An Analysis of The Impact and Effectiveness of Human Trafficking State Laws and Policies in Missouri and Nebraska

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An Analysis of The Impact and Effectiveness of Human Trafficking State Laws and Policies in Missouri and Nebraska

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Table of Contents

Table of Contents .......................................................................................................................................... 2

Abstract ............................................................................................................................................................ 3

Introduction .......................................................................................................................................................... 4

Missouri Analysis ............................................................................................................................................... 4
  Statute Analysis ................................................................................................................................................ 5
  Available Programs Analysis .......................................................................................................................... 10
  Survey Results .................................................................................................................................................. 12

Nebraska Analysis ............................................................................................................................................. 15
  Statute Analysis ................................................................................................................................................ 15
  Available Programs Analysis .......................................................................................................................... 20
  Survey Results .................................................................................................................................................. 21

Strengths, Weaknesses, & Recommendations ................................................................................................. 24

Conclusion .......................................................................................................................................................... 28

References ......................................................................................................................................................... 30

Appendix A ......................................................................................................................................................... 33

Appendix B ......................................................................................................................................................... 38
Abstract

Human trafficking is the use of force, fraud, or coercion to use another person for sex or labor. Human trafficking is a prevalent issue within the United States that is not talked about enough. This leads to a misrepresentation of facts about human trafficking that can lead to common myths related to human trafficking. It is each state’s responsibility to develop laws and policies that protect victims and prosecute offenders justly according to the crime. This research delves into an analysis of Missouri and Nebraska state statutes to determine their effectiveness and assess the level of awareness among residents of each state regarding these statutes. There were two surveys distributed, one to residents of Missouri, and the other to residents of Nebraska. For Missouri, twenty-nine responses were recorded and for Nebraska, twenty-five responses were recorded. These responses showed the difference in knowledge of human trafficking from each state, as well as, how the similar statutes from each state are being implemented based on resident opinions or observations. All of this information is used to determine the strengths and weaknesses of each state’s statutes, and how each state can improve upon them.

Key Words: Human Trafficking, State Statutes, Nebraska, Missouri, Survey, Strengths, Weaknesses
Introduction

Human Trafficking is a pandemic that is plaguing the United States. Human trafficking is the use of force, fraud, or coercion to use another person for sex or labor. The general characteristics applied to human trafficking is that it only happens to certain people living higher risk lifestyles or that victims are found by kidnapping and physical means. However, the majority of human trafficking victims are trafficked by use of coercion from someone they already know or have been in contact with. The truth is that human trafficking can happen to anyone, anywhere, at any time. It is the responsibility of the government, different community organizations, and the public to help end human trafficking, however there are areas of policy, awareness, and progress towards change that are lacking. A common struggle to helping victims and prosecuting offenders is that each state is in charge of creating their own policies and laws surrounding human trafficking. Also, different laws and policies will be interpreted and implemented differently depending on the state. In this study, different statutes on the topic of human trafficking in Missouri and Nebraska will be analyzed to understand how policies and laws are similar or differing in the two states. Organizations throughout the two states will be analyzed, and a survey of resident’s knowledge and understanding of human trafficking laws in each state will be created and analyzed.

Missouri Analysis

Since 2007, there has been 1,524 cases of human trafficking in Missouri, and from these cases, there has been 3,160 victims (National Human Trafficking Hotline). According to the United States Census Bureau, there is approximately 6,154,913 people living in the state of Missouri. This means that around .05% of the state’s population is being trafficked.
Statute Analysis

Each state within the United States is charged with creating their own statutes that detail how that state is to combat and address situations involving human trafficking. There is a substantial number of statutes enacted within each state that would make it hard to analyze each individual one. Therefore, there will only be a small number analyzed in this project and is not a comprehensive analysis.

Missouri Revised Statute 595.120 is the first statute to be analyzed. The statute has four sections that describe the requirements for the statewide poster including the contents of the poster, where the poster should be placed, where the poster is accessible, and the consequences for failure to comply with the statute. Statute 595.120 states the department of public safety has designed a poster and posted it on their website that must be displayed in “a conspicuous place in or near the bathrooms or near the entrance of” the seventeen different establishments listed within the statute. If an establishment has not complied with these directions, they will receive a written warning for the first offense and will be charged with an infraction for any violations committed after. In 2019, a new section of chapter 595 was proposed in Missouri House Bill 480, that would require all of the employees of the establishments listed in 595.210 to go through mandatory human trafficking training that was outline in the proposed section. However, this bill “died” while in chambers of the Senate and House (Missouri HB480, 2019). Statute 595.120 is extremely detailed as to how and which establishments are to display this poster that was designed. This statute makes implementation as simple as possible by pre-designing the poster and detailing the locations of display. The results of the survey will provide more detail on how well this statute is being implemented, and how well it is raising awareness within the state.
Missouri Revised Statute 210.1505 was created to implement and describe the “statewide council on sex trafficking and sexual exploitation of children.” Within the statute, there are sixteen required members listed that should make up the council. According to Missouri’s Department of Public Safety, the members listed as the council members match perfectly to the statute’s required member list. Missouri Revised Statute 210.1505 states that the council’s duties include “Collect and analyze data relating to sex trafficking and the sexual exploitation of children…collect feedback from stakeholders, practitioner, and leadership throughout the state to develop best practices and procedures regarding the response to sex trafficking and sexual exploitation of children…” The council will then use all of this data to submit a report that states the council’s activities and recommendations on priority needs, actions, statutory or regulatory change, and changes of services offered to the victims. The council will expire on December 31, 2023, and are required to submit their report before this date. There is currently no statute that mandates the implementation of a statewide task force, but there has been a Missouri human trafficking task force created. However, there is little to no information about what the task force has done. In July of 2023, Missouri’s Attorney General, Andrew Bailey, said that they are working on rebranding the task force and that more information would be available soon, but there is not any information readily accessible since these statements (Suntrup, 2023).

Missouri Revised Statute 566.223 allowed Missouri to enact the Federal Trafficking Victims Protection Act of 2000. This act will apply to anyone who has been identified as a human trafficking victim under the Missouri statutes. The act protects victims from being charged with the offense of prostitution if they were coerced or threatened to engage in the prostitution. The act additionally gives the department of public safety the authority to establish procedures for identifying victims as well as to establish training programs to educate officials
and employees on human trafficking. Also, the act details that law enforcement should notify the proper organizations that they believe someone is a victim of human trafficking to determine if they are eligible for different services. The department of social services should then coordinate with different agencies, at both the federal and state level, to provide proper services for victims. Finally, a victim or the attorney general can bring a civil action against a trafficker who has been found guilty to recover damages, court costs, attorney fees, punitive damages, and restitution. This act outlines a lot of different aspects, but only broadly defines the different sections of the act.

Missouri Revised Statutes 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, and 566.218 all describe the different offenses of human trafficking and the punishments for each offense. Statute 566.203 describes the offense of abusing a person through forced labor if they are threatening, physically restraining, blackmailing, or abusing the victim. An offender of this crime would not have to register as a sex offender but could face a prison sentence between five and twenty years and a fine of up to $250,000. If the offense results in a death, kidnapping, attempted kidnapping, attempted killing, sexual abuse, or attempted abuse it is classified as a Class B felony. The prison sentence will then be increased to five years to a life sentence with the same fine limit. Statute 566.206 describes the offense of trafficking for the purpose of slavery, involuntary servitude, peonage, or forced labor and the offense’s penalty. The statute states that an offense is committed if they knowingly “recruit, entice, harbor, transport, provide, or obtains by any means…another person for labor or services, for the purposes of slavery, involuntary servitude, peonage, or forced labor, or benefits…from participation in such activities.” An offender of this crime would not have to register as a sex offender but is punishable by prison for five to twenty years and a fine up to $250,000. If the offense results in a death, kidnapping,
attempted kidnapping, attempted killing, sexual abuse, or attempted abuse classified as a Class B felony. The prison sentence will be increased to five years to a life sentence with the same fine limit. Statute 566.209 describes the offense of trafficking for the purpose of sexual exploitation. The statute states that the offense is committed if

“a person knowingly recruits, entices, harbors, transports, provides, advertises the availability of or obtains by any means…another person for the use or employment of such person in a commercial sex act, sexual conduct, a sexual performance, or the production of explicit sexual material…without his or her consent, or benefits, financially or by receiving anything of value, from participation in such activities.”

The punishment for an offense of this crime is punishable by a prison sentence of five to twenty years and a fine up to $250,000. If the offense included force, abduction, or coercion, the punishment would increase to a prison term of ten years to life and a fine of the same amount. Statute 566.210 describes the offense of sexual trafficking of a child in the first degree and its penalty. The statute states that this offense is committed if

“he or she knowingly, (1) Recruits, entices, harbors, transports, provides, or obtains by any means…a person under the age of twelve to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material…or benefits…from participation in such activities; (2) Causes a person under the age of twelve to engage in a commercial sex act, a sexual performance, or the production of explicit sexual material…; or (3) Advertises the availability of a person under the age of twelve to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material…”
The statute explicitly states that the belief of the victim being over the age of twelve is not a valid defense. The punishment for an offense of this crime is classified as a felony resulting in a lifetime imprisonment without the eligibility for probation or parole until they have served twenty-five years of their sentence. Statute 566.211 describes the offense of sexual trafficking of a child in the second degree and its penalty. This offense is the same as statute 566.210, but the victim is under the age of eighteen instead of twelve. This statute also states that it is not a defense if the perpetrator believed the victim was above the age of eighteen. This offense is also categorized as a felony with a prison sentence of ten years to life and a fine up to $250,000. If force, abduction, or coercion is involved the prison sentence will change to a sentence of life without eligibility for probation or parole until twenty-five years have been served. Statute 566.215 describes the offense of contributing to human trafficking through the misuse of documentation and its penalty. This offense is described as handling another person’s passport, government identification, or other immigration document with the intent to commit offenses detailed in the previous statutes described. This offense also includes the use of another person’s identification to restrict their ability to move or travel with the intent to commit the offenses described in the other statutes. A person who commits this offense will not have to register as a sex offender, and it is classified as a class E felony which is punishable by up to four years in prison or a fine up to $10,000 (What is a class E felony, 2023). Finally, statute 566.218 describes the restitution required for certain offenders to pay. If a person is guilty of committing the offenses of any of the previous statutes described, they will have to pay restitution regardless of the sentence imposed on them. The amount of restitution will be determined by the court based on the value of the victim’s labor or for the mental and physical rehabilitation the victim or their children will need.
Finally, the last statute that will be analyzed is Missouri Revised Statute 302.755 which describes the penalties for motor vehicle related offenses. Section nineteen states that a person is disqualified from driving a commercial motor vehicle for life if they are convicted of “severe forms of trafficking persons.” U.S.C. 7102(11) describes severe forms of trafficking persons as,

“a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or 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.

These are the statutes that have been selected to be compared to the selected statutes from the state of Nebraska. These statutes were also used to create the Missouri human trafficking knowledge survey created for this project. The results from the survey will help describe how these different statutes are being implemented and how effective they are.

Available Programs Analysis

Missouri is home to a host of amazing organizations and resources that aid victims of human trafficking. Outside of the more populated cities of Kansas City and St. Louis, there are only legal resources available. I was able to interview the administrator of community engagement, Laura Baker, from The Covering House that is located in St. Louis. The Covering House offers many different services to victims of human trafficking. The service that stood out to me the most was that they offer residential services for girls from the ages of twelve to eighteen which enables them to receive care while receiving an education. She stated that the thing that sets The Covering House apart from other organizations is that,
“There’s no other residents like ours in the state of Missouri. We provide education in the Missouri core curriculum. All of the kids that come to us have gaps in their education. We do their benchmark assessments, their star assessments when they come to us and find out where they are. They each have an individualized education plan that they work towards to regain their credits, advance to the next grade level, and all of those things while they are with us. This goes hand in hand with all of the case management and therapies and things that we do.”

They also have a program called Reducing the Risk, where they go to schools and a juvenile detention center in St. Louis to present on human trafficking. She mentioned that they had previously worked with the St. Louis human trafficking task force, but it was shut down due to understaffing and a lack of funding. She was also able to tell me that The Covering House has educated over 7,900 at risk youth within school using their Reducing the Risk program and have helped 244 kids through their residency program with the average age being fifteen years old. I also asked her what The Covering House’s biggest obstacle has been and she said,

“One of the biggest obstacles is just, you know, you’re always looking for funding, of course, to create a stable foundation. Most of our funding, just like a lot of non-profits, comes from individual donors. Corporations don’t give a lot, and it’s hard to get your foot in the door with those corporations…so just finding a real corporate partner we can partner with has been a challenge.”

She also mentioned that they are currently working to make the transition from their current property to another property, that is much larger, that was donated to them. They will be able to triple the number of victims they can serve and will be able to create transitional housing on the
property. Before I was able to ask her what one thing she wishes the public knew or what is a common misconception she sees within human trafficking she stated,

“One of the biggest challenges we face, or that I face within my job is managing the misconceptions of what people think trafficking is. It’s not like the movie Taken, although that does happen, but it is also educating parents to know the exploitation that is going on online, on the social media apps, and all those things. That is grooming and that is exploitation and trafficking that is happening right there. I think just getting people to understand that trafficking is happening in their very own community when they just think it happens elsewhere…It’s not always what it looks like in the movies, it definitely happens, but I think people have this perception of what it is, and they don’t think of the technology piece. Technology has transformed how these kids are exploited and how they are trafficked. It is the number one-way traffickers are finding and grooming victims is on all the social media apps. It’s Tik Tok, it’s Snapchat, it’s Instagram, it’s Roblox, and fortnight, and the video games. I think it’s one thing that people don’t realize that’s also grooming and trafficking and exploitation as well.”

Survey Results

I created a survey to better understand how well some of the statutes I previously mentioned are being implemented throughout the state of Missouri. I also wanted to get a better understanding of the amount of knowledge and understanding the residents of Missouri truly know about human trafficking. I asked twenty-nine residents of Missouri a total of twenty-four questions worth fourteen points. The average score for this survey was 8.86 points, and no one
received a perfect 100% on the survey (questions based on opinions did not count towards the point total).

The first question of the survey asked respondents if they believed human trafficking is an issue in Missouri, 21 responded yes, 6 responded maybe, and 2 responded no. Twenty-eight out of the twenty-nine respondents chose the correct response that human trafficking can happen anywhere, however, only 22 respondents knew that the most common tactic used by traffickers is psychological means through manipulation, coercion, or threats. Only three respondents believed that trafficking victims are only people who are poor, and that human trafficking always involves sex, both of which are false. All twenty-nine respondents knew that men can be victims of sex trafficking as well as women. Nine respondents believed that human trafficking always involved transporting the victim across state lines, which is false. When asked what they believed Missouri was ranked among states in terms of human trafficking cases, 13 responded correctly by choosing top 10, 9 believed the answer was top 5, and 7 believed the answer was lower ranking than top 10. Only 7 of the respondents were able to identify the correct range of number of cases identified in Missouri since 2007, and only six were able to identify the correct range of victims identified in Missouri since 2007. Fourteen respondents thought there were less than 1,000 victims, but the correct answer was 3,000+ victims. Eleven respondents identified the correct answer for the percentage of minors that make up human trafficking victims in Missouri, which is 44%.

The next question was important to determine the effectiveness of Missouri Revised Statute 595.120. Fifteen respondents said they have seen the human trafficking poster that was required to be made and displayed in certain locations as stated by the statute. However, the other fourteen respondents said they have never seen the poster. Next, I asked where they had
seen the poster if they had answered yes. The responses were the airport, gas station bathrooms, college campus, hospitals, grocery store, school, church, and a stadium. The most common answer was bathroom/gas station bathroom with five responses.

Next, I asked if they knew if human trafficking victims could be charged with prostitution in Missouri. As stated in statute 566.223, only victims who can prove they were coerced or threatened into the act cannot be charged with prostitution. This leaves a gap for some victims to be prosecuted for prostitution, thus making the answer to the question yes, and only fourteen of the twenty-nine respondents were correct with their answer. I also asked the respondents what signs of human trafficking they knew, and they responded with a variety of answers stating victims act scared, avoid eye contact, and have injuries from abuse. There were also nine respondents who said they did not know any signs, and those who did respond, only named two to three signs. I also asked if the respondents knew that trafficker’s do not have to register as sex offenders in the state of Missouri based on the statutes 566.203-566.218 stated earlier. Only fifteen respondents got the question correct. More questions were asked about the punishments for trafficking to see if residents were aware of the penalties. Fifteen respondents knew that someone convicted of human trafficking will serve 5-20 years in prison (not including instances of minors or resulting in death). Twenty-one respondents knew the maximum fine for human trafficking is $250,000 (not including instances of minors or resulting in death). I then asked if they believed these punishments were just for the crime, and 19 answered no, 9 answered maybe, and 1 answered yes. I then asked what they thought would be a just punishment and the responses were life in prison, double the punishments, a judge or jury should decide, and 35-life imprisonment and $500,000 fine.
Additionally, I asked a few questions regarding organizations in Missouri that offer assistance to human trafficking victims. First, I asked if they had heard of any organizations, and twenty-one answered no. For the ones who responded yes, I asked the name of the organization and there was only one person who could remember the name of two organizations, Crisis Aid International and Monarch Jewelry.org. However, these are organizations that are not specifically within Missouri. Finally, I asked how confident the respondents feel about their knowledge of human trafficking, and sixteen said 4/5, seven said 3/5, three said 5/5, two said 2/5, and one said 1/5. The average of these would be a 3.62/5 or around 72%.

Nebraska Analysis

In Nebraska alone, there has been 479 cases of human trafficking identified since 2007, and within these cases there has been 1,034 victims identified (National Human Trafficking Hotline). The population of Nebraska, according to the United States Census Bureau, is 1,961,504 people. This means that around .05% of Nebraska’s population has been trafficked since 2007. However, this does not include the cases and victims that go unreported throughout the state of Nebraska.

Statute Analysis

Just as it was mentioned before the Missouri statute analysis, there is a substantial number of statutes that regulate how Nebraska should combat and address human trafficking. Because there is a substantial amount, this analysis will only cover a select few of the statutes from Nebraska.
Nebraska Revised Statute 81-1430 describes the Nebraska state human trafficking task force and all that it entails. The first thing this statute does is establish the task force within the Nebraska Commission on Law Enforcement and Criminal Justice. The statute goes into detail about the work the task force has been established to do, the research they need to conduct, and the recommendations it should offer. Then, it describes how the Department of Labor will work with the task force to develop or select informational posters to be placed around the state. The only requirement for the posters is that they have the National Human Trafficking Resource Center Hotline number included on the poster. The statute only states that the posters need to be placed in rest stops, strip clubs, and casinos, and all other locations are able to voluntarily display the posters. Next, the statute outlines in extreme detail who the members of the task force are to be and the qualifications needed to be appointed to the task force. Finally, the last topic the statute covers is that every July 1 and December 1, the task force is required to submit a report detailing its findings of its investigations, studies, and the recommendations as a result.

Nebraska Revised Statute 28-801 and 28-801.01 describes prostitution and the penalties for the different offenses involved with prostitution. In statute 28-801, it defines prostitution as an offense, defenses against prostitution, and immunity from prosecution of the offense. First, the statute defines prostitution as “any person who performs, offers, or agrees to perform any act of sexual contact or sexual penetration…with any person not his or her spouse, in exchange for money or other thing of value.” If a person is convicted of prostitution and they have one or no prior convictions, they will be guilty of a Class II misdemeanor. According to Nebraska Revised Statute 28-106, a Class II misdemeanor results in a maximum of six months in prison and/or a fine up to $1,000. If a person is convicted of prostitution and they have two or more previous convictions, they will be guilty of a Class I misdemeanor. According to Nebraska Revised
Statute, 28-106, a Class I misdemeanor results in a maximum of one year in prison and/or $1,000 fine. Next, statute 28-801 states that being a victim of trafficking is a defense to prosecution. Lastly, the statute details the process law enforcement must follow if they identify a person suspected or charged with prostitution due to being trafficked. These victims will be immune from prosecutions of prostitution and if the victim is under the age of 18 will automatically be immune from prosecution. Nebraska Revised Statute 28-830 defines human trafficking for Nebraska, and the list has fourteen different sections that essentially covers every aspect a person being trafficked could go through so that it is easier to qualify someone as a victim of trafficking.

Nebraska Revised State Statute 28-801.01 is a continuation of 28-801 that goes on to describe solicitation of prostitution and the related penalties. This statute defines solicitation of prostitution as “any person who solicits another person not his or her spouse to perform any act of sexual contact or sexual penetration… in exchange for money or other thing of value.” If a person who has been convicted of this offense has no prior offenses, they will be guilty of a Class I misdemeanor and be fined a minimum of $250,000. However, if the person they solicited was under the age of eighteen, they will be guilty of a Class IV felony. As defined in Nebraska Revised Statute 28-105, a class IV felony is punishable by a maximum of two years in prison with a twelve-month supervisory period and/or a $10,000 fine. If the offender receives probation, there is a minimum of $250 fine, they are required to attend a mental health or abuse assessment successfully, as well as attend and complete an educational program. If the person that is convicted of this offense has more than one conviction prior, they will be guilty of a Class IV felony and pay a minimum of a $500 fine. If the person receives probation, they will pay a minimum fine of $500, attend a mental health or abuse assessment successfully, and attend and
complete an educational program. Lastly, this statute also details that a defense to prosecution is being a victim of trafficking.

Nebraska Revised Statute 29-3005 is related to statutes 28-801 and 28-801.01. This statute gives victims of trafficking that have been convicted of prostitution the chance to file a motion to set aside their conviction or adjudication. This statute goes into great depth about the different identifiers that can lead to a reasonable conclusion that the person was trafficked, and this resulted in their involvement in prostitution and therefore their convictions of prostitution.

Nebraska Revised Statute 81-1431 related back to statute 81-1430 and the creation of the human trafficking task force. This statute describes the training of the task force on different issues within human trafficking. It details how the task force must create a curriculum including these topics surrounding human trafficking: state and federal law, methods for identifying victims, preliminary interview techniques, appropriate questioning methods, methods for prosecuting human traffickers, methods to increase effective collaboration among organizations, methods for protecting the right of victims, treating victims as crime victims no as criminals, and methods for promoting safety and well-being of victims.

Nebraska Revised Statute 28-831 defines human trafficking, labor trafficking, and sex trafficking and their respective penalties. If someone engages in labor or sex trafficking of a minor they are guilty of a Class IB felony. As defined in statute 28-105, a class IB felony results in a prison sentence of twenty years to life. If a person engages in labor or sex trafficking, they are guilty of a Class II felony. Statute 28-105 states that a class II felony results in a prison sentence of one year to fifty years. Next, statute 28-831 states that any person, other than the victim, that benefits or participates in the trafficking is guilty of a Class IIA felony. In statute 28-105, a Class IIA felony results in imprisonment of no years to twenty years. Finally, it is stated
that it is not a defense if the offender said consent of the minor victim was given, they believed
the minor gave them consent, or that the offender believed the minor was an adult.

Nebraska Revised Statute 60-4168 describes the offenses that result in disqualifications from operating commercial motor vehicles. Under section 3 of the statute, it states that a person shall be disqualified for life from operating a commercial motor vehicle if “used a commercial motor vehicle in the commission of a felony involving an act or practice of trafficking in persons, as defined and described in 22 U.S.C 7102 (11).”

Nebraska Revised Statute 25-21,297 to 25-21,301 are together known as the Human Trafficking Civil Remedy Act. Statute 25-21,297 states that these five statutes make up this act. Statute 25-21,298 defines human trafficking and trafficking victims which are the same as the definitions from statute 28-820. Statute 25-21,299 described the civil action a victim, their guardian or parent, or personal representative have to take against their offender. If the victim suffered personal or mental injury, death, or any other damages caused by the trafficking, they may bring the civil action against the trafficker. If they win their civil action of the Human Trafficking Victims Civil Remedy act they are able to recover a long list of damages. These damages can include all reasonable values for physical pain and mental suffering, medical, hospital, nursing, care supplies, transportation, housing, childcare, victim’s labor, and services lost, monetary value of harm caused by documentation and circulation of the trafficking, relocation costs, wrongful death, and cost of investigation or prosecution or attending criminal proceedings. Statute 25-21,300 describes the timeline in which the civil actions need to be filed by. The action to recover the previously stated damages under this act must be files within ten years after the end of the criminal prosecution against the person they are seeking the damages from, the notice that law enforcement have identified the trafficker, the time when the trafficking
concluded if they are over the age of eighteen, or when the victim reached the age of eighteen if they were a minor when being trafficked. Whichever occurs the latest will be the start of the calendar to file within ten years of that date. Finally, statute 25-21,301 details that the victim filing under the Human Trafficking Victims Civil Remedy Act may use a pseudonym during the court proceeding.

It is obvious that some of the Nebraska statutes overlap with the Missouri statutes. It can also easily be seen that there are some significant differences. The results from the surveys that were conducted will help to identify the overlap and differences even more. This will also help to lead to the strengths and weaknesses of each state’s statutes.

Available Programs Analysis

There is an extensive amount of different victim resources available throughout the state of Nebraska, although the majority of services are located in Omaha, but there was one program that stood out to me. Project Harmony, although it is not solely a human trafficking resource center, is equipped with an anti-trafficking center with many different resources and personnel that all work together to help the victims they are working with. According to their website, “The goal of this program is to help lead Omaha Police to arrests/criminal charges on the traffickers while providing youth and families with necessary services to help them heal and move forward from the trauma of sex trafficking.”

I had the opportunity to interview Maddie Uryasz, an employee working in the anti-trafficking youth services at Project Harmony, to better understand the work and impact Project Harmony has on the community. She explained that Project Harmony works with law enforcement and other government agencies that will identify victims and refer them to Project
Harmony. She said they will stay in contact with the victim and their families throughout the different processes they are going through, whether it be court or if they are still continually going back to their trafficker. In this case, Project Harmony will work with the Omaha Police Department to try and identify their traffickers by working with the victims at their own pace.

When I asked her what sets Project Harmony apart from others, she said,

“We just have all the resources in one location, which is kind of crazy, and that usually is pretty rare to have these services offered here. We have therapy, we have triage here, we just kind of have it all and everyone is just really committed to doing all of it at once, all together so that we can get these kids safe.”

I also asked her what she thinks Project Harmony’s greatest obstacle is currently, and she said that funding is the main issue they encounter. They have so many resources to offer, but those cost money. Due to Project Harmony being a non-profit organization, money is not always easy to come by given that the organization is mainly operated by fundraisers and donations. Finally, the last part of our conversation that I would like to highlight, is her response to the question of what is one thing you wish the public knew about human trafficking or what is a common misconception you think the public should be aware of? She responded by saying “Human trafficking can happen to anyone, anywhere, any type of person, like if they’re kids, they’re adults, they’re girls or boys. I think the general public needs to have a better awareness of just looking out for each other, like see something, say something.”

**Survey Results**

I created a survey to better understand how well some of the statutes I previously mentioned are being implemented throughout the state of Nebraska. I also wanted to get a better
understanding of the amount of knowledge and understanding the residents of Nebraska truly know about human trafficking. I asked twenty-five residents of Nebraska a total of twenty-four questions worth fourteen points. The average score for this survey was 8.16 points, and no one received a perfect 100% on the survey. (Questions based on opinions did not count towards the point total.)

The first question of the survey asked respondents if they believed human trafficking is an issue in Nebraska, 17 responded yes, 7 responded maybe, and 1 responded no. Twenty-four out of the twenty-five respondents chose the correct response that human trafficking can happen anywhere, however, 22 respondents knew that the most common tactic used by traffickers is psychological means through manipulation, coercion, or threats. All twenty-five respondents knew that victims of human trafficking can be from any demographic, and twenty-four knew human trafficking does not always involve sex. All twenty-five respondents knew that men can be victims of sex trafficking as well as women. One respondent believed that human trafficking always involved transporting the victim across state lines, which is false. When asked what they believed Nebraska was ranked among states in terms of human trafficking cases, 9 responded correctly by choosing lower than top 10, 8 believed the answer was top 5, and 7 believed the answer was top 10, and 1 believed Nebraska was the top state. Only 5 of the respondents were able to identify the correct range of number of cases identified in Nebraska since 2007, and only ten were able to identify the correct range of victims identified in Nebraska since 2007. Only 4 respondents identified the correct answer for the percentage of minors that make up human trafficking victims in Nebraska, which is 30%.

The next question was important to determine the effectiveness of Nebraska Revised Statute 81-1430. Fifteen respondents said they have seen the human trafficking poster that was
required to be made and displayed in certain locations as stated by the statute. However, the other ten respondents said they have never seen the poster. Next, I asked where they had seen the poster if they had answered yes. The responses were school, airport, convention center, public bathrooms, college campus, billboard, school, subways, public transportation, gas station, and grocery stores. The most common answer was school/campus and public restrooms.

Next, I asked if they knew if human trafficking victims could be charged with prostitution in Nebraska. There are multiple statutes stated earlier that protect victims from being prosecuted for prostitution, and if they are convicted, they are able to file a civil lawsuit to appeal the conviction. This leaves little to no room for victims to be prosecuted for prostitution, and ten respondents answered this question correctly. I also asked the respondents what signs of human trafficking they knew, and they responded with a variety of answers with many stating a victim acts scared, nervous, and also may have signs of physical abuse. There were also seven respondents who said they did not know any signs, and those who did respond only named two to three signs. I also asked if the respondents knew that trafficker’s do not have to register as sex offenders in the state of Nebraska. As stated in Nebraska Statute 29-4003, that was not discussed earlier, anyone who has been found guilty of sections 1 and 2 of statute 28-831 may have to register as a sex offender depending on the crime committed. Only twelve respondents got the question correct. More questions were asked about the punishments for trafficking to see if residents were aware of the penalties. Six respondents knew that someone convicted of human trafficking will serve 1-50 years in prison (not including instances of minors or resulting in death). Four respondents knew that there is not a fine included for the offense of human trafficking. I then asked if they believed these punishments were just for the crime, and 9 answered no, 11 answered maybe, and 5 answered yes. I then asked what they thought would be
a just punishment and the responses were life sentence, life with no option for parole, and death sentence.

Next, I asked a few questions regarding organizations in Nebraska that offer assistance to human trafficking victims. First, I asked if they had heard of any organizations, and nineteen answered no. For the ones who responded yes, I asked what the name of the organization was and there was only one person who could remember the name, and they remembered Project Harmony. Finally, I asked how confident the respondents feel about their knowledge of human trafficking, and fifteen said 3/5, five said 5/5, and five said 4/5. This would make the average 3.6/5 which is 72%.

**Strengths, Weaknesses, & Recommendations**

The first notable weakness based on the analysis, interviews, and survey results is that there is a lack of awareness among the public. Respondents from Missouri and Nebraska both indicated they believed their confidence in their knowledge of human trafficking was around 3.6 out of 5 with 5 being not confident at all. This confidence rating would mean residents were, on average, close to being not very confident at all. Based on the points that were scored on the surveys, the average scores for Missouri and Nebraska were 63% and 58% respectively. Also, one question asked respondents to list as many signs of human trafficking as possible, and while some listed a few, majority answered that they did not know or listed the kidnapping signs. None of the respondents listed the signs of someone being psychologically manipulated into human trafficking. There were also a few respondents who noted that after taking the survey, they realized their knowledge on the topic was lacking when they had believed they were very informed on the topic. This shows a weakness in government and organizations raising
awareness among community members so that they are informed and can help promote change
and be aware of the risks and signs of human trafficking. Many community members believe
they know a lot on the topic based on different movies or television shows but are lacking in the
reality of the topic and there needs to be more done by the government and different
organizations to educate communities on the facts and myths surrounding human trafficking.

The next weakness that is identifiable through this research, that partially ties into the
previous weakness, is the lack of implementation of Missouri’s Revised Statute 595.120 and
Nebraska’s Revised Statute 81-1430. Both of these statutes mention the creation of a human
trafficking awareness and resource poster and the places it needs to be placed around the state.
Missouri’s statute is much more detailed about the details on the poster and the places it should
be located, but based on the survey, Missouri residents have seen these posters less than
Nebraska residents. However, both survey results showed a severe lack in awareness these
posters are raising. The results indicated that only 52% of Missouri respondents and only 60% of
Nebraska respondents had seen the posters. These results show that the posters and statutes are
not doing what they were intended to do. Based on this information, both states need to either
create a new idea to market human trafficking awareness or do a better job of ensuring the
statutes are being implemented across the state. If they were to create a new marketing strategy,
it could be most beneficial to go the route of marketing on social media platforms, where most of
the victims are being found and manipulated.

A strength that has come from the research is based on Nebraska Revised Statutes that
make up the Human Trafficking Civil Remedy Act and Nebraska Revised Statute 29-3005. All of
these statutes are in place to ensure that a victim of human trafficking is not prosecuted for
prostitution. Statute 29-3005 details the different criteria that victims need to meet to be
considered a victim of human trafficking and therefore making it illegal to prosecute them as an offender of prostitution. Then, the Human Trafficking Civil Remedy Act covers the human trafficking victims that may have accidentally been prosecuted for prostitution. The victims are able to appeal their conviction based on the criteria provided in these statutes, which are extensive so that hardly anyone can slip through gaps. However, Missouri only has one statute that addresses human trafficking victims being prosecuted for human trafficking. Missouri Revised Statute 566.223 states that only victims who can prove they were coerced or threatened into the act cannot be charged with prostitution. This leaves a lot of room for victims to be prosecuted for prostitution because it can be hard to prove coercion or threats, whereas Nebraska has detailed many specifics to ensure victims are not missed. Based on this information, Missouri needs to create a statute or amend a statute to better protect victims from being prosecuted for prostitution.

The next weakness that was identified involves the different human trafficking resource centers or organizations within each state. Both The Covering House and Project Harmony mentioned in their interviews that they have successful outreach programs to inform the communities they serve, but the survey showed a severe lack in knowledge of any organizations in their state. In Missouri, 28% said they had heard of an organization in their state, but only one person could give names of organizations that were national organizations. In Nebraska, 24% said they had heard of an organization, but only one person could remember Project Harmony. Based on this information, organizations should utilize the internet and social media to spread awareness across their respective states. It is a difficult task to try and inform a large variety of people across an entire state, but easier access to the internet and social media in present times should be utilized to its fullest potential.
Another strength for Nebraska as compared to Missouri statutes is that offenders convicted of human trafficking in the state of Nebraska may have to register as sex offenders. Nebraska Statute 29-4003 states that anyone who has been found guilty of sections 1 and 2 of statute 28-831 may have to register as a sex offender. However, in Missouri, there is no statute that requires this. Being listed on a sex offender registry requires the individual to disclose this whenever they apply for jobs and is something that will follow them for the remainder of their lives. If they are not imprisoned for life, registering as a sex offender is the next best step to ensure the guilt and ramifications of their actions are inescapable. Missouri should implement a statute or amend a current statute to include this so human traffickers receive a bigger punishment if they are released from prison.

Also, following the trend of punishments, based on the survey, many people believe the punishments outlined in the statutes for both states for human traffickers are not just enough. In the survey, for Missouri, 96% of respondents chose no or maybe to the question that asked if they believed the punishments were just, and for Nebraska, 80% said no or maybe. When asked what they believed a just punishment would be, the common answer was life in prison or death. Based on this information, if more people were informed of the punishments available to human traffickers, they would be able to advocate for harsher punishments. However, without a push from the community, it would be extremely hard to implement this change.

Finally, the last strength/weakness that was identified through this research is based on the different state task forces. Missouri previously had a task force, but there is little to no information regarding the work of this task force. The last mention of the task force was that it was being redesigned by the current Attorney General. There is no statute in Missouri stating there must be a human trafficking task force, but there is a statute that created a human
trafficking council. Their informational report will be due at the end of 2023. However, in Nebraska, there is a statute that mandates a human trafficking task force must be in place. The Nebraska Human Trafficking Task Force releases a yearly report to the public to show the work the task force has done throughout the year. The Nebraska task force has been able to implement new laws, policies, databases, hotlines, and has created many other resources for victims of human trafficking within the state (*Nebraska Human Trafficking Task Force*). The benefits of having a statewide task force are obvious, and Missouri should work to reimplement this task force if they are not already doing so.

**Conclusion**

If there is one thing that needs to be addressed in each state, it is the lack of awareness in each community. Change in policies and laws is driven from the public and their opinions on the topic at hand. It will be hard to implement the change that is needed in regard to human trafficking if there is little awareness of the true issues. As both of the employees of the organizations that were interviewed in this study mentioned, there is a lack of funding, but the funding comes from the public. However, if they are unaware of the true scope of the problem, how will they know there is a true need for funding? Missouri is lacking in their statutes regarding state task force and in statutes to protect victims where Nebraska has excelled and advanced in, and Missouri policy makers should be working to improve on their lacking areas based on this information. The internet and social media are tools that are not being utilized enough but are being overly utilized by traffickers. There needs to be a focus on raising awareness through these methods in order to reach the wider community in each state. Change is gradual but cannot happen without a want for it. The United States, and each state, needs to
implement better statutes and programs to raise more awareness and progress for improvements and change in order to keep our communities safe from the harms of human trafficking.
References


Nebraska Human Trafficking Task Force. Attorney General Mike Hilgers. (n.d.).
https://ago.nebraska.gov/nebraska-human-trafficking-task-force


Appendix A

Missouri Human Trafficking Knowledge Quiz

Asking residents of Missouri questions about human trafficking to test overall knowledge and opinions of the topic

* Indicates required question

1. Do you think human trafficking is a problem in Missouri? *
   
   _Mark only one oval._
   
   - Yes
   - No
   - Maybe

2. Where does human trafficking take place? * 1 point
   
   _Mark only one oval._
   
   - hotels, motels, resorts, etc.
   - residential areas
   - large social events (concerts, sporting events)
   - bars, clubs, strip clubs
   - all of the above

3. What is the most common used tactic by traffickers to take their victims? * 1 point
   
   _Mark only one oval._
   
   - psychological means
   - physical means
4. True/False: trafficking victims are people who are poor *  
Mark only one oval.
- True
- False

5. True/False: Human trafficking always involves sex *  
Mark only one oval.
- True
- False

6. True/False: Only women and girls are victims of sex trafficking *  
Mark only one oval.
- True
- False

7. True/False: Human trafficking always involves transporting a person across state or national borders  
Mark only one oval.
- True
- False

8. What is Missouri's ranking in number of human trafficking cases? (1 being highest number of cases of any state) *  
Mark only one oval.
- 1
- Top 5
- Top 10
- Lower ranking than top 10

9. Around how many cases of human trafficking do you think have been reported in Missouri since 2007? *  
Mark only one oval.
- Less than 100 cases
- 100-1,000 cases
- 1,000-2,000 cases
- 2,000+ cases

10. Around how many human trafficking victims have been identified in Missouri since 2007? *  
Mark only one oval.
- Less than 1,000 victims
- 1,000-2,000 victims
- 2,000-3,000 victims
- 3,000+ victims
11. What percentage of victims do minors (under the age of 18) make up in Missouri? (based on 2021 information)

   Mark only one oval.
   - less than 30%
   - between 40-50%
   - between 50-60%
   - greater than 70%

12. Have you ever seen a poster providing awareness about human trafficking? (That looks like the photo provided)

   Mark only one oval.
   - Yes
13. If you answered yes in the previous question, where did you see the poster?

14. Can human trafficking victims be charged with prostitution in Missouri? * 1 point
   Mark only one oval.
   ☐ Yes
   ☐ No

15. What signs of human trafficking do you know? (List as many as you can think of) * 0 points

16. Do trafficker's have to register as sex offender's in the state of Missouri? * 1 point
   Mark only one oval.
   ☐ Yes
   ☐ No

17. What is the imprisonment punishment (in years) for human trafficking in Missouri? (Not of minors or resulting in a death) * 1 point
   Mark only one oval.
   ☐ 1-15
   ☐ 5-20
   ☐ 10-35
   ☐ Life

18. What is the maximum fine for the offense of human trafficking? (not including minors or resulting in death) * 1 point
   Mark only one oval.
   ☐ $50,000
   ☐ $250,000
   ☐ $500,000
   ☐ $750,000

19. Do you think a 5-20 year imprisonment or a maximum of $250,000 is a just punishment for the offense of human trafficking? *
   Mark only one oval.
   ☐ Yes
   ☐ No
   ☐ Maybe

20. If you answered No, please explain or offer what you believe would be a just punishment.
21. Have you heard of or know of any organizations that offer assistance to victims of * human trafficking in Missouri?

Mark only one oval.

☐ Yes

☐ No

22. If you answered yes, what is the name of the organization that you have heard of?

(put I can't remember if you cannot remember the name)


23. How confident are you in your knowledge about human trafficking? *

Mark only one oval.

1 2 3 4 5

Very ☐ ☐ ☐ ☐ ☐ Not confident at all

24. Here is the link to the National Human Trafficking Hotline to learn more about human trafficking in Missouri:


Please leave any questions or concerns you have for me below. (If you want me to respond please leave your name as well)

Thanks for taking the time to help me in my research!


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Appendix B

Nebraska Human Trafficking Knowledge Quiz

Asking residents of Nebraska questions about human trafficking to test overall knowledge and opinions of the topic

* Indicates required question

1. Do you think human trafficking is a problem in Nebraska? *
   
   Mark only one oval.
   
   [ ] Yes
   [ ] No
   [ ] Maybe

2. Where does human trafficking take place? *

   Mark only one oval.
   
   [ ] hotels, motels, resorts, etc.
   [ ] residential areas
   [ ] large social events (concerts, sporting events)
   [ ] bars, clubs, strip clubs
   [ ] all of the above

3. What is the most common used tactic by traffickers to take their victims? *

   Mark only one oval.
   
   [ ] psychological means
   [ ] physical means
4. True/False: trafficking victims are people who are poor *  
Mark only one oval:  
☐ True  
☐ False

5. True/False: human trafficking always involves sex *  
Mark only one oval:  
☐ True  
☐ False

6. True/False: Only women and girls are victims of sex trafficking *  
Mark only one oval:  
☐ True  
☐ False

7. True/False: human trafficking always involves transporting a person across state or national borders *  
Mark only one oval:  
☐ True  
☐ False

8. What is Nebraska's ranking in number of human trafficking cases? (1 being the highest number of cases of any state) *  
Mark only one oval:  
☐ 1  
☐ Top 5  
☐ Top 10  
☐ Lower ranking than top 10

9. Around how many cases of human trafficking do you think have been reported in Nebraska since 2007? *  
Mark only one oval:  
☐ less than 100 cases  
☐ 100-300 cases  
☐ 300-500 cases  
☐ 500+ cases

10. Around how many human trafficking victims have been identified in Nebraska since 2007? *  
Mark only one oval:  
☐ less than 1,000 victims  
☐ 1,000-1,500 victims  
☐ 1,500-2,000 victims  
☐ 2,000+ victims
11. What percentage of victims do minors (under the age of 18) make up in Nebraska? (based on 2021 information) * 1 point
   Mark only one oval.
   - Less than 20%
   - 20-30%
   - 30-40%
   - Greater than 40%

12. Have you ever seen a poster providing awareness about human trafficking? * Mark only one oval.
   - Yes
   - No

13. If you answered yes in the previous question, where did you see the poster?

14. Can human trafficking victims be charged with prostitution in Nebraska? * 1 point
   Mark only one oval.
   - Yes
   - No

15. What signs of human trafficking do you know? (List as many as you can think of) * 0 points

16. Do traffickers ave to register as sex offender/s in the state of Nebraska? * 1 point
   Mark only one oval.
   - Yes
   - No

17. What is the imprisonment punishment (in years) for human trafficking in Nebraska? (not of minors or resulting in a death) * 1 point
   Mark only one oval.
   - 1-25
   - 1-50
   - 25-50
   - 5-50
   - 50-100
   - 100+ years

18. What is the fine for the offense of human trafficking? (not including minors or resulting in death) * 1 point
   Mark only one oval.
   - $0
   - $50,000
   - $100,000
   - $150,000+
19. Do you think registering as a sex offender and a 50-20 year imprisonment is a just punishment for the offense of human trafficking?
Mark only one oval.
☐ Yes
☐ No
☐ Maybe

20. If you answered no, please explain or offer what you believe would be a just punishment.

21. Have you heard of or know of any organization that offer assistance to victims of human trafficking in Nebraska?
Mark only one oval.
☐ Yes
☐ No

22. If you answered yes, what is the name of the organization that you have heard of? (put I can't remember if you cannot remember the name)

23. How confident are you in your knowledge about human trafficking?
Mark only one oval.
[1 2 3 4 5]
Very ☐ ☐ ☐ ☐ ☐ Not confident at all

24. Here is the link to the National Human Trafficking Hotline to learn more about human trafficking in Nebraska: [https://humantraffickinghotline.org/en/statistics/nebraska](https://humantraffickinghotline.org/en/statistics/nebraska)

Please leave any questions or concerns you have for me below. (If you want me to respond please leave your name as well)

Thanks for taking the time to help me in my research!

____________________________________________________________________________________

____________________________________________________________________________________

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