



## About Human Trafficking - Newsletter #6

In previous newsletters we explained that sexual and labor trafficking involves force, fraud or coercion.

While voluntary sexual activity by someone over 18 is not considered trafficking, **sex trafficking (as defined by law) does occur if a minor engages in any commercial sex act, voluntary or not.**

A **commercial sex act** is defined by law as "any sex act on account of which anything of value is given to or received by any person." Simply put, it involves a sex act traded or exchanged for something of value. Prostitution, participation in sex shows, and pornography are common commercial sex activities.



Within 48 hours of running away, a young person is likely to be solicited for prostitution or another form of commercial sexual exploitation.

Unfortunately, you may encounter "**survival sex**" when working with vulnerable children, youth and adults. Survival sex describes the participation in sex acts in order to meet basic survival needs, especially food and housing.

A minor engaged in a commercial sex act is considered trafficked under the law without regard to whether or not there is a "survival" component, force, fraud, or coercion. However, an adult is not considered a trafficking victim if they voluntarily participate in a commercial sex act, even though it may be "survival sex."

The US Department of State makes an important point to keep in mind when discussing how individuals become victims of sex trafficking, especially when an unwitting girlfriend is groomed for prostitution by her boyfriend:

It is critical to understand that a person's initial consent to participate in prostitution is not legally determinative; if an individual is thereafter held in service through psychological manipulation or physical force, that person is a trafficking victim.

Trafficking victims may not view themselves as victims, or they may be very afraid, untrusting, embarrassed, humiliated, or reluctant to come forward. Trafficking situations may be

New Jersey Department  
of Children and Families  
20 W. State St.  
Trenton, NJ

Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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dangerous and unpredictable. Until we have further training and protocols, bring any suspicions to your supervisor and call 911 if there is immediate danger. Other resources are the New Jersey Trafficking Hotline at 1-877-986-7534 and the National Human Trafficking Resource Center at 888-3737-888.

**Next About Human Trafficking Newsletter, September 17, 2013.**

Previous About Human Trafficking newsletters are available [here](#).