

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 336.00

DATE: 01 November 2019

SUBJECT: HUMAN TRAFFICKING

POLICY DIRECTIVE

PURPOSE:

To establish the West Virginia Division of Corrections and Rehabilitation's commitment to combating and reporting any and all information regarding human trafficking and its condonation of human trafficking in any form.

REFERENCE:

18 U.S. Code 1584; 22 U.S. Code 7102; WV Code 61-14, *et seq.*

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

None.

APPLICABILITY:

All facilities and work units within the Division of Corrections and Rehabilitation. This Policy is available for general distribution.

DEFINITIONS:

Human Trafficking: A crime that involves exploiting a person for labor, services, or commercial sex.

POLICY:

- I. The Trafficking Victims Protection Act of 2000 and its subsequent reauthorizations define human trafficking as:

- A. Sex trafficking in which 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
 - B. 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.
- II. Title 18 of the U.S. Code Section 1584 makes it a crime to force a person to work against his/her will, or to sell a person into condition of involuntary servitude.
- III. Section 61-14-2 of the WV Code makes it a felony for any person to knowingly and willfully traffic an adult of minor.
- IV. Recognizing key indicators of human trafficking is the first step in identifying victims and can help save a life. Not all indicators listed are present in every human trafficking situation, and the presence or absence of any of the below indicators is not necessarily proof of human trafficking.
- A. Tattoos or brands indicating a person is someone's property;
 - B. Large quantities of condoms;
 - C. Large quantities of cash;
 - D. Hotel receipts, key cards;
 - E. Prepaid cards;
 - F. Business cards;
 - G. Multiple cell phones;
 - H. Signs of malnutrition, physical or sexual abuse;
 - I. Lack of identification or fraudulent identification;
 - J. Evidence of employment by an employer with a history of labor violations
- V. Any information pertaining to or about human trafficking should be reported in an incident report. Copies of all such incident reports shall be provided to Corrections Investigative Division (CID) investigative staff for potential referral to law enforcement.
- VI. Resources

West Virginia State Police: 304-746-2100