



## What is Human Trafficking and Exploitation?

Human trafficking is a public health, public safety, human rights, and human services issue. It can take the form of sex or labor trafficking (or sometimes both), affects all ages and is often accompanied by other forms of exploitation and abuse.

Commercial sexual exploitation occurs when someone exchanges sex for anything of value or a promise of something of value such as money, drugs, food, shelter, rent, or higher status in a gang or group. Another person may or may not be involved in arranging this exchange.

### Minnesota Law

Under Minnesota law, sex trafficking is commercial sexual exploitation involving the prostitution<sup>1</sup> of an individual in which a **third** person (not the buyer or victim) – facilitates or profits.

Under Minnesota law, labor trafficking includes debt bondage or forced labor or services and is not limited to undocumented immigrant victims; many American citizens and immigrants with documentation are trafficked as well. Debt bondage means someone is under another's control and the debt cannot be paid in a reasonable amount of work due to fraudulent practices by the trafficker. Forced labor includes physical harm or restraint, abuse or threatened abuse of the legal process, withholding of identification documents, and use of blackmail.

### Federal Law

Federal law also defines sex and labor trafficking, but the definitions are different from state law. For adults, trafficking requires the use of force, fraud, or coercion to compel a victim to work or perform commercial sexual services. Minor victims of sex trafficking are not required to show the use of force, fraud, or coercion. Sources may not all use the same definition, which can impact how cases are handled and how victims are affected.

Labor exploitation involves the violation of laws on how workers are treated, including how much and when they are paid, health and safety in the workplace, and when and how children under 18 can work. Federal, state, and city laws all establish standards for wages, hours, breaks, and other workplace issues.

### Minnesota's Response

Minnesota's statewide response to human trafficking includes the Minnesota Department of Health, Minnesota Department of Human Services, and the Minnesota Department of Public Safety working in partnership with tribal nations and community-based service providers.

Safe Harbor in Minnesota is a statewide multi-agency initiative designed to meet the needs of sex trafficked and exploited or at-risk youth using a public health, public safety, human services, and human rights approach. Youth under the age of 18 who are sexually exploited are treated as victims, not juvenile delinquents. Supportive services as well as housing and shelter are available through age 24. Safe Harbor includes a child welfare response, training and technical assistance across disciplines, outreach initiatives, protocol development, and program evaluation.

<sup>1</sup> Prostitution is a stigmatizing word. Although used in the language of the law, it is considered best practice to use other terms that reflect the exploitation and violence experienced by individuals in these situations. More information on what terms to use and why can be found in the language section of this document.

## Seek Out Credible Data

Many common statistics associated with human trafficking are misleading. When using statistics, check the reliability of source, the research methodology, and the age of the data. In addition, talk to leaders in the field of human trafficking to find out how they perceive the information. Data can be limited because victim/survivors may not report due to fear of retaliation or shame and may not be identified. The Minnesota Department of Health Safe Harbor program can provide Minnesota-specific data and referrals to credible research sources in the state and nationally. These include Safe Harbor evaluation and research reports available at the [Minnesota Department of Health \(https://www.health.state.mn.us\)](https://www.health.state.mn.us) as well as statewide human trafficking reports from the [Department of Public Safety Office of Justice Programs Statistical Analysis Center \(https://dps.mn.gov\)](https://dps.mn.gov). For national information, visit the [Polaris Project \(http://www.polarisproject.org\)](http://www.polarisproject.org) and the [Office on Trafficking in Persons \(https://www.acf.hhs.gov/otip\)](https://www.acf.hhs.gov/otip).

## Know Who the Victim/Survivors Are

Trafficking and exploitation take many forms and impact persons from all backgrounds in urban, suburban, and rural settings. Victim/survivors are of all genders, races, ages, economic status, sexual orientation, and nationality. They can be American citizens or from other countries. Some circumstances, however, create particular vulnerability to traffickers and exploiters. These include economic insecurity, lack of opportunity, racism, homophobia and transphobia, historical trauma, civil unrest, immigration, national disasters, and much more. The United States' history of colonialism and displacement, for example, has created disparate impacts on American Indian populations; so too, the legacy of chattel slavery in the United States impacts African Americans.

In terms of labor trafficking and exploitation, the most common industries nationally where victim/survivors have been found are domestic work, agriculture, traveling sales, and restaurants. Minnesota has also seen cases in the construction industry. Victim/survivors of sex trafficking and exploitation are most commonly found in prostitution, online sites, pornography, strip clubs, or massage parlors. These are only some examples of where victims/survivors are indentified. This is not meant to be an exhaustive list.

## Avoid Sensationalism<sup>i</sup>

Stories about human trafficking and exploitation are often accompanied by shocking headlines and sensational imagery, particularly when the subject is sex. Avoid tabloid-style descriptions. Stock photos show victims in chains, bound, beaten, or tattooed with bar codes. These images tend to dehumanize, objectify, and sexualize persons in dealing with ongoing effects of trauma or still in traumatic situations. They also create misconceptions that trafficking only occurs when someone is in such conditions, when many victim/survivors are not physically restrained or harmed, but are controlled in other ways. In addition, images often show white victim/survivors while exploiters are depicted as persons of color. Stock photos and innacruate headlines do not portray what trafficking and exploitation most commonly look like. This does a disservice to public education about the issue and deters victims from reporting if their personal experiences do not match the extreme imagery. Better choices include images of hope and resilience. For additional information see the section about practicing responsible photojournalism.

## Talk to Those in the Know

Many people can provide helpful information to promote accurate information and avoid sensationalism. They include victim/survivors themselves as well as supportive services agencies, members of law enforcement and prosecutors, researchers, and policymakers. Keep a list of trusted sources. Service organizations can also be helpful in supporting victim/survivors if they share their stories with the media. The MDH Safe Harbor program can provide background and connections to contacts in Minnesota as well as nationally.

## Use Accurate Terminology<sup>ii</sup>

Note that individuals identify themselves as victims or survivors or victim/survivors. In general, “victim” is a term used in criminal cases. “Survivor” acknowledges the lived experience of someone who has endured trafficking or exploitation. Sometimes people prefer to say they have “lived experience” but do not use the term “victim” or “survivor.” And in some cases you will see references to a “victim/survivor,” especially by supportive service providers, as well as throughout this document. When possible, ask the individual how they prefer to describe themselves.

Do not use	Use	Why?
Child prostitute	Commercially sexually exploited minor (or child or youth)	In Minnesota, a minor under the age of 18 cannot consent to engage in prostitution. Under state law a minor is a victim of commercial sexual exploitation when something of value is traded for sex.
Underage prostitute	Commercial sexual exploitation of minors (or children or youth)	
Teenage prostitute	Minor, child, or youth	Note that the Associated Press recommended that writers avoid using this terminology in 2016. Never use the term “sex worker” to describe a minor as it implies consent.
Child prostitution		
Child sex worker		
Underage woman or man		

## Use Accurate Terminology Continued...

Do not use	Use	Why?
<p>Prostitute</p>	<p>Prostituted individual or person</p> <p>Sex worker, if preferred</p> <p>The victim/survivor was forced or coerced into prostitution</p>	<p>“Prostitute” is a complex term that conveys criminality to a reader. It conflates an individual’s identity with a crime.</p> <p>When interviewing a person with lived experience, always ask about how they prefer to describe themselves.</p> <p>Note that some people do choose to use “prostitute” or “sex worker” to describe their experience. If this is the case, be sure to quote the speaker or explain that it is a term used by the speaker.</p>
<p>The language of consensual sex when it cannot be consensual</p>	<p>Use language specific to the crime committed. For example, a minor cannot consent to sex at age 15 and therefore cannot “have sex” or “perform sexual acts” with an adult.</p> <p>The minor is a victim of criminal sexual conduct. Alternative language to criminal sexual conduct is sexual assault or criminal sexual acts.</p>	<p>Using terms and language that suggests a minor can consent to sex or sex acts with an adult when the minor cannot consent due to age implies that minors are not victims.</p> <p>Because of their age, minors are victims, even if they say they had a choice. The crime should be made clear with the language used.</p>
<p>Alleged</p>	<p>Reported</p> <p>Alternatively, use the terms “police say” or “prosecutors say.”</p>	<p>The term “alleged” is not as neutral a term as “reported” because it suggests skepticism of a victim/survivor’s experience.</p> <p>Using “say” is another way to avoid this issue by stating who is handling the report. Overall, consider whether the language choice presents an opinion about the victim’s credibility. If it does, use a different word.</p>

## Use Accurate Terminology Continued...

Do not use	Use	Why?
<p>Rescue</p> <p>Save</p>	<p>Use language that describes long-term progression such as “connected with services” or “healing process.”</p> <p>Note that law enforcement sometimes use the terms “recovery” or “freed” when locating victims from a scene, which may be appropriate in that context.</p> <p>Terminology may also depend on whether someone was abducted or held against their will.</p>	<p>There is not a single act of recovery or rescue in most human trafficking cases.</p> <p>Victims may not wish to be “rescued” and there may be reasons why it is not safe for them to leave.</p> <p>Using simple terms like “saved” and “rescue” makes it seem as though there is a simple solution, involving only one event — the rescue. Leaving a human trafficking situation can be very complicated and dangerous for the victim; a “rescue” is not an accurate way to describe the process.</p> <p>Further, many victim/survivors play an active role in leaving trafficking and exploitations. Use language that supports their empowerment.</p> <p>Leaving the situation is only the first step toward a long-term recovery process, which may include the victim returning to the situation several times before leaving altogether.</p> <p>Victims need access to supports and services to help them regain control over their lives.</p>
<p>Slavery</p> <p>Modern day slavery</p> <p>Sex slaves</p>	<p>Human trafficking</p> <p>Sex trafficking</p> <p>Sex exploitation</p> <p>Labor trafficking</p> <p>Labor exploitation</p> <p>Victims/survivors of sex trafficking or exploitation</p>	<p>“Slavery” is a term related to institutionalized or systemized oppression.</p> <p>In the United States chattel slavery particularly impacted African Americans.</p> <p>Slavery and trafficking are two different experiences with similarities and should not be conflated.</p> <p>As with “prostitute” above, however, if the speaker uses this term, present it with quotes or indicate in some other way that it is the speaker’s term.</p>

## Use Accurate Terminology Continued...

Do not use	Use	Why?
Pimp	Trafficker Exploiter Abuser	<p>“Pimp” minimizes the seriousness of the harm because it is a common popular culture term. It also perpetuates stereotypes when applied to specific racial and ethnic groups.</p> <p>Again, if the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p>
John Trick	Buyer Purchaser	<p>Like “Pimp,” the term “John” also minimizes the seriousness of the harm because it a popular culture term.</p> <p>“Trick” makes the exploitation sound like a game while stigmatizing the victim/survivor. It masks the exploitation and violence. Additionally, it implies the buyer is the one being taken advantage of instead of the victim/survivor.</p> <p>Again, if the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p> <p>Be aware that there are instances in which the law could be accurately applied to say that a buyer is committing sexual assault or sexual abuse, especially when there is a child involved.</p>
Predator Prey	Defendant Offender Trafficker Exploiter Buyer Victim, Survivor Predatory acts or tactics	<p>Traffickers, exploiters, and buyers come from all walks of life. Vivid labels like predator leads people to believe that only certain people are capable of such acts.</p> <p>Instead, describe their actions, which may be “predatory.”</p> <p>Describing a victim/survivor as “prey” is dehumanizing.</p> <p>If the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p>

Do not use	Use	Why?
Sex ring	Organized sexual exploitation	<p>“Sex ring” is another vivid term but is also vague out of context and does not necessarily describe who is involved or what is occurring (e.g. strangers, family members).</p> <p>If using this term, provide more explanation or use some of the other terms provided when appropriate.</p> <p>If the speaker uses this term present it with quotes or indicate in some other way that it is the speaker’s term.</p>
	Organized sex trafficking	
	Organized sexual abuse	
	Conspiracy	

## Take Care When Telling Survivor Stories<sup>iii</sup>

There are several considerations when interviewing a victim/survivor, including ability to consent, age, vulnerability, safety concerns, and requests for anonymity. Avoid revictimization by ensuring that the victim/survivor is empowered, not shamed, by sharing their story. Start off by talking about the story being available to the public, so the survivor is aware of what to expect.

When first connecting with a victim/survivor, outline the purpose of the story, provide an idea of the questions that will be asked, find out where the victim/survivor is most comfortable being interviewed, and generally allow the victim/survivor to make the rules. Allow the victim/survivor to have a support person if they wish and provide breaks. Offer professional interpretation services for those with limited English. Sometimes the interview may need to take place in more than one session. Be calm and empathetic, ask open-ended questions, avoid blaming language, and don’t push for salacious details.

Note also that trafficking victim/survivors may not tell consistent stories, follow linear timelines, or present as traditionally “credible.” These are the effects of trauma and are not an indication that their story is untrue.

Remember the victim/survivor only represents themselves and not all victim/survivors; do not generalize. Let the victim/survivor know when the story will come out; if you’re not sure, follow up with a date so they can prepare. Be sure to check with the victim/survivor if you have any questions about what they told you.

Let the victim/survivor know:

- They can provide feedback to you as well as corrections.
- That you will follow up after the story to see how the victim/survivor is doing.
- About possible outcomes of the story.
  - If the story doesn’t work out, it is not the victim/survivors fault.
  - If it is published, it may attract negative attention and the victim/survivor should be prepared.
  - Encourage them to seek support services.

If you are reporting on a human trafficking or exploitation case through police reports, court records, or other media, follow best practices for maintaining victim/survivor name privacy and avoid using details that could reveal a victim/survivor’s identity. Note that sometimes revealing (and possibly harmful) detail can show up in the comments section, so do not include this option with a story.

## Practice Responsible Photojournalism<sup>iv</sup>

Do not perpetuate sensationalism through photojournalism. If photographing or filming a victim/survivor ask what they would prefer the world to see – it may be a more hopeful image. Follow these guidelines:

- Do not post a victim/survivor’s image from social media or other platforms without their permission.
- Respect the victim/survivor’s wishes if they do not wish to have their face shown or their voice heard.
- Be aware that showing a victim/survivor’s tattoos may be risky, especially if they represent gang affiliation.
- Be mindful of whether the location of a photo or video shoot is identifiable.
- Offer to use non-identifiable photos (i.e. of victim/survivors hand, not face).
- Do not use old images of survivors without their consent, even if survivor consented to use the photo in a previous story. Check with the survivor to see if they have a photo they would prefer to use.
- Go over potential safety concerns with the victim/survivor before taking photos.
- Do not surprise the victim/survivor by doing something they do not expect – be true to your word.

## Remember Prevention

Human trafficking and exploitation can be prevented. Think about how media stories can better educate the public about the signs and risks factors of human trafficking. Think about the big picture, and consider how stories about racism, sexual orientation and gender identity, food insecurity, homelessness, joblessness, lack of access to health care, geographic isolation, sexual violence, domestic abuse, disability, immigration, and sexual health education connect to human trafficking and exploitation. Complex issues are impacted by a host of societal influences. For more information on human trafficking, see the Human Trafficking and Exploitation Information Guide.

## Provide Resources

When reporting on human trafficking give resources for help. Visit [MDH Safe Harbor website \(https://www.health.state.mn.us/communities/safeharbor\)](https://www.health.state.mn.us/communities/safeharbor) for information about Safe Harbor grantees throughout the state, including several tribal nations. Visit the [Minnesota Youth Services Network \(https://ysnmn.org\)](https://ysnmn.org) for information and contacts for specific services. They also have an app. Information is also available 24/7 through the Day One Crisis Hotline at 866-223-1111. In addition, the Bureau of Criminal Apprehension in the Minnesota Department of Public Safety has a task force number that can be reached 24/7 at 651-793-7000. The National Human Trafficking Resource Center at 888-373-7888 also provides connections to Minnesota resources, however MDH recommends prioritizing local resources to assist survivors in finding support more directly.

<sup>i</sup> See University of North Carolina School of Media and Journalism, [The Irina Project \(http://www.theirinaproject.org/using-images-when-reporting-on-human-trafficking.html\)](http://www.theirinaproject.org/using-images-when-reporting-on-human-trafficking.html).

<sup>ii</sup> See Maine Coalition Against Sexual Assault, [2015 Sex Trafficking & Exploitation Media Guide \(https://www.mecasa.org/for-media.html\)](https://www.mecasa.org/for-media.html); Minnesota Coalition Against Sexual Assault, [Reporting on Sexual Violence: A Guide for Journalists \(https://www.mncasa.org/media-resources/\)](https://www.mncasa.org/media-resources/).

<sup>iii</sup> See Ethical Journalism Network, Media and Trafficking in Human Beings Guidelines (<https://ethicaljournalismnetwork.org/resources/publications/media-trafficking-guidelines/good-practice/interviewing-guidelines>).

<sup>iv</sup> See The Irina Project, supra note i.

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