

Human Trafficking – Michigan Reporting Law

I. Michigan Law for Adults

- Consult with _____ if you are uncertain if a report must be made under Michigan Law.
- If a patient presents with a reportable injury, the patient should be told that by law we are required to make a report to the police.
Michigan Compiled Laws Annotated 750.411 states hospitals shall report to the police any wounds inflicted by means of knife, gun, pistol or other deadly weapon or by other means of violence. The report shall include the name/address of the injured party and the nature of the injury. It is restricted to persons suffering from any wound, i.e., acute injury.
- If an adult patient discloses abuse but is not presenting with an injury in need of treatment, **a mandatory report does not need to be made to the police**. A patient can be told that trafficking is a crime and that help from the legal system is available. The healthcare professional can recommend making a report to the police as there are many benefits, including immigration benefits, in accessing the criminal justice system. However, the decision to report lies with the patient.

II. Michigan Law for Children

- [Mandatory reporting guidelines](#) for child abuse should be followed.
- Remember:
 - Reporting is required for children under 18. A child under the age of 18 is presumed to be coerced into child sexually abusive activity or commercial sexual activity. A child under 16 cannot be charged with prostitution.
 - However, at 16 and 17 years old, child victims of human trafficking can be charged with prostitution. A prosecutor may show, beyond a reasonable doubt, that the person was not forced or coerced into committing the offense, leading to prostitution charge.
 - If a 16 or 17 year old fails to substantially comply with court-ordered services, they may also be charged with prostitution.