



**Safe Harbour: NY Fast Facts:  
CSEC and Minor Trafficking**

**What is human trafficking?**

Human trafficking is the practice of exploiting a person for the purposes of sexual or labor servitude using force, fraud, or coercion.

- Under New York State law, a person who engages in prostitution or labor through force, trickery, or conspiracy is a victim of human trafficking.<sup>1</sup>
- Under federal law, any person under 18 years old who *exchanges a sex act for anything of value* is automatically a victim of sex trafficking.<sup>2</sup> Child sex trafficking is one form of commercial sexual exploitation of children (see below).
- Youth are trafficked by their family members, boyfriends and girlfriends, peers, gangs, community members, and by customers who purchase sex acts or performances from them.

**What is force, fraud, or coercion?**

- Force includes any instance of violence used to bring a person into a trafficking situation or to keep them feeling trapped.
- Fraud includes lies or deception (for example, bait-and-switch employment offers or saying, 'I really love you and I need you to do this so we can stay together.') and false promises (for example, saying, 'If you do this for me this one time we can stay together forever.')
- Coercion includes threats made against the victim or their loved ones (for example, saying, 'You can leave but I'll go get your sister'; 'If you don't do what I say I'll tell everyone what you've done'; 'If you tell someone I'll have you arrested/deported.')

**What is the commercial sexual exploitation of children (CSEC)?**

CSEC is a form of child sexual abuse. Commercial sexual exploitation of children, or CSEC, is any instance where *a person under the age of 18 has exchanged a sexual act or performance in exchange for something of value.*

- Actions which constitute CSEC under the New York Safe Harbour law include but are not limited to: stripping, exotic dancing or performance, sexually explicit photography or video, and minor sex trafficking.<sup>3</sup>

**Who are the victims of child trafficking?**

Anyone can be trafficked. Most identified victims of trafficking in New York State are American-born females; however, immigrant and undocumented youth as well as male and transgender youth have also been identified as victims of sex and/or labor trafficking.

Youth who are especially vulnerable to trafficking include:<sup>4</sup>

- children who have a history of sexual abuse, physical abuse, maltreatment, and neglect;
- children with a history of substance abuse;
- children with disabilities;
- LGBTQ youth;
- refugees, immigrants, and non-English speaking youth;
- children in foster care or who have interacted with the justice system; and
- homeless youth and youth who left home.

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<sup>1</sup> New York Penal Law §135.35.

<sup>2</sup> TVPA, 2000.

<sup>3</sup> N.Y.S.S. Title 8-A § 447A.

<sup>4</sup> New York State Office of Children and Family Services (2014). *Human Trafficking*. Retrieved from <http://www.ocfs.state.ny.us/main/humantrafficking/>.



### **How can I recognize child trafficking or CSEC?**

The following 'red flags' are warning signs that a youth might be trafficked or sexually exploited:<sup>5,6,7</sup>

- Leaves home frequently and/or for significant periods of time
- Shows signs of mental, physical, or sexual abuse
- Has a significantly older partner or spends a lot of time with a controlling person or older adult
- Indications or reports of domestic violence/intimate partner violence
- Lies about age or carries a fake form of identification
- Housing is provided by employer
- Significantly reduces contact with family, friends, or other support networks
- Displays a pattern of staying in the homes of friends or a non-legally responsible adult
- Reluctant to discuss how they make money, where they live, how or when they came to the U.S.
- Lacks control over schedule and/or money
- Has large amounts of money or costly items that s/he cannot reasonably afford
- Involvement in systems such as social services, PINS, courts, etc.
- Works more than he or she is in school or does not often attend school
- Experiences suicidal ideations and/or depression

### **What can I do if I recognize a victim of child trafficking or CSEC?**

- If you believe the person is in immediate danger call **9-1-1**.
- To report a tip, or for guidance on responding to a potential child trafficking survivor, call the National Human Trafficking Resource Center at **1-888-373-7888** or text BEFREE (**233733**).
- If you believe the child is potentially being abused, neglected or maltreated by a caregiver, call the NY Statewide Central Register of Child Abuse and Maltreatment (SCR) at **1-800-342-3720**.
- If you have reason to believe that a youth is being abused or neglected while placed in residential care, call the New York State Justice Center at **1-855-373-2122**.

**To learn how New York State is responding to CSEC and child trafficking visit:**

[www.ocfs.state.ny.us/main/humantraffic/](http://www.ocfs.state.ny.us/main/humantraffic/)

**To learn more, contact:** [humantrafficking@ocfs.ny.gov](mailto:humantrafficking@ocfs.ny.gov)

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<sup>5</sup> Safe Harbour: NY Indicators, adapted from the IOFA Building Child Welfare Response to Child Trafficking Handbook, 2011.

<sup>6</sup> Macy, Rebecca and Laurie Graham (2012). Identifying domestic and international sex-trafficking victims during human service provision. *Trauma Violence Abuse*, 13-59.

<sup>7</sup> Safe Horizon Anti-Trafficking Program.