

A Primer for Recognizing and Supporting Utah Victims of Human Trafficking

As a member of the judicial system, you may encounter victims of human trafficking in the courtroom setting. Human trafficking is fueled by a demand for cheap labor, services, and commercial sex and is a modern day form of slavery involving the illegal trade of people for exploitation or commercial gain. Human traffickers employ force, fraud, inducement, or coercion to victimize others in order to profit. Trafficking victims are most commonly associated with prostitution cases, but elements of human trafficking may be present in theft, drug offenses, assault, health code violations, and dependency cases. As you represent, provide legal advice, or assist individuals or other vulnerable populations on legal matters, be aware that the case you are involved with, whether it be a criminal, civil, family, or juvenile case, may also include elements of human trafficking.

Tammie Garcia-Atkin, the Victim Witness Coordinator for the Utah Attorney General's Office reports that human trafficking is the fastest growing criminal enterprise right now in Utah because it is a low-risk, high-return enterprise. Human trafficking includes sex trafficking, domestic servitude, and agriculture trafficking. In 2014, the National Human Trafficking Resource Center (NHTRS), one of the most extensive data sets on the issue of human trafficking in the United States, fielded 121 calls from Utah and 138 calls in 2013. Ms. Garcia-Atkin believes the number of cases being seen in Utah is due to Salt Lake City being a crossroads to other areas where human trafficking is a bigger problem, such as Las Vegas.

Attorneys, judges, and court personnel may find themselves in a unique position of encountering human trafficking victims in the courtroom setting. Human trafficking victims are often found in plain sight, which is why attorneys are in a unique position to identify victims, report suspicions, involve the proper authorities, and connect victims with support services. Attorneys can use the following checklist in recognizing key indicators which may be manifested by human trafficking victims:

- Individual responds to questions as if they have been coached

- Individuals may be fearful and unable to speak freely

- Disconnection from family, friends, community organizations, houses of worship

- Just because the individual has a cell phone does not mean the individual is "free to leave"

- Individual has a history of being forced to perform sexual acts

- Signs of disorientation, confusion, or mental/physical abuse

- Signs of being fearful, timid, or submissive

- Signs of having been denied food, water, sleep, or medical care

- Signs of bruises in various stages of healing

The individual is living in unsuitable conditions, lack personal possessions, or appears to not have a stable living environment

The individual is in the company of or defers to a representative who seems to be in control of the situation

The individual does not have possession of personal identification documents

Someone who is not a lawyer appears to be concerned with the individual's legal rights

The individual does not have freedom of movement

A mindset of conflicting loyalties

There are many Utah non-profit organizations and resources for attorneys who may want to report their suspicions or seek assistance on suspected human trafficking cases:

The Refugee and Immigration Association (801) 467-6060

Family Justice Center (801) 236-3370

Utah Legal Services (801) 328-8891

UTP - Utah Trafficking in Persons Task Force (801) 200-3443

Your Community Connection (801) 392-7273

To speak confidentially about human trafficking with a non-governmental organization, attorneys may call the National Human Trafficking Resource Center (NHTRC) at (888) 373-7888.

To report suspected human trafficking to Utah law enforcement, call the confidential TIPLINE at (801) 200-3443

For attorneys interested in providing pro bono work or volunteer legal services relating to human trafficking, contact Alex McBean at Utah Legal Services at (801) 323-8891 or Amy Thurston at The Refugee and Immigration Association at (801) 467-6060.