

Screening for Forced Marriage & Human Trafficking

Tip Sheet for Marriage Officiants

WHAT IS FORCED MARRIAGE?

A forced marriage is a marriage to which one or both parties do not, or cannot, consent and in which one or more elements of force, fraud, or coercion are present. Forced marriage can impact individuals of any age, gender, sexual orientation, socio-economic status, national origin, and ethnic or religious background. Forced marriage is different from arranged marriage, in which families may take the lead, but the ultimate choice of whether, when, and whom to marry remains with the individual and they are able to express preferences without facing consequences.

WHO IS IMPACTED BY FORCED MARRIAGE?

Forced marriages can happen to people of any gender, age, religion, cultural background, national origin, or economic status. The Forced Marriage Initiative has responded to over 800 emergency requests for assistance and served individuals from almost every state in the U.S. from every walk of life.

WHAT IS HUMAN TRAFFICKING?

U.S. law defines human trafficking as the **use of force, fraud, or coercion** to compel a person into commercial sex acts or labor or services against his or her will. The one exception involves minors and commercial sex. Inducing a minor into commercial sex is considered human trafficking regardless of the presence of force, fraud or coercion.¹

WHO IS IMPACTED BY HUMAN TRAFFICKING?

Human trafficking can happen to anyone, but some people are more vulnerable than others. Significant risk factors include recent migration or relocation, substance use, mental health concerns, involvement with the child welfare system and being a runaway or homeless youth. Often, traffickers identify and leverage their victims' vulnerabilities in order to create dependency.²

CONNECTION BETWEEN FORCED MARRIAGE & HUMAN TRAFFICKING

Arguably "human trafficking" can describe some forced marriage cases. A forced marriage may have elements of human trafficking if the driving motivation for the family is financial, to settle a debt or obtain a bride price and elements of forced labor may also be present, particularly in cases of servile marriage.

¹ <https://polarisproject.org/how-human-trafficking-happens/>

² <https://polarisproject.org/myths-facts-and-statistics/>

WARNING SIGNS & RED FLAGS³

Watch your bias: One red flag alone may NOT be indicative of a forced marriage or human trafficking threat, however, if several are present, we encourage asking the right questions.

- Restricted from speaking with you alone or answering questions for themselves.
- Unreasonable restrictions such as “house arrest,” not being allowed to speak on the phone or communicate with others alone. Ask yourself, does it seem like the individual can come and go freely from where they live?
- Close monitoring by family, “partner” or other members of the community or household.
- Often in the company of someone to whom he or she defers, or someone who seems to always be in control of the situation.
- Appears to be coached on what to say.
- Lacks control of personal possessions including ID and other documents or money.
- Disoriented, confused, or showing signs of mental or physical abuse.
- Shows signs of having been denied food, water, sleep, or medical care.

FOLLOW UP QUESTIONS WHEN RED FLAGS ARE PRESENT:

TIP – Set expectations from the beginning with each couple! Include the fact that you will want to speak to them together, and individually, in order to get to know them as part of your standard practice. This opens opportunities for confidential conversations, disclosure and support without raising red flags or making anyone feel targeted.

- How did your engagement happen?
- How did you meet your partner/future spouse?
- Why do you want to be married?
- What is your current living situation?
- After the marriage, where will you live? Do you have friends or family that also live near there, or others you count on for support?
- How do you plan to share finances as a couple? Do you feel you have control over whether or not you work and what happens to your income?
- How does marriage typically happen in your family or community and how do you feel about that for yourself?
- Does your family want you to get married and how do you feel about that for yourself?
- If you don’t want to get married, have you told your family or the intended spouse? If not, why not?

³ <https://www.dhs.gov/blue-campaign/indicators-human-trafficking>

IF THEY EXPRESS HESITATION TOWARDS THE MARRIAGE

ALWAYS

- Let the individual know they have the right to say no to a marriage they do not want, even if they are a minor.
- Reassure the individual that no religion sanctions forced marriage.
- Remind the individual that even in marriage consent is still required for sexual activity.
- Use telephonic language interpretation when there is a language barrier.

If the individual discloses, provide resources such as:

- The Forced Marriage Initiative at FMI@tahirih.org & 571-282-6187
- The National Sexual Assault Hotline 800-656-HOPE (4673)
- The National Domestic Violence Hotline 800-799-7233
- National Human Trafficking Hotline 888-373-7888

NEVER

- Tell someone that forced marriage or an unwanted arranged marriage is a “cultural” or “family” issue.
- Use family or community members as interpreters.
- Activate a law enforcement or CPS response without the consent and knowledge of individual.
- Act as a mediator. Even things that seem helpful, such as sharing your suspicions or information about U.S. laws with parents or perpetrators as a way of warning them, can reveal that an individual has asked for help, and this can have serious consequences without proper safety planning in partnership with a professional.

AN IMPORTANT NOTE ON MANDATED REPORTING

Creating opportunities to speak 1:1 with individuals is key to opening space for disclosure and support. Current child protection systems and law enforcement in the U.S. often face challenges when confronted with forced marriage or human trafficking cases, especially those involving minors. Without proper planning, standard responses may potentially put an individual at greater risk of harm.

It is essential that you **explain mandated reporting requirements and limits to confidentiality** at the beginning of any conversation and **always provide** the individual at risk **resources such as our email fmi@tahirih.org, phone number 571-282-6187, the National Sexual Assault Hotline 800.656.HOPE (4673), the National Domestic Violence Hotline 800-799-7233, or the National Human Trafficking Hotline 888-373-7888.**

AN IMPORTANT NOTE ON IMPLICIT BIAS

An implicit bias is when we attribute attitudes, beliefs, behaviors, or associate stereotypes with a certain group. One can hold negative or positive associations towards race, gender, economic status, religion, ethnicity, language, and other characteristics. These prejudices are controllable and working towards challenging these biases are critical in providing support to individuals in need. One could be over critical of individuals from a particular group while at the same time dismissing others in need if they do not “fit” our idea of what a victim of forced marriage or human trafficking looks like.

Be careful when looking for “red flags”, for example, two individuals from different racial backgrounds getting married should **not** be viewed as a “red flag” nor should individuals who present as low income unless there are other warning signs.