

FREEDOM NETWORK MEMBER REPORT

A CLOSER LOOK AT HUMAN TRAFFICKING
ACROSS THE UNITED STATES (2010-2012)



The Freedom Network (USA) is a national coalition of anti-trafficking service organizations and advocates. Our members take a rights-based approach to combating human trafficking and modern-day slavery.

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For more information about the Freedom Network (USA), visit <http://freedomnetworkusa.org/>.

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WHO *we* ARE

The Freedom Network is a coalition of 39 non-governmental organizations that provide services to, and advocate for the rights of, trafficking survivors in the United States using a human rights-based, empowering approach. Founded in 2001, its members are leaders and experts in the field.

The Freedom Network recognizes that human trafficking is fueled by complex and interconnected factors, including poverty and economic injustice, racism, gender-based discrimination, and political strife. At its core, the crime of trafficking is a violation of an individual's basic rights and personal freedom. Thus, we believe that a rights-based approach is fundamental to combating human trafficking and ensuring justice for trafficked persons.

In practice, a true rights-based approach places a trafficked person's priorities and narrative at the center of anti-trafficking work. The model relies on voluntary, non-judgmental assistance with an emphasis on self-determination to best meet an individual's short- and long-term needs. This means allowing the trafficking survivor to accept or decline assistance, to receive culturally-competent services in a language he or she can understand, to have access to necessary reproductive health care, to decide whether or not to report the crime to law enforcement, to exercise victim witness rights, to sue the trafficker, and to participate in anti-trafficking leadership efforts if he or she chooses.

Our years of work with trafficked persons have shown that those served using a rights-based approach tend to regain trust, safety, and self-sufficiency. They tend to more fully recover from their victimization and trauma than those who are not served using a rights-based approach. In contrast, those who are treated like criminals instead of victims, who feel that their needs are not being considered, that their stories are not believed, or that their decisions and actions are being judged, are more likely to abandon services and the criminal justice process altogether. This leads to poorer justice outcomes and increases the risk that the individual will return to the trafficker or will face other challenges to safety and well-being.

Given our understanding of these realities, the Freedom Network's rights-based approach takes many forms: client-centered service provision; dedicated criminal justice advocacy; representation of trafficked persons in civil litigation; evidence-based research and legislative advocacy; and survivor-led campaigns to end worker exploitation and economic injustice.

ABOUT *the* REPORT

In our efforts to contribute to a growing body of knowledge about the numbers and demographic realities of trafficked persons in the United States – as well as the concrete effects of the Trafficking Victims Protection Act and subsequent reauthorizations – the Freedom Network compiled a demographic report of its members' cases from 2010 to 2012. This report reflects the needs and experiences of human trafficking survivors across the United States. For more information about the Freedom Network and its member agencies, visit www.freedomnetworkusa.org.

FREEDOM NETWORK USA
IS A NATIONAL COALITION OF
SERVICE PROVIDERS AND
ADVOCATES COMMITTED TO
EMPOWERING
TRAFFICKED AND
ENSLAVED PERSONS
IN THE UNITED STATES.

THE FREEDOM NETWORK CONFERENCE

A cornerstone of the Freedom Network's efforts to promote a rights-based approach in anti-trafficking work across the country is our annual conference, which brings together hundreds of anti-trafficking professionals from diverse disciplines to explore emerging issues and promising practices. The 13th Annual Freedom Network Anti-Trafficking Conference will be held in Washington, DC in April 2015.

For more information, visit
www.freedomnetworkusa.org.



Total Number of **CLIENTS SERVED**

This report was conducted in 2013 and covered actual human trafficking cases during the three-year period from the beginning of 2010 through the end of 2012. **With 24 out of 29 organizational members reporting, Freedom Network members served at least 2236 clients.**



2,236

A human trafficking case can last as long as seven years and may include identification, criminal justice advocacy, social service provision and case management, counseling, immigration relief, family reunification, civil litigation, adjustment to legal permanent residency, and applications for citizenship. In some cases, Freedom Network members have become involved in the criminal defense of trafficked persons or assisted survivors with vacating prior convictions.

Katarina's **STORY**

Katarina* left her home country to escape an abusive husband and severe anti-Semitism. **She came into the United States believing she would be working as a nanny but ended up being coerced into prostitution to pay back a large debt.**

While working, she was arrested multiple times for prostitution. The first two times she was arrested for prostitution, she was not screened for trafficking. Finally, the last time she was arrested, her defense attorney thought she may have been coerced into prostitution and contacted our agency to properly screen her for trafficking.

Katarina's case was very complicated, and it was only after intense therapy was she able to fully express what had happened to her. During that time, Katarina cooperated extensively with law enforcement authorities, including returning to the apartment where she originally held.

Katarina also disclosed that her criminal record was going to cause problems when she was trying to open up her own business. She shared that she felt like the convictions were a scar on her record that she could not ever fully explain to her family, employers, or loan officers. However, due to Katarina's status as a survivor of trafficking, she was able to have all of her convictions for prostitution vacated.

Katarina now no longer has a criminal record, and she has her own successful company.

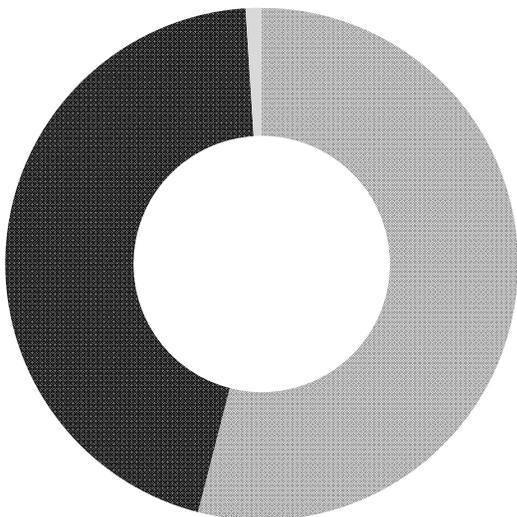
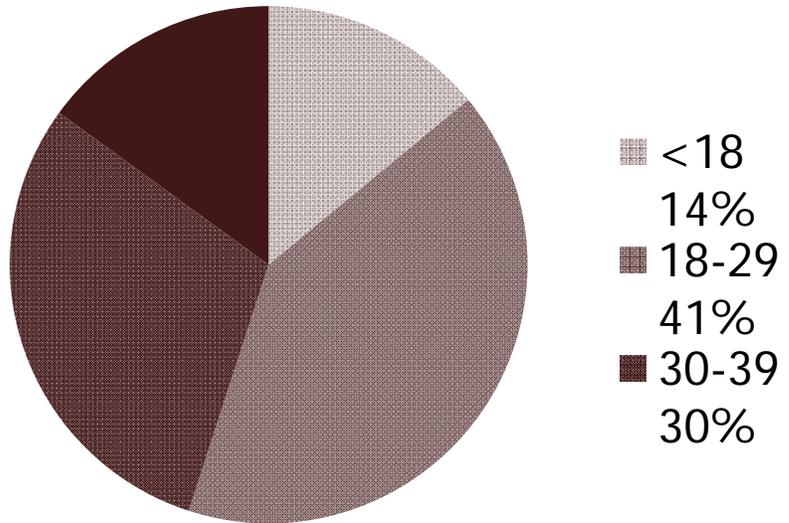
– FREEDOM NETWORK MEMBER

**ALL NAMES & IMAGES HAVE BEEN CHANGED TO PROTECT SURVIVORS' IDENTITIES*

DEMOGRAPHICS

Age

Forty-one percent (485) of Freedom Network clients were reported to be between ages 18 and 29 during the relevant time period. Almost a third, or 30 percent (359), of reported clients were between 30 and 39. Clients who reported being over 40 at the time of trafficking were 15 percent (178). Finally, 14 percent (169) of Freedom Network clients reported to be under the age of 18.¹² The vast majority, or 86 percent of clients, were adults. Taking into account Freedom Network members who do not track clients by specific ages other than adult or minor,¹³ 91 percent of clients were adults.



Gender

During the relevant time period, Freedom Network clients were reported to be majority female at 1,199 clients, almost half male at 1,006 clients, and one percent other at 28 clients.

¹² Some organizations do not track for age at all. Their numbers are not reflected in the Age Distribution graph. For those who do not track for age at all, there are 180 clients identified.

¹³ Some FN member organizations do not track for specific ages beyond the categories of minor and adult. They include 768 adults. Their numbers are not reflected in the Age Distribution graph.



CC Serigne Diagne

Miriam's STORY

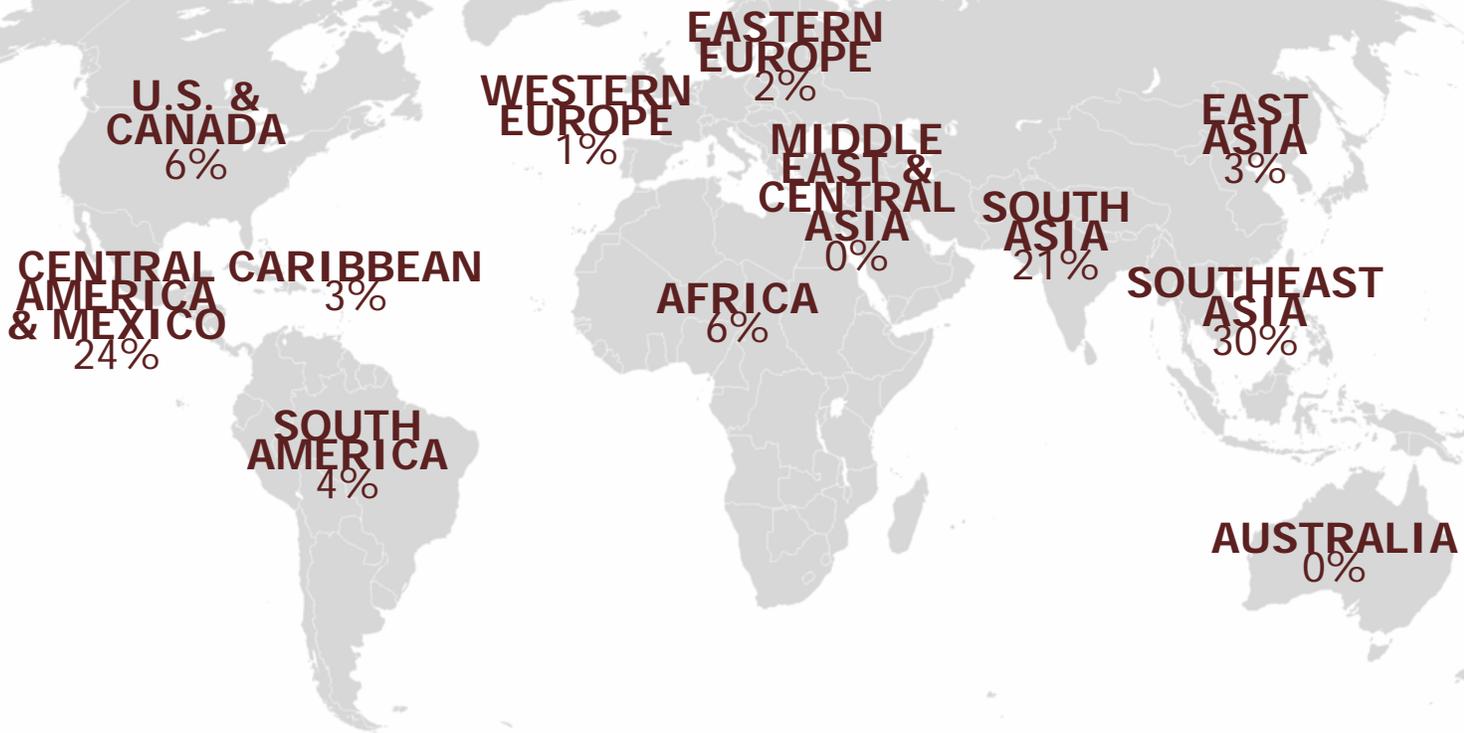
Notwithstanding the attention to domestic minor sex trafficking in recent years, children and young people are trafficked into a variety of sectors, including agriculture, domestic work, and restaurant work.

Miriam came to the United States at the age of 16 to perform with a youth acrobat troupe at schools throughout the country. She worked or traveled six days a week several months out of the year. She did not have homework or pursue any academic studies. She was deprived of sufficient food and was always hungry because the troupe organizers did not want her to gain too much weight. She was not allowed to go out on her own, her calls were monitored, and her pay was sent directly to her grandfather overseas. She was finally able to escape with the assistance of a staff member from one of the schools.

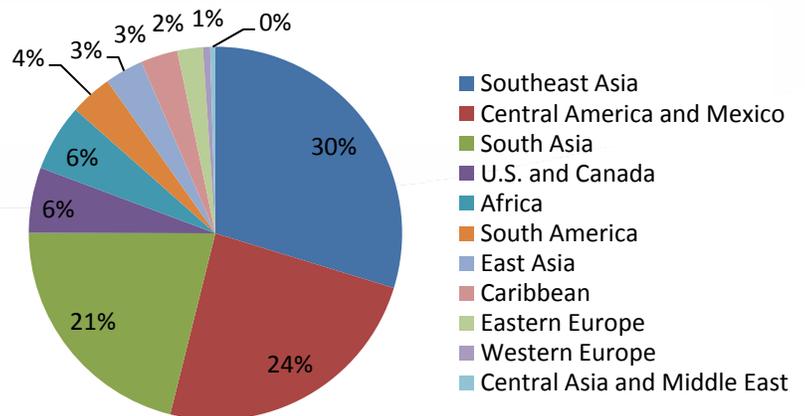
– FREEDOM NETWORK MEMBER

Geographic Region

The majority of trafficked persons represented by Freedom Network organizations during the relevant time period originate from the following regions: Southeast Asia (e.g. Philippines, Thailand, and Malaysia) at 30 percent (660 clients), Central America and Mexico at 24 percent (536 clients), and South Asia (e.g. Pakistan, India) at 21 percent (469 clients). The United States and Canada (126 clients) make up six percent as does Africa (129 clients). Four percent of FN clients descend from South America (81 clients). Three percent are from East Asia (74 clients) and the Caribbean (71 clients) each and two percent of clients are from Eastern Europe (49 clients). Finally, approximately one percent of FN clients are from Western Europe and Central Asia and the Middle East (e.g. Kazakhstan, Turkey, and Afghanistan) combined.



It is notable that the majority of FN clients (55 percent) originate from Asian countries and almost one-third of Freedom Network clients are from Latin American nations.





CCA Riviera Nayarit

Nina's STORY

Nina and her sister Sita came to the United States with the expectation that they would become models. They plunged themselves into debt in order to pay a recruitment agency. However, instead of arranging for them to obtain visas, the agency brought them to the country through a smuggling operation via Canada.

When they eventually arrived in New York, they were told that they had to work off an alleged debt by working as hostesses at a bar. There, they had to interact with customers and do whatever was needed in order to get customers to buy more alcohol. This often involved kissing, fondling, and other sexual touching.

They were eventually able to escape with the assistance of a customer who learned that they were there against their will. U.S. Citizenship and Immigration Services granted them T visas as victims of labor trafficking.

— FREEDOM NETWORK MEMBER

Some instances of trafficking may appear to be sex trafficking but may more appropriately fit under the federal definition of labor trafficking.

TYPES *of* TRAFFICKING

According to federal law, trafficking for labor occurs when a person is induced to provide labor or services through force, fraud, or coercion. Trafficking for sex occurs when a) an adult is induced to engage in commercial sex through force, fraud, or coercion or b) when a minor is induced to engage in commercial sex.

During the relevant time period, 73 percent (1634) of Freedom Network clients were seen for labor trafficking, 23 percent (518) were seen for sex trafficking, and three percent (66) were seen for both forms of human trafficking.



Sara's STORY

Sara was 18 when she was invited to come to the United States by her female cousin. She was told she could stay with the cousin and her husband and help out with their children. She thought this was a great opportunity to come to the United States and have the love and support of family. However, when she arrived it became clear that she was expected to be the primary caregiver to the children and also to cook and clean for the family. She was also forced to work outside the home at a chicken processing plant and hand over her paychecks to her cousin.

When her cousin went out of town, her husband started raping Sara regularly. He convinced her to drink alcohol and then forced her to have sex. He told her that because she was drunk it was not rape and that she was to blame.

– FREEDOM NETWORK MEMBER

*For a trafficking case to meet the federal definition of **sex trafficking**, the victim must be compelled to engage in the sex trade. A situation where a victim has been raped or sexually assaulted but where there is no exchange of money or monetary value meets the federal definition of **labor trafficking**.*



Many, if not most, human trafficking cases involve a coercive working environment where unscrupulous employers cultivate a climate of fear. They use various techniques to intimidate workers to maintain their compliance, including:

- *threatening the workers*
 - *threatening the workers' families*
 - *alleging substantial debts*
 - *taking their passports or other identification documents*
 - *limiting their contact with the outside world*
 - *depriving them of adequate food or lodging*
 - *threatening to contact law enforcement authorities to detain or deport them*
-

Forced Labor in **HOTELS**

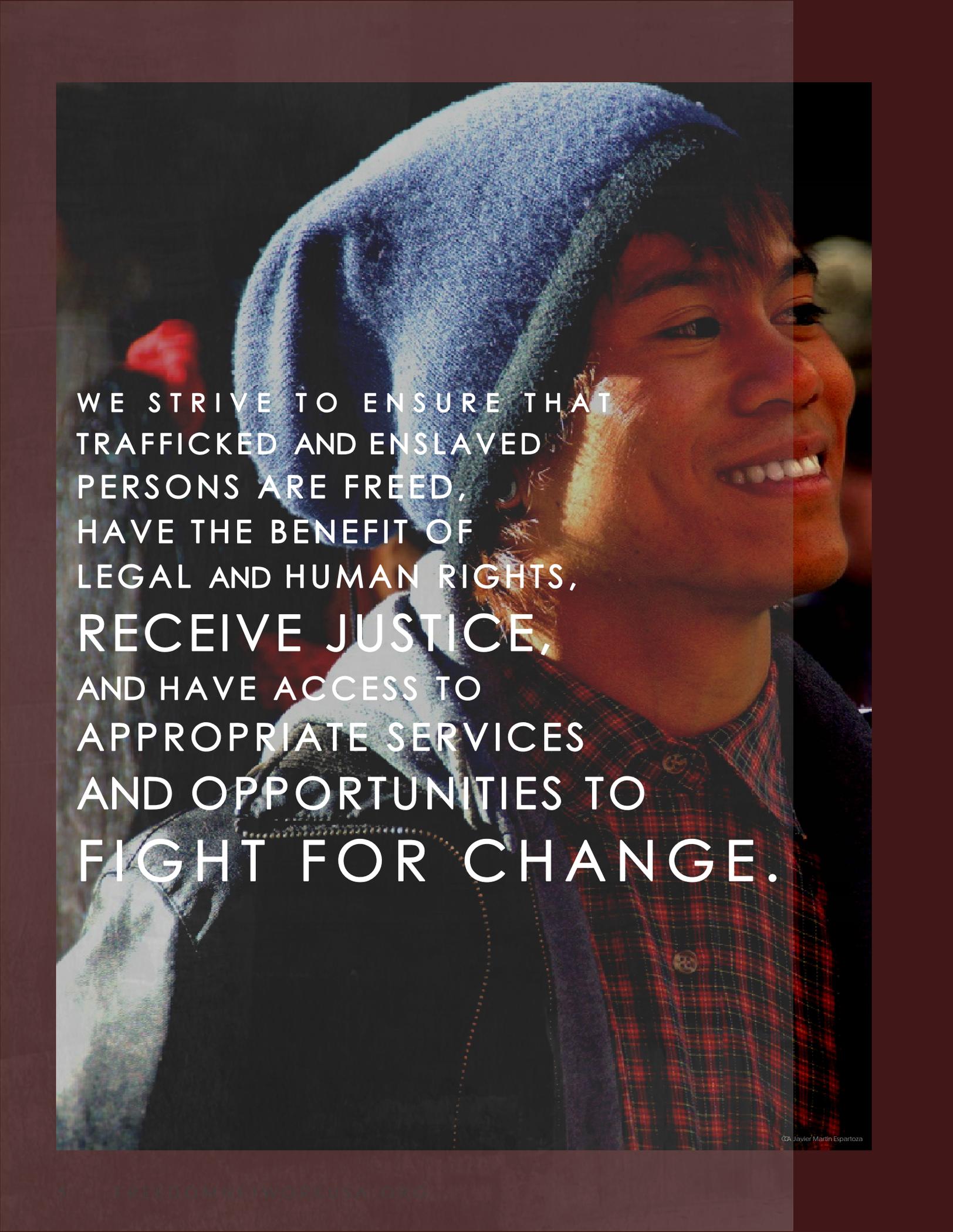
We represent a group of approximately 20 Filipino labor trafficking victims. **The workers were recruited by an employment agency in the Philippines who promised them good jobs at hotels in the United States, free room and board, and help obtaining their lawful permanent residence.** The agency induced the majority of the workers to go into debt in order to pay the large recruitment fees charged by the agency, promising them that they would easily be able to pay off the debt in the United States.

The workers were sent to hotels in Arizona and Florida, where they soon found that conditions were not as promised. The hotels took out large deductions for room, board, and other fees from the workers' paychecks and gave them inconsistent hours so that they could not pay off their debts in the Philippines. Many workers were mistreated by supervisors, forced to use chemicals without protection, and forced to work while sick. When the workers complained, they were threatened with deportation.

When other workers quit, hotel staff told the remaining workers that the workers had been reported to immigration authorities and the police who would search for the workers until they found them to arrest and deport them. **Terrified of deportation and unable to pay their large debts in the Philippines, the workers felt they had no choice but to continue to work for the hotels.**

We are now assisting the workers in applying for lawful immigration status. **The majority of the workers have received their T Visas and are in the process of reuniting with their families abroad.** We also reported the case to law enforcement, but law enforcement declined to investigate.

--FREEDOM NETWORK MEMBER



WE STRIVE TO ENSURE THAT
TRAFFICKED AND ENSLAVED
PERSONS ARE FREED,
HAVE THE BENEFIT OF
LEGAL AND HUMAN RIGHTS,
RECEIVE JUSTICE,
AND HAVE ACCESS TO
APPROPRIATE SERVICES
AND OPPORTUNITIES TO
FIGHT FOR CHANGE.

©A Javier Martin Espartosa

LEGAL SERVICES

During the three-year period from 2010 through 2012, Freedom Network members reported 768 criminal cases and assisted 41 civil litigation cases.¹ Notable criminal cases in which Freedom Network members have been involved include *United States v. Devyani Khobragade*², *United States v. Benito Lopez-Perez, et al.*³, and *United States v. Angel Cortez-Granados*⁴ and other cases from Tenancingo, Mexico. Some civil actions of Freedom Network members include *David v. Signal Int'l, et al.*⁵, *Dlamini v. Babb, et al.*⁶, and *Camayo v. Peroulis & Sons Sheep*⁷, *Rios Fun v. Pulgar, et al.*⁸, *Cruz v. Maypa, et al.*⁹, and *Ballesteros v. Al-Ali*.¹⁰

For non-U.S. citizen victims and survivors, Freedom Network members have assisted in 652 principal T visa approvals, 244 Continued Presence approvals, 29 principal U visa approvals, and have reunified at least 147 families. The Trafficking Victims Protection Act provides for humanitarian immigration relief for trafficked persons and certain family members. U.S. Citizenship and Immigration Services issues principal T visas to trafficking survivors and principal U visas for victims of certain crimes, including human trafficking. Law enforcement authorities also have the ability to apply for Continued Presence, which provides temporary immigration relief for trafficked persons.



Freedom Network members served at least 39 percent of all principal T visa approvals for the United States, according to the U.S. Citizenship and Immigration Service's T & U Visa Report from 2010 to 2012.¹¹

¹ Of the 23 participating organizations, one organization was not able to provide legal information. Therefore, that organization's numbers are not included in this section.

² Benjamin Weiser & Vivian Yee, Claims Against Indian Diplomat Has Echoes of Previous Cases, N.Y. TIMES, Jan. 9, 2014, <http://www.nytimes.com/2014/01/10/nyregion/claims-of-diplomats-mistreating-household-staff-are-far-from-the-first.html>.

³ Press Release, United States Attorney's Office Eastern District of New York, Three Mexican Brothers Plead Guilty to International Sex Trafficking (May 20, 2013), available at <http://www.justice.gov/usao/nye/pr/2013/2013may20b.html>.

⁴ Press Release, United States Attorney's Office Eastern District of New York, Angel Cortez-Granados, Member of the Granados-Hernandez Sex Trafficking Organization, Sentenced to 15 Years in Prison (Sep. 30, 2013), available at <http://www.justice.gov/usao/nye/pr/2013/2013sep20.html>.

⁵ Elizabeth Flock, More Human Trafficking Lawsuits Filed Against Major U.S. Shipbuilder, U.S. NEWS & WORLD REPORT, Aug. 8, 2013, <http://www.usnews.com/news/articles/2013/08/08/more-human-trafficking-lawsuits-filed-against-major-us-shipbuilder>.

⁶ See Fran Jeffries, Woman Sues for Damages in Human Trafficking Cases, ATLANTA JOURNAL-CONSTITUTION, Aug. 16, 2013, available at <http://www.ajc.com/news/news/breaking-news/woman-sues-for-damages-in-humantrafficking-case/nZQrZ/>.

⁷ Ivan Moreno, Lawmaker Scraps Attempt to Raise Sheepherder Wages, DENVER POST, Apr. 8, 2010, http://www.denverpost.com/search/ci_14845933.

⁸ Helen Pow, Housekeeper of Peruvian Diplomat in New Jersey Claims She 'Lured Her to U.S. to Work 16 Hour Days with No Weekends on Just Bread and Coffee,' DAILY MAIL, June 26, 2013, <http://www.dailymail.co.uk/news/article-2349012/Mar-R-os-Fun-lawsuit-Housekeeper-New-Jersey-accuses-Peruvian-diplomat-human-trafficking.html>.

⁹ Ryan Abbott, Bank Worker Accused of Human Trafficking, COURTHOUSE NEWS SERVICES, July 24, 2013, <http://www.courthousenews.com/2013/07/24/59632.htm>.

¹⁰ Michelle R. Smith, UAE Officer Ordered to Pay \$1.2M to Former Worker, AP, Dec. 27, 2012, <http://bigstory.ap.org/article/uae-officer-ordered-pay-12m-former-worker>

¹¹ U.S. Citizenship & Immigration Svcs., Form I-914 – Application for T Nonimmigrant Status and Form I-918 –Petition for U Nonimmigrant Status-wide Receipts, Approvals, and Denials (Oct. 2012), <http://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I914T-I918U-visastatistics-2013-Oct.pdf>.

Tiffany's STORY

We represent Tiffany, a U.S. citizen sex trafficking survivor whose trafficker kidnapped her and forced her to engage in commercial sex against her will. During her trafficking, she was repeatedly beaten, raped, and threatened. The client eventually managed to call the police, who arrested her trafficker and charged him with sex trafficking in federal court.

We advocated for the client throughout the criminal case and provided her with housing, case management, and other critical services. As a result of the client's ongoing cooperation, her trafficker pled guilty to his crimes and agreed to 10 years in prison.

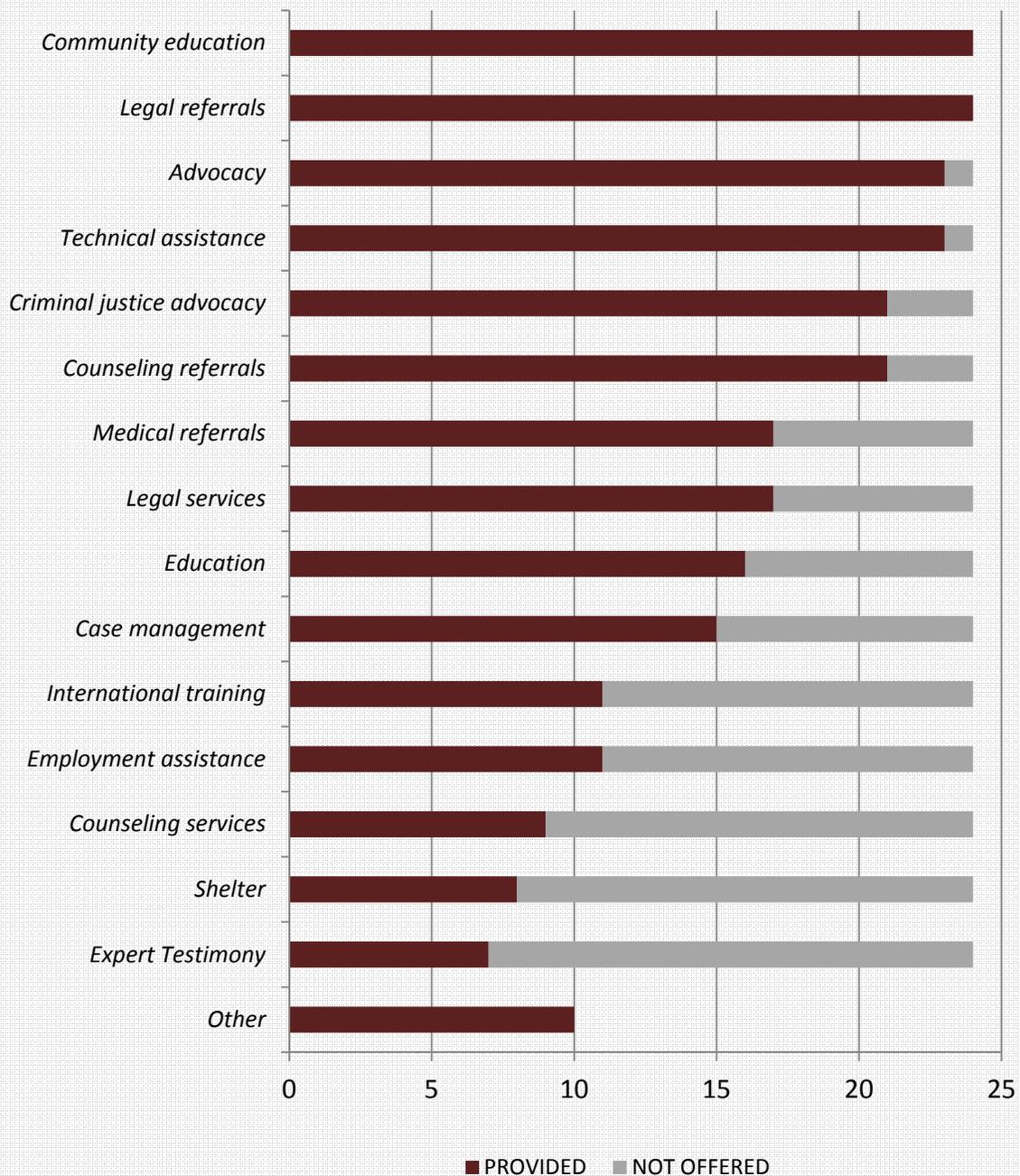
– FREEDOM NETWORK MEMBER

Some law enforcement agencies that are sufficiently trained in identifying and screening for human trafficking are able to investigate such cases and refer victims and survivors for assistance.



SOCIAL SERVICES

Freedom Network members currently provide a wide array of services to their clients including but not limited to case management, legal services, legal referrals, counseling services, counseling referrals, shelter, medical referrals, employment assistance, translation and interpretation, education, expert testimony, community education, criminal justice advocacy, international training, technical assistance, and advocacy.





The fact that the vast majority of Freedom Network clients originate from overseas demonstrates the need for access to interpretation and translation for limited-English proficient victims and survivors. Advocates and law enforcement agencies also need to be culturally competent in order to address the needs of foreign-born trafficked persons.

Lita's STORY

Lita came to the United States to continue working for her employer as a domestic worker. In their home country, she was one of two domestic workers and was only responsible for taking care of the children while the other worker took care of the cooking and cleaning. However, upon arriving in the United States, despite what she was told in their home country, she was responsible for childcare, cooking, and cleaning for the six-person household in the three-level home. **She also had to work seven days a week, 18 hours a day, and she only received \$250 per month**, instead of working five days a week, eight hours a day, and receiving \$1,700 per month.

When the employer was indicted, the interpreter that was used to interpret her testimony struggled to relay her statement verbatim. Subsequently, the judge ordered the interpreter to be replaced, nullifying the survivor's entire day of testimony. Lita had to re-testify the following day, repeating the entire narrative of her trafficker's exploitation and abuse.

— FREEDOM NETWORK MEMBER

the NEED *for* SAFE HOUSING

Lodging is one of the most critical needs a trafficked person has after leaving a trafficking situation. However, there are very few shelters in the United States that have the capacity to house survivors, much less shelters that are dedicated to housing trafficked persons exclusively. Many Freedom Network members must rely on local domestic violence shelters to accommodate survivors. Still, others may need to resort to placing survivors in homeless shelters until other accommodations can be made. These programs must be trained on how to sufficiently serve and assist trafficked persons. Such programs already have limited capacity to serve victims and survivors of intimate partner violence or homeless individuals, which makes shelter assistance the most difficult service for Freedom Network members to provide.

A n a ' s STORY

Ana had fled domestic violence in her home country and came to the United States to live free from abuse and give her child a better life. **She was taken in by a woman who forced her to work in a commercial cleaning business and also forced her to take care of her children in her home.** Ana came to us hoping to escape this woman and find a safe place to stay. We worked with her to contact a local domestic violence shelter.

We sat with Ana as the shelter put her through an hour-long intake and subsequently refused to serve her, stating that their programs were specifically intended for victims of domestic violence and that they did not feel they would be a good fit for this client. **They did this knowing this woman was homeless; they had space and refused to take her in.** We placed her in a hotel and eventually found a placement for her.

– FREEDOM NETWORK MEMBER



© Ana's Story

Housing for MEN & BOYS

Freedom Network members have difficulty placing male trafficking survivors in shelters in particular. Many domestic violence shelters refuse to house males, regardless of their circumstances.

We do not use shelter services for male clients as most local shelters that allow men are homeless shelters and are not appropriate for victims and survivors. We have a few shelters that will provide services to men, but they are often full. **Consequently, we have had to develop relationships with local landlords and other housing providers in order to obtain housing for male clients.** Often our male clients find a room to rent through friends or family. They are forced to be resourceful in this area as housing services are very limited.

We have had domestic violence shelters refuse to serve clients for several reasons:

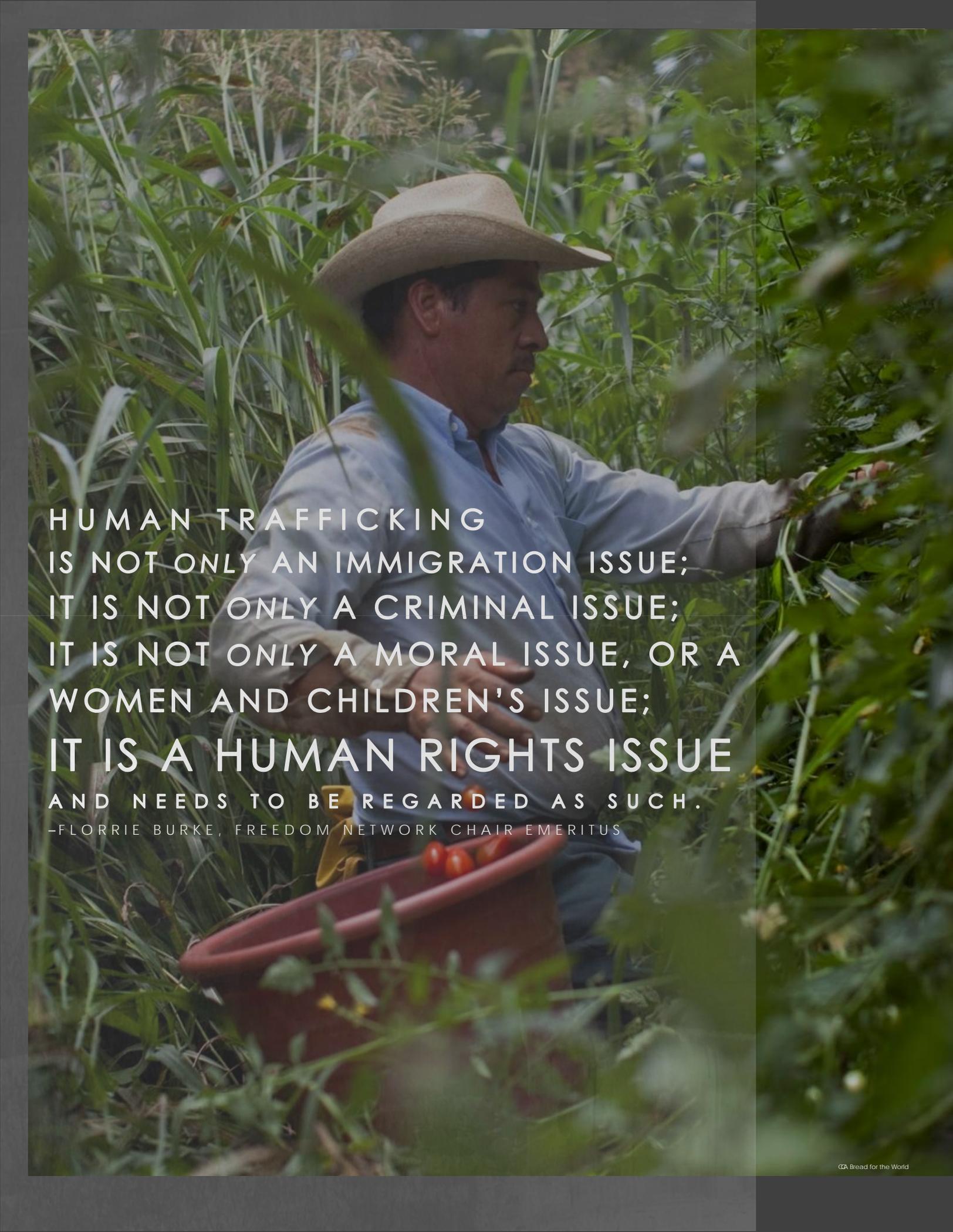
They say they are funded only to provide services to victims of intimate partner violence and few human trafficking cases fall into that category. Although our state passed a law two years ago that says any funds used for housing for domestic violence victims can be used for human trafficking victims as well, our clients still get refusals for much-needed housing.

They claim that trafficking victims are in more danger from their abusers than domestic violence victims. Clearly, this is not usually the case as an abuser in an intimate relationship with his/her victim poses an extreme threat when that victim has fled the relationship.

Their program is not set up to serve victims of human trafficking, and they believe their services are not appropriate for human trafficking survivors. However, like domestic violence survivors, trafficked persons often suffer from trauma, depression, and anxiety and could benefit from some of the services that domestic violence shelters offer.

They refuse to serve anyone involved in prostitution. However, trafficking survivors, regardless of the industry into which they were induced, need lodging and other critical services in order to stabilize and transition.

– FREEDOM NETWORK MEMBER

A man wearing a light-colored straw hat and a blue long-sleeved shirt is working in a field. He is holding a red plastic basket filled with red tomatoes. The background is filled with tall green plants, likely corn or similar crops. The lighting is natural, suggesting an outdoor setting during the day.

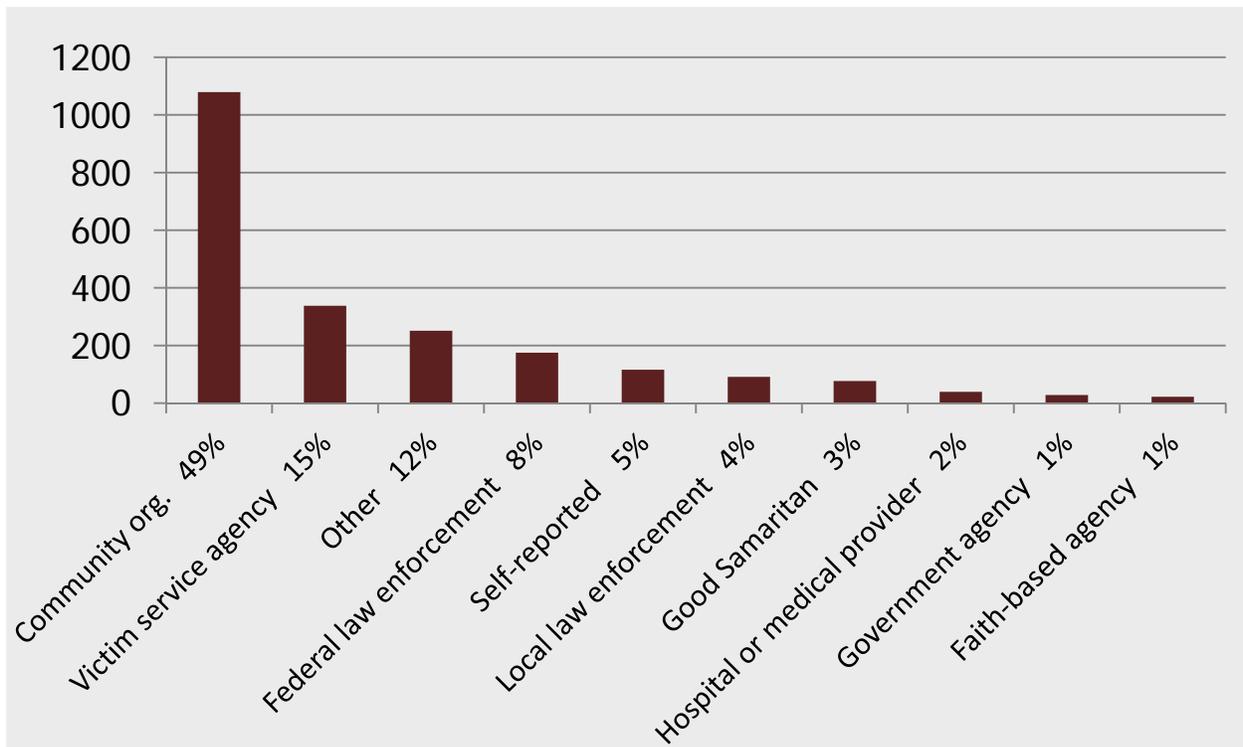
HUMAN TRAFFICKING
IS NOT ONLY AN IMMIGRATION ISSUE;
IT IS NOT ONLY A CRIMINAL ISSUE;
IT IS NOT ONLY A MORAL ISSUE, OR A
WOMEN AND CHILDREN'S ISSUE;
IT IS A HUMAN RIGHTS ISSUE

AND NEEDS TO BE REGARDED AS SUCH.

-FLORRIE BURKE, FREEDOM NETWORK CHAIR EMERITUS

REFERRAL SOURCES

Freedom Network organizations, during the relevant time period, reported that almost *half* of their active cases were referred for services by local community organizations and 15 percent were referred by victim service organizations. Federal law enforcement agencies referred about eight percent of FN clients while local law enforcement referred four percent and non-law enforcement government agencies referred about one percent. Faith-based agencies were responsible for one percent of referrals. Three percent of cases were referred by a Good Samaritan, two percent by hospitals or medical providers, and five percent were self-reported cases of human trafficking.



Our main source of referrals is community-based organizations to which we have provided training on identifying human trafficking and services available to victims and survivors.

– FREEDOM NETWORK MEMBER

*Working with **fewer resources** than government agencies, community-based organizations are responsible for the largest percentage of referrals of trafficked persons that Freedom Network members have received.*



Some cases may involve a solitary survivor, such as a domestic worker in a household. Other cases involve dozens of people who are trafficked, such as survivors who were forced, defrauded, and coerced into prostitution through organized crime syndicates operating in Tenancingo, Mexico. Still other cases may involve hundreds of trafficking survivors, such as workers who enter the United States through fraudulent and exploitative schemes using H-2A and H-2B visas, also known as the country's "guestworker" or temporary worker program.

Exploitation of **GUESTWORKERS**

We represent a group of Mexican agricultural workers who were recruited from rural Mexico to work on a reforestation project in Northern California. The workers were promised good pay, housing, and a 40-hour work week, and entered the United States on H-2B visas.

Once in the United States, they were forced to live in tents in the middle of the forest, drink river water, and use almost their entire salaries on food and supplies. The workers were also forced to work extremely long hours, spraying chemicals onto trees without the benefit of protective gear. They were supervised by armed crew leaders who fired shots to intimidate the workers and threatened to kill them if they stopped working.

We have been advocating on behalf of the clients as they cooperate with the Department of Labor and Homeland Security Investigations in the investigation of their traffickers, have applied for T visas on their behalf, and have helped the clients access medical care, housing, and other basic necessities.

--FREEDOM NETWORK MEMBER

Shannon's STORY

Shannon, a transgender woman, first came into the United States as a child because of the violence and harassment she was experiencing in her home due to her perceived sexual orientation as well as the encouragement of a cousin who promised her better things in the United States.

Once she arrived, however, Shannon was sexually exploited and trafficked by her cousin. After a year of this exploitation, Shannon ran away to live with her boyfriend. After six months of living together, Shannon's boyfriend became very violent, often so violent that Shannon had to be hospitalized.

During one of the hospitalizations, a nurse felt uncomfortable sending Shannon home with a person who was significantly older than her. The nurse called Child Protective Services (CPS) and Shannon was then sent back to the cousin who was trafficking and abusing her. **CPS, which was not trained to identify the signs of trafficking, made a few visits but did not find anything wrong with her housing situation with her cousin.** Shannon subsequently returned to her boyfriend.

However, after the abuse got worse, Shannon left her boyfriend and moved in with some friends who introduced her to an older man, Alex. The older man offered her a place to stay, which Shannon accepted. Shortly after, Alex trafficked her into commercial sex at the age of 16.

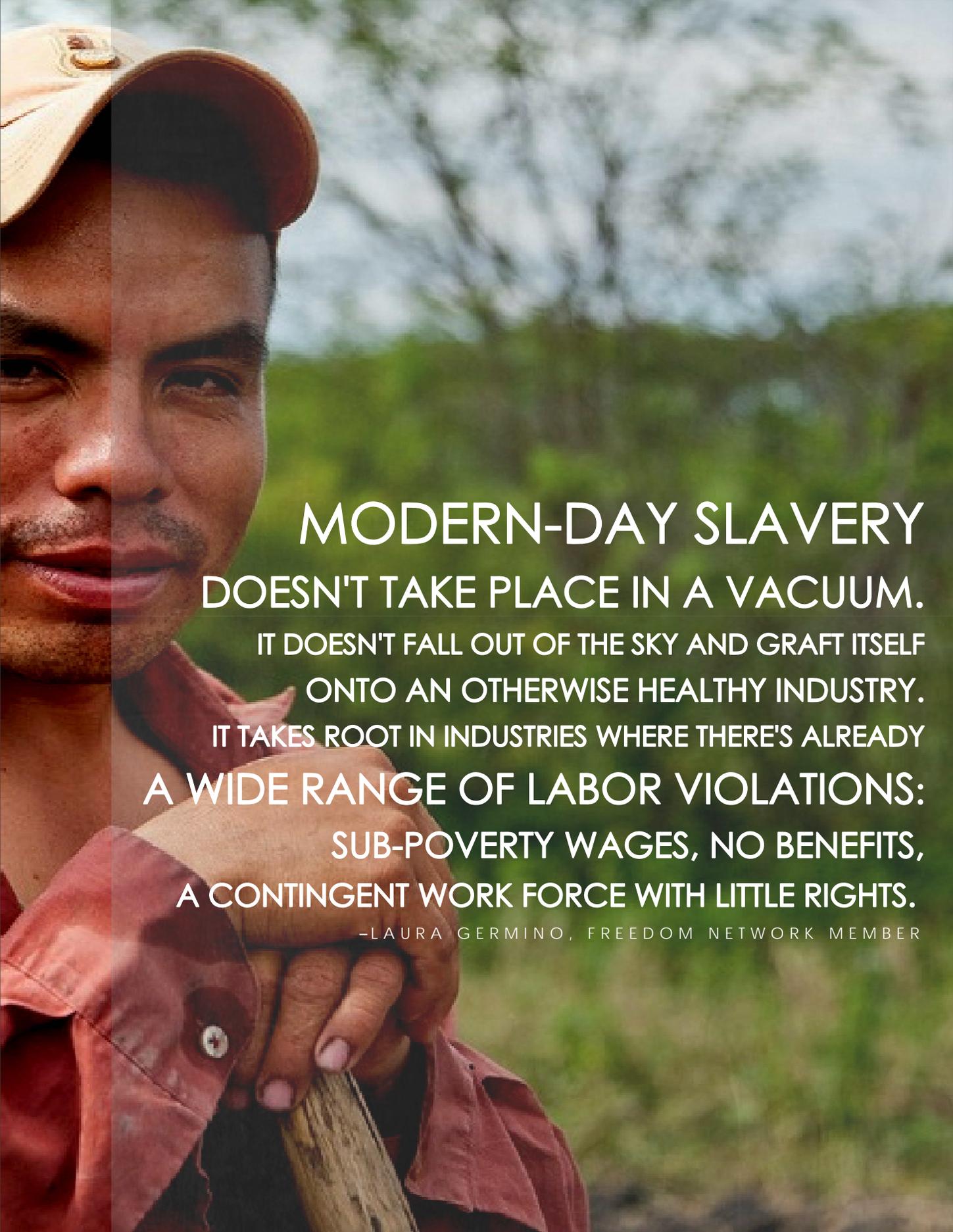
Shannon was able to escape Alex after about a year but was left with nothing. **During that time, she was arrested multiple times for prostitution.** On some of those occasions, she was engaging in prostitution, while other times she was falsely arrested and targeted by the police because of her gender identity. Each of those times she was pressured to plead guilty and did so. She was never offered services and her case was never diverted to New York's Prostitution Diversion Court. **She was also never screened for trafficking during any of the multiple arrests.**

Once she was finally connected to services, Shannon reported all of the crimes she was a victim of to law enforcement. Rather than being treated as a victim, however, she was treated as a criminal because of her previous arrests for prostitution. One of the officers went as far as telling her that she was not trafficked despite the fact that her arrests for prostitution occurred before her 18th birthday. **The officers would not even allow her to file a police report.**

Every step of the way, law enforcement officials, if properly trained, could have rescued Shannon from multiple traffickers or at least taken a statement that could have been used to help identify other trafficked individuals.

When law enforcement agencies are insufficiently trained on how to identify and screen for trafficking, they often pose a danger to victims and survivors. Trafficked persons, especially if they are induced into the sex trade, face the constant risk of being arrested for prostitution.

– FREEDOM NETWORK MEMBER



**MODERN-DAY SLAVERY
DOESN'T TAKE PLACE IN A VACUUM.**

IT DOESN'T FALL OUT OF THE SKY AND GRAFT ITSELF
ONTO AN OTHERWISE HEALTHY INDUSTRY.
IT TAKES ROOT IN INDUSTRIES WHERE THERE'S ALREADY
**A WIDE RANGE OF LABOR VIOLATIONS:
SUB-POVERTY WAGES, NO BENEFITS,
A CONTINGENT WORK FORCE WITH LITTLE RIGHTS.**

-LAURA GERMINO, FREEDOM NETWORK MEMBER

Angela's STORY

We worked on a case that involved a minor victim and Child Protective Services (CPS). Angela, a 17-year-old girl, was being forced by her mother to care for her younger brother. **She had to come straight home after school, was not allowed out of the house except to go to school, and had to do most of the cooking and cleaning in the home.** There was verbal and emotional abuse, and Angela reported physical abuse as well. She had told a school counselor all of this, who made a report to CPS.

CPS investigated the report of physical abuse but, because the child had no bruises, decided it was safe to return the child to the home. **Angela stated clearly that she did not feel safe in the home.** On her behalf, the school counselor contacted law enforcement who contacted the U.S. Attorney's Office who subsequently reached out to us.

There were clear indications of human trafficking, including the fact that the mother had taken all of the child's identification from her, such as the child's school identification, and created a coercive working environment for the child. We attended a meeting with CPS, the child, and the mother in which the child strenuously asked not to be returned to the home. CPS said they felt it was safe for her to be returned.

We offered to provide the child services and shelter, if the mother would consent to this. She did. CPS agreed to let us be involved only when we assured them they would not have to provide foster care for Angela. **They did everything they could to extricate themselves from this case. It seemed they were willing to return this child to a home she felt was unsafe in order to close the case.** A colleague who was at the meeting said, "I wanted to call CPS on CPS." I have never seen such a failure to protect a child – not just a failure, an intentional effort to find ways to not serve this child.

– FREEDOM NETWORK MEMBER



Non-law enforcement government agencies may also have the occasion to encounter trafficking. Labor departments, child protective services, public schools, and other first responders may interact with potential victims and survivors. With sufficient training, they can be extremely helpful in timely identifying trafficked persons who vitally need assistance.

RECOMMENDATIONS¹⁴

- 1. Understand that trafficking survivors include adults and children, foreign-born and U.S. citizens, and that people are trafficked into many forms of labor including, but not limited to, commercial sex.**
- 2. Recognize that not all sex workers are being trafficked, so as not to ignore the needs of those who do not fit the profile of a victim.** A rights-based approach meets the needs that clients identify, instead of treating clients as victims who should be grateful for rescue.
- 3. Promote economic security by protecting the rights of immigrant workers.** Immigrant workers should be protected by U.S. laws that ensure safe working conditions; prevent discrimination, sexual harassment, and sexual assault; eliminate wage theft and fraud; and bar exploitation and human trafficking. Temporary workers in particular experience worker exploitation as a result of failed federal policies that capitalize on their temporary work without providing the protections, including the freedom to change employment, needed to work safely in the United States.
- 4. Expand access to protection and services for immigrant workers.** First responders, often due to lack of training and awareness, fail to identify exploited immigrants. They should screen for victimization and provide victims and other vulnerable workers with early access to benefits and social services as well as immigration status.
- 5. Reevaluate immigration enforcement schemes.** Local enforcement of immigration laws can lead to racial profiling and a chilling effect among the most exploited immigrants. Law enforcement agencies should conduct mandatory screening for victimization and immigration eligibility, particularly focused on relief available to people who are currently undocumented. Enforcement agencies should exercise prosecutorial discretion in cases where immigrants are eligible for humanitarian relief and reprioritize enforcement for the most dangerous cases.
- 6. Utilize a victim-centered perspective to identify and understand how temporary workers are trafficked and abused.** Although not all abused temporary workers are trafficked, temporary workers should be appropriately screened and identified as potential trafficking survivors.
- 7. Support policies, legislation, and services that protect all trafficked children equally.** The misconception that child survivors of sex trafficking are more “deserving” of attention, services, funding, and legislation not only hurts child survivors of labor trafficking but also limits the public’s understanding of human trafficking as a whole.
- 8. Expand access to services and protection for all child survivors of trafficking, and create training programs for relevant city and state agencies.** Expanded services should include counseling, mentoring, housing, education, job training, and legal services. Large numbers of children slip through the cracks of an underfunded services network. Trainings should include, but not be limited to, labor investigators, first responders, truancy officers, and hospital workers. School systems should have protocols in place to identify all trafficked youth, refer to services and educate on prevention.

¹⁴ The Freedom Network (USA) has a series of policy papers on the intersection of human trafficking and other issue areas. See <http://freedomnetworkusa.org/about-us/policy-advocacy/freedom-network-factsheets-2/>.

9. **Promote appropriate placement with adults or family reunification, if appropriate.** Careful screening is required for assurance that families and other adults in the child's life were not complicit in trafficking the child and are adults with whom the child can be reunited. Family reunification is one of the primary goals of immigration laws. The Unaccompanied Refugee Minors (URM) Program, if taking child labor into account, can properly help place children in foster families as needed.
10. **Encourage and support the Department of Labor, especially the Wage and Hour Division, in its efforts to screen for child labor trafficking in the course of enforcing child labor laws and the Fair Labor Standards Act.** The DOL attempted to implement rules to protect children working in the agriculture industry. It should be given the leeway to protect child workers who may be vulnerable to be exploited, trafficked, or abused.
11. **Support workers in their efforts to organize so that they can better access and exercise their labor rights.** The Domestic Workers Bill of Rights was signed into law in New York and other states and can be used as a model of the comprehensive response that is needed to address the vulnerabilities and abuse of domestic workers.
12. **Increase resources for the Department of Labor, specifically increasing the number of employees investigating claims of labor exploitation and other workplace abuses.**
13. **Advocate for policies, legislation, and services that protect all trafficked persons by recognizing that women are trafficked into many labor industries outside of the sex industry.**
14. **Increase legal and regulatory protections in labor sectors targeting traditional women's work including domestic work, health care, informal sector work, part-time and contract work.**
15. **Understand the interwoven dynamics, similarities, and differences between human trafficking and sexual assault; assess for both sexual assault and trafficking, and seek all possible services and legal remedies available.**
16. **Inquire whether or not a person has experienced both domestic violence and human trafficking, and seek all possible services and legal remedies available.**
17. **Recognize interwoven dynamics, similarities, and differences between human trafficking and domestic violence.**
18. **Adapt and build upon domestic violence services and coalitions to support trafficked persons.**
19. **Increase dedicated funds for assisting trafficked persons, while recognizing cuts in funding domestic violence work and human trafficking work hurt both causes.** This includes funding for housing for trafficking survivors, including males.
20. **Train federal, state, and local law enforcement authorities on how to properly screen and identify victims and survivors of human trafficking.**¹⁵ They should screen those they arrest for engaging in illegal activity, such as prostitution, to determine whether they were subjected for force, fraud, or coercion.

¹⁵ The Freedom Network Training Institute (FNTI), the training arm of the Freedom Network (USA), holds the core belief that collaboration among the trafficked person, law enforcement, social service providers and community organizations is central to the problem of modern-day slavery for both prevention and elimination. See <http://freedomnetworkusa.org/training/>.

FREEDOM NETWORK USA

The Freedom Network is a coalition of 39 non-governmental organizations and individuals that provide services to, and advocate for the rights of, trafficking survivors in the United States using a human rights-based, empowering approach. Founded in 2001, its members are leaders and experts in the anti-trafficking field. For more information, visit www.freedomnetworkusa.org.

ARIZONA

International Rescue Committee

Arizona League to End Regional Trafficking (ALERT)
Phoenix • www.traffickingaz.org

CALIFORNIA

Asian Pacific Islander Legal Outreach

San Francisco • www.apilegaloutreach.org

Coalition to Abolish Slavery and Trafficking (

Los Angeles • www.castla.org

Human Trafficking Resource Project

Marianna Smirnova

Los Angeles • www.humantraffickingproject.com

The Katharine and George Alexander Law Center

San Jose • www.law.scu.edu/kgaclc

Legal Aid Foundation of Los Angeles

Los Angeles • www.lafla.org

Opening Doors, Inc.

Sacramento • www.law.scu.edu/kgaclc

COLORADO

Patricia Medige

CONNECTICUT

International Institute of Connecticut (IIC)

Bridgeport • www.iiconn.org

FLORIDA

Americans for Immigrant Justice

Miami • www.aijustice.org

Coalition of Immokalee Workers

CIW Anti-Slavery Campaign

Immokalee • www.ciw-online.org

International Rescue Committee

Florida Freedom Partnership/Anti-Human Trafficking Program

Miami • www.rescue.org

VIDA Legal Assistance

Miami • www.vidalaw.org

GEORGIA

Southern Poverty Law Center Immigrant Justice Project

Atlanta • www.splcenter.org

Tapestri Inc.

Tucker • www.tapestri.org

ILLINOIS

International Organization for Adolescents (IOFA)

Chicago • www.iofa.org

Heartland Human Cares Services, Northern Tier Anti-

Trafficking Consortium

Chicago • www.heartlandalliance.org

National Immigrant Justice Center

Chicago • www.immigrantjustice.org

MISSOURI

International Institute of St. Louis

St. Louis • www.iistl.org

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International Institute of Buffalo

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International Organization for Adolescents (IOFA)

New York • www.iofa.org

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My Sisters' Place

White Plains • www.mysistersplaceny.org

Safe Horizon

New York • www.safehorizon.org

Sex Workers Project, Urban Justice Center

New York • www.sexworkersproject.org

Worker Justice Center of New York

Rochester • www.wjcnny.org/program/human-trafficking

TEXAS

American Gateways

Austin • www.americangateways.org

Mosaic Family Services

Dallas • www.mosaicservices.org

VERMONT

Give Way to Freedom

Burlington • www.givewaytofreedom.org

WASHINGTON

API Chaya

Seattle • www.apiwfsc.org

International Rescue Committee

Washington Anti-Trafficking Response Network

Seattle • www.warn-trafficking.org

WASHINGTON, D.C.

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www.ayuda.com

Break the Chain Campaign, Institute for Policy Studies

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