



Prosecutor's Reference Guide

CDL Drivers & Courts - On the Road to End Human Trafficking is a human trafficking awareness course designed for commercial drivers. This reference guide provides information to assist prosecutors in presenting the course to a commercial driver's license (CDL) holder who appears before the court as a defendant in a case. This guide defines human trafficking, explains the importance of a comprehensive approach to combating this crime, outlines details of the course, and highlights the benefits this training can provide to CDL drivers and their local community.

How Prosecutors Can Use the Course

Part of the Plea Agreement: As part of a plea agreement, include a condition that requires the CDL holder to complete the course. It is important to note that completion of the course cannot serve to reduce any charges that would result in masking (49 CFR § 384.226).

Recommendation to Defense Counsel: Recommend that defense counsel encourage their CDL holder clients to complete the course as a proactive step to demonstrate contrition for the charge(s) they are facing. The course can also be positioned as a means for defendants to demonstrate to the court that they are actively working to be a positive contributor to the community.

Request to the Judge: In the absence of a plea agreement with the defendant, prosecutors can request that the judge include the course as a condition of sentence/probation/supervision. By assigning the course as part of a community service requirement, the court contributes to raising awareness of human trafficking and fosters the outlook that fighting this crime benefits the community at large.

What is Human Trafficking?

The U.S. Department of Justice defines human trafficking as “a crime involving the exploitation of a person for labor, services, or commercial sex” through the use of force, fraud, or coercion. Inducing a person under the age of 18 to engage in commercial sex is also human trafficking, even without the use of force, fraud, or coercion.

Not Human Smuggling: It is important to note that human trafficking and human smuggling are not the same. The U.S. Department of Homeland Security defines human smuggling as “moving a person across a country's border with that person's consent in violation of immigration laws”. Human trafficking is the illegal exploitation of people for commercial sex or forced labor. Transportation of the individual is not required in human trafficking.

Where It Is Occurring: Many people mistakenly think human trafficking only occurs in distant locales, but it can occur anywhere there's a demand for sex or cheap labor. Human trafficking has been reported in every state in the U.S. Traffickers often move victims around, locally and across states, to attract buyers and avoid detection.

CDL holders can get started at ncsc.org/cdlhta

CDL Holders and Combating the Problem

Extensive Travel: CDL holders are uniquely positioned to help combat human trafficking. Their extensive travels lead them to locations where trafficking may be taking place, such as rest areas and truck stops, thereby heightening the chances of CDL holders recognizing and reporting potential trafficking situations.

Identifying & Reporting: CDL holders generally have a strong grasp of their surroundings, particularly common routes and transportation hubs. This familiarity enables them to discern suspicious activities or signs of trafficking, such as noticing anything unusual or out of the ordinary. CDL holders can play a vital role in identifying signs of human trafficking and promptly reporting the situation to authorities.

Courts as Part of the Solution

Human trafficking is a pervasive issue. Therefore, combatting it requires a broad, comprehensive approach. Addressing this evil necessitates a collective public effort and courts play a pivotal role as a trusted and authoritative influence within the community. The court's legal authority, reach, impact, and opportunities to engage CDL holders are paramount to enlisting their help in the fight against human trafficking.

What CDL Holders Will Learn

In this course, designed specifically for CDL holders, participants will learn various aspects of human trafficking awareness. The course takes approximately 45 minutes to complete and is delivered in an interactive e-learning format that can be accessed at any

time from a computer, tablet, or smartphone. The learning objectives for the course are detailed here.

Definition of Human Trafficking:

Participants will understand that human trafficking involves the exploitation of individuals through the tactics of force, fraud, or coercion, encompassing both sex and labor trafficking. The course will cover victims, traffickers, and common locations where human trafficking can occur.

CDL Disqualification for Human

Trafficking Conviction: Participants will learn about the "No Human Trafficking on Our Roads Act," which imposes a lifetime ban on any person convicted of human trafficking in a commercial motor vehicle.

Signs of Human Trafficking: Participants will develop the ability to identify common signs and indicators of human trafficking in their surroundings, as well as signs that someone may be a victim of human trafficking.

Reporting Human Trafficking: Participants will receive guidelines for reporting suspected cases of human trafficking to local law enforcement and the National Human Trafficking Hotline, as well as specific details to share with authorities when making a report.

The course features videos from TAT (formerly Truckers Against Trafficking), including first-person accounts from victims of human trafficking and CDL drivers who reported the crime. The course concludes with a 15-question quiz, which requires achieving a score of 80% or higher to pass. Participants who successfully complete the course are issued a certificate of completion that can be presented to the court.