

## Human Trafficking Presentation – UMPA, 2016

- I. Introduction – Human Trafficking in Utah
  - a. Human Trafficking is more common than most people think
    - i. 275 HT calls in Utah between 2007 – 2013
    - ii. 89,000 calls nationwide
    - iii. But not many cases filed
  - b. Traffickers prey on vulnerable populations
    - i. Traffickers use power and control dynamics similar to DV
    - ii. Compounded by the vulnerabilities inherent to the victim groups (immigrants, sex abuse victims, homeless youth, etc)
    - iii. Many victims stay silent
  - c. It's up to us to recognize signs of trafficking and bring these victims out of the dark
  
- II. Human Trafficking Statutes
  - a. **Utah Code 76-5-308 (Adult victims)**
    - i. An actor commits human trafficking for forced labor or forced sexual exploitation if the actor recruits, harbors, transports, obtains, patronizes, or solicits a person through the **use of force, fraud, or coercion** by means of:
      1. threatening serious harm to, or physical restraint against, that person or a third person;
      2. destroying, concealing, removing, confiscating, or possessing any passport, immigration document, or other government identification document;

3. abusing or threatening abuse of the law or legal process against the person or a third person;
4. threatening serious harm to, or physical restraint against, that person or a third person;
5. destroying, concealing, removing, confiscating, or possessing any passport, immigration document, or other government identification document;
6. abusing or threatening abuse of the law or legal process against the person or a third person;

**ii. Definitions**

**1. "Serious Harm" =**

- a. (Federal) any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

**iii. 2<sup>nd</sup> Degree Felony**

**b. 76-5-308.5 (Child Victim)**

- i. An Actor "Recruits, harbors, transports, patronizes, or solicits a child for sexual exploitation or forced labor"
- ii. NO force, fraud, or coercion required.
- iii. 3<sup>rd</sup> Degree Felony

### **III. Case Study: Charles Kelley**

- a. Defendant trafficked adult women to Utah for prostitution
- b. Motel owner noticed signs of trafficking, contacted police
- c. Police ran extensive surveillance, detailed traffic to and from room
- d. While operating a commercial sex operation at a local motel, Defendant approached a 15-year old girl and asked her if she wanted to “make some money”
- e. Adult women disappeared shortly after arrest
- f. Charged with trafficking based on “recruiting” 15-year-old.
  - i. Judge Parker agreed at prelim that this conduct constitutes trafficking
- g. Defendant plead guilty to Attempted Human Trafficking of a Child, a 1<sup>st</sup> Degree Felony

### **IV. How to Identify Signs of Trafficking in Your Cases**

- a. Ask the right questions!
  - i. Many of these women wouldn't immediately identify themselves as trafficking victims. VERY vulnerable people.
  - ii. “Who gets the money?”
  - iii. “Where are you from?” / “How did you get here?”
  - iv. “Do you want to be doing this?”
  - v. “Any threats, violence, etc?”
  - vi. “Are you working off a debt?”
  - vii. “Do you have your ID / Immigration documents?”
- b. Create an infrastructure for trafficking within your police departments / prosecutor's offices:
  - i. People who work prostitution cases need to know about trafficking
  - ii. Staff cases with experts on these issues

iii. Develop resources for HT victims (U-Visas, T-Visas)

iv. Target the **supply** and **demand** sides of these operations (pimps and johns)

c. Seek Help

i. UTIP Task Force

ii. AG Hotline: 801-200-3443

iii. Polaris Project: 888-373-7888

v. Thank you!