

In 2018, Polaris reported 10,949 cases of human trafficking documented by the National Human Trafficking Hotline, involving more than 23,000 individual survivors.¹ This represents a 25 percent increase in hotline reports of human trafficking from 2017.² In 2015, the Bureau of Justice Statistics reported that 1,923 criminal suspects were referred to U.S. attorneys for human-trafficking offenses, an increase of 41 percent since the last report.³ Of them, 729 were prosecuted. Human trafficking survivors often need assistance with safety planning, securing housing, accessing medical and mental health care, identifying appropriate educational resources to find employment opportunities, reducing the barriers to employment, and accessing public benefits. Civil legal aid providers can help trafficking survivors with these and other needs.

Page 1 of this research brief provides some research highlights; pages 2-4 a narrative overview; pages 5-9 federal resources; page 10 other helpful resources; and pages 13-16 summaries of the curated studies. All endnotes (pages 11-12) are to sources not included in our summaries section.

RESEARCH HIGHLIGHTS:

- “The victims also had a number of healthcare, social service, and legal needs. For instance, nearly one quarter of the victims needed physical (21.5%) or mental (21.5%) healthcare while about one third needed family legal services (30.8%) or criminal legal services (35.4%). However, the most common need among the victims seeking services at the University of Michigan Trafficking was a t-visa (44.6%) or other immigration services (44.7%). While the [Clinic] was extremely effective in resolving the social service and legal needs of the victims, there were low rates of resolution of the physical (57.1%) and mental (16.7% healthcare needs” (Michelle Munro-Kramer et al., 2019).
- “To more effectively meet the needs of human trafficking victims, healthcare providers, lawyers, law enforcement, and researchers need to work together to create screening tools to assist law enforcement, nursing, and primary care providers in identifying both sex and labor trafficking victims so that victims’ healthcare, social service, and legal needs can be effectively met.... It is essential that an interdisciplinary team of providers begin to work together to develop and evaluate these tools within diverse clinical settings” (Michelle Munro-Kramer et al., 2019).
- Survivors of human trafficking define “justice as their ability to ‘move on’ from their trafficking experiences, achieve autonomy, and feel empowered by accomplishing self-defined goals” (Urban Institute, 2018).
- “85% of respondents [social service providers] believe legal services to be very important in leading to positive outcomes for clients. The assessment of whether legal needs were being met, however, suggests that access to these legal services and subsequently positive outcomes, remains a challenge” (Center for the Human Rights of Children, 2013).
- Survivors of human trafficking often report significant legal needs. “Dealing with the numerous legal issues trafficking victims face can be very challenging. Trafficking victims often fear deportation” (Urban Institute, 2006).

NARRATIVE OVERVIEW RE: ASSISTING HUMAN TRAFFICKING SURVIVORS

The Trafficking Victims Protection Act (TVPA) of 2000 was the first law passed that attempted to comprehensively address trafficking in persons in the United States. The TVPA defines trafficking in persons as: “(a) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or (b) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”⁴ TVPA was reauthorized in 2003, 2005, 2008, 2013, and 2018 to include greater protections and services for survivors and their families.

In the U.S. alone, the National Human Trafficking Hotline documented 10,949 reports of trafficking and 41,088 individual calls, texts, and emails to the Hotline in 2018.⁵ This organization estimates that over 51,000 survivors of human trafficking have called the hotline since it was established in 2007. The International Labour Organization’s most recent estimate of the number of individual survivors worldwide was over 20.9 million.⁶ In 2014, they reported that human trafficking creates annual profits of over \$150 billion worldwide.⁷ However, these estimates may be unrepresentatively low due to barriers to reporting. As the U.S. Department of Homeland Security writes, human trafficking “is a hidden crime as victims rarely come forward to seek help because of language barriers, fear of the traffickers, and/or fear of law enforcement.”⁸ Service providers report that 54 percent of their clients who have been trafficked are afraid of being deported or their trafficker controlling their immigration status.⁹ The Bureau of Justice Statistics reported that a total of 1,049 criminal suspects were prosecuted in U.S. district court for human trafficking offenses in 2015, a 44 percent increase from 2011. Of these prosecutions, 47 percent were charged with crimes related to patronage, slavery, forced labor, and sex trafficking.

While researchers have identified a number of trafficking risk factors, any person regardless of race, sex, nationality, and income can be a victim.¹⁰ However, particular groups do seem to be particularly overrepresented among survivors. Runaway youth, those who have past contact with the child welfare system, and unaccompanied migrant youth are especially vulnerable and are often targeted by traffickers. The National Center for Missing and Exploited Children writes that of the nearly 25,000 runaway youth reported in 2017, one in seven were likely victims of child sex trafficking.¹¹ They estimate that 88 percent of those likely trafficked children were in the care of social services when they went missing. A study conducted by the California Child Welfare Council found that 50 to 80 percent of victims of child sex trafficking were currently or formerly in contact with the child welfare system.¹²

Other groups particularly vulnerable to being trafficked include survivors of domestic violence, migrants, and native communities. The Human Trafficking Law Center writes that some individuals are forced or coerced into commercial sex work by their partners or other family members.¹³ Migrants who are facing limited economic opportunities or extreme poverty are often targeted and manipulated by traffickers.¹⁴ Native communities, the Department of Justice noted in National Strategy to Combat Human Trafficking, are exceptionally vulnerable to exploitation by traffickers for reasons including high rates of poverty, exposure to violence and abuse, unstable living conditions, homelessness, and lack of sufficient law enforcement resources over large areas.¹⁵

The ABA writes that “trafficking cases can be very complex, with multiple legal remedies and social services available.”¹⁶ Survivors of human trafficking often have significant unmet legal needs related to criminal or juvenile legal system involvement, immigration, labor, child welfare, family law, and education.¹⁷ The Office for Victims of Crime’s Training and Technical Assistance Center Human Trafficking Task Force e-Guide describes civil legal needs commonly reported among survivors.¹⁸ For example, they may need assistance with family law, getting or maintain child custody, or other civil legal

processes like receiving a protection/restraining order. Labor trafficking survivors in particular may have been subjected to violations under the Fair Labor Standards Act and need assistance filing and pursuing work-related civil suits involving accommodations, sexual harassment and discrimination, wage and hour violations, worker's compensation, disability rights, and immigration issues. Survivors may also want to engage in civil litigation and file their own civil lawsuits against their traffickers.

Many survivors of human trafficking carry criminal records arising out of the circumstances of their trafficking, which often create barriers to employment, housing, and public benefits. As Sarah Dohoney Byrne writes in her Wake Forest Law Review article, "Despite the current wave of 'ban the box' type efforts, which encourage employers to look past a job applicant's criminal history, a record can still be an absolute bar to employment, housing, and education."¹⁹ In a 2016 study by the National Survivor Network (NSN), 91 percent of 130 trafficking survivors surveyed reported that they had been arrested while being trafficked.²⁰ 42 percent reported they were arrested as minors, and over 40 percent reported being arrested 9 or more times. Of those who had been arrested, 73 percent and 58 percent reported that their criminal record created barriers to employment and housing respectively.

Since New York became the first state to allow survivors of human trafficking to erase certain charges from their records in 2010, all but six states have passed similar relief laws. However, these laws vary greatly by state and many place limits on the types of arrests and convictions that can be set aside. In 2019, Polaris published a report that analyzed existing state criminal record relief statutes and rated each state on a A-F grading scale. In their ratings, the researchers considered criteria such as range of relief, offenses covered, time limits, wait times, hearing requirements, and burden of proof requirements.²¹ They found only three states with relief laws that scored above a C: Nebraska, Wyoming, and Florida. All other states scored D or F, and 10 states were not graded at all because they did not have any criminal relief statutes for adult trafficking survivors. Even in states where expungement or vacatur is possible, many survivors find the legal processes involved to be inaccessible or overwhelming.

Children who have been trafficked also have significant unmet legal needs, distinct from those faced by adults due to their status as minors. Trafficked minors may have been subjected to multiple crimes and may be particularly unaware of available services for survivors.²² In a survey of attorneys, social workers, community- and faith- based organization members, public social service and legal service organizations, healthcare workers, and law enforcement in Cook County, Illinois, the Center for the Human Rights of Children found that less than 10 percent of respondents thought the legal needs of trafficked youth were being met (2013).

LEGAL AID CAN HELP:

Survivors of human trafficking often require legal assistance to develop safety plans, secure housing, access medical and mental health care, identify appropriate educational resources to find employment opportunities, obtain employment, and access public benefits. Civil legal aid providers can help trafficking survivors access resources like housing, healthcare, employment, and benefits, among others.

Survivors overwhelmingly report barriers to employment, housing, and public benefits due to arrests or convictions they obtained while being trafficked. By helping survivors navigate the process of obtaining vacatur or expungement, legal aid can reduce these barriers and enable survivors to reestablish their lives. Legal aid can also help survivors reestablish their lives by assisting them in obtaining legal documents that may have been taken by their traffickers for purposes of coercion or control. Foreign-born survivors of human trafficking often face challenges when trying to navigate the complex immigration process (Munro-Kramer et al., 2019). The U.S. Department of Health & Human Services also explains that survivors may need assistance meeting basic needs like housing, transportation, and clothing.²³ Foreign-born human trafficking survivors can apply for two special visas, the T Visa and the U

Visa. A T Visa offers “an avenue for lawful immigration status for trafficking victims” and provides immigration status for four years, work authorization, and the ability to apply for lawful permanent residence.²⁴ T Visas are intended for survivors of severe forms of trafficking who can prove that they are likely to “suffer extreme hardship if removed.”²⁵ The U Visa is similar to the T Visa, but is available for survivors of both domestic violence and human trafficking. Unlike the T Visa, the U Visa requires a certificate of cooperation from law enforcement. Legal aid lawyers can help non-citizens navigate the complex processes of applying for T or U Visas, which would allow them to secure public services and benefits.

In one-on-one interviews with human trafficking survivors, researchers found that many lacked healthcare coverage and reported significant medical needs (Urban Institute, 2006). As the American Bar Association explains, victims generally receive little to no medical care while they are being trafficked.²⁶ In addition, survivors may have complex mental health needs after trauma associated with being trafficked.²⁷ Though they may need of medical attention, survivors may not have the financial resources or documentation necessary to receive care. Legal aid can help survivors access free or low-cost health care.

FEATURED FEDERAL RESOURCES:

U.S. Department of State, *Trafficking in Persons Report*

The U.S. Department of State's annual *Trafficking in Persons Report* is the U.S. Government's primary resource for engaging foreign governments in addressing human trafficking. It provides a comprehensive overview of the state of human trafficking across the globe, as well as detailed country-by-country profiles. The State Department places countries into one of four tiers based on their governments' efforts to meet the Trafficking Victims Protection Act's (TVPA) minimum standards. These rankings reflect an assessment of the country's enactment of laws prohibiting the trafficking of persons, the criminal penalties prescribed for human trafficking offenses, prosecution and sentencing of offenders, proactive victim identification measures, government funding and partnerships with NGOs to provide services to survivors, the extent to which legal services are provided to survivors, repatriation and reintegration of survivors, steps taken to prevent trafficking, and government efforts made to reduce the demand for commercial sex acts and international sex tourism.

In the 2019 Report, the State Department recommended that the U.S. remove restrictions on victim assistance funding for legal representation in vacatur and expungement cases.

Highlights:

- "In the United States, traffickers prey upon children in the foster care system. Recent reports have consistently indicated that a large number of victims of child sex trafficking were at one time in the foster care system" (p. 4).
- "The Government of the United States fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the United States remained on Tier 1" (p. 484).
- "Although the government meets the minimum standards, it opened, charged, and prosecuted fewer cases, issued fewer victims trafficking-specific immigration options, and granted fewer foreign national victims of trafficking eligibility to access benefits and services. Anti-trafficking advocates reported a lack of sustained effort to address labor trafficking and to strengthen oversight of employment-based and other nonimmigrant visa programs, and continued to report that victim services were not always provided equitably" (p. 484).
- Prioritized recommendations for the United States included (among others) (p. 484):
 - "Shorten processing times and improve training for adjudicators to reduce obstacles for victims to appropriately obtain trafficking-related immigration benefits."
 - "Increase equitable access to comprehensive victim services across the country and improve access to short-term and/ or transitional housing for all victims."
 - "Encourage state, local, and tribal authorities to implement policies not to prosecute victims for the unlawful acts their traffickers compelled them to commit."
 - **"Remove the restriction on victim assistance funding for legal representation of victims in vacatur and expungement cases for the unlawful acts their traffickers compelled them to commit."**
 - "Increase training of prosecutors and judges on mandatory forfeiture and restitution for trafficking victims."
- **"During the reporting period, DOJ issued a new policy that prohibited FY 2018 victim assistance funding from being used to represent survivors in vacatur and expungement cases. NGOs and survivor advocates called for DOJ to reverse this policy, expressing significant concern because survivors with criminal records often face barriers to employment, housing, financial aid for higher education, and other needs essential to their safety and recovery"** (p. 486).

Access this resource at: US Department of State. *Trafficking in Persons Report* (June 2019), available at <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>

U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime *OVC Fact Sheet: The Legal Rights and Needs of Victims of Human Trafficking in the United States*

This fact sheet published by the Office of Justice Programs (OJP) describes the widely ranging civil legal needs of survivors of human trafficking, including family law, employment law, public benefits access, rights enforcement, and immigration or repatriation.

Highlights:

- “Trafficking victims have a wide range of civil legal needs, depending on their personal circumstances and the trafficking situation they have endured. Some will need only limited legal services for a short period of time, while others will have multiple legal issues that may last for many years” (p. 1).
- “Victims might want a protection or restraining order that directs the trafficker to stay away from the victim and return the victim’s possessions. These orders may be included in any criminal proceeding, but victims may need to seek a civil order while the case is pending or when there is no criminal case. Victims, particularly those who are related to their traffickers, may need assistance with separation, divorce, child custody and support, guardianship, or adoption” (p. 1).
- “In some cases, a criminal record or the victim’s immigration status may affect an individual’s ability to access services. Public benefits offices may not be familiar with human trafficking and may not apply the appropriate criteria for assessing eligibility” (p. 1).
- “A criminal record can create difficult downstream consequences whether the person was arrested, convicted, or both. Victims with criminal records may face difficulty in obtaining public benefits, education, housing, or employment for the rest of their lives if the records remain” (p. 2).

Access this resource at: US Department of Justice, Office of Justice Programs, Office for Victims of Crime. *OVC Fact Sheet: The Legal Rights and Needs of Victims of Human Trafficking in the United States* (December 2015), available at https://ovc.ncjrs.gov/humantrafficking/Public_Awareness_Folder/Fact_Sheet/HT_Legal_Rights_Needs_fact_sheet-508.pdf

The White House, *Coordination, Collaboration, Capacity: The Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017*

The Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017 was released by the White House in January 2014 and outlines four goals with eight objectives describing steps for federal agencies to take to strengthen coordination, collaboration, and capacity across governmental and nongovernmental entities dedicated to providing support to victims of human trafficking. Among these goals is to improve outcomes by providing effective, comprehensive services to victims, including coordinated legal services.

Highlights:

- “The purpose of this Plan is to describe the steps that federal agencies will take to ensure that all victims of human trafficking in the United States are identified and have access to the services they need to recover. This includes steps to create a victim services network that is comprehensive, trauma-informed, and responsive to the needs to all victims” (p. 1).
- “Trafficking victims typically require numerous types of emergency and long-term services. Needed services include intensive case management, victim advocacy, shelter/housing, food, medical and dental care, mental health treatment, substance abuse treatment, support groups, interpretation/translation services, immigration and other legal assistance, literacy education, and employment and training services” (p. 6).

- “Service providers report that additional resources from both government and nongovernmental sources are needed to provide comprehensive long-term victim care and key legal services for all victims” (p. 7).
- “... crime victims face an array of legal needs resulting from their victimization, and human trafficking victims are no exception. Because foreign-born victims may not have legal status in the United States, they may be reluctant to come forward. Traffickers also use victims’ lack of legal status to exploit and control them. While human trafficking victims may be eligible for T or U nonimmigrant status, which allows victims to remain and work in the United States and assist law enforcement authorities in the investigation or prosecution of human trafficking cases, many victims continue to face legal constraints challenging their recovery process. The integration of the legal services network into the victim services network is a new effort that will require extensive collaboration and coordination” (p. 7).
- “HHS’s Administration for Children and Families will rollout guidance on child trafficking for the child welfare and runaway homeless youth systems on understanding trends in victimization, runaway patterns, and assessment and service delivery upon the return of such individuals. This guidance builds on best existing practices in victim services in related fields, such as domestic and sexual violence victim service programs” (p. 13-14).

Access this resource at: The White House. *Coordination, Collaboration, Capacity: The Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017* (January 2014), available at <https://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf>

U.S. Department of Health & Human Services, Administration for Children, Youth, and Families, *Guidance to States and Services on Addressing Human Trafficking of Children and Youth in the United States*

This *Guidance to States and Services* was called for in the *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013-2017* and created a roadmap for how to identify, engage, serve, and ultimately restore survivors of human trafficking, especially youth who have also been in contact with the child welfare system. This guidance calls for coordinating efforts across runaway and homeless youth programs at local, state, tribal, and federal levels to prevent child abuse and neglect, and ensuring that children who have been trafficked receive effective services (including legal services) to recover from trauma and maltreatment.

Highlights:

- “While child welfare (CW) and runaway and homeless youth (RHY) services and systems were not expressly designed to respond to victims of child trafficking, emerging evidence indicates that child protection professionals are encountering children and youth who have been trafficked, often due to a complex mix of vulnerabilities of many abused and neglected children who are targeted by traffickers and pimps” (p. 2-3).
- “With coordinated efforts in these areas, ACYF aims to prevent child abuse and neglect, prevent youth from running away, and ensure that children and youth receive effective services to heal and recover from maltreatment and other traumatic events. Thereby, ACYF hopes to decrease the vulnerability to trafficking among children and youth in the first place and to equip systems and services to identify and intervene early to address the needs of victimized young people” (p. 7).
- “Preventing, identifying, and serving victims of trafficking require a multi-system, coordinated approach within and across local, tribal, state, and federal levels. At the local level, it is essential for runaway and homeless youth service providers and child welfare staff to work with law enforcement, juvenile corrections, courts, schools, medical and mental health professionals, Child Advocacy Centers, legal service providers, crime victim service providers, as well as

community and faith-based organizations to understand the problem of trafficking as it relates to their community and formulate a coherent response” (p. 7).

- “... ACYF recommends that screening and assessment for trauma-related symptoms and social-emotional functioning occur broadly throughout child welfare systems and runaway and homeless youth services. Trafficking-specific indicators can be integrated into broader, standardized screening and assessment tools and practices, including assessment of legal needs of children” (p. 10).

Access this resource at: US Department of Health & Human Services, Administration for Children, Youth, and Families. *Guidance to States and Services on Addressing Trafficking of Children and Youth in the United States* (September 2013), available at https://www.acf.hhs.gov/sites/default/files/cb/acyf_human_trafficking_guidance.pdf

U.S. Department of Justice, Office for Victims of Crime *Vision 21 Report*

Vision 21: Transforming Victim Services (TVS) outlines a comprehensive and systematic approach to change how we meet victims’ needs. TVS grew out of a series of meetings that were sponsored by OVC. The discussion and research focused on the role of victim assistance, how to better serve victims, addressing issues in the field, and identify emerging issues in the field.

This report dedicates an entire chapter to meeting the holistic legal needs of crime victims. The TVS statement reads: “Every state will establish wraparound legal networks that will help ensure that crime victims’ rights are enforced and that victims of crime receive the broad range of legal services needed to help rebuild their lives in the aftermath of crime” (p. 9). This chapter summarized efforts made within the last decade to secure crime victims’ rights, the difficulties victims face in navigating the justice system, and ways that legal networks can better address crime victims’ needs. Additionally, Chapter 3 contains a section describing human trafficking as a crime “hidden in plain sight, and explains how many survivors of trafficking are made vulnerable to exploitation because they are neglected or abused as children (p. 20).

Highlights:

- “[Human trafficking] Victims may not understand that their victimization is a crime or that they have rights and are entitled to assistance” (p. 19).
- “Domestic minor victims of sex trafficking have received heightened attention in the past few years. Frequently abused or neglected as younger children, may have become runaway or ‘throwaway’ youth, making them vulnerable to sexual exploitation through street prostitution and online or other escort services. Many of these children are also trapped in the revolving door of child welfare/foster care systems, juvenile justice systems, and other systems that do not recognize and address their victimization” (p. 20).
- “A staggering 42 percent of victims never report serious violent crime to law enforcement. We need to know why. Stakeholders described a maze of overlapping, complex legal issues facing victims; for example, a single victimization can involve immigration status, civil legal assistance, administrative law remedies, and rights enforcement” (p. vi).
- “Victims of crime all too often face a perplexing maze of coexisting, overlapping, and complex legal issues after their victimization. They must navigate multiple systems (i.e., the criminal, civil, and administrative justice systems), each with its own requirements and processes. One case of victimization may produce myriad legal issues for the victim, including orders of protection, victims’ rights enforcement, compensation, employment, housing, home foreclosure, spousal support, and child custody, visitation, and dependency” (p. 12).
- “Serving crime victims in indigenous communities presents a special challenge to all members of the victim service community, particularly providers of legal services. American Indian and Alaska Native populations suffer significantly higher crime rates than the rest of the Nation—a

fact that underscores the urgency of finding ways to deliver services more successfully or, in the case of legal assistance, to deliver services at all” (p. 12).

- “Compounding the lack of legal representation for crime victims is the absence of a single point of entry through which victims of all types of crime may access services to address the wide range of legal needs they may have as the result of their victimization” (p. 14).
- “A coordinated, collaborative, and holistic legal response has the potential to serve victims far better through an inherent capacity to provide the type of legal assistance needed at any given time. A network approach would also ensure that victims are connected to community legal resources that can help them address their administrative, civil, and other legal issues” (p. 14).

Access this resource at: U.S. Department of Justice, Office for Victims of Crime. *Vision 21: Transforming Victim Services* (May 2013), available at https://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf

HELPFUL RESOURCES:

- The Justice in Government Project and National Legal Aid & Defenders Association (NLADA) published a [newsletter](#) summarizing the research and resources related to how civil legal aid can assist survivors of human trafficking.²⁸
- The National Hotline for Human Trafficking has human trafficking [statistics](#) by state and year.²⁹
- The U.S. Department of Health and Human Services, Office on Trafficking in Persons U.S. [State and Territory Profiles](#) provides fact sheets of statistics and anti-trafficking activities and resources for each state and territory.³⁰
- The U.S. Department of Justice's Office for Victims of Crime Training and Technical Assistance Center (OVC TTAC) maintains the [Human Trafficking Task Force e-Guide](#) that is intended to support developing and established task forces and collaborations between law enforcement and victim service providers. The guide contains introductory information about human trafficking, a step-by-step guide to establish or revitalize task forces, and guidance on victim-centered response and service delivery.³¹
- The U.S. Department of Health and Human Services published a [resource guide](#) detailing available social and legal services that can assist survivors of human trafficking.³²
- Since 2010, the Bureau of Justice Assistance (BJA) and the Office for Victims of Crime (OVC) have funded Enhanced Collaborative Model Task Force sites to assist communities in developing multidisciplinary task forces that implement victim-centered approaches to identify and services to survivors of human trafficking. As of FY 2018, 29 task forces are funded with nearly \$21 million in awards. OVC has an [interactive map](#) of states with BJA/OVC-funded task forces. BJA also published a [Performance Update Report for FY 2016-2018](#) detailing grant activities and accomplishments of the task forces.³³
- Polaris has published [several informational resources and reports](#) on human trafficking in the United States, as well as [annual fact sheets](#) analyzing data from the National Hotline for Human Trafficking.³⁴
- In 2019, Polaris published a [report](#) that analyzed existing state criminal record relief statutes for survivors of human trafficking and rated each state on an A-F grading scale based on criteria including range of relief, offenses covered, and time limits. They also have an [interactive map](#) with individual state report cards.³⁵
- The Coalition to Abolish Slavery and Trafficking (CAST) offers [e-learning courses](#) for attorneys including practical guidance on the legal remedies that are available for trafficking survivors.³⁶
- The National Conference of State Legislatures published an [overview](#) of services and funding for survivors in April 2018. The authors detail how states can help survivors of human trafficking by implementing expansive vacatur laws and funding services for victims, including legal services.³⁷
- The Freedom Network Training Institute maintains a [Resource Library](#), which includes fact sheets, reports, promising practices, tools, and training materials developed by subject matter experts with direct experience working with survivors of human trafficking.³⁸
- The Freedom Network's [Housing Training and Technical Assistance Project](#) provides training and resources on housing options for survivors of human trafficking, including fact sheets, webinars, and a needs assessment tool.³⁹
- The American Bar Association has a [resource guide](#) for attorneys and advocates, which describes how legal service providers can best serve survivors of human trafficking. The American Bar Association also has a [separate resource guide](#) on the needs of child trafficking survivors.⁴⁰
- The American Bar Association's [Survivor Reentry Project](#) raised awareness of criminal record remedies for survivors of human trafficking and worked to increase post-conviction representation practices across the U.S. Though the Project now continues its work through the Freedom Network, several resources – including a [report](#) containing recommendations for

criminal record relief and a [practice guide](#) for attorneys – still live on the American Bar Association’s website.⁴¹

- The Vera Institute of Justice released a [report](#) exploring the needs of survivors who live with a history of both victimization and incarceration.⁴²
- Shared Hope International released a [guide](#) recommending a holistic and informed approach by legal stakeholders to cases involving sex trafficking victims charged with crimes.⁴³
- Legal Services Corporation has collected client success stories [here](#).⁴⁴
- For more information about civil legal aid messaging, communications, and story-telling, go to the [Voices for Civil Justice](#) and [All Rise for Civil Justice](#) websites.⁴⁵
- For a more comprehensive repository of legal aid related research, go to the National Legal Aid & Defender Association’s [LegalAidResearch](#) website.⁴⁶
- The [Center for Victim Research](#) is continually adding to their [Research Syntheses](#) on the state of the field for multiple victimization types and their [Library](#), which includes a public collection of over 1,000 resources.
- The American Bar Association maintains a [list](#) of legal needs and impact studies for most states.⁴⁷ Their 2011 [Access Across America report](#) compiled a state-by-state portrait of services available to assist the U.S. public in accessing civil justice.⁴⁸

Endnotes

¹ Polaris, *2018 Statistics from the National Human Trafficking Hotline* (July 2019), available at https://polarisproject.org/wp-content/uploads/2019/09/Polaris_National_Hotline_2018_Statistics_Fact_Sheet.pdf

² Polaris, *2017 Statistics from the National Human Trafficking Hotline and BeFree Textline* (2018), available at <https://polarisproject.org/wp-content/uploads/2019/09/2017NHTHStats-1.pdf>

³ U.S. Department of Justice, Bureau of Justice Statistics, *Federal Prosecution of Human-Trafficking Cases, 2015* (July 2018), available at <https://www.bjs.gov/content/pub/pdf/fphtc15.pdf>

⁴ Victims of Trafficking and Violence Protection Act of 2000, H. R. 3244, 106th Cong., 2nd Sess. (2000), available at <https://www.govinfo.gov/content/pkg/BILLS-106hr3244enr/pdf/BILLS-106hr3244enr.pdf>

⁵ National Human Trafficking Hotline, *Statistics* (2018), available at <https://humantraffickinghotline.org/states>

⁶ International Labour Organization, *New ILO Global Estimate of Forced Labour: 20.9 Million Victims*, (2012), available at https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_182109/lang--en/index.htm

⁷ International Labour Organization, *ILO Says Forced Labour Generates Annual Profits of US \$150 Billion* (May 20, 2014), available at https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_243201/lang--en/index.htm

⁸ U.S. Department of Homeland Security. *What is Human Trafficking?* (last accessed April 15, 2019), available at <https://www.dhs.gov/blue-campaign/what-human-trafficking>

⁹ Cast & Freedom Network USA, *2017 Social Service, Advocate and Legal Service Survey Regarding Immigrant Survivors of Human Trafficking* (2017), available at <https://freedomnetworkusa.org/app/uploads/2018/01/ImmigrationSurveyReportFinal.pdf>

¹⁰ See the Administration for Children & Families’ Office on Trafficking in Persons list of vulnerable populations, available at <https://www.acf.hhs.gov/otip/about/what-is-human-trafficking>

¹¹ National Center for Missing & Exploited Children, *Child Sex Trafficking in America: A Guide for Child Welfare Professionals* (2019), available at http://www.missingkids.com/content/dam/missingkids/pdfs/CSTinAmerica_Professionals.pdf

¹² California Child Welfare Council, *Ending the Commercial Sexual Exploitation of Children: A Call for Multi-System Collaboration in California* (2013), available at <https://youthlaw.org/publication/ending-commercial-sexual-exploitation-of-children-a-call-for-multi-system-collaboration-in-california/>

¹³ The Human Trafficking Legal Center, *Human Trafficking and Domestic Violence Fact Sheet* (2018), available at <https://www.htlegalcenter.org/wp-content/uploads/Human-Trafficking-and-Domestic-Violence-Fact-Sheet.pdf>

¹⁴ U.S. Department of Justice, *National Strategy to Combat Human Trafficking* (2017), available at <https://www.justice.gov/humantrafficking/page/file/922791/download>

¹⁵ International Organization for Migration, *Migrants and Their Vulnerability to Human Trafficking, Modern Slavery and Forced Labour* (2019), available at https://publications.iom.int/system/files/pdf/migrants_and_their_vulnerability.pdf

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SUMMARIES OF KEY STUDIES

1. Michelle Munro-Kramer et al., *Human Trafficking Victim's Service Needs and Outcomes: An Analysis of Clinical Law Data* (April 2019), *Journal of Human Trafficking* (online, print forthcoming), 2332-2713, available at <https://research-portal.najah.edu/migrant/36590/>

Researchers analyzed closed case files of 65 survivors of human trafficking survivors who received social and legal services from the University of Michigan Human Trafficking Clinic. They found that the survivors of labor and sex were in need of physical (21.5 percent) or mental (21.5 percent) health care, as well as family legal services (30.8 percent) or criminal legal services (35.4 percent). The most common need among survivors was help obtaining a T-Visa (44.6 percent) or other immigration services (47.7 percent).

Methodology:

The researchers analyzed closed case files of human trafficking survivors who received services from the University of Michigan Trafficking Clinic between 2009 and 2016. They calculated frequencies of various case characteristics used linear regression to determine the health care, social service, and legal needs of clients.

Highlights:

- “A total of 65 closed cases were analyzed with 97.6% agreement achieved on all cases related to service needs. The sample included 16 men and 49 women who were between the ages of 7-53 years old with a mean age of 23.18 (SD 11.88) when they were first trafficked ... The sample included those who had been exploited in labor (56.9%) and sex (47.7%) trafficking” (p. 6).
- “Throughout their trafficking experience, the sample had experienced a number of abuses. These included physical (52.3%), sexual (50.8%) and emotional (69.2%) abuse. A large portion of the sample also experienced restriction on movement (60%), poor living conditions (55.4%), poor working conditions (61.5%), or wage deprivation (72.3%) throughout their trafficking experience. Within the legal files, there were reports that the sample had been coerced or retained in their trafficking experience through drugs (16.9%) or confiscation of personal documents (30.8%)” (p. 6).
- “The victims also had a number of healthcare, social service, and legal needs. For instance, nearly one quarter of the victims needed physical (21.5%) or mental (21.5%) healthcare while about one third needed family legal services (30.8%) or criminal legal services (35.4%). However, the most common need among the victims seeking services at the University of Michigan Trafficking was a t-visa (44.6%) or other immigration services (44.7%). While the [Clinic] was extremely effective in resolving the social service and legal needs of the victims, there were low rates of resolution of the physical (57.1%) and mental (16.7% healthcare needs” (p. 7).
- “Despite the obvious needs of human trafficking victims, there are numerous barriers that prohibit or impede providing comprehensive services. Some of these barriers to care include the illegal nature of trafficking, fear related to concerns of safety and security, distrust of authority, stigma and shame, cultural and language barriers, loyalty to or dependence on the exploiter, and the fact that many victims don't identify themselves as victims of human trafficking” (p. 10).
- “To more effectively meet the needs of human trafficking victims, healthcare providers, lawyers, law enforcement, and researchers need to work together to create screening tools to assist law enforcement, nursing, and primary care providers in identifying both sex and labor trafficking victims so that victims' healthcare, social service, and legal needs can be effectively met. ... It is essential that an interdisciplinary team of providers begin to work together to develop and evaluate these tools within diverse clinical settings” (p. 11).

2. Urban Institute, *Delivering Justice for Human Trafficking Survivors: Implications for Practice*, (March 2018), available at

https://www.urban.org/sites/default/files/publication/97356/delivering_justice_to_human_trafficking_survivors_0.pdf

Researchers at the Urban Institute detail how legal service providers can understand, identify, and respond to human trafficking needs. They conducted in depth interviews with social service providers, legal service providers, and human trafficking survivors. They present statistics as to how individuals were referred to certain services, differences in referral trends between sex and labor trafficking survivors, and recommendations from service providers and human trafficking survivors for best practices to allow them to access justice.

Methodology:

Researchers conducted semi-structured, in-depth interviews with 80 human trafficking survivors and 100 human trafficking stakeholders, including legal service providers in eight U.S. cities.

Highlights:

- Among all human trafficking survivors who received social and legal services 34 percent were referred by criminal justice institutions or law enforcement, 24 percent were referred by another social service provider, 16 percent were referred by a family member or friend, 16 percent self-referred, and 4 percent came into contact with services because of direct outreach (p. 3).
- Among sex trafficking survivors who received social and legal services, 52 percent were referred by criminal justice institutions or law enforcement, 24 percent by another service provider, 10 percent through a family or friend, 7 percent through direct outreach, 4 percent through self-referral, and 3 percent through other means (p. 4).
- Among labor trafficking survivors who received social and legal services, 27 percent self-referred, 22 percent were referred by another service provider, 22 percent were referred by a family member or friend, 20 percent were referred by criminal justice institutions or law enforcement, 2 percent through direct outreach, and 2 percent through other means (p. 4).
- Human trafficking survivor's most commonly reported concern was obtaining temporary housing to achieve stability and distance from their traffickers.
- Survivors "focused on justice as their ability to "move on" from their trafficking experiences, achieve autonomy, and feel empowered by accomplishing self-defined goals" (p. 6).
- Service providers offered several recommendations for social and legal service providers:
 - "Enhance training and education for legal service providers, specifically regarding the legal options available for survivors" (p. 15).
 - "Increase coordination as a community and system to respond to survivors' needs. This includes establishing communication between service providers and other stakeholders and cross-training between organizations and agencies to establish common language, expectations, and understanding" (p. 15).

3. Center for the Human Rights of Children, *Legal Services Assessment for Trafficked Children* (August 2013), available at

https://www.luc.edu/media/lucedu/chrc/LegalServicesAssess_TraffickedChildren_2013_CHRC_Final.pdf

Researchers from the Center for the Human Rights of Children at Loyola University Chicago conducted a case study in Cook County to identify existing services for child survivors of human trafficking, gaps in existing services, and demographic information of those who received those services. They interviewed legal aid and social service providers inside and outside of Cook County and conducted focus groups

with providers. They found that child trafficking victims have significant unmet legal needs related to criminal, juvenile, and civil justice, immigration, labor, child welfare, family, and education. Respondents also believed that addressing legal needs was critical for positive outcomes, but less than 10 percent of needs were being met. They also identified interdisciplinary approaches as critical to meeting victims' needs. This report was funded by the Chicago Bar Foundation.

Methodology:

The researchers invited 100 legal and service providers inside Cook County and 34 legal and social service providers outside of Cook County to participate. They conducted focus groups with 21 providers to identify existing services for survivors, gaps in services, and demographic information of those who received services.

Highlights:

- “There are considerable systemic barriers to ensuring that child trafficking victims receive appropriate legal services and protections, including limited organizational capacity and training, financial and personnel resources, and lack of data and research” (p. 4).
- “Foreign national children have unique legal needs, and their cases are complicated by the fact that undocumented children do not have a right to legal counsel. While there exist programs that refer unaccompanied minors to pro bono legal and/or advocacy services, many children still enter immigration proceedings without counsel. Additionally, undocumented children are often on the same docket as adults, and must then navigate that complex system alone” (p. 13).
- “The lawyer is but one member of a team of people, such as local anti-trafficking NGOs, health care professionals, labor rights organizations, law enforcement, housing authorities, and others who can and should be a part of coordinated community response to assist trafficked persons” (p. 16).
- “When asked to rate the importance of access to legal services to positive outcomes for their clients – from 1 (Not at all) to 5 (Very Important) – 85% of respondents believe legal services to be very important in leading to positive outcomes for clients. The assessment of whether legal needs were being met, however, suggests that access to these legal services and subsequently positive outcomes, remains a challenge” (p. 24).
- “During the focus group session, there was universal agreement on one challenge: having both legal and social service providers being able to identify all legal needs of child trafficking victims. ‘Identifying the legal need is driven by an understanding of legal issues and remedies. The continuing issue from the perspective of a service provider or client is the difficulty of being aware of all the potential solutions,’ stated one participant” (p. 27).

4. Urban Institute, *Comprehensive Services for Survivors of Human Trafficking: Findings From Clients in Three Communities* (June 2006), available at <https://www.urban.org/sites/default/files/publication/43051/411507-Comprehensive-Services-for-Survivors-of-Human-Trafficking.PDF>

Researchers at the Urban Institute conducted a series of one-on-one interviews with 34 human trafficking survivors who were receiving comprehensive services. They present the needs of human trafficking survivors and how those needs change over time. They then discuss survivor experiences with services and outcomes with regard to safety, health, mental health, and autonomous lifestyles. They report significant medical needs as many lack health coverage and medical costs were very expensive for them. They also reported a significant unmet legal need: human trafficking survivors were unsure about immigration, deportation, and certification and were often confused about the legal process. This study was funded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice.

Methodology:

The Urban Institute research team conducted one-on-one interviews with 34 clients of the Office for Victims of Crime grantees implementing comprehensive services for human trafficking survivors. They held interviews every six months over two years.

Highlights:

- “Immediately after escape from the trafficking situation, many survivors have acute, short-term survival needs. They may have left the situation in which they were being held in bondage with little or no advance notice, having no choice but to leave whatever belongings they had behind. They need a safe place to stay (either immediately or post-detention); food, clothing, and other personal necessities; medical or dental care for acute problems; safety from the traffickers and others in the community who are sympathetic to the trafficker; and, as noted above, information and advocacy with criminal and immigration cases” (p. 12).
- “Survivors reported similar needs regardless of the types of trafficking they experienced, whether they were victims of labor or sex trafficking, or domestic servitude, and regardless of their varying ages, how the client came into the service network, and their countries of origin” (p. 14).
- “Quite a few of the clients we interviewed, even those who had been liberated years previously and had a long service history with the comprehensive services site, were still attempting to get medical and dental needs resolved. These services were inaccessible to many clients because of high costs and extremely long waiting lists for clients with limited ability to pay. Even those who had received some care may not have gotten all the care they needed. Ongoing health problems impacted negatively on outcomes in that they had sustained anxiety and discomfort, their medical conditions may have exacerbated, and their ability to work or take care of themselves or their family may have been limited by health conditions” (p. 19).
- “Dealing with the numerous legal issues trafficking victims face can be very challenging. Trafficking victims often fear deportation and may or may not want to cooperate with law enforcement to make a case against the trafficker” (p. 27).
- “Some were still awaiting legal access to employment and independent housing even months or years after their liberation from trafficking. Some were engaged in lengthy and difficult processes to help their family members immigrate here, and the delays or legal obstacles were very frustrating. It was clear from interviews with case managers that some clients we interviewed were never going to be certified because of government stipulations around this process. Although that information was shared with us, it was not clear that the individual clients were aware that their case was not likely to be certified and what that would mean for long-term residence in the United States” (p. 29).