

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



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**M E M O R A N D U M**

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TO: Members of the House Judiciary Committee

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SUBJECT: House Bills 5009-5013 – Human Trafficking

**Human Trafficking in Michigan: A Profitable Crime Hidden in Plain Sight**

The trafficking of human beings remains one of the most profitable criminal enterprises in the world. Although precise figures are impossible to determine—criminal organizations do not publish balance sheets or file tax returns—estimates of global profits from human trafficking range from \$172.6 billion to nearly \$500 billion annually.<sup>1</sup> In 2024, the International Labour Organization estimated that traffickers generated approximately \$236 billion in illegal profits worldwide.<sup>2</sup>

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<sup>1</sup> Depending on the source, the numbers for profitability of human trafficking tend to change. Just another highlight of how inconsistent the data is regarding human trafficking. The International Labour Organization (ILO) is a well-respected organization from the United Nations and the ILO's numbers are often the most cited and relied upon.

<sup>2</sup> Roden, Rosalyn. "Traffickers taking \$236 billion in illegal profits at victims' expense." March 21, 2024. *Hope for Justice*.  
<https://hopeforjustice.org/news/traffickers-taking-236-billion-in-illegal-profits-at-victims-expense/>

To put this figure into perspective, Alphabet Inc., currently listed as the most profitable company in the world, reported profits of approximately \$111 billion in 2025.<sup>3</sup> Even using the International Labour Organization’s conservative methodology, human trafficking generates roughly \$125 billion more per year than Google. This comparison underscores a disturbing reality: the exploitation of human beings has been refined into a sophisticated, highly lucrative business model. Human traffickers can reap such profits due to their low overhead, renewable or reusable “product”, and limited risk of enforcement of criminal laws.

### **What Is Human Trafficking?**

Human trafficking is commonly misunderstood as synonymous with commercial sex. In reality, trafficking falls into three primary categories: commercial sex trafficking, forced labor, and debt bondage. While commercial sex trafficking is the most visible and widely discussed form, forced labor is the most prevalent globally and domestically. Debt bondage can occur in either context and involves exploiting a victim through an unending or ill-defined obligation to repay a debt.

Under Michigan law—and under federal law—human trafficking is defined as the exploitation of another person through force, fraud, or coercion. Michigan’s statutory framework is set forth in MCL 750.462a–h. At its core, the law prohibits knowingly recruiting, enticing, harboring, transporting, providing, or obtaining an individual for forced labor or services. See MCL 750.462b.

Michigan law distinguishes between adult and minor victims. When the trafficking involves the sexual exploitation of a minor—defined as a person under the age of eighteen—the prosecution is not required to prove force, fraud, or coercion. See MCL 750.462e(a). Thankfully, the Michigan Legislature has recognized that minors cannot consent to commercial sexual activity, regardless of the circumstances.

Michigan also separately criminalizes trafficking through debt bondage, defined as holding an individual to labor or services as security for a debt when the value or duration of the labor is undefined or not applied toward extinguishing the debt. See MCL 750.462c; MCL 750.462a(d).

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<sup>3</sup> Murphy, Andrea & Schifrin, Matt. “Forbes The Global 2000.” June 12, 2025. *Forbes.com* <https://www.forbes.com/lists/global2000/>

The statute further provides detailed definitions of “force,” “fraud,” and “coercion.” Coercion, often the least understood concept, extends far beyond overt physical threats. Under Michigan law, coercion includes schemes intended to cause an individual to believe that failure to comply will result in psychological, reputational, financial, or legal harm. It includes threats of deportation, child protective services involvement, arrest, or lawsuits; confiscation of identification documents; and the manipulation or control of access to controlled substances. See MCL 750.462a(b). Fraud is narrowly defined as false or deceptive offers of employment or marriage, while force encompasses physical violence or threats thereof. See MCL 750.462a(f), (h).

Stripped of legal terminology, human trafficking can be understood as **“exploitation plus”**—the systematic exploitation of another human being, reinforced by mechanisms designed to eliminate choice.

### **Why Trafficking Is So Difficult to Identify and Prosecute**

Human trafficking is not a crime of passion or poor judgment; it is a calculated enterprise built entirely on the exploitation of human bodies for profit. Modern trafficking is not slavery in chains—it is slavery concealed by social bias, misinformation, and willful blindness.

One of traffickers’ most effective tools is denial: the insistence that trafficking either does not exist or that those involved are not victims at all. This narrative persists in part because trafficking is dramatically underreported and undercounted. Victims often do not self-identify, law enforcement agencies frequently misclassify trafficking offenses, and communities lack the training necessary to recognize trafficking when it occurs.

In 2020, the National Institute of Justice identified significant gaps in trafficking data, attributing them to the underground nature of the crime, insufficient training, inconsistent reporting mechanisms, and the tendency to subsume trafficking offenses under other crimes such as prostitution or labor violations. As a result, available statistics reflect only a fraction of the actual scope of the problem.<sup>4</sup>

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<sup>4</sup> National Institute of Justice, "Gaps in Reporting Human Trafficking Incidents Result in Significant Undercounting," August 4, 2020, [nij.ojp.gov](https://nij.ojp.gov):

Trafficking data, then, functions much like an iceberg: what is visible is only the smallest portion of what exists.

### **The Scope of Trafficking in the United States and Michigan**

Nationally, much of the available data comes from the National Human Trafficking Hotline. In 2024, the Hotline received 32,309 signals, identified 11,999 trafficking cases, and documented 21,865 victims—an increase of more than 5,000 victims from the prior year. These numbers reflect only those cases that reached the Hotline and does not include cases identified independently by law enforcement, service providers, or courts.

Michigan is not immune. In 2024, Michigan ranked among the top states for trafficking reports. The Hotline received 764 reports involving Michigan, identifying 340 cases and 585 victims—nearly 100 more victims than in 2023. Michigan ranked behind only California, Florida, Georgia, Illinois, New Jersey, New York, and Texas.<sup>5</sup>

Whether these increases reflect heightened awareness or increased trafficking activity remains unclear. What is clear, however, is that trafficking is a significant and persistent problem within Michigan’s borders. Trafficking may be so prevalent in Michigan given the amount of tourism occurring in the State, the various different types of agricultural and specific growing seasons, and its proximity to an international border.

### **Victim Blaming and Forced Criminality**

Despite robust statutory frameworks, trafficking prosecutions remain difficult. One reason is societal misunderstanding. Traffickers deliberately target individuals who are already marginalized—those experiencing poverty, mental health challenges,

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<https://nij.ojp.gov/topics/articles/gaps-reporting-human-trafficking-incidents-result-significant-undercounting>.

<sup>5</sup> National Human Trafficking Hotline. December 28, 2025.

Humantraffickinghotline.org:

<https://humantraffickinghotline.org/en/statistics/michigan>.

substance use disorders, immigration instability, or social isolation. These are individuals society is quick to overlook or blame.<sup>6</sup>

As a result, victims are frequently mischaracterized as willing participants rather than coerced individuals. This misconception fuels victim blaming and undermines prosecutions. It also discourages victims from coming forward, particularly when they fear retaliation from traffickers or punishment from the legal system for crimes they were forced to commit—a phenomenon known as forced criminality.

Without meaningful protections, reporting trafficking can expose victims to further harm rather than justice.

### **Legislative Efforts in Michigan**

Michigan lawmakers must take decisive action to address long-standing systemic failures in our response to human trafficking. A bipartisan package of House Bills (HB 5009–5028) represents an important step toward expanding protections for trafficking survivors and aligning Michigan law with the realities of coercion and control.

The legislation would allow survivors to set aside criminal convictions that were a direct result of forced criminality and would permit victims to assert an affirmative defense when prosecuted for crimes they were compelled to commit as a direct result of being trafficked. The package also strengthens protections for minors, especially a presumption of coercion in cases involving commercial sex and expands access to services through the family court system.

House Bills 5009 and 5011 are particularly critical. These bills allow victims of human trafficking to set aside criminal convictions that were direct results of their exploitation – HB 5009 for adult convictions and HB 5011 for juvenile convictions. Far too often, survivors report that long after escaping their traffickers, they continue to suffer the consequences of criminal records for acts they were forced to commit. These records create significant barriers to safe housing, employment, and essential services, effectively extending the harm inflicted by traffickers long after the trafficking has ended.

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<sup>6</sup> U.S. Department of Justice. “What is Human Trafficking?” June 26, 2023.  
[www.justice.gov: www.justice.gov/humantrafficking/what-is-human-trafficking](http://www.justice.gov/humantrafficking/what-is-human-trafficking).

House Bill 5010 further addresses forced criminality by allowing trafficking survivors to assert an affirmative defense when charged with crimes they were compelled to commit as a direct result of their trafficking. This defense is analogous to self-defense, a well-established and widely accepted principle in criminal law. Victims of trafficking are frequently forced to commit crimes under threat of serious harm or death to themselves or their loved ones. In these circumstances, compliance is not voluntary – it is a means of survival. Recognizing this reality in law is both just and necessary.

These House Bills also focus on protecting minors who are victims of human trafficking. House Bill 5012 modifies safe harbor protections for minors who are involved in commercial sex by maintaining the presumption that a minor engage in commercial sex is a victim of trafficking. This bill requires Child Protective Services to petition the Family Court for a finding that the minor is dependent and at risk of harm, while importantly eliminating the requirement that the child fully cooperate with authorities to retain this presumption. This change is essential, children who have been trafficked have already been subjected to extreme coercion and abuse. The State should not further strip them of autonomy by conditioning protection on forced cooperation.

House Bill 5013 provides prosecutors with a critical tool in the prosecutions of human traffickers by allowing expert testimony from individuals with lived experience of trafficking. Most jurors lack understanding of the trauma, manipulation, and control inherent in trafficking situations. Lived-experience experts can explain why survivors may behave in ways that defy common assumptions, such as delayed reporting or continued contact with their traffickers. This testimony is vital to ensuring that juries fully understand the dynamics of trafficking and can hold perpetrators accountable.

Additionally, House Bills 5014 through 5028 modernize Michigan statutes by replacing the terms “prostitution” and “prostitute” with “commercial sex.” This linguistic shift is not merely semantic; it removes stigmatizing language that has historically been used to discredit victims in courtrooms. While the Judiciary Committee is not currently taking these matters up, it is important to remove outdated language as these terms often only harm victims by placing a stigma on their abuse.

These House Bills are not alone in the need to change Michigan’s legal response to human trafficking. Complementary bipartisan Senate legislation, led by Senator John Damoose, focuses on increased accountability for traffickers. The bills would elevate trafficking offenses to twenty-year felonies, make trafficking of a minor punishable by life imprisonment, raise the age for prosecution for commercial sex from sixteen to eighteen, and impose stricter penalties on purchasers of commercial sex. Several of those Bills have just left the Senate Civil Rights, Judiciary, and Public Safety Committee.

Together, these reforms represent a meaningful step toward survivor-centered justice.

### **Beyond Legislation: Education and Support**

Legislation alone cannot dismantle a crime that thrives on ignorance. Education is the most effective long-term tool for preventing trafficking. Michigan must invest in age-appropriate trafficking education in schools, including instruction on online safety, grooming behaviors, and warning signs of exploitation.

Public awareness campaigns, mandatory professional training for law enforcement, attorneys, healthcare providers, educators, and mental health professionals, and sustained funding for survivor services are equally critical.

Michigan must also expand long-term housing, treatment, job training, and financial literacy programs for survivors. Recovery from trafficking is not linear or short-term. It requires stability, support, and dignity.

Human trafficking persists not because it is invisible, but because it is misunderstood. Michigan has an opportunity—and an obligation—to lead with clarity, compassion, and courage.