



Minnesota HUMAN TRAFFICKING TASK FORCE

MNHTTF Principal Positions

Human Trafficking

1. Human Trafficking is a public safety, public health, and human rights issue that occurs around the world and in communities throughout Minnesota. Human Trafficking includes both labor and sex trafficking, and international and domestic victims. The Minnesota Human Trafficking Task Force (MNHTTF) is working to address and prevent human trafficking in Minnesota through a coordinated, multidisciplinary, statewide response.
2. While intervention and services for victims of human trafficking are a priority, it is equally critical that strategies to prevent the harm in the first place be incorporated in our work. Prevention is an investment in ending sexual abuse, exploitation and trafficking. Prevention addresses the root causes of human trafficking and the environmental factors and conditions and societal norms that support and contribute to the perpetration and victimization inherent in human trafficking. Primary prevention promotes safe, healthy environments and behaviors and will significantly reduce/prevent the occurrence of abuse and exploitation.

Labor Trafficking

1. The MNHTTF recognizes the MN legal definition of labor trafficking and has identified additional considerations. It is important to have a firm understanding of the definition of labor trafficking at all levels of response to labor trafficking in Minnesota.

a. **Legal definition:** Minnesota law currently includes a statutory legal definition of labor trafficking in MN Stat. 609.281 which is distinct from federal law. To ensure clarity in the discussion and movement to end labor trafficking in Minnesota, we have found it critically important to have a full understanding of how labor trafficking is defined in Minnesota, specifically the ability to clearly and correctly identify what constitutes labor trafficking and similarities and differences in relation to federal and international law.

i. In Minnesota, an individual can be charged with labor trafficking if they recruit, transport, harbor, entice, provision, obtain or receive a person for the purpose of debt bondage, forced labor, slavery or removal of organs. As the law is written, individuals can be trafficked 'by any means' further acknowledging that consent or age are not factors in determining whether an individual was trafficked.

ii. Unlike the federal definition of labor trafficking, the elements of force, fraud, or coercion are not included in the Minnesota definition and are not required elements for prosecution of labor trafficking cases at the state level.

b. **Additional Considerations:** The MNHTTF recognizes that other forms of labor exploitation may not fall under the definition of labor trafficking under MN law but are still violations of human rights. Such forms of labor exploitation include but are not limited to: low wages, manipulation of Minnesota labor laws by employers to restrict employee benefits, requirement of long working hours, poor and dangerous working conditions without proper safety equipment or precautions, and withholding of wages for equipment or tools.

2. Labor trafficking is a human rights violation and victims have the right to protection *regardless* of their immigration status.
3. Labor trafficking victims include minors and adults: men and women, and transgender individuals.

4. Labor Trafficking can occur in formal sector such as schools and factories or in informal sectors such as in-home services; cleaning and caretaking called domestic servitude. United States citizens, legal permanent residents, temporary workers and undocumented migrants can be victims of labor trafficking.

5. Traffickers use a variety of means and tactics to control their victims, including physical and emotional assaults. Many of these tactics cannot visually be seen on a person such as a bruise or broken bone, rather coercive methods such as threats of harm, shaming, threats of deportation, degradation, economic abuse, and intimidation are effective, well-hidden and common tactics used in labor trafficking by employers.

6. To effectively reduce labor trafficking in Minnesota, employers must acknowledge the rights of their employees, workers must learn what their rights are, and employers must be held accountable for violations of state and federal labor laws.

Sex Trafficking

1. The MN HTTF recognizes the MN legal definition of sex trafficking and has identified additional considerations. It is important to have a firm understanding of the definitions of sex trafficking at all levels of response to sex trafficking in Minnesota

<p>a. Legal Definition: Minnesota law currently includes a statutory legal definition of sex trafficking (Minn. Stat. § 609.321, subd. 7a) that is distinct from the federal law. To ensure clarity in the discussion and movement to end sexual trafficking in Minnesota, we have found that it is critically important to have a full understating of how sex trafficking is defined in Minnesota, specifically the ability to clearly and correctly identify what constitutes sex trafficking and similarities and differences in relation to federal and international law.</p>
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<p>i. In Minnesota, sex trafficking is defined as the “receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of the individual; or by receiving profit or anything of value, knowing or having reason to know it is derived from [the sex trafficking of an individual].” (See: Minn. Stat. § 609.321, subd. 7a.)</p>

<p>ii. As the law is written, individuals can be trafficked ‘by any means’ further acknowledging that consent is not an issue in determining whether an individual was trafficked.</p>
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<p>iii. Unlike the federal definition, the elements of force, fraud, and coercion are not included in the Minnesota definition and are not required elements for prosecution of sex trafficking cases at the state level for any age of victim. These elements are not required for prosecution of sex trafficking cases at the state level.</p>
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<p>b. Additional Considerations: The MN HTTF also recognizes that other forms of prostitution and types of sexual exploitation may not fall under the definition of sex trafficking under the Minnesota law but may still be violations of human rights. Such forms of commercial sexual exploitation include but are not limited to: exotic dancing/stripping, escort services, prostitution, pornography, phone sex, survival sex, “sex work”, and any other form of trading sex.</p>
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2. Sex trafficking victims include children and adults.

3. Sex trafficking is a human rights violation and victims have the right to protection *regardless* of their immigration status.

4. While most victims are girls and women, anyone can be trafficked, including boys, men, and transgender individuals.

5. The MN HTTF recognizes the controversial issue of “choice” and the debate over the legalization of prostitution as a general misnomer adopted by much of society to further decriminalize individuals who purchase sex and dehumanize the people who are victimized by sex trafficking by viewing it as a “victimless crime”. Research informs us that the majority of women and children victimized by commercial sex are often victimized due to a lack of choices in their lives.

6. The members and member organizations of the MN HTTF operate under the belief that the way to combat trafficking is to hold traffickers and buyers accountable, as opposed to the legalization of prostitution. Prostitution/sex trafficking is modern day slavery. It is a human rights violation that causes great harm to its victims and is based on discrimination and subjugation of vulnerable individuals, primarily women and girls.

7. The MN HTTF believes that the best way to combat sex trafficking in Minnesota is to focus on traffickers and demand, as outlined above, as well as changing the conditions and environment that supports the sexual exploitation of others.

8. Sex trafficking and prostitution exist because of the demand. Demand is comprised of both a) men who buy women and girls for sex, and b) a culture that tolerates or promotes sexual exploitation. To effectively address sex trafficking in Minnesota, we must consider tougher penalties for pimps, traffickers, and the perpetrators who are driving the demand for commercial sex. We must also study the effect that commercial sex has on communities and the local economy to determine which businesses are profiting from it, including the marketing vehicles used by pimps and traffickers (e.g., backpage.com and other print and online marketing resources). The existence of businesses that profit from exploitation and the pornification of women and girls in the media and music, as well as sexism and racism all work together to create the demand for commercial sex. Communities, by way of tolerating this activity, actually contribute to continued exploitation.