



Freedom Network USA

Special Rapporteur on contemporary forms of slavery,
including its causes and its consequences

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VIA EMAIL

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Mr. Obokata:

Freedom Network USA (FNUSA) submits the following comments for your report on homelessness and human trafficking. FNUSA is the United States' largest coalition of service providers and advocates working directly with human trafficking survivors and is committed to the human rights-based approach to human trafficking. Our 90+ members include survivors, legal and social service providers, academics, and advocates.

Due to the US' horrific history of chattel slavery and the resulting deep-rooted systemic oppression of Black people, FNUSA uses the term "human trafficking" instead of "contemporary forms of slavery" to refer to instances of forced labor and commercial sexual exploitation in the US, while acknowledging the distinction from chattel slavery.

1. Main causes/drivers of homelessness

Systemic racial, gender, and national origin-based discrimination in the housing, financial, and labor sectors are driving forces causing housing instability, which increases a person's vulnerability to being trafficked. Additionally, Black, Indigenous, and people of color (BIPOC) are more likely to experience the effects of institutional and systemic oppression. In 2020, the median income for Black and Hispanic households was significantly less than for white households. Longstanding discrimination in the housing market results in significantly higher rent burdens for BIPOC renters.ⁱ These compounding racial inequities put BIPOC individuals at a greater risk of experiencing homelessness in America.ⁱⁱ

Trafficking survivors are often forced into criminal activity as part of their trafficking experience and receive complex criminal records. Employers and landlords commonly use background checks to determine eligibility for rentals or employment. The US Government also uses checks to determine eligibility for assistance programs. Trafficking survivors are, therefore, increasingly excluded from safe housing, employment, and services; increasing their risk of homelessness and re-exploitation.

2. Evidence of Persons Experiencing Homelessness Being Exploited in Human Trafficking

There is no typical profile of traffickers or criminal organizations involved in trafficking in the US. The sector in which trafficking occurs and the types of vulnerabilities of potential victims influence the profile of traffickers and the methods of recruitment involved in criminal exploitation within the US.ⁱⁱⁱ

Trafficking occurs in various sectors such as agriculture, domestic work, construction, hospitality, traveling sales crews, landscaping, restaurants, factories, salon services, massage parlors, retail services, fairs, and carnivals. There is a large undocumented and temporary immigrant workforce in these sectors that is particularly vulnerable to exploitation. Survivors of trafficking in these sectors are often targeted due to vulnerable immigration status, low English proficiency, and low incomes.

For children, housing instability allows traffickers to exploit youth by offering to meet basic needs as a rapport-building recruitment tool. Youth who experience trafficking have a higher likelihood of also experiencing housing insecurity. A study of homeless youth found that 42% of participants had experienced both housing insecurity and sex trafficking.^{iv} LGBTQ+ youth are particularly vulnerable because they are overrepresented in youth experiencing homelessness.^v When youth experience literal homelessness and are without stable housing, they are at increased risk of experiencing either sex or labor trafficking.^{vi} Although there is limited data available on the impact of housing insecurity on adult survivors of human trafficking, anecdotal evidence from service providers indicates that housing insecurity creates vulnerabilities to trafficking for adults as well.

For youth, the manifestation of exploitation and the profile of traffickers often reflect children's relationships with their traffickers. While there is limited data in the US, international data indicates that family involvement in trafficking is over four times more prevalent in cases of children than adults.^{vii} Additionally, the involvement of individuals considered friends by the victim is influential in the initial phases of trafficking for both children and adults. Children are more likely to report coercion through physical, sexual, or psychological abuse.^{viii} In contrast, adults are more frequently trafficked into the construction and agriculture sectors through withholding of immigration documents.

3. Evidence of Homelessness Being a Consequence of Human Trafficking

Homelessness can be a direct result of any form of trafficking and also exacerbate and create vulnerabilities to human trafficking in the US for both children and adults. According to reports, 64% of survivors of labor and sex trafficking claim that they were recruited while experiencing homelessness or unstable housing.^{ix} Homelessness and poverty's disproportionate effects on BIPOC individuals are well documented in the US, creating increased vulnerabilities to human trafficking.^x

Children within the child welfare system are more susceptible to trafficking. There is a high correlation of human trafficking of minors in the child welfare system. Additionally, a lack of resources after foster kids “age out” of the system makes them more vulnerable to exploitation and housing instability as adults.^{xi}

Within FNUSA’s Housing Project, many survivors have shared that their experiences of housing insecurity and homelessness are directly related to their experiences of trafficking. Data and lived experience support that without access to safe and affordable housing, they were vulnerable to exploitation.

4. Positive Measures by the US Government

The US Government has implemented a few programs that can assist in trafficking prevention for persons experiencing homelessness. Vulnerabilities to homelessness were reduced during the Covid-19 pandemic through \$56 million in emergency rental and homeowner assistance.^{xii} These programs were temporary, and the subsequent eviction moratoriums have ended. The Department of Housing and Urban Development (HUD) offers subsidies that reduce cost burdens for vulnerable households but is unable to meet the demand for affordable housing in the US.^{xiii}

The government also operates some programs that offer housing services to survivors of trafficking that can help reduce vulnerabilities to re-exploitation. The Department of Justice (DOJ) has a housing assistance grant for survivors of trafficking and a training and technical assistance program for housing service providers to help programs become more trauma-informed and utilize a Housing First approach.^{xiv} The Department of Health and Human Services offers a limited services assistance program that can cover some housing costs for survivors.^{xv} HUD offers a grant program intended to reduce the number of youth experiencing homelessness.^{xvi} A federal law passed in 2022 authorized a pilot program for community-based organizations to build trafficking prevention programs in rural areas for vulnerable youth.^{xvii}

5. Positive Measures by NGOs

Some service providers have started reducing the requirements in place to access their housing services and implementing voluntary services models.^{xviii} Historically, housing service providers maintained strict restrictions on access to services that are difficult for survivors to meet and can replicate the restrictions used by traffickers. Limiting requirements and utilizing Housing First principles makes it easier for survivors to access safe housing and decide their own timeline and needed services.^{xix}

The systemic issues of poverty and financial insecurity cannot be fully addressed by non-governmental organizations. Still, some have programs that can be beneficial as part of comprehensive services and prevention. Some offer training to service providers to create

trauma-informed and survivor-led programming. Others participate in mutual aid to provide direct cash assistance to survivors and people experiencing homelessness. The most effective and least harmful prevention programs have thorough and standard evaluation procedures that involve a wide array of feedback from clients who have received services, but these are limited in the US.

6. Remaining Challenges

The US has not taken sufficient steps to prevent the human trafficking of persons experiencing homelessness. There are many structural and social systems in place in the US that create vulnerabilities for communities to both homelessness and trafficking. By failing to intervene and, instead, upholding systems of oppression and poverty, US policy creates vulnerabilities to trafficking.^{xx}

A few examples of these systems include systemic income inequality, poverty, and rising housing costs. Around 37.9 million people experience poverty in the US,^{xxi} 26.5 million people live in counties where the poverty rate has been over 20 percent for at least 30 years.^{xxii} Affordable housing is almost nonexistent across the country^{xxiii}, and one-third of households spent more than 30 percent of their income on housing costs in 2020.^{xxiv} It is also difficult to obtain housing with any criminal record in the US, which many survivors have due to their trafficking situation.^{xxv,xxvi} The lack of a comprehensive social safety net to prevent homelessness and poverty makes people vulnerable to trafficking.

For youth, US Government-funded systems exacerbate and create vulnerabilities to human trafficking and homelessness. A study of 641 youth in foster care identified 19 percent as survivors of human trafficking.^{xxvii} Yet the child welfare system creates harm and makes youth more vulnerable to human trafficking. The system separates Black and Indigenous families at alarming rates,^{xxviii} and children report abuse within the system consistently.^{xxix} When more than 20,000 children age out of the system each year, an estimated 20 percent become homeless.^{xxx} The juvenile legal system also exacerbates youth homelessness. In a study across 11 cities, 44 percent of runaway and homeless youth surveyed had stayed in a jail, prison, or juvenile justice center.^{xxxi} Black, Hispanic, and LGBTQ+ youth, as well as trafficking survivors, are disproportionately represented in homelessness and the criminal legal system.^{xxxii,xxxiii}

Immigrant youth are provided with insufficient support and services to ensure their safety, leaving them vulnerable to homelessness and human trafficking. Youth who arrive at a US border without their parents must be provided with increased, in-person, legal, and social services once they are released from government custody.^{xxxiv}

Criminalization of the sex trades continues to cause homelessness and lead to the trafficking of sex workers. Sex workers who are arrested are often unable to pay their rent and may lose their housing subsidies or be evicted. Criminal records are also used to deny trafficking survivors access to housing programs, including those specifically designed for survivors.

For trafficking survivors, housing insecurity presents a significant obstacle to independence and increases vulnerability to returning to a trafficking situation. Insufficient access to emergency shelter, transitional housing, and long-term housing options are barriers to stability for trafficking survivors.^{xxxv} The emergency housing system for survivors includes many restrictions on access, like sobriety, leaving work in the sex trades, and service requirements that make it difficult for survivors to access and remain in the limited housing programs available.

7. Practical Recommendations

Prevention programs will never be fully effective unless the US addresses its longstanding structural and social inequalities that create vulnerabilities to homelessness and human trafficking. The US can alleviate these inequalities through direct, sustained investment in comprehensive social support.

Systemic poverty and housing insecurity can be addressed by significantly expanding the social safety net. The US falls behind comparable developed democracies in social support available to residents. There are limited resources available to people experiencing economic hardship, healthcare is tied to employment, and disability benefits average at poverty levels.^{xxxvi} The lack of a social safety net creates avoidable vulnerabilities.

The US Government can also evaluate the vulnerabilities and inequalities created by the child welfare, juvenile justice, and other youth-facing systems. Youth experiencing homelessness and human trafficking are often also involved in these systems. Criminalization and the use of the child welfare system should be replaced with community-based programs that provide support to families, including affordable childcare, parenting classes, after-school and summer programs, nutrition assistance, housing support including rental and mortgage assistance, and tutoring and mentoring support.

To increase the affordable housing stock, the US Government must invest in communities most impacted by homelessness and revise zoning regulations that limit investment in affordable housing.^{xxxvii} Increasing safe and accessible housing services will help prevent housing insecurity and homelessness for trafficking survivors. The US Government should invest in safe, client-led housing services and require all service providers to implement standards of care. Existing programs should be evaluated for policies that prevent survivor autonomy and restructured to prevent additional harm. Government grants serving survivors of trafficking and unhoused individuals should allow for flexible funding and invest in long-term housing instead of relying on emergency shelters.

Decriminalization of poverty and the sex trades are critical steps to increase access to safe, affordable housing and reduce trafficking. The criminalization of loitering, public urination, and prostitution-related offenses stands in the way of progress and safety. Removing these criminal offenses throughout the US is necessary.^{xxxviii}

Human trafficking cannot be stopped in the US unless systemic racism, discrimination, and oppression are eradicated. The complex nature of these issues means that a simple solution does not exist. As long as they persist, human trafficking will disproportionately impact BIPOC, LGBTQ+, and disabled communities.

Thank you for your consideration of these comments.

Sincerely,



Jean Bruggeman
Executive Director

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