



# HUMAN TRAFFICKING

IN THE STATE OF NORTH DAKOTA

2018 REPORT

Attorney General's Human Trafficking Commission  
North Dakota Office of Attorney General

# TABLE OF CONTENTS

OVERVIEW.....	2
TRAFFICKING IN NORTH DAKOTA .....	4
CONCLUSIONS .....	8

# OVERVIEW

## HUMAN TRAFFICKING AFFECTS INDIVIDUALS ACROSS THE WORLD.

Human trafficking is a crime involving the exploitation of someone for the purposes of compelled labor or a commercial sex act through the use of force, fraud, or coercion. Human trafficking affects individuals across the world, including here in the United States, and is commonly regarded as one of the most pressing human rights issues of our time. Human trafficking affects every community in the United States across age, gender, ethnicity, and socio-economic backgrounds.

As defined under North Dakota and U.S. law, victims of human trafficking can be divided into three populations:

- Children under age 18 induced into commercial sex.
- Adults aged 18 or over induced into commercial sex through force, fraud, or coercion.
- Children and adults induced to perform labor or services through force, fraud, or coercion.

### FORMS OF TRAFFICKING

**Sex trafficking** is 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).

**Labor trafficking** is 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).

### *Exploitation vs. Trafficking*

Commercial sexual exploitation is the exchange of a sex act for money, shelter, drugs, or anything of value, between two parties. Labor exploitation is the act of treating workers or employees unfairly for one's own financial benefit. This includes survival sex, stripping, sextortion, pornography, and numerous fields of work.

- A youth runs away from home or is kicked out of their home, and someone offers them a "safe" place to stay in exchange for a sexual act. *That is survival sex.*
- An individual works in dangerous conditions, or for unfair wages, for a business in exchange for shelter, which may be shared with other individuals.

- A youth is coerced into sending a nude photo to someone via social media and that person blackmails the youth, forcing them to provide additional photos. *This is sextortion.*

Trafficking is exploitation involving force, fraud or coercion, or is facilitating the exploitation of a minor victim. A party acts as a trafficker, using force, fraud or coercion to procure sex or labor acts for themselves, or a purchaser. The party profiting from the act is the trafficker.

- A teen's boy/girlfriend coerces them to have sex with their friends in exchange for money, drugs, a new cell phone, clothing, etc. *That boy/girlfriend is their trafficker.*
- An employer forces an employee to work long hours for little/no pay, withholds payment, falsely claims that the employee owes money to the employer, and physically abuses and threatens the life of the employee, telling them that if they leave or report the exploitation, their family will be harmed. *This is a form of labor trafficking.*

### Why Trafficking Exists

Human trafficking is a market-driven criminal industry that is based on the principles of supply and demand, like drugs or arms trafficking. Many factors make children and adults vulnerable to human trafficking. Human trafficking exists because many people are vulnerable to exploitation, and there simultaneously exists a demand for cheap labor, services, and for commercial sex. Human traffickers are those who employ force, fraud, or coercion to victimize others in their desire to profit from the existing demand. Ultimately, to solve the problem of human trafficking, it is essential to address these demand-driven factors, as well as to alter the overall market incentives of high-profit and low-risk that traffickers currently exploit.

# TRAFFICKING IN NORTH DAKOTA

In response to the presence of human trafficking in North Dakota, a Human Trafficking Commission was created by the 64th Legislative Assembly and established within the Office of Attorney General. N.D.C.C. § 54-12-33. The Commission originally was charged with developing a coordinated and comprehensive plan to provide victims with services; collecting and evaluating data on human trafficking in this state and submitting an annual report to the attorney general, governor, and legislature; promoting public awareness about human trafficking, victim remedies and services, and trafficking prevention; creating a public-awareness sign that contains the national human trafficking resource center hotline information, and any state or local hotlines that the coalition deems appropriate; coordinating training on human trafficking prevention and victim services for state and local employees who may have recurring contact with victims or perpetrators; and coordinating training on human trafficking investigation and prosecution with the North Dakota state's attorney's association, the North Dakota peace officers standards and training board, and state and local law enforcement agencies.

During the 65th ND Legislative Assembly, the authority and duties of the Commission were narrowed in order to focus on the collection and evaluation of data and to promote public awareness on human trafficking and victim services.

## COMMISSION MEMBERS

The Commission members are appointed by the Attorney General. Membership includes representatives from local, state and federal law enforcement agencies, victim service providers, county attorneys, district judges, state agencies, the faith community and the legislature.

## COMMISSION ACTIVITIES

### *Human Trafficking – Victim Treatment and Support Services Funding*

The 65th Legislative Assembly approved an appropriated \$125,000 to provide funding for treatment and support services for victims of human trafficking. The Attorney General made an additional \$700,000 available for victim services through oil impact grant funding. The appropriated funds were awarded through an open, competitive process to organizations that demonstrated involvement in providing prevention and treatment services related to human trafficking victims, in coordination with state and local governments.

Members of the Attorney General's HT Commission Grants Committee and Drug & Violent Crime Policy Board awarded funds to support a statewide network of service providers including Youthworks (statewide), the Domestic Violence and Rape Crisis Center (Dickinson), the Abused Adult Resource Center (Bismarck), the Rape and Abuse Crisis Center (Fargo), YWCA (Fargo), the Community Violence Intervention Center (Grand Forks), and CAWS North Dakota (statewide).

State funding has been instrumental in building the direct services network that is able to support survivors of trafficking in any corner of North Dakota. The state funding has also enabled agencies to compete for and receive federal funding by constituting “matching” funds required by the federal grants.

The grant award period commenced on September 1, 2017 and continues through June 30, 2019. Additional information on the grantees can be found at: <https://attorneygeneral.nd.gov/criminal-justice-resources/grants>

## DEMAND REDUCTION PROGRAM

The Human Trafficking Commission’s Demand Reduction Committee worked with the University of Mary to create a comprehensive intermediate sentencing, diversion, and education option for offenders charged with or convicted of solicitation. The program was rolled out in July 2017. The course educates participants about the connection between prostitution and trafficking, and the harms caused by their decisions. The educational courses are provided quarterly, and can be held in the following communities, as needs dictate: Fargo, Bismarck, Grand Forks, Watford City, or Minot. Since the inception of the program, six offenders have completed the program. Attendees ranged in age from 27-52 years old.

To increase awareness about the program amongst judges, attorneys, and law enforcement officers, the Demand Reduction Program Coordinator conducts outreach and education to individuals around the state, reaching over 1,200 people in 2018. As a result, there has been an increase in referrals to the program by sentencing Judges.

## NORTH DAKOTA HUMAN TRAFFICKING TASK FORCE

Since 2015, the Attorney General and the Human Trafficking Commission have been working closely with the North Dakota Human Trafficking Task Force (NDHTTF) to build a coordinated response to human trafficking in the state. The NDHTTF was founded in late 2015 by the North Dakota Bureau of Criminal Investigation (BCI), CAWS North Dakota, and the U.S. Attorney’s Office in North Dakota. The NDHTTF is a statewide, multidisciplinary collaboration of law enforcement, service providers, and prosecutors, established to work in a victim-centered manner to prevent, detect, disrupt, and dismantle human trafficking through coordinated, comprehensive services and efficient investigation and prosecution.

The NDHTTF supports dozens of organizations and agencies across North Dakota, providing funding support, training and technical assistance, community coordination and data collection. In addition, the five subcommittees of the Task Force – Law Enforcement, Legal, Tribal Engagement, Labor Trafficking, and Victim Services – help drive progress in developing best practices, solving common problems, and facilitating cooperation amongst providers across the state.

The core of the NDHTTF model involves three components: 1) multi-disciplinary teams across the state (*currently meeting in 9 communities*); 2) a task force director, navigators and lead law enforcement agents coordinating the activities of the task force; and 3) service provision by partner agencies – local law enforcement and victim services providers. As a result of work done by the task force, North Dakota has witnessed an increase in identification and recovery of victims, enhanced coordination between law enforcement and victim service providers, and prosecution of successful cases.

## North Dakota By The Numbers

Since its inception in 2015, the NDHTTF has trained communities to identify signs of trafficking, provided response and advocacy for victims, and investigated and prosecuted crimes related to trafficking.

In 2018, the NDHTTF:

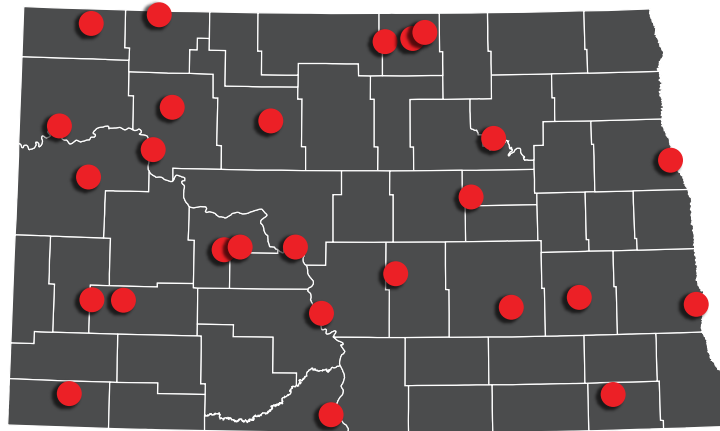
- Served 110 victims of human trafficking, 86 whom are North Dakotans (88 adults, 22 children)
- Trained 3,781 professionals on human trafficking identification

Since the inception of the task force, the NDHTTF:

- Served 322 victims of human trafficking (251 adults, 71 children)
- Trained 8,927 professionals on human trafficking identification, service provision, and investigation
- Investigated 55 cases of human sex trafficking, 10 cases of labor trafficking, and 5 cases involving both sex and labor trafficking
- Fifty-seven (57) arrests of perpetrators were made

*\* Data reporting is from January 1st, 2016 through December 31st, 2018. \*Source: PMT Database. Note that this data is reflective of, and limited to cases worked directly by NDHTTF Operational Team, including two federal HSI agents and two state ND BCI agents. Data is reflective of services provided by five sub-grantees including Youthworks, YWCA, Red River Children's Advocacy Center, Rape and Abuse Crisis Center, and Domestic Violence Crisis Center.*

### 2018 Human Trafficking Locations in North Dakota



There are more people affected by commercial sexual exploitation in North Dakota than current data reflects. Services are frequently refused by people who law enforcement or service providers clearly believe are trafficked. In those cases, service providers and law enforcement can do little more than provide the suspected victims with the contact information of advocates and inform them that services are available for them should they choose to engage. In addition, the NDHTTF is the only statewide organization currently compiling comprehensive data around human trafficking in the State. Therefore, victims served by agencies outside of the NDHTTF may not be reflected in current data. As the NDHTTF continues to grow, its capacity to capture additional data will improve.

## Looking Forward

As the NDHTTF continues to fight human trafficking in North Dakota, the following goals will guide the focus of the Task Force in upcoming years.

**Goal 1: Support diverse and accessible programming to sustain long-term independence for survivors of labor and sex trafficking.**

*Objectives:*

- Increase number of clients transitioning to long-term independence
- Develop innovative, culturally appropriate approaches to serving victims
- Identify and provide more accessible and affordable treatment options/facilities
- Identify labor trafficking and enhance services provided for labor trafficking victims

**Goal 2: Implement effective evaluation systems to secure multiple streams of funding and ensure data-driven equitable policies.**

*Objectives:*

- Adapt data collection system to ensure accuracy for reporting and interpretation
- Secure sustainable funding utilizing reliable data

**Goal 3: Collaborative and efficient team**

*Objectives:*

- Identify resources and plan to provide service and investigation in rural and tribal areas
- Establish, or maintain MDT meetings
- Conduct outreach operations with key community partners

**Goal 4: Justice for victims through offender prosecution and accountability.**

*Objectives:*

- Increase, and track, number of successful prosecutions
- Consistent charging and sentencing within judicial system
- Train judicial system

**Goal 5: Increased awareness, understanding, and prevention through education.**

*Objectives:*

- Provide prioritized education and outreach to communities and sectors, based on data
- Conduct outreach operations with key community partners

**Additional information related to work of the NDHTTF can be found at:**

<https://www.ndhttf.org>

<https://attorneygeneral.nd.gov/public-safety/human-trafficking>



# CONCLUSION

The Attorney General's Office and the North Dakota Human Trafficking Task Force continue to work together to shed light on the state of human trafficking in North Dakota. Turning the tide on exploitation and trafficking will take the continued attention and commitment of our elected leaders, law enforcement and non-profit partners. The Attorney General's Office urges elected officials, non-profit leaders, federal partners and all law enforcement jurisdictions to remain steadfast in committing human trafficking in North Dakota.

