

TRAFFICKING VS. SMUGGLING

Human Trafficking involves the use of force, fraud, or coercion to obtain some type of labor or commercial sex act, or in which the person performing the commercial sex act is under 18 years of age.

Human Smuggling is defined as the importation of people into the United States involving deliberate evasion of immigration laws. This offense includes bringing illegal aliens into the United States as well as the unlawful transportation and harboring of aliens already in the United States.

These are *not* interchangeable terms

Smuggling is transportation-based and is a crime against a border

Trafficking is exploitation-based and is a crime against a person

IDENTIFYING HUMAN TRAFFICKING – ASK YOURSELF:

- ☐ Is the victim in possession of their own identification and travel documents?
- ☐ Is the victim coached on what to say to community members, workers, law enforcement or immigration officials? Does someone else communicate for the victim?
- ☐ Is the victim recruited for one purpose but forced to engage in other work?
- ☐ Are the victim's wages being unlawfully garnished to pay off a debt or fee? (Paying off a smuggling fee alone is not considered trafficking.)
- ☐ Is the victim forced to perform commercial sex acts?
- ☐ Has the victim or their family been threatened with harm if they attempt to leave?
- ☐ Has the victim been threatened with deportation or criminal charges?
- ☐ Has the victim been harmed, deprived of food, water, sleep, medical care, or other life necessities?
- ☐ Is the victim free to contact friends or family without being coached or monitored?
- ☐ Is the victim under the age of 18 and engaged in commercial sex?
- ☐ Is the victim living in substandard housing?