Human Trafficking

Human trafficking is modern-day slavery and involves the use of force, fraud, or coercion to obtain some type of labor or commercial sex act.

Legal Definitions

Federal Law

Sex trafficking - The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102).

- **Commercial sex act** - Any sex act on account of which anything of value is given to or received by any person. (22 USC § 7102)
- **Coercion** - Threats of serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act that would result in serious harm to or physical restraint against any person; or the abuse of threatened abuse of the legal process. (22 USC § 7102)

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 purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery (22 USC § 7102).

- **Debt bondage** - The status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined (22 USC § 7102).
- **Involuntary servitude** – Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint (22 USC § 7102).

Learn more about federal anti-trafficking laws here.

Maryland Law

To knowingly:

- Take, cause another to be taken, place, cause to be placed, harbor, persuade, induce, entice, or encourage another to be taken to or placed in any place for prostitution;
- Receive consideration to procure for or place in a house of prostitution or elsewhere another with the intent of causing the other to engage in prostitution or assignation;
- Engage in a device, scheme, or continuing course of conduct intended to cause another to believe that if the other did not take part in a sexually explicit performance, the other or a third person would suffer physical restraint or serious physical harm; OR
- Destroy, conceal, remove, confiscate, or possess an actual or purported passport, immigration document, or government identification document of another while otherwise violating or attempting to violate this subsection. (Criminal Law § 11 – 303)

For the full Maryland sex trafficking law, please click here.
National Statistics

- In 2017, the FBI and the National Center for Missing & Exploited Children (NCMEC) located 84 children and arrested 120 traffickers in Operation Cross Country XI (OCC XI)—a nationwide effort targeting underage human trafficking.\(^1\)
  - OCC XI was part of the FBI’s Innocence Lost National Initiative, created in 2003, that has since resulted in over 6,500 child identifications and locations.
- NCMEC estimates that, in 2019, of the more than 23,500 endangered runaways reported to NCMEC, 1 in 6 of them were likely sex trafficking victims.\(^2\)
- Up to 40% of homeless youth identify as LGBT+, and are 3-7x more likely than their heterosexual peers to engage in survival sex: the act of trading sexual acts in order to meet basic survival needs.\(^3\)
- Over 64% of the active federal criminal cases against defendants charged with human trafficking in 2018 were sex trafficking cases involving minors.\(^4\)
- The National Congress of American Indians found in 2015 that, based on a survey of 4 sites, an estimated 40% of women involved in sex trafficking identify as American Indian, Alaska Native or First Nations, despite Native women representing 10% or less of the general population in the studied communities.\(^5\)
  - In 2013, Lisa Brunner of the National Indigenous Women’s Resource Center, summarized the problem to Congress as such:
    “Native women experience violent victimization at a higher rate than any other U.S. population. Congressional findings are that Native American and Alaska Native women are raped 34.1%, more than 1 in 3, will be raped in their lifetime, 64%, more than 6 in 10, will be physically assaulted. Native women are stalked more than twice the rate of other women. Native women are murdered at more than 10 times the national average. Non-Indians commit 88% of violent crimes against Native women. Given the above statistical data and the historical roots of violence against Native women, the level of human trafficking, given the sparse data collected, can only equate to the current epidemic levels we face within our tribal communities and Nations.”\(^6\)
- In Fiscal Year 2018, the National Human Trafficking Hotline received 116,940 contacts that led to the identification of over 10,000 potential human trafficking cases. During FY 2018, 526 traffickers were convicted of human trafficking crimes, a 5% increase from FY2017.\(^7\)
- The vast majority, about 87.7%, of criminal defendants in sex trafficking cases used the internet to solicit buyers of sexual services in 2018. Only 5.3% of the sex trafficking cases active in 2018 involved commercial sex marketed by traditional street-based means.\(^8\)

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8 “Maryland.” National Human Trafficking Hotline. Retrieved from https://humantraffickinghotline.org/state/Maryland
Human Trafficking in Maryland

Sex trafficking in Maryland occurs in a variety of locations, including rural and urban areas, and many of these venues operate in plain sight. Maryland’s central location makes it a prime destination as for human traffickers, as well as a pass-through state between major cities such as Washington D.C., Philadelphia, and New York. With heavy transportation along I-95, many truck and rest stops, and major airports, it is easy for sex traffickers to operate.

The National Human Trafficking Hotline (NHTH) received reports of approximately 187 human trafficking cases in the state of Maryland in 2019. Of these cases, 138 were incidents of human sex trafficking.9

Of the 171 federal human trafficking cases initiated in 2018, 10 were brought in the District of Maryland. This number is only surpassed by the Southern District of New York, which saw 11 new human trafficking cases in 2018.10

Human Trafficking Resources in Maryland

- To report a tip or receive services, contact the National Human Trafficking Hotline at 1-888-373-7888, or text HELP or INFO to 233-733.
- MCASA’s Sexual Assault Legal Institute (SALI) provides direct legal services for survivors of sex trafficking. For more information, contact SALI at 301-565-2277, or toll-free at 877-496-SALI.
- Rape Crisis & Recovery Centers offer multidisciplinary teams of professionals to support and respond to sexual violence. To find your local Rape Crisis Center, visit: https://mcasa.org/Survivors/Find-a-Rape-Crisis-Center.

MCASA’s Involvement

MCASA coordinates a statewide initiative with rape crisis centers across Maryland, referred to as the Coordinated Action Against Sex Trafficking (CAAST), to build statewide capacity to provide services to sex trafficking survivors. These rape crisis centers employ regional navigators to help manage cases and assist survivors in accessing resources.

Please visit MCASA’s Human Trafficking webpage for more information about human sex trafficking in Maryland: https://www.mcasa.org/Providers/Resources-on-Specific-Topics/Human-Sex-Trafficking.

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9 Ibid.