accompanying or interpreting for the potential victim. Try to speak to the potential victim alone or secure an outside interpreter.
- Be aware that canned stories are common and that the true story may not emerge until trust has been built with the potential victim after multiple meetings.

## General Trafficking Assessment Questions

The following questions could be applicable to both situations of sex and labor trafficking.

- 1) Does someone control, supervise or monitor what you do?
- 2) How did you meet this person? How did you find out about this job?
- 3) Is your communication (calls, emails, conversations) ever restricted or monitored?
- 4) Do you have access to all your identification/personal documents?
- 5) Do you have access to any money/the money you earn? Does anyone take your money or a portion of your money?
- 6) What were your expectations of the situation? Has your experience matched your expectations or what you were promised?
- 7) What are your expectations of what would happen if you didn't do what this person asked of you?
- 8) What are your expectations of what would happen if you left this person/situation?

## Sex Trafficking Assessment Questions for Domestic Violence and Sexual Assault Clients

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Some victims of domestic violence and/or sexual assault may have also been forced to engage in commercial sex by an intimate partner, family member, employer or other controller. Below are sample questions to detect signs of sex trafficking:

- 1) Has your [intimate partner/ family member/employer or someone else] ever pressured you to do something you weren't comfortable doing?
- 2) Has this person ever pressured you to engage in any sexual acts against your will?
- 3) Has this person ever taken photos of you and what did they use them for? Were these photos ever texted to other people or posted on an online forum (Craigslist, Backpage, Myspace)?
- 4) Has this person ever asked you to engage in commercial sexual acts in order to "help the family/relationship"?
- 5) Has this person ever forced you to engage in sexual acts with friends or business associates for favors or money?
- 6) Has this person ever forced you to engage in commercial sex through online sites, escort services, street prostitution, strip clubs, truck stops, massage parlors or residential brothels?
- 7) Are you required to earn a certain amount of money/meet a quota for this person? What would happen if you do not meet this quota?
- 8) Have you ever been threatened or abused (physically, sexually, emotionally, etc.) by this person?
- 9) Have you ever witnessed anyone else being threatened or abused by this person?

### **Labor Trafficking Assessment Questions for Domestic Violence and Sexual Assault Clients**

Some victims of domestic violence and/or sexual assault may have also been forced to work by an employer, intimate partner or family member. Below are sample questions to detect signs of labor trafficking.

- 1) Has your [employer/intimate partner/family member/or someone else] ever forced you to work for excessive amounts of time?
- 2) Has this person ever sexually assaulted you and/or abused you in any way?
- 3) How many hours do you have to work for this person?
- 4) If an intimate partner or family member, how many hours do you have to work inside or outside of the home?
- 5) What happens if you work fewer hours or take breaks?
- 6) How much are you paid? How much are you able to keep for yourself?
- 7) Do you owe a debt to your employer/intimate partner/family member who forces you to work?
- 8) Do you have to meet a daily quota (especially for individuals forced to dance/strip or forced to engage in street peddling/begging)? What happens if you don't meet that quota?

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- 9) Have you ever been punished for not working or not completing domestic work? For example, have your meals been restricted?
- 10) Have you ever been threatened or abused if you indicated that you did not want to work?
- 11) Has your employer/intimate partner/family member ever forced you to engage in sexual acts against your will at any time they requested it? What did you think would happen if you refused to do this?

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