



Freedom Network USA



April 14, 2017

The Honorable John Culberson, Chairman
House Appropriations Subcommittee on Commerce, Justice, Science and Related
Agencies

The Honorable Jose E. Serrano, Ranking Member
House Appropriations Subcommittee on Commerce, Justice, Science and Related
Agencies

The Honorable Richard C. Shelby, Chairman
Senate Appropriations Subcommittee on Commerce, Justice, Science and Related
Agencies

The Honorable Jeanne Shaheen, Ranking Member
Senate Appropriations Subcommittee on Commerce, Justice, Science and Related
Agencies

Dear Chairs Culberson and Shelby and Ranking Members Serrano and Shaheen:

The Alliance to End Slavery and Trafficking (ATEST), Freedom Network USA, and the International Labor Recruitment Working Group (ILRWG) are writing to raise concerns about how the implementation of the Executive Order on Enhancing Public Safety in the Interior of the United States (Executive Order on Public Safety), issued on January 25, 2017, will negatively impact efforts to combat trafficking in persons. Specifically, we strongly believe that the policy on sanctuary cities will have a detrimental effect on anti-trafficking efforts and, therefore, should be viewed as essentially counterproductive to any comprehensive attempt to tackle this horrific crime.

Under the Trafficking Victims Protection Act (TVPA), survivors are eligible for protections that enable them to effectively cooperate with law enforcement in anti-trafficking investigations and prosecutions. Local enforcement of immigration law is counterproductive to anti-trafficking efforts because it impedes law enforcement's ability to work with trafficking survivors. Traffickers regularly threaten victims with arrest and deportation. If victims fear detention or removal, they are less likely to cooperate with law enforcement. As a result, traffickers will act

with impunity. The Administration's policies will undermine victims' confidence in those local, state and federal institutions whose core mission is to prevent crime and protect victims.

Under the Executive Order on Public Safety, newly expanded enforcement priorities make most members of the undocumented community "priorities" for enforcement. In addition to tearing families apart and further silencing immigrants subject to trafficking or other forms of exploitation, such broad prioritization will effectively result in no prioritization. Further, contrary to objective evidence, the Executive Order on Public Safety erroneously equates immigrants with criminality, painting a troublingly false narrative about the role of immigrants in American society. This narrative also obfuscates the reality of human trafficking: many survivors have been forced to engage in illegal acts for their trafficker's profit and benefit—many of them have extensive criminal backgrounds and records and therefore are even less likely to come forward to seek assistance and services. In fact, it could be more likely that they could be deported without law enforcement learning the true nature of the horrific crimes committed against them. Law enforcement cannot prevent trafficking unless victims cooperate. In addition to the mounting evidence of crime victims' unwillingness to report abuses to police, the Department of Labor has reported unwillingness of workers to discuss workplace abuses, increasing the likelihood that labor trafficking will go unreported. Service providers are already reporting that clients are afraid of reaching out to any law enforcement, even if they were in harm's way – reflecting the major rift between law enforcement and the communities they are obligated to serve and protect.

Our coalitions share the following specific concerns about the provisions in the Executive Order on Public Safety -

- **Penalization of Anti-Trafficking Service Providers:** Section 6 of the Executive Order on Public Safety orders the Secretary to set up a framework to issue fines and penalties not only against undocumented immigrants but also against those who facilitate their presence in the US. Anti-trafficking agencies and organizations, faith-based service providers and other community groups who provide services to undocumented immigrants could risk being found in violation of this provision. It is contrary to our values to force service providers to risk punishment for serving crime victims.
- **Anti-Trafficking Victim Services Jeopardized:** In addition to serious constitutional concerns raised by threatening to withhold federal funding from local jurisdictions that have established local policies that limit their role in federal immigration enforcement, withholding federal funding from so-called sanctuary jurisdictions will devastate victim services agencies and mean that life-saving services are no longer available to victims and survivors. For example, in Los Angeles, California, where one in ten individuals are undocumented, an anti-trafficking service provider, serves clients that are 70% immigrants and 30% US citizens. Seventy percent of the service provider's programs are federally funded so the Executive Order could result in shutting down the 24-hour hotline the organization operates to support victims and law enforcement and in the closure of its shelter even though housing is the most acute need that trafficking victims lack. Similarly, a New York City based anti-trafficking victim service provider - the largest in

the country, touches the lives of over 250,000 children, adults and families affected by crime and abuse throughout the city every year. The loss of \$7 billion annually in federal aid received by the City of New York will directly impact the organization's operations, including its anti-trafficking program and 24 hour hotline.

- **Cuts to Anti-Poverty and Victim Services Programming Jeopardizes Trafficking Survivors' Safety and Well-Being:** If domestic violence programs, immigrant rights programs, and faith-based social service programs face funding cuts or restrictions are placed on immigrants' eligibility for programs, the impact on trafficking survivors will be devastating. There could simply be nowhere for immigrant trafficking victims to turn for basic necessities like food, shelter and access to medical services after fleeing from trafficking.

The Executive Order on Public Safety will undermine efforts to combat human trafficking in America. For many trafficking victims, it may close the door to accessing services and bringing their traffickers to justice. We urge appropriators to consider the implications to efforts to combat trafficking and bring justice to survivors by protecting sanctuary jurisdictions' eligibility for federal funding.

Thank you for your consideration. If you have any questions, please contact Melysa Sperber, ATEST Director, at msperber@humanityunitedaction.org.

Sincerely,

Alliance to End Slavery & Trafficking

Freedom Network USA

International Labor Recruitment Working Group