



Executive Summary

# **BRIDGING THE GAPS**

Assessing State Policies  
Through the U.S. Human  
Trafficking Policy Database  
and In-Depth Case Studies

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A report by MPSA Candidates at the Bush  
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# INTRODUCTION

Around the world, 27.6 million people are currently being trafficked, and the U.S. is not immune to this issue (Department of State, n.d. B). The U.S. has utilized legislation to help fight trafficking since 2000, yet there are currently gaps in how state policies prevent trafficking, protect victims, and prosecute traffickers. These gaps lead to victims falling through the cracks, survivors not getting the resources they need, and traffickers going unpunished. To gather a deeper understanding of policies across the U.S., the research team developed a comprehensive, longitudinal U.S. Human Trafficking Policy Database that includes 27 policy indicators over 21 years across all 50 states. Beyond analyzing over 28,000 indicators in the U.S. Human Trafficking Policy Database, the team conducted additional research examining three case study states of Florida, Oklahoma, and North Carolina to identify current progress and future improvements.

Through a mixed methods approach, the study identifies and explores four major themes: 1) the evolution of anti-trafficking legislation over time, 2) the importance of enhanced data collection and sharing, 3) the opportunities for the 3P framework to be expanded to include partnerships, and 4) the development of state policy profiles based on policy blend and adoption lag time indicators. The key findings of the report aim to support policymakers and nonprofits in developing a more unified and effective approach to combating trafficking and ultimately supporting victims and survivors.

## Overview

The Victims of Trafficking and Violence Protection Act (TVPA) of 2000 established the 3P Framework of Prosecuting traffickers, Protecting victims and survivors, and Preventing future trafficking. Newer anti-trafficking approaches, such as Maine's "Equality Model," have criminalized the purchase of sex while decriminalizing sex work itself (Maine LD 1435). Following the enactment of the TVPA, states have created additional policies within the 3P paradigm.

While legislation has been a catalyst for combating trafficking overall, the implementation of policy is where victims and survivors can truly be helped, and traffickers punished. Healthcare workers, social service providers, and educational staff act as frontline identifiers who can potentially help victims and survivors exit trafficking, but they need more training in victim identification and offering services in a trauma-informed way (Powell et al., 2017). Training of these groups, along with law enforcement, is key to identifying victims and providing specialized support services that meet the unique needs of trafficking survivors. Organizations that provide social services to survivors, such as long-term housing, health and mental health care, legal aid, and employment services provide crucial support to survivors and prevent them from re-entering trafficking (Duncan & DeHart, 2019). However, these programs can become overwhelmed by the sheer amount of client demand for services and limited capacities, potentially leading to poor quality service and inadequate care for survivors.

Data collection and utilization is one area posing immense challenges to anti-trafficking efforts. Several national organizations compile human trafficking data, but there is currently little data standardization or data sharing between them making it difficult to track the true scope of human trafficking numbers. On a smaller scale, organizations collect data to inform and demonstrate the impact of their services for future funding opportunities, but even then sharing data within localities is limited (Pfiffner, 2020). Utilizing data effectively requires expertise and resources that many organizations lack (Mayer & Fischer, 2023). The literature serves as a foundation for understanding the complexities of human trafficking and the range of approaches available to combat it within the United States. It is also the basis for the following research questions which guide the research process.

# METHODOLOGY

## Research Questions

- 1) To what extent are state policies effective in preventing trafficking, protecting victims and survivors, and prosecuting traffickers?
- 2) How are state and non-state actors collecting and using data to combat human trafficking?
- 3) How do trends affect the implementation of anti-human trafficking policies?

To answer these questions, a mixed methods approach (Tzagkarakis & Kritas, 2022) was utilized with two main data collection activities: the creation of a longitudinal U.S. Human Trafficking Policy Database from 2003 to 2023 and an in-depth case study analysis of three states: Oklahoma, Florida, and North Carolina. Overall, the study assesses the adoption of anti-human trafficking policies and the current ability of case study states to combat human trafficking through policy implementation.

## List of policy indicators

### Prevention

- Education Training
- Education for Students
- Regulations / Licensing Restrictions
- Reporting
- Task Force
- Training for Law Enforcement

### Protection

- Affirmative Defense
- Civil Action
- CSEC Screening Tool
- Safe Harbor
- Survivor Assistance
- Vacating Prior Convictions
- Hotline Posting

### Prosecution

- Asset Forfeiture
- Buyers / Johns
- Increased Investigative Tools for Law Enforcement
- Low Burden for Minors
- Mistake of Age
- Restitution

### Prosecution - Criminalization

- Minimum Sentence - Sex Minor
- Maximum Sentence - Sex Minor
- Minimum Sentence - Sex Adult
- Maximum Sentence - Sex Adult
- Minimum Sentence - Labor Minor
- Maximum Sentence - Labor Minor
- Minimum Sentence - Labor Adult
- Maximum Sentence - Labor Adult

The U.S. Human Trafficking Policy Database utilizes an inductive reasoning approach and serves as a repository of information on which types of human trafficking legislation exist for all 50 states. Previously overseen by Allies and used in Dr. Bouché’s research (Bouché, et al., 2015), the updated and revised database provides information on 27 types of state policies passed between 2003 and 2023 for a total of over 28,000 policy indicators. State statutes were reviewed for the presence or absence of specific policies, and the sources were downloaded into the repository for each state. Following the TVPA’s 3P framework, all policies were categorized by prevention, protection, and prosecution allowing for greater analysis of each category.

The research team attended two national anti-human trafficking conferences engaging in participant observations and memoing for further analysis purposes. To understand the implementation of policies found in the U.S. Human Trafficking Policy Database, the research team conducted semi-structured, in-depth interviews with 26 stakeholders from government, nonprofits, law enforcement, and other sectors in the anti-trafficking space. The interviews took place over three months and occurred in three phases: memoing about conferences, semi-structured in-depth interviews, and analyzing interviews to find common themes.

	Nonprofit	Government	Private	Total
Oklahoma	4	3	0	7
Florida	4	2	0	6
North Carolina	6	4	0	10
National	0	1	2	3
Total	14	10	2	26

*Interviewees by state and field*

Once conducted, interview transcripts were coded and analyzed in Dedoose. A total of 27 unique thematic codes were developed to find common themes and inform the four main components of our study: collaboration, data, policies, and trends. Interview findings helped to guide the report’s case studies and indicated themes for further analysis.

# U.S. HUMAN TRAFFICKING POLICY DATABASE

The U.S. Human Trafficking Policy Database was created by revising an existing database used by Allies and Dr. Bouché in previous research. The initial database, which contained 22 policy indicators through 2019, was updated to include a total of 27 indicators through 2023. During this process, errors were found in some of the previous data due to unclear language in the conceptualization and interpretation of policy indicator definitions. The completion and revisions of the database facilitated the analysis of the national and state-level policy landscape of human trafficking.

## PROSECUTION

Prosecution laws aim to hold traffickers accountable for the harm they inflict on victims and survivors. The U.S. Human Trafficking Policy Database encompasses 14 prosecution policy indicators, eight of which focus on sentencing lengths. Of the non-sentencing policy indicators, states have adopted an average of 5.3 additional prosecution policies. All states have enacted at least three of the six non-sentencing policy indicators, and 27 states have implemented all six.

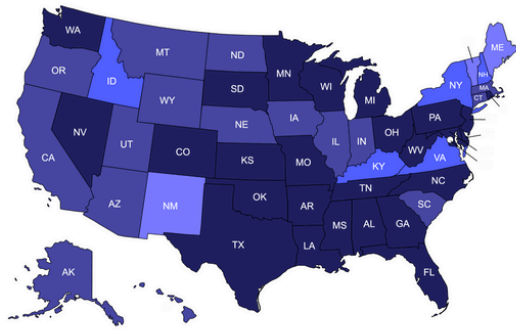
The national average for the maximum sentence for sex trafficking of a minor is 67.5 years. As of 2023, 22 states permit life sentences for this crime, and three have a 99-year maximum. Minor sex trafficking carries the highest potential charges, while labor trafficking of adults receives the most lenient sentencing on average. The difference in minimum and maximum sentencing averages provides strong evidence that nationally, there is a hierarchy of how heinous different types of trafficking are perceived to be.

## PROTECTION

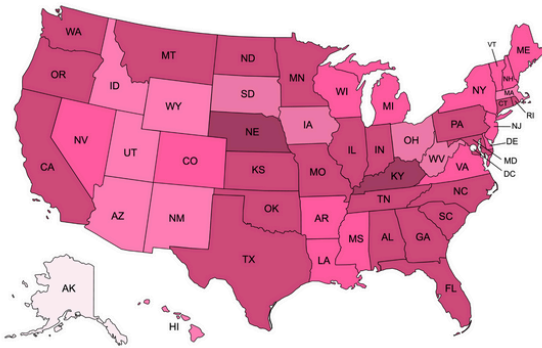
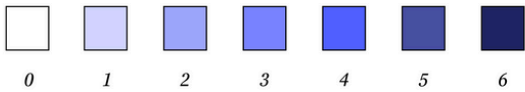
Protection laws are crucial for supporting and helping trafficking survivors after their exit from trafficking. On average, states have adopted 5.14 of these seven protection policies. All states, except Alaska (which has adopted only one), have enacted at least three protection policies. Kentucky and Nebraska are the only states that have implemented all seven protection policy indicators.

## PREVENTION

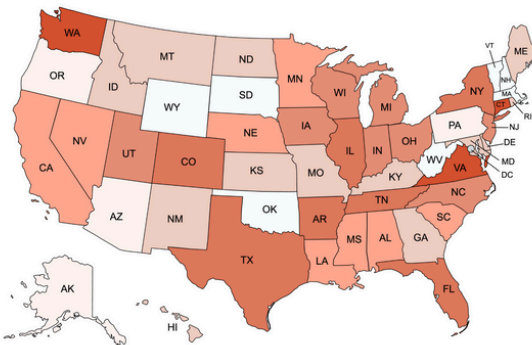
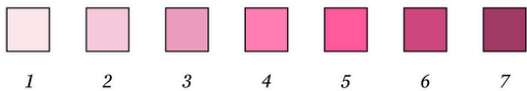
Strong prevention policies are essential for states, communities, and individuals to prevent the spread of human trafficking. The U.S. Human Trafficking Policy Database tracks six specific prevention policies. On average, states have adopted 2.8 of the six prevention policies. While three states, Connecticut, Virginia, and Washington, have enacted all six prevention measures, notable disparities exist between states.



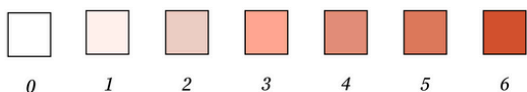
NUMBER OF PROSECUTION POLICIES PER STATE



NUMBER OF PROTECTION POLICIES PER STATE

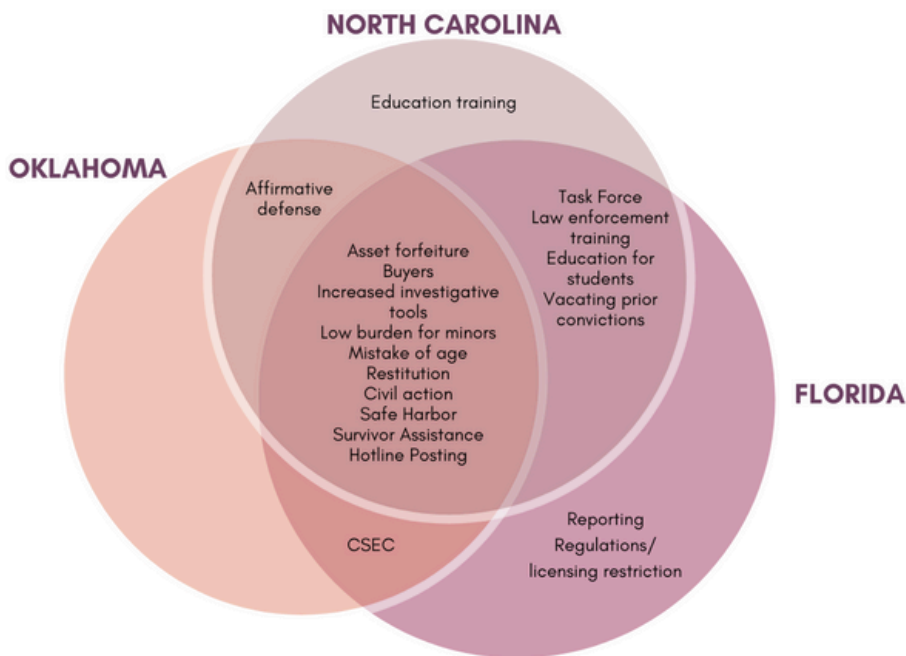


NUMBER OF PREVENTION POLICIES PER STATE



# CASE STUDIES

## STATE LEGISLATION COMPARISON

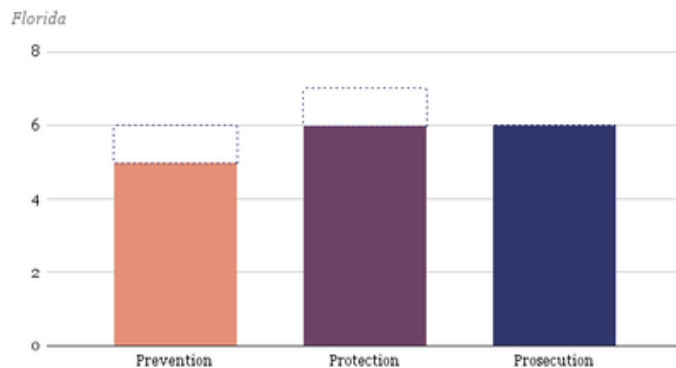


To complement the analysis conducted on the U.S. Human Trafficking Policy Database, three states were selected to provide further information on how anti-trafficking policies are implemented. Oklahoma, North Carolina, and Florida were evaluated based on the number of policies passed within the 3P paradigm, supplemented by interviews with state government officials and nonprofit leaders to offer a more comprehensive perspective. This analysis stems from the three research questions aimed at understanding the extent to which state policies facilitate or impede collaboration among stakeholders in addressing human trafficking within each state.

## FLORIDA

Florida is a bold leader that has passed legislation regularly to combat human trafficking. In 2019, Florida passed legislation to require hotels to provide training on how to spot and stop human trafficking within their establishments (Florida Statute §509.096). Florida recently created a statewide human trafficking data repository in collaboration with the University of South Florida, indicating the state's commitment to fighting trafficking. One interviewee reiterated that the influence of the tourism industry in Florida requires *"increased accountability for businesses that turn a blind eye to, or even encourage, labor trafficking."*

Current Number of Policies Passed



Presence of 3P policies

"It's really important for us to gather data... looking at lived experience to help guide more of our policies and legislation" (Florida Nonprofit Leader)

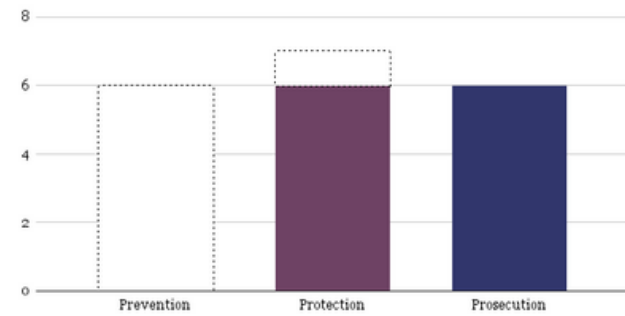


# OKLAHOMA

Oklahoma has passed all the prosecution and nearly all the protection policies, but is trailing behind in its preventive efforts. The state lacks all prevention policy indicators, including law enforcement training, and education on trafficking in school. Siloed operations and fragmented data collection among stakeholders are common, with little to no data sharing between government and nonprofits. This hinders collaborative partnerships and conceals the prevalence of trafficking within the state. Interviewees note that partnerships are happening but many of them are in their infancy, with fear they will be short-term instead of lasting relationships. In an environment where data sharing and long-term investments in partnerships are the keys to effectively combating human trafficking, Oklahoma lacks the current capacity to do so.

Current Number of Policies Passed

Oklahoma



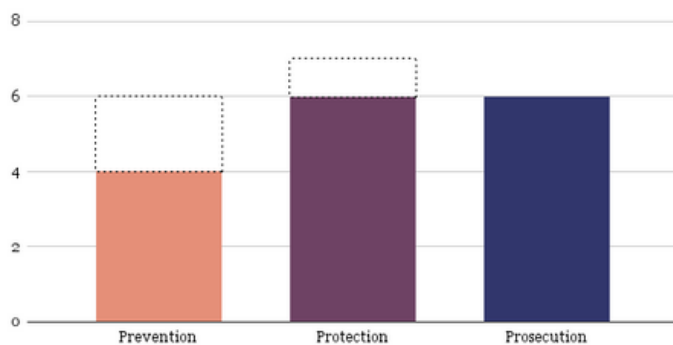
*Presence of 3P policies*

"I wish I had more data...if I had more data, if the legislation would get passed." (Oklahoma Government Official)

# NORTH CAROLINA

Current Number of Policies Passed

North Carolina



*Presence of 3P policies*

North Carolina has comprehensive anti-trafficking legislation enacted but struggles with data sharing and collaboration. The North Carolina Human Trafficking Commission is a champion in the state and works to facilitate relationships among law enforcement, service providers, and policymakers.

However, some stakeholders find that the current funding structure feeds competition and division among service providers. A lack of consistency in screening tools contributes to an overall lack of identification of victims and survivors within North Carolina. According to interviewees, three main data collection platforms are being used but there is limited data sharing occurring in the state.

"The other piece is when individual nonprofits are sharing data... It's flawed data." (North Carolina Nonprofit Leader)

# RESEARCH FINDINGS

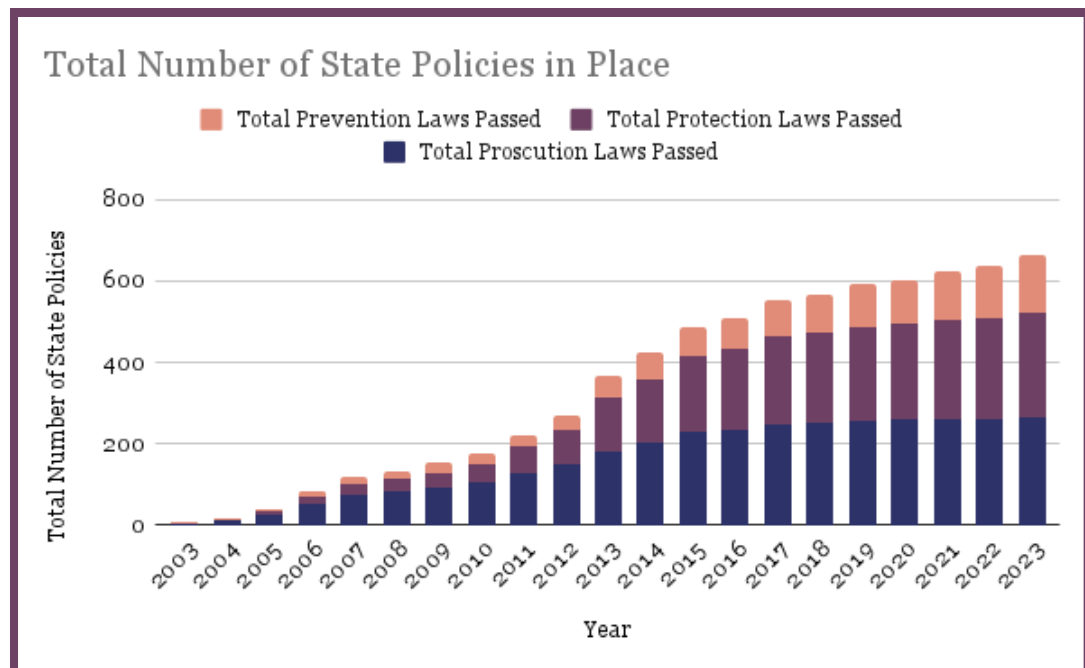
## FINDING 1: EVOLUTION OF ANTI-TRAFFICKING LEGISLATION



The fight against human trafficking has shifted in policy focus over time, reflected by the order in which states have historically passed legislation: prosecution, protection, and then prevention. With prosecution laws typically prioritized first, all three case study states (North Carolina, Oklahoma, and Florida) currently demonstrate strong legal frameworks to punish perpetrators. However, interviews revealed that traffickers will frequently plead to lesser charges resulting in strong maximum penalties rarely being applied.

Following the enactment of prosecution policies, the legislative focus turns toward enacting policies that protect victims and survivors. All three states have implemented a significant portion of the seven key protection policies researched. This includes legal immunity for certain crimes committed by victims while they were trafficked, and the allocation of funds to victim service organizations. Nonprofits also play a crucial role in providing direct care, but these organizations are often stretched thin due to limited funding.

Prevention policies are typically passed last and are the least prevalent among the 3Ps. Prevention efforts can inform the public about trafficking as an issue, such as through education in schools and training for law enforcement. North Carolina and Florida have both taken action in implementing preventative policies, while Oklahoma has passed zero prevention policy indicators. These preventative policies are likely the next step in the evolution of anti-trafficking policy.



*Total number of state policies in place*



## FINDING 2: IMPROVEMENTS NEEDED IN DATA COLLECTION & SHARING

Effectively combating human trafficking requires data-driven efforts from both government agencies and nonprofit organizations. Collecting data on survivors, perpetrators, and trends in the space is essential for allocating resources, developing prevention strategies, and rescuing victims. Different states and organizations often collect similar data, but inconsistencies in definitions, information-sharing policies, coding practices, and privacy concerns create fragmented data systems. Data is siloed, collected for individual purposes, and not utilized in partnership with other agencies or nonprofit organizations. The lack of sharing makes it difficult to get a clear picture of the scope of human trafficking, and more collaboration is needed in this area. North Carolina is developing a system for officers to document potential trafficking signs and indicators during interactions, while Oklahoma and Florida are each working with researchers to create a unified state data collection system.

These efforts hold promise for improving data collection and analysis. By working together to develop standardized data collection methods that share information securely and involve survivors in the process, states and nonprofits can improve their anti-trafficking efforts and better protect and serve victims.

"It can't just be data collection, for the sake of data collection, it needs to be an intelligent system that helps us to identify gaps and resources, actual humans who are falling through the cracks."

(Oklahoma Nonprofit Professional)

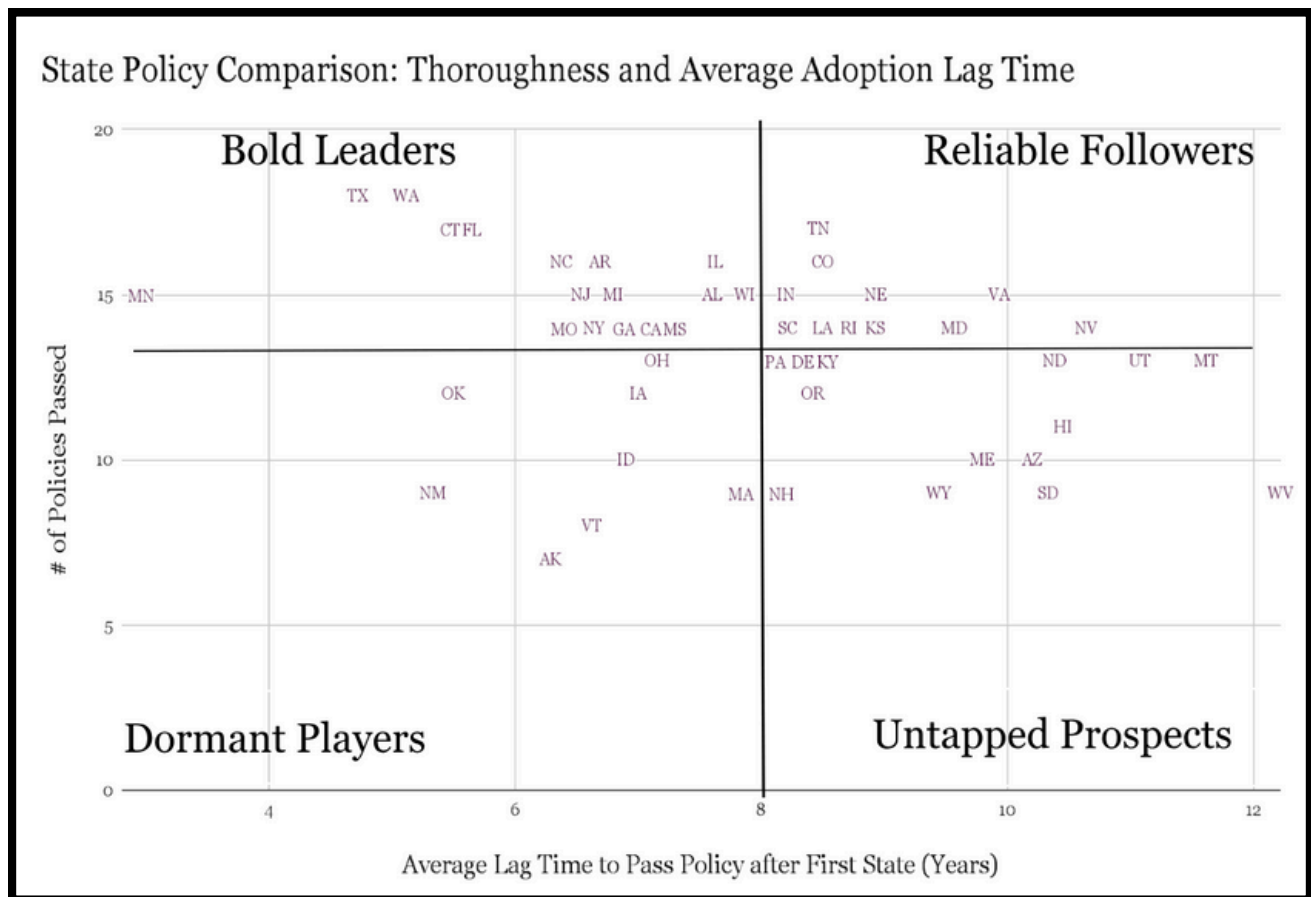
## FINDING 3: THE FOURTH "P" OF PRIORITIZING PARTNERSHIPS

While the existing framework emphasizes prosecution, protection, and prevention, this research has found that there is a missing "P", partnerships, which is crucial in combating human trafficking. Collaboration between law enforcement and nonprofits strengthens anti-trafficking efforts. Coalitions and task forces, both mandated and voluntary, provide mechanisms for information sharing, resource allocation, and policy advocacy.

However, collaborative challenges still exist. Competition for funding among nonprofits can create a siloed mentality, prioritizing organizational survival over collaboration. This hinders a survivor-centered approach, where diverse organizations work together to meet victims' needs effectively.

The data collected in this study suggest fostering trust, prioritizing survivor well-being, and maintaining open communication between organizations should be at the forefront of anti-trafficking efforts, but these ideas have yet to be fully realized. By overcoming the systemic challenges hindering collaboration, stakeholders can strengthen anti-trafficking policy implementation and ensure survivors' successful reintegration into society.

# FINDING 4: FOUR STATE HUMAN TRAFFICKING PROFILES



States vary significantly in their legislative efforts to combat trafficking. This variance is seen in the number of policies states pass and how quickly they pass these policies relative to other states. Using these two variance components, states can be categorized into four distinct profiles: Bold Leaders, Reliable Followers, Dormant Players, and Untapped Prospects.

**Bold Leaders** are proactive in passing anti-trafficking legislation. They often have the most comprehensive policy toolkits and are frequently the first to enact new measures. These states demonstrate a willingness to be innovative, and thorough, and they can provide an example for other states.

**Reliable Followers** eventually pass most anti-trafficking policies, but they tend to take a longer time to enact these policies compared to Bold Leaders. This delay might be due to slow-moving legislatures, a lack of political will, or a preference for observing policy effectiveness in other states before passing those same policies. However, the eventual adoption of these measures signifies that Reliable Followers are committed to combating human trafficking.

**Dormant Players** were once early movers in enacting anti-trafficking legislation, particularly with prosecution policies. However, their legislative efforts have recently stalled, and they have yet to adopt many of the newer prevention policies seen in other states.

**Untapped Prospects** have few anti-trafficking policies and were slow to enact them. However, they have the opportunity to learn from Bold Leaders and Reliable Followers. Untapped Prospects can use these states as examples to improve their legislation and better support victims and survivors.

Understanding the legislative landscape of each state can reveal areas of both strengths and weaknesses, offering valuable insights into exemplary practices worth emulating. By learning from each other's policy profiles, states can create a more comprehensive and effective national response to this critical issue.

# RECOMMENDATIONS

- **Facilitate Interstate Coordination**
- **Advocate to Rectify Gaps in Nationwide Policy**
- **Advocate for Higher Minimum Sentencing**
- **Prioritize the Legislation Most Likely to Pass**
- **Tailor Advocacy to State Policy Sequencing**

The U.S. Human Trafficking Policy Database demonstrates areas for potential improvement in trafficking policy within all 50 states. Chiefly, prevention and partnership need greater alignment within the system. Trafficking does not occur within state lines, so data sharing and collaboration should not be siloed within states, either. Traffickers are likely to move their operations to states with lower potential sentences, which could be prevented by raising the minimum sentences across the nation. Based on the analysis, states generally pass prosecution, protection, and then prevention policies. Understanding the historical policy process around human trafficking legislation should be taken into account when advocating for what, and when, legislation needs to be passed. Knowing which states pass legislation using a batch method or incremental method can inform how to most efficiently and effectively allocate resources when advocating for policy.

## CONCLUSION

Human trafficking is a global issue that impacts millions of victims every year and is more prevalent in U.S. communities than many people realize. Since the turn of the century, the U.S. has begun to address this issue with new legislation. This report assessed state anti-trafficking policy within the U.S. through the revision and update of the longitudinal U.S. Human Trafficking Policy Database. Anti-trafficking efforts in Florida, Oklahoma, and North Carolina were also examined as case studies to gather information on policy implementation, data collection, and collaboration between stakeholders. Database and interview analysis show states go through three phases of policy implementation: prosecution of traffickers, protection for survivors, and prevention of future trafficking. Even with this pattern, states vary widely in how many of these policies they have passed and how quickly policies are passed. More collaboration is needed between and within states, specifically regarding data collection and sharing.

In the future, advocates should focus on the following: facilitating interstate coordination, advocating for states to rectify policy gaps, advocating for higher minimum sentencing, prioritizing the passage of legislation most likely to pass, and tailoring advocacy to state policy sequencing. This research expands on current literature and seeks to inform advocates, service providers, and policymakers, as they continue the fight against trafficking.