



*The Advocates for Human Rights supports public policy that ensures every Minnesotan can live with dignity.*

## Labor trafficking is a serious crime affecting Minnesotans of all backgrounds.

Labor trafficking is when an individual uses control and manipulation to get labor, work, or services from the victim and the victim believes they are unable to leave or stop. The Advocates for Human Rights has interviewed people in every region of the state who have encountered labor trafficking victims in a wide variety of industries, ranging from agricultural workers on temporary visas to U.S. citizens selling magazines door-to-door.

- In 2017, according to the biannual human trafficking report from OJP, service providers identified 394 victims of labor trafficking, while law enforcement reported investigating 21 labor trafficking cases. This is a significant undercount of labor trafficking in Minnesota, because almost no government agencies or non-governmental organizations routinely screen for labor trafficking.

## HF 4078 provides important clarity and alignment with Minnesota law.

Minnesota passed its current labor trafficking law in 2005, but it is difficult to use. There have been only three labor trafficking cases charged under MN 609.282 since it was adopted in 2005. HF 4078 addresses these shortcomings, removing confusing language around the “status and condition of a debtor,” replacing “blackmail” with “reputational harm,” and providing context to “use or abuse of a legal process” – a term otherwise undefined under Minnesota law.

## HF 4078 brings Minnesota law into conformity with other states.

Because Minnesota was one of the first states to pass human trafficking legislation, the statute did not have many models to draw on. These revisions use language and concepts found in other states to ensure Minnesotans enjoy the full range of anti-trafficking protections.

- HF 4078 expands the kinds of harm experienced by trafficking victims to include “bodily, psychological, economic and reputational harm.” 26 other states include similar specific examples of harm, including Alabama, Montana, Oklahoma, and New York.
- HF 4078 creates three levels of seriousness for sentencing reflecting the harm experienced by the victim, as well as preserving special protection for minors. Other states, including Hawaii, Kentucky, Missouri, and Tennessee, have enhanced penalties when victims suffer serious harm.

## Minnesota must be vigilant to ensure increased prosecutions for labor trafficking do not have a disparate racial impact

Increased enforcement and prosecution of crimes falls unequally on people of color and immigrants, the same populations at greatest risk of labor trafficking. The Advocates supports protecting those most vulnerable to exploitation and trafficking through improving Minnesota’s labor trafficking statute but urges robust monitoring and oversight of the impact of these changes to ensure the law does not inadvertently increase racial disparities in criminal justice.

### About The Advocates for Human Rights

Founded in 1983 by Minnesotans who recognized the state’s unique spirit of social justice, The Advocates for Human Rights works in our home community and in partnerships worldwide to end violence against women, abolish the death penalty, protect the rights of migrants, and build the human rights movement. Governed by a 30-member board of directors, The Advocates is a volunteer-driven 501(c)(3) nonprofit organization.