

# Human Trafficking & Commercial Drivers

# Contents



Defining Human Trafficking

Types of Trafficking

Who is Trafficked

Where Trafficking Happens

Recognizing Trafficking

Trafficking Laws

Trafficking Crimes

CDL and Criminal Consequences

Reporting trafficking

Human trafficking is:

- the illegal trade of human beings
- a form of slavery
- commercial sexual exploitation or forced labor, both domestic and agricultural
- very common
- often intertwined with and reliant on commercial transportation
- A CRIME

Human trafficking is NOT:

- human smuggling
- confined to any group or population
- victimless

May be defined differently by federal or state criminal statutes, but ALWAYS involves force, coercion, or fraud (unless the trafficked person is a minor).

# Types of Human Trafficking

The Trafficking Victims Protection Act of 2000 recognize two primary forms :

- Commercial sex trafficking
- Labor trafficking



# Trafficking By Forced Commercial Sex Acts

- The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act
- Induced by force, fraud, or coercion
- In cases involving minors, it is NOT necessary to show force, fraud, or coercion.
- 22 U.S.C. § 7102(11)(A)



## Trafficking By Forced Labor



- The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services
- Through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery
- 22 U.S.C. § 7102(11)(B)

# Who Is Trafficked

All types of people may be trafficked

It may happen to children or adults

It may happen to any gender

It may happen to immigrants or native populations

It is more likely to occur among vulnerable populations

The most vulnerable among society are targeted by predators and lured, trapped, or coerced into labor or commercial sex trafficking

## Where Transportation Related Trafficking Happens



- Sex trafficking may be concentrated around truck stops, gas stations, or rest areas
- Hotels and motels along major commercial routes may be used
- Labor trafficking may be related to agricultural operations
- Trafficked laborers may be transported using any mode of commercial transportation including buses
- CB radios or online/social media may be involved

## Trafficking Is a Crime



- Human Trafficking is a federal crime
- Human Trafficking is a crime in every state
- Human Trafficking is a major offense per 49 CFR 383.51

## Understanding the Crime

- Directing the trafficking operation or controlling the trafficked person
- Receiving/purchasing services from a trafficked person
- Transporting or harboring trafficked laborers
- Facilitating or supporting these crimes



## CDL Consequences:

### CDL Disqualification – Major Offenses 49 CFR § 383.51, Table 1

- Conviction for severe forms of human trafficking while operating a CMV → Mandatory lifetime CDL disqualification (No eligibility for 10-year reinstatement)
- Conviction for any other felony involving the use of a motor vehicle → CDL disqualification ranging from 1 year to lifetime (depending on the offense and prior convictions)

## Spotting Human Trafficking

Paying attention to those with whom you interact will help you look out for and report suspected trafficking



## FMCSA Guidance if Human Trafficking

### Seen or Suspected:

- Do not attempt to confront a suspected trafficker
- Contact local law enforcement directly:
  - 9-1-1, if someone is in immediate danger.
  - National Human Trafficking Hotline 24/7
    - Call 888-373-7888
    - Text HELP or INFO to BeFree (233733)
- Follow your company/organization policy

# Resources and Organizations

- [TAT \(formerly Truckers Against Trafficking\)](#)
- [U.S. Department of Transportation, Federal Motor Carrier Safety Administration](#)
- [U.S. Department of State](#)
- [National Center for State Courts](#)
- [National District Attorneys Association](#)

# Questions