

**Proposed AFCARS 2015  
Trafficking Elements**  
45 CFR 1355.43(b)(18) – 1355.43(b)(19)

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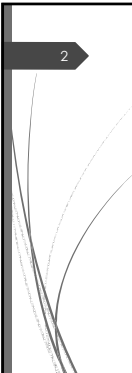
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2



**Victim of Sex Trafficking \*Prior\* to Entering  
Foster Care 43(b)(18)**

- **Yes/No**
  - If Yes, Reported to Law Enforcement?
- **Yes/No**
  - If Yes,
    - Date of report to Law Enforcement.

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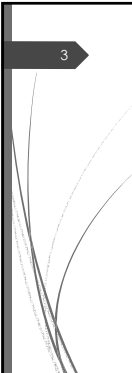
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**Victim of Sex Trafficking \*While in\*  
Foster Care 43(b)(19)**

- **Yes/No**
  - If Yes, Reported to Law Enforcement?
- **Yes/No**
  - If Yes,
    - Date of report to Law Enforcement.

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**Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183**

**Sex Trafficking is:**

- recruitment,
- harboring,
- transportation,
- provision, or
- obtaining

a person for the purpose of a *commercial\** sex act,  
 \*which involves giving or receiving anything of value.

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**Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183, Continued**

**Severe forms of sex trafficking** involve commercial sex acts induced by:

- force,
- fraud,
- coercion, or
- in which the person induced to perform the sex act is under 18

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**Minnesota Statutes on Sex Trafficking**

- M.S. 609.321 Prostitution and Sex Trafficking; Definitions
  - Persons under 18 decriminalized with Safe Harbor legislation (2013)
- M.S. 609.322 Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking
- M.S. 617.246 Use of Minors in Sexual Performance Prohibited
- M.S. 626.556 Reporting of Maltreatment of Minors
  - Sex trafficking is included in the definition of sexual abuse
  - Sexual abuse, including sex trafficking, is "substantial child endangerment"

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### Solicitation, Inducement and Promotion of Prostitution (M.S. 609.322)

- Sex trafficking law in Minnesota focuses on trafficker actions and includes anyone who has:
  - Received
  - Recruited
  - Enticed
  - Harbored
  - Provided or
  - Obtained

by any means, an individual to aid in prostitution.

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### Barriers to Reporting Sex Trafficking

- Shame, stigma
- Fear of trafficker (threats to life and safety)
- Fear of criminal prosecution
- Mental health issues, including PTSD
- Chemical abuse issues, including addiction used to control victim
- Health issues from stress and physical violence
- Uncertain if knowledgeable providers and effective services exist
- Nowhere to stay, cut off from family and friends
- No significant employment opportunities known

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### Sex Trafficking in Minnesota (Survey 2013)

- **Providers Serving:**

79 Adult females	80 Juvenile females
5 Adult males	11 Juvenile males
- **Law Enforcement Investigations:**
  - 25 Sex trafficking investigations
  - 3 Labor trafficking investigations
- **Victims from:**
  - Minnesota – both urban and rural areas
  - United States – many states, including the Midwest
  - Global – Asia, Africa, Europe, North, Central and South America
- **Exploited mostly through:**
  - Sex trafficking: Forced prostitution or pornography
  - Labor trafficking sectors: restaurant, hotel, domestic and agriculture

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### Resources

- [Human Trafficking in Minnesota. A Report to the Minnesota Legislature.](#) Prepared by Minnesota Office of Justice Programs, Minnesota Statistical Analysis Center, September 2014.
- [Human Trafficking in Minnesota. A Report to the Minnesota Legislature](#)
- [The Facts: Sex Trafficking.](#) The Advocates for Human Rights, 2009.
- [The Facts: Sex Trafficking](#)
- DHS Child Safety & Permanency Division, Adolescent Services Section:  
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